

立法會
Legislative Council

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Date : 31 October 2013

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 6 November 2013

**Amendments to motion on
“Domestic free television programme service licences”**

Further to LC Paper No. CB(3) 85/13-14 issued on 25 October 2013, Hon Claudia MO and Hon MA Fung-kwok have respectively given notices of their intention to move separate amendments to Hon James TO’s motion on “Domestic free television programme service licences” scheduled for the Council meeting of 6 November 2013. As directed by the President, Hon Claudia MO’s and Hon MA Fung-kwok’s amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and the two amendments. To assist Members in debating the motion and amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon James TO to speak and move his motion;
- (b) the President proposes the question on Hon James TO’s motion;
- (c) the President calls upon the two Members who wish to move amendments to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon Claudia MO; and
 - (ii) Hon MA Fung-kwok;

- (d) the President calls upon the public officer(s) to speak;
- (e) the President invites other Members to speak;
- (f) the President gives leave to Hon James TO to speak for the second time on the two amendments;
- (g) the President calls upon the public officer(s) to speak again;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the two Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon Claudia MO to move her amendment to the motion, and forthwith proposes and puts to vote the question on the amendment;
- (i) after Hon Claudia MO's amendment has been voted upon, the President deals with Hon MA Fung-kwok's amendment to the motion; and
- (j) after Hon MA Fung-kwok's amendment has been dealt with, the President calls upon Hon James TO to reply. Thereafter, the President puts to vote the question on Hon James TO's motion, or his motion as amended, as the case may be.

3. For Members' reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Domestic free television programme service licences”
to be held at the Council meeting of 6 November 2013**

1. Hon James TO’s original motion

That the Administration has recently issued licences to two applicants of domestic free television programme service licences, but has refused to issue a licence to Hong Kong Television Network Limited (‘HKTVN’); this Council expresses regret that the Administration vetted and approved the licence applications in a black box, and its licensing decision departed from public opinion and antagonized the people; besides, the public are very dissatisfied with the Chief Executive’s refusal to openly give an account of the justifications for not issuing a licence to HKTVN on the grounds of the confidentiality principle of the Executive Council; in this connection, this Council urges the Chief Executive, on the premise of safeguarding the overall interest of society, to explain to the public the details of vetting and approval of the licence applications concerned (including the vetting and approval criteria), and the Chief Executive in Council should respond to public opinion and consider issuing a domestic free television programme service licence to HKTVN.

2. Motion as amended by Hon Claudia MO

That the Administration has ~~recently~~ issued licences to two applicants of domestic free television programme service licences, but has refused to issue a licence to Hong Kong Television Network Limited (‘HKTVN’); this Council expresses regret that the Administration vetted and approved the licence applications in a black box, and its licensing decision departed from public opinion and antagonized the people; besides, the public are very dissatisfied with the Chief Executive’s refusal to openly give an account of the justifications for not issuing a licence to HKTVN on the grounds of the confidentiality principle of the Executive Council; in this connection, this Council urges the Chief Executive, on the premise of safeguarding the overall interest of society, to explain to the public the details of vetting and approval of the licence applications concerned (including the vetting and approval criteria), *ensure that the free television broadcasting policy can consistently apply ‘free market with fair competition’ as its fundamental principle, and undertake that ‘differentiation between close and distant relationships’ is not taken into consideration in the process of vetting and approval of domestic free*

television programme service licence applications, and the Chief Executive in Council should respond to public opinion and consider issuing a domestic free television programme service licence to HKTVN.

Note: Hon Claudia MO's amendment is marked in ***bold and italic type*** or with deletion line.

3. Motion as amended by Hon MA Fung-kwok

That *after several years of deliberations*, the Administration has ~~recently issued~~ *eventually decided to issue* licences to two applicants of domestic free television programme service licences, but has refused to issue a licence to Hong Kong Television Network Limited ('HKTVN'); ~~this Council expresses regret that the Administration vetted and approved the licence applications in a black box, and its licensing decision departed from public opinion and antagonized the people~~ *the absence of reasonable explanation by the Administration on the vetting and approval of the licence applications has made the public disappointed and puzzled*; besides, the public are very dissatisfied with the Chief Executive's refusal to openly give an account of the justifications for not issuing a licence to HKTVN on the grounds of the confidentiality principle of the Executive Council; in this connection, this Council urges the Chief Executive, on the premise of safeguarding the overall interest of society, to explain to the public the details of vetting and approval of the licence applications concerned (including the vetting and approval criteria), and the Chief Executive in Council should ~~respond to public opinion and consider issuing a~~ *having regard to public opinion and the sustainable development of the television broadcasting industry, study and consider timely issuing more* domestic free television programme service ~~licence to HKTVN~~ *licences*; *the Administration should also urge the two operators who will be granted licences to strictly abide by the undertakings made in the applications and the licensing requirements, so as to foster competition in free television, upgrade the quality of Hong Kong television programmes and support the development of the film industry, which is related to the television broadcasting industry.*

Note: Hon MA Fung-kwok's amendment is marked in ***bold and italic type*** or with deletion line.