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12 May 2015

**BY HAND AND
BY FAX (2833 9132)**

Dr Hon Elizabeth QUAT, JP
Chairman
Panel on Information Technology and Broadcasting
Legislative Council
Room 606, Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Dr QUAT,

**Application of
Television Broadcasts Limited (“TVB”) for Renewal of
Domestic Free Television Programme Service Licence**

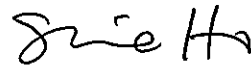
I write to inform you that at the meeting of the Executive Council on 12 May 2015, the Chief Executive in Council decided that -

- (a) having regard to the recommendations of the Communications Authority submitted under section 11(3) of the Broadcasting Ordinance (Cap. 562) (“BO”), TVB’s domestic free television programme service licence be renewed under section 11(5) of the BO for another 12 years from 1 December 2015 to 30 November 2027 (both dates inclusive);

- (b) the draft renewed licence (at **Annex A** to the enclosed Legislative Council brief (“LegCo brief”)) be approved and;
- (c) the draft gazette notice (at **Annex B** to the LegCo brief) specifying the validity period of the renewed licence be approved.

I enclose at **Enclosure** a bilingual copy of the relevant LegCo brief and press release for your reference. Thank you for your attention.

Yours sincerely,



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

Encls.

c.c. Clerk to Panel (Attn : Ms Yue Tin-po)
(By Email)

Chairman, Communications Authority (Attn: Mr Ambrose Ho)
(Fax : 2507 2219)

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Free TV licence of TVB renewed

The Government today (May 12) announced that the Chief Executive in Council has approved the application for renewal of the domestic free television programme service (free TV) licence of Television Broadcasts Limited (TVB) for a period of 12 years from December 1, 2015, to November 30, 2027.

TVB has committed to a six-year investment plan of \$6,336 million for 2016 to 2021, comprising \$144 million of capital investment and \$6,192 million of programming investment. It has also undertaken that each year at least 12,000 hours of the programmes on its service (representing about 27.4 per cent of its total programmes) will be local productions.

"The licence conditions in the renewed licence of TVB are largely based on its existing licence, with additional requirements imposed to address public calls for improvements in its programming variety and quality," a spokesman for the Commerce and Economic Development Bureau said.

TVB is required to provide an additional four hours per week of positive programmes in total on its digital channels, which are currently exempted from such a programming requirement. These include current affairs programmes, documentaries, arts and culture programmes and programmes for young persons. All must be first-run programmes with 60 minutes per week for each genre.

"Furthermore, to respond to public aspirations and to facilitate the Government's policy of nurturing local talents, TVB has been required to provide on its licensed service independent local productions on an incremental basis from 20 hours per year in 2016 to 60 hours per year by 2020," the spokesman said.

Other requirements including provision of first-run positive programmes and the licensee's commitment to enhance provision of subtitling to its digital services have also been incorporated in the renewed licence.

The free TV licence of TVB will be subject to a mid-term review in 2021.

In processing the application for licence renewal by TVB, the Communications Authority (CA) carried out a comprehensive assessment on its performance and conducted a public consultation exercise from February 4 to April 3, 2014, to gauge public views on TVB's service. The CA submitted its recommendation to the Chief Executive in Council in November last year.


"The regulator considers that TVB has generally complied with the statutory requirements, the licence conditions and the codes of practice in respect of television programming, advertising and technical standards.

"The CA accepted TVB's proposed investment plan and is satisfied with its financial capability to deliver the commitment," the spokesman said.

TVB's free TV licence was last renewed in November 2002, with a validity period of 12 years from December 1, 2003, to November 30, 2015.

Ends/Tuesday, May 12, 2015
Issued at HKT 17:16

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LEGISLATIVE COUNCIL BRIEF

Broadcasting Ordinance
(Chapter 562)

Renewal of Domestic Free Television Programme Service Licence Of Television Broadcasts Limited

INTRODUCTION

At the meeting of the Executive Council on 12 May 2015, the Council ADVISED and the Chief Executive (“CE”) ORDERED that -

- (a) having regard to the recommendations of the Communications Authority (CA) submitted under section 11(3) of the Broadcasting Ordinance (Cap. 562) (BO), Television Broadcasts Limited (TVB)’s domestic free television programme (free TV) service licence **be renewed** under section 11(5) of the BO for another 12 years from 1 December 2015 to 30 November 2027 (both dates inclusive);
- (b) the draft renewed licence at **Annex A** be **approved**; and
- (c) the draft gazette notice at **Annex B** specifying the validity period of the renewed licence be **approved**.

JUSTIFICATIONS

The Statutory Framework

2. Section 11 of the BO sets out the regime for extension or renewal of licences granted under the BO. In respect of a free TV service licence, the CA shall as soon as is practicable after the receipt of an application and, in any case, not later than 12 months before the expiry of the period of validity of the licence, submit recommendations to the Chief Executive in Council in relation to the extension or non-extension or renewal or non-renewal of the licence, and where appropriate, the conditions subject to which the licence may be extended or renewed. The Chief Executive in Council shall consider the recommendations and as soon as is practicable extend or renew the licence to which they relate subject to such conditions as he thinks fit specified in the extended or renewed licence, or decide not

to extend or renew the licence.

TVB's Renewal Application

3. The Chief Executive in Council renewed TVB's free TV service licence in November 2002, with a validity period of 12 years from 1 December 2003 to 30 November 2015 (both dates inclusive) (the licence so renewed is referred to as "Licence"). Following the order made by the Chief Executive in Council pursuant to sections 4(1)(b) and 4(2)(b)(ii) of Schedule 4 to the BO and condition 3.2 of the Licence, the former Broadcasting Authority (BA, the predecessor of the CA) in 2010 completed a mid-term review of the Licence (Mid-term Review), covering TVB's performance for the period from 2003 to 2009. Pursuant to section 11(2) of the BO, TVB submitted a Renewal Application to the CA on 19 November 2013, proposing to continue with the existing channel line-up¹ if its Licence is to be renewed. The CA processed the Renewal Application in accordance with the BO and the established procedures, and submitted its recommendations to the Chief Executive in Council on 4 November 2014.

CA's Assessment against Criteria for Renewal

4. In accordance with the established procedures and practice, the CA has carried out a comprehensive assessment on the performance of TVB. The CA has considered the following factors in its assessment –

- (a) TVB's compliance with the statutory requirements, the licence conditions and the codes of practice (CoP) promulgated by the CA in respect of the following –
 - (i) programming requirements and standards;

¹ A full list of TVB's channels is set out below (high definition television as "HDTV") –

<i>Name of Channel</i>	<i>Format</i>	<i>Channel Description</i>
Jade	Analogue	A Cantonese dialect channel offering a variety of local and overseas productions
Pearl	Analogue	An English language channel offering a variety of local and overseas productions
Jade	HDTV	Digital simulcast of TVB Jade channel
J2	HDTV	A variety of programmes targeting young viewers and adultescent
iNews	HDTV	Programmes on news, finance and information
Pearl	HDTV	Digital simulcast of TVB Pearl channel
HD Jade	HDTV	A variety of HDTV programmes with local and overseas productions

- (ii) requirements and standards on advertising and non-programme materials;
 - (iii) technical requirements and standards;
 - (iv) the investment plans for 2004 to 2015 on capital and programming expenditure;
 - (v) regulatory requirements on corporate and administrative matters; and
 - (vi) competition provisions;
- (b) the financial commitment of TVB for 2016 to 2021 and its financial capability to deliver the commitment; and
- (c) public views on TVB's performance in the provision of its free TV service.

In addition to the above assessment, the CA has also taken into account the relevant policy and technical considerations of government bureaux/departments on the regulatory approach when making recommendations to the Chief Executive in Council. The CA's assessment against the above criteria is summarised below.

(A) TVB's Compliance with Regulatory Requirements

5. The CA has examined the records of TVB's compliance with various regulatory requirements in the period from 1 December 2003 to 30 September 2014 (period under review). The CA considers that, during the period under review, TVB's compliance with the following requirements is **satisfactory** –

- (a) **Programming requirements and standards:** key requirements include positive programme requirements², subtitling requirement, requirement to provide HDTV programmes³; various standards relating to family viewing hours, protection of children, accuracy and impartiality and indirect advertising, etc. as stipulated in the CoP on television programme standards;
- (b) **Regulatory requirements and standards on advertising and non-programme materials:** key requirements include the advertising time limit under the BO, the requirement to broadcast announcements in the

² The positive programme requirements comprise the minimum amount of programmes in respect of specified genres to be broadcast on a free TV service licensee's service, including news, documentary, current affairs programmes and programmes for children, young persons, senior citizens and art and cultures.

³ Following the Mid-term Review, TVB has committed to increasing the amount of HDTV programmes from 20 hours per week in 2010 to 120 hours per week in 2015.

public interest (APIs) and publicity material for the CA as laid down in the Licence, and the various television advertising standards stipulated under the CoP promulgated by the CA;

- (c) **Technical requirements and standards:** key requirements include service coverage requirement under the BO, as well as requirements on technical quality standards, service reliability and the digital television system stipulated under the CoP on television technical standards promulgated by the CA;
- (d) **Investment plans for 2004 to 2015 on capital and programming expenditure:** taking into account TVB's projected expenditure for 2014 and 2015, its total projected expenditure for 2010 to 2015 would be in excess of its commitment (\$6,336 million);
- (e) **Requirements on corporate and administrative matters:** key requirements include statutory and licensing requirements pertaining to fit and proper persons, disqualified persons, unqualified voting controllers, residence requirements of directors and principal officers, shareholding and ownership changes and firewall provisions, etc.

However, the CA is of the view that the performance of TVB in complying with programme standards has clearly deteriorated following the Mid-term Review, especially in respect of the provisions governing indirect advertising, accuracy, impartiality and fairness. Besides, during the period under review, TVB was found to be in contravention of sections 13 and 14 of the BO⁴ (the Competition Provisions) for engaging in anti-competitive practices relating to its contracted artistes and singers. Following a detailed investigation, the CA found that TVB had engaged in a number of practices (the Practices)⁵ which have the purpose and effect of

⁴ Section 13 of the BO prohibits a licensee from engaging in conduct which, in the opinion of the CA, has the purpose or effect of preventing, distorting or substantially restricting competition in a television programme service market. Section 14 of the BO prohibits a licensee in a dominant position from abusing that position by engaging in conduct which has the purpose or effect of preventing, distorting or substantially restricting competition in a television programme service market.

⁵ The Practices are –

- (a) prohibiting artistes or singers on serial-based, one-show, or singer contracts with TVB from, or requiring such artistes or singers to seek consent from or notify TVB for, appearing on or providing services to other TV stations in Hong Kong;
- (b) prohibiting artistes on serial-based and one-show contracts with TVB from, or requiring such artistes to seek consent from TVB for, appearing on other TV stations in their original voices, or attending promotional activities of other TV stations for TV programmes and drama productions featuring these artistes; and
- (c) requiring, formally or informally, TVB's singers and artistes to refrain from speaking Cantonese on

preventing, distorting or substantially restricting competition in the relevant television programme service market by impairing the ability of rival TV stations to compete with TVB⁶. In particular, the CA found that, through its contractual provisions (including the no-obligation-to-use clause) and various formal and informal policies, TVB had imposed a system of exclusivity over artistes and singers which actually and potentially foreclosed rivals' legitimate access to an essential input for TV programme production. Such foreclosure had produced and had the potential to continue to produce a significant detriment to the end consumers of TV viewers by causing a deterioration of quality of rivals' programme offerings. The CA considered that the Practices served to insulate TVB from normal competition with rivals for artistes and singers. In view of their nature and severity, the CA decided in September 2013 to impose a financial penalty of \$900,000 for the above-mentioned contraventions and issued some directions to TVB⁷. TVB issued a public statement as required by the CA in October 2013 and submitted to the CA a report on the remedial actions it had taken in January 2014. The CA notes that there were no other lapses in respect of the Competition Provisions during the period under review, that TVB has settled the financial penalty and has taken the remedial actions as directed by the CA to rectify the situation.

(B) TVB's Financial Commitment for 2016 to 2021 and its Financial Capability to Deliver the Commitment

6. In support of its Renewal Application, TVB has submitted to the CA a proposed six-year investment plan for 2016 to 2021 as follows –

Investment Plan for 2016-2021	Amount (\$ Million)
Capital investment	144
Programming investment	6,192
Total	6,336

other TV stations in Hong Kong.

⁶ TVB lodged a statutory appeal by way of petition to the Chief Executive in Council under section 34 of the BO on 17 October 2013 against the CA's decision.

⁷ TVB was directed by the CA to –

- (a) communicate to all artistes and singers who had current serial-based, one-show or singer contracts with TVB that it would abandon the infringing contractual clauses and policies;
- (b) issue a public statement explaining and declaring that it would not require singers and artistes which it engaged to refrain from speaking Cantonese on other TV stations in Hong Kong; and
- (c) provide a full report to the CA describing the steps taken by TVB to comply with the CA's direction.

The CA notes that TVB's proposed investment for the six-year period from 2016 to 2021 is the same as that for the previous six years from 2010 to 2015. On capital investment, TVB explained that as significant capital investment had already been incurred for digital broadcasting, the capital investment for the coming years would principally be devoted to the maintenance of its infrastructure and transmission facilities. The CA considers TVB's explanation reasonable and that its proposed capital investment is acceptable. On TVB's proposed programming investment, the amount for 2016 to 2021 (i.e. \$6,192 million) is lower than its projected programming expenditure for 2010 to 2015. Having regard to TVB's submission that the reduction (when compared to the projected programming investment for 2010 to 2015) would be mainly attributable to lower programming costs instead of reduced service, **the CA considers that TVB's proposed programming investment is acceptable. Based on its business records and past performance, the CA considers that TVB has the financial capability to deliver its proposed investment commitment for 2016 to 2021.**

(C) Public Views

7. Pursuant to the requirement under section 11(4) of the BO, the CA conducted a two-month public consultation exercise from 4 February 2014 to 3 April 2014 to gauge public views on the performance of TVB and of the other free TV service licensee i.e. Asia Television Limited (ATV), in connection with their respective renewal applications. In addition, the CA also commissioned an independent survey firm to conduct a territory-wide opinion survey to collect public views on the free TV service of the two licensees (Free TV Survey). On the whole, **the public views collected in the public consultation exercise and the Free TV Survey show that the public is generally satisfied with the performance of TVB though there is room for improvement in its programming variety and quality.** There are public calls for improvement in the positive programme requirements as well as local and independent productions on its free TV service. There are also demands, particularly from the hearing impaired, for more subtitling and sign language services to be provided in the programmes.

CA's Recommendations

(A) Renewal of TVB's Licence

8. On the basis of the assessment as summarised in paragraphs 5-7 above, the CA considers that TVB has performed satisfactorily in many aspects during the Licence term. The CA is also satisfied that TVB has the financial capability to deliver its proposed investment commitment for 2016 to 2021. Moreover, the CA notes that the public is generally satisfied with the free TV service of TVB and

supports its Renewal Application provided that more stringent requirements are imposed on TVB to ensure that its performance would meet public expectation. The CA therefore **recommends** that the Licence **be renewed for 12 years**. The CA is of the view that non-renewal or partial renewal of the Licence does **not** seem to be justifiable options.

(B)TVB's Proposed Investment Commitment for 2016 to 2021

9. The CA considers that TVB's proposed six-year investment plan for 2016 to 2021 (i.e. a total of \$6,336 million comprising \$144 million of capital investment and \$6,192 million of programming investment) should be sufficient to address the public calls for improvement in the diversity and quality of programming provided by TVB. However, given the recent trend of TVB which relies more on acquired content), there may be public concern as to whether the programming investment pledged by TVB will be turned into programmes primarily serving local audience. In this regard, TVB has confirmed that each year at least 12,000 hours of the programmes on its service (representing about 27.4% of its total programmes) will be local productions. The proportion of local production proposed by TVB is similar to the commitment on local production made by ATV in ATV's mid-term review⁸. Given TVB's investment commitment and submissions thereon, the CA **recommends** that TVB's proposed six-year investment plan for 2016 to 2021 **be accepted**.

(C)Programme Requirements

10. The CA notes that there are criticisms about the variety and quality of TVB's programmes, and considers that these issues should be addressed by way of imposing on TVB additional requirements and/or stepping up the existing requirements for the renewed Licence term⁹. The CA's proposals are as follows -

(a) Additional Positive Programme Requirement (PPR)¹⁰ on Digital

⁸ In the mid-term review of its free TV service licence, ATV committed to providing not less than 273.5 hours of local production per week, representing 27.3% of the total broadcast hours of its service as a whole for the years 2010 to 2015.

⁹ Should the Chief Executive in Council decide to renew TVB's Licence for 12 years, the CA will, as part of the mid-term review of the renewed Licence (i.e. to be conducted in around 2021), further assess the progress made by TVB in enhancing its programme variety and quality.

¹⁰ A free TV service licensee is required under its licence to entertain, inform and educate and to ensure that its programming is balanced in content and provides an adequate and comprehensive service which is responsive to the diverse needs and aspirations of the community. In addition, having regard to the use of frequency spectrum which is a valuable public asset, the Licence imposes obligations on TVB to provide a mix of programme types in the form of PPR and to carry government programmes. At present, TVB is required to provide a minimum of 41.5 hours of positive programmes per week on its Cantonese and

Channels

Currently, the digital channels were exempted from the PPR¹¹. However, there are public calls for a greater variety of programmes, particularly more programmes with educational value including documentary programmes, arts and culture programmes, programmes for young persons and current affairs programmes. Besides, the Free TV Survey shows that 50% of the respondents consider that it is necessary to extend the PPR to digital channels to enhance the variety of television programmes. To address the public demand, the CA considers that TVB should be required to provide an additional **4 hours** per week of positive programmes in total on its digital channels as follows –

<i>PPR</i>	<i>Additional Requirement</i>
Current Affairs Programmes	60 minutes of programmes per week for each genre
Documentary	
Programmes for Young Persons	
Arts and Culture Programmes	
Total	Additional 4 hours per week

To provide flexibility in programme management, TVB would be allowed to provide the additional positive programmes on any of its digital channels between the hours of 6:00 a.m. and 12:00 midnight. Also, as an incentive to encourage TVB to carry more programmes for ethnic minority groups in Hong Kong, the programmes for ethnic minority groups could be counted towards the fulfilment of relevant additional PPR. After discussions, TVB has agreed to broadcast the above additional positive programmes on its digital channels. The CA **recommends** reflecting the new commitments of TVB in the renewed Licence of TVB, if approved.

English channels broadcast in analogue and digital simulcast forms, including news (seven hours per week), documentary programmes (two hours per week), current affairs programmes (two hours per week), children's programmes (28 hours per week), programmes for young persons (30 minutes per week), programmes for senior citizens (60 minutes per week) and arts and culture programmes (60 minutes per week).

¹¹ At the time when the Government decided to launch digital terrestrial television (DTT) services in end 2007, considering that the positive programmes would continue to be required for broadcast in the digital format via the simulcast digital channels (i.e. TVB Jade and TVB Pearl), the former BA then decided not to impose additional PPR by exempting ATV and TVB from broadcasting these programmes on their new digital channels. This was meant to afford ATV and TVB with greater flexibility to provide more diversified programming choices to viewers.

(b) First-run Programme¹² for Fulfilment of PPR

Currently, the Licence is silent on whether the PPR may be fulfilled by repeat programmes. The CA considers that permitting fulfilment of PPR by repeat programmes defeats the purpose of stipulating PPR in the free TV service licences. As such, there is a need to plug the loophole in the existing requirement by specifying that repeated broadcast of the same programmes should not be counted towards the fulfilment of PPR (except for news programmes). However, the CA considers it reasonable to relax the first-run requirement in respect of children's programmes in line with the existing requirement in the CoP on television programme standards by specifying that such programmes shall not be shown more than twice within any period of 24 months¹³. The new first-run requirement, save for the exemption for news programmes and the relaxation in respect of children's programmes, will be applicable to the licensed service of TVB (including its analogue and digital services) for the fulfilment of PPR.

Having taken into account TVB's view and the regulatory intent of PPR, the CA recommends that the definition of "first-run programme" as set out in footnote 12 should be adopted. The CA **recommends** incorporating this new requirement in the renewed Licence, if approved.

(c) Local Productions and Independent Local Productions

To respond to public aspiration and to facilitate the Government's policy of nurturing local talents, TVB is required to make some quantitative commitments on the provision of independent local productions on its service and that the requirement on independent local productions should be fulfilled by first-run programmes. In this regard, TVB has agreed to provide on its licensed service independent local productions¹⁴ on an incremental basis from 20 hours per year in 2016 to 60 hours per year by 2020. The CA **recommends** reflecting the new requirement in the licensee's proposal of TVB, which will form part of its renewed Licence,

¹² "First-run programme" means a programme which has not been broadcast in substantially the same form on the licensed service provided by the licensee.

¹³ Currently, the CoP on television programme standards requires that a children's programme provided for fulfillment of the relevant licence conditions shall not be shown more than twice within any period of 24 months.

¹⁴ "Independent local productions" means programmes produced by production companies which are independent of the licensee and its affiliates. Radio Television Hong Kong (RTHK) programmes should not be counted towards the fulfillment of independent local production requirement. The new commitment on independent local productions is required to be fulfilled by first-run programmes.

if approved.

As mentioned in paragraph 9 above, TVB has also committed that each year at least 12,000 hours of the programmes on its service will be local production. The CA **recommends** reflecting these new commitments in the licensee's proposal of TVB, which will form part of its renewed Licence, if approved.

(d) Subtitling and Sign Language

While the current Licence has already required TVB to provide subtitling (as directed by the CA), in order to meet the public demand to improve the hearing impaired's access to information, the CA considers that there is a need to enhance the subtitling requirement. In this respect, TVB has agreed to extend the provision of subtitling to its digital services¹⁵ in that all news, current affairs, weather programmes and emergency announcements, and all the programmes shown during the prime time on its digital channels would have subtitles. Regarding the proposed provision of sign language service, the CA notes that there is an increasing demand from various groups for the hearing impaired for sign language service in television programmes, particularly in news bulletin. However, given TVB's concerns over the limited supply of qualified sign language interpreters¹⁶ and its compliance with the requirement on factual accuracy of news programmes as stipulated in the CoP on television programme standards¹⁷ arising from the implementation of sign language requirement, the CA considers that it is prudent to conduct a review to explore effective measures to resolve the implementation and compliance issues in the provision of sign language service for news programmes. The CA will engage the free TV service licensees and the relevant organizations for the hearing impaired in the review, which is planned to be completed within 24 months of the commencement of the renewed Licence, if approved. However, to prepare for the implementation of the proposed requirement on sign language service,

¹⁵ Currently, TVB is required to provide, on its analogue and simulcast digital services, subtitling for all news, current affairs, weather programmes and emergency announcements. On the Cantonese channel, Chinese subtitles must be provided for programmes shown between 7:00 p.m. and 11:00 p.m. and drama programmes (except for re-run of drama programmes which were first broadcast before 1 December 2003). On the English channel, all programmes shown between 8:00 p.m. and 11:30 p.m. and educational programmes for teenagers (2 hours per week) shall carry English subtitles.

¹⁶ TVB submitted that there were only about 10 government-recognized sign language interpreters in Hong Kong and they were always engaged by the courts and the Legislative Council.

¹⁷ At present, the CoP on television programme standards provides that the licensees shall make reasonable efforts to ensure that the factual contents of news are accurate. Given the stringent requirement, TVB submitted that it could not use unqualified sign language interpreters.

the CA **recommends** that an enabling provision similar to the existing requirement on subtitling should be included in the renewed Licence, if approved. TVB has raised no further views when invited to comment on the draft renewed Licence incorporating the said requirement. The effective date of the relevant provision will be subject to the review to be conducted by the CA. In the interim, TVB has agreed to provide sign language for Legislative Council (LegCo) and other important Government meetings/announcements to be broadcast by its channel(s) where sign language is included in the video feed at source.

The Renewed Licence

(A) Proposed Conditions

11. The CA **recommends** that the proposed licence conditions in the renewed Licence of TVB, if approved, should be largely based on its existing Licence. The new commitments of TVB in paragraphs 9 to 10 above, where applicable, will be reflected in the renewed Licence. Major changes to the conditions in TVB's existing Licence include the following –

- (a) addition of TVB's six-year investment plan for the period from 2016 to 2021 and commitment in its licensee's proposal (see paragraph 9 above);
- (b) addition of the condition that TVB is required to broadcast an additional four hours per week of PPR (which must be first-run programmes) on the digital channels (see paragraph 10(a) above);
- (c) addition of the requirement to provide an annual management report certifying the actual annual investment expenditure in the year¹⁸. The same requirement has been applied to other free and pay TV service licensees as appropriate;
- (d) addition of a provision which empowers the CA to approve changes in channel line-up and the related arrangements upon application of the licensee. The same requirement has been applied to other free TV service licensee as appropriate;

¹⁸ Currently, as an administrative arrangement, a free TV service licensee is required by the CA to submit, on a yearly basis, a management return to facilitate the CA's monitoring of the licensee's compliance with its investment commitment. To formalise the existing administrative arrangement, the CA recommends imposing a new licence requirement on TVB to provide an annual management report certifying the actual investment expenditure in the year. TVB has accepted this proposal.

- (e) addition of the condition that the number of in-building coaxial cable distribution system channels to be allocated to a free TV service licensee should be subject to the approval of the CA. The same requirement has been applied to other free TV service licensees as appropriate;
- (f) addition of the condition that the management of the licensee shall not be performed by persons other than the directors, principal officers and persons duly authorised by the licensee. The same requirement has been applied to other free TV and pay TV service licensees;
- (g) modification of the title of the relevant authority upon the establishment of the CA on 1 April 2012; and
- (h) deletion of the firewall provisions which are obsolete.

12. In relation to the provision which empowers the CA to approve changes in channel line-up upon application of the licensee (i.e. paragraph 11(d) above), TVB is of the view that the proposed requirement unnecessarily tightens the regulation over free TV service licensees which have been free to schedule their channels without any restriction for decades. However, the CA considers it justified to introduce the proposed requirement because changes in channel line-up may have an impact on various programming commitments (e.g. PPR) and the programming investment plan made by a licensee in the licence renewal application or agreed to in the application process, with which the licensee is obliged to comply. There is a need therefore for the CA to examine every channel line-up proposal submitted by the licensee to ensure that it would not impact adversely on the licensee's compliance with its commitments. TVB accepted the proposed licence conditions contained in the draft renewed Licence and only raised a few comments on some drafting issues. Having taken into account TVB's representations, the CA has finalised the draft renewed Licence at Annex A, with TVB's comments incorporated as appropriate.

(B) Licence Requirement to Broadcast Government Programmes and the CA's Direction

13. Currently, to implement Government's policy in this regard, the CA is empowered under the free TV service licences to direct the licensees to broadcast programmes supplied by the Government. Under such a direction, TVB is required to carry the programmes produced by RTHK and programmes for school (i.e. education television (ETV) programmes) on its service¹⁹. Having regard to the

¹⁹ At present, TVB is required to broadcast on its Cantonese channel a minimum of 3.5 hours of RTHK programmes per week. In addition, TVB shall broadcast an additional 90 minutes of RTHK programmes

views of TVB and the policy views of Commerce and Economic Development Bureau (CEDB) and Education Bureau (EdB), the CA agrees to maintain the status quo. However, the CA is prepared to revisit these requirements in consultation with the concerned policy bureaux at the mid-term review of the renewed Licence, if approved. Meanwhile, the CA is minded to provide greater flexibility to TVB in broadcasting RTHK programmes during weekdays with effect from the commencement of the renewed Licence, if approved, by permitting TVB to re-schedule such programmes to time slots outside the prime time²⁰. Specifically, the CA proposes to amend the existing scheduling arrangement (i.e. 7:00 p.m. to 7:30 p.m. on weekdays) to the effect that TVB should be directed to take turns with the other spectrum-based free TV service licensee until the expiry of ATV's licence to broadcast 2.5 hours of RTHK programmes per week during weekdays but the start time can be advanced to 6:00 p.m. at the earliest from Monday to Friday. TVB has agreed to the CA's proposal, but suggested that the same flexibility should be given to TVB to reschedule RTHK programmes to an earlier slot from 2:00 p.m. to 10:30 p.m. on Saturdays and Sundays. The CA considers that it is sufficient to allow more flexibility for TVB to reschedule RTHK programmes during weekdays to time slots outside primetime, and that there is no justifiable ground to give TVB further discretion to schedule all RTHK programmes during both weekdays and weekends to time slots outside primetime. TVB did not raise any further objection to the CA's position on the broadcast arrangement of RTHK programmes.

The CE in Council's Decision

14. Having considered the CA's Recommendations, the relevant representations and all relevant latest developments, the CE in Council agrees with the CA's Recommendations and decides that TVB's free TV service licence at **Annex A** be renewed for another 12 years from 1 December 2015 to 30 November 2027 (both dates inclusive).

per week or an additional 60 minutes of arts and culture programmes and programmes for senior citizens respectively per week. For ETV programmes, TVB is currently required to carry, on its English channel, 1 hour of ETV programmes per school day.

²⁰ Currently, ATV and TVB are directed by the CA under their free TV service licences to take turns to each broadcast 2.5 hours per week of RTHK programmes, either between 7:00 p.m. and 7:30 p.m. during weekdays or 7:00 p.m. to 10:30 p.m. during weekends, on their analogue/simulcast Cantonese channels on a yearly rotation basis. Such alternate scheduling arrangement has been put in place since 1990.

RTHK has reservation regarding the proposal to re-schedule RTHK programmes (either in whole or in part) to time slots outside the prime time. RTHK considers that the current prime-time scheduling can enable the fulfillment of the objectives to reach the widest audience to achieve social and cultural impacts, and is therefore in the public interest. CEDB has relayed RTHK's aforementioned reservation to the CA.

IMPLICATIONS OF THE PROPOSAL

15. The proposed renewal of the Licence has economic, financial and civil service implications as set out at **Annex C**. It is in conformity with the Basic Law, including the provisions concerning human rights. It has no significant sustainability implications and no productivity, environmental or family implications.

PUBLIC CONSULTATION

16. The CA conducted a public consultation exercise in respect of the Renewal Applications from 4 February 2014 to 3 April 2014 to collect public opinions. During the two-month public consultation exercise, public views were collected through three public hearings, four focus group discussions, and 6,706 written submissions received from members of the public. More than 300 written submissions were received after the end of the consultation period. The CA also commissioned an independent survey firm to conduct a territory-wide opinion survey to collect the views of 3,063 households on the free TV service of the two licensees. The LegCo Panel on Information Technology and Broadcasting (ITB Panel) was also consulted. The CA has considered carefully the public views gathered and, where appropriate, taken them into account in the formulation of the CA's Recommendations. A summary of such public views is at **Annex D**. All such public views and other unsolicited public submissions after submission of the CA's recommendations were submitted to the CE in Council for consideration.

PUBLICITY

17. The Government will announce the CE in Council's decision on the Renewal Application by way of a press release and a LegCo brief. A spokesman will be made available to answer enquiries from the media and the public

ENQUIRY

18. For enquiries, please contact Mr Edward TO, Principal Assistant Secretary for Commerce and Economic Development (Communications and Technology) A at 2810 2708.

Communications and Technology Branch
Commerce and Economic Development Bureau
12 May 2015

No. of THREE ORIGINALS

Domestic Free Television Programme Service Licence

Broadcasting Ordinance (Cap.562)

Television Broadcasts Limited

Renewed Licence

[@]

**Department of Justice
The Hong Kong Special Administrative Region**

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FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

In exercise of the powers conferred by section 11(1) of the Broadcasting Ordinance (Cap.562) and all the powers enabling him in that behalf, the Chief Executive in Council hereby renews the domestic free television programme service licence (“Licence”) granted on 1 December 1988 to Television Broadcasts Limited (“Licensee”, which expression shall include its lawful successors and assigns), a company formed and registered under the Companies Ordinance (Cap. 622), whose registered office is situated at TVB City, No.77, Chun Choi Street, Tseung Kwan O Industrial Estate, Kowloon, Hong Kong, and as subsequently amended and renewed, on the following conditions.

Interpretation

- 1.1 Save where the contrary intention appears expressly or by necessary implication in this Licence, words and expressions used in this Licence shall bear the same meaning, if any, as in the Broadcasting Ordinance and in the Interpretation and General Clauses Ordinance (Cap.1), and in the event of any conflict or inconsistency between their meanings, the meaning in the Broadcasting Ordinance shall prevail over that in the Interpretation and General Clauses Ordinance.
- 1.2 The headings and index used in this Licence shall not in any way vary, limit or extend the interpretation of this Licence.
- 1.3 This Licence shall receive such fair, large and liberal construction and interpretation as will best ensure the attainment of its objects according to its true intent, meaning and spirit.
- 1.4 The Schedule(s) hereto, shall form part of this Licence.
- 1.5.1 Save where the contrary intention appears expressly or by necessary implication in this Licence, the following words and expressions mean:

“auditor” a professional accountant registered and holding a practising certificate under the Professional Accountants Ordinance (Cap.50), who is neither an employee of the Licensee or its associate nor a person who is required to devote the whole or substantially the whole of his practice to the affairs of the Licensee or its associate.

“Code of Practice” of a code of practice which bears the same meaning given in section 2(1) of the Broadcasting Ordinance.

“Commencement Date” the date on which the period of validity of this Licence commences.

“day”	a period of 24 hours beginning at midnight.
“designated integrated channels”	integrated Chinese channel and integrated English channel.
“digital form”	an arrangement of signals transmitted by telecommunications and represented by digits or similar discrete form as may be authorised or approved by the Communications Authority.
“integrated Chinese channel”	integrated television programme service channel in the Cantonese dialect transmitted in analogue form and digital form (excluding any thematic digital channels), unless otherwise required under Condition 2.1(b).
“integrated English channel”	integrated television programme service channel in the English language transmitted in analogue form and digital form (excluding any thematic digital channels), unless otherwise required under Condition 2.1(b).
“Investment Plan”	an investment plan as approved by the Communications Authority regarding the Licensee’s commitment of capital expenditure and operating expenditure (including programming cost), to be spent on the Service for the period from 1 January 2016 to 31 December 2021, which is contained in its application for renewal dated 19 November 2013 from the Licensee to the Communications Authority, and as may be subsequently updated, revised or modified pursuant to the directions or approvals of the Communications Authority from time to time.
“Licensee’s Proposal”	all statements and representations (including statements of intention) made to the Communications Authority and the Government by or on behalf of the Licensee in relation to this Licence, including but not limited to its application for renewal dated 19 November 2013, the email dated 17 December 2013, the letters dated 27 June 2014, 5 August 2014, 27 October 2014, 6 February 2015, 9 February 2015, and 22 April 2015, the emails dated 9 February 2015, 16 March 2015, 17 March 2015 and 24 April 2015, and the

Investment Plan.

“period of validity”	[date] to [date] (both dates inclusive), being the period specified by the Chief Executive in Council in a notice in the Gazette issued pursuant to section 4 of Schedule 4 to the Broadcasting Ordinance or such period as may be renewed or extended pursuant to section 11 of the Broadcasting Ordinance.
“relevant Authority”	(a) the Communications Authority in connection with either a condition of this Licence in respect of which the Communications Authority is the regulator or similarly empowered under any law, Ordinance, determination, consent, notice, direction, authorisation or approval; or (b) the Secretary for Commerce and Economic Development in connection with either a condition of this Licence in respect of which that Secretary is the regulator or similarly empowered under any law, Ordinance, determination, consent, notice, direction, authorisation or approval.
“Service”	the domestic free television programme service, whether transmitted in analogue form or digital form, which the Licensee is authorised and required to provide during the period of validity in accordance with this Licence and any law or Ordinance.
“thematic digital channels”	thematic television programme service channels transmitted in digital form only (excluding any designated integrated channels) as referred to in Condition 17.4.1(c) of this Licence, unless otherwise approved by the Communications Authority under Condition 17.4.2.
“week”	a continuous period of 7 days beginning on a Monday.

1.5.2

The word “person” bears the same meaning as in section 3 of the Interpretation and General Clauses Ordinance and includes “Government”.

- 1.5.3 The expressions “telecommunications”, “telecommunications installation”, “telecommunications line” and “telecommunications service” bear the same meaning as in the Telecommunications Ordinance (Cap.106).
- 1.6 In this Licence, save where the contrary intention appears expressly or by necessary implication, words and expressions:
- (a) which import one gender include the two other genders;
 - (b) which import the singular include the plural and vice versa; and
 - (c) extend to their grammatical variations and cognate expressions where those words and expressions are defined herein or by reference to any other definition.
- 1.7 If at any time any condition of this Licence is or becomes illegal, invalid or unenforceable in any respect, the legality, validity or enforceability of the remaining conditions shall not in any way be affected or impaired.
- 1.8 In this Licence, a reference to an Ordinance, whether the word is used by itself or as part of any title to an Ordinance, shall mean the Ordinance for the time being in force as well as any modification or substitution thereof, in whole or in part, and all subsidiary legislation, regulations, directions, codes of practice and instruments made thereunder and for the time being in force.
- 1.9 In forming an opinion or making a determination, direction or decision under this Licence, the relevant Authority shall:
- (a) only do so on reasonable grounds and having regard to relevant considerations; and
 - (b) provide reasons for it in writing.

Terms of Licence

- 2.1
- (a) This Licence authorises and requires the Licensee to provide a Service in accordance with this Licence.
 - (b) The Secretary for Commerce and Economic Development may by notice served on the Licensee require the Licensee to provide the Service in digital form in the entirety from a date as specified in the notice, the date being not less than 18 months of the date of the service of the notice.

2.2

This Licence is renewed subject to:

- (a) the provisions from time to time in force of the Broadcasting Ordinance, the Telecommunications Ordinance, the Communications Authority Ordinance (Cap.616), the Broadcasting (Miscellaneous Provisions) Ordinance (Cap.391) and, including without limitation, any other Ordinance, and any Ordinance enacted in place or substitution in whole or in part thereof and all subsidiary legislation, regulations, technical standards, directions and codes of practice made thereunder;
- (b) the terms and conditions set out in this Licence, and as any of them may be amended from time to time; and
- (c) the performance and observance of the several terms and conditions contained in the licence from time to time in force before the period of validity (“the Previous Licence”) and on the Licensee’s part to be performed and observed, and of the provisions from time to time in force of the Broadcasting Ordinance, the Telecommunications Ordinance, the Communications Authority Ordinance, the Broadcasting (Miscellaneous Provisions) Ordinance, and any Ordinance enacted in place or substitution in whole or in part thereof and all subsidiary legislation, regulations, technical standards, directions and codes of practice made thereunder during the term of the Previous Licence.

**Commencement
Date and period
of validity of
Licence**

- 3.1 Subject to the terms and conditions of this Licence and any law or Ordinance, this Licence shall be valid for the period of validity.
- 3.2 Pursuant to section 4(2)(b) of Schedule 4 to the Broadcasting Ordinance, this Licence shall be subject to review by the Chief Executive in Council during the period from [date] to the date of expiry of the period of validity.

**Power to
amend**

- 4.1 The Chief Executive in Council may, if he considers it is in the public interest to do so, vary this Licence in accordance with the Broadcasting Ordinance.

- 4.2 Without prejudice to the aforesaid, the Chief Executive in Council may vary this Licence with the prior consent in writing of the Licensee at any time and from time to time during the period of validity.

Saving of rights granted

5. This Licence shall not in any way whatsoever abrogate or interfere with any rights, whether exclusive or otherwise, granted under any law or Ordinance to any person other than the Licensee.

Publication of Licence

- 6.1 Subject to Condition 6.3, the Licensee shall make available for inspection by members of the general public, free of charge, a certified true copy of this Licence at:

- (a) its registered office and principal place of business; and
- (b) the principal office of the Office of the Communications Authority.

- 6.2 The Government or the Communications Authority may in its discretion make this Licence publicly available in any manner it thinks fit, in whole or in part.

- 6.3 For the purposes of Condition 6.1 and without prejudice to Condition 6.2, the Licensee's Proposal may be excluded in the Licensee's discretion.

Notification of place of business

7. The Licensee shall promptly notify the Communications Authority of any change in the address of its registered office or principal place of business, as the case may be.

**Prohibition
against transfer
of Licence**

8. This Licence or any interest in this Licence shall not in any way be transferred in whole or in part.

**Directions etc.
by the relevant
Authority**

- 9.1 Where any determination, consent, notice, direction, authorisation or approval of or from the relevant Authority is required for the doing of any matter or thing by or on behalf of the Licensee, or a notice or notification is required to be given by or on behalf of the Licensee to the relevant Authority, that determination, consent, notice, direction, authorisation, approval or notification is valid only if given in writing and signed by a person with authority to do so and, subject to Condition 9.2, given before the doing of the said matter or thing in question. If a digital signature is used, it shall be supported by a recognised certificate under the Electronic Transactions Ordinance (Cap.553). For the purpose of this Condition, “digital signature” and “recognized certificate” shall bear the same meaning as in the Electronic Transactions Ordinance.
- 9.2 The relevant Authority may generally or specifically in relation to a particular matter or thing referred to in Condition 9.1 by notice in writing to the Licensee waive the requirement for its or his, as the case may be, determination, consent, notice, direction, authorisation or approval to be given before the doing of the matter or thing in question, provided that no such waiver shall estop the relevant Authority from withdrawing the waiver, with prospective effect, in whole or in part, or from requiring that the determination, consent, notice, direction, authorisation or approval, as the case may be, be required timeously in relation to other matters or things.
- 9.3 Without any limitation whatsoever on the rights and powers conferred by any law or Ordinance, where a relevant Authority gives any determination, consent, notice, direction, authorisation or approval to the Licensee, the same may be:
- (a) withdrawn, modified or replaced from time to time by the relevant Authority, in the same circumstances, and with the same effect, as if the withdrawal, modification or replacement were the giving of a determination, consent, notice, direction, authorisation or approval and the Licensee shall comply therewith;

- (b) given once or from time to time; and
- (c) made subject to such conditions as the relevant Authority may impose.

9.4 All references in this Licence to the doing of any matter or thing by a relevant Authority include any delegates thereof, or other agents, authorised in that regard by or under any law or Ordinance.

9.5 Unless otherwise provided by any law or Ordinance, any determination, consent, notice, direction, authorisation or approval moving from the relevant Authority to the Licensee shall be deemed validly served or given if:

- (a) it complies with the manner prescribed in section 40 of the Broadcasting Ordinance;
- (b) it is dispatched by facsimile transmission to the designated number of the Licensee; or
- (c) it is delivered by hand to the registered office or principal place of business of the Licensee.

**Licensee to
comply with
statements**

10.1 Subject to Condition 10.2, the Licensee shall comply at all material times with the Licensee's Proposal, including but not limited to statements and representations regarding the legal and beneficial interest in the voting control and shares in the Licensee. In the event that any part of the Licensee's Proposal is inconsistent with the conditions of this Licence, any law or Ordinance, the conditions of this Licence, the law and Ordinance shall prevail and the Licensee's Proposal shall be construed accordingly.

10.2 The Communications Authority may generally or specifically in relation to a particular statement or representation referred to in Condition 10.1 by notice to the Licensee waive the requirement for the Licensee to comply with the said statement or representation and the proviso referred to in Condition 9.2 shall apply thereto mutatis mutandis.

10.3 The Licensee represents and warrants that the Licensee has the right to make use of the information and technology described as available to it in the Licensee's Proposal.

10.4 Without prejudice to any statutory and other regulatory requirements regarding the legal and beneficial interest in the voting control and shares in the Licensee and without affecting the generality of Condition 10.1, the Licensee shall inform the Communications Authority about any change and series of changes:

- (a) involving 10% or more of the voting shares in the Licensee; and
- (b) involving 1% or more of the voting shares in the Licensee of any person who holds 10% or more of the voting shares in the Licensee

within 14 days after:

- (i) the change or series of changes, as the case may be, takes place; or;
- (ii) the Licensee becomes aware of the change or series of changes,

whichever is earlier.

Waiver

11.1 Subject to any law or Ordinance and Condition 11.2, the Communications Authority may by notice to the Licensee waive the requirement for the Licensee to observe or perform any of the conditions of this Licence for such period as the Communications Authority sees fit if and so long as the Licensee satisfies the Communications Authority that the failure to observe or perform those conditions is caused by an unforeseen event which:

- (a) renders it impossible for the Licensee to observe or perform the conditions;
- (b) is not caused or contributed to by the Licensee, or any officer, employee or associate of the Licensee or any other person acting for or on behalf of the Licensee; and
- (c) in respect of which the Licensee has taken all actions as may be required, with due diligence and speed, to observe or perform the conditions of this Licence.

11.2 The Communications Authority may, if it considers that the event

referred to in Condition 11.1 has ceased to render it impossible for the Licensee to observe or perform the conditions of this Licence, direct by notice that the waiver given under Condition 11.1 shall cease to have any effect from the date specified in the notice notwithstanding that the period specified in the notice given under Condition 11.1 has not expired, and the Licensee shall (and without prejudice to the Licensee's obligations under this Licence), as soon as practicable and with due diligence and speed, take all actions as may be required to observe or perform the conditions of this Licence.

Liability of Licensee for contraventions

12. The Licensee shall ensure that the officers, employees and associates of the Licensee, and any other person acting for or on behalf of the Licensee, shall not act or permit any contravention of:

- (a) any provision of the Broadcasting Ordinance, the Telecommunications Ordinance, the Communications Authority Ordinance or the Broadcasting (Miscellaneous Provisions) Ordinance;
- (b) any provision of any Code of Practice; or
- (c) any condition of this Licence,

and shall not be relieved from any liability notwithstanding that the contravention is due to the act or omission of the officers, employees or associates of the Licensee or any other person acting for or on behalf of the Licensee.

Indemnity

13. The Licensee shall indemnify and keep indemnified the Chief Executive, the Government, the Executive Council, the Communications Authority and the Secretary for Commerce and Economic Development against any and all losses, claims, charges, expenses, actions and demands whatsoever which he or it may incur or be subject to, as the case may be, as a result of or in relation to:

- (a) any breach or alleged breach of or failure or alleged failure to observe or perform any condition of this Licence by or on behalf of the Licensee; or

- (b) any act or omission by or on behalf of the Licensee in the actual or purported operation or performance of the Service or the conditions of this Licence.

Licence fee

- 14.1 The Licensee shall pay to the Communications Authority every year during the period of validity such licence fee in advance as may be prescribed from time to time by regulation made under section 42 of the Broadcasting Ordinance and in accordance with section 13 of Schedule 4 to the Broadcasting Ordinance.
- 14.2 The Licensee shall pay such other fees and charges as may be prescribed from time to time by regulation made under section 42 of the Broadcasting Ordinance and in accordance with section 13 of Schedule 4 to the Broadcasting Ordinance.
- 14.3 In the event of a revocation, surrender or suspension of this Licence, no licence fees or other fees and charges paid or payable by the Licensee before the said revocation, surrender or suspension shall be repaid or cease to be payable, as the case may be.

Investment

- 15.1 Subject to Condition 15.2 and without affecting the generality of Condition 10.1, the Licensee shall implement the Investment Plan and comply at all material times with the statements (including statements of intention) and representations made by or on its behalf in or with reference to the Investment Plan. In the event that any part of the Investment Plan is inconsistent with the conditions of this Licence, any law or Ordinance, the conditions of this Licence, the law and Ordinance shall prevail and the Investment Plan shall be construed accordingly.
- 15.2 The Communications Authority may generally or specifically in relation to a particular statement or representation referred to in Condition 15.1 by notice to the Licensee waive the requirement for the Licensee to comply with the said statement or representation and the proviso referred to in Condition 9.2 shall apply thereto mutatis mutandis.
- 15.3 The Licensee shall submit for approval by the Communications Authority further information and updated Investment Plan, as may be directed by the Communications Authority from time to time, in relation to the provision of new television programme service channels.
- 15.4 Within 3 months from the last day of each accounting year of the

Licensee, the Licensee shall submit to the Communications Authority a management report of the Licensee certifying the capital expenditure and operating expenditure (including programming cost) incurred by the Licensee in providing the Service for the preceding accounting year. The management report shall give a true and fair view of the capital expenditure and operating expenditure (including programming cost) so incurred by the Licensee, and shall be approved by the directors of the Licensee and signed on behalf of the board by the chairman of the meeting at which the management report was approved or by the secretary of the Licensee. The Licensee shall explain to the satisfaction of the Communications Authority if the actual annual expenditure deviates from the Investment Plan.

Submission of reports

- 16.1 The Licensee shall submit reports to the Communications Authority on or before 31 March each year on the extent to which the programming commitments in the Licensee's Proposal have been complied with in the previous calendar year ending on 31 December.
- 16.2 The Communications Authority may in its discretion make the reports referred to in Condition 16.1 publicly available in any manner as it thinks fit, in whole or in part.

The provision of a domestic free television programme service

- 17.1 The Licensee shall :
- (a) entertain, inform and educate; and
 - (b) ensure that its programming is balanced in content and provides an adequate and comprehensive Service which is responsive to the diverse needs and aspirations of the community.
- 17.2
- (a) The Licensee shall at all material times provide the Service in such manner as to enable the Service to be received throughout Hong Kong to the satisfaction of the Communications Authority.
 - (b) The Communications Authority may, by notice to the

Licensee, exempt the Licensee from complying with Condition 17.2(a) in relation to any parts of Hong Kong specified in the notice and during any period specified in the notice, and the proviso referred to in Condition 9.2 shall apply thereto mutatis mutandis.

- 17.3 The Licensee shall at all material times provide all television programme service channels in accordance with the First Schedule, the Second Schedule and the Third Schedule (as applicable) to this Licence.
- 17.4.1 Unless the Communications Authority otherwise approves under Condition 17.4.2, the Licensee shall broadcast its Service on:
- (a) one integrated Chinese channel each day;
 - (b) one integrated English channel each day; and
 - (c) three thematic digital channels each day, comprising one general entertainment channel offering a mix of content customized to young viewers and adultescent, one channel on news, finance and information, and one general entertainment channel offering predominately overseas programmes, as stated in the Licensee's Proposal,
- in accordance with this Licence.
- 17.4.2 Upon application in writing by the Licensee, the Communications Authority may approve arrangements different from those in Condition 17.4.1. Without the prior written approval of the Communications Authority obtained in accordance with this Condition 17.4.2, the Licensee shall not deviate from any of the arrangements set out in Condition 17.4.1.
- 17.5 The Licensee shall ensure that each television programme service channel shall have a television programme service channel identification which, in the opinion of the Communications Authority, is not confusingly similar to any existing channel identification of any television programme service licensed or deemed to be licensed under the Broadcasting Ordinance or of any sound broadcasting licensees licensed under the Telecommunications Ordinance.
- 17.6 The Licensee shall apply up-to-date technology to perfect the sounds and images that it broadcasts.

Comments and complaints

- 18.1 The Licensee shall receive and consider any comment or complaint from or on behalf of any person who believes himself to have been treated unjustly or unfairly in any material on the Service, or who comments or complains about the whole or part, in substance or in form, of the content, production, service coverage, technical aspects or time of viewing of the Service, including without limitation, the quality of the sounds and images that it provides, the service afforded to the complainant, or customer service.
- 18.2 The Licensee shall implement a procedure for dealing with comments and complaints from the public as may be required from time to time by the Communications Authority.
- 18.3 The Licensee shall keep a complete record, in a form and manner approved by the Communications Authority, of comments and complaints received by it and submit the same to the Communications Authority on a regular basis and on demand. The record shall be retained by the Licensee for not less than 2 years.
- 18.4 The Licensee shall comply with directions as may be given by the Communications Authority to publish, in relation to the Service and within such period as may be specified by the Communications Authority in that direction, a summary of any comment or complaint referred to in Condition 18.1. The form and content of such summary shall be subject to approval by the Communications Authority.
- 18.5 The Licensee shall supply recordings of good quality of all material on the television programme service that it provided during such period, and in such form, as the Communications Authority may direct and require for examination.

Television programmes, publicity material and announcements in the public interest

- 19.1 The Licensee shall include in its Service such:
- (a) publicity material in order to promote knowledge and understanding of the activities and functions of the Communications Authority; and
 - (b) television programmes and other material in the public interest including but not limited to weather programmes and weather forecasts provided by the Government,
- as the Communications Authority may provide or direct and at such time, within such period, on such channel, within or outside such television programmes and in such language or dialect as the Communications Authority may direct.
- 19.2 The publicity material referred to in Condition 19.1(a) may be directed to be broadcast twice daily for a total of not more than one minute on each or any of the Licensee's television programme service channels between the hours of 6:00 p.m. and 11:00 p.m. subject to a maximum limit of 5 minutes in aggregate each week on each channel. This publicity material shall not be treated as counting towards the one minute total in Condition 19.3.
- 19.3 Notwithstanding Condition 19.1, the Licensee shall broadcast on each or any of the Licensee's television programme service channels such announcements as the Communications Authority shall require to be broadcast provided that such announcements shall not exceed one minute in total in any clock hour on each channel.
- 19.4 For the avoidance of doubt, the Licensee shall not, in the performance of its obligations under Condition 19, be:
- (a) responsible for the content of the material included in the Service; and
 - (b) entitled to charge the Communications Authority or the Government.

**Intellectual
property rights**

20. The Licensee shall not do, or permit, any act or conduct in relation to the Service which is an infringement of any intellectual property right, including but not limited to any copyright.

Books and accounts to be in English or Chinese

21. All of the books and accounts of the Licensee shall be written in either the English or Chinese language.

Licensee to formulate general guidelines for employees and agents

- 22.1 The Licensee shall formulate written guidelines for all its officers, employees and agents concerned with the content of the Service stating the Licensee's principles regarding its responsibilities to the public, with particular reference to its obligations under the Codes of Practice on programme and advertising standards.
- 22.2 The Licensee shall ensure that all its officers, employees and agents are aware, and shall refresh their memory at reasonably regular intervals, of the guidelines referred to in Condition 22.1 and the Codes of Practice.
- 22.3 For the avoidance of doubt, nothing in Condition 22 shall relieve the Licensee from any obligation or liability to comply with the Codes of Practice.

Discipline and training

23. The Licensee shall ensure good discipline and training among its staff, officers, consultants and contractors, including script-writers, as regards adherence to the Codes of Practice on programme, advertising and technical standards.

Codes of Practice

24. The Licensee shall monitor and ensure strict compliance with the Codes of Practice, and technical standards and directions issued by the Communications Authority.

**Interference
with other
services**

- 25.1 The Licensee shall not use or operate any apparatus or equipment or permit or cause the same to be used or operated in any manner which causes interference with any authorised broadcasting or telecommunications services or apparatus operating in or outside Hong Kong.
- 25.2 In case of any such interference, the Licensee shall comply with all instructions given to it by the Communications Authority in respect of the use and operation of the apparatus and equipment.

**Information to
be provided**

- 26.1 The Licensee shall provide the relevant Authority within the period specified such information as the relevant Authority may properly require.
- 26.2 Without prejudice to the power of the Communications Authority under Condition 26.1, the Licensee shall submit to the Communications Authority not later than 30 April in each year or upon request by the Communications Authority a certified true copy of the latest annual audited accounts of the Licensee prepared by an auditor. The audited accounts to be submitted for an accounting year shall include, without limitation, a reconciliation statement as at the end of the accounting year on the management report submitted by the Licensee under Condition 15.4 during the accounting year and other financial information contained in the audited accounts.

**Provision of
testing
facilities and
Service for
regulatory
purposes**

- 27.1 Without prejudice to section 38 of the Broadcasting Ordinance, the Communications Authority may, for the purpose of exercising its functions under this Licence, require the Licensee to demonstrate to it that in establishing, providing or operating any means of telecommunications, telecommunications installation, telecommunications line or telecommunications service, if any, or any equipment, in relation to the Service, the Licensee is not in breach of any law, Ordinance, codes of practice, directions or conditions of this Licence.

27.2 For the purpose of Condition 27.1, the Licensee shall provide adequate testing instruments and operating staff.

Standby equipment and spare parts

28. The Licensee shall provide and maintain adequate standby equipment (including but not limited to spare parts) and staff to ensure that any interruption to the Service under this Licence is avoided or minimised, and that necessary repairs or replacements are made or provided promptly.

Use of frequency channels in in-building coaxial cable distribution systems

29.1 The Licensee shall seek approval from the Communications Authority for the allocation of frequency channels in any in-building coaxial cable distribution system (“IBCCDS”) and shall comply with technical standards and directions issued by the Communications Authority.

29.2 Unless otherwise directed or approved by the Communications Authority, the number of frequency channels that the Licensee may apply for use in any IBCCDS pursuant to Condition 29.1 shall not exceed 4, of which 3 frequency channels are allocated to it and 1 frequency channel is shared with other licensee(s). The number of frequency channels that the Licensee may use in any IBCCDS for the Service shall be subject to the approval of the Communications Authority required under Condition 29.1, the limit stipulated in this Condition 29.2, the availability of vacant channels in any IBCCDS, and the choice of the building residents concerned.

Transmission of Service

30. Save where the contrary intention appears expressly or by necessary implication in this Licence, including the requirement

by the Secretary for Commerce and Economic Development to provide the Service in digital form in the entirety under Condition 2.1(b), the Licensee shall employ the means of transmission and the transmission arrangements for the Service as stated in the Licensee's Proposal. The Licensee shall apply to the Communications Authority for approval for any substantial change in the means of transmission or transmission arrangements.

Management of Licensee

31. The Licensee shall ensure that the management of the Licensee shall not be performed by persons other than the directors and principal officers of the Licensee and persons duly authorised by the Licensee.

Other requirements

32. For the avoidance of doubt, the Licensee shall apply for such other licences, permissions, approvals, agreements or grants as may be required under any law or Ordinance if any such licence, permission, approval, agreement or grant is or becomes necessary for or in connection with the provision of the Service.

Granted on 1 December 1988
Amended on 7 October 1999, 5 December 2000, and 9 July 2002
Renewed on 12 November 2002
Amended on 7 December 2004
Further amended on 29 June 2010
Renewed on [date]

Clerk to the Executive Council

COUNCIL CHAMBER

Accepted by :

Signature :

Capacity :

Date :

DRAFT

FIRST SCHEDULE

THIS SCHEDULE GOVERNS THE DESIGNATED INTEGRATED CHANNELS OF THE LICENSEE'S SERVICE. IT SHALL FORM AND BE READ AS AN INTEGRAL PART OF THIS LICENCE.

General Provisions

1. Save where the contrary intention appears expressly or by necessary implication in this Licence (including the First Schedule, the Second Schedule and the Third Schedule thereof), the programme types described in this Licence shall bear the same meaning, if any, as in the Code of Practice on programme standards and any directions issued by the Communications Authority from time to time, and in the event of any conflict or inconsistency between their meanings, the meaning in the Code of Practice on programme standards shall prevail.

Language of Broadcast

- 2.1 The Licensee shall provide its Service on the designated integrated channels in accordance with Condition 17.4.1 of the Licence.
- 2.2 The Licensee may, with the prior approval in writing of the Communications Authority and subject to such conditions as may be imposed by it, provide the whole or any part of its Service on the designated integrated channels in any other language(s) or dialect(s).
- 2.3 The Licensee may, with the prior approval in writing of the Communications Authority and subject to such conditions as may be imposed by it, provide the whole or part of its Service on the designated integrated channels using one or more accompanying sound channels in one or more language(s) or dialect(s).

Subtitling and Sign Language

- 3.1 The Licensee shall provide subtitling and sign language for its Service, as may be directed in writing by the Communications Authority from time to time after consultation with the Licensee.
- 3.2 The Licensee may, with the prior approval in writing of the Communications Authority and subject to such conditions as may

be imposed by it, deviate from the requirements in Condition 3.1 of this Schedule.

News Programmes

- 4.1 The Licensee shall provide on each of the designated integrated channels a minimum of two comprehensive news bulletins, each of not less than 15 minutes duration, each evening between the hours of 6:00 p.m. and 12:00 midnight.
- 4.2 Upon application in writing by the Licensee, the Communications Authority may approve alternative arrangements for broadcasting news bulletins referred to in Condition 4.1 of this Schedule.

Documentary Programmes

- 5.1 The Licensee shall provide a minimum of 60 minutes of documentary programmes each week on each of the designated integrated channels between the hours of 6:00 p.m. and 12:00 midnight, of which not less than 30 minutes on each of the designated integrated channels are to be wholly of Hong Kong origin.
- 5.2 For the purposes of this Licence, “wholly of Hong Kong origin” means programmes:
- (a) produced:
 - (i) in substance and in form in Hong Kong; or
 - (ii) by the Licensee, by any employee of the Licensee, by any company which is a subsidiary of the Licensee within the meaning of section 2(1) of the Broadcasting Ordinance (“Licensee’s Subsidiary”), or by any employee of the Licensee’s Subsidiary, or by any other independent production company engaged by the Licensee in or outside Hong Kong; and
 - (b) the Communications Authority is satisfied that it is produced primarily for the Hong Kong market.
- 5.3 For the purposes of this Licence, programmes other than travelogues and such other subjects as the Communications Authority may determine, may be “documentary” if they are factual and consist wholly or substantially of real events.
- 5.4 Upon application in writing by the Licensee, the Communications

Authority may approve alternative arrangements for broadcasting documentary programmes referred to in Condition 5.1 of this Schedule.

Current Affairs Programmes

- 6.1 The Licensee shall provide a minimum of 60 minutes of current affairs programmes each week on each of the designated integrated channels between the hours of 6:00 p.m. and 12:00 midnight, of which not less than 30 minutes on each of the designated integrated channels are to be wholly of Hong Kong origin.
- 6.2 Upon application in writing by the Licensee, the Communications Authority may approve alternative arrangements for broadcasting current affairs programmes referred to in Condition 6.1 of this Schedule.

Children's Programmes

- 7.1 Subject to the requirements regarding family viewing hours stipulated in the Code of Practice on programme standards and to any directions issued by the Communications Authority, the Licensee shall provide:
- (a) two blocks of programmes intended and suitable for children of different age groups in Hong Kong up to and including the age of 15 years ("children's programmes") of a minimum period of :
 - (i) 1.5 hours daily on each of the designated integrated channels between the hours of 4:00 p.m. and 7:00 p.m., of which not less than 30 minutes on the integrated Chinese channel are to be wholly of Hong Kong origin; and
 - (ii) 30 minutes daily on each of the designated integrated channels between the hours of 9:00 a.m. and 7:00 p.m.; and
 - (b) a minimum of 2 hours of children's programmes with educational values targeting teenagers each week on the integrated English channel between the hours of 5:00 p.m. and 7:00 p.m., which shall count towards the block of children's programmes referred to in Condition 7.1(a)(i) above. Notwithstanding any other provisions in this Licence, English subtitles shall be provided for programmes provided pursuant to this Condition.

- 7.2 Upon application in writing by the Licensee, the Communications Authority may by a direction waive or modify the requirements specified in Condition 7.1 of this Schedule in accordance with the terms of the direction.
- 7.3 Without prejudice to the requirements in Condition 12.2 of this Schedule, the Licensee shall repeat the provision of any or all of the children's programmes referred to in Condition 7.1(a) of this Schedule at such time as may be directed by the Communications Authority from time to time.
- 7.4 Apart from the repetitions referred to in Condition 7.3 of this Schedule, children's programmes shall not be repeated more frequently than as may be specified in the Code of Practice or directed by the Communications Authority from time to time.
- 7.5 The Licensee shall inform the Communications Authority in writing of the programme types and transmission schedules for children's programmes 1 week in advance of broadcasting. The Communications Authority may waive the requirement of notification.

Programmes for Young Persons

- 8.1 Subject to the requirements regarding family viewing hours stipulated in the Code of Practice on programme standards and to any directions issued by the Communications Authority, the Licensee shall provide a minimum of 30 minutes of programmes for young persons each week on the integrated Chinese channel between the hours of 8:00 a.m. and 12:00 midnight, which are intended and suitable for the education and proper development of young people in Hong Kong aged 16 years to 24 years (inclusive).
- 8.2 Upon application in writing by the Licensee, the Communications Authority may approve alternative arrangements for broadcasting programmes for young persons referred to in Condition 8.1 of this Schedule.

Programmes for Senior Citizens

- 9.1 Subject to the requirements regarding family viewing hours stipulated in the Code of Practice on programme standards and to any directions issued by the Communications Authority, the Licensee shall provide a minimum of 60 minutes of programmes for senior citizens each week on the integrated Chinese channel between the hours of 8:00 a.m. and 12:00 midnight, which are

intended and suitable for the particular requirements of senior citizens in Hong Kong over the age of 60 years in relation (but not necessarily limited) to their well-being.

- 9.2 Upon application in writing by the Licensee, the Communications Authority may approve alternative arrangements for broadcasting programmes for senior citizens referred to in Condition 9.1 of this Schedule.

Arts and Culture Programmes

- 10.1 The Licensee shall provide a minimum of 60 minutes of arts and culture programmes each week on the integrated Chinese channel between the hours of 8:00 a.m. and 12:00 midnight, which are intended and suitable for promoting the development and appreciation of the literary, performing and visual arts or other topics or activities of cultural value, of which not less than 15 minutes are to be wholly of Hong Kong origin.
- 10.2 Upon application in writing by the Licensee, the Communications Authority may approve alternative arrangements for broadcasting arts and culture programmes referred to in Condition 10.1 of this Schedule.

Annual Reports

- 11.1 The Licensee shall submit reports to the Communications Authority on or before 31 March each year on the extent to which the programmes provided in the previous calendar year ending on 31 December pursuant to Conditions 7, 8, 9 and 10 of this Schedule have been able to achieve the respective objectives as set out in the aforesaid Conditions.
- 11.2 The Communications Authority may in its discretion make the reports referred to in Condition 11.1 of this Schedule publicly available in any manner as it thinks fit, in whole or in part.

Obligations of Licensee

- 12.1 Unless otherwise expressly stated in this Licence or directed by the Communications Authority upon application in writing by the Licensee, the obligations and requirements imposed upon the Licensee to provide certain programmes at certain times and for certain periods pursuant to Conditions 4, 5, 6, 7, 8, 9 and 10 of this Schedule shall not be discharged or satisfied to the extent the programmes so provided comprise or include television

programmes, publicity material or announcements produced, commissioned or supplied by the Government or the Communications Authority.

12.2 Unless otherwise directed by the Communications Authority upon application in writing by the Licensee, the obligations and requirements imposed upon the Licensee to provide certain programmes at certain times and for certain periods pursuant to Conditions 5, 6, 7, 8, 9 and 10 of this Schedule shall be fulfilled only by first-run programmes.

12.3 For the purposes of this Licence, “first-run programme” means a programme that has not previously been broadcast or provided in substantially the same form and content on any of the television programme service channel(s) of the Service.

Programmes for Schools

13.1 Pursuant to section 19 of the Broadcasting Ordinance, the Licensee shall include in the Service such programmes for schools supplied by the Government as may be required by the Communications Authority.

13.2 The programmes required under Condition 13.1 of this Schedule:

- (a) shall not exceed 4 hours each day unless the Communications Authority otherwise requires by serving upon the Licensee a notice in writing of not less than 30 days; and
- (b) may be provided as part of the Service on the integrated English channel unless the Communications Authority otherwise requires by serving upon the Licensee a notice in writing of not less than 30 days.

SECOND SCHEDULE

THIS SCHEDULE GOVERNS THE THEMATIC DIGITAL CHANNELS OF THE LICENSEE'S SERVICE. IT SHALL FORM AND BE READ AS AN INTEGRAL PART OF THIS LICENCE.

General Provisions

1. Conditions 1, 3, 5.3, and 12.3 of the First Schedule shall apply to the thematic digital channels as they apply to the designated integrated channels.

Programme Requirements

- 2.1 Subject to any directions issued by the Communications Authority, the Licensee shall provide on any of the thematic digital channels between the hours of 6:00 a.m. and 12:00 midnight:
 - (a) a minimum of 60 minutes of documentary programmes in the Cantonese dialect each week;
 - (b) a minimum of 60 minutes of current affairs programmes in the Cantonese dialect each week;
 - (c) a minimum of 60 minutes of programmes for young persons in the Cantonese dialect each week, which are intended and suitable for the education and proper development of young people in Hong Kong aged 16 years to 24 years (inclusive); and
 - (d) a minimum of 60 minutes of arts and culture programmes in the Cantonese dialect each week, which are intended and suitable for promoting the development and appreciation of the literary, performing and visual arts and other topics or activities of cultural value.
- 2.2 Upon application in writing by the Licensee, the Communications Authority may approve alternative arrangements for broadcasting the programmes set out in Condition 2.1 of this Schedule.

Annual Reports

- 3.1 The Licensee shall submit reports to the Communications Authority on or before 31 March each year on the extent to which the programmes provided in the previous calendar year ending on

31 December pursuant to Condition 2.1 of this Schedule have been able to achieve the respective objectives as set out in the aforesaid Condition.

- 3.2 The Communications Authority may in its discretion make the reports referred to in Condition 3.1 of this Schedule publicly available in any manner as it thinks fit, in whole or in part.

Obligations of Licensee

- 4.1 Unless otherwise expressly stated in this Licence or directed by the Communications Authority upon application in writing by the Licensee, the obligations and requirements imposed upon the Licensee to provide certain programmes at certain times and for certain periods pursuant to Condition 2.1 of this Schedule shall not be discharged or satisfied to the extent the programmes so provided comprise or include television programmes, publicity material or announcements produced, commissioned or supplied by the Government or the Communications Authority.
- 4.2 Unless otherwise directed by the Communications Authority upon application in writing by the Licensee, the obligations and requirements imposed upon the Licensee to provide certain programmes at certain times and for certain periods pursuant to Condition 2.1 of this Schedule shall be fulfilled only by first-run programmes.

Programmes for Ethnic Minority Groups

- 5.1 The Licensee may broadcast programmes for ethnic minority groups in Hong Kong (“ethnic minority programmes”) on any of the thematic digital channels. Where, in the opinion of the Communications Authority, the ethnic minority programmes broadcast by the Licensee can be classified as documentary programmes, current affairs programmes, programmes for young persons, or arts and culture programmes as stipulated or defined under this Licence or the Code of Practice issued by the Communications Authority from time to time, the Communications Authority may, upon application in writing by the Licensee, direct that such ethnic minority programmes be counted towards the fulfilment of the obligations and requirements imposed upon the Licensee under Condition 2.1 of this Schedule.
- 5.2 For the purposes of this Schedule, “ethnic minority programmes” mean programmes broadcast either in the Cantonese dialect or in

other language(s), and are intended and suitable for fulfilment of the educational and informational needs of ethnic minority groups living in Hong Kong, including but not limited to Indonesians, Filipinos, Indians, Nepalese, Japanese and Thai.

DRAFT

THIRD SCHEDULE

THIS SCHEDULE SETS OUT THE ADDITIONAL PROGRAMME REQUIREMENTS WHICH CAN BE FULFILLED BY THE LICENSEE IN TOTALITY VIA THE INTEGRATED CHINESE CHANNEL AND/OR THE THEMATIC DIGITAL CHANNELS OF THE LICENSEE'S SERVICE. IT SHALL FORM AND BE READ AS AN INTEGRAL PART OF THIS LICENCE.

- 1.1. Conditions 1, 3, and 12.3 of the First Schedule shall apply to this Schedule.
- 1.2. In addition to all obligations and requirements that the Licensee may have or be subject to under any Ordinance or this Licence (including but not limited to those set out in Condition 19 of the Licence, Conditions 9, 10 and 13 of the First Schedule, and Condition 2 of the Second Schedule) and subject to any directions issued by the Communications Authority, the Licensee shall:
- (a) include in its Service a minimum of 90 minutes each week of television programmes or materials supplied by the Government ("Government Programmes") at such time and on such television programme service channel(s) as may be directed by the Communications Authority; or
 - (b) provide on the integrated Chinese channel or on any of the thematic digital channels:
 - (i) a minimum of 60 minutes of programmes for senior citizens in the Cantonese dialect each week between the hours of 8:00 a.m. and 12:00 midnight, which are intended and suitable for the particular requirements of senior citizens in Hong Kong over the age of 60 years in relation (but not necessarily limited) to their well-being; and
 - (ii) a minimum of 60 minutes of arts and culture programmes in the Cantonese dialect each week between the hours of 8:00 a.m. and 12:00 midnight, which are intended and suitable for promoting the development and appreciation of the literary, performing and visual arts and other topics or activities of cultural value.
- 1.3. Where, in the opinion of the Communications Authority, the Government Programmes broadcast by the Licensee pursuant to Condition 1.2(a) of this Schedule can be classified as children's programmes, programmes for young persons, programmes for senior citizens, or arts and culture programmes as stipulated or defined under this Licence or the Code of Practice issued by the

Communications Authority from time to time, the Communications Authority may, upon application in writing by the Licensee, direct that such Government Programmes be counted towards the fulfilment of the obligations and requirements imposed upon the Licensee under Conditions 7.1, 8.1, 9.1 or 10.1 of the First Schedule, as the case may be, provided that the total time which may be taken to count towards such obligations and requirements shall not exceed 90 minutes in the aggregate per week regardless of the amount of Government Programmes broadcast by the Licensee pursuant to Condition 1.2(a) of this Schedule.

- 1.4 Upon application in writing by the Licensee, the Communications Authority may by a direction waive or modify the requirements specified in Condition 1.2 of this Schedule in accordance with the terms of the direction.
- 1.5 The Licensee shall submit reports to the Communications Authority on or before 31 March each year on the extent to which the programmes provided in the previous calendar year ending on 31 December pursuant to Condition 1.2 of this Schedule have been able to achieve the respective objectives as set out in the aforesaid Condition.
- 1.6 The Communications Authority may in its discretion make the reports referred to in Condition 1.5 of this Schedule publicly available in any manner as it thinks fit, in whole or in part.
- 1.7 Unless otherwise expressly stated in this Licence or directed by the Communications Authority upon application in writing by the Licensee, the obligations and requirements imposed upon the Licensee to provide certain programmes at certain times and for certain periods pursuant to Condition 1.2(b) of this Schedule shall be fulfilled only by first-run programmes.

BROADCASTING ORDINANCE (Chapter 562)

Pursuant to section 4(1)(a) of Schedule 4 to the Broadcasting Ordinance, notice is hereby given that the Chief Executive in Council has determined that the domestic free television programme service licence of Television Broadcasts Limited renewed on [] [] 2015 by the Chief Executive in Council shall be valid for 12 years from 1 December 2015 to 30 November 2027 (both dates inclusive) (“Period of Validity”). The Chief Executive in Council hereby also orders that such a licence shall be subject to review by the Chief Executive in Council during the period from 1 December 2021 to the date of expiry of the Period of Validity pursuant to section 4(1)(b) of Schedule 4 to the Broadcasting Ordinance.

Council Chamber WONG Kit-ye, *Kinnie Clerk to the Executive Council*
[] 2015

第 號公告

《廣播條例》（第 562 章）

現依據《廣播條例》附表 4 第 4（1）（a）條公布，行政長官會同行政會議已作出決定，獲行政長官會同行政會議在 2015 年 [] 月 [] 日續期的電視廣播有限公司的本地免費電視節目服務牌照的有效期限為 12 年，由 2015 年 12 月 1 日起至 2027 年 11 月 30 日止（包括首尾兩日）（“有效期”）。行政長官會同行政會議亦指令此牌照須依據《廣播條例》附表 4 第 4（1）（b）條的規定，在 2021 年 12 月 1 日之後直至有效期完結前，由行政長官會同行政會議對牌照作出覆核。

行政會議廳
2015 年 [] 月 [] 日

行政會議秘書黃潔怡

ECONOMIC IMPLICATIONS

The renewal of the free TV service licence of TVB would ensure its continued operation and uninterrupted service in broadcasting free TV programmes on its various channels, which are an important source of information and entertainment for the public. In addition, TVB has committed an investment of \$6,336 million for 2016 to 2021, comprising \$144 million of capital investment and \$6,192 million of programming investment. This would engender demand for content and technical services, thus creating business and employment opportunities in the broadcasting, creative and other related industries.

FINANCIAL AND CIVIL SERVICE IMPLICATIONS

2. TVB will have to pay to the CA an annual licence fee at the prevailing rates stipulated in Schedule 1 to the Broadcasting (Licence Fees) Regulation (Cap. 562 sub. leg. A), which will be credited to the OFCA Trading Fund.

3. The workload arising from the administration of TVB's renewed Licence and handling of relevant complaints will be absorbed within the existing resources of the OFCA.

Summary of Public Views

Part 1: Quantitative Analysis of Data of the Public Opinion Survey

1. Objectives, Scope and Research Method
 - 1.1. Following the established practice, the CA commissioned an independent survey company to conduct a territory-wide opinion survey to collect public views on free TV services in Hong Kong, including standard, quality and diversity of programmes.
 - 1.2. After consulting the Census and Statistics Department (“C&SD”), public views were collected by interviews with members of households using a random sampling methodology. The fieldwork was conducted by the survey company between 30 November 2013 and 28 May 2014. A total of 3,063 respondents aged 15 or above were successfully interviewed, achieving an overall response rate of 59.8%. Where appropriate and applicable, the findings of the opinion survey are compared with those of similar surveys conducted in 2007 and 2009.

2. Major Survey Findings

Major findings of the survey are summarised below.

2.1. Viewing Habits of Free TV Programme Services

- Viewers normally watched free TV from 6:00 p.m. to 11:59 p.m.. The average time spent on watching free TV per day was 2.7 hours, as compared to 3.2 hours in 2009 and 3 hours in 2007.
- TVB Jade (40.2%) continued to be the most often watched free television channel, followed by TVB HD Jade (32.4%), TVB iNews (13.3%), TVB J2 (6%), ATV Home (3.4%) and TVB Pearl (2.2%)

2.2. Purpose of Watching Free TV

- Viewers watched free TV mainly for obtaining information such as news, weather, financial and traffic reports (59.3%) and seeking entertainment (47.6%).

2.3. Programme Quality

- 48.1% of viewers considered that the level of programme quality of ATV was dissatisfactory, while 22.6% expressed satisfaction with the subject matter. 15.5% found it average and 13.9% had no comment.
- 59.1% of viewers were satisfied with the level of

programme quality of TVB, whereas 16.9% was dissatisfied with the subject matter. 21.3% found it average and 2.8% had no comment.

2.4. Programme Variety

- 54.8% of viewers considered the level of programme variety of free TV services satisfactory and 18.5% found it average.
- 22.3% of viewers expressed dissatisfaction on the programme variety of free TV services. 4.4% had no comment.
- Viewers considered the following types of programmes of free TV services insufficient –
 - (a) science, nature and wildlife programmes (28.3%);
 - (b) documentaries (24.7%);
 - (c) education programmes (20.9%);
 - (d) travelogues/ magazine programmes/ talk shows/ food programmes (19.3%);
 - (e) films (18.6%);
 - (f) sports programmes (15.8%);
 - (g) arts and culture programmes (15.8%);
 - (h) dramas (14.2%);
 - (i) music programmes (13.3%); and

(j) current affairs programmes (10.5%)

2.5. HDTV Programmes

- 35% viewers considered the HDTV programmes provided by ATV insufficient in quantity. 19% found it sufficient. 46% had no comment.
- 66.7% viewers considered the HDTV programmes provided by TVB sufficient. 10.4% found it insufficient. 22.9% had no comment.

2.6. Local Productions

- 65% of viewers considered the quantity of local TV productions of ATV insufficient, while 13.6% considered it sufficient. 6.7% found it average and 14.7% had no comment.
- 72.8% of viewers considered the quantity of local productions of TVB sufficient, while 9.1% considered it insufficient. 13.2% found it average and 4.9% had no comment.

2.7. Repeat Programmes

- 51.2% of viewers were dissatisfied with the broadcasting arrangement of repeat programmes of ATV, while 19.1% expressed satisfaction. 9.7% found it average and 20% had

no comment.

- 64.4% of viewers considered the broadcasting arrangement of repeat programmes of TVB satisfactory, while 6.0% expressed dissatisfaction. 18.4% found it average and 11.2% had no comment.

2.8. Family Viewing Hours

- 81.4% of viewers considered the current practice of family viewing hours (i.e. designated from 4:00 p.m. to 8:30 p.m.) appropriate. 7.1% and 2.8% opined that the designated hours should be extended or shortened respectively.

2.9. Current Broadcast Standard

- 70.6% of viewers had not come across offensive programme materials on free TV services, whereas 29.4% had encountered offensive programme materials on free TV services. The key concerns were related to “indecent materials”, “misleading contents” and “partial views, biased contents”.
- 90.3% of viewers had not encountered offensive advertising materials on free TV services whereas 9.7% had encountered offensive advertising materials on free TV services. The key concerns were related to “misleading contents”, “disgusting scenes/horror shots” and “materials with bad examples to children”.

2.10. Advertising

- 65.6% of viewers considered the quantity of advertisements broadcast on free TV during prime time (i.e. 7:00 pm to 11:00 pm) appropriate, while 30% considered the quantity either too many or a bit too many. 3.4% had no comment.

2.11. Language and Subtitling Requirements

- 93.5% of viewers considered that the existing language requirement (i.e. “ATV and TVB are required to provide one English channel and one Cantonese channel”) appropriate. Only 2.2% disagreed with the requirement and 4.3% had no comment.
- More than 87% considered the current subtitling requirements on the Cantonese and English channels appropriate, while around 3% of viewers disagreed with the existing requirements. The remaining had no comment.

2.12. Positive Programme Requirements¹

- 49.9% opined that it was necessary to extend the current requirement on positive programming to channels other than Cantonese and English channels, while 37.5% did not support the extension. 12.6% had no comment.

¹ The positive programme requirements comprise a minimum amount of news and weather reports, current affairs programmes, programmes for children, young people and senior citizens, documentaries, arts and culture programmes, etc. to be broadcast on the designated language channel.

2.13. Overall Satisfaction

- 44.9% of viewers were dissatisfied with the free TV services of ATV², whereas 27.9% considered it satisfactory. 15.4% found it average and 11.8% had no comment. Among those who expressed dissatisfaction with the free TV services of ATV, the reasons were as follows –
 - (a) reasons related to repeat programmes (42.2%);
 - (b) reasons related to programme contents (35.3%);
 - (c) there is a lack of local production (34.8%);
 - (d) programmes are not diversified enough (21.6%); and
 - (e) reasons related to quality of programmes (17.2%).

- 70.9% of viewers considered the free TV services of TVB satisfactory, whereas 9.4% considered it unsatisfactory. 17% found it average and 2.7% had no comment. Among those who expressed dissatisfaction with the free TV services of TVB, the reasons were as follows –
 - (a) reasons related to programme contents (65.9%);
 - (b) reasons related to quality of programmes (35.6%); and
 - (c) programmes are not diversified enough (15.9%)

² A dissatisfaction level as high as over 40% is abnormal. From past observations, consumer survey would generally show a level of customer dissatisfaction with services or products ranging from 5% to 15%.

Part 2: Comments Collected from Public Hearings and Group Discussions and Written Submissions from Individuals and Organisations

1. Programme Diversity

General Comments

(a) Programme Types

- 1.1. Free television (“TV”) stations should broadcast a greater variety of programmes of different genres, including entertainment programmes, news, variety shows, etc. in order to broaden the choices of viewers. The same type of programmes should not account for an overly high proportion on the same channel. For example, there were too many talk shows, dramas, Korean programmes and entertainment news.
- 1.2. The television programmes provided by the two TV stations were similar. The two TV stations often broadcast the same type of programmes at the same time slot (e.g. most of the channels of the two TV stations broadcast financial programmes in the morning), which limited the choices of viewers. The regulator should step up the regulation by, say, imposing terms and conditions in the renewed licences that a TV station should have regard to the programmes provided by the other TV stations in drawing up its programming strategy so as to reduce the broadcasts of the same type of programmes at the same time. The two TV stations should cut the proportion of personal view programmes.

- 1.3. The English channels of the two TV stations were predominated by financial programmes, which was not expected of the line-up of an English channel. The two TV stations should provide more variety of movies as there were too many sci-fi, horror and violent movies. RTHK's "The Pulse", TVB's "The Pearl Report" and ATV's "Newslines" were appealing.
- 1.4. There were too many acquired programmes and not enough local or self-produced programmes. The two TV stations should be required to provide a minimum amount of self-produced programmes in respect of specified genres, e.g. not less than ten hours of drama programmes and two hours of current affairs and financial programmes per month. In addition, new requirements should be imposed on the two TV stations to broadcast, say, not less than two hours daily of local productions (excluding repeats) during the prime time. Repeat programmes should not be counted as local productions.
- 1.5. Programme genres that should be increased included —
- Programmes for young persons: programmes with healthy and positive themes which contributed to the development of youth, drama that were based on stories of kinship and love of young persons.
 - Programmes for senior citizens: TV was a main source of entertainment for the elderly. The two TV stations should continue to broadcast Putonghua and Cantonese classic movies and in particular, allocate two hours daily to these nostalgic movies at night.

- Music programmes: local and foreign music programmes; programmes on classical music, Chinese music, etc.
- Sports programmes: the sports programmes of the two TV stations focussed primarily on soccer and basketball. They should also cover other sports such as tennis Grand Slams, NBA Finals and World Cup matches following the Round of 16, etc. The two TV stations should launch a sports channel featuring sports events around the world if they had the financial capability to do so.
- Informational programmes: programmes on Chinese history, Asian history, European history and world history; culture programmes such as music videos featuring music in China, Taiwan and overseas; geomagazine-type programmes featuring landscapes, heritage, religion, wild animals of China as well as other countries and programmes on foreign affairs; etc.
- Talk shows: programme hosts should have sufficient experience for engaging guest artistes in small talks and improve viewers' understanding of the artistes concerned.
- Others: HD programmes; science studies, social programmes and travelogues; locally-produced dramas and animations; comedies; educational programmes; interschool quiz programmes; programmes for learning a foreign language; Chinese, Japanese and Taiwanese programmes and dramas; game-variety shows; programmes on specified topics such as environmental protection, national education, safety issues, opposition to superstition, triad and gambling; programmes on university

lectures; programmes on government departments' operation and services.

(b) Independent Productions

- 1.6. The two TV stations should broadcast, say, one hour daily of programmes produced by independent production houses to help improve the overall diversity of programming.
- 1.7. Although the CA's guideline stipulated the programming hours of locally-produced programmes, there were no specific requirements on whether such programmes must be self-produced or acquired from other companies. There were suggestions that the CA should prescribe the proportion of self-productions and independent productions respectively. This would help nurture local talents and foster the development of production companies.
- 1.8. The CA should encourage free TV stations to acquire more programmes from local production companies or independent producers. This would foster the development of and competition in the creative sector in order to provide more choices of programmes to viewers and enhance programme quality.

(c) Programmes for Ethnic Minority Groups or Minority Audience

- 1.9. The two TV stations should provide more programme genres as follows —
 - Programmes targeting ethnic minorities: retransmission of Pakistan news channels, sports channels featuring cricket matches (e.g. the Cricket World Cup in Bangladesh) and

commentaries of the Hong Kong Cricket Association on the game. There were suggestions to broadcast a number of hours per week of programmes for ethnic minorities.

- Programmes for the disabled/hearing impaired: more informational programmes should be produced to reflect the cultural views and cater for special needs of the hearing impaired. In addition, more programmes for the disabled, either hosted or performed by the disabled as far as possible, should be provided. These programmes helped promote integration of disabled persons into the community.

Comments on ATV

1.10. Favourable comments on ATV included —

- ATV's programmes were diversified. There were talk shows, current affairs programmes, programmes on health information, programmes on history and culture, etc. (e.g. "Memories of the Century", "News Bar Talk", "Newslines" and "Hong Kong History Decode").
- Some opined that ATV was willing to accept public views and make improvement in programming. For example, ATV produced "Babies Growth Diary" and planned to launch new drama programme "Reincarnated" and programme on Wing Chun coaching in order to bring something new to viewers.
- ATV's CCTV-1 not only enhanced Hong Kong people's understanding of China but also served as a platform for diversified programming.

1.11. Opinions expressing dissatisfaction with the programme variety of ATV included —

- There was a lack of self-produced programmes. ATV produced less than 200 hours of programmes each year and ceased producing dramas. More self-productions, especially dramas, should be broadcast in different time slots to reduce the vicious cycle of frequent repeats of programmes.
- New productions of ATV were unappealing. Apart from news programmes, other programmes were not worth viewing.
- ATV Classic broadcast old productions in substitution for new productions. There was a lack of sincerity and creativity and the TV station could not give new ideas and concepts to audiences in Hong Kong.
- It was not factually correct for ATV to claim that ATV had fulfilled its commitment to increase the amount of locally-produced programmes because the latter consisted mainly of repeat programmes. As there was no general requirement for the locally-produced programmes to be fulfilled by first-runs, the unscrupulous use of repeat programmes by ATV was permissible.
- Based on the programme schedule of 10 February 2014 at ATV's website, ATV Home featured more than 30 programmes and a substantial amount of them were acquired or repeat programmes. Other than routine programmes (e.g. news, weather reports, financial

programmes, etc.), the remaining 20 programmes (including repeats) were boring and silly.

- There were too many talk shows and current/ public affairs programmes (e.g. “News Bar Talk”, “Views on Hong Kong”, “Blog the World” and “Hong Kong 100 VIPs”, etc.), particularly at prime time slots. Some commented that the proliferation of talk shows was primarily intended for cost cutting.
- ATV continued to broadcast and repeat the broadcast of a substantial amount of acquired programmes, which were of varying qualities. As acquired overseas dramas could be available for viewing on the Internet, the frequent re-runs of so many programmes was a waste of resources. However, there were also opinions that the broadcasting arrangement could facilitate viewers to watch Korean and Mainland dramas for free.
- The programming of ATV consisted mainly of variety shows, foreign productions (e.g. Korean and Mainland dramas) and old programmes at prime time slots. It failed to meet the needs and expectation of viewers in Hong Kong.
- There was a lack of music programmes, local dramas and sports programmes. ATV had not acquired the live broadcast rights of major sports events for Hong Kong people.
- There were insufficient information and educational programmes and documentaries. Those broadcast by ATV

were largely programmes acquired from the Mainland and outdated programmes.

- ATV broadcast too many horse racing programmes.

1.12. Programme genres that should be provided by ATV —

- Programmes enhancing the audiences' understanding of the developments of the Mainland as well as youngsters' knowledge of the Mainland and the Basic Law; programmes on history and national education; programmes featuring the developments of the Mainland and Taiwan.
- Programmes promoting youth entrepreneurship and featuring youngsters who successfully started their own business, as well as programmes on the daily lives of exchange students from the Mainland and overseas.
- Programmes on Cantonese operas to cater for the needs of the senior citizens and opera fans.
- Dramas and variety shows acquired from the Mainland, Taiwan, Korea and Japan to improve the overall quality of ATV programmes. Movies acquired locally, from the Mainland or overseas.
- Travelogues that were co-produced with travel agencies.
- Soccer matches that were jointly broadcast with now TV.
- Programmes that offered practical information (e.g. programmes on learning and domestic skills); programmes on world technology and health care.

- A greater variety of programmes, e.g. reality shows, documentaries, entertainment, current politics, current affairs, and programmes for youth and the elderly.
- Adult programmes and movies should be broadcast daily between 12:00 midnight and 6:00 a.m., whereas infotainment programmes should be scheduled for broadcast at the remaining time slots.
- Programmes that catered for the modern taste and lifestyle of viewers. ATV should employ new artistes, produce more innovative programmes or re-make old programmes. There was a lack of game shows or variety shows which enhanced the audience's sense of engagement.
- Music programmes featuring a new generation of band sound music.
- Programmes on local and international non-governmental organisations.

1.13. ATV should introduce —

- A round-the-clock news channel: duration of news bulletins on such channel should be at least one hour.
- A “gambling entertainment” channel: programmes providing all the relevant information on horse racing and soccer betting organised by the Hong Kong Jockey Club.

Comments on TVB

1.14. Favourable comments on TVB included —

- TVB's programmes were diversified and had catered for the needs of viewers of different ages. Dramas were full of variety, e.g. romance, cops-and-robbers, family relationship, comedy, etc. and were well received by viewers. There were also news and current affairs programmes (e.g. "Tuesday Report" and "News Magazine") and financial programmes (e.g. "Money Smart"). Variety shows featured content of great diversity (e.g. music and elements targeting children, women, the elderly, etc.).
- Programmes on TVB Pearl and TVB J2 were enriching and diversified. There was a balanced mix of programmes from Hong Kong, Japan, Korea and Taiwan on TVB J2. TVB should broadcast more new dramas, animations and variety shows.
- TVB's acquisition of the live broadcast rights of international major sports events (e.g. Olympic Winter Games and FIFA World Cup in the previous year) was satisfactory.

1.15. Opinions expressing dissatisfaction with TVB included —

- There were too many drama series. The dramas of TVB mainly catered for the needs of housewives and failed to satisfy those of young and adult viewers. The acquired dramas were formulaic, especially those acquired from Japan and Korea.
- Variety shows were predominated by cookery and gourmet programmes and lacked variety. Gourmet programmes were considered excessive on weekend nights and

references to some renowned shops were repetitive. There were also opinions that these programmes encouraged a luxurious lifestyle and were out of touch with the reality.

- Apart from dramas, there was a lack of other choices during the family viewing hours. There were suggestions that the production of drama series should be reduced while more local and innovative programmes should be broadcast. TVB should at least reduce the production of drama series to 320 hours per year with only two drama series broadcast on weekdays. Drama series that were broadcast during weekdays at prime time slots should be reduced to make way for broadcasting at least one hour of drama acquired from other countries.
- There were insufficient music programmes for singers to promote music. This was not conducive to promoting local music.
- There was a lack of sports programmes. Programmes of the Olympic Winter Games 2014, for example, were broadcast between 4 p.m. and 7 p.m. or at 12 midnight. There was no live coverage of the events and other sports programmes.
- There was a lack of current affairs programmes. Viewers should be invited to participate in such programmes. TVB should also increase the broadcast of political programmes dealing with contentious issues of public importance.
- There was a lack of programmes about the Mainland broadcast on the anniversary of the establishment of the

HKSAR and the national day, depriving the public of the chance to get to know the country.

1.16. Programme genres that should be provided by TVB included —

- Game shows; documentaries (especially those concerning this planet, environmental protection, science and challenges to old established concepts); programmes on supernatural power; reality shows; animations; TV movies; games; micro films; educational programmes; cookery programmes; science fiction films; martial arts films; programmes on specific topics such as arts and culture; history; health; beautiful landscape around the world; the arts, culture, and customs of the Mainland; programmes for youth, adults, the elderly, women and ethnic minorities; situation dramas that reflected reality and promoted the mutual understanding between Hong Kong and the Mainland.
- Self-produced, informational and educational programmes, e.g. programmes on how to teach children and youths aged between three and sixteen, English learning programmes; programmes promoting social morality (e.g. “Below the Lion Rock”).
- Acquired programmes, e.g. Korean variety shows and music programmes.
- Sports programmes, e.g. FIFA World Cup and other major international sports events.

- Current affairs programmes and programmes for members of the public to know more about the operation of the Government and the officials.
- Programmes about the Mainland that aim to enhance the knowledge of young people about the Mainland and improve their competitiveness.

1.17. TVB should increase the choices of channels by launching thematic channels on drama, children's programmes, weather and traffic.

2. Positive Programme Requirements

General Comments

- 2.1. The arts and culture programmes, and programmes for children and senior citizens of the two TV stations were insufficient. The CA should introduce a new provision requiring the two TV stations to broadcast not less than 20 hours per week of arts and culture programmes, programmes for children and senior citizens in Chinese, Putonghua and English respectively.

(a) Comments on Arts and Culture Programmes

- 2.2. The two TV stations should increase the broadcast of arts and culture programmes in order to encourage viewers to appreciate arts and culture.
- 2.3. The two TV stations should broadcast history and/or culture programmes on the Chinese channels for not less than five hours per week. These programmes should not be mixed with entertainment elements, and not be packaged in an impish way.
- 2.4. Arts and culture programmes should be broadcast at the late hours to cater for viewers who could not stay up early.

(b) Comments on Children's Programmes

- 2.5. The broadcast time of children's programmes should keep up with the school hours of the students. The broadcast of "After School" on TVB Jade at 4 p.m. was too early as most of the schoolchildren went home later than before. Children's programmes should be either broadcast at a later time slot (i.e. between 6 p.m. and 6:30 p.m.) or rescheduled to be broadcast on digital channels.

- 2.6. The number of broadcast hours of children's programmes on the Chinese channels (i.e. less than three hours a day) was relatively low and should be extended.
- 2.7. Children's programmes were dreary, outdated and repetitive in content.
- 2.8. Some expressed dissatisfaction that there were frequent pre-emption of children's programmes to make way for the livecast of press conferences and sports events. If the two TV stations broadcast children's programmes for less than two hours per day, they were normally required to re-schedule the pre-empted programmes to timeslots within the following seven days. But the two TV stations occasionally failed to make such compensation arrangements for the purpose of fulfilling the requirement for the broadcast of children's programmes.
- 2.9. TVB's "After School" was made up of acquired animations and self-productions comprising only games, short plays, interviews, archival footages, etc. On the other hand, "Q & A Lessons" broadcast on ATV Home changed the usual production mode of children's programmes. It focussed on information and practicality.
- 2.10. "TVB Kids" of TVB Network Vision featured some new and interesting programmes, e.g. "Keep Up, Level Up", "Speedy Putonghua Learning", "Liberal Studies" and "Gorilla Club". These programmes should also be broadcast on TVB Jade.
- 2.11. The quiz questions and teachings in the children's programmes of TVB were too difficult and knocked the children's

confidence. The excessive appearances of some of the guests or organisations generated speculation about indirect advertising.

- 2.12. The two TV stations should provide more educational and informational programmes targeting children aged four to thirteen.
- 2.13. There were comments that in view of the decline in child population and the implementation of the full-time primary school programme, the minimum broadcast hours of children's programmes should be reduced to 45 minutes per day. On the other hand, niche channels could be exempted from this requirement.
- 2.14. Viewers should be reminded of any risk that animations might include content that was unsuitable for children's viewing.
- 2.15. Some were concerned with the staff retrenchments by TVB and whether the retrenchment exercise would adversely affect TVB's capability to produce children's programmes in a professional manner. There were opinions that the disbandment of the production team of children's programmes was unprofessional, detrimental to the healthy development of the children TV production and ignored the interests of children viewers in Hong Kong.

(c) Comments on Programmes for Senior Citizens and Programmes for Young Persons

- 2.16. The two TV stations should broadcast more programmes for senior citizens and young persons.

(d) Comments on Current Affairs Programmes

- 2.17. The duration of TVB's current affairs programmes such as "Sunday Report" and "News Magazine" was short. These programmes looked into general issues only and lacked special features.

(e) Comments on Documentaries

- 2.18. The two TV stations should broadcast more locally-produced documentaries.

3. Editorial Freedom and Independence of News Reports

General Comments

- 3.1. The news reports of the two TV stations were partial and self-censored. Some reckoned the freedom of press was fettered.

Comments on ATV

- 3.2. Some considered that the news reports of ATV were detailed, accurate and objective. However, there were also opinions that the news reports of ATV were untruthful, repeatedly inaccurate, misleading, biased, and denied the public's right to know.
- 3.3. In 2011, there were public concerns after ATV Home erroneously reported the death of former national leader Mr Jiang Zemin, and turned its station logo into dark grey. Although ATV apologised for the misreporting incident afterwards and punished its staff concerned, the inaccurate news reporting on the matter was not acceptable. This also indicated that the TV station did not take news reporting serious.

Comments on TVB

- 3.4. There were views commending that the news reports of TVB were neutral, impartial and fair, and that correction of errors had been made promptly.
- 3.5. The half-an-hour news bulletin was too short. The news programmes were superficial and focussed on local news, with limited coverage on international news. They seldom reported on groups and organisations that were less well known.

- 3.6. There were concerns that editorial independence was compromised and the news reports showed signs of self-censorship.
- 3.7. The new reports gave limited coverage of the June 4th Incident candle-lit vigil. Some called into question if TVB deliberately avoided sensitive topics and played down criticisms on the Hong Kong government and the Mainland, taking a pro-Government stance in the news reports and thereby infringing freedom of the press.
- 3.8. There were views suggesting that TVB's news coverage was biased as it misreported the quota of one-way permits in the Mainland and toned down the phenomenon of mainlanders rushing into Hong Kong.

4. Accuracy, Impartiality and Fairness

General Comments

- 4.1. Spectrum was scarce public resource. Broadcasters should not be permitted to abuse public resources for self interest by propagandising the stations' views or attacking competitors. While the two TV stations should be allowed to express their own viewpoints, they should not exploit the spectrum to promote their own interests and express views which were biased and unfair. Also, some opined that the two TV stations should not express their own political stances in their programmes and must not interfere in the operation of news departments. The Government should neither interfere in the operation of TV stations nor probe the political stances of the free TV stations. In determining whether a licence should be renewed, the relevant authority should take into account if the views expressed in the programmes of the TV station concerned were impartial and if the conduct of the TV station was professional, including whether or not the TV station had misused the spectrum to promote its interests.
- 4.2. The two TV stations repeatedly breached the provisions of the Broadcasting Ordinance. They had aired inaccurate, misleading and biased opinions in breach of media ethics. ATV smeared Scholarism in "ATV Focus", which generated more than 40,000 public complaints. TVB's "Scoop" reported the dock workers' strike in a biased and unfair manner and smeared a potential competitor of free TV operators (Hong Kong Television Network Limited). These two episodes of "Scoop" gave rise to more than 2,000 and 20,000 public complaints respectively.

- 4.3. Some called for more stringent regulation on the presentation of political commentaries in programmes. Free TV stations should not be allowed to present one-sided views without providing suitable opportunity for response to the programme. On the other hand, some did not support regulation on the grounds that this would encourage the broadcaster concerned to exploit some loopholes in the law to circumvent a restriction.
- 4.4. The relevant authority should regulate the accuracy of information contained in infotainment programmes. Currently, infotainment programmes were not subject to the regulation of production guidelines of news programmes. There were times when these programmes reported inaccurate information but were not sanctioned.
- 4.5. There was room for improvement in the editing and interview standards. Free TV stations should encourage the widest possible airing of views and probe into the truth of the matters.

Comments on ATV

- 4.6. ATV's programmes were able to analyse the affairs in the Mainland and the world from various perspectives and were positive in nature.
- 4.7. Some were dissatisfied with ATV's senior management serving either as hosts or producers of the programmes. Whether or not senior management should intervene into the content and production of the programmes was controversial. The move also confused the audience, who found it difficult to identify whether one's views presented in the programme was made on behalf of himself or the TV station.

4.8. Opinions expressing dissatisfaction with ATV's news, current affairs programmes and talk shows included —

- Some programmes, e.g. “Caring Hong Kong’s Future” and “ATV Focus”, were biased, defamatory, provocative, inaccurate and misleading.
- In “Blog the World”, ATV repeatedly attacked its competitor, Mr Ricky Wong, making groundless accusations against him but did not give him an opportunity to defend himself. ATV’s conduct was an abuse of mass media platform to promote its own interests and amounted to disseminating false information.
- ATV’s “The Award Ceremony of the Hong Kong Loving Hearts Campaign” made use of public resources for self interest.
- There was dissatisfaction with an ATV’s investor who expressed his political views in ATV’s programmes to advance his own interests.
- ATV’s recent talk shows failed to discuss current affairs in an impartial manner. These kinds of biased and inaccurate programmes would exert an adverse effect on immature young persons.
- ATV made use of its programmes for propagandising the views of the TV station and some political bodies. These programmes were partial and denigrated the opposition faction without providing any opportunity for response.

- Members of the senior management often interfered in the production of programmes and news reports, raising serious concerns on the accuracy of the information provided by ATV.
- Most of the new productions aimed to please the Hong Kong Government and the Central Government. ATV failed to play the role of the Fourth Estate to monitor the conduct of the Government.
- ATV's programmes continued to reflect the ideology of the Mainland. Since Mr Wong Ching controlled ATV, the viewpoints of ATV's programmes had been extremely pro-leftist and rejected multiculturalism and value pluralism. The situation was even worse than that of CCTV.

4.9. Opinions expressing satisfaction with “ATV Focus” included —

- “ATV Focus” made sensible analysis and reasonable comments on social issues. In particular, on the issue of universal suffrage in the chief executive election, while some people in the society and the pan-democrats suggested electoral means which did not comply with the Basic Law, “ATV Focus” corrected their fallacies, educated the public and assisted the Government in enforcing its policies. The programme was a blessing to the audience and the community.
- Mr Tong Man's views were generally fair and impartial. However, as most viewers would not want to listen to only one person's views every day, the programme should include views from different commentators.

- “ATV Focus” was outspoken, analytic, unbiased and fair. Re-running “ATV Focus” could enable members of the public to watch the programme after work. The views expressed in “ATV Focus” could balance the biased views of Radio Television Hong Kong and Commercial Radio Hong Kong.
- The 40,000 public complaints relating to “ATV Focus” were aiming at prohibiting the programme to express opinions freely. The programme should therefore be retained to avoid suppressing freedom of speech.

4.10. Opinions expressing dissatisfaction with “ATV Focus” included —

- The content of “ATV Focus” was superficial and did not sum up various views. It failed to bear the responsibility of the media to remain impartial. “ATV Focus” was broadcast during the family viewing hours and the time slots of children’s programmes. It would adversely affect the children in thinking in multiple perspectives.
- The programme made use of public resources for its own interests. The so-called informational programme broadcast through free spectrum attacked persons, organisations and bodies who had different viewpoints from ATV as well as those who had criticised the poor quality of ATV. For example, in criticising Scholarism, the programme obviously took a one-sided stance on the issue of national education and generated over 40,000 public complaints.

- "ATV Focus" was mimicking the Mainland programme "Focus Report". Its commentaries were vague and superficial, and of low standards which were on par with primary school students' writing.
- The hosts of "ATV Focus" were biased and one-sided. The programme should invite guests from different political backgrounds to balance the hosts' views.
- The programme contained one-sided comments. Only opinions in support of their own views were broadcast and opposing viewpoints were excluded. The programme failed to provide opportunities for the opposite sides to defend themselves.

4.11. ATV's programmes, such as "Views on Hong Kong", were impartial and with a clear stance. They offered platform for people of different backgrounds and stances to express their views to balance the anti-government views in the society. If ATV failed to get its licence renewed, the voice of the patriots would be muted.

4.12. "News Bar Talk" was overall a good programme; however, it should avoid inviting representatives from the National People's Congress and the Chinese People's Political Consultative Conference too frequently.

Comments on TVB

4.13. TVB's current affairs programmes kept track of people's lives and were more neutral.

4.14. “Pentaprism II” and “On the Record” let Hong Kong people know clearly the right and wrong of current affairs, and provided objective analysis of the current political situation. However, there were also opinions that “On the Record” tended to take a pro-Government stance and give limited exposure to the pan-democrats.

4.15. Opinions expressing dissatisfaction with TVB included —

- The current affairs programmes of TVB were misleading, defamatory, biased, unfair and inaccurate.
- The content of TVB’s programmes was inaccurate. For example, legal information contained in dramas was inaccurate; another programme also misled the public by translating the voiceover of “the Taiwan national flag” into “regional flag” in the subtitles.
- TVB selectively omitted the news of pan-democrats. During the controversy concerning the issuance of new free TV licences in 2013, TVB’s senior management lectured the audience during prime time. Their arrogant behaviour failed to show magnanimity of a leading TV station.
- Some considered the news reports of TVB biased. It was largely the mouthpiece of the anti-government and the pan-democrats.
- Information in financial programmes on TVB Pearl was inaccurate. For example, the exchange rate of Canadian dollar to Australian dollar was inaccurate in the programme “NBC Nightly News”.

4.16. Comments on “Scoop”:

- The content was biased and superficial. It was an entertainment programme disguised as an informational programme. It misled the audience on current affairs issues by its personal commentaries.
- The results of the public opinion surveys were biased and contradictory to the general principles of statistics.
- The content of “Scoop” was biased in its episodes about the issuance of new free TV licences and the dock workers’ strike. The episodes lacked multiple perspectives and had an adverse effect on children and young people.
- “Scoop” was unfair by selectively interviewing the beneficiaries of the Individual Visit Scheme rather than citizens that were adversely affected by the scheme.
- Some considered that the programme was different from other mainstream programmes and contained positive messages.

5. Programme Standards

General Comments

- 5.1. The programmes of the two TV stations contained bad language and indecent and obscene elements, which exerted negative impact on young people. Restrictions on free TV programmes should be tightened to avoid naked scenes outside the late-night hours. The family viewing hours should be extended to 9:30 p.m.
- 5.2. “M” programmes should be rescheduled to be broadcast in a later time slot, i.e. between 12 a.m. and 4 a.m.
- 5.3. The programme classification “PG” should be subdivided into “programmes for those aged 12 or above” and “programmes for those aged 15 or above”.
- 5.4. The frequent special interviews about fung shui and palm reading were superstitious and encouraged idol worshipping.
- 5.5. The portrayal of scantily dressed female contestants in beauty contests disrespected women. There were suggestions that women should put on one-piece swimming suits (as opposed to bikini) which could also show their figures and gracefulness.
- 5.6. The programmes of the two TV stations over-advocated materialism resulting in moral degradation in the society.
- 5.7. The broadcast time of non-Cantonese programmes should be restricted. For example, ATV’s Shenzhen Satellite TV and CCTV-1 were not dubbed in Cantonese, which did not cater for the needs of the local community.

5.8. It was requested that “Do not indulge in gambling” and related warnings should be broadcast before each session of racing programmes/ football odds/ predictions and drawings of Mark Six.

5.9. Advertisements and promos which contain adult themes should be prohibited from broadcasting during the family viewing hours.

Comments on ATV

5.10. Adult programmes, such as “Lively Colour Brings Forth Fragrance” (literal translation) and “Celebrity Talk Show”, should not be aired on ATV Classic.

5.11. The hosts of “ATV Focus” were not modest and their pronunciation was inaccurate, exerting a bad influence on young people.

5.12. Some of ATV’s programmes abetted the public in betting on horses and speculating in the stock market, which was distasteful.

5.13. Some of ATV’s self-produced programmes did not use Cantonese as the main broadcasting language, which was against its claim of “Cantonese channel”.

5.14. Many programmes were hosted in Putonghua or mispronounced Cantonese, for example, in one of the episodes of “News Bar Talk”, the host and the guest communicated in non-Cantonese throughout the programme.

Comments on TVB

- 5.15. Depictions of violence in programmes should be handled with caution. Themes of cannibalism, man-slaughter, etc. should be avoided.
- 5.16. TVB should not promote “destiny and palm reading” because this would have adverse impact on Hong Kong people.
- 5.17. TVB’s dramas contained increasingly pornographic and violent elements, such as premarital sex, sex after drinking, and the language used was rude and abusive. These dramas were particularly disappointing from the educational point of view.
- 5.18. Although the manga “Attack on Titan” was broadcast on TVB J2 at midnight, its promos showing cannibalism were aired during the commercial breaks before 6 p.m., which had adverse effects on children.
- 5.19. The programmes depicted and promoted anomalous relationships to attract viewership.
- 5.20. Game shows of TVB were of bad taste (such as showing male and female artistes kissing through a thin film) and wasted food (such as throwing cakes at each other, playing beef balls as table tennis, letting artistes grip the bread with their cheeks). The portrayal of dangerous behaviour in the game shows had an adverse effect on children and young people.
- 5.21. The boxing matches broadcast during prime time slots were annoying as they advocated violence.

5.22. Some were dissatisfied with programmes (e.g. “To Woo A Dame” and “Bride Wannabes”) which were disrespectful to women.

6. Programme Quality

General Comments

(a) Overall Production Quality

- 6.1. Dramas of the two TV stations were vulgar; entertainment programmes and variety shows were vulgar and of bad taste and poor quality; news reports were of higher quality but they were not neutral. The quality of programmes provided by the English channels of the two TV stations was slightly higher than that of the other channels.
- 6.2. Programmes of the two TV stations were produced in a rough and sloppy manner. Props and settings were of bad taste. The filming approaches and techniques had been stagnant since the 1980s. The programmes were becoming monotonous, formulaic and lacked creativity.

(b) Quality of Specific Programme Types

- 6.3. The standard of the locally-produced dramas of the two TV stations lagged far behind that of their counterparts in the UK, U.S. and Japan, and were surpassed by those of Taiwan and the Mainland. The props of the dramas were mostly made by the two TV stations themselves and were not lifelike. The plots were inconsistent. Actors were repeatedly casted in dramas broadcast at different time slots.
- 6.4. Some were dissatisfied that the coverage of Mainland and international news in the news reports of the two TV stations was seriously inadequate.

- 6.5. Some were dissatisfied that the two TV stations had adopted the style of entertainment programmes in producing financial programmes and property information programmes.

Comments on ATV

- 6.6. Some were satisfied with the programme quality of ATV. They considered that ATV was conscience-conscious, not demagogic, not broadcasting programmes of bad themes, promoting social harmony and there was less portrayal of violence and cheating. Other reasons included:

- The informational programmes of ATV were comprehensive in content and of better quality than those of TVB. The commendable programmes included “ATV Loving Hearts”, “Step on Stage of ATV CNY Show”, “Asian Wave”, “Director Ko’s Blog”, “ATV Focus”, “News Bar Talk”, “Views on Hong Kong”, “Babies Growth Diary”, “ScientistHome”, “Hong Kong History Decode”, “One Day”, “Paul Merton in Europe”, “Worldwide Encyclopedia: Sensory World” (literal translation), “News Tease”, “Hong Kong 100 VIPs”, “Cool Met Stuff”, “News Magazine”, “Adventure for the Herbal Medicine”, “Blog the World”, news reports, financial reports, etc.
- ATV produced a number of educational programmes with positive themes, e.g. “ATV Hong Kong Loving Hearts”, “Family Wisdom”, “Good Deeds” (literal translation), “Hong Kong People Cannot Rule Hong Kong” and the programmes on the struggle of Chinese people. These types of programmes were rarely seen on other TV channels.

- Some commended ATV Classic, which could provide an opportunity for viewers to review old dramas. Many senior citizens loved watching old dramas.
- ATV's old dramas (e.g. "My Date With a Vampire", "Fist of Fury", "Flaming Brothers", "Fated Love", "Dynasty", "The Good Old Days", "Forrest Cat", "Justice Pao", "The Legendary Fok", "Chen Zhen") and the cooking shows hosted by Mrs Fong were of high quality and should be re-run.
- ATV's "Q & A Lessons" introduced a new category of children's programmes.
- Some commended the documentaries of ATV World which featured people and current affairs (e.g. the monarchy of the United Kingdom and the history on Japanese invasion of China).
- ATV had produced many classic programmes (e.g. "Hong Kong Today" and "Who Wants to Be a Millionaire?").
- Some considered that ATV's programmes were of good quality, creative, and conveyed positive messages to the community (e.g. "ATV Hong Kong Loving Hearts Campaign").
- The broadcast of Mainland programmes provided the best opportunity for Hong Kong people who worked in the Mainland to understand the situation in the Mainland.
- The participants of ATV's "Miss Asia Pageant" were from different countries, making the programme more entertaining than TVB's "Miss Hong Kong Pageant". "Mr

Asia Contest” was creative and its participants were of high quality.

- ATV’s acquired dramas were worth watching (e.g. “Turbulence of the Mu Clan”, “Cliff” and “Mother-in-law Has Come”).
- Livecast of Sunday worship service on ATV World could provide an opportunity for those who were otherwise unable to attend church gatherings to join the service.

6.7. Some were dissatisfied with the programme quality of ATV. They considered that ATV’s programmes were of poor quality; boring; low-budgeted; produced in a rough and sloppy manner; and failing to achieve the objective of entertaining the audience. Other reasons included:

- In recent years, most of the self-produced programmes were filmed in the studio, with very little outdoor filming. Audience expected programmes of better quality instead of programmes with just backdrops, moderators and footages.
- Self-produced programmes were of poor quality. Programmes of poor production standards were acquired for cost-saving reason.
- As one of the two TV stations, ATV lacked locally-produced programmes and could not shoulder the responsibility of nurturing talents. ATV’s programmes had not received any international awards. Most Hong Kong people did not watch programmes of ATV at all.
- ATV’s programmes were too Mainland-oriented and could not cater for the taste of Hong Kong viewers. There was a

big gap between ATV's programmes and its viewers. Members of the public knew nothing about ATV's programmes and ATV failed to produce any programmes which were influential or appealing. For reducing cost, ATV acquired dramas that had low viewership in the country of origin, and broadcast Mainland dramas that had never been broadcast in the Mainland or had low viewership during prime time.

- Programmes on ATV Home were primarily talk shows and they were formulaic.
- There was a shortage of new artistes, while the performance of existing artistes was poor.
- The anniversary gala and major events of ATV were frequently held in the Mainland and mainly conducted in Putonghua. The taste of the general public in Hong Kong was ignored (e.g. "The First Chinese Television Station in the World - ATV 55th Anniversary cum the 15th Anniversary of the Hong Kong Special Administrative Region Ceremony" held in the Mainland).
- There were frequent mistakes in "Caring Hong Kong's Future", "ATV Focus" and "Sports Bulletin" as well as subtitles in these programmes. This showed that the programmes were sloppily produced.
- The content of programmes was of low standard. For example, the contestants in "Mr Asia Contest" were required to parade through the street in their underpants to promote the programme.

- Some were dissatisfied with ATV's programmes which focussed on discussing the politics of the Mainland.
- There were frequent mistakes in announcing the results of Mark Six.
- The casting of Mr Chim Pui-chung in "Views on Hong Kong" was unsatisfactory. The content of the programme was nonsense.
- ATV produced a programme featuring the visit of executives of a business institution to ATV's studio. The content was totally irrelevant to the local audience.
- ATV broadcast many so-called healthcare programmes which claimed to foster innovation and promote healthcare (e.g. "ScientistHome"). These programmes actually promoted the sale of forged personal care products to the elderly and the ignorant, thereby amounting to advertising.

6.8. Some were dissatisfied with the performance of the World Channel. ATV World was full of re-runs, horse racing programmes, low-budget productions and Putonghua programmes. But news and current affairs programmes were of acceptable quality.

6.9. The broadcast of dubbed Chinese old programmes on ATV World was a waste of the English channel.

Comments on TVB

6.10. The overall programme quality of TVB was satisfactory and its productions should be commended. TVB's programmes could cater for the need of the general public and TVB was willing to

review and make improvement as and when it received complaints. Some of the locally-produced dramas were of high quality, e.g. the dramas broadcast during TVB's anniversary celebration every year. Other reasons included:

- The commendable programmes were: “News Magazine”, “Old Space New Craze”, “The Lord of the Drama”, “Good Cheap Eats”, “Travelling the World with Chua Lam” (literal translation), “Eating Well with Madam Wong”, “Tasty Road”, a series of children’s programmes, “Neighborhood Treasures”, “A Kindred Spirit”, “Karma Rider” and “Telling Maria”. “Triumph in the Skies II” was of high production standard and the performances of artistes Francis Ng, Julian Cheung, Fala Chen and Moses Chan should be praised; “Will Power” introduced new areas of law to the viewers; “Financial Magazine”, “News Magazine”, “Big Big World” and “Tuesday Report” helped broaden the viewers’ horizons; “Scoop” was entertaining; “Gilded Chopsticks” was a light-hearted programme; “All Things Girl” provided useful and trendy information; “Virtues of Harmony” had an attractive plot, kept track of people’s lives and was a light-hearted programme; “Happy Old Buddies” provided useful information for senior citizens; “Pleasure & Leisure” contained useful information about medicine and the society; “Reality Check” carried positive themes.
- “Come Home Love” had specific themes for each episode to remind Hong Kong people of what they had lost in their busy life.
- Some of the dramas broadcast during prime time were appealing. The quality of acquired dramas was good and

attracted viewers to stay tuned. The programmes of TVB were diversified and in line with the taste of local viewers.

- The quality of TVB's acquired documentaries was extremely high (e.g. "BBC Earth" and "World Heritage in Japan").
- Some commended "The Voice of the Stars" for making those artistes with potential known to the public.
- TVB's dramas, programmes and variety shows won a number of international rewards.
- TVB J2 broadcast programmes from different places and was appealing to young people. The theme and filming approaches of these programmes were innovative and gave impetus to the creative industry and local culture.
- "I Am Boss" provided a once-in-a-lifetime opportunity to those Hong Kong people who aspired to "become a boss" to fulfil their entrepreneurial dream. It was a high quality programme which inspired Hong Kong people.
- Retransmission of the Sochi 2014 Winter Olympic provided an eye-opening experience to Hong Kong people. The programme introduced the sport of "curling" to Hong Kong, which became a craze in the city.
- TVB's cross-regional and international-cooperative drama "A Time of Love", co-produced by TV stations and artistes from Japan, Korea, Malaysia and Singapore, won international acclaim.

- Some were satisfied with TVB's retransmission of the Brazil World Cup.

6.11. There were opinions that the uniformity of programme production of TVB was unsatisfactory. The programme genres were repetitive, boring, lacking creativity and apparently plagiarising successful programmes of other TV stations. The variety shows, drama series, news and current affairs programmes were not up to standard. Reality shows lacked educational value. The content of the variety shows was repetitive and lagged far behind those of the Mainland, Taiwan and Korea. Ridiculous flaws were often found in drama series and informational programmes as research was not done properly. TVB should improve its productions and create novel programmes with local flavour.

6.12. TVB should make use of high quality equipment when shooting self-produced drama series, variety shows, live programmes and documentaries, and should minimise repeated use of the same sets and artistes.

6.13. Some were dissatisfied that the variety shows were indecent and boring. Especially,

- The "Super Trio" series were monotonous, indecent, lousy and vulgar. There were a number of complaints about bad themes and indecent connotations of the series. Some also opined that the style of the series remained unchanged for many years. The series were broadcast from 1995 to 2013, without making any improvement. However, some opined that the programme had improved after some members of the public lodging complaints.

- TVB often produced travelogues, gourmet programmes and cookery programmes to promote a luxurious lifestyle, as well as game shows that were of bad taste. For example, “Beautiful Cooking” featured female artistes singing and dancing in revealing attire, which had nothing to do with cooking. The use of female artistes as selling points in the programmes had a bad influence on the community.
- The music awards presented by TVB did not measure up to the standards of fairness. This called the credibility of the awards into question. Results of “Miss Hong Kong Pageant” involved cheating.

6.14. News reports were not sufficiently up-to-date, comprehensive and informative. iNews should provide more detailed information. Anchors often made factual and pronunciation mistakes; subtitles and voiceover were mismatched, which confused the audience. It was recommended that the instant news ticker of “Good Morning Hong Kong” should be extended to all news sessions, so that the audience could keep abreast of news events at any time. Some opined that apart from pay TV channels, iNews provided 24-hour news so that the public could watch the latest news at a time convenient to them.

6.15. Fund-raising programmes were unappealing. A large portion of donations was used to pay production costs, rather than for charitable purposes and was misleading. Details of donations and production costs should be made known to the public.

6.16. Variety shows often probed into the private lives of artistes, which were uninteresting at all. Organised voting games in “Scoop” contained silly, stupid and weird questions (e.g. “How many bowls of rice do you eat on average?”).

- 6.17. Opinions expressed dissatisfaction with the increasing number of goofs in the programmes. The quality of programme production should be further improved.
- 6.18. Some were dissatisfied with TVB's senior management, who appointed hosts with unsatisfactory performances according to their own favour.
- 6.19. The problems about the quality of TVB's drama series were as follows:
- The content was boring. The plots were repetitive, uncreative, formulaic, full of flaws and irrational. The content, shooting techniques or sets were of poor quality when compared to Korean dramas.
 - Genres of the dramas were not diversified enough. Themes were usually about intrigues taking place in ancient palaces and modern society. These programmes catered for the less-educated and housewives. The range of genres had reduced significantly. Most of the dramas were about doctors, lawyers and police officers who were usually entangled in multiple love affairs. There was frequent production of sequels so as to save time and avoid creating new ideas, e.g. the "Police" series, the "Heart of Greed" series and "The Hippocratic Crush" series.
 - The quality of dramas was deteriorating and the plots were repetitive, e.g. multiple love affairs, foes turning lovers, fighting for family fortune, currying favour and so on, which were extremely corny. The props and sets were crude and not lifelike. The shooting skills were like those of the 1990s. For example, it was startling that there was

neither soldier nor water in the Battle of Chibi in “Three Kingdoms RPG”.

- TVB’s dramas were allegedly copied from foreign dramas and movies (e.g. “To Get Unstuck in Time” was plagiarised from a foreign movie; “The Mysteries of Love” was plagiarised from “Galileo”, etc.).
- There were often goofs in costume dramas and production was crude. In historical dramas, history was presented in a distorted manner and historical characters were parodied and made completely different. This would be misleading to viewers who lacked historical knowledge of the subject matter.

6.20. Recommendations to dramas of TVB:

- TVB should avoid repeating the genres and should produce non-commercial dramas, e.g. political dramas, dramas about sex topics, dramas for youth, science fiction dramas, supernatural power dramas, other types of innovative dramas adapted from novels and animations as well as dramas targeting children, youth and the elderly. It was proposed that TVB could cooperate with students from the Hong Kong Academy for Performing Arts and invite directors of the new generation to produce short films. TVB could also broaden the themes of dramas and produce dramas with professional themes, and dramas which satirised current affairs, conveyed positive messages and targeted audiences of different age groups.
- TVB should be more creative in drama production and make reference to successful examples overseas. TVB should try to shoot dramas using location filming with 3D

technology and 4K filming equipment. TVB could make reference to the production techniques of TV stations in the Mainland and overseas or work with other production units so as to learn from each other.

- TVB should focus on improving the quality, not quantity, of local dramas. The TV station should broadcast more acquired dramas of high quality to broaden the choice of viewers. It would be more popular than producing more local dramas and could avoid the repeated use of the same group of artistes.
- TVB should let young artistes and second-string and third-string artistes play the lead characters in dramas, so as to create novelty. TVB should explore the potential of artistes so that they would not be stereotyped.
- It was recommended that TVB could set up a committee to review whether the oft-repeated lines and unnecessary plot could be expressed in a more natural and innovative way.
- TVB could encourage scriptwriters to collaborate more with practitioners from different industries; the latter could involve in scriptwriting via submitting interesting plots or acting as a consultant.

6.21. TVB Pearl should reduce broadcasting those reality shows and movies which were only suitable for naïve viewers during the period from 8:30 p.m. to 10:30 p.m.

6.22. More resources should be devoted to producing children's programmes, for example, to increase outdoor filming to depict daily lives of people from different social classes. This could help promote social harmony.

6.23. Some were dissatisfied with the dubbing quality of programmes (including acquired dramas, movies, animations and documentaries) and promos (including promos of self-produced dramas and activities held by TV stations such as anniversary ceremonies). The pronunciation of TVB's dubbing talents was outdated and had an adverse effect on children and students. There were suggestions that TVB should verify the pronunciations through different means.

7. Programme Scheduling

General Comments

(a) Overall Approach

- 7.1. The two TV stations should be required to broadcast locally-produced programmes during prime time, e.g. at least two hours a day.
- 7.2. The two TV stations should be prohibited to retransmit foreign or Mainland channels. The two TV stations should be required to use the spectrum to transmit locally-produced programmes only.
- 7.3. There was dissatisfaction with programme scheduling of the two TV stations at weekends, which offered limited choices to the audience.
- 7.4. Main news bulletins (in particular evening and late night news) should last for at least 60 minutes, and news about the Mainland should account for at least 15 minutes, while international news should also account for at least 15 minutes.
- 7.5. The broadcast time of programmes on ATV's CCTV-1, e.g. "Treasure Hunting" (literal translation), was irregular. The programme schedule of the TV station was inaccurate and annoying.
- 7.6. Some were upset that ATV ceased to broadcast "Money Talks" without prior notification to viewers.
- 7.7. Evening news reports on the Chinese channels of the two TV stations were both scheduled from 6 p.m. to 6:30 p.m. There

were suggestions that the broadcast time of the news reports should be rescheduled to 7 p.m. or after to cater for the needs of citizens nowadays.

- 7.8. Same programme should not be broadcast on different channels at the same time slot.

(b) Repeat of Programmes

- 7.9. The number, frequency and broadcast time of repeat programmes should be restricted, for example, repeat programmes could only be broadcast during late night hours or non-prime time. There were comments that airtime of such programmes should not exceed one third of the total airtime, while the same programme should not be broadcast more than twice in a year.

- 7.10. Old programmes that had been re-run for a number of times should not be broadcast from 7 a.m. to 12 noon and from 2 p.m. to 6 p.m.

- 7.11. It was suggested that movies should not be re-run for more than three times. Re-runs of documentaries should be restricted because the information of some documentaries might be outdated and mislead the public. There were suggestions that repeat of dramas should be restricted, e.g. dramas that were broadcast two years ago could not be re-run. If they were re-run, only two episodes could be re-run every week.

(c) Programme Types

- 7.12. In the information age, time restriction on the broadcast of news report should be removed, and free TV stations should instead be requested to broadcast a 20-minute news report in the

morning, afternoon and evening so as to give them more flexibility in scheduling programmes.

- 7.13. Sports news were omitted in TVB's "News At Six-Thirty", which upset local sports-lovers.
- 7.14. Some were dissatisfied that the content of animation "Nintama Rantarō" was edited and its opening and ending were removed. The programme "After School ICU" was deliberately split into two sessions and the audience had to wait for nearly half an hour for another session. This was annoying.

(d) Channel Line-up

- 7.15. Free TV stations should not be allowed to make use of the precious spectrum to carry too many non-local retransmitted channels.
- 7.16. Free TV stations should not provide more than five channels, including at least two HD channels, in order to reduce the demand for and burden of bandwidth as well as to provide more choices for viewers.
- 7.17. As a TV station was at the time relaying the content of non-local channels with the frequencies it had been assigned, there were suggestions that the number of non-local retransmitted channels should not exceed 30% of the total number of channels of a TV station.
- 7.18. The broadcasting bandwidth of RTHK and idle bandwidth should be used to relay the programmes of CCTV so that members of the public can know more about the Mainland.

Comments on ATV

7.19. Some were dissatisfied with the repeat programmes of ATV. Reasons included:

- ATV had been repeatedly re-running a programme for a long period of time, for example, “News Bar Talk” was repeated as many as four times a day, which severely limited viewers’ choice. The arrangement was antipathetic, annoying and made the audience feel being cheated.
- Repeat of programmes hindered the development of artistes, and resulted in overall decline of the entertainment business in Hong Kong.
- It was a waste of spectrum to broadcast repeat programmes during prime time in the evening. ATV was unable to provide diversified and new entertainment and informational programmes to members of the public.
- ATV did not show sincerity in supporting local creation, which was detrimental to the development of the creative industries in Hong Kong.
- Repeat of programmes showed ATV’s lack of resources to produce programmes. However, ATV shirked its responsibility by claiming that the arrangement of repeat programmes catered for the needs of viewers who might wish to watch these programmes after work. In fact, ATV could set up a website to allow the public to view its programmes online, instead of repeating the programmes on TV channels.

- The number and frequency of repeat programmes on Channels 11 and 12 were disappointing. It could be said that there was no difference even if there was no such TV station.

7.20. ATV should reduce the frequency of repeat programmes. For example, a programme should not be repeated for more than once a day.

7.21. The CA should impose a condition in the renewed licence of ATV, requiring that 70% of ATV's programmes should be newly and station-produced.

7.22. Comments on ATV Classic included:

- Those who were dissatisfied with ATV Classic considered the channel a waste of channel capacity. ATV seldom invested in programming and ceased producing new programmes. It exploited a loophole in the law by repeatedly broadcasting its old programmes. On the other hand, there were also opinions that ATV Classic was acceptable as the repeated programmes could meet the needs of different viewers.
- ATV should employ more channels (i.e. from channel number 1 to channel number 10) to broadcast a greater variety of classic programmes, dramas and movies.
- There were suggestions that an "uncut" version of news reports of "One Day" should be re-run to cater for the needs of nostalgic viewers. The broadcast of "One Day" on ATV (i.e. around two minutes) was too short.

- ATV should re-run old variety shows or some of them in the format of episode highlights.
- ATV should re-run children's programmes.

7.23. Some opined that in response to public views ATV had broadcast more locally-produced programmes and adjusted re-run schedules. It is not fair to compare the programming of ATV with that of TVB as the investment of ATV was only less than half of that of TVB.

7.24. Those who were satisfied with the schedule of the repeat programmes considered that the arrangement was user-friendly as it enabled viewers with various viewing habits to watch programmes and review classic programmes. Those who were dissatisfied with ATV considered that the programme scheduling of ATV in the past years was chaotic and adversely affected the trust of the viewing public and advertisers. For example, a number of programmes which were being showcased from 2000 to 2010 by ATV did not turn out eventually.

7.25. The broadcast of a large number of SD programmes on the HD channel of ATV was a waste of spectrum.

7.26. The positioning of ATV was weird and inexplicable. ATV adopted "differentiated" programming and this resulted in cessation or reduction of the broadcast of popular infotainment programmes (e.g. "Hong Kong Gossip" and "Cheers Hong Kong"). Meanwhile, it increased the broadcast of the so-called cultural talk shows which were boring, poorly received and with low viewership during prime time (e.g. "News Bar Talk", "East Wing West Wing", "I want to be CE", "I want to be CE 2

Debate Special”, “The Policy Debate” and “Asia Policy Unit”, etc.).

- 7.27. Retransmitting channels from the Mainland were a waste of spectrum. If ATV’s licence was to be renewed, it should be prohibited from retransmitting channels from the Mainland or should reduce the number of such channels. On the other hand, there were views that there should be more Mainland channels for public reception free of charge.
- 7.28. The two retransmitted channels from the Mainland on ATV did not suit the taste of viewers in Hong Kong. It was suggested that the two retransmitted channels should be replaced by “Hunan TV World”.
- 7.29. Since the launch of digital TV, ATV changed the number and content of its TV channels many times without explaining to the viewing public. It showed that the change of channel line-up by ATV was not primarily based on public interest. Channel line-up was changed for administrative and financial convenience, which was unfair to the public.

Comments on TVB

- 7.30. Some expressed dissatisfaction that new reports of TVB iNews ended abruptly whenever there was ad hoc coverage of the visits of government officials.
- 7.31. Financial programmes broadcast in the morning were considered excessive and formulaic.
- 7.32. The TVB Jade channel and HD Jade channel should be merged into a single channel.

- 7.33. TVB should broadcast more live events in future after acquiring broadcast rights of major sports events as a lot of people in Hong Kong wish to watch more sports programmes for free. There was suggestion that TVB should be required under the new licence to livecast no less than 150 hours per annum of sports competitions to enable members of the public to watch such programmes free of charge; and after acquiring the live broadcasting rights for a major sports event, to livecast two thirds of the events.
- 7.34. There was dissatisfaction with the re-run of programmes on TVB HD Jade and TVB J2 after such programmes were broadcast on TVB Jade. Some suggested imposing restrictions on the re-run of the Mainland and foreign dramas within one year after their first run.
- 7.35. At the beginning of the launch of digital broadcasting, Channel 81 had been broadcast in SD format and there was a need for simulcasting the programmes on Channel 85 in HD format. Since Channel 81 had recently converted to HD broadcasting, the simulcast arrangement was a waste of spectrum.
- 7.36. Channel 85 should broadcast more documentaries or acquired dramas during prime-time slots in the evening.
- 7.37. Some were dissatisfied that in recent years, TVB Jade rarely broadcast new movies on Saturdays and Sundays, but only repeat old movies. New terms and conditions should be introduced upon the licence renewal to require TVB to broadcast at least five movies that had never been broadcast on TV each year, or to prohibit TVB from broadcasting the same movie within two years.

- 7.38. There were frequent re-runs of movies on TVB Pearl. TVB Pearl should reduce the amount of re-runs and broadcast more first-run movies.
- 7.39. It was suggested that the duration of “Noon News” on TVB Jade should be extended to 30 minutes. The news programme should be divided into two parts and information about sports and finance should be included in the second part. Information about sports should also be included in the news report at 6:30 p.m. from Monday to Friday.
- 7.40. Some were dissatisfied with the time lag in TVB’s broadcast of acquired dramas and animations. They were only aired several years after broadcast in their countries of origin.
- 7.41. There were too many dramas during prime time, which had limited viewers’ choice. It was suggested that no more than a half-hour drama should be broadcast during prime-time slots on weekdays.

8. Subtitling/Sign Language

General Comments

(a) Subtitling for the Hearing Impaired

- 8.1. There were calls for providing subtitles to all pre-scheduled programmes.
- 8.2. The CA should impose a new provision in the renewed licence to require the two TV stations to provide subtitles on a 24-hour basis (including all live news coverage) to enable the hearing impaired to receive up-to-date information.
- 8.3. In the news bulletin of the two TV stations, dialogues between anchors should be fully subtitled.
- 8.4. The two TV stations should provide subtitles for the hearing impaired as well as for the Cantonese vernacular.

(b) Programme Types to be Provided with Subtitles

- 8.5. It should be stipulated, upon the licence renewal, that English or Chinese subtitles should be provided for programmes in foreign languages.

(c) English/Foreign Language Subtitling

- 8.6. Some children's programmes which were a blend of education and entertainment (e.g. "Sesame Street") should provide English subtitles to allow adults and their children to enjoy and learn.
- 8.7. Bilingual subtitles should be provided in foreign programmes. For example, Japanese and Korean programmes should carry

subtitles to facilitate foreign language learning and enhance the language standards of viewers.

(d) Presentation of Subtitling

- 8.8. The Chinese and English subtitles contained in English programmes failed to convey the meaning clearly. There were also grammatical mistakes.
- 8.9. There were suggestions that subtitling could be provided by real-time speech translation. Though some speech could not be fully displayed, it could save time and cost. In particular, children who were native Chinese could benefit from real-time translation to improve their standards of English language.
- 8.10. In music programmes, font size of lyrics should be larger.

(e) Sign Language Interpretation

- 8.11. At present, only news programmes were required to carry subtitles. However, due to different textual perception of the hearing impaired, it was necessary to provide sign language interpretation to supplement messages not delivered by text via the movement and facial expression of sign language interpreters. Therefore, it was suggested that news programmes on all mainstream TV channels should provide sign language interpretation and subtitles at least once a day. Various organisations for the hearing impaired requested that free TV stations should be required to provide sign language interpretation for news programmes.
- 8.12. Weather reports and current affairs programmes should also provide sign language interpretation.

- 8.13. The hearing impaired suggested that in the case of breaking news and important government announcements (e.g. the Policy Address, financial budget and the Q&A sessions in the Legislative Council) for which subtitles might not be available, sign language interpretation and news summaries should be provided to enable them to receive these messages.
- 8.14. The two TV stations should provide 24-hour sign language interpretation in order to enable the hearing impaired to receive information on a real time basis.
- 8.15. In order to minimise the misconception of the viewing public regarding the hearing impaired and sign language interpretation, “Newsweek” and “Look and Learn”, in which sign language interpretation was provided, should be re-scheduled for broadcast during prime time slots.
- 8.16. It was suggested that free TV stations should showcase “News for the Hearing Impaired”. News should be reported by the hearing impaired using sign language and Cantonese translation with a view to promoting the integration of the hearing impaired with the public and enabling the public to learn sign language.
- 8.17. There were suggestions that the free TV stations should launch “Sign Language for 5 Minutes” so as to promote sign language to viewers.

Comments on ATV

- 8.18. Subtitles should be added to the programmes re-run on ATV Classic.
- 8.19. When ATV re-ran its old programmes, subtitles sometimes occupied half of the screen, which showed that ATV lacked the

necessary techniques and incentives to improve. Moreover, some considered that the subtitles of the re-run programmes were small. The appearance of subtitles and the screen were not in sync and the picture quality was poor.

Comments on TVB

- 8.20. It was suggested that Chinese subtitles should be provided to first-run programmes broadcast on TVB Jade starting from late 2014 to enable the hearing impaired to understand the programme content.
- 8.21. The provision of subtitling in programmes of TVB Pearl was insufficient.
- 8.22. It was suggested that sign language interpretation should be provided in news reports broadcast on iNews (including the simulcast of news programmes on TVB Jade) for the benefit of the hearing impaired.

9. Advertising

General Comments

(a) Programme Sponsorship

- 9.1. Restrictions on programme sponsorship should be relaxed to increase advertising revenue of the two TV stations.

(b) Indirect Advertising within Programmes

- 9.2. Restrictions on indirect advertising should be relaxed to increase the advertising revenue of free TV stations. Indirect advertising also appeared in Japanese and Korean dramas, which were flooded with new cell phones and fashion brands, while indirect advertising to promote vehicles and computer products could also be found in some high quality European and American soap operas. Advertising revenue directly influenced the quality of television programmes and was conducive to the survival of existing and future broadcasters. When Hong Kong's programmes were broadcast overseas, Hong Kong's brands could also be promoted internationally via indirect advertising. This would benefit Hong Kong economy and enhance the image of Hong Kong.
- 9.3. Those opposed in-programme advertising considered that if indirect advertising was accepted, different products would be featured on screen at the same time to increase exposure, which would compromise the quality of programmes.
- 9.4. The CA should review relevant regulations of indirect advertising. The existing regulations stipulated that no undue prominence should be given to a product of a commercial nature.

However, there was no clear definition of “undue”. This was unfair to free TV stations.

- 9.5. Indirect advertising that promoted the supernatural, feng shui and superstition should be prohibited.
- 9.6. Restrictions on the duration of product placement and/or the proportion of a product appearing on screen, etc. should be imposed.

(c) Specific Categories of Advertisement

- 9.7. It was suggested that restrictions on advertisements should be relaxed to enable free TV stations to increase their revenue. For example, political, medical and religious advertisements should be allowed to be broadcast as long as they were broadcast outside the family viewing hours and carried warning notices.
- 9.8. Restrictions on advertisements for hospice care and funeral services should be relaxed provided that they did not make reference to death and terror.
- 9.9. There were actors playing dentists stating that “90% dentists use the product” in advertisements for dental implant and toothpaste. The CA should investigate whether there was any breach of laws or related codes.
- 9.10. Advertisements on financial services often encouraged consumers to buy luxury goods and go travelling by lending, and promoted easy lending. These advertisements should carry a warning against excessive lending, just like the health warnings on cigarettes packaging.

- 9.11. Advertisements of financial derivatives and other complex investment products (e.g. covered warrants, products with default risk) should cease to be broadcast in order to avoid misleading investors.

(d) Advertising Time

- 9.12. It was suggested that the restrictions on advertising time should be relaxed. Free TV stations should be allowed to broadcast advertisement for a time not exceeding 15% of the total broadcast time of the channel. Moreover, the broadcasting intervals of advertisements should also be relaxed. Free TV stations could choose to broadcast all advertisements before the start of the programme or inserted them in the middle of the programme subject to their needs.
- 9.13. During the advertising break, a countdown timer should be displayed in a corner of the screen. The same requirement had already been imposed in many different countries.
- 9.14. No advertisements should be inserted during the broadcast of news reports, dramas and movies.
- 9.15. There were too many advertisements during the broadcast of sports programmes, which affected viewing pleasure.

(e) Advertising Standards

- 9.16. Advertisements should be scheduled and broadcast having regard to emotional needs of the audience, and should avoid terrifying and misleading the audience.
- 9.17. There should be more restrictions on advertisements containing indecent and erotic materials.

Comments on TVB

- 9.18. There were too many in-programme advertising materials during the broadcast of programmes and dramas of TVB, which were sometimes not editorially justified. Such advertisements should be either reduced or prohibited.
- 9.19. The presentation style of in-programme advertising was too explicit (e.g. the “chicken broth” incident of the programme “Cook away Lady May” and the prominent display of a branded box tissue in the cookery segment of “Pleasure & Leisure”).
- 9.20. There was discontent over the frequent exposure of the same bank in a drama of TVB, plus an artiste playing a manager introducing products offered by that bank. There were also concerns that the programme hosts of “Big Boys Club” often consumed fried chicken from the same restaurant chain.
- 9.21. Some were dissatisfied that “Triumph in the Skies II” displayed sponsored products relentlessly. The financial penalty of \$100,000 imposed on TVB was too lenient to have any deterrent effect. The CA should consider imposing heavier penalties.
- 9.22. “Scoop” was usually packaged as showbiz gossips programme and deliberately displayed trade marks in the activities attended by TVB’s artistes. Sometimes, the programme made use of interviews with members of the public in order to promote certain commercial products or organisations.
- 9.23. Some were dissatisfied with the repeats of an advertisement within the same time slot.

9.24. TVB tactlessly interrupted the live broadcast of Macau Grand Prix with commercial breaks. Advertisements should only be broadcast during the breaks of the car racing event.

10. Technical Issues

(a) Quality of Picture and Sound

- 10.1. Retransmission of the CCTV-1 channel by ATV in 4:3 aspect ratio had affected the viewing pleasure of those using 16:9 aspect ratio TV sets. ATV should retransmit the CCTV-1 channel in 16:9 aspect ratio to avoid wasting the valuable spectrum.
- 10.2. The picture quality of the retransmitted channels from the Mainland was poor.
- 10.3. ATV persistently displayed its logo and programme name on screen, which disrupted the viewing pleasure. Logos of ATV's channels were too flamboyant.
- 10.4. ATV's picture quality was of lower standards than that of TVB. SD programmes were often aired on HD channels to mislead the audience.
- 10.5. ATV was still using the SD standard, which had a lower image quality and failed to meet the requirements for HD broadcasting.
- 10.6. All digital channels should achieve the standards of HD broadcasting after the switch-off of analogue broadcasting.
- 10.7. HD broadcast of the two TV stations only enhanced the image sharpness. There was no layering, cinematic feel and surround sound in HD programmes. The quality of picture and sound lagged far behind that of their counterparts in Japan, Korea, Taiwan, etc.

10.8. The two TV stations should turn down the sound volume of advertisements.

(b) Reception of Signals

10.9. The signal reception of digital TV in Central and Western district was unstable.

10.10. The signal reception in southern part of Lantau Island was weak and not satisfactory. Transmitting station at Cheung Chau was not functioning well, and should be relocated to Shek Kwu Chau.

10.11. Mongkok suffered unsatisfactory reception. “Snow” was commonly found in TV pictures.

11. Investment and Financial Capability of the Two TV Stations

General Comments

- 11.1. The two TV stations were reluctant to invest in technological improvements and could not keep abreast of the market developments.

Comments on ATV

- 11.2. Given its persistently low viewership, ATV would not have resources in providing different types of programmes. The situation was perplexing when ATV claimed that it had already invested billions of dollars on programming. Although ATV had committed to investing billions of dollars in the production of new programmes and dramas for the benefit of its audience, it was not materialised. In fact, ATV introduced the ATV Classic channel with practically “zero” cost.
- 11.3. Given its low viewership, ATV had no advertising clients and was making a loss of more than \$200 million each year. On the other hand, ATV proposed, in the context of licence renewal application, to invest \$2.7 billion during the period from 2016 to 2021. Concerns were expressed over the financial capability of ATV to deliver the proposed commitments and that such commitments were nothing but empty promises.
- 11.4. There were few advertisements on ATV. It mainly broadcast government advertisements and programme promos. Given its poor financial situation, it was doubtful if ATV could sustain its business.
- 11.5. ATV had made substantial losses over the years and changed its bosses several times due to financial problems. It was heavily

indebted and would not have sufficient resources in providing new dramas and programmes. ATV's failure to submit audited accounts for four years from 2009 to 2012 showed that the TV station was not financially sound. The operation of ATV mainly relied on loans and credit. The authorities should investigate into the funding sources of ATV, its potential legal risks and liabilities.

- 11.6. There was a possibility that ATV would be wound up at any time. The authorities should take this factor into account when considering the licence renewal application of ATV.

12. Management and Operation of the Two TV Stations

Comments on ATV

- 12.1. ATV had no commercial advertisements at all and the advertising slots of ATV were filled up with its programme promos. This meant that ATV had lost support from both advertisers and viewers. It was doubtful if ATV could sustain its business.
- 12.2. There were reasons to believe that capital injection from the Mainland supported and controlled the operations of ATV.
- 12.3. The senior management had repeatedly made empty promises to kick off new drama series or produce new programmes.
- 12.4. ATV did not keep its words to be “conscience of Hong Kong” as the overall performance of ATV was unsatisfactory. The broadcast of such slogan in the advertising time slots was annoying.
- 12.5. ATV’s management lacked planning, vision and transparency in managing ATV.
- 12.6. ATV was controlled by its investor and an example of this was the misreporting of Jiang Zemin’s death. The investor would continue to exert influence over ATV’s programming, though in a more subtle manner. It was difficult to believe that an investor would continue to support a company that was making a loss without participating in the decision-making process.
- 12.7. ATV’s major investor (Mr Wong Ching) interfered with the operations of ATV and breached his undertakings made to the CA. Even though Mr James Shing was removed from his office,

it was not guaranteed that Mr Wong would cease to involve in the operations of ATV. In these circumstances, revocation of the licence of ATV was a once-and-for-all solution to these problems.

- 12.8. The audience was annoyed by Mr Wong Ching's interference into the operations of ATV even though he was only an investor and did not possess any expert knowledge of TV industry, and that he led ATV's staff to dance at the Central Government Offices.
- 12.9. ATV's lack of new productions and frequent repeats of programmes had put its financial competence and management into question.
- 12.10. ATV should introduce strategic investors to carry out a major reform, so as to improve ATV's business development and enhance the overall quality of its programmes and associated services.
- 12.11. The management of ATV disregarded the public opinions expressed in the complaints against ATV, resulting in a negative public image. The overall performance of ATV's management casted doubt on their competence of managing the TV station. During the public hearings, the senior management of ATV was arrogant when facing public criticisms. They showed no intention of making improvement and appeared to feel good about themselves. They answered back and accused the public.
- 12.12. Since the 1990s, there were frequent changes in the shareholding and personnel of ATV, leading to a lack of stability in the management. The power struggles of the senior management and shareholders' disputes gave rise to a series of legal proceedings. The management was unable to focus on the

operational matters of ATV and this resulted in mismanagement for years and failure to provide quality programmes.

Comments on TVB

- 12.13. TVB's management was arrogant and failed to respond to the expectations of the audience.
- 12.14. TVB was not short of talents but there was a lack of quality productions and good remuneration system. It was necessary to reform the staff management and the production method which operated like an assembly line so that TVB staff would be allowed to make good use of their talent.

13. Competition in the Free TV Market

General Comments

- 13.1. Market dominance and lack of competition in the free TV market resulted in poor quality of the TV industry, making it difficult to compete with its counterparts in other countries. Fewer young people were willing to join the industry, and this created a vicious cycle. As only competition could bring about progress, the Government should open up the TV market and facilitate diversified development.
- 13.2. The licence renewal exercise of the two TV stations was not only a purely commercial issue. Firstly, the two TV stations were assigned spectrum. Secondly, the TV industry had an impact on other cultural industries such as film. Thirdly, cultural industry had an indirect impact on economy. For example, pop culture of Korea boosted Korean tourism and stimulated the development of other creative industries (advertising, music, etc.) and created jobs. The authorities should promote competition by eliminating operators which had no intention to improve.
- 13.3. There was dissatisfaction that the two TV stations traded spectrum between themselves in 2013 to monopolise Hong Kong TV market.
- 13.4. Hong Kong was not short of talents. However, the market was monopolised by the two TV stations, which produced many low-cost programmes. As a result, members of the public had no programme choice and talents could not be fully utilised. Many professional artistes and singers chose to develop their career elsewhere.

- 13.5. To promote competition, licences should be granted to new operators who were keen to invest. This would provide more opportunities for young people who were interested in joining the TV industry.
- 13.6. It was suggested that spectrum should be opened up for auction. Free TV stations relied mainly on commercials for their revenue. To recover the cost spent on acquiring the spectrum through auction, the free TV stations had to increase their advertising revenue by enhancing programme quality and viewing rate. This would be a positive competition.
- 13.7. With the advanced development of information technology, the Hong Kong TV industry was facing worldwide competition. The TV market should be opened up, instead of letting the Government decide which competitors could survive.
- 13.8. To prevent the market from being monopolised, there should be requirements that a free TV station could not restrict its artistes from appearing in programmes of other stations and should spare half an hour during prime time every weekend to broadcast programmes of other stations.
- 13.9. Hong Kong Television Network Limited (“HKTV”) offered salaries which were three to four times higher to poach talents from TVB. Some opined that this was against the healthy development of the industry and proposed to impose a cap on the pay increase when artistes changed jobs.

(a) Granting of Additional Free TV Licences

- 13.10. Some suggested that the Government should grant more TV licences, which could enable citizens to enjoy diversified choices of entertainment, allow more creative platforms,

improve production quality and the remuneration of artistes and news production staff. This could also boost the competitiveness of the Hong Kong TV industry in the region and worldwide, and enable Hong Kong to promote its culture and local characteristics via high quality productions, which could in turn promote growth in tourism, economy and culture.

13.11. Some felt outrageous, disappointed and regret about the Government's failure to break monopoly and its refusal to issue a licence to HKTV. That the government went its own way to deny HKTV a licence deprived the public of its right to choose TV channels and programmes which were worth watching. Despite its serious and zealous preparation for licence application, HKTV ended up being denied a licence. On the contrary, ATV had no viewers and failed to produce any programme, but it could still hold the licence. The grounds for the Government's decision were questionable as even the consultancy report supported the issuance of licence to HKTV.

13.12. Some supported that there should be no ceiling on the number of free TV licences. The grant of three new free TV licences would not disrupt the development of the industry, but would instead foster competition and enable the public to watch high quality programmes. As advertisers would place advertisements according to market situation, free TV stations would be able to break even. On the other hand, there were also views that the Government should limit the number of free TV licences. As there was no evidence indicating that the TV market had doubled its size, it would be inappropriate to issue two or more additional free TV licences. A step by step approach should be taken in granting new free TV licences.

(b) Dominant Market Position of TVB

- 13.13. The quality of TVB's programmes was deteriorating due to the lack of competition. It was not necessary for TVB to innovate as it could keep its audience no matter how poor the quality of its programmes was.
- 13.14. TVB adopted dominating commercial strategies and bullied potential competitors (for instance, refusing to lease its transmission stations to HKTV). TVB's dominance also impeded the development of the entertainment industries as good artistes failed to get the remuneration they deserved and non-TVB artistes had no chance to appear in television programmes. TVB boycotted other media, not allowing Apple Daily and Next Media to conduct interviews at TVB. It was conceited and overbearing; hindered press freedom and threatened the public's right to know.
- 13.15. With its dominance in the market, TVB had taken various unreasonable measures to manipulate the market, including unfair contracts with artistes, breaching the terms of spectrum use and so on. Even if its licence were to be renewed, more severe punishment with deterring effect should be imposed.
- 13.16. The "switch-off incident" of "TVB Anniversary 2013" showed that the dissatisfaction of the public and the media with TVB's monopoly had reached a tipping point.
- 13.17. TVB had set unreasonable contract terms and conditions for various music companies, leading to the end of their contractual relationship. As a result, singers of many music companies could not appear in TVB's programmes "Jade Solid Gold" and "JSD Awards". In particular, singers that won awards at "JSD Awards" were all from the same music company, "the Voice" or

those with management contracts with TVB. This was an unhealthy situation resulting from TVB's monopoly.

(c) Exclusive Broadcasting Rights

- 13.18. Some commented that the major media groups in Hong Kong nowadays all held both free and pay TV licences through their subsidiaries. As such, when bidding for broadcast rights for major international sports events (such as the Olympic Games, FIFA World Cup, Asian Games and so on), the same group would usually acquire the broadcast rights for both free and pay TV, and even the rights for new media (Internet, mobile phones and so on). Such a monopolistic ownership of broadcast rights for both free and pay TV for major international sports events would significantly affect and limit the choice of the public. To protect the choice of the public, it was suggested that a term should be included in the renewed licences to prohibit media groups from monopolising the broadcast rights of both free and pay TV for major international sports events.
- 13.19. It was suggested that the Broadcasting Ordinance should be amended to ensure that the broadcast rights of all major international sports events with the participation of athletes from Hong Kong and China (including the FIFA World Cup, Asian Games, Olympic Games and so on) should be open to all TV stations (both free and pay TV), and that no individual broadcaster could have exclusive broadcast rights for such events.
- 13.20. Cable TV acquired the exclusive broadcast rights for all media (including free and pay TV) for 2014 Incheon Asian Games so that the other TV stations could not broadcast the programmes concerned. This deprived Hong Kong people, especially low-income families, of the right to view the Asian Games. It was

suggested that TVB should acquire the free TV broadcast rights of Incheon Asian Games from Olympic Council of Asia or from Cable TV, so that Hong Kong people could witness the glorious moments of athletes from Hong Kong and China via the platform of free TV.

13.21. TVB acquired the broadcast rights for 2014 FIFA World Cup, but the promos were arrogant and aimed only to promote its pay Sports channel. It was hoped that TVB would sell the FIFA World Cup broadcast rights to other free TV stations so that the general public could have free access to such programmes.

13.22. Some pointed out that pay TV stations paid high costs to bid for matches and hence they were unwilling to share the broadcast rights with other free TV stations at a low price to comply with the requirements of international institutions. In order to cut losses, pay TV stations placed excessive indirect advertising. Some urged the Government or related organisations to purchase the broadcast rights of international sports events, such as the World Cup, the Olympics, etc., and fairly resell the broadcast rights to the TV stations. The Government could also request the TV stations to jointly bid for these events to avoid high bidding costs and vicious competition. This could also give viewers more choices to enjoy programmes of better quality.

(d) Artistes Contracts

13.23. TVB monopolised the service of artistes by imposing harsh contractual terms. This hindered the development of the TV industry. Terms should be included in the renewed licence to avoid monopoly.

13.24. TVB should allow its artistes to appear in the programmes of other TV stations and accept their interviews.

14. Overall Performance of the Two TV Stations

General Comments

14.1. Some supported the licence renewal and further operation of TVB and ATV. Reasons included:

- TVB and ATV made contributions to Hong Kong in the past, made investment reasonably and performed well, hence deserved to have their licences renewed.
- The two TV stations had produced many popular drama series in the past which were well received locally and abroad.
- TVB and ATV performed different roles and both of their licences should be renewed. TVB aired programmes appealing to mainstream audience whereas ATV catered for the niche. ATV was the favourite of senior citizens while TVB attracted many young viewers. Each served its own group of audience.
- The more competitors in the market, the more choices for viewers, and the public would be benefited.
- The licences of the two TV stations should be renewed as they had operated for many years and viewers were attached to them emotionally.

14.2. Some opposed to the licence renewal of the two TV stations as they kept violating the Broadcasting Ordinance, ignored warnings and financial penalties imposed by the CA, produced programmes of poor quality and exerted a bad influence on the society. Many members of the public had stopped watching the

programmes of the two TV stations for years. There were a substantial number of complaints against the two TV stations. The total number of complaints in 10 years exceeded 100,000, i.e. 10,000 cases on average each year. The large number of complaints showed that the two TV stations had failed to take CA's advice and suggestions seriously. The number of breaches of licensing requirements by the two TV stations was on the high side, so was the number of cases on which punishment was imposed. There were 13 cases of financial penalty and over 30 advisory notices were issued within 10 years, reflecting that the two TV stations failed to fulfil audience's expectations of free TV. The licences of the two TV stations should therefore not be renewed.

- 14.3. Some suggested that channel frequencies of the two TV stations should be taken back and allocated to other qualified operators.
- 14.4. There were opinions that the CA should withdraw the spectrum assigned to ATV and part of that assigned to TVB, and put them up for auction by institutions which were capable and sincere to operate free TV stations, or give the spectrum to HKTV to run free TV business.

Comments on ATV

- 14.5. Some supported the renewal of ATV's licence. Reasons included:
- ATV had a long history, and developed over the years with Hong Kong people. While it was currently in a critical situation, it had strong performance in the past and deserved an opportunity for it to rebound.

- Notwithstanding the financial problems, ATV strived to advance and worked hard to improve its programme quality.
- ATV's programmes were educational. It provided opportunities for viewers to watch their favourite old programmes. News and cultural programmes were of good quality and stayed tuned with the latest development of the society.
- ATV was the TV station that promoted positive values. Comments on its current affairs programmes were fair and its drama series and informational programmes were of good quality. ATV performed its role as Hong Kong's conscience, promoted justice, loved the country and its people, and advocated the traditional virtues of filial piety and benevolence. Its production was not purely based on commercial considerations and enabled viewers to receive correct values and messages.
- ATV's programmes (e.g. documentaries, interviews, talk shows and travelogues) targeted at niche audiences. Although these programmes had not attracted much audiences, they took care of the preference and needs of the niche.
- Some pointed out that according to a survey conducted among residents in Shatin, most people of middle age or above supported the licence renewal of ATV. The two TV stations could complement each other: TVB was focussed on entertainments, leisure and internationalisation; whereas ATV's strength was in education, general education, political talks and financial information, etc.

- ATV provided jobs for more than 600 employees. If its licence was not renewed, its employees would be unemployed, adding to the burden of the Government and the society.
- ATV had committed to investing HK \$2.7 billion in the coming six years in upgrading infrastructure and facilities, programme production and hiring of talents. It aimed to strengthen its competitiveness in traditional and new media, and also in such aspects as talents, mechanisms and creativity. This showed that the future of ATV was promising.
- Hong Kong was a free society. ATV should not be denied an opportunity to continue to operate because it had adopted a different editorial and programming strategy.

14.6. There were comments that opposed the licence renewal of ATV. Reasons included:

- Frequencies were public resources and ATV had occupied the resources for many years. While ATV had occasionally produced good programmes in the past, its performance was deteriorating in recent years. It kept airing the same programmes to such an extent that it was almost unbearable. In line with the usual rule of game in Hong Kong which emphasised commercial results, diligence and survival for the fittest, the non-renewal of ATV's licence would make room for newcomers who were interested in operating a TV station.
- ATV had been having the lower hand for a long time, and failed to show determination to improve its performance. It had become a broadcaster that kept showing the same

programmes and with audience ratings close to zero, which was a waste of the precious spectrum. As such, TVB had no incentives to make improvement. Members of the public were disappointed that having given ample opportunities to ATV to improve its performance over the years, ATV had done nothing other than producing some lousy programmes and repeating old programmes. Many mistakes were found in news and subtitles and commentary programmes were loaded with subjective views. All these made the audience angry. ATV's viewership was low but the station refused to recognise this, reflecting its lack of credibility.

- ATV offered few programme choices with no self-productions. It broadcast acquired programmes most of the time and kept re-running them. It was not sincere in running the business. The lack of local productions failed to foster the development of the Hong Kong TV industry and the creative industries. It did not have enough resources, failed to pay the wages to its staff on time and lost talents and thus could not produce good programmes. ATV failed to keep abreast of the times and only felt nostalgic about its good old days. It did not care about Hong Kong people's feelings and failed to meet their expectations.
- Both entertainment and informational programmes were of poor quality and biased, and failed to reflect the voice of the majority of Hong Kong people. Most of the programmes were low-budget productions. Its operation was not serious, and caused damage to Hong Kong's image as a world-class city.

- Some indicated that they had not watched ATV for many years. Its ratings had remained extremely low and even approximated zero in recent years, reflecting that ATV had no value at all. It was economically inefficient to spend so much space, manpower and material resources to serve such a small size of audience.
- Some opined that ATV's reputation had been sullied by its very poor performance. Despite ATV's commitment to make necessary improvements and increase its investments after licence renewal, nobody would watch its programmes and it was difficult to regain confidence.
- ATV's programmes targeted the Mainland audience and failed to cater to the taste of Hong Kong people.
- ATV had repeatedly and seriously contravened the regulations. There were no signs of improvement or reform despite the imposition of financial penalties.
- Management of ATV was chaotic and there were deep divisions among major shareholders. ATV did not take into account the interest of the viewers. In addition, ATV advertised for the Communist Party by broadcasting programmes which caused dislike of Hong Kong people. ATV did not pay regard to the core values of Hong Kong people, which was against the public interest.
- The lack of local productions on ATV hindered the opportunities, nurturing and development of TV production talents. This caused the local TV industry to shrivel.

14.7. Specific recommendations in relation to ATV's licence renewal application:

Renewing ATV's Licence with Additional Conditions

- ATV could only have its licence renewed for 10 years with a review every five years. Conditions to be imposed upon licence renewal - programmes should primarily target Hong Kong viewers; programme genres should be more diversified instead of broadcasting talk shows only, duration and frequency of repeat programmes should be reduced.
- Some proposed to grant licence renewal to ATV for three years, on the condition that its performance should be subject to regular reviews so as to give more pressure to the TV station to improve its performance. If ATV failed to make reasonable improvement by 2018, the Government could refuse to renew its licence. On the contrary, if ATV could improve its services by 2018, the public should not oppose the renewal of ATV's licence.
- It was recommended that the number of ATV's channels be reduced and the spectrum so vacated be allocated to incumbent and new operators. For instance, only ATV Home and ATV World should be retained, or withdrawing frequencies for ATV Classic and retransmitted channels.

Non-renewal of ATV's Licence

- Some suggested that ATV's licence should be withdrawn and put up for auction so as to promote competition. ATV's licence should be allocated to a more qualified company which had a genuine interest in the TV industry.

- To address the concern that non-renewal of ATV's licence would lead to staff retrenchment, new operators should be required under their licences to hire former staff of ATV as far as possible. Others suggested that ATV's staff and artistes could find work opportunities in some other related industries.
- Since ATV kept repeating programmes each day, it should be granted a pay TV licence instead as the audience who wanted to watch its programmes would not mind supporting ATV by paying subscription fees.

Comments on TVB

14.8. Some supported the renewal of TVB's licence. Reasons included:

- TVB had the highest viewing rate among all TV stations. Its programmes were diversified and viewed by many people, and its financial situation was stable. It being the best performing TV station, it was reasonable to have its licence renewed.
- Having regard to TVB's contribution to the society, its commitment to organising charitable activities and its broadcast of international sports events for the benefit of the public, its licence should be renewed.
- TVB was an important channel for advertising. If it failed to have its licence renewed, advertisers were likely to suffer significant losses.
- Some supported TVB's licence renewal as it had nurtured many quality artistes.

- 14.9. Most/all programmes carried by the HD channels of TVB after 7:30 p.m. were simulcast programmes, which was a waste of airwaves. There was the suggestion that one SD channel of TVB should be taken back.
- 14.10. Some were against TVB's licence renewal as TVB produced programmes of low quality and alleged to have operated unlicensed mobile TV service. It violated the anti-competition provisions, having abused its dominant position over the years, and repeatedly filed judicial reviews. Non-renewal of TVB's licence could put an end to its monopoly in the TV market.
- 14.11. There was suggestion that the following conditions should be imposed upon the licence renewal of TVB:
- Its operation must be closely monitored. More effective monitoring mechanism on programme quality as well as supervisory system should be established. During programme production, advice should be sought from professionals and sufficient information should be gathered so as to ensure credibility.
 - Validity period of TVB's renewed licence should be reduced to five years so that the public could have more opportunities to monitor its operation through consultation exercises conducted during licence renewal. There were also comments that validity period of the licence should be extended to a minimum of 30 years with a review in the fifteenth year, as longer licence period could enable the TV station to implement a long-term development plan and enable TVB to put in more effort in the TV industry.

- Some requested that TVB should devote more resources in producing better and more diversified programmes. TVB should increase the ratio of locally-produced programmes and allocate more time slots for RTHK programmes. It should submit a blueprint in this respect to set out its investment and production direction.
- TVB should improve the contractual terms of its artistes, allowing artistes to appear or speak in other media. TVB should specify working hours of artistes and abolish the unreasonable serial-based system. Should there be any anti-competition situation, TVB should be fined and have the term of its licence shortened.
- TVB should be required to manage its talk shows and entertainment programmes in the same way as its news reports. The station should be responsible for the comments made by the hosts (interviewees could be exempted) in order to avoid the station publicising its stance via its platform.
- Broadcast hours of acquired programmes and dramas on local channels should be restricted.
- Some requested TVB to allocate one channel other than TVB Pearl to broadcast programmes in other languages, such as Japanese, French, German, minority languages, etc., and surrender part of its spectrum to non-governmental organisations or academic institutions.

- To promote the development of local creative industries, part of the spectrum of TVB should be taken back for application by other operators.

15. **Other Broadcasting Issues**

General Comments

(a) Broadcasting Spectrum

- 15.1. It was suggested that the spectrum should be allocated by auction as it is a scarce public asset and should be properly utilised. It was unacceptable for the two existing TV stations to continue having access to the spectrum, without having to pay any utilisation fee on an exclusive basis.
- 15.2. When renewing the licences, the Government had to set a time frame for the two TV stations to gradually switch from analogue broadcasting to digital broadcasting, and implement the plan to assist low income households in installing decoder. Some commented that analogue broadcasting of TVB Pearl and ATV World should be terminated in the second quarter of 2014, while the remaining should be stopped in the fourth quarter. The spectrum should be allocated to other TV operators through auction. Others proposed that public consultation on the allocation of spare spectrum after the switching off of analogue broadcasting should be conducted in order to introduce new operators.
- 15.3. The two TV stations should not make use of spectrum for direct retransmission of other TV channels. They also should not resell or authorise others to use their spectrum.
- 15.4. Regarding the allocation of spectrum to the two free TV licence applicants that had been granted approval in principle as well as the incumbent free TV stations, some organisations put forward two proposals. First, all stations could broadcast its basic channels (namely the Chinese channel and the English channel)

through public airwaves, while additional channels have to be broadcast via other platforms. Second, after a fair allocation of spectrum to each TV station for the broadcast of their basic channels, interested operators could bid for the remaining spectrum. Moreover, free TV stations should pay a reasonable price for the use of spectrum. The CA could engage a consultant to work out proposals for consideration of the Government and the public.

(b) Programmes Supplied by the Government

- 15.5. There were suggestions that airtime for RTHK programmes on the Chinese channels should be reduced from three and a half hours to three hours.
- 15.6. With the gradual launch of RTHK TV channels, it was suggested that the requirement to broadcast RTHK programmes should be removed after the full launch of RTHK TV channels. Free TV stations should not be mandated to broadcast RTHK programmes. Instead, they could negotiate with Government bodies such as RTHK and the Information Services Department about the airing of programmes supplied by the Government as long as the airtime of such programmes did not exceed one fifth of the total airtime per day.
- 15.7. Some opined that the content of RTHK programmes was extreme and partial and called for cancelling the requirement to broadcast RTHK programmes. For example, in the programme “LegCo Review” featuring the investigation of HKU public opinion polls held by HKU scholar Dr Robert Chung Ting-yiu, only Chung and his supporters were interviewed. The presentation was not balanced.

(c) Language of Broadcast

- 15.8. There were suggestions that restrictions on free TV stations should be relaxed, so that the stations would no longer be required to provide a Chinese channel and an English channel. Instead, to increase flexibility for free TV stations to produce their programmes a condition could be introduced to require them to provide a certain hours of programmes with different languages, e.g. no less than half of the total number of hours per week should be allocated for the airing of Cantonese programmes, no less than one quarter for English programmes while the remaining time could be used for airing programmes in Putonghua, languages of the ethnic minorities and other languages.
- 15.9. Some suggested abolishing restrictions for broadcasting English programmes on TVB Pearl and ATV World, as there were already a large number of English-language channels (such as CNN and BBC). These channels should be changed to Cantonese channels instead.
- 15.10. English channels should be required to air English programmes only. There were also comments that at least 90% of the programmes on the English channels should use English as the main broadcasting language. And for non-English time slots, only pan-European languages, with English subtitles provided, could be used for broadcast.
- 15.11. After the switching-off of analogue broadcasting, regulations on the language of broadcast for new digital channels should be relaxed to air non-dubbed foreign language (non-Cantonese/Putonghua/English) programmes.

- 15.12. Some were discontented that ATV aired “Putonghua News” during the weekdays as many senior citizens were unable to comprehend the news content. News reports should use Cantonese as the main broadcasting language.

(d) Issues Related to Review of Licences

- 15.13. When making decision on the licence renewal, the authorities should consider the following factors:

- Spectrum is the public resource of Hong Kong people. Their expectation, opinions and choices should be taken into account when making the decision on the licence renewal.
- The authorities should consider the impact of the two free TV stations on the TV market, for example, whether they could promote a competitive landscape in the market.
- Due to the lack of competition in the free TV market, the quality of free TV productions had deteriorated. Hence, programme quality should be included as an assessment criterion for licence renewal exercise. To ensure the efficient use of public resources, if the performance of the two free TV stations was unsatisfactory, the licence renewal applications should be rejected so that the licences and spectrum could be made available for other potential broadcasters.
- The assessment criteria adopted and arguments presented by the Government when processing the free TV licence applications of HKTV, Fantastic Television Limited (“Fantastic TV”) and Hong Kong Television Entertainment Company Limited (“HKTVE”) should be equally applied

to the licence renewal applications of the two free TV stations.

- When assessing the licence renewal applications, complaints against the two TV stations in the past should be taken into consideration since they reflected public opinions. However there were also comments that complaints should not be considered.
- The renewal of licences should be processed by the CA independently, without taking into account any opinion surveys.
- The CA's assessment of the licence renewal applications should be based on factors such as programme quality, proportion of local production, how often programmes were repeated, revenue, viewership of the two TV stations, etc.
- Duration of licence should be shortened from 12 years to 10 years.
- The CA should disregard all complaints and sanctions linked to political campaign against ATV when it considered its licence renewal application. This could alleviate public concerns about whether the pan-democrats would be given favouritism.
- The authorities should consider whether the transmission network could be easily handed over to new operators if one or both TV stations could not get their licence(s) renewed, given that it involved technical and commercial issues.

- 15.14. The new licences should include a condition to allow the Government to issue more free TV programme service licences, and to give the Government the flexibility to open up the market, thus avoiding the risk of possible legal proceedings initiated by the two free TV stations.
- 15.15. Regular review should be conducted on free TV stations' scheduling of programmes, and whether marketing promotions were exaggerated, untrue and contrary to audience's expectations. A scoring system should be established for the next licence renewal exercise.
- 15.16. Some members of the public opined that the ownership of TV channels of each station should be reviewed once every two years with viewership being the assessment criterion. The operator of the channel with the lowest viewership should surrender the channel to the operator with the highest viewership.
- 15.17. The licences should be put up for auction and granted to the highest bidder. It should not be decided by the Government as it was incapable of choosing the right operator and its judgment was contrary to the principle of free market.
- 15.18. The new licences should include a condition to stipulate that each station had to self-produce dramas and let its transmitting stations to other free TV stations each year, and that the Government should be allowed to take back the spectrum for auction if free TV stations concerned had not self-produced any drama.
- 15.19. Government should stipulate the licence requirements before considering the licence renewal applications of the two existing TV stations. The two TV stations should then be required to

submit proposals and investment budgets in accordance with these requirements so as to assess whether they were capable of meeting the requirements of the new licences. The Government could then decide whether to renew their licences accordingly.

(e) Broadcasting Policy

- 15.20. With the rapid advancement of technology, mobile phones could also be used to watch TV. To safeguard public interest and promote the sustainable development of the Hong Kong broadcasting industry, the authorities should conduct a full-fledged review on the related regulations to ensure that they kept abreast of the times and were consistent with the legislative intent.
- 15.21. Free TV should not be regulated by a licensing system as it would be affected by political factors. Financial penalties or publication of apology advertisements should instead be used as the regulatory tool.
- 15.22. Non-locals should not be allowed to be the owner or the CEO of a free TV station.
- 15.23. The Government should maintain its stance of opening up the domestic free TV market. Any bodies that met the statutory requirements should be granted licences or allowed renewal of licences.
- 15.24. When compared to advertising revenues, the licence fee was rather low and this fuelled the wait-and-see attitude of free TV stations. It was recommended that spectrum utilising fees should be imposed to increase the cost of free TV stations.

- 15.25. As a regulator of the TV industry, the CA was duty-bound to actively monitor and drive reforms. It should ensure the efficient use of spectrum so as to maintain Hong Kong's position as Asia's World City. Competition should be introduced so that Hong Kong could regain the leading position in the TV industry in Asia.
- 15.26. When the licences of the two TV stations were due in 2015, analogue broadcasting should also be switched off so that such spectrum could be released for other uses.
- 15.27. The CA should review the Broadcasting Ordinance to provide for the grant of "community TV" licences so as to allow the operation of TV stations which were non-profit making, run on a small scale and catered for specific ethnicity or community. This could help promote freedom of speech, freedom of information, and the development of social and cultural diversity in Hong Kong.
- 15.28. New provisions should be introduced to protect TV practitioners, for example, establishing standard working hours for the industry, increasing the minimum compensation for medical and work injury, protecting rights to one's own image and copyrights, etc.
- 15.29. Some commented that the Government and the CA should conduct a review of the related legislation, policies, regulatory framework, existing allocation of spectrum, market conditions and current and future needs of the public, so as to provide a fair competition environment for the two new TV stations.
- 15.30. The two TV stations were subject to strict control of the Government at the moment. These regulations might be applicable to dominant free TV stations such as TVB, but not to

the new free TV stations and those stations in a disadvantaged position. The Government should relax the existing regulations and requirements to foster the development of the TV industry.

- 15.31. To cope with the rise of new media and the Internet, there was suggestion that the existing regulations should be evaluated.
- 15.32. Many had mentioned that the free TV stations should bear “social responsibility”. The CA should gather opinions from the public and free TV stations in order to reach a consensus on the matter.
- 15.33. In order to provide programmes which reflected the reality of society and improve freedom of information, more TV classifications should be introduced.
- 15.34. The Government should amend the current slipshod and outdated criteria and add new and more stringent criteria for issuing licences by making reference to the international practices. The Government should also encourage the applicants to produce various types of high quality programmes and monitor the programme types and quality based on quantitative and objective criteria as far as possible. Upon licence grant, the Government should continue to monitor free TV stations jointly with professionals and representatives of the public so as to ensure that they fulfilled their commitments made in the licence renewal applications. The Government should not allow any single media company or group to hold more than 50% of the free TV channels.

16. Other Comments and Suggestions

(a) Mobile TV

- 16.1. Mobile TV should be regulated under the Broadcasting Ordinance as it exerted the same influence as free TV. A channel should also be provided for the public to lodge their complaints.

(b) Fostering Competition and Development of the TV Industry

- 16.2. Given the impact of the Internet and technology, domestic free TV had become a sunset industry. Young people could browse quality overseas programmes or dramas for free via mobile phones or computers and there was a smaller TV audience. Another hit was the rise of TV stations in the Mainland, which had produced a large number of quality and heavily-invested programmes. If local TV broadcasters stuck to their old practices and refused to move forward, the local audience would rather watch programmes from the Mainland than local programmes. If the Government did not encourage and introduce more competition to the market and punish those routine followers, the creative industry of Hong Kong would no longer be competitive and fail to create job opportunities and nurture talents.
- 16.3. An environment which was conducive to competition should be created to foster the TV industry.
- 16.4. Some proposed that over 80% of the programme content (calculated by programme time) should be produced by local TV practitioners so as to nurture talents, increase competitiveness of the industry and reduce the negative impact

of acquiring programmes of non-local origin on the local industry.

(c) Regulatory Issues

- 16.5. The CA's sanctioning mechanism, which mainly relied on issuing advices and warnings, failed to achieve a deterrent effect. Breaches of regulation had continued to occur and the financial penalty imposed was not high enough. To allow for the imposition of heavier penalties, the CA could consider adopting a certain ratio of the turnover of the TV station as a fine. On the other hand, some considered that the fines imposed on the two TV stations by the CA were too heavy, which would affect the resources available for their programming.
- 16.6. There were views that no sanction should be imposed for certain personal view programmes of the two TV stations.
- 16.7. The CA should implement its own system to measure the ratings of the two TV stations and publish the ratings so as to strengthen the monitoring of their performance.
- 16.8. In addition to channels for the public to lodge complaints, the CA should also provide a channel for the public to express their opinions.
- 16.9. The CA should be dissolved given its imbalanced mechanism and maladministration. The Chairman should resign.
- 16.10. To avoid the issue of "premises receiving TV service", TV licences should not be divided into mobile TV licence and fixed TV licence.

- 16.11. Some members of the public strongly demanded the establishment of an independent statutory body to handle the issue of broadcasting licences and the related monitoring issues. The handling process must be transparent and open with detailed record on the decisions and the discussions. All information should be made available for public scrutiny so as to reflect the rule of law and the spirit of democracy. Some also suggested that the committee responsible for the issue of broadcasting licences should consist of members representing different voices in the community.
- 16.12. There was discontent over the current regulatory regime, which would only impose penalty on, but not give any compliment to, the two TV stations.
- 16.13. A large number of complaints against ATV's programme "ATV Focus" which were received within such a short time reflected that there were people abusing the complaint mechanism of the CA. The CA should therefore consider handling only those complaints which the complainants provided their real names.
- (d) Public Consultation Exercise by the CA
- 16.14. Licence renewal was an opportunity for members of the public to request for improvements in the programme quality. There should be proactive and positive communication instead of verbal attacks.
- 16.15. Publicity on the consultation was inadequate. The consultation period was too short and it should be extended to June.
- 16.16. The first public hearing held in Central was more of a political platform than a public hearing on licence renewal. The public hearing was under the influence of an "invisible hand", and

those who were fired by ATV took advantage of the occasion for personal revenge. It was a pity that no staff interfered with it.

- 16.17. The public hearings allowed political parties to vent their discontent, but there were not many comments on quality of television programmes. There should be three ballot boxes, one for the two TV stations' supporters, and one for their opponents. Tickets should be drawn from the two boxes by turns. After that, those with the neutral stance should be allowed to speak so as to ensure more impartial opinions and to prevent either party's domination.
- 16.18. Recycle bags or handbags of members of the public should not be checked at the public hearings. Such actions did not respect and offended the public.
- 16.19. The CA Chairman was biased in the public hearings. He was not competent at his job. He did not properly control the order of the public hearings.
- 16.20. Some were dissatisfied that the CA's public hearings for the licence renewal applications of the free TV licences had a full house very early.
- 16.21. The CA should verify the identities of those who had expressed their opinions to avoid "black-box" operation and fraud.
- 16.22. Apart from consulting the two TV stations and the public directly, the CA should take the initiative to consult the disabled, the minorities, youth, Hong Kong Performing Artistes Guild, Writer's Association and Hong Kong Journalists Association, etc. There were also comments that the CA should publish the methodology of surveys and the content of questionnaires.

- 16.23. The CA collected the public views on programme types and quality of the free TV stations in the past, but the public views contained in the report were too general. The CA should consider providing more information for reference.
- 16.24. Some members of the public were concerned about how the CA took samples for the public opinion survey on free TV services and doubted the fairness of the survey.

(e) Other Comments

- 16.25. It had been a practice for fund-raising programmes of free TV stations to support two or three charitable organisations. Other non-profit making charitable organisations did not receive the same support, which seemed unfair and unjust. Charity funds should be established to allow applications from all non-profit making organisations in Hong Kong.
- 16.26. The two TV stations should make use of some of their profits to discharge their corporate social responsibility, e.g. the profits should be used to encourage young people to join the industry and should be donated to charitable bodies.
- 16.27. The two TV stations should increase their promos.
- 16.28. The two TV stations should increase programmes with NICAM.
- 16.29. The two TV stations should make use of their digital channels to provide audio description services to the visually impaired.
- 16.30. The market surveys on the TV industry could be easily misleading and should be analysed carefully.

- 16.31. Free TV stations should indicate the programme types on their online programme schedule, such as arts and culture programmes, children's programmes, current affairs programmes and so on, to enable the public to identify the programmes in which they were interested.
- 16.32. Free TV stations should not reduce the broadcast of weather information without reasons.
- 16.33. Free TV stations should adjust their operation in response to the changes in technology and viewers' taste. They should put more effort in consulting the viewers, increasing the interactive elements of programmes and promoting the "community participation mode" by inviting members of the public to join the production of programmes.
- 16.34. Free TV stations should reform their management and the flow of production. To improve the quality of dramas and introduce new production techniques, they should employ people with language and literature writing skills to work as scriptwriters and proofreaders.
- 16.35. It was suggested that a six to nine-minute programme trailer of the day should be broadcast between 5:30 a.m. and 6:30 a.m. every day, and that a weekly programme guide of about 15 minutes should be broadcast every Sunday morning.
- 16.36. There were comments that the advertising formats and platforms offered by the two TV stations were not adequate. Although tvb.com of TVB was very popular, TVB did not provide a bundle of multimedia (TV and online) advertisement.

- 16.37. There were too few samples included in the current survey on TV viewers, making advertisers unable to seek the target audience accurately and effectively.

Comments on ATV

- 16.38. ATV often claimed that the audience ratings between ATV and TVB were in the ratio of four to six, which was unbelievable.
- 16.39. ATV's production of the programme "Cheers Hong Kong" was ironic as ATV only broadcast acquired programmes and did not produce its own drama series, which made its staff in the drama section unable to make a living.
- 16.40. Some were dissatisfied that ATV's management denied facts at the public hearings, and accused the public who made criticism of ATV staging a political attack.
- 16.41. No editing should be made to the programmes replayed on ATV Classic. They should be broadcast in their original style. Apart from screen repair, no modification should be made to the trailer and credits of the dramas. Online watching and replays should be arranged and the arrangement of programme replays should be announced in advance on the official website as well. Besides, the logo of ATV did not look good. It did not carry a sense of gentleness and should be improved. It was recommended that ATV should reduce the number of station promos.
- 16.42. Some were dissatisfied that ATV did not have artistes of its own.
- 16.43. ATV's low audience ratings were due to habitual ratings. It was a unique phenomenon in Hong Kong.

- 16.44. ATV's hosts looked very old. It was difficult for them to attract young viewers.
- 16.45. It was suggested that ATV or its relevant bodies like the "Asia Club" should proactively promote a younger image for ATV in schools, colleges, universities and youth centres, and should organise activities to enhance the public's understanding of ATV.

Comments on TVB

- 16.46. The incident of Mr Stephen Chan, the disputes between the four big music record companies and TVB, and TVB's presentation of awards to its inferior singers seriously undermined the credibility of TVB.
- 16.47. It was suggested that myTV should provide live broadcast of TVB Jade, TVB Pearl, government official interviews and breaking events such as Legislative Council meetings. The programmes should be available for viewing for one month.
- 16.48. Workshops and training courses should be provided to those working on and behind the stage; artistes who were unable to speak proper Cantonese should not be allowed to perform.
- 16.49. TVB should allow members of the public to comment on its programmes and performance of its artistes on Apps and forums so as to increase transparency and interactivity.
- 16.50. It was hoped that the practice that no award would be presented to singers who were absent from the Jade Solid Gold Awards Presentation would be abolished.

- 16.51. The effectiveness of TVB's "Audience Opinion Advisory Think Tank" was doubtful. The views were accepted but were ignored later.
- 16.52. The production costs of major charitable programmes should be reduced, while assistance should be given to smaller charitable organisations for programme productions.
- 16.53. Whenever TVB wanted to popularise a certain artiste, it would keep arranging the exposure of that artiste, which was annoying.
- 16.54. It was suggested that programmes on TVB Jade and TVB Pearl should display an information column throughout the day (including date, time and weather information) so that the audience would know the latest weather conditions.
- 16.55. Members of the public questioned whether there were any other artistes in TVB as they saw artiste Bob Lam seven days a week, from morning till night, being the host and appearing in drama series. Some considered that the voice of Lam was noisy and annoying, and hoped that TVB could make improvements.
- 16.56. It was satisfying that TVB arranged viewing of its broadcast programmes on the Internet to lend viewers convenience.
- 16.57. There were comments which appreciated TVB's increase of staff benefits in the past few years. The maximum time of shooting per day was 12 hours, so that the rest time of artistes could be increased, which would in turn improve the quality of its dramas. 80% of the script had to be ready before a drama series could start shooting. Apart from staff benefits, TVB had also purchased some latest shooting equipment which made its production even better.

- 16.58. Actors should be prevented from shooting another drama series within a short period of time after the completion of a drama series. The period of shooting and programme production should be extended to allow artistes time to rest.
- 16.59. There was dissatisfaction against the treatment to the staff in the dubbing section, as seven-day and overtime work was frequent. TVB had outsourced the dubbing procedures of acquired drama series, leading to a decline in the dubbing quality. More than 10 dubbing talents left due to dissatisfaction with overtime work, but there was no response and improvement from TVB and it simply continued to launch training courses for dubbing talents. Some were dissatisfied that the drama series were dubbed by TVB's dubbing section at the beginning, but for the new series, the episodes were dubbed by outside parties.
- 16.60. Management contracts should be cancelled except for new artistes; all the contracts should be changed to serial-based contracts.
- 16.61. About 20 young artistes should be trained every year.
- 16.62. There was discontent that Helen Tam was posted out of a children's programme.
- 16.63. There was discontent that most of the participants who joined the beauty contests organised by TVB and ATV came from the Mainland and foreign countries. They could not represent Hong Kong.
- 16.64. Some members of the public opined that award presentation ceremonies held by TVB were so commercial that they could not reflect the taste of the viewers.

- 16.65. There was discontent that Miss Hong Kong Pageant winners who appeared in sports programmes and charitable fund-raising shows performed poorly.
- 16.66. There were excessive creative elements and humanised descriptions in the Chinese subtitles of TVB's documentaries. The subtitles did not tally with the original voice-overs. The presentation was not professional.

Report on the Public Consultation
Exercise for the Renewal of
the Domestic Free Television
Programme Service Licences
Asia Television Limited
Television Broadcasts Limited



**Report on the
Public Consultation Exercise
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Domestic Free Television Programme
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**Asia Television Limited
Television Broadcasts Limited**

**Communications Authority
May 2015**

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Chapter 1 Introduction

Applications for Renewal of Licences

The existing domestic free television programme (“free TV”) service licences of Asia Television Limited (“ATV”) and Television Broadcasts Limited (“TVB”), with a validity period of 12 years, run from 1 December 2003 to 30 November 2015. ATV and TVB submitted applications to the Communications Authority (“CA”) for renewal of their free TV licences on 29 and 19 November 2013 respectively (hereinafter referred to as the “licence renewal applications”). In accordance with the Broadcasting Ordinance (Cap. 562) (“BO”) and the established practices for processing the licence renewal applications, the CA conducted a comprehensive assessment of the performance of ATV and TVB since December 2003 and made recommendations to the Chief Executive in Council (“CE in C”) on the applications on 4 November 2014.

Public Consultation Exercise

2. Free TV service is the most pervasive medium in Hong Kong and is a very significant source of free entertainment, education and information for the general public. The CA therefore attaches great importance to public views on the performance of the licensees. In line with past practices, the CA conducted a two-month public consultation exercise between 4 February 2014 and 3 April 2014 to gauge public views on the services provided by ATV and TVB through various channels. The CA has given careful consideration to the public views collected and assessed the performance of ATV and TVB against the various statutory requirements as well as requirements under licence conditions and codes of practice and the investment commitments of the two licensees in making recommendations to the CE in C.

Full Report on the Public Consultation Exercise

3. This report sets out the views collected in the public consultation exercise and explains the methodology used to consolidate views.

4. We would like to thank ATV and TVB for their participation, and all the individuals, groups and organisations who have expressed their views in the public consultation exercise. The written submissions have been uploaded onto the CA website (<http://www.coms-auth.hk>) for public information. If you have any enquiries about the consultation exercise and this report, please contact us through the following channels –

<i>Post</i>	Office of the Communications Authority 20/F, Wu Chung House 213 Queen's Road East Wan Chai, Hong Kong
<i>Fax</i>	(852) 2507 2219
<i>Email</i>	webmaster@ofca.gov.hk
<i>Website</i>	http://www.coms-auth.hk

Communications Authority
May 2015

Chapter 2 The Public Consultation Exercise

Mechanism of Collecting Public Opinions

The public consultation exercise was conducted during the period from 4 February 2014 to 3 April 2014. The consultation was widely publicised through different means, including the broadcast/publication of announcements on television and radio and at the websites of the CA and those of the licensees, as well as at other websites and in newspapers. To facilitate the public to give their views on different areas of the performance of the two licensees, the CA issued an information booklet summarising the licensees' services, complaints records, the licensees' investment plans and the current regulatory requirements for free TV licences. Such information was also uploaded onto the CA's website for reference of the public.

2. The CA collected public views through the following channels –

(a) Opinion Survey

The CA commissioned an independent survey company to conduct a territory-wide opinion survey from 30 November 2013 to 28 May 2014 to collect public views on the licensees' services. Public views were collected by face-to-face interviews with 3,063 households¹ using a random sampling methodology, based largely on the demographic profiles supplied by the Census and Statistics Department ("C&SD");

(b) Public Hearings

the CA conducted three public hearing sessions in Hong Kong Island, Kowloon and New Territories respectively. A total of

¹ A small quantity of the target respondents encountered difficulties in receiving face-to-face interviews during the fieldwork period and therefore telephone interviews were conducted.

789 members of the public attended the hearings and 74 of them spoke at the hearings;

(c) Group Discussions

the CA engaged members of different sectors and organisations to participate in four group discussions, including legislators, academics, television production veterans, representatives of the arts and culture sector, parent-teacher associations, non-government organisations and members of the Television and Radio Consultative Group (“TRCG”)²; and

(d) Written Submissions

members of the public were invited to send in their views via mail, fax or email. A total of 7,080 written submissions were received from different organisations and individuals.

In addition, representatives of the CA attended two meetings of the Legislative Council Information Technology and Broadcasting Panel (“ITB Panel”) to listen to the views of the public deputations on 10 and 15 March 2014 respectively.

Statistics of the Public Consultation

Public Hearings and Group Discussions

3. The CA conducted three public hearings and four group discussions during the public consultation exercise and met with over 800 people, as follows –

² The TRCG is a territory-wide consultative scheme to gauge public opinions on television and radio broadcasting standards. Members join the scheme on a voluntary basis. The TRCG currently comprises about 540 members, recruited based largely on the population characteristics of the 18 districts supplied by C&SD.

(a) Three Public Hearings

Date	Number of Attendees
17 February 2014	276
7 March 2014	282
10 March 2014	231
Total:	789

Summaries of the three public hearings are at **Appendix II**.

(b) Four Group Discussions

Date	Target Group	Number of Attendees
24 February 2014	Arts and Culture Sectors and TV Production Veterans	6
6 March 2014	Academics and Legislators	6
18 March 2014	TRCG, Parent-Teacher Associations and Non-government Organisations	16
25 March 2014	TRCG and Non-government Organisations	18
	Total:	46

Summaries of the four group discussions are at **Appendix III**.

Written Submissions

4. A total of 7,080 written submissions from individuals and organisations were received (including 374 submissions which were submitted after the consultation period). Statistics on types and modes of written submissions are as follows –

		Number of Submissions	
		Total number of Submissions	Repeated Submissions
Types of Written Submissions	Organisations	45	0
	Groups	10	0
	Individuals	7,025	192
Total:		7,080	192

		Number of Submissions	
		Total number of Submissions	Repeated Submissions
Modes of Written Submissions	By email	6,015	174
	By post or fax	925	18
	Voice messages recorded by relevant departments	67	0
	By hand	73	0
Total:		7,080	192

5. After consolidating 7,080 written submissions³, the CA found that –

³ The 7,080 written submissions include written submissions received at the Legislative Council ITB Panel meetings on 10 and 15 March 2014.

- (a) identical written submissions were submitted by 192 individuals. After discounting these repeated written submissions, a total of 6,888 written submissions were received;
- (b) a substantial number of written submissions in template formats with identical or similar content were submitted by different individuals. Among the written submissions received, we identified 22 different templates and 2,518 written submissions adopting these template formats;
- (c) most written submissions were submitted with names of members of the public concerned, and there were 67 anonymous written submissions; and
- (d) there were 55 written submissions made in the names of organisations/groups. Among these submissions,
 - (i) an organisation submitted 1,036 questionnaires and a submission which comprised online petition of 378 respondents;
 - (ii) a group submitted 660 questionnaires;
 - (iii) an organisation's submission comprised 1,042 questionnaires and 239 letters carrying a total of 1,518 signatures;
 - (iv) a group submitted a written submission with online signatures of 721 respondents collected on its website;
 - (v) a group submitted a letter with signatures of 8,183 respondents collected on its website; and
 - (vi) a group submitted a letter carrying 28 signatures.

Since these submissions were submitted in the names of the organisations/groups concerned, in line with established practices, they were treated as a single submission from each of the organisation/group concerned.

6. The written submissions (except those marked confidential) have been uploaded onto the CA's website.

Opinion Survey

7. The CA commissioned an independent survey company to conduct an opinion survey to gauge public views on the services of ATV and TVB. A total of 3,063 members of the public were successfully interviewed and the overall response rate was 59.8%. The executive summary of the opinion survey is at **Appendix I**.

8. The CA Secretariat also consolidated and summarised about 30 noteworthy editorials and named (or in pseudonym) commentaries published in newspapers.

Chapter 3 Reporting Principles

The reporting principles are as follows –

(a) To record public views in an objective, comprehensive and systematic manner

The CA commissioned an independent survey company to conduct an opinion survey to gauge public views on the services of ATV and TVB. The CA also encouraged the public to freely express their views on the licensees' services at the public hearings and group discussions, and through written submissions. The views received by the CA were highly diversified in terms of format and content. The CA has given careful consideration to all views collected and consolidated them in an objective, comprehensive and systematic manner.

(b) To accord equal weight to all views received

During the public consultation exercise, the CA conducted three public hearings and four group discussions, and received written submissions. The CA did not attempt to analyse such views collected in a quantitative manner mainly because the views collected from the public hearings, group discussions, and written submissions were quite diverse in terms of format and content. It would be difficult to treat the views collected in a standardised way and to quantify them. In addition, the CA accords equal weight to views expressed by both the minority and the majority. Therefore, the report places emphasis on reflecting opinions received in a comprehensive manner.

(c) **To keep the identity of opinion providers confidential**

This report respects the source of each and every opinion. The names and contact information of opinion providers are kept confidential for privacy reasons.

2. To facilitate easy reading, the public views are categorised as follows –

- (a) views which were received from the opinion survey conducted by the independent survey company commissioned by the CA. The survey company has analysed the fieldwork data collected and compiled the major findings (as reflected in Part 1 of Chapter 4 of this report);
- (b) views which were submitted to the CA during the public consultation exercise (as reflected in Part 2 of Chapter 4 of this report). These include:
 - (i) views expressed at the public hearings and group discussions; and
 - (ii) written submissions from various organisations and individuals.

These views were carefully considered and consolidated into 16 categories as set out in **Table 1**; and

- (c) views which were not submitted to the CA but were presented in editorials and commentaries in newspaper which were considered to be of reference value (as reflected in Part 3 of Chapter 4 of this report).

3. Views collected from the above channels may at times be repetitive. The CA has consolidated similar views to facilitate the easy reference of the public.

(Table 1) Framework of Part 2 of Chapter 4 of this report

1. Programme Diversity
2. Positive Programme Requirements
3. Editorial Freedom and Independence of News Reports
4. Accuracy, Impartiality and Fairness
5. Programme Standards
6. Programme Quality
7. Programme Scheduling
8. Subtitling/Sign Language
9. Advertising
10. Technical Issues
11. Investment and Financial Capability of the Two TV Stations
12. Management and Operation of the Two TV Stations
13. Competition in the Free TV Market
14. Overall Performance of the Two TV Stations
15. Other Broadcasting Issues
16. Other Comments and Suggestions

Chapter 4 The Public Views Collected

Part 1: Quantitative Analysis of Data of the Public Opinion Survey

1. Objectives, Scope and Research Method
 - 1.1. Following the established practice, the CA commissioned an independent survey company to conduct a territory-wide opinion survey to collect public views on free TV services in Hong Kong, including standard, quality and diversity of programmes.
 - 1.2. After consulting the C&SD, public views were collected by interviews with members of households using a random sampling methodology. The fieldwork was conducted by the survey company between 30 November 2013 and 28 May 2014. A total of 3,063 respondents aged 15 or above were successfully interviewed, achieving an overall response rate of 59.8%. Where appropriate and applicable, the findings of the opinion survey are compared with those of similar surveys conducted in 2007 and 2009.
 - 1.3. The executive summary of the opinion survey is at **Appendix I**.

2. Major Survey Findings

Major findings of the survey are summarised below.

2.1. Viewing Habits of Free TV Programme Services

- Viewers normally watched free TV from 6:00 p.m. to 11:59 p.m.. The average time spent on watching free TV per day was 2.7 hours, as compared to 3.2 hours in 2009 and 3 hours in 2007.
- TVB Jade (40.2%) continued to be the most often watched free television channel, followed by TVB HD Jade (32.4%), TVB iNews (13.3%), TVB J2 (6%), ATV Home (3.4%) and TVB Pearl (2.2%)

2.2. Purpose of Watching Free TV

- Viewers watched free TV mainly for obtaining information such as news, weather, financial and traffic reports (59.3%) and seeking entertainment (47.6%).

2.3. Programme Quality

- 48.1% of viewers considered that the level of programme quality of ATV was dissatisfactory, while 22.6% expressed satisfaction with the subject matter. 15.5% found it average and 13.9% had no comment.

- 59.1% of viewers were satisfied with the level of programme quality of TVB, whereas 16.9% was dissatisfied with the subject matter. 21.3% found it average and 2.8% had no comment.

2.4. Programme Variety

- 54.8% of viewers considered the level of programme variety of free TV services satisfactory and 18.5% found it average.
- 22.3% of viewers expressed dissatisfaction on the programme variety of free TV services. 4.4% had no comment.
- Viewers considered the following types of programmes of free TV services insufficient –
 - (a) science, nature and wildlife programmes (28.3%);
 - (b) documentaries (24.7%);
 - (c) education programmes (20.9%);
 - (d) travelogues/ magazine programmes/ talk shows/ food programmes (19.3%);
 - (e) films (18.6%);
 - (f) sports programmes (15.8%);
 - (g) arts and culture programmes (15.8%);
 - (h) dramas (14.2%);

- (i) music programmes (13.3%); and
- (j) current affairs programmes (10.5%).

2.5. HDTV Programmes

- 35% viewers considered the HDTV programmes provided by ATV insufficient in quantity. 19% found it sufficient. 46% had no comment.
- 66.7% viewers considered the HDTV programmes provided by TVB sufficient. 10.4% found it insufficient. 22.9% had no comment.

2.6. Local Productions

- 65% of viewers considered the quantity of local TV productions of ATV insufficient, while 13.6% considered it sufficient. 6.7% found it average and 14.7% had no comment.
- 72.8% of viewers considered the quantity of local productions of TVB sufficient, while 9.1% considered it insufficient. 13.2% found it average and 4.9% had no comment.

2.7. Repeat Programmes

- 51.2% of viewers were dissatisfied with the broadcasting arrangement of repeat programmes of ATV, while 19.1%

expressed satisfaction. 9.7% found it average and 20% had no comment.

- 64.4% of viewers considered the broadcasting arrangement of repeat programmes of TVB satisfactory, while 6.0% expressed dissatisfaction. 18.4% found it average and 11.2% had no comment.

2.8. Family Viewing Hours

- 81.4% of viewers considered the current practice of family viewing hours (i.e. designated from 4:00 p.m. to 8:30 p.m.) appropriate. 7.1% and 2.8% opined that the designated hours should be extended or shortened respectively.

2.9. Current Broadcast Standard

- 70.6% of viewers had not come across offensive programme materials on free TV services, whereas 29.4% had encountered offensive programme materials on free TV services. The key concerns were related to “indecent materials”, “misleading contents” and “partial views, biased contents”.
- 90.3% of viewers had not encountered offensive advertising materials on free TV services whereas 9.7% had encountered offensive advertising materials on free TV services. The key concerns were related to “misleading contents”, “disgusting scenes/horror shots” and “materials with bad examples to children”.

2.10. Advertising

- 65.6% of viewers considered the quantity of advertisements broadcast on free TV during prime time (i.e. 7:00 pm to 11:00 pm) appropriate, while 30% considered the quantity either too many or a bit too many. 3.4% had no comment.

2.11. Language and Subtitling Requirements

- 93.5% of viewers considered that the existing language requirement (i.e. “ATV and TVB are required to provide one English channel and one Cantonese channel”) appropriate. Only 2.2% disagreed with the requirement and 4.3% had no comment.
- More than 87% considered the current subtitling requirements on the Cantonese and English channels appropriate, while around 3% of viewers disagreed with the existing requirements. The remaining had no comment.

2.12. Positive Programme Requirements⁴

- 49.9% opined that it was necessary to extend the current requirement on positive programming to channels other than Cantonese and English channels, while 37.5% did not

⁴ The positive programme requirements comprise a minimum amount of news and weather reports, current affairs programmes, programmes for children, young people and senior citizens, documentaries, arts and culture programmes, etc. to be broadcast on the designated language channel.

support the extension. 12.6% had no comment.

2.13. Overall Satisfaction

- 44.9% of viewers were dissatisfied with the free TV services of ATV⁵, whereas 27.9% considered it satisfactory. 15.4% found it average and 11.8% had no comment. Among those who expressed dissatisfaction with the free TV services of ATV, the reasons were as follows –
 - (a) reasons related to repeat programmes (42.2%);
 - (b) reasons related to programme contents (35.3%);
 - (c) there is a lack of local production (34.8%);
 - (d) programmes are not diversified enough (21.6%); and
 - (e) reasons related to quality of programmes (17.2%).

- 70.9% of viewers considered the free TV services of TVB satisfactory, whereas 9.4% considered it unsatisfactory. 17% found it average and 2.7% had no comment. Among those who expressed dissatisfaction with the free TV services of TVB, the reasons were as follows –
 - (a) reasons related to programme contents (65.9%);
 - (b) reasons related to quality of programmes (35.6%); and

⁵ A dissatisfaction level as high as over 40% is abnormal. From past observations, consumer survey would generally show a level of customer dissatisfaction with services or products ranging from 5% to 15%.

(c) programmes are not diversified enough (15.9%).

Part 2: Comments Collected from Public Hearings and Group Discussions and Written Submissions from Individuals and Organisations

1. Programme Diversity

General Comments

(a) Programme Types

- 1.1. Free television (“TV”) stations should broadcast a greater variety of programmes of different genres, including entertainment programmes, news, variety shows, etc. in order to broaden the choices of viewers. The same type of programmes should not account for an overly high proportion on the same channel. For example, there were too many talk shows, dramas, Korean programmes and entertainment news.
- 1.2. The television programmes provided by the two TV stations were similar. The two TV stations often broadcast the same type of programmes at the same time slot (e.g. most of the channels of the two TV stations broadcast financial programmes in the morning), which limited the choices of viewers. The regulator should step up the regulation by, say, imposing terms and conditions in the renewed licences that a TV station should have regard to the programmes provided by the other TV stations in drawing up its programming strategy so as to reduce the broadcasts of the same type of programmes at the same time. The two TV stations should cut the proportion of personal view programmes.

- 1.3. The English channels of the two TV stations were predominated by financial programmes, which was not expected of the line-up of an English channel. The two TV stations should provide more variety of movies as there were too many sci-fi, horror and violent movies. Radio Television Hong Kong ("RTHK")'s "The Pulse", TVB's "The Pearl Report" and ATV's "Newsline" were appealing.
- 1.4. There were too many acquired programmes and not enough local or self-produced programmes. The two TV stations should be required to provide a minimum amount of self-produced programmes in respect of specified genres, e.g. not less than ten hours of drama programmes and two hours of current affairs and financial programmes per month. In addition, new requirements should be imposed on the two TV stations to broadcast, say, not less than two hours daily of local productions (excluding repeats) during the prime time. Repeat programmes should not be counted as local productions.
- 1.5. Programme genres that should be increased included —
- Programmes for young persons: programmes with healthy and positive themes which contributed to the development of youth, drama that were based on stories of kinship and love of young persons.
 - Programmes for senior citizens: TV was a main source of entertainment for the elderly. The two TV stations should continue to broadcast Putonghua and Cantonese classic movies and in particular, allocate two hours daily to these nostalgic movies at night.

- Music programmes: local and foreign music programmes; programmes on classical music, Chinese music, etc.
- Sports programmes: the sports programmes of the two TV stations focussed primarily on soccer and basketball. They should also cover other sports such as tennis Grand Slams, NBA Finals and World Cup matches following the Round of 16, etc. The two TV stations should launch a sports channel featuring sports events around the world if they had the financial capability to do so.
- Informational programmes: programmes on Chinese history, Asian history, European history and world history; culture programmes such as music videos featuring music in China, Taiwan and overseas; geomagazine-type programmes featuring landscapes, heritage, religion, wild animals of China as well as other countries and programmes on foreign affairs; etc.
- Talk shows: programme hosts should have sufficient experience for engaging guest artistes in small talks and improve viewers' understanding of the artistes concerned.
- Others: HD programmes; science studies, social programmes and travelogues; locally-produced dramas and animations; comedies; educational programmes; interschool quiz programmes; programmes for learning a foreign language; Chinese, Japanese and Taiwanese programmes and dramas; game-variety shows; programmes on specified topics such as environmental protection, national education, safety issues, opposition to superstition, triad and gambling; programmes on university

lectures; programmes on government departments' operation and services.

(b) Independent Productions

- 1.6. The two TV stations should broadcast, say, one hour daily of programmes produced by independent production houses to help improve the overall diversity of programming.
- 1.7. Although the CA's guideline stipulated the programming hours of locally-produced programmes, there were no specific requirements on whether such programmes must be self-produced or acquired from other companies. There were suggestions that the CA should prescribe the proportion of self-productions and independent productions respectively. This would help nurture local talents and foster the development of production companies.
- 1.8. The CA should encourage free TV stations to acquire more programmes from local production companies or independent producers. This would foster the development of and competition in the creative sector in order to provide more choices of programmes to viewers and enhance programme quality.

(c) Programmes for Ethnic Minority Groups or Minority Audience

- 1.9. The two TV stations should provide more programme genres as follows —
- Programmes targeting ethnic minorities: retransmission of Pakistan news channels, sports channels featuring cricket matches (e.g. the Cricket World Cup in Bangladesh) and

commentaries of the Hong Kong Cricket Association on the game. There were suggestions to broadcast a number of hours per week of programmes for ethnic minorities.

- Programmes for the disabled/hearing impaired: more informational programmes should be produced to reflect the cultural views and cater for special needs of the hearing impaired. In addition, more programmes for the disabled, either hosted or performed by the disabled as far as possible, should be provided. These programmes helped promote integration of disabled persons into the community.

Comments on ATV

1.10. Favourable comments on ATV included —

- ATV's programmes were diversified. There were talk shows, current affairs programmes, programmes on health information, programmes on history and culture, etc. (e.g. "Memories of the Century", "News Bar Talk", "Newslines" and "Hong Kong History Decode").
- Some opined that ATV was willing to accept public views and make improvement in programming. For example, ATV produced "Babies Growth Diary" and planned to launch new drama programme "Reincarnated" and programme on Wing Chun coaching in order to bring something new to viewers.
- ATV's CCTV-1 not only enhanced Hong Kong people's understanding of China but also served as a platform for diversified programming.

1.11. Opinions expressing dissatisfaction with the programme variety of ATV included —

- There was a lack of self-produced programmes. ATV produced less than 200 hours of programmes each year and ceased producing dramas. More self-productions, especially dramas, should be broadcast in different time slots to reduce the vicious cycle of frequent repeats of programmes.
- New productions of ATV were unappealing. Apart from news programmes, other programmes were not worth viewing.
- ATV Classic broadcast old productions in substitution for new productions. There was a lack of sincerity and creativity and the TV station could not give new ideas and concepts to audiences in Hong Kong.
- It was not factually correct for ATV to claim that ATV had fulfilled its commitment to increase the amount of locally-produced programmes because the latter consisted mainly of repeat programmes. As there was no general requirement for the locally-produced programmes to be fulfilled by first-runs, the unscrupulous use of repeat programmes by ATV was permissible.
- Based on the programme schedule of 10 February 2014 at ATV's website, ATV Home featured more than 30 programmes and a substantial amount of them were acquired or repeat programmes. Other than routine programmes (e.g. news, weather reports, financial

programmes, etc.), the remaining 20 programmes (including repeats) were boring and silly.

- There were too many talk shows and current/ public affairs programmes (e.g. “News Bar Talk”, “Views on Hong Kong”, “Blog the World” and “Hong Kong 100 VIPs”, etc.), particularly at prime time slots. Some commented that the proliferation of talk shows was primarily intended for cost cutting.
- ATV continued to broadcast and repeat the broadcast of a substantial amount of acquired programmes, which were of varying qualities. As acquired overseas dramas could be available for viewing on the Internet, the frequent re-runs of so many programmes was a waste of resources. However, there were also opinions that the broadcasting arrangement could facilitate viewers to watch Korean and Mainland dramas for free.
- The programming of ATV consisted mainly of variety shows, foreign productions (e.g. Korean and Mainland dramas) and old programmes at prime time slots. It failed to meet the needs and expectation of viewers in Hong Kong.
- There was a lack of music programmes, local dramas and sports programmes. ATV had not acquired the live broadcast rights of major sports events for Hong Kong people.
- There were insufficient information and educational programmes and documentaries. Those broadcast by ATV

were largely programmes acquired from the Mainland and outdated programmes.

- ATV broadcast too many horse racing programmes.

1.12. Programme genres that should be provided by ATV —

- Programmes enhancing the audiences' understanding of the developments of the Mainland as well as youngsters' knowledge of the Mainland and the Basic Law; programmes on history and national education; programmes featuring the developments of the Mainland and Taiwan.
- Programmes promoting youth entrepreneurship and featuring youngsters who successfully started their own business, as well as programmes on the daily lives of exchange students from the Mainland and overseas.
- Programmes on Cantonese operas to cater for the needs of the senior citizens and opera fans.
- Dramas and variety shows acquired from the Mainland, Taiwan, Korea and Japan to improve the overall quality of ATV programmes. Movies acquired locally, from the Mainland or overseas.
- Travelogues that were co-produced with travel agencies.
- Soccer matches that were jointly broadcast with now TV.
- Programmes that offered practical information (e.g. programmes on learning and domestic skills); programmes on world technology and health care.

- A greater variety of programmes, e.g. reality shows, documentaries, entertainment, current politics, current affairs, and programmes for youth and the elderly.
- Adult programmes and movies should be broadcast daily between 12:00 midnight and 6:00 a.m., whereas infotainment programmes should be scheduled for broadcast at the remaining time slots.
- Programmes that catered for the modern taste and lifestyle of viewers. ATV should employ new artistes, produce more innovative programmes or re-make old programmes. There was a lack of game shows or variety shows which enhanced the audience's sense of engagement.
- Music programmes featuring a new generation of band sound music.
- Programmes on local and international non-governmental organisations.

1.13. ATV should introduce —

- A round-the-clock news channel: duration of news bulletins on such channel should be at least one hour.
- A “gambling entertainment” channel: programmes providing all the relevant information on horse racing and soccer betting organised by the Hong Kong Jockey Club.

Comments on TVB

1.14. Favourable comments on TVB included —

- TVB's programmes were diversified and had catered for the needs of viewers of different ages. Dramas were full of variety, e.g. romance, cops-and-robbers, family relationship, comedy, etc. and were well received by viewers. There were also news and current affairs programmes (e.g. "Tuesday Report" and "News Magazine") and financial programmes (e.g. "Money Smart"). Variety shows featured content of great diversity (e.g. music and elements targeting children, women, the elderly, etc.).
- Programmes on TVB Pearl and TVB J2 were enriching and diversified. There was a balanced mix of programmes from Hong Kong, Japan, Korea and Taiwan on TVB J2. TVB should broadcast more new dramas, animations and variety shows.
- TVB's acquisition of the live broadcast rights of international major sports events (e.g. Olympic Winter Games and FIFA World Cup in the previous year) was satisfactory.

1.15. Opinions expressing dissatisfaction with TVB included —

- There were too many drama series. The dramas of TVB mainly catered for the needs of housewives and failed to satisfy those of young and adult viewers. The acquired dramas were formulaic, especially those acquired from Japan and Korea.

- Variety shows were predominated by cookery and gourmet programmes and lacked variety. Gourmet programmes were considered excessive on weekend nights and references to some renowned shops were repetitive. There were also opinions that these programmes encouraged a luxurious lifestyle and were out of touch with the reality.
- Apart from dramas, there was a lack of other choices during the family viewing hours. There were suggestions that the production of drama series should be reduced while more local and innovative programmes should be broadcast. TVB should at least reduce the production of drama series to 320 hours per year with only two drama series broadcast on weekdays. Drama series that were broadcast during weekdays at prime time slots should be reduced to make way for broadcasting at least one hour of drama acquired from other countries.
- There were insufficient music programmes for singers to promote music. This was not conducive to promoting local music.
- There was a lack of sports programmes. Programmes of the Olympic Winter Games 2014, for example, were broadcast between 4 p.m. and 7 p.m. or at 12 midnight. There was no live coverage of the events and other sports programmes.
- There was a lack of current affairs programmes. Viewers should be invited to participate in such programmes. TVB should also increase the broadcast of political programmes dealing with contentious issues of public importance.

- There was a lack of programmes about the Mainland broadcast on the anniversary of the establishment of the HKSAR and the national day, depriving the public of the chance to get to know the country.

1.16. Programme genres that should be provided by TVB included —

- Game shows; documentaries (especially those concerning this planet, environmental protection, science and challenges to old established concepts); programmes on supernatural power; reality shows; animations; TV movies; games; micro films; educational programmes; cookery programmes; science fiction films; martial arts films; programmes on specific topics such as arts and culture; history; health; beautiful landscape around the world; the arts, culture, and customs of the Mainland; programmes for youth, adults, the elderly, women and ethnic minorities; situation dramas that reflected reality and promoted the mutual understanding between Hong Kong and the Mainland.
- Self-produced, informational and educational programmes, e.g. programmes on how to teach children and youths aged between three and sixteen, English learning programmes; programmes promoting social morality (e.g. “Below the Lion Rock”).
- Acquired programmes, e.g. Korean variety shows and music programmes.
- Sports programmes, e.g. FIFA World Cup and other major international sports events.

- Current affairs programmes and programmes for members of the public to know more about the operation of the Government and the officials.
- Programmes about the Mainland that aim to enhance the knowledge of young people about the Mainland and improve their competitiveness.

1.17. TVB should increase the choices of channels by launching thematic channels on drama, children's programmes, weather and traffic.

2. Positive Programme Requirements

General Comments

- 2.1. The arts and culture programmes, and programmes for children and senior citizens of the two TV stations were insufficient. The CA should introduce a new provision requiring the two TV stations to broadcast not less than 20 hours per week of arts and culture programmes, programmes for children and senior citizens in Chinese, Putonghua and English respectively.

(a) Comments on Arts and Culture Programmes

- 2.2. The two TV stations should increase the broadcast of arts and culture programmes in order to encourage viewers to appreciate arts and culture.
- 2.3. The two TV stations should broadcast history and/or culture programmes on the Chinese channels for not less than five hours per week. These programmes should not be mixed with entertainment elements, and not be packaged in an impish way.
- 2.4. Arts and culture programmes should be broadcast at the late hours to cater for viewers who could not stay up early.

(b) Comments on Children's Programmes

- 2.5. The broadcast time of children's programmes should keep up with the school hours of the students. The broadcast of "After School" on TVB Jade at 4 p.m. was too early as most of the schoolchildren went home later than before. Children's programmes should be either broadcast at a later time slot (i.e. between 6 p.m. and 6:30 p.m.) or rescheduled to be broadcast on digital channels.

- 2.6. The number of broadcast hours of children's programmes on the Chinese channels (i.e. less than three hours a day) was relatively low and should be extended.
- 2.7. Children's programmes were dreary, outdated and repetitive in content.
- 2.8. Some expressed dissatisfaction that there were frequent pre-emption of children's programmes to make way for the livecast of press conferences and sports events. If the two TV stations broadcast children's programmes for less than two hours per day, they were normally required to re-schedule the pre-empted programmes to timeslots within the following seven days. But the two TV stations occasionally failed to make such compensation arrangements for the purpose of fulfilling the requirement for the broadcast of children's programmes.
- 2.9. TVB's "After School" was made up of acquired animations and self-productions comprising only games, short plays, interviews, archival footages, etc. On the other hand, "Q & A Lessons" broadcast on ATV Home changed the usual production mode of children's programmes. It focussed on information and practicality.
- 2.10. "TVB Kids" of TVB Network Vision featured some new and interesting programmes, e.g. "Keep Up, Level Up", "Speedy Putonghua Learning", "Liberal Studies" and "Gorilla Club". These programmes should also be broadcast on TVB Jade.
- 2.11. The quiz questions and teachings in the children's programmes of TVB were too difficult and knocked the children's

confidence. The excessive appearances of some of the guests or organisations generated speculation about indirect advertising.

- 2.12. The two TV stations should provide more educational and informational programmes targeting children aged four to thirteen.
- 2.13. There were comments that in view of the decline in child population and the implementation of the full-time primary school programme, the minimum broadcast hours of children's programmes should be reduced to 45 minutes per day. On the other hand, niche channels could be exempted from this requirement.
- 2.14. Viewers should be reminded of any risk that animations might include content that was unsuitable for children's viewing.
- 2.15. Some were concerned with the staff retrenchments by TVB and whether the retrenchment exercise would adversely affect TVB's capability to produce children's programmes in a professional manner. There were opinions that the disbandment of the production team of children's programmes was unprofessional, detrimental to the healthy development of the children TV production and ignored the interests of children viewers in Hong Kong.

(c) Comments on Programmes for Senior Citizens and Programmes for Young Persons

- 2.16. The two TV stations should broadcast more programmes for senior citizens and young persons.

(d) Comments on Current Affairs Programmes

- 2.17. The duration of TVB's current affairs programmes such as "Sunday Report" and "News Magazine" was short. These programmes looked into general issues only and lacked special features.

(e) Comments on Documentaries

- 2.18. The two TV stations should broadcast more locally-produced documentaries.

3. Editorial Freedom and Independence of News Reports

General Comments

- 3.1. The news reports of the two TV stations were partial and self-censored. Some reckoned the freedom of press was fettered.

Comments on ATV

- 3.2. Some considered that the news reports of ATV were detailed, accurate and objective. However, there were also opinions that the news reports of ATV were untruthful, repeatedly inaccurate, misleading, biased, and denied the public's right to know.
- 3.3. In 2011, there were public concerns after ATV Home erroneously reported the death of former national leader Mr Jiang Zemin, and turned its station logo into dark grey. Although ATV apologised for the misreporting incident afterwards and punished its staff concerned, the inaccurate news reporting on the matter was not acceptable. This also indicated that the TV station did not take news reporting serious.

Comments on TVB

- 3.4. There were views commending that the news reports of TVB were neutral, impartial and fair, and that correction of errors had been made promptly.
- 3.5. The half-an-hour news bulletin was too short. The news programmes were superficial and focussed on local news, with limited coverage on international news. They seldom reported on groups and organisations that were less well known.

- 3.6. There were concerns that editorial independence was compromised and the news reports showed signs of self-censorship.
- 3.7. The new reports gave limited coverage of the June 4th Incident candle-lit vigil. Some called into question if TVB deliberately avoided sensitive topics and played down criticisms on the Hong Kong government and the Mainland, taking a pro-Government stance in the news reports and thereby infringing freedom of the press.
- 3.8. There were views suggesting that TVB's news coverage was biased as it misreported the quota of one-way permits in the Mainland and toned down the phenomenon of mainlanders rushing into Hong Kong.

4. Accuracy, Impartiality and Fairness

General Comments

- 4.1. Spectrum was scarce public resource. Broadcasters should not be permitted to abuse public resources for self interest by propagandising the stations' views or attacking competitors. While the two TV stations should be allowed to express their own viewpoints, they should not exploit the spectrum to promote their own interests and express views which were biased and unfair. Also, some opined that the two TV stations should not express their own political stances in their programmes and must not interfere in the operation of news departments. The Government should neither interfere in the operation of TV stations nor probe the political stances of the free TV stations. In determining whether a licence should be renewed, the relevant authority should take into account if the views expressed in the programmes of the TV station concerned were impartial and if the conduct of the TV station was professional, including whether or not the TV station had misused the spectrum to promote its interests.
- 4.2. The two TV stations repeatedly breached the provisions of the Broadcasting Ordinance. They had aired inaccurate, misleading and biased opinions in breach of media ethics. ATV smeared Scholarism in "ATV Focus", which generated more than 40,000 public complaints. TVB's "Scoop" reported the dock workers' strike in a biased and unfair manner and smeared a potential competitor of free TV operators (Hong Kong Television Network Limited). These two episodes of "Scoop" gave rise to more than 2,000 and 20,000 public complaints respectively.

- 4.3. Some called for more stringent regulation on the presentation of political commentaries in programmes. Free TV stations should not be allowed to present one-sided views without providing suitable opportunity for response to the programme. On the other hand, some did not support regulation on the grounds that this would encourage the broadcaster concerned to exploit some loopholes in the law to circumvent a restriction.
- 4.4. The relevant authority should regulate the accuracy of information contained in infotainment programmes. Currently, infotainment programmes were not subject to the regulation of production guidelines of news programmes. There were times when these programmes reported inaccurate information but were not sanctioned.
- 4.5. There was room for improvement in the editing and interview standards. Free TV stations should encourage the widest possible airing of views and probe into the truth of the matters.

Comments on ATV

- 4.6. ATV's programmes were able to analyse the affairs in the Mainland and the world from various perspectives and were positive in nature.
- 4.7. Some were dissatisfied with ATV's senior management serving either as hosts or producers of the programmes. Whether or not senior management should intervene into the content and production of the programmes was controversial. The move also confused the audience, who found it difficult to identify whether one's views presented in the programme was made on behalf of himself or the TV station.

4.8. Opinions expressing dissatisfaction with ATV's news, current affairs programmes and talk shows included —

- Some programmes, e.g. “Caring Hong Kong’s Future” and “ATV Focus”, were biased, defamatory, provocative, inaccurate and misleading.
- In “Blog the World”, ATV repeatedly attacked its competitor, Mr Ricky Wong, making groundless accusations against him but did not give him an opportunity to defend himself. ATV’s conduct was an abuse of mass media platform to promote its own interests and amounted to disseminating false information.
- ATV’s “The Award Ceremony of the Hong Kong Loving Hearts Campaign” made use of public resources for self interest.
- There was dissatisfaction with an ATV’s investor who expressed his political views in ATV’s programmes to advance his own interests.
- ATV’s recent talk shows failed to discuss current affairs in an impartial manner. These kinds of biased and inaccurate programmes would exert an adverse effect on immature young persons.
- ATV made use of its programmes for propagandising the views of the TV station and some political bodies. These programmes were partial and denigrated the opposition faction without providing any opportunity for response.

- Members of the senior management often interfered in the production of programmes and news reports, raising serious concerns on the accuracy of the information provided by ATV.
- Most of the new productions aimed to please the Hong Kong Government and the Central Government. ATV failed to play the role of the Fourth Estate to monitor the conduct of the Government.
- ATV's programmes continued to reflect the ideology of the Mainland. Since Mr Wong Ching controlled ATV, the viewpoints of ATV's programmes had been extremely pro-leftist and rejected multiculturalism and value pluralism. The situation was even worse than that of CCTV.

4.9. Opinions expressing satisfaction with “ATV Focus” included —

- “ATV Focus” made sensible analysis and reasonable comments on social issues. In particular, on the issue of universal suffrage in the chief executive election, while some people in the society and the pan-democrats suggested electoral means which did not comply with the Basic Law, “ATV Focus” corrected their fallacies, educated the public and assisted the Government in enforcing its policies. The programme was a blessing to the audience and the community.
- Mr Tong Man's views were generally fair and impartial. However, as most viewers would not want to listen to only one person's views every day, the programme should include views from different commentators.

- “ATV Focus” was outspoken, analytic, unbiased and fair. Re-running “ATV Focus” could enable members of the public to watch the programme after work. The views expressed in “ATV Focus” could balance the biased views of Radio Television Hong Kong and Commercial Radio Hong Kong.
- The 40,000 public complaints relating to “ATV Focus” were aiming at prohibiting the programme to express opinions freely. The programme should therefore be retained to avoid suppressing freedom of speech.

4.10. Opinions expressing dissatisfaction with “ATV Focus” included —

- The content of “ATV Focus” was superficial and did not sum up various views. It failed to bear the responsibility of the media to remain impartial. “ATV Focus” was broadcast during the family viewing hours and the time slots of children’s programmes. It would adversely affect the children in thinking in multiple perspectives.
- The programme made use of public resources for its own interests. The so-called informational programme broadcast through free spectrum attacked persons, organisations and bodies who had different viewpoints from ATV as well as those who had criticised the poor quality of ATV. For example, in criticising Scholarism, the programme obviously took a one-sided stance on the issue of national education and generated over 40,000 public complaints.

- "ATV Focus" was mimicking the Mainland programme "Focus Report". Its commentaries were vague and superficial, and of low standards which were on par with primary school students' writing.
- The hosts of "ATV Focus" were biased and one-sided. The programme should invite guests from different political backgrounds to balance the hosts' views.
- The programme contained one-sided comments. Only opinions in support of their own views were broadcast and opposing viewpoints were excluded. The programme failed to provide opportunities for the opposite sides to defend themselves.

4.11. ATV's programmes, such as "Views on Hong Kong", were impartial and with a clear stance. They offered platform for people of different backgrounds and stances to express their views to balance the anti-government views in the society. If ATV failed to get its licence renewed, the voice of the patriots would be muted.

4.12. "News Bar Talk" was overall a good programme; however, it should avoid inviting representatives from the National People's Congress and the Chinese People's Political Consultative Conference too frequently.

Comments on TVB

4.13. TVB's current affairs programmes kept track of people's lives and were more neutral.

4.14. “Pentaprism II” and “On the Record” let Hong Kong people know clearly the right and wrong of current affairs, and provided objective analysis of the current political situation. However, there were also opinions that “On the Record” tended to take a pro-Government stance and give limited exposure to the pan-democrats.

4.15. Opinions expressing dissatisfaction with TVB included —

- The current affairs programmes of TVB were misleading, defamatory, biased, unfair and inaccurate.
- The content of TVB’s programmes was inaccurate. For example, legal information contained in dramas was inaccurate; another programme also misled the public by translating the voiceover of “the Taiwan national flag” into “regional flag” in the subtitles.
- TVB selectively omitted the news of pan-democrats. During the controversy concerning the issuance of new free TV licences in 2013, TVB’s senior management lectured the audience during prime time. Their arrogant behaviour failed to show magnanimity of a leading TV station.
- Some considered the news reports of TVB biased. It was largely the mouthpiece of the anti-government and the pan-democrats.
- Information in financial programmes on TVB Pearl was inaccurate. For example, the exchange rate of Canadian dollar to Australian dollar was inaccurate in the programme “NBC Nightly News”.

4.16. Comments on “Scoop”:

- The content was biased and superficial. It was an entertainment programme disguised as an informational programme. It misled the audience on current affairs issues by its personal commentaries.
- The results of the public opinion surveys were biased and contradictory to the general principles of statistics.
- The content of “Scoop” was biased in its episodes about the issuance of new free TV licences and the dock workers’ strike. The episodes lacked multiple perspectives and had an adverse effect on children and young people.
- “Scoop” was unfair by selectively interviewing the beneficiaries of the Individual Visit Scheme rather than citizens that were adversely affected by the scheme.
- Some considered that the programme was different from other mainstream programmes and contained positive messages.

5. Programme Standards

General Comments

- 5.1. The programmes of the two TV stations contained bad language and indecent and obscene elements, which exerted negative impact on young people. Restrictions on free TV programmes should be tightened to avoid naked scenes outside the late-night hours. The family viewing hours should be extended to 9:30 p.m.
- 5.2. “M” programmes should be rescheduled to be broadcast in a later time slot, i.e. between 12 a.m. and 4 a.m.
- 5.3. The programme classification “PG” should be subdivided into “programmes for those aged 12 or above” and “programmes for those aged 15 or above”.
- 5.4. The frequent special interviews about fung shui and palm reading were superstitious and encouraged idol worshipping.
- 5.5. The portrayal of scantily dressed female contestants in beauty contests disrespected women. There were suggestions that women should put on one-piece swimming suits (as opposed to bikini) which could also show their figures and gracefulness.
- 5.6. The programmes of the two TV stations over-advocated materialism resulting in moral degradation in the society.
- 5.7. The broadcast time of non-Cantonese programmes should be restricted. For example, ATV’s Shenzhen Satellite TV and CCTV-1 were not dubbed in Cantonese, which did not cater for the needs of the local community.

5.8. It was requested that “Do not indulge in gambling” and related warnings should be broadcast before each session of racing programmes/ football odds/ predictions and drawings of Mark Six.

5.9. Advertisements and promos which contain adult themes should be prohibited from broadcasting during the family viewing hours.

Comments on ATV

5.10. Adult programmes, such as “Lively Colour Brings Forth Fragrance” (literal translation) and “Celebrity Talk Show”, should not be aired on ATV Classic.

5.11. The hosts of “ATV Focus” were not modest and their pronunciation was inaccurate, exerting a bad influence on young people.

5.12. Some of ATV’s programmes abetted the public in betting on horses and speculating in the stock market, which was distasteful.

5.13. Some of ATV’s self-produced programmes did not use Cantonese as the main broadcasting language, which was against its claim of “Cantonese channel”.

5.14. Many programmes were hosted in Putonghua or mispronounced Cantonese, for example, in one of the episodes of “News Bar Talk”, the host and the guest communicated in non-Cantonese throughout the programme.

Comments on TVB

- 5.15. Depictions of violence in programmes should be handled with caution. Themes of cannibalism, man-slaughter, etc. should be avoided.
- 5.16. TVB should not promote “destiny and palm reading” because this would have adverse impact on Hong Kong people.
- 5.17. TVB’s dramas contained increasingly pornographic and violent elements, such as premarital sex, sex after drinking, and the language used was rude and abusive. These dramas were particularly disappointing from the educational point of view.
- 5.18. Although the manga “Attack on Titan” was broadcast on TVB J2 at midnight, its promos showing cannibalism were aired during the commercial breaks before 6 p.m., which had adverse effects on children.
- 5.19. The programmes depicted and promoted anomalous relationships to attract viewership.
- 5.20. Game shows of TVB were of bad taste (such as showing male and female artistes kissing through a thin film) and wasted food (such as throwing cakes at each other, playing beef balls as table tennis, letting artistes grip the bread with their cheeks). The portrayal of dangerous behaviour in the game shows had an adverse effect on children and young people.
- 5.21. The boxing matches broadcast during prime time slots were annoying as they advocated violence.

5.22. Some were dissatisfied with programmes (e.g. “To Woo A Dame” and “Bride Wannabes”) which were disrespectful to women.

6. Programme Quality

General Comments

(a) Overall Production Quality

- 6.1. Dramas of the two TV stations were vulgar; entertainment programmes and variety shows were vulgar and of bad taste and poor quality; news reports were of higher quality but they were not neutral. The quality of programmes provided by the English channels of the two TV stations was slightly higher than that of the other channels.
- 6.2. Programmes of the two TV stations were produced in a rough and sloppy manner. Props and settings were of bad taste. The filming approaches and techniques had been stagnant since the 1980s. The programmes were becoming monotonous, formulaic and lacked creativity.

(b) Quality of Specific Programme Types

- 6.3. The standard of the locally-produced dramas of the two TV stations lagged far behind that of their counterparts in the UK, U.S. and Japan, and were surpassed by those of Taiwan and the Mainland. The props of the dramas were mostly made by the two TV stations themselves and were not lifelike. The plots were inconsistent. Actors were repeatedly casted in dramas broadcast at different time slots.
- 6.4. Some were dissatisfied that the coverage of Mainland and international news in the news reports of the two TV stations was seriously inadequate.

- 6.5. Some were dissatisfied that the two TV stations had adopted the style of entertainment programmes in producing financial programmes and property information programmes.

Comments on ATV

- 6.6. Some were satisfied with the programme quality of ATV. They considered that ATV was conscience-conscious, not demagogic, not broadcasting programmes of bad themes, promoting social harmony and there was less portrayal of violence and cheating. Other reasons included:

- The informational programmes of ATV were comprehensive in content and of better quality than those of TVB. The commendable programmes included “ATV Loving Hearts”, “Step on Stage of ATV CNY Show”, “Asian Wave”, “Director Ko’s Blog”, “ATV Focus”, “News Bar Talk”, “Views on Hong Kong”, “Babies Growth Diary”, “ScientistHome”, “Hong Kong History Decode”, “One Day”, “Paul Merton in Europe”, “Worldwide Encyclopedia: Sensory World” (literal translation), “News Tease”, “Hong Kong 100 VIPs”, “Cool Met Stuff”, “News Magazine”, “Adventure for the Herbal Medicine”, “Blog the World”, news reports, financial reports, etc.
- ATV produced a number of educational programmes with positive themes, e.g. “ATV Hong Kong Loving Hearts”, “Family Wisdom”, “Good Deeds” (literal translation), “Hong Kong People Cannot Rule Hong Kong” and the programmes on the struggle of Chinese people. These types of programmes were rarely seen on other TV channels.

- Some commended ATV Classic, which could provide an opportunity for viewers to review old dramas. Many senior citizens loved watching old dramas.
- ATV's old dramas (e.g. "My Date With a Vampire", "Fist of Fury", "Flaming Brothers", "Fated Love", "Dynasty", "The Good Old Days", "Forrest Cat", "Justice Pao", "The Legendary Fok", "Chen Zhen") and the cooking shows hosted by Mrs Fong were of high quality and should be re-run.
- ATV's "Q & A Lessons" introduced a new category of children's programmes.
- Some commended the documentaries of ATV World which featured people and current affairs (e.g. the monarchy of the United Kingdom and the history on Japanese invasion of China).
- ATV had produced many classic programmes (e.g. "Hong Kong Today" and "Who Wants to Be a Millionaire?").
- Some considered that ATV's programmes were of good quality, creative, and conveyed positive messages to the community (e.g. "ATV Hong Kong Loving Hearts Campaign").
- The broadcast of Mainland programmes provided the best opportunity for Hong Kong people who worked in the Mainland to understand the situation in the Mainland.
- The participants of ATV's "Miss Asia Pageant" were from different countries, making the programme more entertaining than TVB's "Miss Hong Kong Pageant". "Mr

Asia Contest” was creative and its participants were of high quality.

- ATV’s acquired dramas were worth watching (e.g. “Turbulence of the Mu Clan”, “Cliff” and “Mother-in-law Has Come”).
- Livecast of Sunday worship service on ATV World could provide an opportunity for those who were otherwise unable to attend church gatherings to join the service.

6.7. Some were dissatisfied with the programme quality of ATV. They considered that ATV’s programmes were of poor quality; boring; low-budgeted; produced in a rough and sloppy manner; and failing to achieve the objective of entertaining the audience. Other reasons included:

- In recent years, most of the self-produced programmes were filmed in the studio, with very little outdoor filming. Audience expected programmes of better quality instead of programmes with just backdrops, moderators and footages.
- Self-produced programmes were of poor quality. Programmes of poor production standards were acquired for cost-saving reason.
- As one of the two TV stations, ATV lacked locally-produced programmes and could not shoulder the responsibility of nurturing talents. ATV’s programmes had not received any international awards. Most Hong Kong people did not watch programmes of ATV at all.
- ATV’s programmes were too Mainland-oriented and could not cater for the taste of Hong Kong viewers. There was a

big gap between ATV's programmes and its viewers. Members of the public knew nothing about ATV's programmes and ATV failed to produce any programmes which were influential or appealing. For reducing cost, ATV acquired dramas that had low viewership in the country of origin, and broadcast Mainland dramas that had never been broadcast in the Mainland or had low viewership during prime time.

- Programmes on ATV Home were primarily talk shows and they were formulaic.
- There was a shortage of new artistes, while the performance of existing artistes was poor.
- The anniversary gala and major events of ATV were frequently held in the Mainland and mainly conducted in Putonghua. The taste of the general public in Hong Kong was ignored (e.g. "The First Chinese Television Station in the World - ATV 55th Anniversary cum the 15th Anniversary of the Hong Kong Special Administrative Region Ceremony" held in the Mainland).
- There were frequent mistakes in "Caring Hong Kong's Future", "ATV Focus" and "Sports Bulletin" as well as subtitles in these programmes. This showed that the programmes were sloppily produced.
- The content of programmes was of low standard. For example, the contestants in "Mr Asia Contest" were required to parade through the street in their underpants to promote the programme.

- Some were dissatisfied with ATV's programmes which focussed on discussing the politics of the Mainland.
- There were frequent mistakes in announcing the results of Mark Six.
- The casting of Mr Chim Pui-chung in "Views on Hong Kong" was unsatisfactory. The content of the programme was nonsense.
- ATV produced a programme featuring the visit of executives of a business institution to ATV's studio. The content was totally irrelevant to the local audience.
- ATV broadcast many so-called healthcare programmes which claimed to foster innovation and promote healthcare (e.g. "ScientistHome"). These programmes actually promoted the sale of forged personal care products to the elderly and the ignorant, thereby amounting to advertising.

6.8. Some were dissatisfied with the performance of the World Channel. ATV World was full of re-runs, horse racing programmes, low-budget productions and Putonghua programmes. But news and current affairs programmes were of acceptable quality.

6.9. The broadcast of dubbed Chinese old programmes on ATV World was a waste of the English channel.

Comments on TVB

6.10. The overall programme quality of TVB was satisfactory and its productions should be commended. TVB's programmes could cater for the need of the general public and TVB was willing to

review and make improvement as and when it received complaints. Some of the locally-produced dramas were of high quality, e.g. the dramas broadcast during TVB's anniversary celebration every year. Other reasons included:

- The commendable programmes were: “News Magazine”, “Old Space New Craze”, “The Lord of the Drama”, “Good Cheap Eats”, “Travelling the World with Chua Lam” (literal translation), “Eating Well with Madam Wong”, “Tasty Road”, a series of children’s programmes, “Neighborhood Treasures”, “A Kindred Spirit”, “Karma Rider” and “Telling Maria”. “Triumph in the Skies II” was of high production standard and the performances of artistes Francis Ng, Julian Cheung, Fala Chen and Moses Chan should be praised; “Will Power” introduced new areas of law to the viewers; “Financial Magazine”, “News Magazine”, “Big Big World” and “Tuesday Report” helped broaden the viewers’ horizons; “Scoop” was entertaining; “Gilded Chopsticks” was a light-hearted programme; “All Things Girl” provided useful and trendy information; “Virtues of Harmony” had an attractive plot, kept track of people’s lives and was a light-hearted programme; “Happy Old Buddies” provided useful information for senior citizens; “Pleasure & Leisure” contained useful information about medicine and the society; “Reality Check” carried positive themes.
- “Come Home Love” had specific themes for each episode to remind Hong Kong people of what they had lost in their busy life.
- Some of the dramas broadcast during prime time were appealing. The quality of acquired dramas was good and

attracted viewers to stay tuned. The programmes of TVB were diversified and in line with the taste of local viewers.

- The quality of TVB's acquired documentaries was extremely high (e.g. "BBC Earth" and "World Heritage in Japan").
- Some commended "The Voice of the Stars" for making those artistes with potential known to the public.
- TVB's dramas, programmes and variety shows won a number of international rewards.
- TVB J2 broadcast programmes from different places and was appealing to young people. The theme and filming approaches of these programmes were innovative and gave impetus to the creative industry and local culture.
- "I Am Boss" provided a once-in-a-lifetime opportunity to those Hong Kong people who aspired to "become a boss" to fulfil their entrepreneurial dream. It was a high quality programme which inspired Hong Kong people.
- Retransmission of the Sochi 2014 Winter Olympic provided an eye-opening experience to Hong Kong people. The programme introduced the sport of "curling" to Hong Kong, which became a craze in the city.
- TVB's cross-regional and international-cooperative drama "A Time of Love", co-produced by TV stations and artistes from Japan, Korea, Malaysia and Singapore, won international acclaim.

- Some were satisfied with TVB's retransmission of the Brazil World Cup.

6.11. There were opinions that the uniformity of programme production of TVB was unsatisfactory. The programme genres were repetitive, boring, lacking creativity and apparently plagiarising successful programmes of other TV stations. The variety shows, drama series, news and current affairs programmes were not up to standard. Reality shows lacked educational value. The content of the variety shows was repetitive and lagged far behind those of the Mainland, Taiwan and Korea. Ridiculous flaws were often found in drama series and informational programmes as research was not done properly. TVB should improve its productions and create novel programmes with local flavour.

6.12. TVB should make use of high quality equipment when shooting self-produced drama series, variety shows, live programmes and documentaries, and should minimise repeated use of the same sets and artistes.

6.13. Some were dissatisfied that the variety shows were indecent and boring. Especially,

- The "Super Trio" series were monotonous, indecent, lousy and vulgar. There were a number of complaints about bad themes and indecent connotations of the series. Some also opined that the style of the series remained unchanged for many years. The series were broadcast from 1995 to 2013, without making any improvement. However, some opined that the programme had improved after some members of the public lodging complaints.

- TVB often produced travelogues, gourmet programmes and cookery programmes to promote a luxurious lifestyle, as well as game shows that were of bad taste. For example, “Beautiful Cooking” featured female artistes singing and dancing in revealing attire, which had nothing to do with cooking. The use of female artistes as selling points in the programmes had a bad influence on the community.
- The music awards presented by TVB did not measure up to the standards of fairness. This called the credibility of the awards into question. Results of “Miss Hong Kong Pageant” involved cheating.

6.14. News reports were not sufficiently up-to-date, comprehensive and informative. iNews should provide more detailed information. Anchors often made factual and pronunciation mistakes; subtitles and voiceover were mismatched, which confused the audience. It was recommended that the instant news ticker of “Good Morning Hong Kong” should be extended to all news sessions, so that the audience could keep abreast of news events at any time. Some opined that apart from pay TV channels, iNews provided 24-hour news so that the public could watch the latest news at a time convenient to them.

6.15. Fund-raising programmes were unappealing. A large portion of donations was used to pay production costs, rather than for charitable purposes and was misleading. Details of donations and production costs should be made known to the public.

6.16. Variety shows often probed into the private lives of artistes, which were uninteresting at all. Organised voting games in “Scoop” contained silly, stupid and weird questions (e.g. “How many bowls of rice do you eat on average?”).

- 6.17. Opinions expressed dissatisfaction with the increasing number of goofs in the programmes. The quality of programme production should be further improved.
- 6.18. Some were dissatisfied with TVB's senior management, who appointed hosts with unsatisfactory performances according to their own favour.
- 6.19. The problems about the quality of TVB's drama series were as follows:
- The content was boring. The plots were repetitive, uncreative, formulaic, full of flaws and irrational. The content, shooting techniques or sets were of poor quality when compared to Korean dramas.
 - Genres of the dramas were not diversified enough. Themes were usually about intrigues taking place in ancient palaces and modern society. These programmes catered for the less-educated and housewives. The range of genres had reduced significantly. Most of the dramas were about doctors, lawyers and police officers who were usually entangled in multiple love affairs. There was frequent production of sequels so as to save time and avoid creating new ideas, e.g. the "Police" series, the "Heart of Greed" series and "The Hippocratic Crush" series.
 - The quality of dramas was deteriorating and the plots were repetitive, e.g. multiple love affairs, foes turning lovers, fighting for family fortune, currying favour and so on, which were extremely corny. The props and sets were crude and not lifelike. The shooting skills were like those of the 1990s. For example, it was startling that there was

neither soldier nor water in the Battle of Chibi in “Three Kingdoms RPG”.

- TVB’s dramas were allegedly copied from foreign dramas and movies (e.g. “To Get Unstuck in Time” was plagiarised from a foreign movie; “The Mysteries of Love” was plagiarised from “Galileo”, etc.).
- There were often goofs in costume dramas and production was crude. In historical dramas, history was presented in a distorted manner and historical characters were parodied and made completely different. This would be misleading to viewers who lacked historical knowledge of the subject matter.

6.20. Recommendations to dramas of TVB:

- TVB should avoid repeating the genres and should produce non-commercial dramas, e.g. political dramas, dramas about sex topics, dramas for youth, science fiction dramas, supernatural power dramas, other types of innovative dramas adapted from novels and animations as well as dramas targeting children, youth and the elderly. It was proposed that TVB could cooperate with students from the Hong Kong Academy for Performing Arts and invite directors of the new generation to produce short films. TVB could also broaden the themes of dramas and produce dramas with professional themes, and dramas which satirised current affairs, conveyed positive messages and targeted audiences of different age groups.
- TVB should be more creative in drama production and make reference to successful examples overseas. TVB should try to shoot dramas using location filming with 3D

technology and 4K filming equipment. TVB could make reference to the production techniques of TV stations in the Mainland and overseas or work with other production units so as to learn from each other.

- TVB should focus on improving the quality, not quantity, of local dramas. The TV station should broadcast more acquired dramas of high quality to broaden the choice of viewers. It would be more popular than producing more local dramas and could avoid the repeated use of the same group of artistes.
- TVB should let young artistes and second-string and third-string artistes play the lead characters in dramas, so as to create novelty. TVB should explore the potential of artistes so that they would not be stereotyped.
- It was recommended that TVB could set up a committee to review whether the oft-repeated lines and unnecessary plot could be expressed in a more natural and innovative way.
- TVB could encourage scriptwriters to collaborate more with practitioners from different industries; the latter could involve in scriptwriting via submitting interesting plots or acting as a consultant.

6.21. TVB Pearl should reduce broadcasting those reality shows and movies which were only suitable for naïve viewers during the period from 8:30 p.m. to 10:30 p.m.

6.22. More resources should be devoted to producing children's programmes, for example, to increase outdoor filming to depict daily lives of people from different social classes. This could help promote social harmony.

6.23. Some were dissatisfied with the dubbing quality of programmes (including acquired dramas, movies, animations and documentaries) and promos (including promos of self-produced dramas and activities held by TV stations such as anniversary ceremonies). The pronunciation of TVB's dubbing talents was outdated and had an adverse effect on children and students. There were suggestions that TVB should verify the pronunciations through different means.

7. Programme Scheduling

General Comments

(a) Overall Approach

- 7.1. The two TV stations should be required to broadcast locally-produced programmes during prime time, e.g. at least two hours a day.
- 7.2. The two TV stations should be prohibited to retransmit foreign or Mainland channels. The two TV stations should be required to use the spectrum to transmit locally-produced programmes only.
- 7.3. There was dissatisfaction with programme scheduling of the two TV stations at weekends, which offered limited choices to the audience.
- 7.4. Main news bulletins (in particular evening and late night news) should last for at least 60 minutes, and news about the Mainland should account for at least 15 minutes, while international news should also account for at least 15 minutes.
- 7.5. The broadcast time of programmes on ATV's CCTV-1, e.g. "Treasure Hunting" (literal translation), was irregular. The programme schedule of the TV station was inaccurate and annoying.
- 7.6. Some were upset that ATV ceased to broadcast "Money Talks" without prior notification to viewers.
- 7.7. Evening news reports on the Chinese channels of the two TV stations were both scheduled from 6 p.m. to 6:30 p.m. There

were suggestions that the broadcast time of the news reports should be rescheduled to 7 p.m. or after to cater for the needs of citizens nowadays.

- 7.8. Same programme should not be broadcast on different channels at the same time slot.

(b) Repeat of Programmes

- 7.9. The number, frequency and broadcast time of repeat programmes should be restricted, for example, repeat programmes could only be broadcast during late night hours or non-prime time. There were comments that airtime of such programmes should not exceed one third of the total airtime, while the same programme should not be broadcast more than twice in a year.

- 7.10. Old programmes that had been re-run for a number of times should not be broadcast from 7 a.m. to 12 noon and from 2 p.m. to 6 p.m.

- 7.11. It was suggested that movies should not be re-run for more than three times. Re-runs of documentaries should be restricted because the information of some documentaries might be outdated and mislead the public. There were suggestions that repeat of dramas should be restricted, e.g. dramas that were broadcast two years ago could not be re-run. If they were re-run, only two episodes could be re-run every week.

(c) Programme Types

- 7.12. In the information age, time restriction on the broadcast of news report should be removed, and free TV stations should instead be requested to broadcast a 20-minute news report in the

morning, afternoon and evening so as to give them more flexibility in scheduling programmes.

- 7.13. Sports news were omitted in TVB's "News At Six-Thirty", which upset local sports-lovers.
- 7.14. Some were dissatisfied that the content of animation "Nintama Rantarō" was edited and its opening and ending were removed. The programme "After School ICU" was deliberately split into two sessions and the audience had to wait for nearly half an hour for another session. This was annoying.

(d) Channel Line-up

- 7.15. Free TV stations should not be allowed to make use of the precious spectrum to carry too many non-local retransmitted channels.
- 7.16. Free TV stations should not provide more than five channels, including at least two HD channels, in order to reduce the demand for and burden of bandwidth as well as to provide more choices for viewers.
- 7.17. As a TV station was at the time relaying the content of non-local channels with the frequencies it had been assigned, there were suggestions that the number of non-local retransmitted channels should not exceed 30% of the total number of channels of a TV station.
- 7.18. The broadcasting bandwidth of RTHK and idle bandwidth should be used to relay the programmes of CCTV so that members of the public can know more about the Mainland.

Comments on ATV

7.19. Some were dissatisfied with the repeat programmes of ATV. Reasons included:

- ATV had been repeatedly re-running a programme for a long period of time, for example, “News Bar Talk” was repeated as many as four times a day, which severely limited viewers’ choice. The arrangement was antipathetic, annoying and made the audience feel being cheated.
- Repeat of programmes hindered the development of artistes, and resulted in overall decline of the entertainment business in Hong Kong.
- It was a waste of spectrum to broadcast repeat programmes during prime time in the evening. ATV was unable to provide diversified and new entertainment and informational programmes to members of the public.
- ATV did not show sincerity in supporting local creation, which was detrimental to the development of the creative industries in Hong Kong.
- Repeat of programmes showed ATV’s lack of resources to produce programmes. However, ATV shirked its responsibility by claiming that the arrangement of repeat programmes catered for the needs of viewers who might wish to watch these programmes after work. In fact, ATV could set up a website to allow the public to view its programmes online, instead of repeating the programmes on TV channels.

- The number and frequency of repeat programmes on Channels 11 and 12 were disappointing. It could be said that there was no difference even if there was no such TV station.

7.20. ATV should reduce the frequency of repeat programmes. For example, a programme should not be repeated for more than once a day.

7.21. The CA should impose a condition in the renewed licence of ATV, requiring that 70% of ATV's programmes should be newly and station-produced.

7.22. Comments on ATV Classic included:

- Those who were dissatisfied with ATV Classic considered the channel a waste of channel capacity. ATV seldom invested in programming and ceased producing new programmes. It exploited a loophole in the law by repeatedly broadcasting its old programmes. On the other hand, there were also opinions that ATV Classic was acceptable as the repeated programmes could meet the needs of different viewers.
- ATV should employ more channels (i.e. from channel number 1 to channel number 10) to broadcast a greater variety of classic programmes, dramas and movies.
- There were suggestions that an "uncut" version of news reports of "One Day" should be re-run to cater for the needs of nostalgic viewers. The broadcast of "One Day" on ATV (i.e. around two minutes) was too short.

- ATV should re-run old variety shows or some of them in the format of episode highlights.
- ATV should re-run children's programmes.

7.23. Some opined that in response to public views ATV had broadcast more locally-produced programmes and adjusted re-run schedules. It is not fair to compare the programming of ATV with that of TVB as the investment of ATV was only less than half of that of TVB.

7.24. Those who were satisfied with the schedule of the repeat programmes considered that the arrangement was user-friendly as it enabled viewers with various viewing habits to watch programmes and review classic programmes. Those who were dissatisfied with ATV considered that the programme scheduling of ATV in the past years was chaotic and adversely affected the trust of the viewing public and advertisers. For example, a number of programmes which were being showcased from 2000 to 2010 by ATV did not turn out eventually.

7.25. The broadcast of a large number of SD programmes on the HD channel of ATV was a waste of spectrum.

7.26. The positioning of ATV was weird and inexplicable. ATV adopted "differentiated" programming and this resulted in cessation or reduction of the broadcast of popular infotainment programmes (e.g. "Hong Kong Gossip" and "Cheers Hong Kong"). Meanwhile, it increased the broadcast of the so-called cultural talk shows which were boring, poorly received and with low viewership during prime time (e.g. "News Bar Talk", "East Wing West Wing", "I want to be CE", "I want to be CE 2

Debate Special”, “The Policy Debate” and “Asia Policy Unit”, etc.).

- 7.27. Retransmitting channels from the Mainland were a waste of spectrum. If ATV’s licence was to be renewed, it should be prohibited from retransmitting channels from the Mainland or should reduce the number of such channels. On the other hand, there were views that there should be more Mainland channels for public reception free of charge.
- 7.28. The two retransmitted channels from the Mainland on ATV did not suit the taste of viewers in Hong Kong. It was suggested that the two retransmitted channels should be replaced by “Hunan TV World”.
- 7.29. Since the launch of digital TV, ATV changed the number and content of its TV channels many times without explaining to the viewing public. It showed that the change of channel line-up by ATV was not primarily based on public interest. Channel line-up was changed for administrative and financial convenience, which was unfair to the public.

Comments on TVB

- 7.30. Some expressed dissatisfaction that new reports of TVB iNews ended abruptly whenever there was ad hoc coverage of the visits of government officials.
- 7.31. Financial programmes broadcast in the morning were considered excessive and formulaic.
- 7.32. The TVB Jade channel and HD Jade channel should be merged into a single channel.

- 7.33. TVB should broadcast more live events in future after acquiring broadcast rights of major sports events as a lot of people in Hong Kong wish to watch more sports programmes for free. There was suggestion that TVB should be required under the new licence to livecast no less than 150 hours per annum of sports competitions to enable members of the public to watch such programmes free of charge; and after acquiring the live broadcasting rights for a major sports event, to livecast two thirds of the events.
- 7.34. There was dissatisfaction with the re-run of programmes on TVB HD Jade and TVB J2 after such programmes were broadcast on TVB Jade. Some suggested imposing restrictions on the re-run of the Mainland and foreign dramas within one year after their first run.
- 7.35. At the beginning of the launch of digital broadcasting, Channel 81 had been broadcast in SD format and there was a need for simulcasting the programmes on Channel 85 in HD format. Since Channel 81 had recently converted to HD broadcasting, the simulcast arrangement was a waste of spectrum.
- 7.36. Channel 85 should broadcast more documentaries or acquired dramas during prime-time slots in the evening.
- 7.37. Some were dissatisfied that in recent years, TVB Jade rarely broadcast new movies on Saturdays and Sundays, but only repeat old movies. New terms and conditions should be introduced upon the licence renewal to require TVB to broadcast at least five movies that had never been broadcast on TV each year, or to prohibit TVB from broadcasting the same movie within two years.

- 7.38. There were frequent re-runs of movies on TVB Pearl. TVB Pearl should reduce the amount of re-runs and broadcast more first-run movies.
- 7.39. It was suggested that the duration of “Noon News” on TVB Jade should be extended to 30 minutes. The news programme should be divided into two parts and information about sports and finance should be included in the second part. Information about sports should also be included in the news report at 6:30 p.m. from Monday to Friday.
- 7.40. Some were dissatisfied with the time lag in TVB’s broadcast of acquired dramas and animations. They were only aired several years after broadcast in their countries of origin.
- 7.41. There were too many dramas during prime time, which had limited viewers’ choice. It was suggested that no more than a half-hour drama should be broadcast during prime-time slots on weekdays.

8. Subtitling/Sign Language

General Comments

(a) Subtitling for the Hearing Impaired

- 8.1. There were calls for providing subtitles to all pre-scheduled programmes.
- 8.2. The CA should impose a new provision in the renewed licence to require the two TV stations to provide subtitles on a 24-hour basis (including all live news coverage) to enable the hearing impaired to receive up-to-date information.
- 8.3. In the news bulletin of the two TV stations, dialogues between anchors should be fully subtitled.
- 8.4. The two TV stations should provide subtitles for the hearing impaired as well as for the Cantonese vernacular.

(b) Programme Types to be Provided with Subtitles

- 8.5. It should be stipulated, upon the licence renewal, that English or Chinese subtitles should be provided for programmes in foreign languages.

(c) English/Foreign Language Subtitling

- 8.6. Some children's programmes which were a blend of education and entertainment (e.g. "Sesame Street") should provide English subtitles to allow adults and their children to enjoy and learn.
- 8.7. Bilingual subtitles should be provided in foreign programmes. For example, Japanese and Korean programmes should carry

subtitles to facilitate foreign language learning and enhance the language standards of viewers.

(d) Presentation of Subtitling

- 8.8. The Chinese and English subtitles contained in English programmes failed to convey the meaning clearly. There were also grammatical mistakes.
- 8.9. There were suggestions that subtitling could be provided by real-time speech translation. Though some speech could not be fully displayed, it could save time and cost. In particular, children who were native Chinese could benefit from real-time translation to improve their standards of English language.
- 8.10. In music programmes, font size of lyrics should be larger.

(e) Sign Language Interpretation

- 8.11. At present, only news programmes were required to carry subtitles. However, due to different textual perception of the hearing impaired, it was necessary to provide sign language interpretation to supplement messages not delivered by text via the movement and facial expression of sign language interpreters. Therefore, it was suggested that news programmes on all mainstream TV channels should provide sign language interpretation and subtitles at least once a day. Various organisations for the hearing impaired requested that free TV stations should be required to provide sign language interpretation for news programmes.
- 8.12. Weather reports and current affairs programmes should also provide sign language interpretation.

- 8.13. The hearing impaired suggested that in the case of breaking news and important government announcements (e.g. the Policy Address, financial budget and the Q&A sessions in the Legislative Council) for which subtitles might not be available, sign language interpretation and news summaries should be provided to enable them to receive these messages.
- 8.14. The two TV stations should provide 24-hour sign language interpretation in order to enable the hearing impaired to receive information on a real time basis.
- 8.15. In order to minimise the misconception of the viewing public regarding the hearing impaired and sign language interpretation, “Newsweek” and “Look and Learn”, in which sign language interpretation was provided, should be re-scheduled for broadcast during prime time slots.
- 8.16. It was suggested that free TV stations should showcase “News for the Hearing Impaired”. News should be reported by the hearing impaired using sign language and Cantonese translation with a view to promoting the integration of the hearing impaired with the public and enabling the public to learn sign language.
- 8.17. There were suggestions that the free TV stations should launch “Sign Language for 5 Minutes” so as to promote sign language to viewers.

Comments on ATV

- 8.18. Subtitles should be added to the programmes re-run on ATV Classic.
- 8.19. When ATV re-ran its old programmes, subtitles sometimes occupied half of the screen, which showed that ATV lacked the

necessary techniques and incentives to improve. Moreover, some considered that the subtitles of the re-run programmes were small. The appearance of subtitles and the screen were not in sync and the picture quality was poor.

Comments on TVB

- 8.20. It was suggested that Chinese subtitles should be provided to first-run programmes broadcast on TVB Jade starting from late 2014 to enable the hearing impaired to understand the programme content.
- 8.21. The provision of subtitling in programmes of TVB Pearl was insufficient.
- 8.22. It was suggested that sign language interpretation should be provided in news reports broadcast on iNews (including the simulcast of news programmes on TVB Jade) for the benefit of the hearing impaired.

9. Advertising

General Comments

(a) Programme Sponsorship

- 9.1. Restrictions on programme sponsorship should be relaxed to increase advertising revenue of the two TV stations.

(b) Indirect Advertising within Programmes

- 9.2. Restrictions on indirect advertising should be relaxed to increase the advertising revenue of free TV stations. Indirect advertising also appeared in Japanese and Korean dramas, which were flooded with new cell phones and fashion brands, while indirect advertising to promote vehicles and computer products could also be found in some high quality European and American soap operas. Advertising revenue directly influenced the quality of television programmes and was conducive to the survival of existing and future broadcasters. When Hong Kong's programmes were broadcast overseas, Hong Kong's brands could also be promoted internationally via indirect advertising. This would benefit Hong Kong economy and enhance the image of Hong Kong.
- 9.3. Those opposed in-programme advertising considered that if indirect advertising was accepted, different products would be featured on screen at the same time to increase exposure, which would compromise the quality of programmes.
- 9.4. The CA should review relevant regulations of indirect advertising. The existing regulations stipulated that no undue prominence should be given to a product of a commercial nature.

However, there was no clear definition of “undue”. This was unfair to free TV stations.

- 9.5. Indirect advertising that promoted the supernatural, feng shui and superstition should be prohibited.
- 9.6. Restrictions on the duration of product placement and/or the proportion of a product appearing on screen, etc. should be imposed.

(c) Specific Categories of Advertisement

- 9.7. It was suggested that restrictions on advertisements should be relaxed to enable free TV stations to increase their revenue. For example, political, medical and religious advertisements should be allowed to be broadcast as long as they were broadcast outside the family viewing hours and carried warning notices.
- 9.8. Restrictions on advertisements for hospice care and funeral services should be relaxed provided that they did not make reference to death and terror.
- 9.9. There were actors playing dentists stating that “90% dentists use the product” in advertisements for dental implant and toothpaste. The CA should investigate whether there was any breach of laws or related codes.
- 9.10. Advertisements on financial services often encouraged consumers to buy luxury goods and go travelling by lending, and promoted easy lending. These advertisements should carry a warning against excessive lending, just like the health warnings on cigarettes packaging.

- 9.11. Advertisements of financial derivatives and other complex investment products (e.g. covered warrants, products with default risk) should cease to be broadcast in order to avoid misleading investors.

(d) Advertising Time

- 9.12. It was suggested that the restrictions on advertising time should be relaxed. Free TV stations should be allowed to broadcast advertisement for a time not exceeding 15% of the total broadcast time of the channel. Moreover, the broadcasting intervals of advertisements should also be relaxed. Free TV stations could choose to broadcast all advertisements before the start of the programme or inserted them in the middle of the programme subject to their needs.
- 9.13. During the advertising break, a countdown timer should be displayed in a corner of the screen. The same requirement had already been imposed in many different countries.
- 9.14. No advertisements should be inserted during the broadcast of news reports, dramas and movies.
- 9.15. There were too many advertisements during the broadcast of sports programmes, which affected viewing pleasure.

(e) Advertising Standards

- 9.16. Advertisements should be scheduled and broadcast having regard to emotional needs of the audience, and should avoid terrifying and misleading the audience.
- 9.17. There should be more restrictions on advertisements containing indecent and erotic materials.

Comments on TVB

- 9.18. There were too many in-programme advertising materials during the broadcast of programmes and dramas of TVB, which were sometimes not editorially justified. Such advertisements should be either reduced or prohibited.
- 9.19. The presentation style of in-programme advertising was too explicit (e.g. the “chicken broth” incident of the programme “Cook away Lady May” and the prominent display of a branded box tissue in the cookery segment of “Pleasure & Leisure”).
- 9.20. There was discontent over the frequent exposure of the same bank in a drama of TVB, plus an artiste playing a manager introducing products offered by that bank. There were also concerns that the programme hosts of “Big Boys Club” often consumed fried chicken from the same restaurant chain.
- 9.21. Some were dissatisfied that “Triumph in the Skies II” displayed sponsored products relentlessly. The financial penalty of \$100,000 imposed on TVB was too lenient to have any deterrent effect. The CA should consider imposing heavier penalties.
- 9.22. “Scoop” was usually packaged as showbiz gossips programme and deliberately displayed trade marks in the activities attended by TVB’s artistes. Sometimes, the programme made use of interviews with members of the public in order to promote certain commercial products or organisations.
- 9.23. Some were dissatisfied with the repeats of an advertisement within the same time slot.

9.24. TVB tactlessly interrupted the live broadcast of Macau Grand Prix with commercial breaks. Advertisements should only be broadcast during the breaks of the car racing event.

10. Technical Issues

(a) Quality of Picture and Sound

- 10.1. Retransmission of the CCTV-1 channel by ATV in 4:3 aspect ratio had affected the viewing pleasure of those using 16:9 aspect ratio TV sets. ATV should retransmit the CCTV-1 channel in 16:9 aspect ratio to avoid wasting the valuable spectrum.
- 10.2. The picture quality of the retransmitted channels from the Mainland was poor.
- 10.3. ATV persistently displayed its logo and programme name on screen, which disrupted the viewing pleasure. Logos of ATV's channels were too flamboyant.
- 10.4. ATV's picture quality was of lower standards than that of TVB. SD programmes were often aired on HD channels to mislead the audience.
- 10.5. ATV was still using the SD standard, which had a lower image quality and failed to meet the requirements for HD broadcasting.
- 10.6. All digital channels should achieve the standards of HD broadcasting after the switch-off of analogue broadcasting.
- 10.7. HD broadcast of the two TV stations only enhanced the image sharpness. There was no layering, cinematic feel and surround sound in HD programmes. The quality of picture and sound lagged far behind that of their counterparts in Japan, Korea, Taiwan, etc.

10.8. The two TV stations should turn down the sound volume of advertisements.

(b) Reception of Signals

10.9. The signal reception of digital TV in Central and Western district was unstable.

10.10. The signal reception in southern part of Lantau Island was weak and not satisfactory. Transmitting station at Cheung Chau was not functioning well, and should be relocated to Shek Kwu Chau.

10.11. Mongkok suffered unsatisfactory reception. “Snow” was commonly found in TV pictures.

11. Investment and Financial Capability of the Two TV Stations

General Comments

- 11.1. The two TV stations were reluctant to invest in technological improvements and could not keep abreast of the market developments.

Comments on ATV

- 11.2. Given its persistently low viewership, ATV would not have resources in providing different types of programmes. The situation was perplexing when ATV claimed that it had already invested billions of dollars on programming. Although ATV had committed to investing billions of dollars in the production of new programmes and dramas for the benefit of its audience, it was not materialised. In fact, ATV introduced the ATV Classic channel with practically “zero” cost.
- 11.3. Given its low viewership, ATV had no advertising clients and was making a loss of more than \$200 million each year. On the other hand, ATV proposed, in the context of licence renewal application, to invest \$2.7 billion during the period from 2016 to 2021. Concerns were expressed over the financial capability of ATV to deliver the proposed commitments and that such commitments were nothing but empty promises.
- 11.4. There were few advertisements on ATV. It mainly broadcast government advertisements and programme promos. Given its poor financial situation, it was doubtful if ATV could sustain its business.
- 11.5. ATV had made substantial losses over the years and changed its bosses several times due to financial problems. It was heavily

indebted and would not have sufficient resources in providing new dramas and programmes. ATV's failure to submit audited accounts for four years from 2009 to 2012 showed that the TV station was not financially sound. The operation of ATV mainly relied on loans and credit. The authorities should investigate into the funding sources of ATV, its potential legal risks and liabilities.

- 11.6. There was a possibility that ATV would be wound up at any time. The authorities should take this factor into account when considering the licence renewal application of ATV.

12. Management and Operation of the Two TV Stations

Comments on ATV

- 12.1. ATV had no commercial advertisements at all and the advertising slots of ATV were filled up with its programme promos. This meant that ATV had lost support from both advertisers and viewers. It was doubtful if ATV could sustain its business.
- 12.2. There were reasons to believe that capital injection from the Mainland supported and controlled the operations of ATV.
- 12.3. The senior management had repeatedly made empty promises to kick off new drama series or produce new programmes.
- 12.4. ATV did not keep its words to be “conscience of Hong Kong” as the overall performance of ATV was unsatisfactory. The broadcast of such slogan in the advertising time slots was annoying.
- 12.5. ATV’s management lacked planning, vision and transparency in managing ATV.
- 12.6. ATV was controlled by its investor and an example of this was the misreporting of Jiang Zemin’s death. The investor would continue to exert influence over ATV’s programming, though in a more subtle manner. It was difficult to believe that an investor would continue to support a company that was making a loss without participating in the decision-making process.
- 12.7. ATV’s major investor (Mr Wong Ching) interfered with the operations of ATV and breached his undertakings made to the CA. Even though Mr James Shing was removed from his office,

it was not guaranteed that Mr Wong would cease to involve in the operations of ATV. In these circumstances, revocation of the licence of ATV was a once-and-for-all solution to these problems.

- 12.8. The audience was annoyed by Mr Wong Ching's interference into the operations of ATV even though he was only an investor and did not possess any expert knowledge of TV industry, and that he led ATV's staff to dance at the Central Government Offices.
- 12.9. ATV's lack of new productions and frequent repeats of programmes had put its financial competence and management into question.
- 12.10. ATV should introduce strategic investors to carry out a major reform, so as to improve ATV's business development and enhance the overall quality of its programmes and associated services.
- 12.11. The management of ATV disregarded the public opinions expressed in the complaints against ATV, resulting in a negative public image. The overall performance of ATV's management casted doubt on their competence of managing the TV station. During the public hearings, the senior management of ATV was arrogant when facing public criticisms. They showed no intention of making improvement and appeared to feel good about themselves. They answered back and accused the public.
- 12.12. Since the 1990s, there were frequent changes in the shareholding and personnel of ATV, leading to a lack of stability in the management. The power struggles of the senior management and shareholders' disputes gave rise to a series of legal proceedings. The management was unable to focus on the

operational matters of ATV and this resulted in mismanagement for years and failure to provide quality programmes.

Comments on TVB

- 12.13. TVB's management was arrogant and failed to respond to the expectations of the audience.
- 12.14. TVB was not short of talents but there was a lack of quality productions and good remuneration system. It was necessary to reform the staff management and the production method which operated like an assembly line so that TVB staff would be allowed to make good use of their talent.

13. Competition in the Free TV Market

General Comments

- 13.1. Market dominance and lack of competition in the free TV market resulted in poor quality of the TV industry, making it difficult to compete with its counterparts in other countries. Fewer young people were willing to join the industry, and this created a vicious cycle. As only competition could bring about progress, the Government should open up the TV market and facilitate diversified development.
- 13.2. The licence renewal exercise of the two TV stations was not only a purely commercial issue. Firstly, the two TV stations were assigned spectrum. Secondly, the TV industry had an impact on other cultural industries such as film. Thirdly, cultural industry had an indirect impact on economy. For example, pop culture of Korea boosted Korean tourism and stimulated the development of other creative industries (advertising, music, etc.) and created jobs. The authorities should promote competition by eliminating operators which had no intention to improve.
- 13.3. There was dissatisfaction that the two TV stations traded spectrum between themselves in 2013 to monopolise Hong Kong TV market.
- 13.4. Hong Kong was not short of talents. However, the market was monopolised by the two TV stations, which produced many low-cost programmes. As a result, members of the public had no programme choice and talents could not be fully utilised. Many professional artistes and singers chose to develop their career elsewhere.

- 13.5. To promote competition, licences should be granted to new operators who were keen to invest. This would provide more opportunities for young people who were interested in joining the TV industry.
- 13.6. It was suggested that spectrum should be opened up for auction. Free TV stations relied mainly on commercials for their revenue. To recover the cost spent on acquiring the spectrum through auction, the free TV stations had to increase their advertising revenue by enhancing programme quality and viewing rate. This would be a positive competition.
- 13.7. With the advanced development of information technology, the Hong Kong TV industry was facing worldwide competition. The TV market should be opened up, instead of letting the Government decide which competitors could survive.
- 13.8. To prevent the market from being monopolised, there should be requirements that a free TV station could not restrict its artistes from appearing in programmes of other stations and should spare half an hour during prime time every weekend to broadcast programmes of other stations.
- 13.9. Hong Kong Television Network Limited (“HKTV”) offered salaries which were three to four times higher to poach talents from TVB. Some opined that this was against the healthy development of the industry and proposed to impose a cap on the pay increase when artistes changed jobs.

(a) Granting of Additional Free TV Licences

- 13.10. Some suggested that the Government should grant more TV licences, which could enable citizens to enjoy diversified choices of entertainment, allow more creative platforms,

improve production quality and the remuneration of artistes and news production staff. This could also boost the competitiveness of the Hong Kong TV industry in the region and worldwide, and enable Hong Kong to promote its culture and local characteristics via high quality productions, which could in turn promote growth in tourism, economy and culture.

13.11. Some felt outrageous, disappointed and regret about the Government's failure to break monopoly and its refusal to issue a licence to HKTV. That the government went its own way to deny HKTV a licence deprived the public of its right to choose TV channels and programmes which were worth watching. Despite its serious and zealous preparation for licence application, HKTV ended up being denied a licence. On the contrary, ATV had no viewers and failed to produce any programme, but it could still hold the licence. The grounds for the Government's decision were questionable as even the consultancy report supported the issuance of licence to HKTV.

13.12. Some supported that there should be no ceiling on the number of free TV licences. The grant of three new free TV licences would not disrupt the development of the industry, but would instead foster competition and enable the public to watch high quality programmes. As advertisers would place advertisements according to market situation, free TV stations would be able to break even. On the other hand, there were also views that the Government should limit the number of free TV licences. As there was no evidence indicating that the TV market had doubled its size, it would be inappropriate to issue two or more additional free TV licences. A step by step approach should be taken in granting new free TV licences.

(b) Dominant Market Position of TVB

- 13.13. The quality of TVB's programmes was deteriorating due to the lack of competition. It was not necessary for TVB to innovate as it could keep its audience no matter how poor the quality of its programmes was.
- 13.14. TVB adopted dominating commercial strategies and bullied potential competitors (for instance, refusing to lease its transmission stations to HKTV). TVB's dominance also impeded the development of the entertainment industries as good artistes failed to get the remuneration they deserved and non-TVB artistes had no chance to appear in television programmes. TVB boycotted other media, not allowing Apple Daily and Next Media to conduct interviews at TVB. It was conceited and overbearing; hindered press freedom and threatened the public's right to know.
- 13.15. With its dominance in the market, TVB had taken various unreasonable measures to manipulate the market, including unfair contracts with artistes, breaching the terms of spectrum use and so on. Even if its licence were to be renewed, more severe punishment with deterring effect should be imposed.
- 13.16. The "switch-off incident" of "TVB Anniversary 2013" showed that the dissatisfaction of the public and the media with TVB's monopoly had reached a tipping point.
- 13.17. TVB had set unreasonable contract terms and conditions for various music companies, leading to the end of their contractual relationship. As a result, singers of many music companies could not appear in TVB's programmes "Jade Solid Gold" and "JSD Awards". In particular, singers that won awards at "JSD Awards" were all from the same music company, "the Voice" or

those with management contracts with TVB. This was an unhealthy situation resulting from TVB's monopoly.

(c) Exclusive Broadcasting Rights

- 13.18. Some commented that the major media groups in Hong Kong nowadays all held both free and pay TV licences through their subsidiaries. As such, when bidding for broadcast rights for major international sports events (such as the Olympic Games, FIFA World Cup, Asian Games and so on), the same group would usually acquire the broadcast rights for both free and pay TV, and even the rights for new media (Internet, mobile phones and so on). Such a monopolistic ownership of broadcast rights for both free and pay TV for major international sports events would significantly affect and limit the choice of the public. To protect the choice of the public, it was suggested that a term should be included in the renewed licences to prohibit media groups from monopolising the broadcast rights of both free and pay TV for major international sports events.
- 13.19. It was suggested that the Broadcasting Ordinance should be amended to ensure that the broadcast rights of all major international sports events with the participation of athletes from Hong Kong and China (including the FIFA World Cup, Asian Games, Olympic Games and so on) should be open to all TV stations (both free and pay TV), and that no individual broadcaster could have exclusive broadcast rights for such events.
- 13.20. Cable TV acquired the exclusive broadcast rights for all media (including free and pay TV) for 2014 Incheon Asian Games so that the other TV stations could not broadcast the programmes concerned. This deprived Hong Kong people, especially low-income families, of the right to view the Asian Games. It was

suggested that TVB should acquire the free TV broadcast rights of Incheon Asian Games from Olympic Council of Asia or from Cable TV, so that Hong Kong people could witness the glorious moments of athletes from Hong Kong and China via the platform of free TV.

13.21. TVB acquired the broadcast rights for 2014 FIFA World Cup, but the promos were arrogant and aimed only to promote its pay Sports channel. It was hoped that TVB would sell the FIFA World Cup broadcast rights to other free TV stations so that the general public could have free access to such programmes.

13.22. Some pointed out that pay TV stations paid high costs to bid for matches and hence they were unwilling to share the broadcast rights with other free TV stations at a low price to comply with the requirements of international institutions. In order to cut losses, pay TV stations placed excessive indirect advertising. Some urged the Government or related organisations to purchase the broadcast rights of international sports events, such as the World Cup, the Olympics, etc., and fairly resell the broadcast rights to the TV stations. The Government could also request the TV stations to jointly bid for these events to avoid high bidding costs and vicious competition. This could also give viewers more choices to enjoy programmes of better quality.

(d) Artistes Contracts

13.23. TVB monopolised the service of artistes by imposing harsh contractual terms. This hindered the development of the TV industry. Terms should be included in the renewed licence to avoid monopoly.

13.24. TVB should allow its artistes to appear in the programmes of other TV stations and accept their interviews.

14. Overall Performance of the Two TV Stations

General Comments

14.1. Some supported the licence renewal and further operation of TVB and ATV. Reasons included:

- TVB and ATV made contributions to Hong Kong in the past, made investment reasonably and performed well, hence deserved to have their licences renewed.
- The two TV stations had produced many popular drama series in the past which were well received locally and abroad.
- TVB and ATV performed different roles and both of their licences should be renewed. TVB aired programmes appealing to mainstream audience whereas ATV catered for the niche. ATV was the favourite of senior citizens while TVB attracted many young viewers. Each served its own group of audience.
- The more competitors in the market, the more choices for viewers, and the public would be benefited.
- The licences of the two TV stations should be renewed as they had operated for many years and viewers were attached to them emotionally.

14.2. Some opposed to the licence renewal of the two TV stations as they kept violating the Broadcasting Ordinance, ignored warnings and financial penalties imposed by the CA, produced programmes of poor quality and exerted a bad influence on the society. Many members of the public had stopped watching the

programmes of the two TV stations for years. There were a substantial number of complaints against the two TV stations. The total number of complaints in 10 years exceeded 100,000, i.e. 10,000 cases on average each year. The large number of complaints showed that the two TV stations had failed to take CA's advice and suggestions seriously. The number of breaches of licensing requirements by the two TV stations was on the high side, so was the number of cases on which punishment was imposed. There were 13 cases of financial penalty and over 30 advisory notices were issued within 10 years, reflecting that the two TV stations failed to fulfil audience's expectations of free TV. The licences of the two TV stations should therefore not be renewed.

- 14.3. Some suggested that channel frequencies of the two TV stations should be taken back and allocated to other qualified operators.
- 14.4. There were opinions that the CA should withdraw the spectrum assigned to ATV and part of that assigned to TVB, and put them up for auction by institutions which were capable and sincere to operate free TV stations, or give the spectrum to HKTV to run free TV business.

Comments on ATV

- 14.5. Some supported the renewal of ATV's licence. Reasons included:
- ATV had a long history, and developed over the years with Hong Kong people. While it was currently in a critical situation, it had strong performance in the past and deserved an opportunity for it to rebound.

- Notwithstanding the financial problems, ATV strived to advance and worked hard to improve its programme quality.
- ATV's programmes were educational. It provided opportunities for viewers to watch their favourite old programmes. News and cultural programmes were of good quality and stayed tuned with the latest development of the society.
- ATV was the TV station that promoted positive values. Comments on its current affairs programmes were fair and its drama series and informational programmes were of good quality. ATV performed its role as Hong Kong's conscience, promoted justice, loved the country and its people, and advocated the traditional virtues of filial piety and benevolence. Its production was not purely based on commercial considerations and enabled viewers to receive correct values and messages.
- ATV's programmes (e.g. documentaries, interviews, talk shows and travelogues) targeted at niche audiences. Although these programmes had not attracted much audiences, they took care of the preference and needs of the niche.
- Some pointed out that according to a survey conducted among residents in Shatin, most people of middle age or above supported the licence renewal of ATV. The two TV stations could complement each other: TVB was focussed on entertainments, leisure and internationalisation; whereas ATV's strength was in education, general education, political talks and financial information, etc.

- ATV provided jobs for more than 600 employees. If its licence was not renewed, its employees would be unemployed, adding to the burden of the Government and the society.
- ATV had committed to investing HK \$2.7 billion in the coming six years in upgrading infrastructure and facilities, programme production and hiring of talents. It aimed to strengthen its competitiveness in traditional and new media, and also in such aspects as talents, mechanisms and creativity. This showed that the future of ATV was promising.
- Hong Kong was a free society. ATV should not be denied an opportunity to continue to operate because it had adopted a different editorial and programming strategy.

14.6. There were comments that opposed the licence renewal of ATV. Reasons included:

- Frequencies were public resources and ATV had occupied the resources for many years. While ATV had occasionally produced good programmes in the past, its performance was deteriorating in recent years. It kept airing the same programmes to such an extent that it was almost unbearable. In line with the usual rule of game in Hong Kong which emphasised commercial results, diligence and survival for the fittest, the non-renewal of ATV's licence would make room for newcomers who were interested in operating a TV station.
- ATV had been having the lower hand for a long time, and failed to show determination to improve its performance. It had become a broadcaster that kept showing the same

programmes and with audience ratings close to zero, which was a waste of the precious spectrum. As such, TVB had no incentives to make improvement. Members of the public were disappointed that having given ample opportunities to ATV to improve its performance over the years, ATV had done nothing other than producing some lousy programmes and repeating old programmes. Many mistakes were found in news and subtitles and commentary programmes were loaded with subjective views. All these made the audience angry. ATV's viewership was low but the station refused to recognise this, reflecting its lack of credibility.

- ATV offered few programme choices with no self-productions. It broadcast acquired programmes most of the time and kept re-running them. It was not sincere in running the business. The lack of local productions failed to foster the development of the Hong Kong TV industry and the creative industries. It did not have enough resources, failed to pay the wages to its staff on time and lost talents and thus could not produce good programmes. ATV failed to keep abreast of the times and only felt nostalgic about its good old days. It did not care about Hong Kong people's feelings and failed to meet their expectations.
- Both entertainment and informational programmes were of poor quality and biased, and failed to reflect the voice of the majority of Hong Kong people. Most of the programmes were low-budget productions. Its operation was not serious, and caused damage to Hong Kong's image as a world-class city.

- Some indicated that they had not watched ATV for many years. Its ratings had remained extremely low and even approximated zero in recent years, reflecting that ATV had no value at all. It was economically inefficient to spend so much space, manpower and material resources to serve such a small size of audience.
- Some opined that ATV's reputation had been sullied by its very poor performance. Despite ATV's commitment to make necessary improvements and increase its investments after licence renewal, nobody would watch its programmes and it was difficult to regain confidence.
- ATV's programmes targeted the Mainland audience and failed to cater to the taste of Hong Kong people.
- ATV had repeatedly and seriously contravened the regulations. There were no signs of improvement or reform despite the imposition of financial penalties.
- Management of ATV was chaotic and there were deep divisions among major shareholders. ATV did not take into account the interest of the viewers. In addition, ATV advertised for the Communist Party by broadcasting programmes which caused dislike of Hong Kong people. ATV did not pay regard to the core values of Hong Kong people, which was against the public interest.
- The lack of local productions on ATV hindered the opportunities, nurturing and development of TV production talents. This caused the local TV industry to shrivel.

14.7. Specific recommendations in relation to ATV's licence renewal application:

Renewing ATV's Licence with Additional Conditions

- ATV could only have its licence renewed for 10 years with a review every five years. Conditions to be imposed upon licence renewal - programmes should primarily target Hong Kong viewers; programme genres should be more diversified instead of broadcasting talk shows only, duration and frequency of repeat programmes should be reduced.
- Some proposed to grant licence renewal to ATV for three years, on the condition that its performance should be subject to regular reviews so as to give more pressure to the TV station to improve its performance. If ATV failed to make reasonable improvement by 2018, the Government could refuse to renew its licence. On the contrary, if ATV could improve its services by 2018, the public should not oppose the renewal of ATV's licence.
- It was recommended that the number of ATV's channels be reduced and the spectrum so vacated be allocated to incumbent and new operators. For instance, only ATV Home and ATV World should be retained, or withdrawing frequencies for ATV Classic and retransmitted channels.

Non-renewal of ATV's Licence

- Some suggested that ATV's licence should be withdrawn and put up for auction so as to promote competition. ATV's licence should be allocated to a more qualified company which had a genuine interest in the TV industry.

- To address the concern that non-renewal of ATV's licence would lead to staff retrenchment, new operators should be required under their licences to hire former staff of ATV as far as possible. Others suggested that ATV's staff and artistes could find work opportunities in some other related industries.
- Since ATV kept repeating programmes each day, it should be granted a pay TV licence instead as the audience who wanted to watch its programmes would not mind supporting ATV by paying subscription fees.

Comments on TVB

14.8. Some supported the renewal of TVB's licence. Reasons included:

- TVB had the highest viewing rate among all TV stations. Its programmes were diversified and viewed by many people, and its financial situation was stable. It being the best performing TV station, it was reasonable to have its licence renewed.
- Having regard to TVB's contribution to the society, its commitment to organising charitable activities and its broadcast of international sports events for the benefit of the public, its licence should be renewed.
- TVB was an important channel for advertising. If it failed to have its licence renewed, advertisers were likely to suffer significant losses.
- Some supported TVB's licence renewal as it had nurtured many quality artistes.

- 14.9. Most/all programmes carried by the HD channels of TVB after 7:30 p.m. were simulcast programmes, which was a waste of airwaves. There was the suggestion that one SD channel of TVB should be taken back.
- 14.10. Some were against TVB's licence renewal as TVB produced programmes of low quality and alleged to have operated unlicensed mobile TV service. It violated the anti-competition provisions, having abused its dominant position over the years, and repeatedly filed judicial reviews. Non-renewal of TVB's licence could put an end to its monopoly in the TV market.
- 14.11. There was suggestion that the following conditions should be imposed upon the licence renewal of TVB:
- Its operation must be closely monitored. More effective monitoring mechanism on programme quality as well as supervisory system should be established. During programme production, advice should be sought from professionals and sufficient information should be gathered so as to ensure credibility.
 - Validity period of TVB's renewed licence should be reduced to five years so that the public could have more opportunities to monitor its operation through consultation exercises conducted during licence renewal. There were also comments that validity period of the licence should be extended to a minimum of 30 years with a review in the fifteenth year, as longer licence period could enable the TV station to implement a long-term development plan and enable TVB to put in more effort in the TV industry.

- Some requested that TVB should devote more resources in producing better and more diversified programmes. TVB should increase the ratio of locally-produced programmes and allocate more time slots for RTHK programmes. It should submit a blueprint in this respect to set out its investment and production direction.
- TVB should improve the contractual terms of its artistes, allowing artistes to appear or speak in other media. TVB should specify working hours of artistes and abolish the unreasonable serial-based system. Should there be any anti-competition situation, TVB should be fined and have the term of its licence shortened.
- TVB should be required to manage its talk shows and entertainment programmes in the same way as its news reports. The station should be responsible for the comments made by the hosts (interviewees could be exempted) in order to avoid the station publicising its stance via its platform.
- Broadcast hours of acquired programmes and dramas on local channels should be restricted.
- Some requested TVB to allocate one channel other than TVB Pearl to broadcast programmes in other languages, such as Japanese, French, German, minority languages, etc., and surrender part of its spectrum to non-governmental organisations or academic institutions.

- To promote the development of local creative industries, part of the spectrum of TVB should be taken back for application by other operators.

15. **Other Broadcasting Issues**

General Comments

(a) Broadcasting Spectrum

- 15.1. It was suggested that the spectrum should be allocated by auction as it is a scarce public asset and should be properly utilised. It was unacceptable for the two existing TV stations to continue having access to the spectrum, without having to pay any utilisation fee on an exclusive basis.
- 15.2. When renewing the licences, the Government had to set a time frame for the two TV stations to gradually switch from analogue broadcasting to digital broadcasting, and implement the plan to assist low income households in installing decoder. Some commented that analogue broadcasting of TVB Pearl and ATV World should be terminated in the second quarter of 2014, while the remaining should be stopped in the fourth quarter. The spectrum should be allocated to other TV operators through auction. Others proposed that public consultation on the allocation of spare spectrum after the switching off of analogue broadcasting should be conducted in order to introduce new operators.
- 15.3. The two TV stations should not make use of spectrum for direct retransmission of other TV channels. They also should not resell or authorise others to use their spectrum.
- 15.4. Regarding the allocation of spectrum to the two free TV licence applicants that had been granted approval in principle as well as the incumbent free TV stations, some organisations put forward two proposals. First, all stations could broadcast its basic channels (namely the Chinese channel and the English channel)

through public airwaves, while additional channels have to be broadcast via other platforms. Second, after a fair allocation of spectrum to each TV station for the broadcast of their basic channels, interested operators could bid for the remaining spectrum. Moreover, free TV stations should pay a reasonable price for the use of spectrum. The CA could engage a consultant to work out proposals for consideration of the Government and the public.

(b) Programmes Supplied by the Government

- 15.5. There were suggestions that airtime for RTHK programmes on the Chinese channels should be reduced from three and a half hours to three hours.
- 15.6. With the gradual launch of RTHK TV channels, it was suggested that the requirement to broadcast RTHK programmes should be removed after the full launch of RTHK TV channels. Free TV stations should not be mandated to broadcast RTHK programmes. Instead, they could negotiate with Government bodies such as RTHK and the Information Services Department about the airing of programmes supplied by the Government as long as the airtime of such programmes did not exceed one fifth of the total airtime per day.
- 15.7. Some opined that the content of RTHK programmes was extreme and partial and called for cancelling the requirement to broadcast RTHK programmes. For example, in the programme “LegCo Review” featuring the investigation of HKU public opinion polls held by HKU scholar Dr Robert Chung Ting-yiu, only Chung and his supporters were interviewed. The presentation was not balanced.

(c) Language of Broadcast

- 15.8. There were suggestions that restrictions on free TV stations should be relaxed, so that the stations would no longer be required to provide a Chinese channel and an English channel. Instead, to increase flexibility for free TV stations to produce their programmes a condition could be introduced to require them to provide a certain hours of programmes with different languages, e.g. no less than half of the total number of hours per week should be allocated for the airing of Cantonese programmes, no less than one quarter for English programmes while the remaining time could be used for airing programmes in Putonghua, languages of the ethnic minorities and other languages.
- 15.9. Some suggested abolishing restrictions for broadcasting English programmes on TVB Pearl and ATV World, as there were already a large number of English-language channels (such as CNN and BBC). These channels should be changed to Cantonese channels instead.
- 15.10. English channels should be required to air English programmes only. There were also comments that at least 90% of the programmes on the English channels should use English as the main broadcasting language. And for non-English time slots, only pan-European languages, with English subtitles provided, could be used for broadcast.
- 15.11. After the switching-off of analogue broadcasting, regulations on the language of broadcast for new digital channels should be relaxed to air non-dubbed foreign language (non-Cantonese/Putonghua/English) programmes.

- 15.12. Some were discontented that ATV aired “Putonghua News” during the weekdays as many senior citizens were unable to comprehend the news content. News reports should use Cantonese as the main broadcasting language.

(d) Issues Related to Review of Licences

- 15.13. When making decision on the licence renewal, the authorities should consider the following factors:

- Spectrum is the public resource of Hong Kong people. Their expectation, opinions and choices should be taken into account when making the decision on the licence renewal.
- The authorities should consider the impact of the two free TV stations on the TV market, for example, whether they could promote a competitive landscape in the market.
- Due to the lack of competition in the free TV market, the quality of free TV productions had deteriorated. Hence, programme quality should be included as an assessment criterion for licence renewal exercise. To ensure the efficient use of public resources, if the performance of the two free TV stations was unsatisfactory, the licence renewal applications should be rejected so that the licences and spectrum could be made available for other potential broadcasters.
- The assessment criteria adopted and arguments presented by the Government when processing the free TV licence applications of HKTV, Fantastic Television Limited (“Fantastic TV”) and Hong Kong Television Entertainment Company Limited (“HKTVE”) should be equally applied

to the licence renewal applications of the two free TV stations.

- When assessing the licence renewal applications, complaints against the two TV stations in the past should be taken into consideration since they reflected public opinions. However there were also comments that complaints should not be considered.
- The renewal of licences should be processed by the CA independently, without taking into account any opinion surveys.
- The CA's assessment of the licence renewal applications should be based on factors such as programme quality, proportion of local production, how often programmes were repeated, revenue, viewership of the two TV stations, etc.
- Duration of licence should be shortened from 12 years to 10 years.
- The CA should disregard all complaints and sanctions linked to political campaign against ATV when it considered its licence renewal application. This could alleviate public concerns about whether the pan-democrats would be given favouritism.
- The authorities should consider whether the transmission network could be easily handed over to new operators if one or both TV stations could not get their licence(s) renewed, given that it involved technical and commercial issues.

- 15.14. The new licences should include a condition to allow the Government to issue more free TV programme service licences, and to give the Government the flexibility to open up the market, thus avoiding the risk of possible legal proceedings initiated by the two free TV stations.
- 15.15. Regular review should be conducted on free TV stations' scheduling of programmes, and whether marketing promotions were exaggerated, untrue and contrary to audience's expectations. A scoring system should be established for the next licence renewal exercise.
- 15.16. Some members of the public opined that the ownership of TV channels of each station should be reviewed once every two years with viewership being the assessment criterion. The operator of the channel with the lowest viewership should surrender the channel to the operator with the highest viewership.
- 15.17. The licences should be put up for auction and granted to the highest bidder. It should not be decided by the Government as it was incapable of choosing the right operator and its judgment was contrary to the principle of free market.
- 15.18. The new licences should include a condition to stipulate that each station had to self-produce dramas and let its transmitting stations to other free TV stations each year, and that the Government should be allowed to take back the spectrum for auction if free TV stations concerned had not self-produced any drama.
- 15.19. Government should stipulate the licence requirements before considering the licence renewal applications of the two existing TV stations. The two TV stations should then be required to

submit proposals and investment budgets in accordance with these requirements so as to assess whether they were capable of meeting the requirements of the new licences. The Government could then decide whether to renew their licences accordingly.

(e) Broadcasting Policy

- 15.20. With the rapid advancement of technology, mobile phones could also be used to watch TV. To safeguard public interest and promote the sustainable development of the Hong Kong broadcasting industry, the authorities should conduct a full-fledged review on the related regulations to ensure that they kept abreast of the times and were consistent with the legislative intent.
- 15.21. Free TV should not be regulated by a licensing system as it would be affected by political factors. Financial penalties or publication of apology advertisements should instead be used as the regulatory tool.
- 15.22. Non-locals should not be allowed to be the owner or the CEO of a free TV station.
- 15.23. The Government should maintain its stance of opening up the domestic free TV market. Any bodies that met the statutory requirements should be granted licences or allowed renewal of licences.
- 15.24. When compared to advertising revenues, the licence fee was rather low and this fuelled the wait-and-see attitude of free TV stations. It was recommended that spectrum utilising fees should be imposed to increase the cost of free TV stations.

- 15.25. As a regulator of the TV industry, the CA was duty-bound to actively monitor and drive reforms. It should ensure the efficient use of spectrum so as to maintain Hong Kong's position as Asia's World City. Competition should be introduced so that Hong Kong could regain the leading position in the TV industry in Asia.
- 15.26. When the licences of the two TV stations were due in 2015, analogue broadcasting should also be switched off so that such spectrum could be released for other uses.
- 15.27. The CA should review the Broadcasting Ordinance to provide for the grant of "community TV" licences so as to allow the operation of TV stations which were non-profit making, run on a small scale and catered for specific ethnicity or community. This could help promote freedom of speech, freedom of information, and the development of social and cultural diversity in Hong Kong.
- 15.28. New provisions should be introduced to protect TV practitioners, for example, establishing standard working hours for the industry, increasing the minimum compensation for medical and work injury, protecting rights to one's own image and copyrights, etc.
- 15.29. Some commented that the Government and the CA should conduct a review of the related legislation, policies, regulatory framework, existing allocation of spectrum, market conditions and current and future needs of the public, so as to provide a fair competition environment for the two new TV stations.
- 15.30. The two TV stations were subject to strict control of the Government at the moment. These regulations might be applicable to dominant free TV stations such as TVB, but not to

the new free TV stations and those stations in a disadvantaged position. The Government should relax the existing regulations and requirements to foster the development of the TV industry.

- 15.31. To cope with the rise of new media and the Internet, there was suggestion that the existing regulations should be evaluated.
- 15.32. Many had mentioned that the free TV stations should bear “social responsibility”. The CA should gather opinions from the public and free TV stations in order to reach a consensus on the matter.
- 15.33. In order to provide programmes which reflected the reality of society and improve freedom of information, more TV classifications should be introduced.
- 15.34. The Government should amend the current slipshod and outdated criteria and add new and more stringent criteria for issuing licences by making reference to the international practices. The Government should also encourage the applicants to produce various types of high quality programmes and monitor the programme types and quality based on quantitative and objective criteria as far as possible. Upon licence grant, the Government should continue to monitor free TV stations jointly with professionals and representatives of the public so as to ensure that they fulfilled their commitments made in the licence renewal applications. The Government should not allow any single media company or group to hold more than 50% of the free TV channels.

16. Other Comments and Suggestions

(a) Mobile TV

- 16.1. Mobile TV should be regulated under the Broadcasting Ordinance as it exerted the same influence as free TV. A channel should also be provided for the public to lodge their complaints.

(b) Fostering Competition and Development of the TV Industry

- 16.2. Given the impact of the Internet and technology, domestic free TV had become a sunset industry. Young people could browse quality overseas programmes or dramas for free via mobile phones or computers and there was a smaller TV audience. Another hit was the rise of TV stations in the Mainland, which had produced a large number of quality and heavily-invested programmes. If local TV broadcasters stuck to their old practices and refused to move forward, the local audience would rather watch programmes from the Mainland than local programmes. If the Government did not encourage and introduce more competition to the market and punish those routine followers, the creative industry of Hong Kong would no longer be competitive and fail to create job opportunities and nurture talents.
- 16.3. An environment which was conducive to competition should be created to foster the TV industry.
- 16.4. Some proposed that over 80% of the programme content (calculated by programme time) should be produced by local TV practitioners so as to nurture talents, increase competitiveness of the industry and reduce the negative impact

of acquiring programmes of non-local origin on the local industry.

(c) Regulatory Issues

- 16.5. The CA's sanctioning mechanism, which mainly relied on issuing advices and warnings, failed to achieve a deterrent effect. Breaches of regulation had continued to occur and the financial penalty imposed was not high enough. To allow for the imposition of heavier penalties, the CA could consider adopting a certain ratio of the turnover of the TV station as a fine. On the other hand, some considered that the fines imposed on the two TV stations by the CA were too heavy, which would affect the resources available for their programming.
- 16.6. There were views that no sanction should be imposed for certain personal view programmes of the two TV stations.
- 16.7. The CA should implement its own system to measure the ratings of the two TV stations and publish the ratings so as to strengthen the monitoring of their performance.
- 16.8. In addition to channels for the public to lodge complaints, the CA should also provide a channel for the public to express their opinions.
- 16.9. The CA should be dissolved given its imbalanced mechanism and maladministration. The Chairman should resign.
- 16.10. To avoid the issue of "premises receiving TV service", TV licences should not be divided into mobile TV licence and fixed TV licence.

- 16.11. Some members of the public strongly demanded the establishment of an independent statutory body to handle the issue of broadcasting licences and the related monitoring issues. The handling process must be transparent and open with detailed record on the decisions and the discussions. All information should be made available for public scrutiny so as to reflect the rule of law and the spirit of democracy. Some also suggested that the committee responsible for the issue of broadcasting licences should consist of members representing different voices in the community.
- 16.12. There was discontent over the current regulatory regime, which would only impose penalty on, but not give any compliment to, the two TV stations.
- 16.13. A large number of complaints against ATV's programme "ATV Focus" which were received within such a short time reflected that there were people abusing the complaint mechanism of the CA. The CA should therefore consider handling only those complaints which the complainants provided their real names.

(d) Public Consultation Exercise by the CA

- 16.14. Licence renewal was an opportunity for members of the public to request for improvements in the programme quality. There should be proactive and positive communication instead of verbal attacks.
- 16.15. Publicity on the consultation was inadequate. The consultation period was too short and it should be extended to June.
- 16.16. The first public hearing held in Central was more of a political platform than a public hearing on licence renewal. The public hearing was under the influence of an "invisible hand", and

those who were fired by ATV took advantage of the occasion for personal revenge. It was a pity that no staff interfered with it.

- 16.17. The public hearings allowed political parties to vent their discontent, but there were not many comments on quality of television programmes. There should be three ballot boxes, one for the two TV stations' supporters, and one for their opponents. Tickets should be drawn from the two boxes by turns. After that, those with the neutral stance should be allowed to speak so as to ensure more impartial opinions and to prevent either party's domination.
- 16.18. Recycle bags or handbags of members of the public should not be checked at the public hearings. Such actions did not respect and offended the public.
- 16.19. The CA Chairman was biased in the public hearings. He was not competent at his job. He did not properly control the order of the public hearings.
- 16.20. Some were dissatisfied that the CA's public hearings for the licence renewal applications of the free TV licences had a full house very early.
- 16.21. The CA should verify the identities of those who had expressed their opinions to avoid "black-box" operation and fraud.
- 16.22. Apart from consulting the two TV stations and the public directly, the CA should take the initiative to consult the disabled, the minorities, youth, Hong Kong Performing Artistes Guild, Writer's Association and Hong Kong Journalists Association, etc. There were also comments that the CA should publish the methodology of surveys and the content of questionnaires.

- 16.23. The CA collected the public views on programme types and quality of the free TV stations in the past, but the public views contained in the report were too general. The CA should consider providing more information for reference.
- 16.24. Some members of the public were concerned about how the CA took samples for the public opinion survey on free TV services and doubted the fairness of the survey.

(e) Other Comments

- 16.25. It had been a practice for fund-raising programmes of free TV stations to support two or three charitable organisations. Other non-profit making charitable organisations did not receive the same support, which seemed unfair and unjust. Charity funds should be established to allow applications from all non-profit making organisations in Hong Kong.
- 16.26. The two TV stations should make use of some of their profits to discharge their corporate social responsibility, e.g. the profits should be used to encourage young people to join the industry and should be donated to charitable bodies.
- 16.27. The two TV stations should increase their promos.
- 16.28. The two TV stations should increase programmes with NICAM.
- 16.29. The two TV stations should make use of their digital channels to provide audio description services to the visually impaired.
- 16.30. The market surveys on the TV industry could be easily misleading and should be analysed carefully.

- 16.31. Free TV stations should indicate the programme types on their online programme schedule, such as arts and culture programmes, children's programmes, current affairs programmes and so on, to enable the public to identify the programmes in which they were interested.
- 16.32. Free TV stations should not reduce the broadcast of weather information without reasons.
- 16.33. Free TV stations should adjust their operation in response to the changes in technology and viewers' taste. They should put more effort in consulting the viewers, increasing the interactive elements of programmes and promoting the "community participation mode" by inviting members of the public to join the production of programmes.
- 16.34. Free TV stations should reform their management and the flow of production. To improve the quality of dramas and introduce new production techniques, they should employ people with language and literature writing skills to work as scriptwriters and proofreaders.
- 16.35. It was suggested that a six to nine-minute programme trailer of the day should be broadcast between 5:30 a.m. and 6:30 a.m. every day, and that a weekly programme guide of about 15 minutes should be broadcast every Sunday morning.
- 16.36. There were comments that the advertising formats and platforms offered by the two TV stations were not adequate. Although tvb.com of TVB was very popular, TVB did not provide a bundle of multimedia (TV and online) advertisement.

- 16.37. There were too few samples included in the current survey on TV viewers, making advertisers unable to seek the target audience accurately and effectively.

Comments on ATV

- 16.38. ATV often claimed that the audience ratings between ATV and TVB were in the ratio of four to six, which was unbelievable.
- 16.39. ATV's production of the programme "Cheers Hong Kong" was ironic as ATV only broadcast acquired programmes and did not produce its own drama series, which made its staff in the drama section unable to make a living.
- 16.40. Some were dissatisfied that ATV's management denied facts at the public hearings, and accused the public who made criticism of ATV staging a political attack.
- 16.41. No editing should be made to the programmes replayed on ATV Classic. They should be broadcast in their original style. Apart from screen repair, no modification should be made to the trailer and credits of the dramas. Online watching and replays should be arranged and the arrangement of programme replays should be announced in advance on the official website as well. Besides, the logo of ATV did not look good. It did not carry a sense of gentleness and should be improved. It was recommended that ATV should reduce the number of station promos.
- 16.42. Some were dissatisfied that ATV did not have artistes of its own.
- 16.43. ATV's low audience ratings were due to habitual ratings. It was a unique phenomenon in Hong Kong.

- 16.44. ATV's hosts looked very old. It was difficult for them to attract young viewers.
- 16.45. It was suggested that ATV or its relevant bodies like the "Asia Club" should proactively promote a younger image for ATV in schools, colleges, universities and youth centres, and should organise activities to enhance the public's understanding of ATV.

Comments on TVB

- 16.46. The incident of Mr Stephen Chan, the disputes between the four big music record companies and TVB, and TVB's presentation of awards to its inferior singers seriously undermined the credibility of TVB.
- 16.47. It was suggested that myTV should provide live broadcast of TVB Jade, TVB Pearl, government official interviews and breaking events such as Legislative Council meetings. The programmes should be available for viewing for one month.
- 16.48. Workshops and training courses should be provided to those working on and behind the stage; artistes who were unable to speak proper Cantonese should not be allowed to perform.
- 16.49. TVB should allow members of the public to comment on its programmes and performance of its artistes on Apps and forums so as to increase transparency and interactivity.
- 16.50. It was hoped that the practice that no award would be presented to singers who were absent from the Jade Solid Gold Awards Presentation would be abolished.

- 16.51. The effectiveness of TVB's "Audience Opinion Advisory Think Tank" was doubtful. The views were accepted but were ignored later.
- 16.52. The production costs of major charitable programmes should be reduced, while assistance should be given to smaller charitable organisations for programme productions.
- 16.53. Whenever TVB wanted to popularise a certain artiste, it would keep arranging the exposure of that artiste, which was annoying.
- 16.54. It was suggested that programmes on TVB Jade and TVB Pearl should display an information column throughout the day (including date, time and weather information) so that the audience would know the latest weather conditions.
- 16.55. Members of the public questioned whether there were any other artistes in TVB as they saw artiste Bob Lam seven days a week, from morning till night, being the host and appearing in drama series. Some considered that the voice of Lam was noisy and annoying, and hoped that TVB could make improvements.
- 16.56. It was satisfying that TVB arranged viewing of its broadcast programmes on the Internet to lend viewers convenience.
- 16.57. There were comments which appreciated TVB's increase of staff benefits in the past few years. The maximum time of shooting per day was 12 hours, so that the rest time of artistes could be increased, which would in turn improve the quality of its dramas. 80% of the script had to be ready before a drama series could start shooting. Apart from staff benefits, TVB had also purchased some latest shooting equipment which made its production even better.

- 16.58. Actors should be prevented from shooting another drama series within a short period of time after the completion of a drama series. The period of shooting and programme production should be extended to allow artistes time to rest.
- 16.59. There was dissatisfaction against the treatment to the staff in the dubbing section, as seven-day and overtime work was frequent. TVB had outsourced the dubbing procedures of acquired drama series, leading to a decline in the dubbing quality. More than 10 dubbing talents left due to dissatisfaction with overtime work, but there was no response and improvement from TVB and it simply continued to launch training courses for dubbing talents. Some were dissatisfied that the drama series were dubbed by TVB's dubbing section at the beginning, but for the new series, the episodes were dubbed by outside parties.
- 16.60. Management contracts should be cancelled except for new artistes; all the contracts should be changed to serial-based contracts.
- 16.61. About 20 young artistes should be trained every year.
- 16.62. There was discontent that Helen Tam was posted out of a children's programme.
- 16.63. There was discontent that most of the participants who joined the beauty contests organised by TVB and ATV came from the Mainland and foreign countries. They could not represent Hong Kong.
- 16.64. Some members of the public opined that award presentation ceremonies held by TVB were so commercial that they could not reflect the taste of the viewers.

- 16.65. There was discontent that Miss Hong Kong Pageant winners who appeared in sports programmes and charitable fund-raising shows performed poorly.
- 16.66. There were excessive creative elements and humanised descriptions in the Chinese subtitles of TVB's documentaries. The subtitles did not tally with the original voice-overs. The presentation was not professional.

Part 3: Comments Retrieved from Newspapers

During the consultation period, the CA also collected views from those who did not formally submit views to the CA by summarising noteworthy comments in newspapers, including editorials and commentaries.

2. The salient points are summarised as follows:

2.1 Programme Diversity

2.1.1 There was strong dissatisfaction with the frequent broadcast of repeat programmes. One of the TV stations in Hong Kong occupied many spectrums but offered few programme choices. The programme quality was unsatisfactory.

2.1.2 Apart from producing entertainment programmes of conventional style, the two TV stations should shoulder the social responsibility of broadcasting a greater variety of programmes of different genres in order to broaden the choices of viewers. When compared with their counterparts in other countries, the two TV stations lacked a global vision and they rarely produced programmes on international affairs and history.

2.1.3 News reports should have comprehensive coverage of the Mainland and international news. There were suggestions that the main news bulletins (in particular evening and late night news) should last for at least 60 minutes, and news about the Mainland should account for at least 15 minutes, while international news should also account for at least 15 minutes.

2.1.4 There was a lack of programmes targeting ethnic minorities.

2.1.5 Variety shows should not be predominated by cookery and gourmet programmes.

2.1.6 The CA should prescribe the proportion of independent productions to be broadcast by the two TV stations in their renewed licences. This would help nurture local talents and foster the development of independent production companies, which in turn would supply high quality programmes to disadvantaged station(s).

2.2 Accuracy, Impartiality and Fairness

2.2.1 Free TV was a pervasive media in Hong Kong. In determining whether a free TV licence should be renewed, the relevant authority should take into account the station's integrity and credibility. If the conduct of a station was dishonest and partial, and had misused the public resources to promote its own interest, its licence should not be renewed.

2.2.2 ATV, which was controlled by a Mainland investor, had changed its management vision. ATV's programmes, including news reports, often echoed the views of the Mainland and could not cater for the taste of Hong Kong viewers.

2.3 Programme Quality

2.3.1 The prime-time rating of TVB had dropped to the lowest in the preceding four years because – (a) the drama series were full of flaws and goofs, and the production was crude; (b) TVB suffered from brain drain as talented producers were poached from TVB to HKTV; and (c) there was keen competition from overseas television programmes. Also, there were views that the Government's decision to reject the application of HKTV

for a free TV licence provoked a new bout of anger towards TVB.

2.3.2 It was noted that some members of the public were dissatisfied with TVB's dominance in the domestic free TV market, the stand of its news reports and its programme quality. However, there were also comments that TVB's drama series could cater for the housewives, who were its major audiences.

2.3.3 ATV was undergoing transformation and concentrated in producing niche programmes which were different from those of the main stream. It took time to attract audience and audience should be patient to wait for the outcome of ATV's transformation.

2.3.4 The language standard of ATV World did not measure up to that of native English speakers. Its programmes were heavily loaded with political messages and overtones.

2.3.5 ATV's promotional campaign for the repeat broadcast of drama series "My Date with a Vampire" was successful. In particular, netizens commended that the promotion video was creative and of good quality despite the limited resources of the TV station. It showed that audience would support ATV if it put in effort.

2.4 Programme Scheduling

2.4.1 There were suggestions that the two TV stations should be required to broadcast locally produced programmes from 6 p.m. to 11 p.m. Acquired programmes should not be broadcast during prime time.

2.4.2 There were comments that only first-run programmes should be broadcast during prime time. Programmes produced by local

companies (not in-house or by associate companies) should be broadcast at least one hour a day. In addition, one hour a day of Live TV shows should be produced, as this was the most effective way to nurture talents in the local production sector.

2.4.3 Many children nowadays could not enjoy children programmes in the afternoon given the changes in the educational system. Some children were required to attend full-time school programme, while others, who were attending half day education, would need to attend tutorial or interest classes after school. In view of these, the daily broadcasting hours of children programmes should be rescheduled to 8:00p.m. – 8:30 p.m..

2.4.4 Repeat broadcast of television programmes could be justifiable in a big country where viewers would be able to enjoy the same programmes at different times. However, given that Hong Kong is a small city, viewers would prefer watching new programmes and found frequent repeat of old programmes boring.

2.4.5 It was suggested that repeat of television programmes should be limited to only one-off special programmes, e.g. beauty pageants and anniversary shows. Such programmes should be allowed to repeat once.

2.5 Advertising

2.5.1 Product Placement should be an ingenious way for product promotion in television programmes without undermining viewers' interest. For example, product placement in Korean dramas was successful. During the public hearings, the two TV stations indicated that restrictions of product placement should be relaxed to increase revenue for the stations and in turn would

help improve the overall quality of programmes. However, there were comments that even if the restrictions of product placement in Hong Kong were relaxed, programme quality would not be improved because the advertisers always required their products to be shown in a prominent way, which would adversely affect viewing interest.

2.6 Investments and Financial Capability of the Two TV Stations

2.6.1 The licence fee payable for free TV stations was insignificant when compared to their advertising revenues. Therefore the operators did not have incentive to invest in high quality programmes so as to improve profitability of their companies. There was room for adjusting upward the broadcasting licence fee and charging the spectrum utilisation fee.

2.6.2 Profitability of a free TV station should not be a factor to be considered in the licence renewal exercise. Non-renewal of ATV's licence based on some opposing views would deprive the right of viewers who enjoyed ATV's programme.

2.6.3 Having considered ATV's default on wage payment and substantial losses over the past years, there were suggestions that ATV's licence should not be renewed.

2.7 Management and Operation of the Two TV Stations

2.7.1 It was suggested that a free TV licence should be renewed on the conditions that, for example, the TV station had a professional management team that could operate independently without interference from major investors; the management must show the ability of recruiting good talents to produce high

quality programmes; and they should have sufficient funding to operate a TV station that could sustain its business for years.

- 2.7.2 ATV's major investor interfered with the operations of ATV. He also amended the minutes of the meetings and obstructed the investigation of the CA into the management of ATV.

2.8 Competition in the Free TV Market

- 2.8.1 Incumbent free TV stations could make use of spectrum as a means of transmission, while Fantastic TV and HKTVE could only use fixed network for transmission of their services, which rendered the latter second-class citizens in the television market. They could not compete with ATV and TVB on a level-playing field. It was suggested that the Government should re-assign the spectrum to all market players.

- 2.8.2 Due to the lack of competition in the free TV market, the quality of programmes had deteriorated.

- 2.8.3 TVB dominated the domestic free TV market by monopolising top-tier talents and resources. As a result, the introduction of two new entrants into the market might not be able to improve the overall programme quality. New entrants would not be able to produce high quality programmes unless they put in very substantial resources.

- 2.8.4 There were comments that the advertising revenues could not sustain more than three free TV stations in Hong Kong.

- 2.8.5 The licences were not granted to applicants who were dedicated to operating a TV station, while the incumbent operators were not committed to produce good quality programmes for the benefit of viewers.

2.8.6 Currently, mobile TV services were subject to more lenient regulation than free TV services in terms of programming and advertising requirements. To allow a fair competition between free TV and mobile TV licensees, mobile TV services should be subject to more stringent regulation so that they could compete fairly with free TV services.

2.9 Overall Performance of the Two TV Stations

2.9.1 According to an on-line survey conducted involving about 30,000 respondents, most respondents were dissatisfied with the programme quality of ATV (97%) and TVB (82%). 94% supported that ATV's licence should not be renewed, while 96% considered that the spectrum of both ATV and TVB should be reassigned to other free TV stations.

2.9.2 The licences of ATV and TVB should not be renewed and the new licences should be allocated by auction.

2.9.3 ATV's operations were considered unprofessional in the recent years. It had done nothing other than repeating programmes and producing talk shows. It broadcast acquired programmes during prime time. Moreover, it made mistakes frequently in news reports such as misreporting the death of former president Jiang Zemin. Many of these incidents could be avoided if ATV's major investor had not interfered with its management.

2.9.5 In view of its financial position, quality of programmes, audience rating and social influence, it was a waste of resources to grant licence renewal to ATV.

2.9.6 Since the mid-term review of its free TV licence, ATV had been given ample opportunity to improve its management and

operation as well as its drama series and productions but its performance had continued to deteriorate. There were numerous complaints against ATV's programmes and sanctions were imposed on ATV. There was no sign of improvement in the programmes quality. As such, its licence should not be renewed.

- 2.9.7 The drop of audience rating for TVB was not only due to the deteriorating programme quality but also the challenges of programmes from foreign countries and other broadcasting platforms.

2.10 Other Broadcasting Issues

- 2.10.1 The first public hearing turned out to be a shouting match with many participants making unconstructive comments. Some even came with placards as if they were protesting in the street. Speakers were chosen at random and many attendees who had wanted to speak ended up disappointed.

- 2.10.2 There were comments that touched upon why there was a shortage of talents in the television and entertainment industry. Firstly, as the major audience of free TV was housewives, free TV stations tended to produce television programmes which could be easily understood and enjoyed by the target audience. Actually, drama series that were of unique style and serious content were not well received. Secondly, there was a lack of competition in the free TV market. Irrespective of the programme quality, audience rating and advertising of the dominant TV station would remain high. The TV station therefore had no incentive to improve programme quality. Thirdly, there was a lack of local production talents. Attractive local programmes could not be produced without local production talents. As a result, viewers switched to watching

programmes from foreign countries. Finally, there was also a lack of attractive actors in Hong Kong. Famous TV actors preferred to perform in films or Mainland dramas for better remuneration. There was also a lack of training to local young actors. These reasons created a vicious circle of deterioration of market environment and hindered the new blood to join the industry.

2.10.3 It was not rational for someone who had never watched ATV to criticise ATV's programmes. Nevertheless, there were still numerous "irrational criticisms" on ATV because television was not only a medium of entertainment but also a platform of politics.

2.10.4 The support given by the Government to television industry was obviously less than that given to the film industry. Hong Kong Film Development Council was set up to steer the development of film industry. By contrast, the Government did nothing to foster the development of the television industry.

Chapter 5 Follow-up Actions

As an independent statutory regulator of broadcasting and telecommunications services in Hong Kong, one of the major responsibilities of the CA is to enforce the provisions in the licensing and regulatory regime so as to ensure that the services provided by broadcasting licensees live up to standards and expectations of the community. Free TV is the most pervasive media in Hong Kong and is a very significant source of free entertainment, education and information for the general public. The CA therefore attaches great importance to public views on the performance of ATV and TVB when assessing the licence renewal applications of the two licensees. The response to the public consultation exercise was enthusiastic and the views received were diversified, as reflected in the statistics set out in Chapter 2 of this report. The CA had taken note of all the views received.

2. In relation to the licence renewal application of ATV, the public consultation exercise reveals strong adverse public opinions on the programming of ATV and on its poor performance in various other aspects. In particular, approaching 45% of the respondents in the opinion survey consider the service of ATV not satisfactory, a high dissatisfaction level which is considered abnormal as per the advice of the survey firm commissioned by the CA to conduct the survey. As for the licence renewal application of TVB, the views collected in the public consultation exercise show that the public is generally satisfied with the performance of TVB though there is room for improvement in its programming variety and quality. On the whole, the public supports TVB's application for renewal of its free TV licence provided that more stringent requirements are imposed on TVB to ensure that its performance would meet public expectation.

3. In the public consultation exercise, members of the public also expressed their views on a considerable range of topics such as programme variety, local and independent productions, amount of positive programme requirements, repeat programmes, programme standards, the provision of subtitling and sign language for programmes, etc., which fall within the scope of the licence renewal exercise. The CA had carefully considered the views received when drawing up its recommendations in relation to the licence renewal applications of ATV and TVB for submission to the CE in C for consideration⁶. The public views collected during the public consultation exercise had also been submitted to the CE in C for reference⁷.

4. The CA notes that there are public concerns over the performance of the licensees in complying with programme standards, especially in respect of the provisions governing accuracy, fairness and impartiality of the views expressed in factual programmes, and indirect advertising within programmes. Under the complaint-driven approach, the codes of practice promulgated by the CA serve as guidelines on proper content standards for the industry. The CA will continue to handle public complaints about broadcasting contents in accordance with the relevant provisions in the legislation, licences and the codes of practice. The CA will also review the codes of practice as necessary to ensure that they reflect community values and standards and changes in audience expectations, and

⁶ The CA's recommendations were submitted on 4 November 2014.

⁷ On 1 April 2015, the Government announced that having considered the CA's recommendations, relevant representations and all relevant latest developments, the CE in C decided not to renew ATV's free TV licence. Under the Broadcasting Ordinance, a notice in writing of the CE in C's non-renewal decision has to be served on ATV at least 12 months before expiry of its licence. For the purpose of complying with the statutory requirement as to the length of the notice, the CE in C also decided that the term of ATV's licence be extended to 1 April 2016.

will take into account feedback from the public and stakeholders in the process.

5. The CA notes that quite a number of comments and suggestions are related to the licensees' editorial and commercial decisions on specific programmes and advertisements, programming strategy and scheduling of individual programmes as well as other government policy issues (such as regulation of mobile TV, granting of additional free TV licences, programmes supplied by the Government, etc.), which fall outside the scope of the licence renewal exercise. The CA has all along respected and upheld freedom of expression and the editorial independence and creativity of broadcasters. The CA considers that editorial responsibility lies with the broadcasters and does not interfere with the editorial decisions, programme scheduling and day-to-day operations of the broadcasters. Nonetheless, the CA recognises the importance that the public attaches to issues like the treatment and scheduling of individual programmes and has conveyed such views and suggestions to the licensees for reference and follow-up actions. Regarding views and comments on other government policies, the CA has conveyed them to the relevant Government bureaux/department as they fall outside the remit of the CA.

6. The CA has also received public views on the assignment arrangements for frequency spectrum. The CA notes the public concern on the spectrum issues, and will consider the assignment of the spectrum as and when it becomes available in accordance with, among others, the provisions in applicable law, procedures, the CA's statutory duties, the prevailing free TV landscape and the Radio Spectrum Policy Framework promulgated by the Government.

7. Last but not least, the CA would like to thank ATV and TVB for their participation, and all the individuals, groups and organisations who have given their views during the public consultation exercise.

**Opinion Survey on the Domestic Free Television
Programme Services of Asia Television Limited and
Television Broadcasts Limited**

- Executive Summary -

Prepared for

Communications Authority

By

Consumer Search Hong Kong Limited

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A. SURVEY BACKGROUND AND OBJECTIVES

1. In November 2013, Asia Television Limited (ATV) and Television Broadcasts Limited (TVB) submitted applications for the renewal of domestic free television programme service licences granted under the Broadcasting Ordinance (Cap. 562) (BO), which will expire after 30 November 2015. The Communications Authority commissioned Consumer Search Hong Kong Limited to conduct an opinion survey (Opinion Survey) on the domestic free television programme services (free TV services) of ATV and TVB for the purpose of reviewing the performance of ATV and TVB in context of their applications for the renewal of their respective licences.
2. Where appropriate and available, the findings of the Opinion Survey are compared with those of the previous surveys conducted in 2007 (Survey 2007) and 2009 (Survey 2009).
3. The primary objectives of the Opinion Survey are as follows:
 - (a) to gauge public feedback on general issues relating to the free TV services in Hong Kong;
 - (b) to assess whether the current conditions in the licences of ATV and TVB are adequate to meet the changing circumstances since the current licences were reviewed and amended in 2010 and the provisions in the respective codes of practice are generally in line with the aspirations and values of local viewers;
 - (c) to assess the quality of the free TV services of ATV and TVB and identify areas for improvement; and
 - (d) to assess the perceptions of viewers of the level of acceptability of the free TV services of ATV and TVB.

B. SAMPLE COVERAGE AND TARGET RESPONDENTS

4. A random sample of living quarters was taken from the Frame of Quarters¹ maintained by the Census and Statistics Department (C&SD). Household visits were made to the sampled quarters and one member of age 15 or above was randomly selected from each household for an interview.

C. FIELDWORK PERIOD AND RESPONSE RATE

5. Fieldwork was conducted between 30 November 2013 and 28 May 2014.
6. A total of 3 063 persons of age 15 or above were successfully enumerated via face-to-face interviews², with a response rate of 59.8%. The sample size achieved would generally produce survey findings with acceptable levels of precision. The following cases had been taken for illustration purpose:

Table 1 Reliability of Survey Findings

Variable	Sample Estimate	Coefficient of Variation ³	95% Confidence Interval
Proportion of households that possessed the related device (e.g. HD television set-top box, HD television with built-in	83.4%	0.8%	(82.0%, 84.8%)

¹ The *Frame of Quarters* is divided into two parts, namely, the Register of Quarters and the Register of Segments.

The *Register of Quarters* (RQ) is a list of addresses of permanent quarters in built-up areas including urban areas, new towns and major developments in the New Territories. Each unit of quarters is identified by a unique address. As at the end of first quarter of 2013, there were about 2.5 million units of quarters in the RQ.

The *Register of Segments* (RS) is a list of area segments in non-built-up areas. The use of area segments in non-built-up areas is necessary because the quarters in these areas may not have clear addresses and cannot be easily identified. As at the end of first quarter of 2013, there were about 17 500 segments covering around 0.2 million units of quarters in the RS.

Source: The Census and Statistics Department, Hong Kong

² A small quantity of the target respondents who encountered difficulties in receiving face-to-face interviews during the fieldwork period were arranged to have telephone interviews.

³ Coefficient of variation is obtained by expressing the standard error as a percentage of the estimate to which it refers.

set-top box) at home to access simulcast digital channels or other digital channels			
Proportion of persons aged 15 or above that had ever watched simulcast digital channels in the month prior to the Opinion Survey	68.9%	1.3%	(67.2%, 70.6%)

D. SURVEY FINDINGS

7. This executive summary contains the key findings of the Opinion Survey on the Domestic Free Television Programme Services of ATV and TVB in 2013-14.

1. USAGE HABITS OF DOMESTIC FREE TELEVISION PROGRAMME SERVICES

1.1. Use of Domestic Free Television Programme Services⁴

8. 91.0% of persons aged 15 or above had watched the free TV services in the month prior to the Opinion Survey. The viewership of free TV had dipped marginally compared to Survey 2009 (96.0%) and Survey 2007 (98.8%).

The incidence of watching analogue and digital free TV services in the month prior to the Opinion Survey was as follows:

- (a) 27.2% of persons aged 15 or above had watched the analogue channels in the month prior to the Opinion Survey. Compared with Survey 2009 (92.7%) and Survey 2007 (98.8%), there was a remarkable drop in the viewership of analogue free television; and
- (b) 68.9% had watched the simulcast digital channels and 79.6% had watched other digital channels, which were significantly higher than the incidences observed in Survey 2009 (30.5% and 34.0% respectively).

⁴ Recorded free TV programmes, video tapes, VCDs, DVDs, programmes on the Internet, and programmes of services not licensable under the Broadcasting Ordinance were not counted as free TV broadcast.

For the incidence of watching free TV in the seven days prior to the Opinion Survey, the viewership of free TV channels in general, analogue channels, simulcast digital channels and other digital channels was 86.1%, 27.0%, 70.4% and 80.2% respectively. Compared with Survey 2009 (95.2%, 91.8%, 27.9% and 30.5% respectively), a remarkable decline in the viewership of analogue free television was also noted.

9. 83.4% of households had installed appropriate devices for reception of the simulcast digital channels or other digital channels. The penetration rate of such devices increased substantially when compared to Survey 2009 (25.6%).

10. 37.1% of persons aged 15 or above had watched free TV programmes on the Internet. Among those who had habit of watching TV on the Internet, 43.9% watched it not more than one day every two weeks, followed by 34.6% watched it one to two days a week. The remaining (21.5%) watched it at least three to four days a week.

1.2. Usage Habits of Domestic Free Television Programme Services⁴

11. Among those (91.0%) who had watched free TV in the month prior to the Opinion Survey, 75.7% watched free TV on a daily basis (versus 85.6% in Survey 2009 and 81.8% in Survey 2007). 14.6% did so between three and six days a week (i.e. watched “often”) (versus 10.0% in Survey 2009 and 11.5% in Survey 2007) and 9.7% watched free TV between one day a month and two days a week (i.e. watched “occasionally”) (versus 4.3% in Survey 2009 and 6.5% in Survey 2007).

Compared to Survey 2009, there was a decrease in the level of free TV viewership on a daily basis but an increase in the “often” and “occasional” viewership level.

12. For those (91.0%) who had watched free TV in the month prior to the Opinion Survey, they spent an average of 2.7 hours watching free TV per day. This represented a drop from that in Survey 2009 (3.2 hours) and Survey 2007 (3.0 hours).

For those (86.1%) who had watched free TV in the seven days prior to the Opinion Survey, the average time spent on watching free TV was 2.9 hours per day, as compared with 3.3 hours per day in Survey 2009.

13. Among those (91.0%) who had watched free TV in the month prior to the Opinion Survey, 37.4% claimed that they spent about the same amount of time in watching TV per day during weekdays (i.e. Monday to Friday) and weekends (i.e. Saturday and Sunday) (versus 45.5% in Survey 2009). 29.2% normally spent more time each day during weekends than weekdays on watching free TV, while 33.3% spent less time to watch TV during weekends (versus 30.3% and 24.2% respectively in Survey 2009).

For those (86.1%) who had watched free TV in the seven days prior to the Opinion Survey, there was a decrease in the proportion of viewers who claimed that they had watched free TV for about the same time per day on both weekdays and weekends compared to Survey 2009 (38.8%, versus 45.6% in Survey 2009).

14. Viewers normally watched free TV in the hours from 6:00 pm to 11:59 pm, identical to that in Survey 2009 and Survey 2007.
15. For those (86.1%) who had watched free TV in the seven days prior to the Opinion Survey, a relatively large proportion claimed that they did so “for [obtaining] information such as news, weather, financial and traffic reports” (59.3%, versus 63.8% in Survey 2009) and “for [seeking] entertainment” (47.6%, versus 53.0% in Survey 2009).

16. The most frequently watched free TV channel was TVB Jade (16.5% for analogue and 23.7% for simulcast, versus 73.0% and 4.4% respectively in Survey 2009), followed by TVB HD Jade (32.4%, versus 9.3% in Survey 2009), TVB iNews (13.3%, versus 1.0% in Survey 2009) and TVB J2 (6.0%, versus 1.3% in Survey 2009). Others included ATV Home (1.9% for analogue and 1.5% for simulcast, versus 6.2% and 0.4% respectively in Survey 2009), TVB Pearl (0.5% for analogue and 1.7% for simulcast, versus 3.3% and 0.3% respectively in Survey 2009), ATV Asia (0.7%, versus 0.1% in Survey 2009), CCTV Channel 1 (0.6%), ATV Classic (0.5%), ATV World (0.2% for analogue and 0.2% for simulcast, versus 0.5% and 0.1% respectively in Survey 2009) and Shenzhen Satellite TV (0.3%).

- (a) Compared to 2009 and 2007, mentions on TVB Jade (including the analogue and simulcast Jade) as the most often watched channel had decreased among those who had watched free TV in the month prior to the Opinion Survey (40.2%, versus 77.4% in Survey 2009 and 84.1% in Survey 2007). The claimed viewership of TVB Chinese channels (including TVB Jade and HD Jade) was also substantially lower than that in the previous surveys (72.6%, versus 86.7% in Survey 2009 and 84.1% in Survey 2007). Notwithstanding this, TVB's channels commanded up to 94.1% of viewership (versus 92.6% in Survey 2009 and 88.7% in Survey 2007).
- (b) Compared to 2009 and 2007, the claimed viewership of ATV Home (including the analogue and simulcast Home) had decreased among those who had watched free TV in the month prior to the Opinion Survey (3.4%, versus 6.6% in Survey 2009 and 10.9% in Survey 2007).

17. Among those (91.0%) who had watched free TV in the month prior to the Opinion Survey, dramas (43.6%, versus 47.1% in Survey 2009) and news programmes (43.2%, versus 40.7% in Survey 2009) were the types of programme that the TV viewers watched most often.

When compared with Survey 2009, for those (86.1%) who had watched free TV in the seven days prior to the Opinion Survey, the viewership of news programmes (42.7%, versus 40.7% in Survey 2009) had increased, while that of dramas (44.7%, versus 47.3% in Survey 2009) had declined.

1.3. Views on Watching Television with Family Members Aged 15 or Below

18. Among those (91.0%) who had watched free TV in the month prior to the Opinion Survey, 24.4% claimed having children aged 15 or below in the households (versus 30.1% in Survey 2009 and 34.5% in Survey 2007). The corresponding percentage for those who had watched free TV in the seven days prior to the Opinion Survey was 24.6% (versus 30.2% in Survey 2009). Among these households (24.4%),

- (a) 76.3% claimed that parents or other household members aged 18 or above had accompanied their children to watch TV in the month prior to the Opinion Survey (versus 76.5% in Survey 2009);
- (b) the usual watching time slot was in the hours from 7:00 pm to 9:59 pm; and
- (c) 45.4% mentioned that the parents or other family members aged 18 or above would accompany the children to watch television five times or more a week.

19. Among those (91.0%) who had watched free TV in the month prior to the Opinion Survey, 81.4% considered the current practice of family viewing hours (i.e. designated from 4:00 pm to 8:30 pm) as appropriate. 7.1% and 2.8% considered that the family viewing hours should be extended or shortened respectively, 8.7% had no comment.
- (a) Among those (7.1%) who considered that the family viewing hours should be extended, 25.8% suggested that the time restriction should start at 4:00 pm and end at 9:30 pm. 25.7% suggested that the time restriction should start at 4:00 pm and end at 10:00 pm.
- (b) Among those (2.8%) who considered that the family viewing hours should be shortened, 26.6% suggested that the time restriction should start at 4:00 pm and end at 6:00 pm. 20.3% suggested that the time restriction should start at 4:00 pm and end at 7:00 pm.

1.4 Use of Closed Captioning

20. 37.9% of those who had watched free TV in the month prior to the Opinion Survey were aware of the closed captioning on digital channels of free TV services. The remaining 62.1% were not aware of the function.
- (a) Among those (37.9%) who were aware of the closed captioning function, 55.3% claimed that they used the function. Of which, 48.9% used the function once a week and 27.0% used it five times or more a week.
- (b) Among those who were not aware of (62.1%) or who were aware of but did not use (17.0%) the closed captioning function, 60.0% opined that this function should be promoted by ATV and TVB by “adding a reminder in the programmes”. This was followed by “broadcasting promotional clips” (50.4%).

2. VIEWS ON PROGRAMME AND ADVERTISING CONTENTS

Programme Quality

21. 48.1% of viewers (i.e. those who had watched free TV in the month prior to the Opinion Survey) claimed that the level of programme quality of ATV was dissatisfactory and 15.5% found it average. 22.6% expressed satisfaction with the subject matter. 13.9% had no comment

22. 59.1% considered that the level of programme quality of TVB was satisfactory and 21.3% found it average. 16.9% expressed dissatisfaction with the subject matter. 2.8% had no comment.

23. 75.4% viewers claimed that their satisfaction level on programme quality had not changed in the past year. 24.6% claimed that there was a change in their satisfaction. Among them, 27.7% experienced changes with ATV only, 32.5% with TVB only and 39.8% with both ATV and TVB.
 - (a) Among those (16.6%) who claimed that there was a change in their satisfaction in the quality of programme broadcast by ATV, 85.4% claimed that their satisfaction was lower than a year prior to the Opinion Survey, while 14.6% found it higher. The key reasons for the drop in satisfaction level with programme quality of ATV were that “there are frequent repeat programmes” (64.0%), “programmes are of low production quality” (58.7%), “amount of local productions is insufficient” (53.6%) and “programmes are not diversified enough” (50.5%).

- (b) Among those (17.8%) who claimed that there was a change in their satisfaction in the quality of programme broadcast by TVB, 69.1% claimed that their satisfaction was lower than a year prior to the Opinion Survey, while 30.9% found it higher.
 - (i) The main reasons for the increase in satisfaction level with programme quality of TVB were that “programmes are diversified” (66.8%) and “programmes can cater for the interests of audience” (46.5%).
 - (ii) On the contrary, the key reasons for the drop in satisfaction level with programme quality of TVB were the dissatisfaction with “uncreative programme contents” (66.3%) and “programmes are of low production quality” (65.5%).

Programme Variety

24. 54.8% of viewers (i.e. those who had watched free TV in the month prior to the Opinion Survey) considered that the level of programme variety was satisfactory (versus 54.7% for analogue or simulcast digital channels and 55.0% for other digital channels in Survey 2009 and 56.2% in Survey 2007) and 18.5% found it average (versus 30.6% for analogue or simulcast digital channels and 29.3% for other digital channels in Survey 2009 and 34.1% in Survey 2007). 22.3% expressed dissatisfaction with the subject matter (versus 11.8% for analogue or simulcast digital channels and 9.1% for other digital channels in Survey 2009 and 6.6% in Survey 2007). 4.4% had no comment (versus 3.0% for analogue or simulcast digital channels and 6.5% for other digital channels in Survey 2009 and 3.1% in Survey 2007).

- (a) Comparing to Survey 2009 and Survey 2007, there was no significant difference in the proportion of viewers who were satisfied with the programme variety (54.8%, versus 54.7% for analogue or simulcast digital channels and 55.0% for other digital channels in Survey 2009 and 56.2% in Survey 2007).

- (b) However, comparing to Survey 2009, there was a significant increase in the level of dissatisfaction (22.3%, versus 11.8% for analogue or simulcast digital channels and 9.1% for other digital channels in Survey 2009).
- (c) Among those (22.3%) who had expressed dissatisfaction with the level of programme variety, 69.0% commented that their dissatisfaction were related to programmes which were not diversified enough (e.g. insufficient quantity for certain programme, such as sports programmes, documentaries, and variety shows, while quantity for certain programmes was too many, such as travelogues and dramas) and 35.6% remarked on uncreative/ repeated/ boring/ unreasonable/ biased programme contents.

Programme Types⁵

- 25. Only a few of the programme types (i.e. 2 out of a total 18) that were identified for the sufficiency evaluation were considered having broadcast sufficiently on the services by around 40% of those who had watched the services in the month prior to the Opinion Survey, including news programmes (42.8%, versus 90.8% for analogue or simulcast digital channels and 90.1% for other digital channels in Survey 2009) and dramas (38.8%, versus 92.6% for analogue or simulcast digital channels and 84.9% for other digital channels in Survey 2009).

⁵ The types of programmes that were identified for the sufficiency evaluation included arts and culture programmes, business/finance programmes, current affairs programmes, dramas, documentaries, education programmes, films, music programmes, government's announcements in the public interest, news programmes, programmes for children up to the age of 15 (e.g. After School, Q&A Lessons), programmes for young people between 16 and 24 (e.g. Youth Nation, HKFYG Youth), programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies), quiz and game shows, RTHK programmes, science, nature and wildlife programmes, sports programmes and travelogues/magazine programmes/talk shows/ food programmes.

26. A relatively large proportion of viewers considered the following types of programmes insufficient in quantity. They were science, nature and wildlife programmes (28.3%, versus 41.8% for analogue or simulcast digital channels and 36.3% for other digital channels in Survey 2009), documentaries (24.7%, versus 38.7% for analogue or simulcast digital channels and 32.6% for other digital channels in Survey 2009), education programmes (20.9%, versus 36.1% for analogue or simulcast digital channels and 32.7% for other digital channels in Survey 2009), travelogues/ magazine programmes/ talk shows/ food programmes (19.3%, versus 13.2% for analogue or simulcast digital channels and 14.6% for other digital channels in Survey 2009), films (18.6%, versus 27.6% for analogue or simulcast digital channels and 32.2% for other digital channels in Survey 2009), sports programmes (15.8%, versus 20.6% for analogue or simulcast digital channels and 24.0% for other digital channels in Survey 2009), arts and culture programmes (15.8%, versus 23.5% for analogue or simulcast digital channels and 17.8% for other digital channels in Survey 2009), dramas (14.2%, versus 4.6% for analogue or simulcast digital channels and 8.7% for other digital channels in Survey 2009) and music programmes (13.3%, versus 16.9% for analogue or simulcast digital channels and 14.3% for other digital channels in Survey 2009). Over 45% (i.e. 47.0% to 89.9%) had no comment on the subject matter.

Details of the perceived sufficiency of various programme types are set out at Appendix 1.

HDTV Programmes

27. 35.0% of viewers (i.e. those who had watched free TV in the month prior to the Opinion Survey) considered that the HDTV programmes provided by ATV were insufficient in quantity, while 19.0% found it sufficient. 46.0% had no comment.
28. Among those 35.0% viewers, the top five programme types broadcast by ATV that were considered insufficient in quantity were:

- (a) dramas (69.0%);
 - (b) travelogues/ magazine programmes/ talk shows/ food programmes (42.4%);
 - (c) films (40.3%);
 - (d) science, nature and wildlife programmes (39.9%); and
 - (e) documentaries (34.1%).
29. 66.7% viewers considered that the HDTV programmes provided by TVB were sufficient in quantity. 10.4% found it insufficient. 22.9% had no comment.
30. Among those 10.4% viewers, the top five programme types broadcast by TVB that were considered insufficient in quantity were:
- (a) science, nature and wildlife programmes (42.0%);
 - (b) travelogues/ magazine programmes/ talk shows/ food programmes (34.8%);
 - (c) documentaries (34.4%);
 - (d) films (33.9%); and
 - (e) education programmes (26.7%).

Sufficiency of Local TV Productions⁶

31. In terms of local TV productions of ATV, 65.0% of viewers (i.e. those who had watched free TV in the month prior to the Opinion Survey) considered that the local productions were insufficient in terms of quantity. 13.6% thought otherwise (i.e. sufficient) and 6.7%, average. 14.7% had no comment.

⁶ "Local TV productions" refer to those programmes or those programmes with most part of which were produced by the TV stations themselves or those programmes produced locally with no dubbing required.

32. 72.8% of viewers considered that the local productions of TVB were sufficient in terms of quantity. 9.1% thought otherwise (i.e. insufficient) and 13.2%, average. 4.9% had no comment.

Broadcasting Arrangement of Repeat Programmes

33. 51.2% of viewers (i.e. those who had watched free TV in the month prior to the Opinion Survey) were dissatisfied with the broadcasting arrangement of repeat programmes of ATV. 19.1% expressed satisfaction and 9.7% found it average. 20.0% had no comment.
34. Among those (51.2%) who were dissatisfied with the broadcasting arrangement of repeat programmes of ATV, 42.1% claimed only the quantity of repeat programmes unsatisfactory. 40.4% found both the quantity of repeat programmes and the frequent repeat of the same programme unsatisfactory. 17.5% considered only the frequent repeat of the same programme unsatisfactory. Those dissatisfied viewers considered the following types of programmes were frequently repeated by ATV. They were: dramas (81.5%), followed distantly by travelogues/ magazine programmes/ talk shows/ food programmes (32.1%) and current affairs programmes (22.5%). These repeat programmes were mainly broadcast on ATV Home (62.0% on simulcast digital channels and 26.3% on analogue channels).
35. 64.4% of viewers considered the broadcasting arrangement of repeat programmes of TVB satisfactory and 18.4% found it average. 6.0% expressed dissatisfaction. 11.2% had no comment.

36. Among those (6.0%) who were dissatisfied with the broadcasting arrangement of repeat programmes of TVB, 42.3% claimed only the frequent repeat of the same programme unsatisfactory and 41.5% found only the quantity of repeat programmes unsatisfactory. 16.3% considered both the quantity of repeat programmes and the frequent repeat of the same programme unsatisfactory. Those dissatisfied viewers considered the following types of programmes were frequently repeated by TVB. They were: dramas (66.1%), followed distantly by films (26.8%) and travelogues/ magazine programmes/ talk shows/ food programmes (24.0%). These repeat programmes were mainly broadcast on the digital simulcast of TVB Jade (51.0%) and HD Jade (33.6%).
37. 45.8% of viewers considered that it is necessary to impose a general requirement governing repeat programmes, while 38.9% considered it not necessary to impose such requirement. 15.3% had no comment.
38. Among those (45.8%) who considered that there should be a general requirement governing repeat programmes, 57.7% suggested that the broadcasters should be required to broadcast a minimum amount of first-run programmes during the prime time (i.e. 7:00 pm to 11:00 pm each day) only. 24.7% suggested that first-run programmes should be broadcast both during and outside prime time. 17.6% considered that first-run programmes should be broadcast outside prime time only. While 44.8% considered that the broadcasters should not arrange a programme to repeat within one month, 21.9% opined that the same programme should not be repeated within one year.

Offensive Materials

39. Viewers (i.e. those who had watched the services in the month prior to the Opinion Survey) were asked whether they had encountered offensive materials in programme contents or in advertising contents broadcast on the free TV services before, and the findings are summarised below.

- (a) More viewers encountered offensive programme materials as compared with Survey 2009. 70.6% claimed that they had not come across offensive programme materials (versus 73.7% for analogue or simulcast channels and 89.1% for other digital channels in Survey 2009 and 69.3% in Survey 2007). 29.4% had encountered offensive programme materials (versus 26.3% for analogue or simulcast channels and 10.9% for other digital channels in Survey 2009 and 30.7% in Survey 2007).

- (i) The offensive programme materials encountered were mainly related to “indecent materials (e.g. obscene, bad taste, etc.)” (32.0%, versus 33.4% for analogue or simulcast channels and 30.9% for other digital channels in Survey 2009 and 39.1% in Survey 2007), “misleading contents” (30.4%, versus 17.0% for analogue or simulcast channels and 7.5% for other digital channels in Survey 2009 and 25.2% on “misleading factual materials” in Survey 2007), “partial views, biased contents” (29.0%), “bad language” (27.7%, versus 36.9% for analogue or simulcast channels and 38.7% for other digital channels in Survey 2009 and 33.5% on “crude language” in Survey 2007), “violence scenes” (25.3%, versus 32.3% for analogue or simulcast channels and 28.5% for other digital channels in Survey 2009 and 35.8% in Survey 2007) and “biased towards a certain community or organisation” (24.9%, versus 8.3% for analogue or simulcast channels and 13.4% for other digital channels in Survey 2009 and 18.1% in Survey 2007), while fewer viewers mentioned “bad language”, “violence scenes” and “materials with bad examples to children” (20.6%, versus 34.9% for analogue or simulcast channels and 25.8% for other digital channels in Survey 2009) as the causes of offence when compared to Survey 2009.
- (ii) Among those (20.8%) who had encountered offensive programme materials that were related to “promotion of products/ services”, the majority of them had experienced “with product placement” (81.4%), followed distantly by the format “with the name, brand name, trademark, etc. of the company shown in the background of the programmes” (37.9%) and “with the introduction or demonstration of the products/ services in the programmes, which forms an integral part of programme contents” (37.5%). The main reasons that caused offence to the viewers were that the programme contents were “too commercial” (80.1%), “too far-fetched” (52.9%) and “not necessary to show those materials in the programmes” (50.6%).

Among those (20.8%) who had encountered offensive programme materials that were related to “promotion of products/ services”, 74.3% of them considered that the frequency of promotion of products/ services in programmes was too high. Among them (15.4%), the majority (90.1%) opined that it was necessary to tighten up the relevant requirements. The main areas that should require more restrictions were related to “limiting the duration of promotion of products/ services” (58.8%) and “prohibiting the introduction or demonstration of products/ services in the programmes” (52.6%).

- (iii) A majority had encountered offensive programme materials most recently on TVB Jade (13.0% on analogue channels and 41.8% on simulcast digital channels, versus 86.7% and 4.3% respectively for analogue or simulcast digital channels in Survey 2009) and TVB HD Jade (40.3%, versus 90.9% for other digital channels in Survey 2009). ATV Home (7.0% on analogue channels and 12.6% on simulcast digital channels, versus 8.6% and 0.3% respectively for analogue or simulcast digital channels in Survey 2009) followed at a distant. These rates appear to be correlated to the viewership of different free TV channels.
- (iv) Regarding the programme types, the top three mentions by viewers who claimed they had encountered offensive programme materials were dramas (58.8%, versus 45.3% for analogue or simulcast digital channels and 47.9% for other digital channels in Survey 2009), current affairs programmes (25.7%, versus 5.8% for analogue or simulcast digital channels and 6.2% for other digital channels in Survey 2009) and travelogues/ magazine programmes/ talk shows/ food programmes (24.0%, versus 11.8% for analogue or simulcast digital channels and 15.6% for other digital channels in Survey 2009)

- (v) Among those (29.4%) who had encountered offensive programme materials, 46.5% considered the frequency of such materials that they had come across acceptable (versus 66.1% for analogue or simulcast digital channels and 70.6% for other digital channels in Survey 2009), while the remaining 53.5% found it too high (versus 33.9% for analogue or simulcast digital channels and 29.4% for other digital channels in Survey 2009).
- (b) 90.3% of viewers did not encounter offensive advertising materials (versus 87.0% for analogue or simulcast channels and 94.7% for other digital channels in Survey 2009 and 82.6% in Survey 2007). Some of them did (9.7%, versus 13.0% for analogue or simulcast channels and 5.3% for other digital channels in Survey 2009 and 17.4% in Survey 2007).
- (i) The offensive advertising materials encountered by viewers were mainly related to “misleading contents” (30.5%, versus 20.0% for analogue or simulcast channels and 24.2% for other digital channels in Survey 2009 and 34.1% on “misleading factual materials” in Survey 2007), “disgusting scenes/ horror plots” (21.0%, versus 23.9% for analogue or simulcast channels and 17.0% for other digital channels in Survey 2009 and 15.5% on “horror” and 14.3% on “disgusting scenes/plots” in Survey 2007), “materials with bad examples to children” (17.6%, versus 26.0% for analogue or simulcast channels and 17.1% for other digital channels in Survey 2009), “indecent materials (e.g. obscene, bad taste, etc.)” (17.6%, versus 27.1% for analogue or simulcast channels and 36.1% for other digital channels in Survey 2009 and 33.8% in Survey 2007) and “sex and nudity scenes” (15.1%, versus 14.9% for analogue or simulcast channels and 21.4% for other digital channels in Survey 2009 and 16.7% on “nudity” and 7.9% on “sex” in Survey 2007). Fewer viewers mentioned “indecent materials (e.g. obscene, bad taste and etc.)” as causes of offence when compared to Survey 2009.

- (ii) A majority had recently encountered offensive advertising materials on TVB Jade (18.0% on analogue channels and 43.1% on simulcast digital channels, versus 88.6% and 4.7% for analogue or simulcast digital channels respectively in Survey 2009) and TVB HD Jade (32.1%, versus 97.5% for other digital channels in Survey 2009). It was followed distantly by ATV Home (0.8% on analogue channels and 3.5% on simulcast digital channels, versus 5.2% and 0.7% respectively for analogue or simulcast digital channels in Survey 2009). These rates appear to be correlated to the viewership of different TV channels.
 - (iii) Among those (9.7%) who had come across offensive advertising materials, 61.7% considered the frequency of such materials that they had encountered acceptable (versus 63.5% for analogue or simulcast digital channels and 66.8% for other digital channels in Survey 2009), whereas 38.3% considered it too high (versus 36.5% for analogue or simulcast digital channels and 33.2% for other digital channels in Survey 2009).
40. Compared to Survey 2009, there was a slight increase in the proportion of viewers who claimed that they had been offended by broadcasting contents in programmes and/or advertisements (33.1%, versus 31.6% for analogue or simulcast digital channels in Survey 2009 and 35.8% in Survey 2007 respectively).

Among those who had watched free TV in the month prior to the Opinion Survey, the proportion of viewers who claimed that they had come across offensive programme and/or advertising materials increased when compared with Survey 2009, particularly for –

- (a) “misleading contents” (33.7%, versus 19.8% for analogue or simulcast digital channels in Survey 2009 and 31.9% in Survey 2007 on “misleading factual materials” respectively); and

- (b) “bias towards a certain community or organisation” (23.6%, versus 8.0% for analogue or simulcast digital channels in Survey 2009 and 16.9% in Survey 2007 respectively).

Quantity of Advertisements

41. 65.6% of viewers (i.e. those who had watched free TV in the month prior to the Opinion Survey) considered the quantity of advertisements broadcast on free TV during prime time (i.e. 7:00 pm to 11:00 pm) appropriate (versus 54.5% for analogue or simulcast digital channels and 64.0% for other digital channels in Survey 2009). 30.0% considered that “[there are] too many or a bit too many [advertisements]” (versus 39.9% for analogue or simulcast digital channels and 24.4% for other digital channels in Survey 2009). Only a minority (1.0%) claimed that they “can accept a little more/[there are] too few [advertisements]” (versus 0.2% for analogue or simulcast digital channels and 1.5% for other digital channels in Survey 2009). 3.4% (versus 5.4% for analogue or simulcast digital channels and 10.1% for other digital channels in Survey 2009) had no comment.
42. More viewers considered the quantity of advertisements outside prime time acceptable when compared to prime time. 74.9% regarded the current position acceptable (versus 70.4% for analogue or simulcast digital channels and 71.3% for other digital channels in Survey 2009), whereas 16.0% considered that “[there are] too many or a bit too many [advertisements]” (versus 16.3% for analogue or simulcast digital channels and 9.9% for other digital channels in Survey 2009). A minority (1.7%) claimed that they “can accept a little more/ [there are] too few [advertisements]” (versus 1.4% for analogue or simulcast digital channels and 2.9% for other digital channels in Survey 2009). 7.4% (versus 11.9% for analogue or simulcast digital channels and 15.9% for other digital channels in Survey 2009) had no comment.

Perception of Current Standards of Programme Contents

43. 84.3% of viewers (i.e. those who had watched free TV in the month prior to the Opinion Survey) considered the current standards on programme contents appropriate (versus 91.1% for analogue or simulcast digital channels and 96.8% for other digital channels in Survey 2009), given that 70.6% of them had not encountered offensive programme materials (versus 73.7% for analogue or simulcast digital channels and 89.1% for other digital channels in Survey 2009). 13.7% had encountered offensive materials and considered the frequency of such materials that they had encountered acceptable (versus 17.4% for analogue or simulcast digital channels and 7.7% for other digital channels in Survey 2009). Only 15.7% expressed dissatisfaction with the current standards of programme contents as they considered the frequency of the offensive programme materials they had encountered too high (versus 8.9% for analogue or simulcast digital channels and 3.2% for other digital channels in Survey 2009).

3. VIEWS ON LANGUAGE AND SUBTITLING REQUIREMENTS

3.1. Language Requirements

44. 93.5% of viewers (i.e. those who had watched free TV in the month prior to the Opinion Survey) considered that the existing language requirement (i.e. “ATV and TVB are required to provide one English channel and one Cantonese channel”) appropriate (versus 92.9% in Survey 2009). Only 2.2% disagreed with the requirement (versus 1.9% in Survey 2009). 4.3% (versus 5.2% in Survey 2009) had no comment.

45. 88.5% of viewers agreed to keep the current requirement that “At least 90% of the programmes on each of the Cantonese channels should be in Cantonese”. 5.3% disagreed with the requirement. 6.2% had no comment.

Those (5.3%) who disagreed to keep the current requirement for Cantonese channels made the following suggestions:

- (a) the minimum proportion of designated language programming should be reduced to a lower level (70.0%); and
 - (b) the requirement should be removed entirely (12.5%).
46. 87.9% of viewers accepted the current requirement that “At least 80% of the programmes on each of the English channels should be in English” (versus 79.1% in Survey 2009). 3.4% disagreed with the requirement (versus 2.8% in Survey 2009). 8.7% had no comment (versus 18.1% in Survey 2009).

Those (3.4%) who disagreed to keep the current requirement for English channels made the following main suggestions:

- (a) the minimum proportion of designated language programming should be reduced to a lower level (47.6%, versus 82.3% in Survey 2009);
- (b) all programming time on the English channels should be conducted in English (19.8%, versus 8.7% in Survey 2009);
- (c) the requirement should be removed entirely (9.4%, versus 8.9% in Survey 2009);
- (d) nicam, such as Cantonese and Putonghua, should be provided (5.7%); and
- (e) the minimum proportion of designated language programming should be increased to a higher level (4.0%).

47. 75.8% of viewers accepted the current requirement that “Cantonese channels may broadcast not more than two advertisements in non-designated language(s) in any clock hour” (versus 65.1% in Survey 2009). 8.9% disagreed with the requirement (versus 10.5% in Survey 2009) and 15.2% had no comment (versus 24.4% in Survey 2009).
48. 77.9% of viewers supported the current requirement that “English channels may broadcast a maximum of half of the total number of advertisements in non-designated language(s) in a clock hour between 7:00 pm and 11:00 pm; and for the remaining broadcast hours, the total broadcast time for non-designated language materials (i.e. programmes and advertisements) should not exceed 20% of the total broadcast time of the channel of the day” (versus 64.0% in Survey 2009). 3.0% disagreed with the requirement (versus 2.6% in Survey 2009) and 19.1% had no comment (versus 33.5% in Survey 2009).

Those (3.0%) who disagreed to keep the current requirement for non-designated language advertisements on English channels made the following suggestions:

- (a) the requirement should be removed entirely (38.4%, versus 25.4% in Survey 2009);
- (b) all advertising time on the English channels should be conducted in English (19.3%, versus 32.6% in Survey 2009);
- (c) the maximum proportion of advertisements in non-designated languages should be increased to a higher level (7.7%, versus 20.2% in Survey 2009); and
- (d) the maximum proportion of advertisements in non-designated languages should be reduced to a lower level (7.5%, versus 19.1% in Survey 2009).

3.2. Subtitling Requirements

49. 91.2% of viewers supported the current requirement that “Cantonese channels should carry Chinese subtitles for all news and weather reports, current affairs programmes, dramas and emergency announcements as well as all programmes shown during prime time from 7:00 pm to 11:00 pm” (versus 90.0% in Survey 2009). 2.5% disagreed with the requirement (versus 2.0% in Survey 2009). 6.3% had no comment (versus 8.1% in Survey 2009).
- (a) 78.9% agreed to keep the current requirement that “Cantonese channels should carry Chinese subtitles for all programmes shown between 7:00 pm and 11:00 pm”. While 11.3% disagreed with the requirement. 9.8% had no comment.
 - (b) Those (11.3%) who disagreed to keep the current requirement, their main suggestions were related to the extension of current requirement of broadcast time i.e.:
 - (i) the start time should be earlier than 7:00 pm (77.3%);
and
 - (ii) the end time should be later than 11:00 pm (98.0%).
50. As for the English channels, 87.8% of viewers considered the current requirement that “English channels are required to carry English subtitles for all news and weather reports, current affairs programmes and emergency announcements as well as for the two hours per week of English programmes with educational value targeting teenagers” appropriate (versus 79.9% in Survey 2009). 3.0% disagreed with the requirement (versus 1.2% in Survey 2009). 9.2% (versus 18.8% in Survey 2009) had no comment.

- (a) 75.9% agreed to keep the current requirement that “English channels should carry English subtitles for all programmes shown between 8:00 pm and 11:30 pm”. 11.4% disagreed with the requirement. 12.7% had no comment.
 - (b) Among those (11.4%) who disagreed to keep the current requirement, their main suggestions were related to the extension of current requirement of broadcast time, i.e.:
 - (i) the start time should be earlier than 8:00 pm (90.8%);
and
 - (ii) the end time should be later than 11:30 pm (71.6%).
51. 80.7% of viewers considered that various programme types that carried subtitles in the Cantonese and English channels sufficient. 9.5% thought otherwise (i.e. insufficient), and 9.8%, no comment.

Among those 9.5% viewers, the top three programme types that were considered insufficient in quantity were:

- (a) “documentaries” (47.4%);
 - (b) “science, nature and wildlife programmes” (46.2%); and
 - (c) “travelogues/ magazine programmes/ talk shows/ food programmes” (43.4%).
52. There were split views on whether it was necessary to extend the subtitling requirement to programmes on channels other than the Cantonese and English channels. While 46.0% considered it necessary to extend the requirement, 41.3% did not support the extension. 12.7% had no comment.

3.3 Positive Programme Requirements⁷

53. Regarding whether it was necessary to extend the current requirement on positive programming to channels other than Cantonese and English channels, 49.9% considered it necessary to extend the requirements. 37.5% did not support the extension. 12.6% had no comment.

3.4. RTHK Programmes

54. 82.7% of viewers accepted the current requirement that “ATV and TVB currently are required to each broadcast 3.5 hours of RTHK programmes per week and to broadcast an additional 90 minutes of RTHK programmes or 120 minutes of programmes for senior citizens or arts and culture programmes per week”. 5.1% disagreed with the requirement. 12.2% had no comment.

55. Among those (5.1%) who disagreed to keep the current requirement, their main suggestions were related to:

- (a) reduction of the current proportion of broadcasting time to a lower level (27.2%);
- (b) that RTHK should have its own channel (17.5%);
- (c) programme types (11.8%);
- (d) increasing the current proportion of broadcasting time to a higher level (10.9%); and
- (e) that the requirement was no longer necessary (9.3%).

⁷ The positive programme requirements comprise a minimum amount of news and weather reports, current affairs programmes, programmes for children, young people and senior citizens, documentaries, arts and culture programmes, etc. to be broadcast on the designated language channel.

4. VIEWS ON THE QUALITY OF TELEVISION RECEPTION

56. 86.4% of viewers found the reception quality satisfactory and 8.6% found it average. 4.1% were dissatisfied with the reception quality. 0.9% had no comment.

Analogue Channels

57. A majority of viewers (i.e. those who had watched the analogue channels in the month prior to the Opinion Survey) found the reception quality (80.8%, versus 72.1% in Survey 2009), audio quality (86.6%, versus 76.5% in Survey 2009) and visual quality (81.9%, versus 70.9% in Survey 2009) satisfactory. About 10% found it average (11.2%, versus 19.9% in Survey 2009, on reception quality; 8.6%, versus 19.7% in Survey 2009, on audio quality; and 10.8%, versus 21.4% in Survey 2009, on visual quality). Only a few of them commented that the reception quality (7.1%, versus 7.5% in Survey 2009), audio quality (3.7%, versus 3.2% in Survey 2009) and visual quality (6.4%, versus 7.0% in Survey 2009) dissatisfactory or with no comment (0.9%, versus 0.5% in Survey 2009, on reception quality; 1.1%, versus 0.6% in Survey 2009, on audio quality; and 0.9%, versus 0.7% in Survey 2009, on visual quality).

Digital Channels

58. Viewers' satisfaction with the simulcast digital channels or other digital channels was high in general. A majority of viewers (i.e. those who had watched the digital channels in the month prior to the Opinion Survey) considered the reception quality (84.2%, versus 80.0% in Survey 2009), audio quality (90.5%, versus 83.9% in Survey 2009) and visual quality (87.9%, versus 86.7% in Survey 2009) satisfactory. Only a few of them commented that the reception quality (5.9%, versus 5.4% in Survey 2009), audio quality (2.7%, versus 3.1% in Survey 2009) and visual quality (3.9%, versus 3.3% in Survey 2009) dissatisfactory, average (8.5%, versus 13.1% in Survey 2009, on reception quality; 5.6%, versus 11.1% in Survey 2009, on audio quality; and 7.1%, versus 8.4% in Survey 2009, on visual quality) or with no comment (1.4%, versus 1.5% in Survey 2009, on reception quality; 1.2%, versus 1.9% in Survey 2009, on audio quality; and 1.2%, versus 1.6% in Survey 2009, on visual quality).

5. OVERALL SATISFACTION ON FREE TELEVISION SERVICES

59. 44.9% of viewers considered the free TV services of ATV dissatisfactory⁸. 27.9% considered it satisfactory and 15.4% found it average. 11.8% had no comment

60. Among those dissatisfied viewers (44.9%), the reasons of dissatisfaction with the free TV service of ATV were set out below –

⁸ A dissatisfaction level as high as over 40% is abnormal. From past observations, consumer surveys would generally show a level of customer dissatisfaction with services or products ranging from 5% to 15%.

- (a) reasons related to repeat programme (e.g. too many repeat programmes, outdated repeat programmes, no subtitle for repeat programmes, etc.) (42.2%);
 - (b) reasons related to programme contents (e.g. not entertaining enough, biased stands, uncreative, etc.) (35.3%);
 - (c) there is a lack of local production of ATV (34.8%);
 - (d) programmes are not diversified enough (e.g. insufficient quantity for certain programmes, such as sports programmes, documentaries and variety shows, or excessive quantity for certain programmes, such as travelogues and dramas) (21.6%); and
 - (e) low quality programmes (e.g. low production quality, low quality of actors) (17.2%).
61. 70.9% of viewers considered the free TV services of TVB satisfactory. 9.4% expressed dissatisfaction on the subject matter. 17.0% found it average. 2.7% had no comment.
62. Among those dissatisfied viewers (9.4%), the reasons of dissatisfaction with the free TV service of TVB were set out below –
- (a) reasons related to programme contents (e.g. not entertaining enough, biased stands, uncreative, etc.) (65.9%);
 - (b) low quality programmes (e.g. low production quality, low quality of actors) (35.6%); and
 - (c) programmes are not diversified enough (e.g. insufficient quantity for certain programmes, such as sports programmes, documentaries and variety shows, or excessive quantity for certain programmes, such as travelogues and dramas) (15.9%).

APPENDIX 1: SUMMARY OF THE PERCEIVED SUFFICIENCY OF VARIOUS TYPES OF TV PROGRAMMES

Base: Persons aged 15 or above who had watched particular channels in the month prior to the Opinion Survey	Total (Survey 2014) %			Total (Survey 2009) %					
	All channels			Analogue or simulcast digital channels			Other digital channels		
	Sufficient %	Insufficient %	No Comment %	Sufficient %	Insufficient %	No Comment %	Sufficient %	Insufficient %	No Comment %
Sample base (n)	2 811			2 885			981		
Weighted base (W in '000)	5 737			5 712			2 033		
Programme Types									
News programmes	42.8	5.0	52.2	90.8	8.1	1.1	90.1	5.1	4.8
Dramas	38.8	14.2	47.0	92.6	4.6	2.8	84.9	8.7	6.4
Current affairs programmes	17.6	10.5	71.9	80.6	14.8	4.7	76.1	14.8	9.1
Travelogues/ magazine programmes/ talk shows/ food programmes	14.7	19.3	66.0	81.3	13.2	5.4	76.7	14.6	8.7
Business/ finance programmes	12.3	5.0	82.7	79.7	7.5	12.8	79.3	7.0	13.8
Government's announcements in the public interest	7.9	3.3	88.8	83.6	9.3	7.0	79.5	9.2	11.3
RTHK programmes	7.1	5.0	87.9	84.5	9.0	6.5	76.4	12.8	10.8
Quizzes and games shows	7.0	6.6	86.4	80.3	10.4	9.3	75.7	11.1	13.1
Films	6.5	18.6	74.9	65.9	27.6	6.5	58.7	32.2	9.0
Programmes for children up to the age of 15 (e.g. After School, Q&A Lessons)	5.7	4.7	89.6	59.9	10.6	29.5	57.3	11.9	30.8
Music programmes	5.7	13.3	81.0	71.1	16.9	11.9	72.6	14.3	13.1
Sports programmes	5.0	15.8	79.2	67.6	20.6	11.8	63.1	24.0	12.9
Documentaries	4.5	24.7	70.8	51.5	38.7	9.8	54.8	32.6	12.6
Programmes for young people aged between 16 and 24 (e.g. Youth Nation, HKFYG Youth)	4.1	6.3	89.6	53.7	13.5	32.9	55.6	12.1	32.3
Arts and Culture programmes	4.0	15.8	80.2	57.2	23.5	19.4	61.4	17.8	20.8
Science, nature and wildlife programmes	3.9	28.3	67.8	46.9	41.8	11.3	51.4	36.3	12.3
Programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies)	3.8	6.3	89.9	51.6	20.3	28.0	48.8	17.1	34.1
Education programmes	3.3	20.9	75.8	53.0	36.1	10.9	52.4	32.7	14.9

APPENDIX 2: QUESTIONNAIRE

Opinion Survey on the Domestic Free Television Programme Services

Interviewer Number:	
SN:	

H1 Number of household in the living quarter:
【 Record 】 _____ **【 Input “1” if there is only one household 】**

(A household is defined as a group of people who live and dine together in a quarter. They may not be relatives among themselves. A person who takes care of his/ her daily necessities alone will be classified as a household.)

H2 Household number of this questionnaire (Count from left hand side):
【 Record 】 _____ **【 Input “1” if there is only one household 】**

Introduction

【 Read out 】 Hello! My name is _____ **【 Read out name, show interviewer card and household invitation letter by the Communications Authority 】**, an interviewer from CSG, an independent research agency. An invitation letter was sent to you by the Communications Authority in late-November to notify you that it has commissioned us to conduct a household survey, with the objectives of gauging public views on the domestic free television programme services of ATV and TVB for processing their applications for renewal of their free TV licences. Thank you in advance for your co-operation! This survey will take about 30 minutes. In order to conduct a representative survey, we need to randomly select a household member in your household for the interview. All information collected will be kept in strict confidence and will only be used for aggregated statistical analyses. All data collected will also be destroyed upon completion of this survey.

S1 Could you please tell me the number of persons aged 15 or above in this household? Household members are defined as persons who sleep here for at least four nights a week, excluding domestic helpers.

S2 Starting from the eldest one, please tell me the age of each of your household member and your relationship with them.

No.	Household Member (Rank from eldest member to youngest member)	
	Relationship	Age
1		
2		
3		
4		
5		
6		

Opinion Survey on the Domestic Free Television Programme Services of Asia Television Limited and
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7		
8		
9		
10		

S3 After random selection by the computer, I would like to conduct the interview with the household member aged.

【Enumerator: If the selected household member is not at home】

S4 When will he/ she be back? What's his/ her name please?

Expected time at home: _____

Name of selected household member: _____

【Enumerator: Please leave behind your contact number to facilitate the selected household member to call back for appointment making.】

【Enumerator: If there is a change of respondent, please start from the Introduction again.】

S5 How old are you?

14 or below	1	→ Return to S2 and delete the ineligible respondent. Randomly select another eligible respondent for the interview. Repeat the introduction and ask S5.
15	2	
16-19	3	
20-24	4	
25-29	5	
30-34	6	
35-39	7	
40-44	8	
45-49	9	
50-54	10	
55-59	11	
60-64	12	
65-69	13	
70 or above.....	14	

Part A. Television Viewing Habits

【Enumerator: Ask all respondents】

- Q1 (a) Excluding recorded programmes, DVDs, programmes on mobile phones and the Internet, have you ever watched the free television programmes of ATV or TVB in the past 7 days? No matter whether you watched these programmes on television sets at home, restaurants, pubs or other places, all are considered.
- Yes1 → **Skip to Q1(c)**
 No.....2 → **Ask Q1b**
- (b) **【If “No”, probe】** Have you ever watched the free television programmes of ATV or TVB in the past month?
- Yes1
 No.....2 → **Skip to Part H**
- (c) Do you have the related devices (such as HD television set-top box, HD television with built-in set-top box) for watching simulcast or other digital channels?
- Yes1
 No.....2
 Don't know **【Do not read out】**98
- (d) **【Showcard 1】** Which free television channel(s) have you ever watched in the past **【the system automatically shows 7 days/ month based on the answer in Q1(a) and Q1(b)】** ? **【Multiple answers are allowed】** **【Enumerator: If the respondent is not sure about the channel name or number, please advise he/ she to turn on the television and confirm before answering the question】**

TVB		ATV	
(Analogue channel) TVB Jade	01	(Analogue channel) ATV Home	02
(Analogue channel) TVB Pearl	03	(Analogue channel) ATV World	04
(Simulcast digital) TVB (channel 81) Jade	81	(Simulcast digital) ATV (channel 11) Home	11
(Simulcast digital) TVB (channel 84) Pearl	84	(Simulcast digital) ATV (channel 16) World	16
(Digital channel) TVB (channel 85) HD Jade	85	(Digital channel) ATV Asia (channel 12)	12
(Digital channel) TVB (channel 82) J2	82	(Digital channel) ATV Classic (channel 13)	13
(Digital channel) TVB (channel 83) iNews	83	(Digital channel) CCTV Channel 1 (channel 15)	15
		(Digital channel) Shenzhen Satellite TV (channel 17)	17

【Read out】 Now I would like to ask about your habit of watching domestic free television programmes.

Q2 (a) Excluding recorded programmes, DVDs, programmes on mobile phones and the Internet, how often do you watch free television programmes? No matter whether you watched these programmes on television sets at home, restaurants, pubs or other places, all are considered.

【Single answer】

- Everyday1
- 5 – 6 days a week2
- 3 – 4 days a week3
- 1 – 2 days a week4
- At least 1 day every 2 weeks5
- At least 1 day every 3 weeks6

- At least 1 day every month7

(b) Has your frequency of watching television increased, decreased or remained more or less the same over the past year?

Increased 1 → **【If Q2(a)=1, Skip to Q3; If Q2(a)=2 – 7, Skip to Q4】**

Decreased 2

Remained more or less the same 3 → **【If Q2(a)=1, Skip to Q3; If Q2(a)=2 – 7, Skip to Q4】**

(c) Why has the frequency of watching television decreased?

Record answer: _____

→ **【If Q2(a)=1, Skip to Q3; If Q2(a)=2 – 7, Skip to Q4】**

【The system automatically filters: If the respondent watches free television programmes everyday, i.e. Q2(a) = 1, ask Q3】

Q3 (a) (i) How many hours do you normally spend on watching domestic free television programmes in a day from Monday to Friday?

Average time spent per day: _____ hours

(ii) From Monday to Friday, in which time slot(s) of a day, i.e. the start and end time, do you watch them normally?

【Multiple time slots are allowed】

1. _____:_____ to _____:_____

2. _____:_____ to _____:_____

3. _____:_____ to _____:_____

Not fixed **【Do not read out】** 100

(b) (i) How many hours do you normally spend on watching domestic free television programmes on average in a day on Saturday and Sunday?

Average time spent per day: _____ hours

(ii) On Saturday and Sunday, in which time slot(s) do you watch them normally?

【Multiple time slots are allowed】

1. _____:_____ to _____:_____

2. _____:_____ to _____:_____

3. _____:_____ to _____:_____

Not fixed **【Do not read out】** 100

【Skip to Q5 after Q3】

【The system automatically filters: If the respondent sometimes watches free television programmes, i.e. Q2 (a) = 2-7, ask Q4】

Q4 (a) How many hours do you spend on watching domestic free television programmes in total from Monday to Friday?

_____ hours

(b) How many hours do you spend on watching domestic free television programmes in total on Saturday and Sunday?

_____ hours

(c) In which time slot(s) do you watch domestic free television programmes more often?
【Multiple time slots are allowed】

1. _____:_____ to _____:_____

2. _____:_____ to _____:_____

3. _____:_____ to _____:_____

Not fixed **【Do not read out】**100

- Q5 (a) **【Showcard 1】** Which domestic free television channel do you watch most often?
【If “Jade”, probe】 Is it an analogue channel, simulcast channel or HD Jade? **【If “Pearl, ATV Home or ATV World”, probe】** Is it an analogue channel or simulcast channel?

TVB		ATV	
(Analogue channel) TVB Jade	01	(Analogue channel) ATV Home	02
(Analogue channel) TVB Pearl	03	(Analogue channel) ATV World	04
(Simulcast digital) TVB (channel 81) Jade	81	(Simulcast digital) ATV (channel 11) Home	11
(Simulcast digital) TVB (channel 84) Pearl	84	(Simulcast digital) ATV (channel 16) World	16
(Digital channel) TVB (channel 85) HD Jade	85	(Digital channel) ATV Asia (channel 12)	12
(Digital channel) TVB (channel 82) J2	82	(Digital channel) ATV Classic (channel 13)	13
(Digital channel) TVB (channel 83) iNews	83	(Digital channel) CCTV Channel 1 (channel 15)	15
		(Digital channel) Shenzhen Satellite TV (channel 17)	17

- (b) **【Showcard 1】** Which comes next?

TVB		ATV	
(Analogue channel) TVB Jade	01	(Analogue channel) ATV Home	02
(Analogue channel) TVB Pearl	03	(Analogue channel) ATV World	04
(Simulcast digital) TVB (channel 81) Jade	81	(Simulcast digital) ATV (channel 11) Home	11
(Simulcast digital) TVB (channel 84) Pearl	84	(Simulcast digital) ATV (channel 16) World	16
(Digital channel) TVB (channel 85) HD Jade	85	(Digital channel) ATV Asia (channel 12)	12
(Digital channel) TVB (channel 82) J2	82	(Digital channel) ATV Classic (channel 13)	13
(Digital channel) TVB (channel 83) iNews	83	(Digital channel) CCTV Channel 1 (channel 15)	15
		(Digital channel) Shenzhen Satellite TV (channel 17)	17
		None 【Do not read out】 →Skip to Q6	101

(c) **【Showcard 1】** And next?

TVB		ATV	
(Analogue channel) TVB Jade	01	(Analogue channel) ATV Home	02
(Analogue channel) TVB Pearl	03	(Analogue channel) ATV World	04
(Simulcast digital) TVB (channel 81) Jade	81	(Simulcast digital) ATV (channel 11) Home	11
(Simulcast digital) TVB (channel 84) Pearl	84	(Simulcast digital) ATV (channel 16) World	16
(Digital channel) TVB (channel 85) HD Jade	85	(Digital channel) ATV Asia (channel 12)	12
(Digital channel) TVB (channel 82) J2	82	(Digital channel) ATV Classic (channel 13)	13
(Digital channel) TVB (channel 83) iNews	83	(Digital channel) CCTV Channel 1 (channel 15)	15
		(Digital channel) Shenzhen Satellite TV (channel 17)	17
		None 【Do not read out】 →Skip to Q6	101

Q6 **【Showcard 2】** Which type of free television programme do you watch most often? **【Single answer】**

News programmes	1
Current affairs programmes	2
Programmes for children up to the age of 15 (e.g. After School, Q&A Lessons)	3
Programmes for young people aged between 16 and 24 (e.g. Youth Nation, HKFYG Youth)	4
Programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies)	5
Documentaries	6
Arts and culture programmes	7
Business/ finance programmes	8
Dramas	9
Films	10
Education programmes	11
Travelogues/ magazine programmes/ talk shows/ food programmes	12
Music programmes	13
Science, nature and wildlife programmes	14
Quizzes and games shows	15
Sports programmes	16
Government’s announcements in the public interest	17
RTHK programmes	18
Others (please specify):	97

Q7 **【Showcard 3】** What are the reasons for watching free television? What else? **【Multiple answers are allowed】**

Just for “background” while I am doing something else	1
To see a specific programme that I have heard a lot about	2
Just for company	3
To accompany others to watch television	4
For education/ enrichment	5
There is nothing better to do at home	5
To obtain information such as news, weather, financial and traffic reports	7
For entertainment	8
Others (please specify):	97

【Read out】 Now I would like to talk about the parental role in accompanying children in watching television.

Q8 Are there any members in your household who are aged 15 or below? [If S5 = 2, then Q8 = 1]
【Single answer】

Yes..... 1 → Ask Q9
 No..... 2 → Skip to Q11

Q9 (a) Have parents or any family member(s) aged 18 or above ever accompanied family member(s) aged 15 or below to watch television in the past month? **【Single answer】**

Yes..... 1 → Ask Q9(b)
 No..... 2 ↴ → Skip to Q10
 Don't know **【Do not read out】** 98 ⊥
 Not applicable **【Do not read out】** 99 → Skip to Q11a

(b)(i) **【If Q9a = "1", probe】** From Monday to Friday, during which timeslot(s) of a day, i.e. the start and end time, do parents or any family member(s) aged 18 or above accompany family member(s) aged 15 or below to watch television? **【Multiple time slots are allowed】**

1. _____:_____ to _____:_____

2. _____:_____ to _____:_____

3. _____:_____ to _____:_____

Not fixed **【Do not read out】** 100
 Don't know **【Do not read out】** 98

(b)(ii) On Saturday and Sunday, during which timeslot(s) of a day, i.e. the start and end time, do parents or any family member(s) aged 18 or above accompany family member(s) aged 15 or below to watch television? **【Multiple time slots are allowed】**

1. _____:_____ to _____:_____

2. _____:_____ to _____:_____

3. _____:_____ to _____:_____

Not fixed **【Do not read out】** 100
 Don't know **【Do not read out】** 98

(c) How often do parents or any family member(s) aged 18 or above accompany family member(s) aged 15 or below to watch television in a week? **【If the respondent answers “Once or twice a week”, i.e. twice a week, and so on.】**

Once a week	1
Twice a week.....	2
Thrice a week	3
Four times a week	4
Five times or more a week	5
Don't know 【Do not read out】	98

Q10 During which timeslot(s) of a day, do family member(s) aged 15 or below watch television on their own? **【Multiple time slots are allowed】**

1. _____ : _____ to _____ : _____
2. _____ : _____ to _____ : _____
3. _____ : _____ to _____ : _____

Not fixed 【Do not read out】	100
Don't know 【Do not read out】	98
Not allowed to watch television on their own 【Do not read out】	102
Didn't watch television on their own 【Do not read out】	101

Q11 (a) The Family Viewing Hours is designated from 4:00pm to 8:30pm each day, during which nothing unsuitable for children shall be broadcast. Do you think the time period is appropriate, should be extended or should be shortened? **【Single answer】**

Appropriate.....	1	→ Skip to Q12
Should be extended	2	→ Ask Q11(b)(i)
Should be shortened	3	→ Ask Q11(b)(ii)
No opinion 【Do not read out】	98	→ Skip to Q12

(b)(i) **【If Q11(a) = “2”, probe】** What should be the start and end time of the extended Family Viewing Hours?

Record answer _____ : _____ to _____ : _____

【Skip to Q12 after Q11(b)(i)】

(b)(ii) **【If Q11(a) = “3”, probe】** What should be the start and end time of the shortened Family Viewing Hours?

Record answer _____ : _____ to _____ : _____

Q12 (a) Are you aware of the closed captioning on digital channels of free television?

【Single answer】

- Yes1 →Ask Q12b
No2 →Skip to Q12c

(b) Have you ever used this function? **【Single answer】**

- Yes1 →Skip to Q12d
No2 →Ask Q12c

(c) **【If 12(a) = “2” or Q12(b) = “2”, probe】** In your opinion, how should this closed captioning be promoted by ATV and TVB? **【Multiple answers are allowed】**

- Broadcast promotional clips.....1
Add a reminder in the programmes.....2
Others (please specify):.....97

【Skip to Q13 after Q12(c)】

(d) **【If 12(b) = “1”, probe】** How often do you use this function? **【Single answer】**
【If the respondent answered “Once or twice a week”, i.e. twice a week, and so on.】

- Once a week1
Twice a week.....2
Thrice a week3
Four times a week4
Five times or more a week5

Part B. Opinion on the quality and variety of television programmes

【Read out】 Now I would like to seek your opinion on the quality of programmes of TVB and ATV.

Q13 (a) Has your level of satisfaction with the quality of domestic free television programmes of the two television stations changed in the past year? **【Single answer】**

Yes 1 → Ask Q13b
No 2 → Skip to Q14

(b) With which television station(s)' quality of programmes have you changed your satisfaction level? **【Multiple answers are allowed】**

ATV 1
TVB 2

(c) Has your level of satisfaction with the quality of programmes of **【The system automatically shows the answer in Q13b, if the respondent selects both options, randomly ask (i) and (ii) one by one】** increased or decreased? **【Single answer】**

(i) **【If Q13b = 1】** Change in satisfaction level with the quality of programmes of ATV:

Increased 1
Decreased 2

(ii) **【If Q13b = 2】** Change in satisfaction level with the quality of programmes of TVB:

Increased 1
Decreased 2

(d) Why was there a change in satisfaction level? **【If Q13b = 1 & 2, randomly ask (i) and (ii) one by one】**

(i) **【If Q13b = 1】** Reason(s) for the change in satisfaction level with the quality of programmes of ATV:

(A) **【If Q13c(i) = 1】 【Multiple answers are allowed】**

Programmes are diversified 1
Production is of high technical quality 2
Programmes can cater for the interests of audience 3
Amount of local productions is sufficient 4
Creative programme contents 5
Others (please specify): _____ 97

(B) 【If Q13c(i) = 2】 【Multiple answers are allowed】

Programmes are not diversified enough 1
Production is of low technical quality 2
Programmes cannot cater for the interests of audience 3
Amount of local productions is insufficient 4
There are frequent repeat programmes 5
Uncreative programme contents 6
Others (please specify): _____ 97

【If Q13b = 2】 Reason(s) for the change in satisfaction level with the quality of programmes of TVB:

(A) 【If Q13c(ii) = 1】 【Multiple answers are allowed】

Programmes are diversified 1
Production is of high technical quality 2
Programmes can cater for the interests of audience 3
Amount of local productions is sufficient 4
Creative programme contents 5
Others (please specify): _____ 97

(B) 【If Q13c(ii) = 2】 【Multiple answers are allowed】

Programmes are not diversified enough 1
Production is of low technical quality 2
Programmes cannot cater for the interests of audience 3
Amount of local productions is insufficient 4
There are frequent repeat programmes 5
Uncreative programme contents 6
Others (please specify): _____ 97

(e) **【If Q13(c) (i) & (ii) = 2】** How can the quality of programmes be improved?
【If Q13(b) = 1 & 2, randomly ask (i) and (ii) one by one】

(i) Suggestion(s) for improving the quality of programmes of ATV
【Record answer】 : _____

(ii) Suggestion(s) for improving the quality of programmes of TVB
【Record answer】 : _____

Q14 (a) **【Showcard 4】** Overall speaking, are you satisfied with the quality of programmes of ATV? **【Probe】** Are you very or quite ... ? **【Single answer】**

- Very dissatisfied..... 1
- Dissatisfied..... 2
- Average **【Do not read out】** 3
- Satisfied..... 4
- Very satisfied 5
- No opinion **【Do not read out】** 98

(b) **【Showcard 4】** Overall speaking, are you satisfied with the quality of programmes of TVB? **【Probe】** Are you very or quite ... ? **【Single answer】**

- Very dissatisfied..... 1
- Dissatisfied..... 2
- Average **【Do not read out】** 3
- Satisfied..... 4
- Very satisfied 5
- No opinion **【Do not read out】** 98

Q15 (a) **【Showcard 4】** Overall speaking, are you satisfied with the variety of domestic free television programmes? **【Probe】** Are you very or quite ... ? **【Single answer】**

- Very dissatisfied..... 1 } →Ask Q15b
- Dissatisfied..... 2 } ↓
- Average **【Do not read out】** 3 } ↓
- Satisfied..... 4 } →Skip to Q16
- Very satisfied..... 5 } ↓
- No opinion **【Do not read out】** 98 } ↓

(b) Why are you dissatisfied with the variety of domestic free television programmes?

Record answer: _____

Q16 (a) **【Showcard 2】** Regarding to the programmes broadcast by TVB and ATV, which programme type(s) as shown on the showcard do you think is/ are insufficient in terms of quantity? **【Multiple answers are allowed】**

News programmes	1
Current affairs programmes	2
Programmes for children up to the age of 15 (e.g. After School, Q&A Lessons)	3
Programmes for young people aged between 16 and 24 (e.g. Youth Nation, HKFYG Youth)	4
Programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies)	5
Documentaries	6
Arts and culture programmes	7
Business/ finance programmes	8
Dramas	9
Films	10
Education programmes	11
Travelogues/ magazine programmes/ talk shows/ food programmes	12
Music programmes	13
Science, nature and wildlife programmes	14
Quizzes and games shows	15
Sports programmes	16
Government's announcements in the public interest	17
RTHK programmes	18
Others (please specify):	97
None of the above 【Do not read out】	101

(b) **【Showcard 2】** Which programme type(s) do you think is/ are sufficient in terms of quantity? **【Multiple answers are allowed】**
【The system automatically filters out the answer(s) selected in (a)】 **【Keep asking until the respondent has selected all the programme type(s) that he/ she knows about】**

Q17 (a) **【Showcard 5】** Do you think that the local productions on ATV are sufficient or insufficient in terms of quantity? “Local productions” are defined as programmes that are mostly produced by the television station itself, or programmes that are produced locally without the need for dubbing. RTHK programmes are excluded. **【Ask】** Is it very or quite ... ? **【Single answer】**

Very insufficient	1
Insufficient	2
Average 【Do not read out】	3
Sufficient	4
Very sufficient	5
No opinion 【Do not read out】	98

Q17 (b) **【Showcard 5】** Do you think that the local productions on TVB are sufficient or insufficient in terms of quantity? “Local productions” are defined as programmes that are mostly produced by the television station itself, or programmes that are produced locally without the need for dubbing. RTHK programmes are excluded. **【Ask】** Is it very or quite ... ? **【Single answer】**

Very insufficient 1
 Insufficient 2
 Average **【Do not read out】** 3
 Sufficient 4
 Very sufficient 5
 No opinion **【Do not read out】** 98

Q18 (a) (i) Overall speaking, do you think that the HDTV programmes provided by ATV are sufficient or insufficient in terms of quantity?

Sufficient 1
 Insufficient 2
 No opinion **【Do not read out】** 98

(ii) **【Showcard 2】 【If Q18a (i) = 2, probe】** Which type(s) of HDTV programmes would you like to increase in quantity? **【Multiple answers are allowed】**

News programmes	01	Films	10
Current affairs programmes	02	Education programmes	11
Programmes for children up to the age of 15 (e.g. After School, Q&A Lessons)	03	Travelogues/ magazine programmes/ talk shows/ food programmes	12
Programmes for young people aged between 16 and 24 (e.g. Youth Nation, HKFYG Youth)	04	Music programmes	13
Programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies)	05	Science, nature and wildlife programmes	14
Documentaries	06	Quizzes and games shows	15
Arts and culture programmes	07	Sports programmes	16
Business/ finance programmes	08	Government’s announcements in the public interest	17
Dramas	09	RTHK programmes	18
		Others (Please specify): _____	97

(b) (i) Overall speaking, do you think that the HDTV programmes provided by TVB are sufficient or insufficient in terms of quantity?

Sufficient 1
 Insufficient 2
 No opinion **【Do not read out】** 98

(ii) **【Showcard 2】 【If Q18b (i) = 2, probe】** Which type(s) of HDTV programmes would you like to increase in quantity? **【Multiple answers are allowed】**

News programmes	01	Films	10
Current affairs programmes	02	Education programmes	11
Programmes for children up to the age of 15 (e.g. After School, Q&A Lessons)	03	Travelogues/ magazine programmes/ talk shows/ food programmes	12
Programmes for young people aged between 16 and 24 (e.g. Youth Nation, HKFYG Youth)	04	Music programmes	13
Programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies)	05	Science, nature and wildlife programmes	14
Documentaries	06	Quizzes and games shows	15
Arts and culture programmes	07	Sports programmes	16
Business/ finance programmes	08	Government's announcements in the public interest	17
Dramas	09	RTHK programmes	18
		Others (Please specify): _____	97

Q19 (a)(i) **【Showcard 4】** Are you satisfied with the arrangement of repeat programmes of ATV? **【Probe】** Are you very or quite ... ? **【Single answer】**

Very dissatisfied 1 7
 Dissatisfied 2 7 **→ Ask Q19a(ii)**
 Average **【Do not read out】** 3 7
 Satisfied 4 |
 Very satisfied 5 **→ Skip to Q19b**
 No opinion **【Do not read out】** 98 7

(a)(ii) **【If Q19a(i) = 1 or 2, probe】** Are you dissatisfied with the repeat frequency of the same programme or the quantity of repeat programmes?

Repeat frequency of the same programme 1
 Quantity of repeat programmes 2
 Both **【Do not read out】** 3

(a)(iii) **【Showcard 6】** Which programme type(s) of repeats are you dissatisfied with? **【Multiple answers are allowed】**

News programmes	01	Films	10
Current affairs programmes	02	Education programmes	11
Programmes for children up to the age of 15 (e.g. After School, Q&A Lessons)	03	Travelogues/ magazine programmes/ talk shows/ food programmes	12
Programmes for young people aged between 16 and 24 (e.g. Youth Nation, HKFYG Youth)	04	Music programmes	13
Programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies)	05	Science, nature and wildlife programmes	14
Documentaries	06	Quizzes and games shows	15
Arts and culture programmes	07	Sports programmes	16
Business/ finance programmes	08	Government's announcements in the public interest	17
Dramas	09	RTHK programmes	18
		All types 【Do not read out】	100

(a)(iv) **【Showcard 7】** Which channel(s) that broadcast(s) repeats are you dissatisfied with?

【Multiple answers are allowed】

ATV	
(Analogue channel) ATV Home	02
(Analogue channel) ATV World	04
(Simulcast digital) ATV (channel 11) Home	11
(Simulcast digital) ATV (channel 16) World	16
(Digital channel) ATV Asia (channel 12)	12
(Digital channel) ATV Classic (channel 13)	13
(Digital channel) CCTV Channel 1(channel 15)	15
(Digital channel)Shenzhen Satellite TV (channel 17)	17

(b)(i) **【Showcard 4】** Are you satisfied with the arrangement of repeat programmes of TVB? **【Probe】** Are you very or quite ... ? **【Single answer】**

Very dissatisfied1 7
 Dissatisfied2 7 → Ask Q19b(ii)

Average 【Do not read out】	3	┌
Satisfied	4	
Very satisfied.....	5	→ Skip to Q20
No opinion 【Do not read out】	9	└

(b)(ii) **【If Q19b(i) = 1 or 2, probe】** Are you dissatisfied with the repeat frequency of the same programme or the quantity of repeat programmes?

Repeat frequency of the same programme	1
Quantity of repeat programmes	2
Both 【Do not read out】	3

(b)(iii) **【Showcard 6】** Which programme type(s) of repeats are you dissatisfied with? **【Multiple answers are allowed】**

News programmes	01	Films	10
Current affairs programmes	02	Education programmes	11
Programmes for children up to the age of 15 (e.g. After School, Q&A Lessons)	03	Travelogues/ magazine programmes/ talk shows/ food programmes	12
Programmes for young people aged between 16 and 24 (e.g. Youth Nation, HKFYG Youth)	04	Music programmes	13
Programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies)	05	Science, nature and wildlife programmes	14
Documentaries	06	Quizzes and games shows	15
Arts and culture programmes	07	Sports programmes	16
Business/ finance programmes	08	Government's announcements in the public interest	17
Dramas	09	RTHK programmes	18
		All types 【Do not read out】	100

(b)(iv) **【Showcard 8】** Which channel(s) that broadcast(s) repeats are you dissatisfied with?

【Multiple answers are allowed】

TVB	
(Analogue channel) TVB Jade	01
(Analogue channel) TVB Pearl	03
(Simulcast digital) TVB (channel 81) Jade	81
(Simulcast digital) TVB (channel 84) Pearl	84
(Digital channel) TVB (channel 85) HD Jade	85

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(Digital channel) TVB (channel 82) J2	82
(Digital channel) TVB (channel 83) iNews	83

Q20 (a) Do you think there should be a requirement governing the arrangement of repeating the same programme?

Yes 1 **【AskQ20(b)】**
No..... 2 **【Skip to Q21】**
No opinion **【Do not read out】** 98 **【Skip Q21】**

(b) **【If Q20(a) = 1, probe】** Do you think that the television station should be required to broadcast a certain percentage of first-run programmes during the prime time, i.e. 7:00pm to 11:00pm, or outside prime time?

During prime time 1
Outside prime time..... 2
Both **【Do not read out】** 3

(c) **【If Q20(a) = 1, probe】** At what time interval should the same programme be repeated?

1 month 1
1 week 2
1 day..... 3
Others (please specify):..... 97

Part C. Opinion on contents of television programmes

【Read out】 Now I would like to seek your opinion on offensive programme contents.

Q21 **【Showcard 9】**

Have you ever encountered offensive content(s) when you watched free television **【If necessary, read out: i.e. 4 traditional channels, e.g. TVB Jade, TVB Pearl, ATV Home and ATV World, and digital channels, e.g. TVB HD Jade, J2, iNews, ATV Asia, ATV Classic, etc.】** programmes? You may refer to the programme contents as listed on the showcard.

【Single answer】

- Yes..... 1 →Ask Q22
No 2 →Skip to Q25

Q22 **【Showcard 9】** What kind of programme content(s) had caused offence to you? What else?

【Multiple answers are allowed】

【With reference to answers in Q22, ask Q23 one by one】

- Violence scenes 1
Sex and nudity scenes..... 2
Materials with bad examples to children 3
Bad language 4
Indecent materials (e.g. obscene, bad taste, etc.)..... 5
Disgusting scenes/ horror plots..... 6
Denigration 7
Bias towards a certain community or organization 8
Misleading contents..... 9
Dangerous acts..... 10
Partial views, biased contents 11
Promotion of products/ services in programmes 12
Materials which are biased towards/ promote television stations' own interests 13

Others (Please specify): 97

Q23 (a) **【Showcard 1】** On which channel did you last encounter the offensive content(s) of **【the system automatically shows the answer(s) selected in Q22】**? **【Single answer】**

TVB		ATV	
(Analogue channel) TVB Jade	01	(Analogue channel) ATV Home	02
(Analogue channel) TVB Pearl	03	(Analogue channel) ATV World	04
(Simulcast digital) TVB (channel 81) Jade	81	(Simulcast digital) ATV (channel 11) Home	11
(Simulcast digital) TVB (channel 84) Pearl	84	(Simulcast digital) ATV (channel 16) World	16
(Digital channel) TVB (channel 85) HD Jade	85	(Digital channel) ATV Asia (channel 12)	12
(Digital channel) TVB (channel 82) J2	82	(Digital channel) ATV Classic (channel 13)	13
(Digital channel) TVB (channel 83) iNews	83	(Digital channel) CCTV Channel 1 (channel 15)	15
		(Digital channel) Shenzhen Satellite TV (channel 17)	17

Q23(a1) **【If Q22= 1】** Channel number of violence scenes:

Q23(a2) **【If Q22= 2】** Channel number of sex and nudity scenes:

Q23(a3) **【If Q22= 3】** Channel number of materials with bad examples to children:

Q23(a4) **【If Q22= 4】** Channel number of bad language:

Q23(a5) **【If Q22= 5】** Channel number of indecent materials (e.g. obscene, bad taste, etc.):

Q23(a6) **【If Q22= 6】** Channel number of disgusting scenes/ horror plots:

Q23(a7) **【If Q22 = 7】** Channel number of denigration:

Q23(a8) **【If Q22 = 8】** Channel number of bias towards a certain community or organization:

Q23(a9) **【If Q22 = 9】** Channel number of misleading contents:

Q23(a10) **【If Q22 = 10】** Channel number of dangerous acts:

Q23(a11) **【If Q22 = 11】** Channel number of partial views, biased contents:

Q23(a12) **【If Q22 = 12】** Channel number of promotion of products/ services in programmes:

Q23(a13) **【If Q22 = 13】** Channel number of materials which are biased towards/ promote television stations' own interests:

Q23(a97) **【If Q22 = 97】** Channel number of others (please specify):_____:

(b) **【Probe】【Showcard 2】** In which programme type(s) did you last encounter offensive content(s) of **【the system automatically shows the answer(s) selected in Q22】** ? **【Single answer】**

News programmes	01	Films	10
Current affairs programmes	02	Education programmes	11
Programmes for children up to the age of 15 (e.g. After School, Q&A Lessons)	03	Travelogues/ magazine programmes/ talk shows/ food programmes	12
Programmes for young people aged between 16 and 24 (e.g. Youth Nation, HKFYG Youth)	04	Music programmes	13
Programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies)	05	Science, nature and wildlife programmes	14
Documentaries	06	Quizzes and games shows	15
Arts and culture programmes	07	Sports programmes	16
Business/ finance programmes	08	Government's announcements in the public interest	17
Dramas	09	RTHK programmes	18
		Others (please specify): _____	97

- Q23(b1) **【If Q22 = 1】** Programme type of violence scenes:
 Q23(b2) **【If Q22 = 2】** Programme type of sex and nudity scenes:
 Q23(b3) **【If Q22 = 3】** Programme type of materials with bad examples to children:
 Q23(b4) **【If Q22 = 4】** Programme type of bad language:
 Q23(b5) **【If Q22 = 5】** Programme type of indecent materials (e.g. obscene, bad taste, etc.):
 Q23(b6) **【If Q22 = 6】** Programme type of disgusting scenes/ horror plots:
 Q23(b7) **【If Q22 = 7】** Programme type of denigration:
 Q23(b8) **【If Q22 = 8】** Programme type of bias towards a certain community or organization:
 Q23(b9) **【If Q22 = 9】** Programme type of misleading contents:
 Q23(b10) **【If Q22 = 10】** Programme type of dangerous acts:
 Q23(b11) **【If Q22 = 11】** Programme type of partial views, biased contents:
 Q23(b12) **【If Q22 = 12】** Programme type of promotion of products/ services in programmes:
 Q23(b13) **【If Q22 = 13】** Programme type of materials which are biased towards/ promote television stations' own interests :
 Q23(b97) **【If Q22 = 97】** Programme type of others (please specify): _____:

(c) **【Probe】** Is the frequency of offensive contents of **【the system automatically shows the answers selected in Q22】** acceptable or too high? **【Single answer】**

- Q23(c1) **【If Q22 = 1】** Frequency of violence scenes:
 Acceptable 1
 Too high 2

Q23(c2) **【If Q22 = 2】** Frequency of sex and nudity scenes:

Acceptable 1

Too high 2

Q23(c3) [If Q22 = 3] Frequency of materials with bad examples to children:

Acceptable 1

Too high 2

Q23(c4) [If Q22= 4] Frequency of bad language:

Acceptable 1

Too high 2

Q23(c5) [If Q22 = 5] Frequency of indecent materials (e.g. obscene, bad taste, etc.):

Acceptable 1

Too high 2

Q23(c6) [If Q22 = 6] Frequency of disgusting scenes/ horror plots:

Acceptable 1

Too high 2

Q23(c7) [If Q22 = 7] Frequency of denigration:

Acceptable 1

Too high 2

Q23(c8) [If Q22 = 8] Frequency of bias towards a certain community or organization:

Acceptable 1

Too high 2

Q23(c9) [If Q22 = 9] Frequency of misleading contents:

Acceptable 1

Too high 2

Q23(c10) [If Q22 = 10] Frequency of dangerous acts:

Acceptable 1

Too high 2

Q23(c11) [If Q22 = 11] Frequency of partial views, biased contents:

Acceptable 1

Too high 2

Q23(c12) [If Q22 = 12] Frequency of promotion of products/ services in programmes:

Acceptable 1

Too high 2

Q23(c13) [If Q22 = 13] Frequency of materials which are biased towards/ promote television stations' own interests:

Acceptable	1
Too high	2

Q23(c97) [If Q22 = 97] Frequency of [the system automatically shows answer(s) selected in Q22] :

Acceptable	1
Too high	2

Q24 (a) [If Q22=12] Which type(s) of programme content(s) with promotion of products/ services had caused offence to you? [Multiple answers are allowed]

With the name, brand name, trademark, etc. of sponsor(s) added on the margin of the screen.....	1
With the name, brand name, trademark, etc. of the company shown in the background of the programmes	2
With product placement	3
With the introduction or demonstration of the products/ services in the programmes, which forms an integral part of programme contents.....	4
Others (please specify):.....	97

Q24 (b) Why did those content(s) cause offence to you? [Multiple answers are allowed]

It was not necessary to show those materials in the programmes.....	1
It disrupted the audience from enjoying television programmes.....	2
It was too far-fetched.....	3
It was too commercial.....	4
Others (please specify):.....	97

Q24 (c) (A) [If the respondent considers in Q23(c) that the frequency of promotion of products/ services in programmes is too high, i.e. Q23(c12)=2] Do you think it is necessary to tighten up the restrictions on broadcasting programme contents with promotion of products/ services?

Yes	1	[Ask Q24(c)(B)]
No	2	[Skip to Q25]
No opinion [Do not read out]	98	[Skip to Q25]

Q24 (c)(B) [If 24(c)(A)=1, probe] On which area(s) should there be more restrictions? [Multiple answers are allowed]

To limit the time slot(s) during which the name, brand name, trademark, products/ services are shown in the programmes.....	1
To allow products/ services to be shown in certain programme type(s) only (please specify:____).....	2

To prohibit the introduction or demonstration of the products/ services in the programmes,
which forms an integral part of programme contents 3

Others (please specify): _____97

Part D. Opinion on television advertisements

Q25 **【Showcard 10】** How would you rate the quantity of advertisements of free television **【If necessary, read out: i.e. 4 traditional channels, e.g. TVB Jade, TVB Pearl, ATV Home and ATV World, and digital channels, e.g. TVB HD Jade, J2, iNews, ATV Asia, ATV Classic, etc.】** during the prime time from 7:00pm to 11:00pm? **【Single answer】**

- Too many..... 1
- A bit too many 2
- Acceptable 3
- Can accept a little bit more 4
- Too few 5
- No opinion **【Do not read out】** 98

Q26 **【Showcard 10】** What about outside the prime time? How would you rate the quantity of advertisements of free television **【If necessary, read out: i.e. 4 traditional channels, e.g. TVB Jade, TVB Pearl, ATV Home and ATV World, and digital channels, e.g. TVB HD Jade, J2, iNews, ATV Asia, ATV Classic, etc.】** **【Single answer】**

- Too many..... 1
- A bit too many 2
- Acceptable 3
- Can accept a little bit more 4
- Too few 5
- No opinion **【Do not read out】** 98

Q27 **【Showcard 11】** Have you ever encountered offensive content(s) when you were watching advertisements of free television in relation to products or services**【If necessary, read out: i.e. 4 traditional channels, e.g. TVB Jade, TVB Pearl, ATV Home and ATV World, and digital channels, e.g. TVB HD Jade, J2, iNews, ATV Asia, ATV Classic, etc.】** ? You may refer to the advertising contents as listed on the showcard. **【Single answer】**

- Yes 1 **→Ask Q28**
- No 2 **→Skip to Part E**

Q28 **【Showcard 11】** What kind of advertising content(s) had caused offence to you? What else?

【Multiple answers are allowed】

【With reference to answers in Q28, ask Q29 one by one】

- Violence scenes 1
- Sex and nudity scenes..... 2
- Materials with bad examples to children 3
- Bad language 4
- Indecent materials (e.g. obscene, bad taste, etc.)..... 5
- Disgusting scenes/ horror plots..... 6
- Denigration 7
- Bias towards a certain community or organization 8
- Misleading contents..... 9
- Dangerous acts..... 10
- Others (please specify): _____ 97

Q29 (a) **【Showcard 1】** On which channel did you last encounter the offensive advertising content(s) of **【the system automatically shows the answer(s) selected in Q28】**? **【Single answer】**

TVB		ATV	
(Analogue channel) TVB Jade	01	(Analogue channel) ATV Home	02
(Analogue channel) TVB Pearl	03	(Analogue channel) ATV World	04
(Simulcast digital) TVB (channel 81) Jade	81	(Simulcast digital) ATV (channel 11) Home	11
(Simulcast digital) TVB (channel 84) Pearl	84	(Simulcast digital) ATV (channel 16) World	16
(Digital channel) TVB (channel 85) HD Jade	85	(Digital channel) ATV Asia (channel 12)	12
(Digital channel) TVB (channel 82) J2	82	(Digital channel) ATV Classic (channel 13)	13
(Digital channel) TVB (channel 83) iNews	83	(Digital channel) CCTV Channel 1 (channel 15)	15
		(Digital channel) Shenzhen Satellite TV (channel 17)	17

- Q29(a1) 【If Q28 = 1】** Channel number of violence scenes:
- Q29(a2) 【If Q28 = 2】** Channel number of sex and nudity scenes:
- Q29(a3) 【If Q28 = 3】** Channel number of materials with bad examples to children:
- Q29(a4) 【If Q28 = 4】** Channel number of bad language:
- Q29(a5) 【If Q28 = 5】** Channel number of indecent materials (e.g. obscene, bad taste, etc.):
- Q29(a6) 【If Q28 = 6】** Channel number of disgusting scenes/ horror plots:
- Q29(a7) 【If Q28 = 7】** Channel number of denigration:
- Q29(a8) 【If Q28 = 8】** Channel number of bias towards a certain community or organization:
- Q29(a9) 【If Q28 = 9】** Channel number of misleading contents:

Q29(a10) [If Q28 = 10] Channel number of dangerous acts:
Q29(a97) [If Q28 = 97] Channel number of others (please specify):_____:

(b) [Probe] Is the frequency of offensive content(s) of **[the system automatically shows the answer(s) selected in Q28]** acceptable or too high?

[Single answer]

Q29(b1) [If Q28 = 1] Frequency of violence scenes:

Acceptable 1
 Too high 2

Q29(b2) [If Q28 = 2] Frequency of sex and nudity scenes:

Acceptable 1
 Too high 2

Q29(b3) [If Q28 = 3] Frequency of materials with bad examples to children:

Acceptable 1
 Too high 2

Q29(b4) [If Q28 = 4] Frequency of bad language:

Acceptable 1
 Too high 2

Q29(b5) [If Q28 = 5] Frequency of indecent materials (e.g. obscene, bad taste, etc.):

Acceptable 1
 Too high 2

Q29(b6) [If Q28 = 6] Frequency of disgusting scenes/ horror plots:

Acceptable 1
 Too high 2

Q29(b7) [If Q28 = 7] Frequency of denigration:

Acceptable 1
 Too high 2

Q29(b8) [If Q28 = 8] Frequency of bias towards a certain community or organization:

Acceptable 1
 Too high 2

Q29(b9) [If Q28 = 9] Frequency of misleading contents:

Acceptable 1
 Too high 2

Q29(b10) [If Q28 = 10] Frequency of dangerous acts:

Acceptable 1
 Too high 2

Q29(b97) [If Q28 = 97] Frequency of **[the system automatically shows answer(s) selected in Q28]** :

Acceptable 1

Too high 2

Part E. Opinion on the regulations on broadcasting languages and subtitles

【Read out】 Now I would like to seek your opinion on the existing regulations on broadcasting languages and subtitles for domestic free television.

Q30 **【Showcard 12】** Do you agree or disagree with the present regulation that ATV and TVB should provide one English channel and one Cantonese channel?

- Agree..... 1
Disagree 2
No opinion **【Do not read out】** 98

Q31 (a)(i) **【Showcard 13】** Do you agree or disagree with the present regulation that at least 90% of the programmes on each of the Cantonese channels should be in Cantonese?

- Agree..... 1 → **Skip to Q31(b)**
Disagree 2 → **Ask Q31(a)(ii)**
No opinion **【Do not read out】** 98 → **Skip to Q31(b)**

(a)(ii) **【If Q31a(i) = 2, probe】** What suggestion(s) would you propose?

Record answer: _____

(b)(i) **【Showcard 14】** Do you agree or disagree with the present regulation that at least 80% of the programmes on each of the English channels should be in English?

- Agree..... 1 → **Skip to Q32**
Disagree 2 → **Ask Q31(b)(ii)**
No opinion **【Do not read out】** 98 → **Skip to Q32**

(b)(ii) **【If Q31b(i) = 2, probe】** What suggestion(s) would you propose?

Record answer: _____

Q32 **【Showcard 15】** Do you agree or disagree with the present regulation that no more than 2 non-Cantonese advertisements should be broadcast on each of the Cantonese channels in any clock hour?

- Agree..... 1
Disagree 2
No opinion **【Do not read out】** 98

Q33 (a) **【Showcard 16】** Do you agree or disagree with the present regulation that the maximum number of non-English advertisements should not be more than half of the total number of advertisements on each of the English channels in any clock hour between 7:00pm and 11:00pm; and the total broadcast time for non-English advertisements during the remaining broadcast hours and non-English programmes of the day should not exceed 20% of the total broadcast time of each of the English channels of the day?

Agree..... 1 → Skip to Q34

Disagree 2 → Ask Q33(b)

No opinion **【Do not read out】** 98 → Skip to Q34

(b) **【If Q33(a) = 2, probe】** What suggestion(s) would you propose?

Record answer: _____

Q34 (a) **【Showcard 17】** Do you agree or disagree with the present regulation that Cantonese channels should carry Chinese subtitles for all news and weather reports, current affairs programmes, dramas and emergency announcements as well as all programmes shown between 7:00pm and 11:00pm?

Agree 1

Disagree..... 2

No opinion **【Do not read out】** 98

(b) Do you think it is necessary to change the time regulation that Cantonese channels should carry Chinese subtitles for all programmes shown between 7:00pm and 11:00pm?

Yes 1 → Ask Q34(c)

No..... 2 → Skip to Q35

No opinion **【Do not read out】** 98 → Skip to Q35

(c) **【If Q34(b) = 1, probe】** In which time slot(s) do you think that the time restriction should be implemented? **【Multiple time slots are allowed】**

1. _____:_____ to _____:_____

2. _____:_____ to _____:_____

3. _____:_____ to _____:_____

All time slots **【Do not read out】** 100

Q35 (a) **【Showcard 18】** Do you agree or disagree with the present regulation that English channels should carry English subtitles for all news and weather reports, current affairs programmes and emergency announcements, all programmes shown between 8:00pm and 11:30pm, and the two-hour per week English programmes with educational value targeting at teenagers?

Agree..... 1

Disagree2
No opinion **【Do not read out】**98

(b) Do you think it is necessary to change the time regulation that English channels should carry English subtitles for all programmes shown between 8:00pm and 11:30pm?

Yes 1 **→Ask Q35(c)**
No..... 2 **→Skip to Q36**
No opinion **【Do not read out】** 98 **→ Skip to Q36**

(c) **【If Q35(b) = 1, probe】** In which time slot(s) do you think that the time restriction should be implemented? **【Multiple time segments are allowed】**

1. _____:_____ to _____:_____

2. _____:_____ to _____:_____

3. _____:_____ to _____:_____

All time slots **【Do not read out】**100

Q36 (a) Do you think that the programme types that contain Chinese and English subtitles in Cantonese and English channels respectively are sufficient or insufficient? **【Single answer】**

Sufficient..... 1 **→Skip to Q37**
Insufficient..... 2 **→Ask Q36(b)**
No opinion **【Do not read out】** 98 **→ Skip to Q37**

Q36(b) **【If Q36(a) = 2, probe】 【Showcard 6】** Which programme type(s) should have subtitles being added? **【Multiple answers are allowed】**

News programmes	01	Films	10
Current affairs programmes	02	Education programmes	11
Programmes for children up to the age of 15 (e.g. After School, Q&A Lessons)	03	Travelogues/ magazine programmes/ talk shows/ food programmes	12
Programmes for young people aged between 16 to 24 (e.g. Youth Nation, HKFYG Youth)	04	Music programmes	13
Programmes for senior citizens over the age of 60 (e.g. Scientist Home, Happy Old Buddies)	05	Science, nature and wildlife programmes	14
Documentaries	06	Quizzes and games shows	15
Arts and culture programmes	07	Sports programmes	16
Business/ finance programmes	08	Government's announcements in the public interest	17
Dramas	09	RTHK programmes	18

Q37 Do you think it is necessary to extend the regulations on subtitles to programmes on channels other than Cantonese and English channels?

Yes..... 1
 No 2
 No opinion **【Do not read out】** 98

Q38 Do you think it is necessary to extend the regulations on the minimum quantity of positive programmes to channels other than Cantonese and English channels? Positive programmes include: news and weather reports, current affairs programmes, programmes for children, young people and senior citizens, documentaries, arts and culture programmes, etc.

Yes..... 1
 No 2
 No opinion **【Do not read out】** 98

Q39 (a) **【Showcard 19】**ATV and TVB currently are required to each broadcast 3.5 hours of RTHK programmes per week and to broadcast an additional 90 minutes of RTHK programmes or 120 minutes of programmes for senior citizens or arts and culture programmes per week. Do you agree or disagree with this regulation on the broadcasting of RTHK programmes?

Agree 1 **→Skip to Part F**
 Disagree..... 2 **→Ask Q39(b)**
 No opinion **【Do not read out】** 98 **→ Skip to Part F**

(b) **【If Q39(a) = 2, probe】** What suggestion(s) would you propose?

Record answer:_____

Part F. Opinion on the reception quality of television programmes

【The system automatically categorizes the channel(s) selected in Q1(d) (i.e. the channel(s) being watched in the past 7 days/ month) into domestic free

(a)analogue channel(s) (I), or/ and

(b)simulcast digital channel(s) (i.e. ATV channels 11 and 16, and TVB channels 81 and 84) (II) or other digital channel(s) (III),

for the ease of asking the following questions (only this section).】

【Randomly ask (I) or/ and (II)/ (III) one by one】 Now I would like to seek your opinion on the reception quality of **【Read out (I) or (II)/ (III)】** of free television.

Q40 (a)(b) **【Showcard 4】**Are you satisfied or dissatisfied with the reception of【the system automatically shows (I) or (II)/ (III)】? **【Probe】** Are you very or quite ... ? **【Single answer】**

- Very dissatisfied..... 1
- Dissatisfied..... 2
- Average **【Do not read out】** 3
- Satisfied..... 4
- Very satisfied 5
- No opinion **【Do not read out】** 98

Q41 (a)(b) **【Showcard 4】**Are you satisfied or dissatisfied with the sound quality of this/ these channel(s)? **【Probe】** Are you very or quite ... ? **【Single answer】**

- Very dissatisfied..... 1
- Dissatisfied 2
- Average **【Do not read out】** 3
- Satisfied..... 4
- Very satisfied..... 5
- No opinion **【Do not read out】** 98

Q42 (a)(b) **【Showcard 4】**Are you satisfied or dissatisfied with the visual quality of this/ these channel(s)? **【Probe】** Are you very or quite ... ? **【Single answer】**

- Very dissatisfied..... 1
- Dissatisfied..... 2
- Average **【Do not read out】** 3
- Satisfied..... 4
- Very satisfied 5
- No opinion **【Do not read out】** 98

Q43 **【Showcard 4】** Are you satisfied or dissatisfied with the overall reception quality of the programmes on the free television **【If necessary, read out: i.e. 4 traditional channels, e.g. TVB Jade, TVB Pearl, ATV Home and ATV World, and digital channels, e.g. TVB HD Jade, J2, iNews, ATV Asia, ATV Classic, etc.】** ? **【Probe】** Are you very or quite ... ? **【Single answer】**

- Very dissatisfied..... 1
- Dissatisfied..... 2
- Average **【Do not read out】** 3
- Satisfied..... 4
- Very satisfied 5
- No opinion **【Do not read out】** 98

Part G. Overall satisfaction with domestic free television services

【Read out】 Now I would like to ask for your overall satisfaction with the domestic free television services.

Q44 (a)(i) **【Showcard 4】** Overall speaking, are you satisfied or dissatisfied with the domestic free television services of ATV? **【Probe】** Are you very or quite ... ? **【Single answer】**

- | | | | |
|---|----|---|----------------|
| Very dissatisfied..... | 1 | ┌ | → Ask Q44a(ii) |
| Dissatisfied..... | 2 | └ | |
| Average 【Do not read out】 | 3 | ┌ | →Skip to Q44b |
| Satisfied..... | 4 | | |
| Very satisfied..... | 5 | | |
| No opinion 【Do not read out】 | 98 | └ | |

(ii) **【If Q44(a)(i) = 1 or 2, probe】** Why are you dissatisfied with the domestic free television services of ATV?

Record answer: _____

(iii) **【If Q44(a)(i) = 1 or 2, probe】** What suggestion(s) would you propose?

Record answer: _____

(b)(i) **【Showcard 4】** Overall speaking, are you satisfied or dissatisfied with domestic free television services of TVB? **【Ask】** Are you very or quite ... ? **【Single answer】**

- | | | | |
|---|----|---|---------------|
| Very dissatisfied..... | 1 | ┌ | →Ask Q44b(ii) |
| Dissatisfied..... | 2 | └ | |
| Average 【Do not read out】 | 3 | ┌ | →Skip to Q45 |
| Satisfied..... | 4 | | |
| Very satisfied | 5 | | |
| No opinion 【Do not read out】 | 98 | └ | |

(ii) **【If Q44(b)(i) = 1 or 2, probe】** Why are you dissatisfied with the domestic free television services of TVB?

Record answer: _____

(iii) **【If Q44(b)(i) = 1 or 2, probe】** What suggestion(s) would you propose?

Record answer: _____

Part H. Habits of watching television on the Internet

【Read out】 Now I would like to ask for your habits of watching television on the Internet.

Q45 (a) Have you ever watched domestic free television programme(s) on the Internet (e.g. online programme provided by TVB at mytv.tvb.com)? **【Single answer】**

- Yes..... 1 → AskQ45(b)
No..... 2 → Skip to Part I

(b) How often do you watch domestic free television programme(s) on this/ these website(s)? **【Single answer】**

- Everyday..... 1
5 – 6 days a week 2
3 – 4 days a week 3
1 – 2 days a week 4
At least 1 day every 2 weeks 5
At least 1 day every 3 weeks 6
At least 1 day every month..... 7
1 day after more than a month..... 8

Part I. Demographics

【Interviewer: ask all respondents】

【Read out】 For statistical analyses of the survey, I would like to ask about your personal information. All the information provided will be kept strictly confidential and will only be used for consolidated statistical analyses.

C1 Record gender of the respondent.

Male.....1
 Female2

C2 What is your highest educational level?

【If “post-secondary/ university”, probe】 Are you studying in a degree or sub-degree course?

Primary or below.....1
 Junior Secondary (F.1 – F.3).....2
 Senior Secondary (F.4 – F.7)3
 Post-secondary (e.g. Higher Diploma/ Associate degree).....4
 Bachelor degree or above.....5
 Others (please specify):.....97

C3 **【If there is/ are household member(s) aged 15 or below, i.e. Q8 = 1 and S5 < 2, ask】**

Are you the guardian or parent of the household member(s) aged 15 or below?

Yes..... 1
 No 2

C4 Do you have a job at present? A job includes running your own business or helping your family without being paid.

【If “Yes”, probe】 Are you working full-time or part-time?

(Working full-time means having worked for 35 hours or more in a week; while working part-time means having worked for less than 35 hours in a week.)

Working full-time1
 Working part-time2
 Student3 | 7
 Homemaker.....4 |
 Retired person5 | → Skip to C6
 Unemployed person6 |
 Others (please specify):97 | 1

C5 Which industry is the organization you work for engaged in? What position do you hold?

(a) Industry:	(b) Position:
Manufacturing 1	Manager or executive 1
Construction 2	Professional 2
Wholesale, retail, import/ export trades, restaurants and hotels 3	Associate professional 3
Transportation, storage and communications .. 4	Clerk 4
Finance, insurance, real estate and business services 5	Service or shop sales worker 5
Community, social and personal services..... 6	Craft or related worker 6
	Plant and machine operator and assembler 7
	Unskilled worker 8
Others: _____ 97	Others: _____ 97

C6 **【Showcard 20】** Including all sources of income, what is the approximate total income of your household per month? Please only include those members who sleep here for at least four nights or days a week.

\$10 000 or below 1
\$10 000 - \$29 999 2
\$30 000 - \$49 999 3
\$50 000 - \$69 999 4
\$70 000 – \$99 999 5
\$100 000 or above 6
No income 【Do not read out】 96
Refusal 【Do not read out】 99

1cQA **【If Q1(c) = 2 and Q1(d) or Q5(a)-(c) or Q23(a1)-(a97) or Q29(a1)-(a97) = 11-13 or 15-17 or 81-85】**

Lastly, since it was previously mentioned that you have watched digital channel(s), we would like to confirm once again if there are any related facilities (such as HD television set-top box, HD television with built-in set-top box) for watching simulcast or other digital channels in your household.

Yes..... 1
No..... 2

【Read out】 This is the end of the interview. Thank you for your participation! In order to ensure the quality standard of our survey, the Quality Control Department of our company or the staff of Communications Authority may contact you again for a brief back-check to make sure the accuracy of the information collected. If you are selected for this quality check, we would very much appreciate your help. Thank you!

Name of respondent:		Contact number:	
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Opinion Survey on the Domestic Free Television Programme Services of Asia Television Limited and
Television Broadcasts Limited - Executive Summary

Address of household:	
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Appendix II Summaries of the Public Hearings

1. Public Hearing held in Hong Kong City Hall on 17 February 2014

Programme Diversity

- 1.1 ATV should provide more locally produced dramas.

Accuracy, Impartiality and Fairness

- 1.2 There were views suggesting that the programme “ATV Focus” was used as a platform for attacking persons who had political viewpoints that were different from ATV.

Programme Standards

- 1.3 Half of ATV’s channels did not use Cantonese as the main broadcasting language, which was against ATV management’s claim that these channels complied with the requirement on designated language. For example, ATV violated the spirit of the licence by broadcasting hours of Putonghua programmes in ATV World. Also, retransmission of Mainland programmes (e.g. CCTV-1 and Shenzhen Satellite TV) on the digital channels was a waste of spectrum.

Programme Quality

- 1.4 Only a few of ATV’s programmes were shortlisted for the TV Programme Appreciation Index Survey in recent years and their ranking was very low. It showed that ATV’s programmes were of poor quality.
- 1.5 Some commented that the quality of TVB’s dramas, sports and animation was deteriorating. For example, the shooting

technique of sports programmes was not up to international standard. There was a lack of animation in TVB J2, representing only 2% of the total broadcasting time of the channel. TVB should improve the remuneration of artistes and provide more training to local talents.

Programme Scheduling

- 1.6 There was suggestion that the broadcasting time of cultural programmes and children's programmes was not convenient to the target audiences. The free TV stations should reschedule such programmes to appropriate timeslots.
- 1.7 Television was the only source of entertainment for grass-roots audiences. ATV, by repeatedly broadcasting the same programmes, was not able to provide a diversity of entertainment to members of the public and seriously affected viewers' interest.

Overall Performance of the Two TV Stations

- 1.8 There was comment supporting the licence renewal of ATV and TVB on ground that the two TV stations had made the efforts to produce free-to-air programmes for more than fifty years.
- 1.9 The licences of ATV and TVB should be renewed on the basis that some of the spectrum assigned to the two TV stations for use should be released to other operators in the domestic free TV market.

Advertising

- 1.10 The level of financial penalty imposed on free TV stations should be reduced and more resources could be used for programme production. For the same reason, restrictions on product placement should be relaxed to increase the advertising revenue for free TV stations.

Other Comments and Suggestions

- 1.11 The incumbent free TV stations were not committed to producing quality programmes for the benefit of viewers. On the other hand, the licence application of a new operator which was keen to operate TV station was rejected.
- 1.12 The licence should include a condition to require the licensee to produce its own entertainment programmes. This would help nurture creative talents in Hong Kong. A free TV station should also be required to promote sports.
- 1.13 There was concern about the translation by TVB. For example, the Chinese translation of the name of a city (e.g. US's Virginia State) changed quite a bit, which might confuse the viewers.

2. Public Hearing held in Ngau Chi Wan Civic Centre on 7 March 2014

Programme Diversity

- 2.1 TVB was criticised for producing too many gourmet programmes.

Positive Programme Requirement

- 2.2 Children's programmes encouraged activities of expensive lifestyle which was out of touch with children from low-income families.

Accuracy, Impartiality and Fairness

- 2.3 There was comment that the programme "ATV Focus" presented one commentator's views which were biased and partial. However, some disagreed and held that the programme provided a platform for a variety of viewpoints. For example, the pan-democratic camp had been invited to present their views.
- 2.4 There was suggestion that ATV's programmes targeted the Mainland audience and did not cater for the taste of viewers in Hong Kong. Moreover, ATV's digital channels should primarily serve the needs of local viewers. Retransmission of Shenzhen TV and CCTV-1 on ATV's digital platform was a waste of spectrum.
- 2.5 Compared to other domestic pay TV stations, TVB avoided the coverage of sensitive issues of the Mainland. TVB had the responsibility to promote the advancement of democracy and freedom of speech among the Hong Kong citizens.

Programme Quality

- 2.6 Some speakers commented that ATV's programmes, which were informative and educational, could help enhance viewers' knowledge and quality. In addition, the broadcast of Mainland programmes by ATV could enhance Hong Kong people's understanding of the developments in China.
- 2.7 Some opined that in response to public views TVB had made efforts to improve its programme quality. There were suggestions that TVB should take the lead to foster the development of music industry in Hong Kong.
- 2.8 There was excessive use of Mainland vocabularies in TVB's programmes. On the other hand, some commended the filming technique of some TVB's programmes, and considered that certain programmes of TVB J2 were of good quality.

Programme Scheduling

- 2.9 There was comment that repeat programmes of ATV were boring. However, some opined that re-running a programme could enable members of the public to watch the programme after work.
- 2.10 It was suggested that the broadcasting time of TVB's evening news should be rescheduled to around 10:30 p.m.

Subtitling/Sign Language

- 2.11 Free TV stations should provide subtitles in the language of the programmes concerned. For example, Cantonese programmes should be carry subtitles in Cantonese. There was also comment that the content of subtitles was sometimes misleading and inaccurate.

Advertising

- 2.12 There was comment that compared to free TV stations' revenue, the level of financial penalties on product placement was too lenient to achieve a deterrent effect. On the other hand, some opined that, in order to support the production of quality programmes, restrictions on product placement should be relaxed to increase advertising revenue of the free TV stations.

Overall Performance of the Two TV Stations

- 2.13 If ATV's licence was not renewed, new operators should be allowed to enter into the domestic free TV market. On the other hand, should ATV's licence be renewed, part of the spectrum assigned to ATV should be released and reassigned to other operators.
- 2.14 It was commented that television should not only cater for a mass audience but also a niche audience. ATV's licence should be renewed in order to provide a greater variety of television programmes, such as Beijing Opera, for the benefits of the niche. Some opined that ATV, which was the only broadcasting media that took a pro-Mainland stance, should have its licence renewed in order to safeguard freedom of speech.
- 2.15 Some supported the licence renewal of ATV and TVB because programmes of the two TV stations had their own merits. For example, TVB's dramas were entertaining whereas ATV's programmes e.g. "ATV Focus" expressed views that were different from the majorities.

Other Comments and Suggestions

- 2.16 The factors and criteria adopted for considering the licence renewal of the two TV stations should be set out clearly. Some were concerned about how the CA took samples in the survey and doubted if the result was misleading. The questionnaires

used in the survey might include leading questions and hence the result might not truly reflect the public opinions.

- 2.17 To enhance programme quality, free TV stations could explore the possibility of co-productions with overseas TV stations.
- 2.18 The CA was considered biased and irresponsible as it ignored views and complaints from members of the public. Some questioned why the broadcasting spectrum could not, as in the case of telecommunication spectrum, be reassigned to new operators.
- 2.19 The first public hearing was not well organised. For example, the process of selecting speakers to express views at the hearing was biased and unfair.
- 2.20 The performance of ATV fell far short of “Asia’s CNN”. For example, the connection to ATV’s mobile application was slow and the news contained therein was not up-to-date.
- 2.21 Compared to foreign actresses, the make-up of TVB’s actresses was poor and not fashionable. Due to poor scheduling, same artistes would appear in different programmes within a day. It was also suggested that the names of dubbing artists should be acknowledged and displayed in the end-credits of the programmes.

3. Public Hearing held in Shatin Town Hall on 10 March 2014

Accuracy, Impartiality and Fairness

- 3.1 ATV's major investor interfered with the management of ATV, and infringed upon the freedom of press and expression.
- 3.2 Some commented that the views expressed in ATV's programmes were impartial.
- 3.3 Some considered that ATV's major investor intervened into the production of programmes and made use of the programmes for propagandising his political views and suppressing opposing viewpoints. However, some suggested that the large number of public complaints relating to "ATV Focus" was aimed at suppressing different political viewpoints.

Programme Quality

- 3.4 Although the two TV stations had made invested billions of dollars in programming, the quality of their programmes remained disappointing.
- 3.5 Television programmes was not only a significant source of entertainment, but also provided education for the general public.
- 3.6 Some opined that ATV's cultural and information programmes could supplement TVB's entertainment programmes and they catered for the needs of senior citizens. Some speakers however commented that ATV's programmes were old-fashioned.
- 3.7 Some commended the outstanding performance of ATV's artistes.

- 3.8 Some opined that many programmes of ATV were popular and exerted an influence on the society. However, they expressed their concern about the poor quality of ATV's talk shows. There was suggestion that the public would support ATV if the quality of its talk shows could be improved.
- 3.9 ATV produced different types of programmes which were rarely seen in other TV stations. These programmes could bring a breakthrough to the TV market.
- 3.10 There was comment that TVB failed to produce dramas in a serious manner. History was always presented in a distorted manner. TVB should avoid goofs in their dramas. It was suggested that CG animation could be used to remove the goofs.
- 3.11 Some opined that it was woeful for TVB to broadcast the same game show series for twenty years as it reflected that there was a lack of creativity in the TV market. There was comment that TVB should produce more game shows which could enable members of the public to participate.

Programme Scheduling

- 3.12 Some considered that ATV's programmes schedule was disorganised. For example, ATV ceased to broadcast "Money Talks" without prior notification to viewers.

Advertising

- 3.13 Current restrictions on product placement were too stringent that it limited the budget of programme productions.

Management and Operations of the Two TV Stations

- 3.14 ATV was criticised for allocating its resources in producing promos for an old programme instead of using the same resources to produce new programmes.

Competition in the Free TV Market

- 3.15 Some commented that two TV stations were sufficient for the domestic free TV market in Hong Kong.

Other Comments and Suggestions

- 3.16 The CA should introduce a fair and transparent mechanism to measure the ratings of the programmes of two TV stations so as to encourage competition in the TV market.
- 3.17 In order to reflect the public opinions, the content of the questionnaires for the opinion survey and the analysis of the findings including the relevant figures should be set out in the report on licence renewal. The questionnaires should also be released to the public. In making recommendations to the CE in C, the CA should consider the quality of public views received instead of quantity of submissions received.
- 3.18 The CA should not give favourism to the pan-democratic camp.
- 3.19 The CA should ensure that the 40,000 complaints on “ATV Focus” were not anonymous complaints. The CA should disregard all complaints that were against ATV’s political stance when it considered the sanction to be imposed on ATV. The CA should also review the complaints-handling procedure to promote transparency in its decision-making process.
- 3.20 Domestic free TV market was facing challenges and competition globally and across different medium platforms. As such, TV stations should be ready to move forward and lead Hong Kong to face global challenges.
- 3.21 Apart from producing quality programmes, TV stations had the responsibility to nurture talents and promote local productions. Local talents and productions could not be nurtured without sufficient performing platforms and opportunities.

3.22 There was suggestion that penalties imposed on ATV were based on political considerations.

Appendix III Summaries of the Group Discussions

1. Summary of Views Expressed during the Meeting held on 24 Feb 2014

Participants: Representatives of the Arts and Culture Sector and TV Production Veterans

Programme Variety

- 1.1 Licensees should allocate a certain time slots, for example, one hour per day, to broadcast independent local productions.

Programme Quality

- 1.2 Certain programmes of ATV (e.g. “Views on Hong Kong” and “Cheers Hong Kong”) were of good or acceptable quality, but only broadcast for a short period of time. Others like “ATV Focus” were lousy and biased.
- 1.3 TVB dramas were of low quality and failed to attract young audience. This was mainly attributed to tight budgeting, lack of young talents and poor remuneration for scriptwriters.

Repeat Programmes

- 1.4 Restrictions should be imposed on the repeat programmes carried by free TV.

Product Placement

- 1.5 There should not be excessive and intrusive product placements in television programmes.
- 1.6 Product placement was a matter that requires vigilance of broadcasters and should not be obtrusive to viewing pleasure.

Competition in the Free TV Market

- 1.7 TVB's dominance of the free TV market had resulted in its lack of incentives to improve its programme quality.

Overall Performance of the Two TV Stations

- 1.8 ATV should not have its licence renewed as it was not capable and lacked the ability to run a broadcasting business. The problem of ATV mainly stemmed from its management, not the quality of its staff or budgetary concern. There were comments that ATV should only be allowed to operate one channel. But there were also views that this would make ATV's operation unsustainable.
- 1.9 TVB succeeded in making huge profits and lacked the incentives to improve the programme quality and variety.

Other Matters

- 1.10 The regime for renewal of broadcasting licences put too much emphasis on quantitative aspects of the broadcaster's performance, e.g. the minimum amount of children programmes that were required to be provided by a broadcaster. The regime should set out certain qualitative parameters by which the regulator could assess the performance of a broadcaster, e.g.

whether the broadcaster concerned possesses the relevant managerial expertise to operate a satisfactory broadcasting service satisfactorily. However, there were also views that it was difficult for a regulator to adopt a primarily qualitative approach to assess the performance of a broadcaster on an objective basis.

- 1.11 The CA should regularly commission television industry experts to conduct research and analyses on the trends of viewing habits in the age of Internet. On this basis, the CA should review the codes of practice regularly to ensure that they reflect the changes in audience expectations.

2. Summary of Views Expressed during the Meeting held on 6 March 2014

Participants: Academics and Legislators

Programme Variety

- 2.1 ATV lacked self-produced TV programmes, some so-called self-produced programmes were merely repeated programmes.
- 2.2 TVB should produce more new programmes rather than relying on gourmet shows.
- 2.3 There were only a few music shows and most of them were broadcasted very late at night with limited viewers. This had hindered the development of music industry in Hong Kong.

Programme Quality

- 2.4 News programmes lacked international reports.
- 2.5 Financial programmes only focused on stocks commentary but lacked in-depth financial analysis.

Advertising

- 2.6 In order to increase the licensees' sources of income, the restrictions on specific categories of advertisements should be relaxed. For example, the prohibition on advertisements for fortune-tellers should be lifted.
- 2.7 The aggregate advertising time should be permitted to increase from 10 minutes to 11 minutes per clock hour to increase the licensees' revenue.
- 2.8 Restrictions on sponsored programmes and product placements should be relaxed as long as viewing pleasure would not be

adversely affected.

Overall performance of the Two TV Stations

- 2.9 The licence of ATV should not be renewed due to its unprofessional operations and poor performance over the past years. It would cause dissatisfaction if ATV's license was renewed only because it was able to comply with a set of minimum technical requirements.

Other Matters

- 2.10 In considering the licence renewal applications of ATV and TVB, the CA should objectively assess the performance of the two licensees by using quantitative parameters. To refute possible allegation of subjective judgement, the parameters might cover the viewership ratings and whether a licensee has fulfilled its commitments made in the licence application.
- 2.11 CA should review the performance of TV licenses more frequently. Instead of reviewing the licensee's performance once in every six years, the CA should conduct assessment every year.
- 2.12 Licensees should be allowed to lease airtime in their channels to other production companies and organisation for the broadcast of their productions. This could help promote the development of local production and nurture talents for the creative industry.
- 2.13 Licensees should offer more opportunities for creative talents by improving the remuneration package and providing more training opportunities.

3. Summary of Views Expressed during the Meeting held on 18 March 2014

Participants: Members of the Television and Radio Consultative Group, Representatives of the Parent-Teacher Associations and Non-government Organisations

Programme Diversity

- 3.1 ATV offered a platform for the broadcast of quality programmes produced by other production companies, such as “Showers of Blessings”.
- 3.2 “ATV Hong Kong Loving Hearts Campaign” was a reputable programme promoting positive values and moral conduct.
- 3.3 Programme choices of free TV were limited as the two stations broadcast programmes of similar nature at the same timeslots. For instance, the programmes broadcast from late morning to early afternoon in weekdays were predominantly financial programmes.
- 3.4 TVB HD Jade channel should broadcast more acquired documentaries as TVB Jade and Pearl channels are mostly showing dramas during the night.
- 3.5 Some programmes of the English channels were repeated on the Chinese channels with Cantonese dubbing.
- 3.6 It was unnecessary to simulcast programmes on two channels, especially during prime-time, if both were in digital format. It was a waste of spectrum. On the other hand, some opined that this was a considerate practice for viewers who could only view analogue channels.
- 3.7 Interests of the minority groups, including refugees and ethnic minorities, should be reflected in television programmes. 30-

minute programmes should be broadcast on English channels from 7p.m. to 11:30p.m. one day per week in other languages. Alternatively, subtitling in languages other than English and Chinese should be offered.

- 3.8 Variety of programmes should be broadened to cater for the needs of viewers, especially the senior citizens, the grass-roots and the housewives. Some opined that the free TV stations could also produce micro films about the senior citizens.

Positive Programme Requirements

- 3.9 Programmes for children of different age groups, especially locally produced programmes for those aged 3 to 6, should be provided. Free TV stations shall broadcast a minimum of 30 minutes of programming per week suitable for children aged 3 to 8 with different family classes.
- 3.10 The broadcast time of programmes for the elderly should be lengthened. With an aging population in Hong Kong, more resources should be allocated in the production of programmes for senior citizens. A channel for senior citizens would be most welcomed.

Accuracy, Fairness and Impartiality

- 3.11 The programme “ATV Focus” presented partial views to promote the station’s own interests.

Programme Standards

- 3.12 Children’s programme “Gorilla Club”, which was broadcast on TVB Kids channel, failed to cater for the needs of less affluent children. Even worse, the content contained improper sex relationship and values.
- 3.13 There were too many violent contents in free TV programmes, without much coverage on the proper ethical relations.

- 3.14 To keep up with the latest family viewing habits, the family viewing hours should be extended to 9:30 pm. But there were views that the current duration of family viewing hours should be maintained so as to allow diversified programmes for the adults after work.
- 3.15 The statements made by the hosts and geomancers in feng shui programmes misled children and young persons.
- 3.16 Reality shows “To Woo A Dame” and “Bride Wannabes” series contained twisted values of love affairs that had bad influence on children and young persons.
- 3.17 Game shows, including the “Super Trio” and “What The Face?” series, were not suitable for children and youth as they were obnoxious to public morals.
- 3.18 The content of children programme “Q&A Lessons” was positive and appropriate for children in Hong Kong. Nevertheless, the programme should be more creative and include more game elements.
- 3.19 A considerable number of programmes of the two TV stations had elements that were close to breaching the standards regarding crime, gambling and use of language. The viewers were affected adversely in an unconscious way.

Programme Quality

- 3.20 Themes and contents of locally produced drama series were repetitive.
- 3.21 Children’s programme “Ask Master Joe” was a quality programme. It stimulated creative thinking and learning of children.
- 3.22 More resources should be devoted to produce children’s

programmes, for example, increase outdoor filming depicting daily lives of people from different social classes. This would help promote social harmony and mutual respect.

- 3.23 ATV provided better quality of sports programmes with more diversified and in-depth information. TVB's sports programmes only covered popular sports with a recap of results.
- 3.24 ATV's informational programmes "Hong Kong Today" and "Who Wants to Be a Millionaire?" were of good quality.
- 3.25 During the timeslots from 4:30p.m. to 6p.m., it was very likely that children watching TV were from the grassroot families, who lacked resources to attend tutor or interest classes. It was crucial for the free TV stations to do more outdoor filming to broaden the horizon of these children.
- 3.26 ATV relied on informational programmes while its popular dramas were mostly acquired programmes. One of the few popular locally produced programmes was "My Date with a Vampire" series.
- 3.27 Lifestyle programmes and travelogues such as "Nat Around The World" advocated a luxurious lifestyle and should be reduced. They were also unappealing to the less affordable senior citizens.
- 3.28 The acquired programmes broadcast on TVB Pearl channel were of good quality. Most were creative, inspirational and educational. They should be broadcast on Chinese channels with Cantonese dubbing.

Programme Scheduling

- 3.29 The CA should impose restriction on repeat programmes. Dramas that were broadcast within one year should not be re-run.
- 3.30 While informational programmes and programmes with positive

messages such as “Lost At The Bottom of The World”, “Water of Life” and “Health Oddities Series” were suitable for young persons, they should be broadcast at early timeslots.

- 3.31 The metaphysics and feng shui programmes should be broadcast at later timeslots.
- 3.32 It was inappropriate to schedule animation “Daily Lives of High School Boys”, with classification “PG”, to broadcast at 9a.m. to 10a.m. during Saturdays as parents assumed that programmes broadcast during this period were suitable for children without guidance of parents.
- 3.33 Animations broadcast on TVB J2 channel contained adult themes or concepts and should not be classified as “animation” in its ordinary meaning.

Subtitling

- 3.34 ATV should provide subtitles for programmes on the English channel.

Advertising

- 3.35 Lifestyle programmes “Pleasure & Leisure” contained too much hard-sell elements for the product placements.
- 3.36 Product placement was acceptable as long as the exposure was not obtrusive to viewing pleasure and not gratuitous. As the TV station would self-adjust for the optimal amount of product placements, there was no need to impose restriction in this aspect.
- 3.37 Restrictions should be imposed on advertisements for financial services, e.g. getting loans from financial companies to buy luxury goods and go travelling. They amounted to promoting irresponsible buying to the youth and adults.

- 3.38 The sports programmes were interrupted by too many commercial breaks and affected viewing pleasure.

Overall Performance of the Two TV Stations

- 3.39 Some doubted the capability of the senior management of ATV. They failed to demonstrate the ability to meet the viewers' expectations and understand the needs of the society. They also failed to address the problems of repeat programmes and lack of local production despite public outcry over the years.

Designated Language

- 3.40 English channels should provide more programmes in other languages for the ethnic minorities.

Regulatory Issues

- 3.41 Nowadays the citizens proactively searched and watched programmes using mobiles and via internet. Increased competition in the advertising market made it more difficult for the free TV stations to earn profit. It would be challenging for the regulatory body to strike a balance between providing a sustainable environment for the industry and meeting the viewers' expectation.
- 3.42 If the proportion of locally produced programmes were restricted, the free TV stations might have to lower the production cost to meet the requirement, leading to a decline in programme quality and increase of repeats or talk shows. The requirement in this respect should therefore be more lenient.
- 3.43 The CA should give priority to complaints concerning children's viewing rights, i.e. complaints concerning children's programmes, programmes broadcast during prime time and family viewing hours.
- 3.44 The CA should set up a scoring system to deter repeated

breaches by the licensees. The CA should impose serious sanctions and even revoke a licence if necessary.

- 3.45 The CA should consider withdrawing CCTV-1 and SZTV channels of ATV and reallocate them to the two new licensees (Fantastic TV and HKTVE).
- 3.46 The fine imposed by the CA on ATV for its failure to submit the licence fee on time served as an effective deterrent to ATV.
- 3.47 To avoid the advertisements to obtrude viewing pleasure, some opined that advertisers should be prohibited from interfering with the programming decision of the free TV stations.
- 3.48 The CA should set out a framework listing all the factors to be considered when deciding licence renewal. The performance of free TV stations should be monitored continuously on the basis of such a framework.
- 3.49 The licence period of 12 years was too long. Different licence periods should be granted in accordance with the performance of the licensees.
- 3.50 The CA should set up a panel to monitor television programmes. The panel would advise the free TV stations to improve the programme content and inform the CA whenever any breach of condition was observed.

Other Matters

- 3.51 The CA should organize focus group discussions on the performance of free TV stations on a regular basis.
- 3.52 An independent organization should be responsible for conducting TV ratings surveys in order to ensure credibility.

4. **Summary of Views Expressed during the Meeting held on 25 March 2014**

Participants: Members of the Television and Radio Consultative Group and Representatives of Non-Government Organisations

Programme Diversity

- 4.1 Free television programmes should cater for the needs of the general public. Free TV stations produced programmes attracting senior citizens in view of the aging population, but they should also serve the needs of young viewers at the same time. Or else, they would become increasingly irrelevant to the new generation and the industry would decline.
- 4.2 The two TV stations broadcast too many entertainment programmes. As knowledge and information were essential to sustain Hong Kong's competitiveness, more informational programmes, such as programmes about history and geography, should be provided to cater for the needs of Hong Kong society.
- 4.3 A channel or certain timeslots during the day should be allocated for the ethnic minorities. Programmes could be about the daily lives of the ethnic minorities in Hong Kong.
- 4.4 Adequate amount of informational programmes were shown on TVB Pearl.
- 4.5 Informational programmes on TVB Pearl were re-broadcast on HD Jade channels. The same occurred for programmes shown on Jade and HD Jade channels. Such arrangements were not necessary and it was a waste of broadcast time.
- 4.6 Dramas on daily lives of children and young viewers, e.g. the American musical comedy-drama series "Glee", should be produced and broadcast during prime time and after school.

- 4.7 Television programmes failed to attract young people. Youth tended to gravitate toward American, Japanese and Korean programmes which offered diversified contents.
- 4.8 There were adequate programmes genres on TVB J2 channels.
- 4.9 More programme genres, including but not limited to military, commentary, science, arts, history, health, movie, sports, government system, entertainment, documentary, economics and international affairs, should be broadcast.
- 4.10 Programmes on safety education, such as fire drill and disaster management, should be provided by the free TV stations.
- 4.11 Lectures in local tertiary institutions should be put on air, as these institutions received subsidies from the Government.
- 4.12 Athletes could serve as role models for the youth with their good sportsmanship and perseverance. Free TV stations should broadcast programmes on the stories of athletes regularly to promote positive values to the youth.

Accuracy, Fairness and Impartiality

- 4.13 The news reports of ATV were inaccurate, untruthful and misleading. One example was its misreporting of the news on the death of Former President Jiang Zemin.
- 4.14 Although the nature of personal view programmes was identified at the start of the programmes, views of these programmes are biased and misleading. It was confusing as to whether the opinions were made on behalf of an organisation or an individual. On the other hand, some opined that as freedom of speech should be respected, these views were acceptable on the condition that they were factually correct. Viewers should also bear their own responsibility to verify the soundness of the hosts' opinions.

Programme Standards

- 4.15 Game shows “Super Trio” series were of bad taste, mischievous and had adverse effect on children. Some of the games were dangerous while others were lousy.
- 4.16 The family viewing period should be extended as children and youngsters usually stayed up late nowadays and would watch the television programmes from 8:30 p.m. to 10 p.m. It was noted that quite a number of complaints were related to programmes unsuitable for children and youth. However, there were also opinions that the youngsters did not have time to watch television programmes nowadays because of heavy school work and the availability of other leisure activities.
- 4.17 The content of historical dramas was often inaccurate. Adequate research should be conducted beforehand.
- 4.18 Historical dramas showing rivalry between scantily-clad beauties for the fondness of the emperor were of bad taste and affected social morality.
- 4.19 Reality shows “To Woo A Dame” and “Bride Wannabes” series had adverse effect on the mental development of children and the youth. Although these shows were broadcast late at night, the youth who stay up late could still watch them.

Programme Quality

- 4.20 Travelogues and gourmet programmes were not informative enough.
- 4.21 Animations provided by ATV were boring.
- 4.22 Programmes of pay TV stations were more attractive than those provided by TVB and ATV.

4.23 Dramas lacked creativity and were formulaic in overall plot. Themes were limited and repetitive. The free TV stations should try to explore new drama themes.

4.24 The drama “The Men of Justice”, one of the few local productions by ATV in recent years, was of good quality.

Programme Scheduling

4.25 Repeats of programmes with reasonable frequency could be beneficial to the viewers. The repeat of “Below the Lion Rock” conveyed positive messages and let the youth get a glimpse of the old days in Hong Kong.

4.26 Repeat programmes on ATV Classic channel were edited and not shown in full version.

4.27 Programmes on Home and Asia channel were mostly repeats.

4.28 The repeat broadcast of firework shows in 1990 during Lunar New Year of 2014 by ATV was unacceptable.

4.29 Repeats of programmes on ATV Classics channels were not appealing, for example, the repeat of Miss Asia Pageant 1986. It would be acceptable if high quality programmes were repeated, e.g. the drama “The Rise of the Great Wall - Emperor Qin Shi Huang”.

4.30 Children’s programmes should be broadcast during the weekends instead of weekdays.

Advertising

4.31 Advertisements of financial services, which claimed that they could provide funding for paying wages, shopping sprees and travelling, conveyed negative messages to children and young persons. Footnotes or reminders should be included to remind viewers about the need to repay loans, similar to the health

warnings on cigarettes packaging.

- 4.32 There was too much advertising when popular dramas were shown.

Competition in the Free TV Market

- 4.33 Currently only two institutes, The Hong Kong Academy for Performing Arts and Hong Kong Baptist University, provided trainings to nurture television talents. Free TV stations should shoulder the responsibility of providing training to television talents.

- 4.34 TVB groomed artistes via its local productions. However, a number of them joined the film and production industries later on leading to a talent drain in the television industry. This was not conducive to the healthy development of the industry.

- 4.35 The viewership share of ATV nowadays was significantly lower than that of 1970s and 1980s. The dominant station has no incentive to improve the quality of its production given the lack of competition. Competition was vital to the healthy development of the industry and beneficial to the viewers.

- 4.36 To enhance the competitiveness of the local television industry, HKTV should be granted a free-to-air licence.

Overall Performance of the Two TV Stations

- 4.37 The programmes of ATV only appealed to a small group of people and failed to attract the majority in Hong Kong. The station would not be able to sustain its business should more free TV stations enter the market.

- 4.38 ATV, though claiming to be the conscience of Hong Kong, differentiated itself by targeting at a niche market, i.e. elderly viewers. It was a selfish act. Some were also discontent with ATV's failure to improve its productions despite the

commitment to invest \$2 billion.

Designated Language

- 4.39 Programmes for the ethnic minorities, with dubbing in English, Cantonese and other foreign languages, should be broadcast on Chinese channels by means of the NICAM system.

Regulatory Issues

- 4.40 The Government should consider reducing the licence term of ATV from twelve years to three years or reallocating some of its channels to other parties.
- 4.41 Licences of the underperformed free TV stations should not be renewed, or it would be equivalent to granting permanent licences to the stations. The consultation exercise would then be meaningless.

Other Matters

- 4.42 The purpose of the renewal of free television programme service licences should be clearly defined, i.e. a chance to retain qualified and competent stations and eliminate the unfit.
- 4.43 Free TV stations should bear “social responsibility”. The CA should gather opinions from the citizens and the stations and reach consensus on the matter.
- 4.44 Some opined that the free TV stations should be fully aware of their mission. There was no excuse for a TV station with low viewership to survive.
- 4.45 Free TV stations should invite students to visit their TV stations.
- 4.46 Free TV stations should embark some of their profits to fulfil corporate social responsibilities, for example, to encourage young people to join the industry and donate to the charities.

4.47 To ensure that voices from different age groups could be heard, youth should be invited to join the focus group discussions and views from the youth organizations should be collected.