

立法會
Legislative Council

LC Paper No. CB(4)1395/14-15
(These minutes have been seen
by the Administration)

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Panel on Information Technology and Broadcasting

Minutes of meeting
on Monday, 8 June 2015, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

- Members present** : Dr Hon Elizabeth QUAT, JP (Chairman)
Ir Dr Hon LO Wai-kwok, BBS, MH, JP (Deputy Chairman)
Hon Emily LAU Wai-hing, JP
Hon WONG Ting-kwong, SBS, JP
Hon Cyd HO Sau-lan, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Mrs Regina IP LAU Suk-yeet, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin
Hon YIU Si-wing
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon SIN Chung-kai, SBS, JP
Dr Hon CHIANG Lai-wan, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
- Members absent** : Hon TAM Yiu-chung, GBS, JP
Hon Ronny TONG Ka-wah, SC
Hon WONG Yuk-man
Hon Claudia MO

**Public officers
attending**

: Agenda item IV

Commerce and Economic Development Bureau

Miss Susie HO, JP
Permanent Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Victor LAM, JP
Acting Government Chief Information Officer

Miss Joey LAM, JP
Deputy Government Chief Information Officer
(Policy and Community)

Mr Timothy CHENG
Chief Systems Manager (Governance and Resources)

Agenda item V

Commerce and Economic Development Bureau

Miss Susie HO, JP
Permanent Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Joe WONG, JP
Deputy Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Edward TO
Principal Assistant Secretary for Commerce and
Economic Development (Communications and
Technology)A

Communications Authority

Mr Ambrose HO
Chairman

Office of the Communications Authority

Miss Eliza LEE, JP
Director-General of Communications

Ms Elizabeth TAI
Deputy Director-General (Broadcasting)

Mr Tony LI
Assistant Director (Support)

Clerk in attendance : Ms YUE Tin-po
Chief Council Secretary (4)3

Staff in attendance : Mr Joey LO
Senior Council Secretary (4)3

Ms Anki NG
Council Secretary (4)3

Action

I. Confirmation of minutes of meeting

(LC Paper No. CB(4)1091/14-15 -- Minutes of meeting held
on 13 April 2015)

The minutes of the meeting held on 13 April 2015 were confirmed.

II. Information papers issued since the last meeting

(LC Paper No. CB(4)985/14-15(01) -- Letter from the
Administration dated 12
May 2015 on the
application of Television
Broadcasts Limited for
renewal of domestic free
television programme
service ("free TV") licence
and report on the results of
the public consultation
exercise for the renewal of
the free TV licence
provided by the Director-
General of
Communications

- LC Paper No. CB(4)1047/14-15(01) -- Six submissions from a member of the public received on 18 May 2015 regarding views on domestic free television programme service licences
- LC Paper No. CB(4)1114/14-15(01) -- Administration's response dated 3 June 2015 to the letter from Hon Claudia MO as set out in CB(4)873/14-15(01) on issues relating to a change of the shareholding structure of Television Broadcasts Limited and its applications for renewal of the domestic free television programme service licence)

2. Members noted that the above papers had been issued for the Panel's information.

III. Date of next meeting and items for discussion

- (LC Paper No. CB(4)1083/14-15(01) -- List of outstanding items for discussion
- LC Paper No. CB(4)1083/14-15(02) -- List of follow-up actions)

Regular meeting on 13 July 2015

3. Members noted that the next regular Panel meeting would be held on Monday, 13 July 2015 at 2:30 pm to discuss the following items:
- (a) Information security;
 - (b) Progress update on digital economy; and
 - (c) Review of the CreateSmart Initiative.

(*Post-meeting note*: Since the Council Meeting of 8 July 2015 continued on 13 July 2015, the next regular Panel meeting was re-scheduled to 17 July 2015.)

IV. Progress update on the e-Government development

(LC Paper No. CB(4)1083/14-15(03) -- Administration's paper on progress update on e-Government development

LC Paper No. CB(4)1083/14-15(04) -- Paper on e-Government development prepared by the Legislative Council Secretariat (Updated background brief))

Presentation by the Administration

4. At the invitation of the Chairman, Acting Government Chief Information Officer ("GCIO") briefed members on the latest progress of e-Government development and the Administration's plan and measures to support Bureaux/Departments ("B/Ds") to achieve respective policy objectives and initiatives through wider and better adoption of information and communications technology ("ICT"). Details of the briefing were set out in the Administration's paper (LC Paper No. CB(4)1083/14-15(03)).

Discussion

Promotion and development of e-Government services

5. Mr Charles Peter MOK enquired about the Administration's plan in promoting the development of e-Government services and the possible difficulties envisaged by the Administration including implications on resources and co-ordination among B/Ds. Mr MOK also enquired about the support provided by the Government to assist B/Ds in the planning, management and co-ordination of ICT services, development, repair and maintenance of ICT systems and provision of technical and systems operation support.

6. GCIO advised that the Government had been providing e-Government services to the public for over 20 years. Currently, most of the Government services were already accessible through the electronic channel. As some of

these e-Government services had been developed for quite some time, it would be necessary to make these services more convenient for use by the public. With the growing popularity of accessing e-services through mobile channels, the Government had been actively introducing a wide array of mobile applications ("apps") to provide public services on the go. To enhance support for B/Ds in developing user-friendly mobile apps to cater for users' needs, the Office of the Government Chief Information Officer ("OGCIO") had set up a Mobile App Facilitation Unit and had implemented measures to assist B/Ds in developing, promoting and enhancing the efficient provision of mobile apps. These measures included promulgation of new practice guides and provision of practical application templates for common mobile apps features. GCIO added that Internet of Things ("IoT") was one of the most disruptive technologies and a go-to solution in the coming decade. IoT combined with Big Data analytics, cloud and mobile computing would form a smarter living for citizens.

7. GCIO further advised that most of the B/Ds had established IT Management Units ("ITMUs") to drive the best use of information technology ("IT") in conducting internal business and delivering public services. OGCIO facilitated the work of the ITMUs in different aspects. For example, IT professional resources were provided for implementation of the IT infrastructure in respect of the Low Income Working Family Allowance Scheme. OGCIO would also provide cloud infrastructure at the centre so that B/Ds might develop their IT applications in a more efficient and cost-effective manner. Moreover, OGCIO has also developed common services such as Human Resources Management System, e-Procurement System and Electronic Information Management System to facilitate adoption by B/Ds.

8. Referring to the Annex to the Administration's paper (LC Paper No. CB(4)1083/14-15(03)) and noting that the key performance indicator used by the Administration was to measure the usage and availability of the e-Government services offered to the public, Mr SIN Chung-kai enquired whether the Administration would consider sub-dividing the utilization of the transactional e-services as shown in the second table of the Annex into "utilization by business organizations" and "utilization by citizens". He also enquired whether the Administration would consider including in its information papers for future Panel briefings the percentage of e-Government services used by the public and the number of types of e-Government services provided by different B/Ds.

9. GCIO advised that OGCIO would consider the suggestions of Mr SIN Chung-kai in updating Members for future meetings. Taking the filing of tax returns with the Inland Revenue Department as an example, about 20% of the

tax returns were submitted through electronic means. In fact, over 90% of the Government services were provided through electronic means while most of the remaining Government services were not amenable to the electronic option due to the need for personal attendance or for other reasons. The Administration would continue its efforts in the delivery of efficient and convenient public services through ICT adoption. The Administration would also provide more data and statistics on the extent of e-Government adoption in the provision of different public services in its future reports to the Panel. Mr SIN urged the Administration to step up efforts in promoting e-Government services.

10. The Chairman enquired about the Administration's future plan and strategy for developing e-Government services. She also sought information from the Administration on its funding proposals on e-Government services which would seek support from the Panel for the coming year. GCIO advised that each year different B/Ds would submit their proposals on e-Government computerization projects to OGCI0 under the "Capital Works Reserve Fund Head 710 Computerization Subhead A007GX (Block Allocation) – New Administrative Computer Systems" to obtain the necessary funding approval from the Finance Committee. In addition, OGCI0 would implement strategic initiatives at the centre, including the provision of Government cloud and common services, for the delivery of e-Government services.

11. On the funding proposals on e-Government services, GCIO advised that details of the proposals submitted by B/Ds for the following financial year would be uploaded onto the government website for public reference. Permanent Secretary for Commerce and Economic Development (Communications and Technology) ("PSCED(CT)") supplemented that upon submission of the relevant information from B/Ds, the Administration would provide such information for the Panel's reference. The Chairman urged the Administration to make more productive use of Big Data analytics to enhance the sharing of datasets among different B/Ds for strategic planning purposes. GCIO said that the Administration was already tapping Big Data for preventive maintenance of public facilities and service planning and would look into further opportunities for Big Data analytics.

Assessment of e-Government services and Government mobile applications

12. Mr YIU Si-wing enquired whether the Administration had monitored or assessed the standard of e-Government service systems developed by B/Ds and made reference to overseas experience in developing these systems. GCIO advised that the relevant B/Ds were required to review and provide OGCI0 with post implementation departmental returns within 6 months from the launch

of the e-Government service systems. OGCIO would provide advice when necessary to the relevant B/Ds for follow-up actions or improvement.

13. GCIO added that surveys were conducted on GovHK portal to collect users' views on the satisfactory level of e-Government services provided. The surveys revealed that users found the e-services provided comparable to the service level of other commercial sectors and the latest survey revealed that over 80% of users were satisfied with the services provided. OGCIO had made reference to overseas experience in developing and providing e-Government services. For example, the revamped Public Sector Information ("PSI") portal, "Data.Gov.HK", featured apps developed using PSI datasets. At present, more than 4,000 datasets were available on the portal and around 70 mobile apps were developed by the private sector based on information contained in these datasets.

14. Mr MA Fung-kwok enquired about the selection criteria for developing Government mobile applications ("apps"), the relevant apps' contents and the review and monitoring mechanisms for assessing the relevant apps. GCIO advised that B/Ds would determine which types of Government services should be delivered through mobile apps and the presentation format of the apps, such as video or images, to meet users' needs. To enhance support for B/Ds in developing user-friendly mobile apps, OGCIO had organized thematic seminars, promulgated a new practice guide on security, personal data privacy and accessibility, provided practical application templates for common mobile apps features and developed platform apps to enable users to receive a wide array of government information on a single platform.

15. On assessment of the apps, GCIO advised that similar to other IT systems, B/Ds were required to review and provide OGCIO with post implementation departmental returns within 6 months from the launch of such apps. OGCIO would assess, amongst other perspectives, the download rates and use of the apps with a view to advising the B/Ds on further actions such as promoting, upgrading or enhancing the relevant apps if necessary.

16. Noting that Hong Kong ranked third worldwide in Digital Governance in Municipalities Worldwide 2013-2014 as published by the E-Governance Institute of National Centre for Public Performance of Rutgers of the State University of New Jersey at Newark, Mr NG Leung-sing enquired whether other statistics for comparison with worldwide ICT leading countries on e-Government services was available. GCIO advised that the comparison provided by the State University of New Jersey was among economies over the world for providing e-Government services. As referred to in paragraph 2 of

the Administration's paper (LC Paper No. CB(4)1083/14-15(03)), the release of public sector information in Hong Kong had also won the Outstanding e-Government Prize (Open City) at the World e-Governments Organization of Cities and Local Governments (WeGO) Awards 2014. In order to promote the use of e-Government services, Mr NG urged the Administration to assist the public, in particular the elderly, in using such services by providing learning sessions through regional organizations such as District Councils. GCIO advised that there were requests from the District Councils previously such as providing more Wi-Fi hotspots at parks for free use by the public, and OGCIIO would address these kinds of requests in collaboration with the concerned B/Ds.

17. Dr CHIANG Lai-wan enquired about measures taken by the Administration to enhance communication with the public through the mobile platform, and the development of mobile apps for the payment of miscellaneous government fees such as water charges, rates, government rent and fixed penalty for illegal parking. GCIO advised that OGCIIO had launched mobile apps to communicate with the public, including "GovHK Notifications" which provided a one-stop platform for citizens to receive Government notifications. Citizens could receive information and alert notifications according to their choice from various government departments with their smartphones through this mobile app. While electronic means were already available for payment of government fees by using a desktop computer, the Administration would consider the suggestion on payment of government fees through mobile apps taking into account the preference of members of the public and potential security issues on using mobile apps for payment purpose.

Developing a Smart City and Government Wi-Fi coverage

18. In response to the Deputy Chairman's enquiry about the party responsible for coordinating the work and carrying out the pilot study in Kowloon East for developing a Smart City and the role of OGCIIO in the relevant study, PSCED(CT) advised that the Energizing Kowloon East Office ("EKEO") was responsible for coordination and implementation of the pilot study in Kowloon East. EKEO was in the process of planning and exploring the possibility of establishing an information platform for communications and data sharing to improve city management, enhance efficiency and provide high quality public services emphasizing on environmental protection and green architecture. OGCIIO would provide the necessary advice involving ICT such as using sensors and IoT applications to detect relevant data relating to traffic condition, etc. GCIO supplemented that OGCIIO and other relevant B/Ds would also assist in the projects to be implemented in Kowloon East, including the project on providing information on available car-parking spaces in the area.

19. Mr CHAN Chi-chuen expressed concern about the efficiency and coverage of the Government Wi-Fi ("GovWiFi") service. GCIO advised that the Administration regularly monitored the service quality of GovWiFi with clear targets to extend the coverage of the service to 600 Government premises with 3,000 hotspots by the end of 2015. On the efficiency of GovWiFi service, GCIO advised that the Administration had conducted regular tests on reception of signals at various GovWiFi hotspots with satisfactory results. The management of these hotspots sites was reminded to provide conspicuous signage to show the location of the hotspots. The Administration would continue to monitor the reception of signals in these government sites. Moreover, with the concerted efforts of the industry and the Government, it was estimated that the number of public Wi-Fi hotspots under the "Wi-Fi.HK" brand would be increased from currently 15,000 to around 17,000 by end 2015.

Other issues

20. Dr CHIANG Lai-wan suggested that the Administration should explore the feasibility of developing an online voting system for elections in Hong Kong. PSCED(CT) advised that the suggestion would be referred to the relevant policy bureau for further exploration where necessary.

21. Noting the use of sensors and Big Data analysis for municipal management and risk detection, the Chairman enquired whether the Government would develop systems using IoT to look into maintenance issues on trees management. GCIO advised that the Housing Department was developing a tree management system using IoT which would be launched in the first quarter of 2016. Other relevant B/Ds were also developing similar systems using IoT. The Chairman urged the Administration to coordinate the development of these systems for B/Ds.

V. Assignment of broadcasting spectrum to be vacated by Asia Television Limited following expiry of its domestic free television programme service licence

(LC Paper No. CB(4)1083/14-15(05) -- Administration's paper on assignment of broadcasting spectrum to be vacated by ATV following expiry of its domestic free television programme service licence

- LC Paper No. CB(4)1083/14-15(06) -- Paper on issues relating to domestic free television programme service prepared by the Legislative Council Secretariat (Background brief)
- LC Paper No. CB(4)1044/14-15(01) -- Joint letter from Hon Cyd HO Sau-lan, Hon Charles Peter MOK and Hon SIN Chung-kai dated 14 May 2015 on issues relating to assignment of broadcasting spectrum to be vacated by ATV following expiry of its domestic free television programme service licence)

Presentation by the Administration

22. At the invitation of the Chairman, Chairman of the Communications Authority ("C of CA") briefed members on the factors to which the Communications Authority ("CA") should have regard in deciding on the assignment of spectrum to be vacated by Asia Television Limited ("ATV") as from 2 April 2016 following the expiry of its domestic free television programme service ("free TV") licence for the provision of broadcasting services. Details of the briefing were set out in the paper provided by the Office of the Communications Authority (LC Paper No. CB(4)1083/14-15(05).

23. C of CA elaborated that under the prevailing free TV market, having regard to the CA's statutory duty to promote the efficient allocation and use of the radio spectrum, the CA considered that only free TV licensees under the Broadcasting Ordinance (Cap. 562)("BO") should be eligible for assignment of broadcasting spectrum as only they were in a ready position to effectively and efficiently use that spectrum for the benefit of the viewing public. Otherwise, it could lead to idleness of broadcasting spectrum or its wasteful hoarding. C of CA further explained that another consideration of the CA in discharging the above statutory duty was that the amount of broadcasting spectrum to be assigned to an eligible licensee should be commensurate with its licensed service needs, particularly in view of the limited amount of broadcasting

spectrum available for assignment in the following few years before the planned switch off of analogue TV broadcasting in 2020.

Discussion

Factors to be considered by the Communications Authority in deciding on broadcasting spectrum assignment

24. Noting that the broadcasting spectrum to be released by ATV upon the termination of its free TV licence on 1 April 2016 would only be assigned to Radio Television Hong Kong ("RTHK") or free TV licensees according to service needs, Mr Charles Peter MOK expressed concern that the broadcasting spectrum would be highly concentrated in the hands of Television Broadcasts Limited ("TVB"), whose free TV licence had just been renewed for 12 years from 1 December 2015 to 30 November 2027, and which had been assigned the broadcasting spectrum it currently held for the provision of its licensed analogue and digital terrestrial services during the validity of its renewed free TV licence. Drawing on the experience of the 3G spectrum reassignment, Mr MOK considered that the CA should re-assign the broadcasting spectrum to be vacated by ATV and those currently used by TVB to all eligible applicants who intended to operate free TV, so as to introduce new competition into the local free television market and optimize the use of airwaves. He was of the view that the CA should consult the public on the issue of spectrum re-assignment, and the Panel should also hold a meeting to hear public views on the issue. Mr SIN Chung-kai shared a similar view.

25. C of CA advised that while the CA was the spectrum assignment authority under the Telecommunications Ordinance (Cap. 106)("TO"), the authority for granting, extending or renewing free TV licences rested with the Chief Executive ("CE") in Council under sections 10(1) and 11(1) of the BO. In the CA's view, this division of statutory authority, whereby the CE in Council decided whether or not to grant free TV licences and the CA decided the spectrum assignment, had meant that the process for broadcasting service licensing had always been broadcasting licence led, with spectrum assignment being an enabling and supplementary function. In fact, since the introduction of free TV services in Hong Kong some 40 years ago, spectrum for the provision of broadcasting services had consistently been administratively assigned to ensure uninterrupted free TV services to the viewing public. The TO did not stipulate any procedure or statutory timeline concerning application for the use of spectrum, or consideration thereof by the CA. Neither was there any statutory requirement or established procedure to conduct public consultation before the assignment of broadcasting spectrum.

26. C of CA further advised that the CA would decide on the assignment arrangements for the spectrum vacated by ATV taking into account, inter-alia, the objectives and provisions of the TO, the CA's statutory duties, the prevailing free TV landscape, the Radio Spectrum Policy Framework promulgated by the Government in April 2007 and the policy views from the Commerce and Economic Development Bureau. Given the CA's statutory duty to promote the efficient use and allocation of spectrum, the vacated spectrum would be assigned to those which were in a ready position to use the spectrum effectively and efficiently for the provision of licensed free TV, i.e. those already holding free TV licences. In response to Mr MA Fung-kwok's enquiry about the use of the vacated spectrum, C of CA advised that all spectrum vacated by ATV would be used for broadcasting rather than telecommunications services.

27. C of CA added that as TVB currently enjoyed high audience ratings and had a market share of close to 80% of the TV audience in Hong Kong, it would not be in the public interest to re-assign the spectrum currently used by TVB upon the expiry of its existing assignment in 2018 as such an approach could create uncertainty on TVB's provision of its licensed services. Meanwhile, following grant of licence by the CE in Council on 1 April 2015, Hong Kong Television Entertainment Company Limited ("HKTVE") had applied to the CA under its licence for permission to use spectrum as an additional mode of transmission on top of a fixed network. Notwithstanding that HKTVE already had an assured transmission mode, the CA would adopt a positive attitude in considering its application for the use of spectrum, subject to HKTVE's agreement to comply with additional conditions for the possible assignment of broadcasting spectrum.

28. In response to Mr Paul TSE's enquiry about the availability of spectrum for digital TV broadcasting, Director-General of Communications ("DGC") advised that at present, all spectrum which was suitable for the purpose had been assigned. Nevertheless, the spectrum to be withdrawn from ATV, i.e. one digital multiplex of the single frequency network coupled with half of the capacity of one digital multiplex of the multiple frequency network in the 470-806 MHz of the Ultra High Frequency band (1.5 digital multiplexes), would be sufficient to meet the needs of the proposed services of HKTVE, and that of Fantastic Television Limited ("FTV") as and when it was licensed. Even in the event that the CA decided to assign spectrum to HKTVE and FTV upon formal licence grant by the CE in Council, the assignments would not take up the entire 1.5 digital multiplexes to be withdrawn from ATV.

29. DGC added that with the switching off of analogue TV services ("ASO") and subject to successful frequency coordination with the Mainland authorities,

it was envisaged that new broadcasting spectrum could be released to the market. As to the CA's assignment of spectrum to TVB, the quantum of spectrum assigned was commensurate with the service needs of TVB, to provide five programme service channels. If there was a reduction in the amount of spectrum assigned as per the proposal of some Members, service curtailment would ensue and given the high coverage and penetration achieved by TVB, the interest of millions of viewers would be adversely affected.

Provision of analogue free TV services by Radio Television Hong Kong

30. Noting that RTHK had low audience ratings and was under-utilizing its daily broadcasting timeslots, Mr SIN Chung-kai expressed concern that RTHK had been allocated more broadcasting spectrum than required, and queried the need for RTHK to take over the two sets of analogue frequencies from ATV upon its termination of service. Sharing a similar view, Mr Christopher CHUNG and Mr CHAN Chi-chuen considered that RTHK should not be tasked with providing analogue TV service. In this regard, Mr MA Fung-kuok enquired about the Administration's assessment of the performance of RTHK in respect of its existing digital terrestrial television ("DTT") service.

31. Permanent Secretary for Commerce and Economic Development (Communications and Technology) ("PSCED(CT)") advised that at present, RTHK was only providing DTT service on a pilot basis. Moreover, as a public service broadcaster, RTHK's programming direction should not be compared directly to a commercial free TV broadcaster's as the visions and missions differed. According to the Administration's proposal, RTHK would convert the programmes broadcast in digital format to analogue format via the vacated analogue spectrum taken over from ATV. Taking into account the time required for a TV licensee to apply for the vacated analogue spectrum and the appropriate licences, the Administration considered that there was higher certainty to invite RTHK to take over the vacated analogue spectrum of ATV.

32. In response to Mr CHAN Chi-chuen's enquiry about the decision to request RTHK to utilize the analogue frequencies to be withdrawn from ATV to provide analogue TV service, PSCED(CT) advised that the arrangement was simply a temporary measure decided by the CE in Council to provide an alternative to around 480,000 households which had not yet switched to DTT services. The analogue TV service to be provided by RTHK as a public service broadcaster was not intended to be a full replacement of those provided by a commercial TV service broadcaster. As far as the Administration was aware, HKTVE had no intention to provide the service for only five years in the run-up to ASO.

Free TV landscape

33. Ms Emily LAU expressed concern that there might be only one commercial free TV station left in Hong Kong should ATV terminate its service before its licence expired on 1 April 2016 and before HKTVE launched its service by 31 March 2016. In response, PSCED(CT) said that the Administration would facilitate the early launch of service by HKTVE, and try its best to process the other applications for free TV licences from FTV, Hong Kong Television Network Limited and Forever Top (Asia) Limited expeditiously to prevent the scenario from happening or minimize its effect.

VI. Any other business

34. There being no other business, the meeting ended at 4:29 pm.

Council Business Division 4
Legislative Council Secretariat
6 August 2015