

Panel on Information Technology and Broadcasting

List of outstanding items for discussion

(position as at 4 December 2012)

**Proposed timing
for discussion**

1. Review of Fees under the Entertainment Special Effects (Fees) Regulation

The Administration will brief the Panel on the proposal to revise the fees prescribed in the Entertainment Special Effects (Fees) Regulation, which is a piece of subsidiary legislation of the Entertainment Special Effects Ordinance (Cap. 560).

14 January 2013

2. Findings of the Second Round of Public Consultation on the Review of Control of Obscene and Indecent Articles Ordinance

The Administration will brief the Panel on the findings of the second round of public consultation on the review of Control of Obscene and Indecent Articles Ordinance.

14 January 2013
(to be confirmed)

3. Digital terrestrial television update

The Administration will update the Panel on the latest progress of implementation of the digital terrestrial television services since the last update in March 2012.

4 February 2013

4. Update on the work of the Create Hong Kong ("CreateHK")

The Administration will update the Panel on the latest work of CreateHK in promoting the development of creative industries in Hong Kong since the last update in February 2012.

4 February 2013/
11 March 2013

5. RTHK's Community Involvement Broadcasting Service and the role and future of RTHK

The Administration will brief the Panel on the progress of the roll out of the Community Involvement Broadcasting Service since the last report on 14 May 2012.

4 February 2013
/11 March 2013

At the meeting of the Panel on 16 October 2012, Hon Claudia

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MO requested that the Administration should brief the Panel on issues relating to the role and future of RTHK.

6. Annual report on Cyberport

The Administration and the Cyberport management will update the Panel on the progress of the Cyberport Project since the last report in April 2012.

5 April 2013

7. Progress report on the work of Hong Kong Design Centre

The Administration will update the Panel on the progress of the work of the Hong Kong Design Centre and the relevant initiatives taken to promote design since the last report in November 2011.

13 May 2013

8. Progress report on digital inclusion

The Administration will update the Panel on the latest progress of the digital inclusion, including the progress of implementation of the Internet Learning Support Programme, since the last update in May 2012.

10 June 2013

9. Progress update on the e-Government development

The Administration will update the Panel on the latest progress of e-Government development since the last report in June 2012.

10 June 2013

10. Facilitating a digital economy under the Digital 21 Strategy

The Administration will brief the Panel on the progress of the initiatives that facilitate a digital economy under the Digital 21 Strategy since the last update in July 2012.

8 July 2013

At the meeting of the Panel on 16 October 2012, Hon Elizabeth QUAT and Hon Charles Peter MOK requested that the Administration should brief the Panel on the development of green information and communications technology ("ICT") and ICT manpower development under the Digital 21 Strategy.

**Proposed timing
for discussion**

11. 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

12. Applications for domestic free television programme service licences

Members have expressed much concern at different forums about the progress of processing of the three applications for domestic free television programme service licences by the Administration. At the meeting of the Panel on 11 June 2012, members noted that it had been almost 30 months since the submissions by the applicants, and over 12 months since the recommendations on the applications submitted by the former Broadcasting Authority. Panel members considered the delay unreasonable, and urged the Chief Executive in Council ("CE in Council") to make a final decision on the applications as soon as possible.

To be confirmed

On 15 October 2012, Hon Emily LAU issued a letter to the Panel Chairman requesting to discuss, inter alia, the applications for domestic free television programme service licences. At the Panel meeting on 16 October 2012, members reiterated their concern about the slow progress of the vetting of the free television service licence applications, and the rumours about possible political interference involved in the vetting process. Members requested the Administration to brief the Panel on the matter as soon as possible.

At the Council meetings on 17 October 2012 and 7 November 2012, Hon Charles Peter MOK and Hon Frederick FUNG raised questions on the subject respectively.

At the Council meeting on 28 November 2012, a motion moved by Hon Claudia MO and amended by Ir Dr Hon LO Wai-kwok was passed urging the Administration to issue the new domestic

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free television programme service licenses before the end of March 2013.

The Administration will brief the Panel on the outcome of the applications for domestic free television programme service licences after the CE in Council makes a decision.

13. 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 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.

To be confirmed

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.

14. 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

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for discussion**

15. 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. If it is considered justifiable to pursue the initiative, the Administration will draw up an implementation framework and consult the public, and brief the Panel on the subject accordingly.

To be confirmed

16. 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

17. 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

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

18. Sponsored programme and advertising of a political nature on radio

At the Panel meeting held on 14 June 2010, the Panel was briefed on the current regulatory regime governing advertisement of a political nature and sponsoring of programmes on radio. Subsequent to the former BA's ruling on the sponsorship of a radio programme by a certain political party and a paid radio announcement by a Legislative Council Member, Hon Emily LAU requested that a Panel meeting be held with the Administration, relevant statutory bodies and deputations to discuss the matter.

To be confirmed