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Panel on Information Technology and Broadcasting

Meeting on 11 March 2013

Background brief on the role and future of Radio Television Hong Kong and issues relating to Community Involvement in Broadcasting

Purpose

This paper summarizes the views and concerns expressed by the Panel on Information Technology and Broadcasting ("the Panel") on the role and future of Radio Television Hong Kong ("RTHK") and issues relating to Community Involvement in Broadcasting Service ("CIBS").

Background

Role and future of RTHK

2. Public service broadcasting ("PSB") and the future of RTHK has been a matter of public concern for over 20 years. Following the deliberations of the Executive Council on 22 September 2009, the Administration announced its decision on the way forward in respect of PSB and the future of RTHK. In gist, RTHK would remain as a Government department and be tasked to take up the mission to serve as the public service broadcaster for Hong Kong. The Government committed that appropriate resources would be provided for service enhancement to enable RTHK to expand its scope of service to fulfil its role and mission and better serve the community. In October 2009, the Commerce and Economic Development Bureau published the consultation paper on "The New Radio Television Hong Kong: Fulfilling its Mission as a Public Service Broadcaster" ("the 2009 consultation paper"). A three-month consultation was subsequently launched by the Government to gauge public views on how best RTHK should operate to achieve its mission as a public service broadcaster. The Administration announced the outcome of the public consultation exercise in March 2010, details of which are given in the

Government's consultation report issued vide LC Paper No. CB(1)1520/09-10(05) on 1 April 2010.

Community involvement in broadcasting

3. According to the 2009 consultation paper, there were strong calls from some sectors of the community for opening up the airwaves for community and public access broadcasting. There was also a lack of sufficient frequency spectrum to support low-cost reception. This, together with the fact that stand-alone community broadcasting services required substantial financial and human resources, inhibited participation by smaller community groups. The 2009 consultation paper pointed out that technological advancement, which provided impetus to the digitization of free-to-air television and the development of Digital Audio Broadcasting ("DAB"), presented new opportunities to provide more channels and platforms.

4. In view of the above, the Government proposed in the 2009 consultation paper that RTHK should be tasked to devote part of its airtime and resources within the development of its digital services to provide a platform for community participation in broadcasting. As a pilot, RTHK would administer a Community Involvement Broadcasting Fund ("CIBF") to encourage community organizations to bid for resources for producing television and radio programmes, and would arrange to broadcast these contents on RTHK's channels.

5. According to the Administration, members of the public were in general supportive of the proposals of encouraging public participation in broadcasting and welcomed the establishment of CIBF. These proposals were later incorporated into the RTHK Charter published in August 2010 (issued vide LC Paper No. CB(1)2738/09-10(01) on 16 August 2010).

Previous discussions

6. At the Panel meetings of the Fourth Legislative Council, members discussed the development of PSB in Hong Kong and the future of RTHK, including the comprehensive package to support the development of RTHK as the public service broadcaster for the next few years. A summary of the Panel's deliberation on the relevant issues prepared by the Secretariat in March 2013 is in **Appendix I**.

Establishment of the Community Involvement Broadcasting Fund

7. When the Panel discussed community involvement in broadcasting at its meetings in 2011, members generally supported the establishment of the CIBF as proposed by the Administration in the 2009 consultation paper. Some members were of the view that instead of RTHK devoting part of its airtime and resources within the development of its digital service to provide a platform for community participation in broadcasting, the Administration should open up airwaves for independent community groups, non-governmental organizations, religious bodies and ethnic minorities to participate in public access broadcasting and produce their own programmes so as to encourage a plurality of voices.

8. At the Panel meeting on 14 May 2012, the Administration briefed members on the outcome of the public consultation on the proposals to set up CIBS and the establishment of CIBF. Panel members generally expressed support for the proposal to set up CIBF. As CIBS programmes would only be broadcast on RTHK's DAB channel for two hours a day, some Panel members urged RTHK to provide more airtime for CIBS to cater for more interested applicants. These members also urged the Administration to expedite the DAB network rollout to raise the audience rating of CIBS.

9. The Administration advised that 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. With the completion of the first phase network construction of RTHK's DAB service by end of June 2012 and the launching of new programmes on 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 DAB service.

10. Some Panel members opined that the application requirement to submit audited financial report would create a burden on small non-governmental organizations that had little resources at their disposal. Some other members considered that the selection criteria and process of CIBS and CIBF should be made as transparent as possible. These members also opined that the membership of the Selection Committee on the assessment of applications received should be drawn from diverse background and the selection process should be free from any political considerations.

11. The Administration advised that RTHK would provide relevant templates for reference by successful CIBF applicants. RTHK would also assign a facilitator to follow up with each successful CIBS application. As regards the Selection Committee, it 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 issues on ethnic minority.

12. The proposal to create a new commitment of \$45 million for the establishment of CIBF was approved by the Finance Committee on 25 May 2012. A copy of the paper submitted by the Administration to the Finance Committee (FCR(2012-13)29) is in **Appendix II**.

Latest position

13. The Administration will brief the Panel on the progress of the roll out of the CIBS since its last report to the Panel on 14 May 2012, as well as issues relating to the role and future of RTHK.

Relevant papers

14. A list of the relevant papers with their hyperlinks is at:
http://www.legco.gov.hk/yr11-12/english/panels/itb/papers/itb_ab.htm

Council Business Division 4
Legislative Council Secretariat
6 March 2013

Summary of deliberations by the Panel on Information Technology and Broadcasting on issues relating to the role and future of Radio Television Hong Kong in the Fourth Legislative Council

Future operation of the Radio Television Hong Kong ("RTHK") and the new RTHK Charter

At the special meeting held on 5 October 2009, the Administration briefed the Panel on the Government's decision on the way forward in respect of public service broadcasting ("PSB") in Hong Kong and the future of RTHK. The Administration also briefed members on the public consultation exercise launched to gauge public views on how best RTHK should operate to achieve its mission as a public service broadcaster, including the public purposes of the new RTHK, the proposed establishment of a Board of Advisors ("the Board") to enhance corporate governance and accountability, and the proposed contents of the Charter to be signed by the Chief Secretary for Administration, the Director of Broadcasting ("D of B") and the Chairman of the former Broadcasting Authority (the predecessor of the Communications Authority).

2. Some Panel members expressed grave disappointment that after protracted discussions in the past and despite the Administration's pledge to widely consult the public before deciding on the way forward for the development of PSB and the future of RTHK, the Chief Executive ("CE") in Council had, in the absence of any public consultation, decided to retain RTHK's status as a Government department while performing the role of a public service broadcaster. However, some Panel members welcomed the Government's decision on RTHK as it would put an end to the uncertainty surrounding the future of RTHK, and give RTHK new impetus to build on its strong reputation for providing quality broadcasting service to the community.

3. To gauge the views of the public on the way forward in respect of the future operation of RTHK, the Panel met with members of the public and deputations from the media industry at the special meeting on 19 November 2009. The majority of the deputations opined that the new RTHK could not effectively perform the function of an independent public service broadcaster and be free from any political and financial interference under the proposed governance structure and the direction of

the proposed Board. They objected to the setting up of the Board which would overlap with the work of the existing Programme Advisory Panel under RTHK and might be used as a political tool to interfere with RTHK's editorial freedom. They also considered that the Charter should be drawn up and enshrined in law to safeguard RTHK's editorial independence. Some deputations, including some minority groups and district councillors, supported the Government's decision and urged the Administration to implement the proposals as soon as practicable to enable RTHK to perform its expanded role and achieve its new mission. They also opined that members of the Board should be drawn from various community sectors to ensure broad representation and diversity of views.

4. The Panel also followed up the outcome of the public consultation exercise on the future operation of RTHK and the draft RTHK Charter at the meeting on 12 April 2010. Some Panel members cast doubt on the need for setting up the proposed Board and questioned the rationale for empowering the Board to advise D of B on all matters pertaining to editorial principles, programming standards, and quality of RTHK programming, given that RTHK had been operating well and even the Government had stated that RTHK had maintained its credibility for decades. These members urged the Government to remove such power of the Board from the Charter as the adoption of the Charter would jeopardize editorial independence of RTHK, resulting in pre-censorship and turned RTHK into a Government mouth piece. They also suggested providing specifically for RTHK's editorial independence in the Charter to safeguard against potential interference by the Government and the Board.

5. Some Panel members supported the establishment of the Board as a check and balance mechanism to enhance its accountability to the public and to ensure that RTHK would uphold professional standard of journalism and the principles of impartiality and objectivity in its editorial policies. On the composition of the Board, these members opined that apart from professionals and academics, the membership should be expanded to also include representatives from the working class and the labour sector. The Board should have a secretariat of its own instead of being serviced by RTHK staff.

6. The Administration assured members that the Government attached great importance to editorial independence of RTHK. While the proposed Board was responsible for advising on the editorial principles to be adopted by RTHK, which included upholding the highest professional

standards of journalism, and providing accurate, impartial, balanced and objective views in public affairs and general programming, the Board would not advise on or interfere with individual programmes. The ultimate editorial responsibility rested with D of B. The Administration would present the draft Charter to the RTHK staff to seek their comments. The Administration subsequently provided the Panel with the finalized Charter signed by the Chief Secretary for Administration, D of B and the Chairman of the former Broadcasting Authority.

Comprehensive package to support the development of RTHK as the public service broadcaster

7. During the 2010-2011 and 2011-2012 sessions, the Administration briefed the Panel on the comprehensive package to support the development of RTHK as the public service broadcaster for the next few years.

Media Asset Management ("MAM")

8. At the meeting on 10 December 2010, the Panel noted that RTHK would establish a MAM project starting from 2011-2012 to restore archive materials at risk, digitize the most valuable portion (about 25%) of RTHK archives, and provide specialized storage for the archive materials to facilitate easy access and retrieval. The Panel supported the project and urged the Administration to provide the necessary manpower and funding to expedite the preservation of the programme archive which was of great historical value to avoid the loss of records due to ageing. Some members questioned the basis and the rationale for setting 25% of the total pool of materials as the target of digitization, and expressed grave concern whether assets which reflected the social and political development of Hong Kong would be selectively screened out in the process of digitization. They considered that RTHK should draw up a long-term policy in respect of the safekeeping and disposal of the original copy of the digitized files, and enlist the assistance of historians and archive expertise in determining the materials to be digitized and also advise on proper storage. Instead of keeping the original copies for an indefinite period of time, selected items of public interest should be donated to museums for display for public enjoyment. RTHK should also step up co-operation with the media and communications centre of the universities to make good use of the archive materials for academic studies and historical research. Suggestion was made on the compilation of a comprehensive archive index/catalogue to facilitate

reference, access and retrieval by the general public, professional media producers, universities and researchers.

Digital terrestrial television ("DTT")

9. On the development of DTT service, the Panel noted at the meeting on 14 February 2011 that a spectrum of ultra-high frequency had been reserved for RTHK, which could accommodate one high-definition television ("TV") and two standard-definition TV channels. Over the next few years, RTHK would discuss with the two free-to-air TV broadcasters on the rental of suitable hilltop transmission sites for establishing its digital terrestrial television transmission network, so as to set up the basic transmission network by 2013-2014 at the earliest, covering 80% to 90% of the population. The high-definition TV programme channel would broadcast the core productions of RTHK, including informational, educational, cultural and arts programmes, whereas one of the standard-definition TV channels would be used for relaying programmes from China Central Television. The Panel urged RTHK to further extend the coverage of its digital terrestrial television service in future.

Community involvement in broadcasting

10. At the Panel meeting on 14 February 2011, some members considered the financial commitment of \$45 million for a three-year trial under the proposed Community Broadcasting Involvement Fund inadequate, given the sheer number of community organizations. Noting that RTHK would work out the details of the community involvement in broadcasting in consultation with the Board of Advisors, with a view to formulating a concrete proposal for public consultation by end-2011, these members opined that all community organizations should be extensively consulted on the proposal. In this connection, the Panel requested the Administration to provide more information on the framework and ground rules for the initiative of community involvement in broadcasting and brief the Panel before its implementation.

11. At the Panel meeting on 12 December 2011, D of B briefed members on the three-month public consultation on the proposals to set up CIBS. A new commitment of \$45 million was also proposed for setting up a Community Involvement Broadcasting Fund ("CIBF") to support and encourage community and ethnic minority organizations or individuals to participate in broadcasting through CIBS. Some Panel members expressed grave concern that programmes produced under

CIBS would be subject to the standards and requirements set out by RTHK, and would not be able to achieve plurality, diversity and social inclusion. They also expressed concern that certain community organizations such as the Hong Kong Federation of Youth Groups would dominate CIBF and become its major beneficiary. The Administration advised that as the existing resources of RTHK such as technical hardware were limited, RTHK had to leverage on the support of community organizations and schools in rolling out CIBS. As programmes produced under CIBS would be broadcast on the platform of RTHK, these programmes would be subject to the monitoring of the former Broadcasting Authority ("BA"), the predecessor of the Communications Authority.

12. Some Panel members expressed concern on how the editorial autonomy of CIBS producers would be protected. These members opined that care should be taken to balance the interests of different community groups and the needs of non-Chinese speakers. Noting that RTHK intended to change topics for CIBS on a quarterly basis, they suggested that programmes on popular topics such as health should be broadcast all year round. As programmes under CIBS would be broadcast on RTHK's digital audio broadcasting ("DAB") service, these members urged the Administration to step up efforts to popularize the use of digital radio receivers, so that listeners would have access to the CIBS.

13. The Administration advised that RTHK would not be involved in editorial matters, unless upon the request of CIBS producers or in case of non-compliance with the codes of practices issued by the Broadcasting Authority. A decision on programme themes would not be made until the completion of the public consultation exercise.

Development of DAB service

14. As regards the development of DAB and measures to promote the use of such service, the Panel noted at the special meeting on 21 October 2011 that four of the new digital audio broadcasting programme channels of RTHK would initially be used for simulcasting the existing four AM channels to improve reception quality, with gradual enhancement of programme content, including the introduction of community involvement in broadcasting. The other digital audio broadcasting programme channel would be used for relaying national radio programmes. Value-added data service such as news highlights and weather information would also be provided on these receivers. To ensure the smooth rollout of DAB service in Hong Kong, the

Administration would study various aspects of the service, including the monitoring of the network coverage, the take-up rate, and formulation of promotion strategy. Some Panel members opined that the proposed mode of development with only three licensees other than RTHK (which already owned many of the AM and FM frequencies) would undermine the effect of diversity of views. These members urged the Administration to develop DAB to encourage the divergence of views in the society.

Staffing issues

Strengthening of directorate support for RTHK

15. On the strengthening of directorate support for RTHK, the Panel noted at the meeting on 14 February 2011 the proposal of creation of one supernumerary post of Administrative Officer Staff Grade B ("AOSGB") as Deputy Director of Broadcasting ("DD of B") for three years and one permanent post of Controller (Broadcasting Services). The responsibilities of the proposed post of DD of B would include leading the project on reprovisioning of the Broadcasting House and development works in support of the new digital audio broadcasting and digital terrestrial television services, while the proposed permanent post of Controller (Broadcasting Services) would be heavily involved in the rollout of community involvement in broadcasting. The Panel supported the staffing proposal and considered that as the way forward for RTHK had become clear, the AOSGB post should be created on a permanent basis to ensure administrative consistency. Panel members also urged the Administration to provide adequate support to the incumbents of the posts. The Administration advised that it would keep in view the development and assess whether the DD of B post should be extended or converted to a permanent post.

Promotion and recruitment exercises for Programme Officer ("PO") grade

16. The Panel was briefed on the progress of the RTHK promotion and recruitment exercises for the some 80 civil service posts in the PO grade at the meeting on 14 March 2011. The Panel was concerned that a large number of RTHK staff was employed in the PO grade on non-civil service contract ("NCSC") terms, and these staff had to accept a much lower pay if they applied for the civil service posts at the Assistant Programme Officer ("APO") rank. Some members considered that RTHK should offer more posts at senior ranks of the PO grade to

accommodate the experienced NCSC staff. Representatives of RTHK Programme Staff Union attending the Panel meeting on 14 March 2011 also urged RTHK to open up vacancies at both the basic and promotion ranks of the PO grade to serving NCSC staff, and offer increments based on their experience on appointment. The Administration advised that RTHK would exercise discretion within the scope of the civil service appointment policies and regulations. The Panel subsequently passed a motion urging the Administration to accord priority to serving NCSC staff and formulate a comprehensive plan to retain quality serving staff for RTHK.

17. At the meeting on 9 January 2012, the Panel noted that none of the 70 PO grade officers recommended for promotion or acting appointment were NCSC staff. Some Panel members considered the situation undesirable and urged the Administration to exercise discretion to appoint serving NCSC staff in RTHK to fill the civil service posts at promotion ranks of the PO grade. These members also urged the Administration to accord priority to these staff so as to retain quality-serving staff for RTHK. The Administration advised that according to civil service regulations, vacancies at promotion ranks should normally be filled by suitable civil servants from the immediate lower rank of the same grade. RTHK had to observe procedural propriety and the principle of fair play in conducting the recruitment exercises. Nevertheless, RTHK took note of members' views and would exercise discretion in the recruitment exercises as far as possible. RTHK management would try its best to explore the possibility of granting Incremental Credit for Experience to candidates with relevant, specifically needed and particularly valuable experience.

Appointment of the D of B

18. The Panel discussed the issues relating to the appointment of an Administrative Officer ("AO") as D of B at the special meeting on 21 October 2011, some Panel members urged RTHK to set a time limit for his tenure of office so that the post could be filled by in-house staff. They also considered that the Administration should draw up a succession plan for RTHK so that in-house staff could be groomed for the post of D of B. The Administration advised that the option of posting an officer from another grade to head RTHK had not been considered until it had become clear that the open-cum-in-service recruitment exercise had failed to find a suitable candidate. The Administration considered that there was an imminent need to fill the post for leading RTHK to meet the challenges ahead arising from the enhancement of its operation and

services in the coming few years, including the launch of DAB and DTT services, the setting up of the media asset management system, the facilitation of community involvement in broadcasting, and re-provisioning of the Broadcasting House in Tseung Kwan O. The appointment of an AO as D of B was a special arrangement and was not intended to be a standing practice.

19. Noting that the posting of an AO to fill the post of D of B could create mistrust between the staff and the management of RTHK and have a dampening effect on staff morale, some Panel members urged D of B to build up mutual trust with RTHK staff as a matter of urgency. D of B advised that he had given assurance to RTHK staff that in performing his duties, he would adhere strictly to RTHK Charter and uphold the status of RTHK as a public service broadcaster. A working group would be set up to collect the RTHK Programme Staff Union's views on how to streamline the workflow and cut red-tapes.

20. Some Panel members opined that the uniqueness of RTHK made it undesirable for an AO with no relevant professional experience to serve as its Department Head. These members urged D of B to delegate his responsibility as the Editor-in-Chief to his professional subordinates. D of B advised that he would maintain impartiality in accordance with the Charter of RTHK in editorial matters. He was also duty-bound to give his views at the editorial and programme meetings chaired by him.

Other issues

Adjustments to "phone-in" programmes of RTHK

21. As regards the circumstances leading to the adjustments to "phone-in" programmes of RTHK, the Panel noted at the meeting of 12 December 2011 the Administration's view that in response to social development and public needs, RTHK would adopt a new format for its "phone-in" programmes starting from 2 January 2012. Changes included the introduction of outreach interview to tap the views of the public on social issues at the scene, more participation by post-secondary students in producing special programmes on current affairs, continued production of special features on topical issues, and simplification of the hosting arrangement by having a single host so as to allow more time for new programme segments and for listeners to voice their views.

22. Some Panel members queried whether there were any political considerations behind the programme reform and expressed concern about the non-renewal of contracts of the two "phone-in" programme hosts who were considered by some as persons with independent viewpoints and critical minds. These members also opined that the programme reform was only a means to mute dissenting views and restrict freedom of expression in the community. RTHK management stressed that the relevant changes had nothing to do with the style, viewpoints and performance of the two programmes hosts. The opinion platform would continue to be open to all after implementation of the programme reform. Experienced media professionals and experts from all walks of life would continue to be invited to provide quality commentaries to listeners with a wide range of information and opinions. RTHK would also actively introduce and nurture a new generation of public affairs programme hosts.

Council Business Division 4
Legislative Council Secretariat
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**For discussion
on 25 May 2012**

FCR(2012-13)29

ITEM FOR FINANCE COMMITTEE

**HEAD 160 – RADIO TELEVISION HONG KONG
Subhead 700 General non-recurrent
New Item “Community Involvement Broadcasting Fund”**

Members are invited to approve the creation of Subhead 700 General non-recurrent under Head 160 and a new commitment of \$45 million for setting up a Community Involvement Broadcasting Fund to support and encourage community and ethnic minority involvement in broadcasting.

PROBLEM

We need to provide funding to support and encourage community and ethnic minority involvement in broadcasting through the community involvement broadcasting service (CIBS) to be launched by Radio Television Hong Kong (RTHK).

PROPOSAL

2. The Director of Broadcasting (D of B), with the support of the Secretary for Commerce and Economic Development, proposes to create Subhead 700 General non-recurrent under Head 160 Radio Television Hong Kong and a new commitment of \$45 million for setting up a Community Involvement Broadcasting Fund (CIBF) to support and encourage community and ethnic minority organisations or individuals to participate in broadcasting through the CIBS.

JUSTIFICATION

Community Involvement Broadcasting Service

3. The provision of a platform to facilitate community participation in broadcasting and the administration of a CIBF to support and encourage community or ethnic minority involvement in broadcasting are one of the public purposes of RTHK set out in the RTHK Charter promulgated in August 2010. To this end, RTHK will set up a CIBF for the purpose of implementing the CIBS. The objective of the CIBS is to promote a wide range of social gains to the community, in particular –

- (a) plurality, diversity and social inclusion;
- (b) mutual respect, social empathy and civic mindedness;
- (c) creativity, uniqueness and talent nurturing; and
- (d) community involvement.

4. The objective of CIBF is to support the implementation of CIBS on a pilot basis. The proposed CIBF is estimated to last for about three years and subject to a review afterwards. Radio programmes delivered through RTHK's digital audio broadcasting (DAB) channels will be the first testing ground for the pilot scheme of CIBS, given the lower technological threshold for public involvement. Interested community or ethnic minority organisations or individuals may submit applications for participating in the CIBS to become community involvement broadcasting (CIB) producers. The CIBF seeks to encourage community and ethnic minority organisations or individuals to participate in broadcasting by helping to defray the actual expenses incurred by CIB producers with financial needs in the course of producing broadcasting programmes. The CIBF will operate in tandem with the CIBS.

Establishment and Administration of CIBF

Modus Operandi

5. There will be two rounds of applications for participation in the CIBS each year. In each round of applications, interested community or ethnic minority organisations or individuals may submit applications for producing either a half-hour or a full-hour radio programme on designated themes for the coming two quarters. CIBS applicants may apply for

funding from CIBF at the same time if they require financial assistance. Successful applicants will be allotted airtime in RTHK's DAB channels and CIBF funding (where applicable).

6. We will adopt 11 programme themes, spreading across the three-year period of the pilot scheme of the CIBS. For each quarter of a year, there will be three themes, one of which will be dedicated to ethnic minorities. The applicant can produce programmes in Chinese or other languages under the two language services in CIBS, namely Chinese Language Service and Non-Chinese Language Service¹. Each CIBS programme will have 13 episodes in one quarter. This will allow sufficient time for a programme to build rapport with its audience while enabling other CIB producers to participate. We estimate that there will be 14 to 28 episodes of CIBS programme each week in the first year of the pilot project. The service targets of CIBS will not only be mass audience but also niche audience and minority interest. The CIBS platform will also pay attention to those communities which usually have fewer opportunities to have their voices heard in public.

7. We will establish a CIBS Selection Committee (the Committee) to assess applications for CIBS and CIBF. The Committee will comprise seven non-official members appointed by D of B, including scholars on communications or broadcasting, experts from different fields drawn from the RTHK Programme Advisory Panel (PAP)², and one member familiar with ethnic minorities issues. Depending on the designated programme themes for each round of applications, D of B will draw from the pool of some 120 RTHK PAP members a few whose expertise is relevant to the assessment involved. RTHK will provide secretariat support for the Committee.

8. To enhance transparency in the selection process, we will upload materials (i.e. a brief programme synopsis and a three-minute sound track) provided by applicants on a thematic CIBS website for public viewing. Members of the public may participate in the selection process through voting at the thematic website, and the result of which will be taken into account by the Committee. Results of the selection will also be posted on the thematic website for public information.

¹ We will allow Putonghua and different Chinese dialects (e.g. Fukienese, Cantonese) within the Chinese Language Service, and English and different foreign languages within the Non-Chinese Language Service.

² Established in 1993, the PAP comprises some 120 members with diverse backgrounds (including art and culture, education, social welfare, medical services, legal services, information technologies, businesses and district affairs, etc). It meets once a year to discuss selected topics to reflect public views on the programmes produced by RTHK.

9. In the selection process, the Committee will look for applicants who display originality and the ability to communicate the intended messages through broadcasting. RTHK will develop specific selection criteria in consultation with the Committee. The selection criteria will be developed in accordance with the following general guiding principles –

- (a) programme ideas and contents, as well as social gains arising from the programme, are the most important elements in CIBS;
- (b) CIBS programmes should promote a wide range of social gains (mentioned in paragraph 3 above);
- (c) the Committee would take into account the views of the public before deciding on whether to approve an application and votes received in the RTHK website will be the indicator of public views;
- (d) the assessment would take into account the applicant's organisational capability to manage the project and deliver the proposed CIBS programme, and the applicant's track record in both quality and quantity of previous CIBS programmes (if applicable); and
- (e) priority should be given to registered groups³ and proposals on recorded programmes.

CIBS applicants who require financial assistance may submit applications under the CIBF. For successful CIBS applicants who also apply for CIBF funding, they will be eligible for funding support under CIBF. The amount of funding provided to successful applicants will be subject to vetting by the Committee in accordance with the guiding principles mentioned in paragraph 10 below.

Guiding Principles of the Operation of CIBF

10. RTHK will be responsible for the administration of the CIBF and D of B, as Controlling Officer, will approve disbursement of funds from

³ Registered groups will include –

- (a) organisations registered under the Companies Ordinance (Cap. 32);
- (b) organisations registered under the Societies Ordinance (Cap. 151);
- (c) charitable institutions exempted from tax under section 88 of the Inland Revenue Ordinance (Cap. 112); and
- (d) members of associated organisations of the above.

CIBF on the advice of the Committee. The guiding principles in the administration and disbursement of funds are –

- (a) CIBF funding will only be used to defray actual expenses incurred for the production of CIBS programmes;
- (b) funds will be disbursed to CIB producers by instalments or in a manner as agreed with RTHK before the commencement of programme production;
- (c) funding support for the production of CIBS programmes will be capped at a ceiling of \$7,500 per half-hour programme and \$15,000 per one-hour programme. Based on RTHK's professional experience, such rates should be sufficient to cover the production and administration costs involved; and
- (d) as voluntarism is the core spirit of CIBS, a standard rate, in the form of honorarium per person with a limited quota of participants (e.g. producers, presenters, scriptwriters and researchers) on each episode, will be adopted. The honorarium forms part of the production cost and is subject to the funding ceiling in (c) above. RTHK will consult the Committee on the appropriate level of honorarium and quota of participants.

Expected Benefits

11. CIBS is a new service dedicated to the promotion of plurality, diversity and social inclusion. We envisage that CIBS will primarily serve as a platform to encourage non-government organisations, ethnic minorities and underprivileged communities to share ideas with the public through broadcasting. In particular, the CIBS platform should help communities and ethnic minorities who usually have less opportunity to have their voice heard in public. It will also cover niche interests which are overlooked by the mainstream media.

12. As mentioned in paragraph 6 above, RTHK estimates that there will be 14 to 28 episodes of CIBS programme each week in the first year of the pilot project. This can enable a wide range of community and/or ethnic minority organisations to take part in CIBS. Although it is reasonable to expect that many CIBS programmes may be amateurish, the CIBS will provide community organisations the opportunity to take part in broadcasting and accumulate experience, and in time nurture talents in the media industry. The CIBF, through the provision of financial assistance to

successful applications, will serve as a complementary measure and encourage community participation in the CIBS.

Control and Evaluation Mechanism

13. All CIBF recipients will be required to comply with the conditions imposed on the use of public funds. RTHK will expect all CIBF recipients to monitor the progress of programmes supported by the CIBF and be accountable for the use of the disbursed funds. To ensure proper monitoring of the use of the CIBF, RTHK will put in place the following control measures –

- (a) applicants will be required to state the key deliverables, milestones, targets, and methods for measuring performance when they submit proposals for consideration by the Committee. If their application is successful, they will be required to enter into a legally binding agreement with RTHK based on the approved budget;
- (b) D of B may stipulate specific terms to control the use of the allocated funds and request compliance by the applicants who receive support from the CIBF;
- (c) D of B has the full discretion to decide that the approved funds be paid by instalments after the CIBS producers have achieved the pre-determined milestones. D of B reserves the right not to disburse outstanding funds to successful applicants, or reduce the amount of outstanding funds to be paid, if their performance is not satisfactory or if they breach any funding terms and condition as stated in the agreement;
- (d) upon completion of the programme, each CIB producer will be required to submit an audited financial report and complete an evaluation report. RTHK will record supplementary comments on the evaluation report where appropriate. These evaluation reports will be used for review of CIBS upon conclusion of the pilot project;
- (e) successful applicants are required to maintain all relevant records (including procurement/tendering and staff payroll records), separate and complete books of accounts and register of minor equipment procured, for inspection and checking by RTHK or representatives of the Government as and when required. Such records are required to be kept for a period of

seven years following completion of the programme;

- (f) RTHK will regularly inspect the progress of the production of CIBS programmes by the CIB producers and report to the Committee regularly; and
- (g) in view of the fact that CIBS is a publicly-funded service, copyright of CIBS programmes will be vested in RTHK. CIB producers will be required to seek our prior consent before using the programmes in any other platforms.

14. Given the policy objectives of CIBS, we believe the success or otherwise of CIBS should not be judged on the basis of audience ratings. To assess the cost-effectiveness of the projects funded by the CIBF, we will put in place the following mechanism –

- (a) we will set up focus groups, comprising of listeners and experts, to seek feedback on the CIBS programmes; and
- (b) we will invite listeners to provide their views on the CIBS programmes through the submission of a questionnaire available on the CIBS thematic website.

15. To ensure that the selection process will be conducted in a fair manner, RTHK will seek the advice of the Independent Commission Against Corruption (ICAC) on the assessment criteria and procedures to be adopted by the Committee. RTHK will also seek ICAC's advice in drawing up a code for declaration of interest for compliance by members of the Committee.

16. RTHK will conduct a review on the operation of the pilot scheme of CIBS and the funding arrangements in about three years' time to assess whether it is an effective means to encourage community involvement in broadcasting.

FINANCIAL IMPLICATIONS

17. We propose to create a new commitment of \$45 million for the establishment of the CIBF in the fourth quarter of 2012. The actual cash flow of the CIBF will depend on the number of applications received and approved. For planning and budgetary purpose, the estimated cash flow is as follows –

2012-13 (\$ million)	2013-14 (\$ million)	2014-15 (\$ million)	2015-16 (\$ million)	Total (\$ million)
4	12	17	12	45

RTHK will absorb the workload arising from the setting up and administration of the CIBF.

PUBLIC CONSULTATION

18. RTHK conducted a three-month public consultation from December 2011 to March 2012 on the proposals to set up the CIBS and CIBF. Over 80 members of the public and representatives of various organisations attended the two public consultation meetings and 14 written submissions were received. Having taken into account public views, RTHK has drawn up a plan for the implementation of CIBS and establishment of CIBF.

19. We reported the result of the public consultation exercise and the proposed plan for the operation of the CIBS and CIBF to the LegCo Panel on Information Technology and Broadcasting on 14 May 2012. Members were generally supportive of the proposal. Members supported our proposal for the CIBS/CIBF to pay attention to the needs of niche audience and minority interest. Some Members were concerned about the signal reception and popularity of DAB as a new service. With concerted efforts by the Government and DAB operators on the further development of DAB service, the audienceship of DAB is expected to grow in the next few years. A Member commented that certain application requirements (e.g. submission of audited financial reports) might present difficulties for small organisations. To address this, RTHK will provide relevant templates for reference by the successful CIBF applicants and arrange for facilitators to offer assistance.

BACKGROUND

20. Some sectors of the community have asked for opening up the airwaves for community and public access broadcasting. However, there was hitherto a lack of sufficient frequency spectrum to support low-cost territory-wide reception. This, together with the fact that stand-alone community broadcasting services required substantial financial and human resources, inhibits community involvement in broadcasting. Recent technological advancement, which gives impetus to the digitisation of

free-to-air television and the development of DAB, has provided new opportunities for the provision of more channels and platforms.

21. The Government launched a public consultation in October 2009 on proposals to enhance the role and functions of RTHK as a public service broadcaster, including a proposal to task RTHK to devote part of its airtime and resources within the development of its digital services to provide a platform for community participation in broadcasting and the establishment of a dedicated fund, as a pilot, to support and encourage community or ethnic minority involvement in broadcasting. Subsequent to the consultation, the provision of a platform to support and facilitate community participation in broadcasting and the administration of a CIBF have been incorporated in the RTHK Charter as one of the public purposes of RTHK.

Radio Television Hong Kong
May 2012