

商務及經濟發展局
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COMMUNICATIONS AND
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COMMERCE AND ECONOMIC
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By email and by post

23 July 2018

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

Dear Mr SIN,

Domestic Free Television Programme Service

With respect to your letter dated 10 July 2018 to the Secretary for Commerce and Economic Development, conveying the concerns of the Hon Claudia MO about the English channel of Fantastic Television Limited (Fantastic TV), my reply is as follows -

Firstly, the domestic free television programme service (free TV) licence clearly stipulates that a licensee shall inform, educate and entertain the audience and provide a diversified and balanced service for the community. Moreover, there are specific requirements for positive programmes and language of broadcast in the free TV licence.

Furthermore, the free TV licence requires that a licensee shall broadcast a minimum amount of positive programmes to meet the different needs of the community, including programmes for Hong Kong children, teenagers and senior citizens, art and culture programmes, news programmes, documentary programmes, current affairs programmes, etc.,

among which a minimum number of hours of documentary programmes, current affairs programmes and art and culture programmes to be broadcast shall be “wholly of Hong Kong origin”¹. The licensees should clearly understand and strictly comply with the licence conditions. The Communications Authority (CA) will monitor the licensees’ compliance in accordance with relevant legislation and the established mechanism.

As a free TV licensee, Fantastic TV is required to comply with the Broadcasting Ordinance (BO) and various licence requirements. As for other commercial activities of the licensees, including commercial positioning, promotion strategies, collaboration with other counterparts, etc., the Government and the CA will not regulate.

There is currently no evidence indicating a contravention of the relevant provisions of the BO or the relevant licence conditions by a free TV licensee. Hence, we believe that it is not necessary to discuss the matter at this stage at the Legislative Council Panel on Information Technology and Broadcasting.

Yours sincerely,



(Keith Giang)

for Secretary for Commerce and Economic Development

c.c. Office of the Communications Authority
Chairman, Legislative Council Panel on
Information Technology and Broadcasting

¹ “Wholly of Hong Kong origin” means -

- (a) the programme is 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.