

Panel on Information Technology and Broadcasting

List of outstanding items for discussion
(position as at 3 July 2013)

Proposed timing
for discussion

1. Development of the New Broadcasting House in Tseung Kwan O

At the Panel meeting held on 14 February 2011, the Panel was briefed on the comprehensive package to support the development in the next few years of Radio Television Hong Kong ("RTHK") as the public service broadcaster. The Panel agreed that the development of the New Broadcasting House in Tseung Kwan O should be discussed after completion of the relevant feasibility study.

End 2013

2. Review of Control of Obscene and Indecent Articles Ordinance

At the Panel meeting on 14 January 2013, the Administration briefed the Panel on the views collected during the second round of public consultation on the review of Control of Obscene and Indecent Articles Ordinance. The Panel noted that the Administration would study the views received and work with the concerned parties, including the Judiciary, with a view to mapping out the way forward. Members requested the Administration to brief the Panel on the way forward by July 2013 at the latest.

To be confirmed

3. Review of the Broadcasting Ordinance and the Telecommunications Ordinance

During the deliberation of the Bills Committee on Communications Authority Bill, the Administration advised that a staged approach would be adopted in modernizing the regulatory regime for the broadcasting and telecommunications sectors. The Administration would first establish the

To be confirmed

**Proposed timing
for discussion**

Communications Authority ("CA") through the structural merger of the former Telecommunications Authority ("TA") and the Broadcasting Authority ("BA") to enable the CA to deal with increasing market convergence as soon as possible. Upon establishment, the CA would take over the existing functions of the TA and the BA under the Telecommunications Ordinance ("TO"), the Broadcasting Ordinance ("BO") and other relevant ordinances applicable to the broadcasting and telecommunications sectors. The Administration and the CA would then carry out a review of the existing regulatory regimes and introduce legislative changes to update and rationalize the TO and the BO.

At the meeting of the Panel on 16 October 2012, Hon Charles Peter MOK requested that the Administration should brief the Panel on the progress of the matter.

4. Progress update on the introduction of Customer Complaint Settlement Scheme

The trial operation of the Customer Complaint Settlement Scheme for the telecommunications industry has been launched on 1 November 2012, for a two-year trial period. The Administration will update the Panel on the latest progress when the Scheme has been operated for some time.

To be confirmed

5. Spectrum trading

The former Office of the Telecommunications Authority ("OFTA") (replaced by the Office of the Communications Authority ("OFCA") since 1 April 2012) appointed a consultant to study the feasibility of introducing radio spectrum trading in Hong Kong for facilitating economic and technically efficient use of this scarce public resource. The Administration is examining the recommendations made by the consultant, together with the latest international trend and the market situation in Hong Kong in detail to map out the way forward.

To be confirmed

**Proposed timing
for discussion**

On 24 January 2013, the Administration requested that discussion on the issue, originally scheduled for the meeting on 4 February 2013, be deferred. The Administration will brief the Panel on the next step of the work plan once ready.

6. Competition complaints against Television Broadcasts Limited

The Administration will brief the Panel on the outcome of the Communications Authority's investigation into the competition complaints against Television Broadcasts Limited.

To be confirmed

7. Review on regulation of person-to-person telemarketing calls

At the Panel meeting on 9 November 2009, the Administration briefed members on the findings of the two opinion surveys commissioned by the former OFTA in respect of person-to-person ("P2P") telemarketing calls and the actions to be taken in the light of the information collected from the surveys. Some members doubted whether voluntary self-regulation by the industry by way of the Code of Practice ("CoP") would be effective in tackling the problems caused by P2P telemarketing calls and considered it necessary to introduce legislation to regulate such calls.

To be confirmed

After consultation with the industry, the former OFTA issued a benchmark CoP with guidelines requesting telemarketers to disclose identity and calling line identification information when making such calls. Telemarketers are also requested to maintain an in-house unsubscribe list for the public to make unsubscribe request.

According to the Administration, industry associations of four business sectors, namely finance, insurance, telecommunications service and call centre, have pledged support for the voluntary self-regulation scheme. The industry associations of

**Proposed timing
for discussion**

insurance companies, banks, restricted licence banks and deposit-taking companies, all major telecommunications operators, two telemarketing industry associations, and a major telecommunications industry association have implemented their own CoP. The Administration will update the Panel on the progress of the implementation of the voluntary CoP after it has operated for some time.

Council Business Division 4
Legislative Council Secretariat
3 July 2013