



Dear members of ITB Panel of the Legislative Council,

LC Paper No. CB(1)528/10-11(04)
(English version only)

CDI's response towards Mid-term review of sound broadcasting licenses of Hong Kong Commercial Broadcasting Company Limited and Metro Broadcast Corporation Limited

Free-to-air frequency monopoly is one of the, and always been, a major concern of Community Development Initiative (CDI). With submission made to the Hong Kong Broadcasting Authority (HKBA) regarding the future of broadcasting services in Hong Kong together with petition movement against free-to-air frequency monopoly, CDI has interested in this mid-trim review because of tide on the area concerned. We would like our honorable legislators to draw the attention regarding the format and process of this mid-trim review conducted by the HKBA.

To begin with, the ability of articulating views on the issue through the mode of outreach set by HKBA has come into a question. Apart from 2 public hearings and a LegCo panel, outreach exercises during the mid-trim review period are absent. Such approach is almost an opposite of what other public bodies behave in conducting consultation or opinion tapping in respected policy arena.

Table 1. Selected governmental projects with public engagement methods

Program	Engagement Activities Involved
Island East Harbor front Study	<ul style="list-style-type: none"> ● Roving Exhibition in Taikoo and Sau Kei Wan MTR station ● Engagement workshops with the community ● Drawing campaign ● Brainstorming workshop ● Questionnaire Survey
Western Kowloon Cultural District	<ul style="list-style-type: none"> ● 3 Public Forums ● Focus Group Meetings ● Roving Exhibition ● Arts and Culture Forum ● Forum for Urban Development, Information & Communications Technology and Green Groups ● Forum for Yau Tsim Mong Community Leaders & Residents ● Youth Forum
Central-Wan Chai Bypass	<ul style="list-style-type: none"> ● Center set up for inquiries ● Liaison with affected residents in Tin Hau area ● Booth for voting options in major MTR Island Line stations
CRHK and Metro Broadcast mid-trim review	<ul style="list-style-type: none"> ● 2 Public Hearings ● 1 LegCo Panel

With little intention to engage with the public in this mid-trim review, authenticity of the views on the performance of CRHK and Metro Radio might not be well reflected in this public consultation. If our honorable legislators echo with the view that free-to-air frequency is our scarce resources and public opinions on the allocation of such resource should be well respected, the HKBA is undoubtedly incapable in conducting this review.



Format and context of public hearings has put the objective of tapping views of the public into challenge. Rules being set on the public hearing have stunted the interaction between participants and representatives of both operators. In detail, representatives of Commercial Radio (CRHK) and Metro Broadcasting (MB) are not required to response specific opinions expressed by the participants. Without interactions, both participants and operators cannot engage in a more in-depth discussion on the performance of both major free-to-air radio operators. Although the chairman of HKBA has promised to give responses of opinions and questions in the report, the ability and willingness to fulfill such promises by HKBA and both operators is uncertain.

The challenge mentioned above have been raised on the ground that voices expressed in public hearing sessions have been partially twisted. CDI representative has spoken in both meetings but only one of them has been noted in the executive summary ¹ anonymously while criticisms on the format of public consultation has not been noted in the executive summary of the second public hearing. ² Furthermore, our representatives have found that a person has distributed papers with questions to be asked to his friends in the public hearing. With investigations being made online, it is quite likely that the person is a staff of one of the operators. For sure, public hearings should welcome any stakeholder but with such suspected dishonest action being conducted, authenticity of the opinions being heard by HKBA members has been subjected to challenges.

The HKBA should be accountable for such administrative shortfall by reintroducing the review process. Public engagement exercises should be included in order to reach the public proactively. The general public should be able to express their opinions in a convenient manner so that members of the HKBA can be assessed the performance of both operators in a scientifically. As free-to-air frequency is a precious resource of the public, council members should consider issues and demand mentioned above in order to meet the public interest.

Yours faithfully,
for Community Development Initiative

Michael K.T. Mo

¹ <http://www.hkba.hk/cn/ph/doc/publichearing2010.pdf>. CDI representative has expressed the point that 商業電台節目《十八全人愛落區》含有與事實不符的陳述，有誤導成份。

² http://www.hkba.hk/cn/ph/doc/publichearing2010_2.pdf. Absence of the opinion expressed by CDI representative.