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20 February 2014

By Email (mkmlam@legco.gov.hk)

Ms. YUE Tin-Po,  
Clerk, Panel on  
Information Technology and Broadcasting,  
Legislative Council,  
Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong.

Dear Ms. Yue,

### **Panel on Information Technology and Broadcasting**

#### **Personnel Change of the Consultant Firm Engaged in the Context of Applications for the Domestic Free Television Programme Service (“free TV”) Licences**

We refer to the Panel’s letter dated 11 February 2014. In relation to the above matter as raised in the Hon Sin Chung-kai’s letter to the Panel Chairman dated 6 February 2014, this Bureau’s responses are set out below.

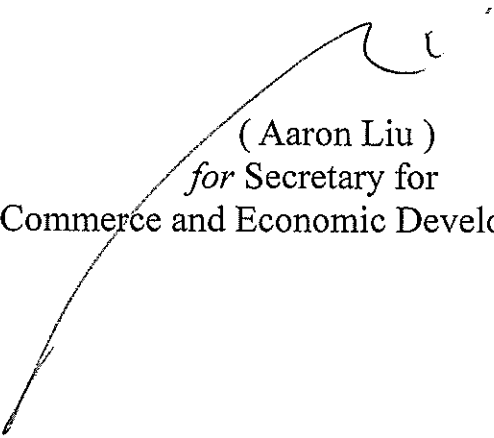
As publicly clarified by the Chief Executive’s Office (“CEO”) and the Commerce and Economic Development Bureau (“CEDB”) on 5 February 2014, since the announcement of the outcome of the free TV licence applications on 15 October last year, the CEO (including the Chief Executive (“CE”) himself) and the CEDB have not approached Spectrum Value Partners (“SVP”). The Government has not exerted any pressure on

SVP and is not in a position to comment on the personnel change of a private corporation, which is purely its internal matter.

At the Special Panel meeting on 2 December 2013, the Secretary for Commerce and Economic Development already responded clearly to the comments made by the consultant. Extract of the relevant meeting minutes is at the **Annex**.

Last but not least, we wish to re-emphasise that freedom of speech is a core value of Hong Kong, which has been steadfastly upheld by the Government. It is therefore unfounded to allege that the Government has attempted to suppress the criticisms against the licensing decision.

Yours sincerely,



( Aaron Liu )  
*for* Secretary for  
Commerce and Economic Development

## Panel on Information Technology and Broadcasting

### Extract of minutes of special meeting held on 2 December 2013

#### I. Issues relating to the applications for domestic free television programme service licences

“4. SCED also refuted the consultant's allegations that the Administration had misquoted the consultancy reports on issues relating to the free TV market to justify the rejection of HKTV's application. He said that the consultant had openly expressed some personal views on the CE in Council's decision based on incomplete or incorrect information which confused the public. The consultant had disregarded its professional ethics by commenting on the study without the Administration's consent. In fact, the Administration had neither asked the consultant to comment on the gradual and orderly approach of introducing competition or whether the three applications should be approved, nor said that the decision was based on the consultant's recommendation. The Administration deeply regretted the comments made by the consultant in this respect.”

“6. In response, SCED pointed out that the consultant had disregarded its professional ethics by failing to observe the basic requirements of neutrality and objectivity in making biased remarks in public on the CE in Council's decision. He added that the consultant should not have participated in any open discussion on the items which they were commissioned to study or issues relevant to those items, let alone getting involved in the relevant political discussions which might call its objectiveness and neutrality into question. The Administration considered such action inappropriate and found it in conflict with the role of a consultant.”