

立法會
Legislative Council

LC Paper No. CB(4) 805/15-16
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by the Administration)

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Panel on Information Technology and Broadcasting

Minutes of meeting
on Tuesday, 16 February 2016, at 4:30 pm
in Conference Room 3 of the Legislative Council Complex

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

Member attending : Hon TANG Ka-piu, JP

Public officers attending : Agenda item IV

Innovation and Technology Bureau

Ir Allen YEUNG
Government Chief Information Officer

Mrs Millie NG
Deputy Secretary for Innovation and Technology

Mr Davey CHUNG
Deputy Government Chief Information Officer
(Policy and Community)

Ms Jenny WOO
Chief Systems Manager (Digital Inclusion)

Agenda item V

Commerce and Economic Development Bureau

Mr Gregory SO, GBS, JP
Secretary for Commerce and Economic Development

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

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

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

Radio Television Hong Kong

Mr LEUNG Ka-wing
Director of Broadcasting

Ms Lisa LIU
Deputy Director of Broadcasting (Programmes)

Miss Leonia TAI, JP
Deputy Director of Broadcasting (Developments)

Mr LEUNG Chi-wah
Head, Engineering

Clerk in attendance : Mr Daniel SIN
Chief Council Secretary (4)3

Staff in attendance : Mr Ambrose LEUNG
Senior Council Secretary (4)3

Mr Joey LO
Senior Council Secretary (4)8

Miss Mandy LAM
Legislative Assistant (4)3

Action

I. Confirmation of minutes of meeting

(LC Paper No. CB(4)583/15-16 -- Minutes of meeting held on
14 December 2015)

The minutes of the meeting held on 14 December 2015 were confirmed. Members also noted that the minutes of the joint meeting with the Panel on Commerce and Industry held on 14 December 2015 (LC Paper No. CB(4)577/15-16) had been confirmed by circulation.

II. Information paper issued since the last meeting

(LC Paper No. CB(4)495/15-16(01) -- Hon Alice MAK Mei-kuen's letter dated 14 January 2016 on withdrawal of membership (Chinese version only))

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

III. Date of next meeting and items for discussion

(LC Paper No. CB(4)581/15-16(01) -- List of outstanding items for discussion

LC Paper No. CB(4)581/15-16(02) -- List of follow-up actions)

Regular meeting on 14 March 2016

3. Members noted that the next regular Panel meeting would be held on Monday, 14 March 2016 at 2:30 pm to discuss the following items:

(a) Information security; and

(b) Update on the work of the Create Hong Kong

IV. Promotion of digital inclusion

(LC Paper No. CB(4)581/15-16(03) -- Administration's paper on promotion of digital inclusion

LC Paper No. CB(4)581/15-16(04) -- Paper on digital inclusion prepared by the Legislative Council Secretariat (Updated background brief))

Presentation by the Administration

4. At the invitation of the Chairman, Government Chief Information Officer ("GCIO") briefed members on progress and latest position of the Government's initiatives to promote the adoption of information and communications technology ("ICT") by underprivileged groups, and the proposal to extend the Internet Learning Support Programme ("ILSP"). Details of the briefing were set out in the papers provided by the Administration (LC Paper No. CB(4)581/15-16(03)).

Discussion

ILSP

5. Mr Charles Peter MOK noted that the nature of service demand had changed over the years. He commented that the overall framework of support for underprivileged groups might need to be adjusted. Mr MOK said that students needed more support on the application of ICT in the learning process rather than on the acquisition of computer and access to Internet service.

6. GCIO advised that ILSP had been in operation for more than four years. The Administration was maintaining close liaison with the two implementers of ILSP on how the programme should be improved or refocused. With an estimated balance of about \$83 million in the approved funding commitment by the end of the 2015/16 school year, the Administration, having consulted the implementers, proposed to extend ILSP for two more years. The Administration would adjust the detailed arrangements of the programme taking into account the changing needs of the target beneficiaries and the views of the Education Bureau and the Social Welfare Department.

7. The Chairman noted that ILSP would complete its five-year term by August 2016 and the Administration was making preparations for another review to consider the way forward. She asked what the direction of the review would be, and how the Administration planned to reach out to more students from low-income families. GCIO said that ILSP implementers had encountered difficulties in identifying and reaching out to students from low-income families. The Student Finance Office had since October 2015 agreed to share information of low-income families with the implementers so that they could identify and reach out to targeted groups of students more effectively.

Innovation and Technology Fund for Better Living

8. Mr Charles Peter MOK noted the Administration's proposal of setting up of the \$500 million Innovation and Technology Fund for Better Living ("the Fund"). He queried whether and how existing initiatives to promote

digital inclusion ("DI") would be financed under the Fund. He suggested that the Administration should engage non-governmental organizations and the sector in developing details of the funding proposal. Mr MOK expressed concern that additional restrictions might be imposed in the use of the Fund and smaller projects might not be supported.

9. GCIO advised that the Administration would consult the relevant sectors in formulating the implementation details of the Fund. In response to Ir Dr LO Wai-kwok's enquiry about the implementation timetable of the Fund, Deputy Secretary for Innovation and Technology advised that the Administration aimed to consult the Panel in the second quarter of 2016 on the details of the funding proposal, with a view to obtaining the necessary funding approval from the Finance Committee within 2016-2017.

ICT Outreach Programme for the Elderly

10. Ir Dr LO Wai-kwok noted that the use of Internet among elderly persons aged 65 or above had significantly increased from 3% in 2004 to 35.9% in 2015, and he expected that the ratio would continue to increase in future. As Internet and mobile communication apps usage was becoming widespread, Ir Dr LO said that the need for technical support on the use of ICT for the elderly would increase. The Administration should consider providing more support for the elderly community, especially those living alone or living with other elderly people.

11. GCIO advised that in July 2015, the ICT Outreach Programme for the Elderly had started a new round of 12-month programme covering elderly centres, day care centres and home care services. The Administration would review the effectiveness of the programme later this year and would consider further expansion of support in the light of the review.

12. The Chairman said that she had been advocating digital inclusion since 2001. Over the years, despite considerable efforts having been made by the Administration and the private sector and resources in promoting DI, Internet utilization rate among elderly persons had only increased to 35.9% as at 2015. The Chairman considered the limited progress unacceptable. She enquired if the Administration had examined the obstacles elderly people encountered in accessing the Internet. The Chairman also asked if the Administration had introduced measures to promote the use of ICT among elderly people by removing those difficulties.

13. GCIO agreed that with the advent of smartphones and mobile communication apps, web accessibility for the elderly had become more convenient. The Administration would, in collaboration with the social welfare sector, continue to promote the use of mobile apps amongst the elderly for

communicating with their families and friends, with a view to further boosting Internet utilization rate amongst the elderly. Meanwhile, the Administration would also look into the reasons for the low Internet utilization rate of the elderly.

Web accessibility campaign

14. Noting that the Government had been promoting web accessibility since 1999 and that promoting web accessibility was a key initiative of DI for the Administration, the Chairman expressed disappointment that only 199 websites were awarded in 2015 for attaining the web accessibility standards, whilst the majority of websites in Hong Kong remained inaccessible to people with disabilities. She enquired about the reasons for the limited number of websites adopting web accessibility designs. She suggested that apart from the Web Accessibility Recognition Scheme, the Administration should consider providing financial subventions or other innovative incentives for organizations to adopt web accessibility functions.

15. GCIO agreed that the Web Accessibility Recognition Scheme might be using a rather passive approach to promote web accessibility nowadays. To facilitate wider adoption of web accessibility design, the Administration would collaborate with the industry and the academia to develop practical tools for automating certain parts of the development process in creating accessible websites.

16. The Chairman noted that discussion had finished ahead of the scheduled time and SCED and representatives of CEDB had not yet arrived for the item, she declared that the meeting would be suspended for 15 minutes.

17. The meeting was suspended at 5:05 pm and resumed 5:20 pm.

V. Issues relating to the operational and handover arrangements of Asia Television Limited on expiry of its domestic free television programme service licence

(LC Paper No. CB(4)581/15-16(05) -- Administration's paper on issues relating to the operational and handover arrangements in respect of Asia Television Limited on expiry of its domestic free television programme service licence

LC Paper No. CB(4)581/15-16(06) -- Paper on issues relating to domestic free television programme service licence of Asia Television Limited prepared by the Legislative Council Secretariat (Background brief)

Presentation by the Administration

18. At the invitation of the Chairman, Secretary for Commerce and Economic Development ("SCED") briefed members on the latest position in respect of the issues relating to the operational and handover arrangements of Asia Television Limited ("ATV") on expiry of its domestic free TV licence. Details of the briefing were set out in the papers provided by the Administration (LC Paper No. CB(4)581/15-16(05)).

Discussion

Disposal of Asia Television Limited's news archive

19. Ms Claudia MO noted that ATV possessed a rich news archive of historical documentary and video records of Hong Kong. In the event that the company liquidated, the archive might be lost or auctioned off. Ms MO asked whether the Administration had the responsibility to ensure the preservation of important and valuable historical records. She also asked whether ATV's news archive was private property or whether there was sufficient public interest ground for the Administration, the Radio Television Hong Kong ("RTHK"), the Central Library or university libraries to take possession of the material.

20. SCED considered that ATV's news archive was the company's asset and it would be up to ATV to consider how best to make use of it. He said that extra care must be exercised if the Government was to take possession of private properties purportedly on public interest grounds given the far-reaching implications on the right to property. SCED said that the Administration did not consider it justified to take over ATV's news archive.

21. Ms Claudia MO asked if the Administration would consider holding custody of ATV's news archive if the company failed to secure a buyer. SCED responded that it would be hypothetical to suggest that the news archive had no buyer; if the archive possessed value, ATV would have no difficulties in disposing of the asset, and it would be more appropriate for ATV to make its commercial decision on how to dispose of the archive.

RTHK's arrangements in taking over ATV's analogue TV programme channels

22. Mr Charles MOK was disappointed that the Administration had not informed members at the last Panel meeting held on 11 January 2016 that a tender was being invited for RTHK to procure analogue television transmission services of a third party service provider to broadcast RTHK's programmes on the two analogue free TV programme channels to be vacated by ATV after 1 April 2016. He said that the Administration could have allayed members' concerns about the handover arrangements between ATV and RTHK had the Administration informed members of the latest development. Mr MOK noted that if the third party service provider was able to offer alternative transmission service before 1 April 2016, RTHK would be able to broadcast TV programmes on the two analogue channels on 2 April 2016 without any gap in service and without having to take over the Government-owned premises with ATV transmission facilities.

23. Mr SIN Chung-kai asked whether RTHK's stop-gap analogue TV service through the TV spectrum to be vacated by ATV after 1 April 2016 would incur extra expenses and staffing, and, if so, what the likely increase in expenditure would be. Mr SIN also asked when the Administration would submit relevant funding proposals to the Panel for consultation and the Finance Committee for approval.

24. SCED said that the resources required for RTHK to increase production output in the coming financial year would be reflected in RTHK's Estimates of Expenditure. Director of Broadcasting ("D of B") said that RTHK would broadcast programmes of its digital TV Channels 31 and 33 in the two analogue TV channels to be vacated by ATV simultaneously. D of B explained that RTHK had advanced its plan to increase production output for its Digital Terrestrial Television ("DTT") service for more programme hours to be broadcast on its digital TV Channel 31 and through simulcast on the analogue channel. D of B said that the extra staffing and expenditure required for the increase in production output were to be met from the resources earmarked for its DTT service development. The major resource requirement for RTHK's provision of analogue TV service was the transmission service as RTHK did not have analogue TV transmission network and this service would be outsourced.

25. Mr CHAN Chi-chuen commented that the Administration had underestimated how bad ATV's situation could develop into and had not implemented contingent measure to cater for possible early termination of service due to liquidation of ATV before its licence expired. Mr CHAN asked whether RTHK and HKTVE were ready to commence broadcast service in the event that ATV had to close down before its TV licence expired, so that the audience would be able to watch TV programmes of RTHK's Channel 31 in the

analogue spectrum as well as other free TV programmes in the digital channels.

26. SCED responded that the Commerce and Economic Development Bureau had established a task force comprising representatives from relevant Government departments to handle the issues arising from the non-renewal of ATV's free TV licence. One of the targets was to ensure the orderly handover of the transmission sites leased to ATV to RTHK to enable RTHK to commence broadcasting service after the expiry of ATV's TV licence. The task force would also co-ordinate efforts to ensure that the transmission facilities operated by the other free TV licensee (i.e. TVB) would not be affected. SCED added that the two free TV licensees, namely TVB and HKTVE, were in the process of discussing interconnection and facility sharing arrangements so they could provide service through the Multiple Frequency Network ("MFN") multiplex immediately after the withdrawal of the concerned spectrum from ATV.

27. Mr MA Fung-kwok noted that RTHK might have to take over the two analogue TV channels to be vacated by ATV. He asked whether the Administration would allocate the channels to RTHK for operation on a long-term basis. SCED explained that RTHK was already performing the role as a public service broadcaster and had been provided with broadcast spectrum and resources to broadcast in digital format. RTHK would use the two analogue TV channels to be vacated by ATV to broadcast its programmes in its digital TV Channels 31 and 33 as a transitional arrangement to provide an additional choice of analogue TV programmes to those with analogue TV until the analogue switch-off.

28. In response to Mr MA's comments that RTHK should provide more attractive contents in Channels 31 to 33, D of B briefly introduced the varieties of programmes being broadcast in the three RTHK digital TV channels.

Progress of new TV licensees in providing broadcast service

29. Mr Charles MOK noted that the HK Television Entertainment Company Limited ("HKTVE") was required under licence to launch its free TV service through a fixed network by 31 March 2016. HKTVE was also assigned half of the transmission capacity of a MFN multiplex to be withdrawn from ATV with effect from 2 April 2016. However, up to mid February, no information had been released from HKTVE on the launch of new digital broadcast service. In particular, HKTVE had not released any information on how the public could connect to the fixed network to receive the free TV service. Mr MOK asked if the Administration or the Communications Authority ("CA") had the responsibility to ensure HKTVE release the necessary information.

30. SCED responded that, on the sharing of the MFN multiplex, the Office of CA had maintained contact with the two free TV licensees and encouraged them to expedite discussion on the interconnection and facility sharing arrangements so that the licensed free TV service could commence as early as possible after the withdrawal of the concerned spectrum from ATV. SCED added that HKTVE was required to launch its licensed free TV service using a fixed network by 31 March 2016. As HKTVE was an independent commercial organization, SCED said it was up to the company to determine how it released service information to its viewers.

31. Mr WONG Yuk-man noted that in-principle approval had been given by the Chief Executive in Council ("CE in Council") in 2013 for the applications of the Fantastic Television Limited ("FTV") and HKTVE for TV licence. Since then, HKTVE had been granted a free TV licence in 2015. However, little progress seemed to have been made regarding the operation of FTV and there was no indication that FTV would commence broadcast any time soon. Mr WONG commented that, while TVB and HKTVE were discussing the interconnection and facility sharing arrangements on the use of the MFN multiplex, no concrete timetable was available on the commencement of HKTVE's broadcasting services.

32. Mr WONG Yuk-man said that TV spectrum was public resources and the Administration had the responsibility to ensure its proper utilization and to explain to the public the progress in delivering broadcasting services. Mr LEUNG Kwok-hung expressed similar comments.

33. SCED said that CE in Council had given in-principle approval for a free TV licence to be granted to FTV. It had taken some time for negotiation between CA and FTV on the licensing conditions. During the process, FTV had three times applied for extension of time for finalizing the outstanding issues with the CA, with the latest application extending the time to 18 March 2016. SCED believed that, the fact that FTV had taken the initiative to apply for extension indicated that it was willing to operate the TV service according to the licence conditions.

34. Mr WONG Yuk-man criticized the Administration for being too tolerant of FTV and HKTVE when they had been slow in delivering service according to the licence. Mr WONG commented that the Administration's policy was heavily slanted towards large corporations, and the whole system was inequitable.

ATV employees affected by non-renewal of TV licence

35. Mr CHAN Kam-lam said that ATV still held the free TV licence until 1 April 2016. Meanwhile, ATV had breached some of the licensing conditions and staff salaries were still in arrears. Mr CHAN asked how the Administration

would deal with the situation.

36. SCED responded that the Labour and Welfare Bureau and the Labour Department had set up a dedicated hotline to provide assistance to ATV employees. The Labour Department had explained to ATV staff their employment rights and benefits. SCED added that the Labour Department had canvassed 260 suitable job vacancies in different broadcasting companies and a number of vacancies in the private sector for application by ATV employees. Meanwhile, SCED said that he had approached HKTVE and had invited the company to consider absorbing some of ATV's employees. HKTVE was positive in its response.

37. Mr TANG Ka-piu requested SCED to collaborate with the Labour Department to organize a recruitment fair for ATV staff. The recruitment fair would also convey a message to the community that there was still career prospects in the broadcasting sector.

38. Mr TANG noted that RTHK would outsource the analogue TV transmission services including the management and operation of the transmission facilities. He suggested that, drawing reference to the management contract of the Eastern Harbour Crossing, special conditions be included in the tender document requiring the contractor to employ former ATV personnel to operate the transmission facilities, not only to provide employment opportunities for them, but also to ensure quality of service.

39. SCED agreed to convey Mr TANG's suggestion on organization of recruitment fair to the Labour Department for consideration. However, SCED explained that requiring contractors to recruit specific group of personnel might be incompatible with existing procurement policy of the Administration.

Competition in the TV market

40. Mr CHAN Kam-lam commented that the TV market in Hong Kong would inevitably be dominated by a single company. He asked whether the Administration would introduce any measure to increase competition in the market. SCED said that the TV market was open and new players could apply for licence and the Administration would process the application expeditiously.

News programmes in RTHK TV Channel 31

41. Ms Cyd HO expressed concern that TVB would be the only free analogue TV licensee left in Hong Kong and would continue to provide analogue TV broadcasting service. However, many people considered that TVB's news reportage was biased. Audience who could only access analogue TV service

would have no choice after 1 April 2016 when ATV's free analogue TV licence expired, except to watch RTHK's Channel 31 programmes broadcast through the analogue channels vacated by ATV.

42. Ms Cyd HO asked whether news programmes (particular morning news broadcast) would be available in RTHK's Channel 31, and she also asked the amount of air time that would be allocated to the news programmes.

43. D of B responded that starting from 2 April 2016, the broadcast hours of RTHK's TV Channel 31 would begin at 6:30 am, and the programmes would, simultaneously, be broadcast on the analogue channel to be vacated by ATV. D of B confirmed that news programmes would be available in Channel 31, and would include morning news programme and dissemination of other information (such as weather and traffic information).

Admin 44. Ms Cyd HO requested the Administration to provide information regarding:

- (a) the increase in establishment in RTHK between 1 April 2013 and 1 April 2016 to prepare for the taking over of Asia Television Limited ("ATV")'s analogue TV service following the expiry of ATV's free TV licence;
- (b) any special skills or experience requirements in RTHK's recruitment of technical and professional personnel;
- (c) the criteria and considerations behind the estimation of resources required to enable RTHK to take over ATV's analogue TV service; and
- (d) whether resources were provided for RTHK to absorb some of ATV's staff, including news reporting, editorial and production personnel.

Admin 45. SCED undertook to provide written response for members' information.

VI. Any other business

46. There being no other business, the meeting ended at 6:30 pm.

Council Business Division 4
Legislative Council Secretariat
1 April 2016