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COMMUNICATIONS AND
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COMMERCE AND ECONOMIC
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BY EMAIL

31 May 2017

Mr. Daniel SIN
Clerk, Panel on
Information Technology and Broadcasting
Legislative Council
1 Legislative Council Road
Central, Hong Kong

Dear Mr. Sin,

**Matters relating to the shareholding structure
of Television Broadcasts Limited (TVB)
and the review of the Broadcasting Ordinance**

I refer to your letter of 26 May 2017. Regarding the letters of Hon Claudia MO and Hon Charles MOK requesting discussion of the captioned matters respectively by the Panel, please find our reply as follows:

Urgent discussion of matters relating to TVB's shareholding structure

Our bureau notes members' concern over the matters arising from the applications for changes in the shareholding structure of TVB. In this connection, the Communications Authority (CA) has stated earlier (18 May) that it is seriously concerned about the possible regulatory implications of the documents provided by the Securities and Futures Commission on the shareholding structure of TVB. The Queen's Counsel

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that the CA has engaged is examining cautiously whether the shareholding structure of TVB is in compliance with the statutory requirements of the Broadcasting Ordinance, the relevant licence conditions and the statutory declarations and deeds of undertaking submitted by TVB and the relevant persons.

The CA had carefully examined all the documents submitted by TVB in the CA's earlier processing of TVB's applications for changes in its shareholding structure. In this regard, the CA's legal adviser will closely examine whether, during the process of the CA's then consideration of the shareholding changes applications from TVB, any relevant information may have been held back and not fully disclosed to the CA by any organisation and/or person, and if so, the implications of this on the CA's decision on the applications.

The CA has issued a letter to inform TVB of the above development and has invited TVB to provide further information and response on the issues concerned.

Given that the aforementioned work is in process, our bureau considers it inappropriate to discuss the concerned matter at the Panel at this juncture. That said, the CA will, per established practice, make timely announcement upon completion of the relevant work.

Discussion of requirements on the identities of broadcasting service licensees and review of Broadcasting Ordinance

Our bureau has arranged to brief Members on the progress of the review of the Broadcasting Ordinance and the Telecommunications Ordinance at the Panel meeting on 12 June. Our bureau will submit meeting document to the secretariat in due course.

Yours sincerely,



(Tony YIP)

for Secretary for Commerce and Economic Development

c.c. Director-General of Communications (Attn.: Ms. Katy FONG)