立法會
Legislative Council

Ref : CB1/PL/ITB/1

Panel on Information Technology and Broadcasting

Minutes of meeting
held on Monday, 14 May 2012, at 2:30 pm
in Conference Room 2B of the Legislative Council Complex

Members present :   Hon WONG Yuk-man (Chairman)
Dr Hon Samson TAM Wai-ho, JP (Deputy Chairman)
Hon CHAN Kam-lam, SBS, JP
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon LEE Wing-tat
Hon WONG Ting-kwong, BBS, JP
Hon Ronny TONG Ka-wah, SC
Hon IP Kwok-him, GBS, JP

Members absent :   Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon Cyd HO Sau-lan
Hon Mrs Regina IP LAU Suk-yee, GBS, JP

Public officers attending :   Agenda item IV

Miss Elizabeth TSE, JP
Permanent Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Daniel LAI, BBS, JP
Government Chief Information Officer

Miss Joey LAM, JP
Deputy Government Chief Information Officer
(Policy and Customer Service)

Mr Kingsley WONG
Chief Systems Manager
(Digital Inclusion) (Acting)

Agenda Item V

Miss Elizabeth TSE, JP
Permanent Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Daniel LAI, BBS, JP
Government Chief Information Officer

Mr Victor LAM
Deputy Government Chief Information Officer
(Consulting and Operations)

Mr Tony WONG
Assistant Government Chief Information Officer
(IT Operations) (Acting)

Agenda Item VI

Miss Elizabeth TSE, JP
Permanent Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Joe WONG, JP
Deputy Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Eric CHAN
Assistant Director (Film, Newspaper and Article
Administration)
Office of the Communications Authority

Agenda Item VII

Miss Elizabeth TSE, JP
Permanent Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Joe WONG, JP
Deputy Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Roy TANG, JP
Director of Broadcasting
Radio Television Hong Kong

Mr K M TAI
Deputy Director of Broadcasting (Programmes)
Radio Television Hong Kong

Miss Jace AU
Deputy Head, Public Affairs Units
Radio Television Hong Kong

Clerk in attendance : Ms YUE Tin-po
Chief Council Secretary (1)3

Staff in attendance : Mr Joey LO
Senior Council Secretary (1)3

Ms May LEUNG
Legislative Assistant (1)3

Action

I. Confirmation of minutes of meeting
(LC Paper No. CB(1)1781/11-12   --   Minutes of meeting held on
12 April 2012)

The minutes of the meeting held on 12 April 2012 were confirmed.

II. **Information papers issued since the last meeting**

(LC Paper No. CB(1)1796/11-12(01) -- Submission from a member *(Chinese version only)* of the public on the performance of Communications Authority and the former Broadcasting Authority dated 1 May 2012 (Restricted to members)

LC Paper No. CB(1)1806/11-12(01) -- Summary report on the Outage of the Network of SmarTone Mobile Communications Limited on 9 April 2012 issued by the Office of the Communications Authority in May 2012)

2. Members noted that the above papers had been issued for the Panel's information.

III. **Date of next meeting and items for discussion**

(LC Paper No. CB(1)1783/11-12(01) -- List of outstanding items for discussion

LC Paper No. CB(1)1783/11-12(02) -- List of follow-up actions)

3. Members noted that the next regular Panel meeting would be held on Monday, 11 June 2012 at 2:30 pm to discuss the following items:

(a) Progress update on the e-Government development; and

(b) Progress update on the introduction of Customer Complaint Settlement Scheme.

(*Post-meeting note*: At the instruction of the Chairman, the item "Applications for domestic free television programme service licences" was subsequently included in the agenda of the next Panel meeting on 11 June 2012.)

IV.   Progress report on digital inclusion

(LC Paper No. CB(1)1783/11-12(03) -- Administration's paper on progress report on digital inclusion

LC Paper No. CB(1)1783/11-12(04) -- Paper on digital inclusion prepared by the Legislative Council Secretariat (updated background brief)

LC Paper No. CB(1)1827/11-12(01) -- Administration's paper on *(Chinese version only)* progress report on digital *(tabled at the meeting and* inclusion (power-point *subsequently issued via email on 15* presentation material)) *May 2012)*

Presentation by the Administration

4.   At the invitation of the Chairman, Permanent Secretary for Commerce and Economic Development (Communications and Technology) (PSCED(CT)) and Chief Systems Manager (Digital Inclusion) (Acting) (CSM(DI)) briefed members on the progress of the Government's digital inclusion initiatives. CSM(DI) gave a power-point presentation on the detailed initiatives. Details of the briefing and presentation were set out in the Administration's papers (LC Paper Nos. CB(1)1783/11-12(03) and CB(1)1827/11-12(01) (Chinese version only)).

Discussion

Internet Learning Support Programme

5.   Noting the slow service take-up rate of the Programme among students from low-income families, Mr LAU Kong-wah expressed concern whether the target to ensure the access to Internet-connected computers of these students on par with their counterparts in the mainstream community could be achieved by 2014. He opined that it would be most effective for the Administration to focus effort in this regard at the school level.

6.   PSCED(CT) advised that the Administration adopted a two-pronged strategy to assist students from low-income families to undertake web-based learning at home. Under the first prong of the strategy, a non-accountable annual cash Internet Access Subsidy was disbursed to eligible families from the 2010/2011 school year onwards together with the Comprehensive Social Security Assistance or the School Textbook Assistance. The second prong

of the strategy comprised a five-year Internet Learning Support Programme (ILSP) to help eligible families acquire affordable computers and Internet access service, and to provide training, and user and social support to them. The second prong was meant to be a supplement to the first prong and a recent survey by OGCIO indicated that 97% of the targeted families already had access to the Internet at home. She said that when the funding for the ILSP was approved by the Finance Committee, no performance target had been set. Nevertheless, performance targets were set for the Implementers at the commencement of the ILSP. For example, the Implementers had to reach an aggregate number of 60 000 eligible families by 31 March 2012. As at the target date, the total number of beneficiaries enrolled in the ILSP was about 43 000. As for the aggregate target number of 20 000 beneficiaries to be served by 31 March 2012, the Implementers had been able to provide services to 10 395 families by the target date.

7.   PSCED(CT) added that to raise awareness of the ILSP, the Implementers had set up 22 service centres across the territory to provide comprehensive support to eligible families and students. The Office of the Chief Government Information Officer (OCGIO), together with the Implementers, had embarked on a series of promotion activities including school talks and briefings, etc. According to the findings of follow-up surveys on the students and their parents, over 98% of the respondents were satisfied with the services provided by the Implementers.

8.   Ms Emily LAU expressed concern about the difference in performance between the two Implementers of the ILSP in that WebOrganic had performed better than eInclusion in many service areas. She urged the Administration to follow up the matter with a view to enhancing the overall performance of the ILSP.

9.   In response, PSCED(CT) advised that each of the Implementers had its own strengths and weaknesses. Whilst WebOrganic performed better in certain service areas, eInclusion excelled in a number of other service areas. With the accumulation and exchange of experience between the two Implementers, the ILSP was being implemented more smoothly and efficiently.

10.   Government Chief Information Officer (GCIO) added that whilst the take-up rate for the initial year was lower than expected, the OCGIO would continue to work with the Implementers to try to catch up on performance for the remaining term of the ILSP. GCIO and his colleagues had been communicating closely with both Implementers to boost service adoption.

Encouraging information and communications technology adoption among the elderly and persons with disabilities

11.   Mr LEE Wing-tat noted that the Administration aimed to increase computer and Internet usage rates of the elderly from the current 20% and 18.4% to 25% and 23% respectively by 2014. He urged the Administration to set higher performance targets for the elderly group and take proactive steps to meet the targets. He also urged the Administration to strengthen support for persons with disabilities (PwDs) in information and communications technology (ICT) adoption.

12.   GCIO advised that the performance targets for the elderly group were formulated having regard to Hong Kong's demographic characteristics. According to census, there were about 1.35 million elderly people in Hong Kong, of which 25 % were illiterate and a number of them were institutionalized and were therefore too old or frail to use computers. Through the "eElderly" portal and other sponsored projects, the Administration was confident that the ICT adoption rate among the elderly would continue to increase. GCIO added that OGCIO had set aside $3.6 million in 2010-2011 to support the development of ICT-based assistive tools and applications for PwDs. Nine projects had been completed. An exhibition of the completed products was held in the Central Library in May to enhance awareness of ICT-based assistive technology and encourage adoption.

V.   Implementation of a Government Cloud Platform

(LC Paper No. CB(1)1783/11-12(06) -- Administration's paper on implementation of a Government Cloud Platform

LC Paper No. CB(1)1783/11-12(07) -- Paper on development of Government Cloud Platform prepared by the Legislative Council Secretariat (background brief)

LC Paper No. CB(1)1827/11-12(02) -- Administration's paper on
(Chinese version only)   implementation of a
(tabled at the meeting and   Government Cloud
subsequently issued via email on 15   Platform (power-point
May 2012)   presentation material))

Presentation by the Administration

13.   At the invitation of the Chairman, <u>Permanent Secretary for Commerce and Economic Development</u> (Communications and Technology) (PSCED(CT)) and <u>Assistant Government Chief Information Officer (IT Operations) (Acting)</u> (AGCIO) briefed members on the proposal for implementation of a Government Cloud Platform (GovCloud). <u>AGCIO</u> gave a power-point presentation on the features and benefits of the proposed GovCloud. Details of the briefing and presentation were set out in the Administration's papers (LC Paper Nos. CB(1)1783/11-12(06) and CB(1)1827/11-12(02) (Chinese version only)).

Discussion

Funding proposal

14.   <u>Dr Samson TAM</u> enquired if the estimate of $105 million for the provision of computing resources would be refunded to the Government if the actual demand of such resources was lower than the forecast. He also enquired if the user bureaux and departments (B/Ds) would be required to pay a fee for the use of GovCloud.

15.   <u>Government Chief Information Officer</u> (GCIO) advised that the estimate of $105 million represented only the maximum provision of the shared pool of computing resources to meet dynamic demand, and the actual provision would depend on the usage of such resources. <u>Deputy Government Chief Information Officer (Consulting and Operations)</u> (DGCIO) supplemented that the estimated one-off funding of $242 million would support about 30 B/Ds in rolling out their electronic information management and electronic procurement services for five years from 2013-2014 to 2017-2018. For further B/Ds which were interested in using the GovCloud, they were also welcome to join the service by procuring shared computing resources (e.g. servers and storage) using their own financial resources or through the Computerization block allocation.

Contract management

16.   In response to the Chairman's concern about measures to ensure the quality of the outsourced service, <u>DGCIO</u> advised that a team of IT professionals, including 1 Senior Systems Manager, 1 Systems Manager and 2 Analysts/Programmers would be responsible for coordinating and managing the initiative and related procurement and contract management. <u>AGCIO</u> added that in the tender document, the Office of the Government Chief Information Officer (OGCIO) would clearly inform IT contractors of the technical requirements, performance levels, operation standards, guidelines and procedures, as well as other pertinent information that were applicable to the GovCloud contract.   All government data would be backed up to the Central Computer Centre of OGCIO on a daily basis.

Other issues

17.   In response to Ms Emily LAU's enquiry about the eligibility criteria of the B/Ds, <u>DGCIO</u> advised that the 30 B/Ds were identified in surveys and studies conducted by OGCIO on the requirement of B/Ds for electronic information management and/or electronic procurement services over the next five years.   On Ms LAU's concern about data security, <u>DGCIO</u> advised that the Administration had made reference to the experience of overseas countries (e.g. the United States, the United Kingdom and Singapore) and their data security measures in the construction of the GovCloud.

18.   <u>The Chairman</u> concluded that the Panel supported in principle the funding proposal to implement the GovCloud.

VI.   Review of Control of Obscene and Indecent Articles Ordinance – second round of public consultation

(File Ref: CTB(CR)8/7/1(09)Pt.38	--	Administration's paper on second round of public consultation on the review of the Control of Obscene and Indecent Articles Ordinance (Legislative Council Brief)
LC Paper No. CB(1)1783/11-12(05)	--	Paper on issues relating to the control of obscene and indecent articles prepared by the Legislative Council Secretariat (updated

background brief))

LC Paper No. CB(1)1827/11-12(03) *(Chinese version only)* *(tabled at the meeting and subsequently issued via email on 15 May 2012)*	--	Administration's paper on second round of public consultation on the review of the Control of Obscene and Indecent Articles Ordinance (power-point presentation material))

Presentation by the Administration

19.   At the invitation of the Chairman, <u>Permanent Secretary for Commerce and Economic Development</u> (Communications and Technology) (PSCED(CT)) and <u>Assistant Director (Film, Newspaper and Article Administration), Office of the Communications Authority</u> (AD(FNAA)) briefed members on the second round of public consultation on the review of the Control of Obscene and Indecent Articles Ordinance (COIAO) (Cap. 390). <u>AD(FNAA)</u> gave a power-point presentation on the details of the consultation exercise.   Details of the briefing and presentation were set out in the Legislative Council Brief (CTB(CR)8/7/1(09)Pt.38) and the Administration's power-point materials (LC Paper No. CB(1)1827/11-12(03) (Chinese version only)).

Discussion

Institutional set-up of the Obscene Articles Tribunal

20.   In response to Ms Emily LAU's enquiry whether the concerns of the Judiciary and the legal sector on the institutional set-up of the Obscene Articles Tribunal (OAT) were addressed under the current proposal, <u>PSCED(CT)</u> advised that the two options on the OAT set-up currently proposed by the Administration could address the fundamental concerns of the Judiciary and the legal sector, as both involved taking the administrative classification function away from the Judiciary.

21.   <u>The Chairman</u> objected to the first option which involved the setting up of a statutory classification board and a statutory appeal panel to carry out the administrative classification function, as members of the public might easily mix up the new statutory set-up with the OAT then.   He preferred the second option which sought to abolish the administrative classification function.   In this connection, he enquired about the Administration's preference regarding the two options.

22.   PSCED(CT) advised that the Administration adopted an open attitude and had no preference as to the two options.   Feedback from the community would form the basis of consideration.   In order to address the concerns of the Judiciary, the Administration proposed in 2000 the setting up of a statutory obscene articles classification board to classify articles.   The proposal was however shelved due to strong objections from some political parties and members of the public expressing grave concern that freedom of expression would be suppressed.

23.   The Chairman opined that the term of office of the adjudicators of the OAT should be shortened, so that the composition of the adjudicators would be changed more frequently to provide plurality, and would more accurately reflect the prevailing public standards of morality.   PSCED(CT) advised that under the COIAO, a person would be eligible to be appointed to the panel of adjudicators if he/she was an ordinarily resident in Hong Kong and had so resided for at least 7 years, and was proficient in written English or written Chinese.   Eligible persons from all walks of life could apply to become adjudicators through the Commerce and Economic Development Bureau. The Judiciary had been improving the existing operations of the OAT in response to public concerns.   To enhance the representativeness of the OAT adjudicators and to allow more opportunities for members of the public to serve as adjudicators, the Judiciary decided to increase the total number of adjudicators and to apply the nine-year rule in the re-appointment of serving adjudicators.

New forms of media

24.   In response to Ms Emily LAU's concern about regulating new forms of media, PSCED(CT) advised that the Administration proposed to maintain the status quo by continuing to adopt the existing co-regulatory approach based on the collaboration between the Administration and the Internet Service Providers (ISPs) for the control of indecent and obscene articles on the Internet.   Under this approach, the Office for Film, Newspaper and Article Administration worked with the Hong Kong Internet Service Providers Association to implement a Code of Practice which was promulgated in 1997 following public and industry consultation.   According to the Code of Practice, if the content under complaint was indecent, the ISP concerned would request the webmaster to add the required statutory warning notice or remove the indecent article.   If the content under complaint was likely to be obscene, the ISP concerned would block access to the article or request the webmaster to remove it.

VII.   Radio Television Hong Kong's Community Involvement Broadcasting Service and the establishment of the Community Involvement Broadcasting Fund

(LC Paper No. CB(1)1783/11-12(08) --	Administration's paper on Radio Television Hong Kong's Community Involvement Broadcasting Service and the Establishment of the Community Involvement Broadcasting Fund
LC Paper No. CB(1)1783/11-12(09) --	Paper on community involvement in broadcasting prepared by the Legislative Council Secretariat (background brief))
LC Paper No. CB(1)1827/11-12(04) -- *(Chinese version only)* *(tabled at the meeting and subsequently issued via email on 15 May 2012)*	Administration's paper on progress report on Radio Television Hong Kong's Community Involvement Broadcasting Service and the Establishment of the Community Involvement Broadcasting Fund (power-point presentation material))

Presentation by the Administration

25.   At the invitation of the Chairman, Permanent Secretary for Commerce and Economic Development (Communications and Technology) (PSCED(CT)) and Deputy Director of Broadcasting (Programmes) (DD of B) briefed members on the proposal for the establishment of the Community Involvement Broadcasting Fund (CIBF).   DD of B gave a power-point presentation on the implementation plan of the proposed CIBF.   Details of the briefing and presentation were set out in the Administration's papers (LC Paper Nos. CB(1)1783/11-12(08) and CB(1)1827/11-12(04) (Chinese version only).

Production cycle

26.   Noting that Community Involvement Broadcasting Service (CIBS) programmes would only be broadcast on the digital audio broadcasting (DAB) channels of Radio Television Hong Kong (RTHK) for two hours a day, Dr Samson TAM urged the Administration to provide more airtime for the CIBS to cater for more interested applicants.

27.   D of B advised that there should be 13 weeks in one production cycle, and each community involvement broadcasting (CIB) producer would produce 13 episodes of one-hour programme.   The existing plan to broadcast CIBS programmes for two hours daily was based on the assumption that the CIB producers would be able to produce programmes of one hour duration. However, many CIBS applicants had indicated during consultation difficulties in producing one-hour programmes.   RTHK would consider allowing them to produce half-hour programmes, thus increasing the number of successful applicants from 14 to 28 per season.   The maximum number of successful applicants under the three-year pilot project could range from 168 to 336 depending on the duration of the programmes.   Whether the two-hour-per-day time slot would be extended would depend on the number of applications received and the quality of the programmes produced.   In response to Dr TAM's enquiry, D of B advised that audit fees incurred for the preparation of financial accounts submitted by the CIBS producers were reimbursable.   Programme quality would be the prime consideration in the assessment of CIBS applications. The fact that applicants would be able to fund programmes with their own resources would not give them any edge.

Facilitation and support to CIB producers

28.   Mr LEE Wing-tat expressed support for the establishment of the CIBF, and urged the Administration to provide popular time slots for the broadcasting of CIBS programmes to raise audienceship.   Depending on public response and the quality of the programmes produced, he urged the Administration to increase its commitment for the CIBF in the interim period of implementation, say by the end of 2013-2014.   He also opined that the requirement for CIBF applicants to submit audited financial report would create a burden on independent applicants and small non-governmental organizations which had little resources at their disposal.   As such, he urged the Administration to relax the rules limiting successful applicants to produce CIBS programmes again in the same season for non-government organizations and underprivileged communities, so as to encourage them to produce more quality programmes.   Sharing a similar view, Ms Emily LAU opined that popular CIBS programmes should be allowed to be broadcast continually without being subject to the 13-episode limit.

29.   D of B advised that RTHK would provide templates for reference by successful CIBF applicants to fulfill the requirement of financial reporting. Initially, CIBS programmes would be broadcast two hours daily through RTHK's DAB channels.   The exact timing of broadcast would be subject to the number of successful applicants and the advice of the CIBS Selection Committee.   In considering the repeat application by successful applicants, the Selection Committee would bear in mind the need to provide opportunities for as many applicants as possible under the CIBS.   This was in line with the practice of overseas countries such as Australia and the United Kingdom to which reference had been made.   On Ms Emily LAU's enquiry about how the cost of production of the CIBS compared with RTHK programmes, D of B advised that the cost ceiling of producing an hour of CIBS programme would be $15,000, compared to around $3,000 to $6,000 required for producing a RTHK programme.

30.   In response to Ms Emily LAU's enquiry about the role of facilitators in the implementation of CIBS, D of B advised that the facilitators were RTHK staff who would be responsible for assisting and following up with each successful CIBS application.

Broadcasting platform of CIBS

31.   Ms Emily LAU expressed concern about the anticipated low audience rating of the CIBS if it was to be broadcast on RTHK's DAB channels which were not so popular at the moment.   Noting that there were still ample time slots on RTHK's non-DAB channels for new programme contents as many programmes were jointly broadcast on different channels simultaneously, she suggested that CIBS should be broadcast on RTHK non-DAB channels.   In this regard, she urged the Administration to step up promotion on the adoption of the DAB service.   Sharing a similar view, the Chairman urged the Administration to expedite the DAB network rollout and provide assistance to the licensees in solving the problems in respect of hardware and difficulties in reception in certain regions of Hong Kong.

32.   D of B clarified that there were no radio frequencies available on RTHK's non-DAB service for new programme contents.   Joint broadcasting of programmes on non-DAB channels happened only after midnight between 2:30 am to 6:00 am.   As time slots after midnight would not help attract audienceship, it would be more advisable to broadcast CIBS programmes on DAB channels.   The first phase DAB network of RTHK would be by and large completed by end of June 2012.   This would largely improve the DAB coverage to a level which was on a par with the coverage of RTHK's amplitude modulation (AM) service.

33.   DD of B added that with the completion of the first phase network construction of RTHK's DAB network by end of June 2012 and the launching of new programmes on the DAB service in the second half of 2012, large scale promotion campaigns and road shows would be launched to raise the awareness and popularity of the DAB service.   PSCED(CT) supplemented that according to the licence conditions of the three DAB licences granted by the Chief Executive in Council in March 2011, the licencees would have to launch their DAB services within 18 months after the grant of licences, i.e. by September 2012.   While two licencees had already soft-launched their DAB services, RTHK had also launched its DAB service in November 2011.   The Administration would suitably adjust its publicity effort and promotion strategies to tie in with the progress of the network rollout and take-up rate of the DAB services in Hong Kong.

34.   Dr Samson TAM expressed concern about the weak DAB signal in the vicinity of the border.   In response, Deputy Secretary for Commerce and Economic Development (Communications and Technology) (DSCED(CT)) advised that the problem of weak DAB signal in areas near the border was related to the relative strengths of the radio signals from Hong Kong and from over the border.   Unilateral enhancement of signals on one side would cause interference on the other.   To deal with the matter, the Office of the Communications Authority would coordinate with the Mainland authorities in adjusting the optimal levels of radio signals on both sides.   Meanwhile, more fill-in stations would be added to improve the transmission of DAB signals in Hong Kong.

CIBS Selection Committee and selection criteria

35.   The Chairman enquired about the composition of the CIBS Selection Committee.   He opined that the membership of the Selection Committee should be drawn from diverse background and the selection process should be free from any political considerations.

36.   D of B advised that the CIBS Selection Committee would comprise three scholars in communications or broadcasting, three experts from different fields (depending on the designated programme themes for each round of application) drawn from the RTHK Programme Advisory Panel, and one other member who was familiar with ethnic minorities issues.

Service targets

37.   The Chairman urged the Administration to pay attention to the needs of niche audience and minority interest in implementing the CIBS.   In response, D of B advised that the service targets of CIBS would not only be

mass audience but also niche audience and minority interest. The CIBS platform would pay attention to those communities which usually had less opportunity to have their voice heard in public.

38.   The Chairman concluded that the Panel supported in principle the proposal for the establishment of the CIBF.

VIII.   Any other business

39.   There being no other business, the meeting ended at 5:05 pm.

Council Business Division 1
Legislative Council Secretariat
1 August 2012