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By email

9 January 2015

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

Dear Ms Yue,

**The Latest Developments Surrounding
Asia Television Limited (“ATV”)**

I refer to the emails of 6 and 7 January 2015 to this Bureau from the Panel and the letters attached thereto from Hon Christopher CHUNG, Hon WONG Yuk-man and Hon Claudia MO respectively to the Panel Chairman on the subject matter. Our responses to the issues mentioned in the three letters are as follows.

The Government has been very concerned about the ATV’s recent default in wage payments, and openly appealed for times to urge ATV’s

shareholders and management to have the issues in relation to overdue staff wages handled expeditiously and proactively in accordance with the law. The Government has also offered appropriate assistance to the affected staff.

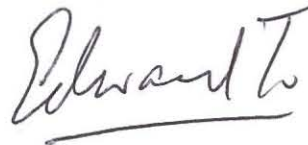
As far as the regulation of the domestic free television programme services (“free TV”) is concerned, ATV, as a licensee, has the obligation to comply with the Broadcasting Ordinance (Cap. 562) (“BO”) and the licence conditions, including maintaining adequate financial resources and staff to ensure continued provision of services which meet all statutory requirements and licence conditions. Moreover, under the existing licence conditions, ATV shall comply with the Licensee’s Proposal by providing six programme channels, each of which broadcasts 22 to 24 hours of programmes every day. As a requirement under its free TV licence, ATV shall broadcast a minimum of two comprehensive news bulletins every day, each of no less than 15 minutes, on each of the integrated Cantonese and integrated English channels. Furthermore, ATV shall broadcast every week certain hours of positive programmes (including news, current affairs programmes, children’s programmes, documentary, art and culture programmes, programmes for senior citizens and young persons), Radio Television Hong Kong programmes and educational television programmes, and provide subtitling for some of the programmes. If ATV fails to ensure continued provision of service which meets all statutory requirements and licence conditions, reduces the number of its programme channels or fails to comply with the positive programme requirements, it will be in breach of the licence conditions, and the Communications Authority (“CA”) will impose sanctions on ATV as appropriate.

As far as we know, the CA has written to ATV for several times reminding the latter of the obligation to observe the said licence conditions, and will continue to closely monitor the situation concerning ATV’s compliance with the BO and the existing licence conditions. The CA will take appropriate follow-up action in the event of any irregularity.

Regarding ATV's application for renewal of its free TV licence in November 2013, the CA has discharged its statutory duty under the BO by submitting to the Chief Executive ("CE") in Council its recommendations. In processing the said application in accordance with the established procedures, the CE in Council will consider all relevant factors, including the licensees' operational capability, financial condition, etc., before making a decision.

I should be grateful if the Secretariat would relay the above information to the Panel for reference.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Edward TO". The signature is written in a cursive style with a horizontal line underneath the name.

(Edward TO)

for Secretary for Commerce and Economic Development