

立法會
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by the Administration)

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Panel on Information Technology and Broadcasting

Minutes of meeting
held on Monday, 11 May 2020, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

- Members present** : Hon Charles Peter MOK, JP (Chairman)
Hon Elizabeth QUAT, BBS, JP (Deputy Chairman)
Hon James TO Kun-sun
Hon WONG Ting-kwong, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Claudia MO
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, BBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Alvin YEUNG
Hon CHU Hoi-dick
Hon SHIU Ka-fai, JP
Hon YUNG Hoi-yan, JP
Hon CHAN Chun-ying, JP
Hon HUI Chi-fung
- Member absent** : Hon CHUNG Kwok-pan
- Members attending** : Hon WU Chi-wai, MH
Dr Hon KWOK Ka-ki
Hon Dennis KWOK Wing-hang
Hon IP Kin-yuen

**Public officers
attending**

: Agenda item III

Innovation and Technology Bureau

Mr Alfred SIT Wing-hang, JP
Secretary for Innovation and Technology

Mr Davey CHUNG Pui-hong, JP
Deputy Secretary for Innovation and Technology (2)

Office of the Government Chief Information Officer

Mr Victor LAM Wai-kiu, JP
Government Chief Information Officer

Mr Tong WONG Chi-kwong, JP
Deputy Government Chief Information Officer

Ms Cari WU Wa
Senior Systems Manager (G&R)3

Agenda item IV

Commerce and Economic Development Bureau

Mr Edward YAU, GBS, JP
Secretary for Commerce and Economic Development

Mr Clement LEUNG, JP
Permanent Secretary for Commerce and Economic
Development (Communications and Creative
Industries)

Mr Keith GIANG
Principal Assistant Secretary for Commerce and
Economic Development (Communications and
Creative Industries)A

Radio Television Hong Kong

Mr LEUNG Ka-wing, JP
Director of Broadcasting

Ms CHAN Man-kuen
Deputy Director of Broadcasting (Programmes)

Clerk in attendance : Mr Daniel SIN
Chief Council Secretary (1)6

Staff in attendance : Ms Mandy LI
Senior Council Secretary (1)6

Mr Patrick CHOI
Council Secretary (1)6

Ms Yvonna HO
Clerical Assistant (1)6

Action

I. Information papers(s) issued since the last meeting

Members noted that no paper had been issued since the regular meeting held on 20 April 2020.

II. Date of next meeting and items for discussion

(LC Paper No. CB(1)593/19-20(01) -- List of outstanding items for discussion

LC Paper No. CB(1)593/19-20(02) -- List of follow-up actions)

Regular meeting on 8 June 2020

2. The Chairman said that the discussion on the item "Latest progress of the implementation of the Subsidy Scheme to Extend Fibre-based Networks to Villages in Remote Areas", originally scheduled for today's meeting, had been deferred to the next regular meeting scheduled for 8 June 2020, while the item "The governance and management of Radio Television Hong Kong" had been included for discussion at the meeting. Members noted that the next regular Panel meeting would be held on Monday, 8 June 2020 at 2:30 pm to discuss the following items:

- (a) Update on smart city development;
- (b) Launching of "iAM Smart" platform and other digital government service initiatives; and
- (c) Latest progress of the implementation of the Subsidy Scheme to Extend Fibre-based Networks to Villages in Remote Areas.

Promoting innovation and technology development in Hong Kong

3. The Chairman said that the Deputy Chairman had previously submitted a letter suggesting that the Panel should discuss, possibly in a joint meeting with the Panel on Commerce and Industry ("CI Panel"), Hong Kong's innovation and technology ("I&T") overall development strategy and consolidation of resources. The Chairman said that the Administration had now proposed to put an item on "Innovation and technology development and re-industrialization policy in Hong Kong" in the agenda of the meeting of the CI Panel on 16 June 2020, which addressed the concerns the Deputy Chairman raised. The Chairman said that the CI Panel Chairman was considering whether members of this Panel should be invited to join the discussion. Instead of holding a joint Panel meeting, members of this Panel could take part in the discussion of item at the meeting of CI Panel. Members had no objection to the proposed arrangement.

Data centre development in Hong Kong

4. The Chairman informed members that the Administration had not yet provided an information paper for the Panel in response to Mrs Regina IP's earlier suggestion that an item be put on the agenda of a Panel meeting to discuss the data centre development in Hong Kong. The Chairman instructed the Clerk to follow it up with the Administration.

(Post-meeting note: An information paper provided by the Administration was circulated to members vide LC Paper No. CB(1)644/19-20(01) on 18 May 2020.)

Visit to Smart Government Innovation Lab and Hong Kong Applied Science and Technology Research Institute

5. The Chairman said that in view of the recent coronavirus disease-2019 ("COVID-19") pandemic, the visit to Smart Government Innovation Lab ("Smart Lab") and Hong Kong Applied Science and Technology Research Institute was subsequently rescheduled. In view of the tight meeting schedule before the end of the current term, the Chairman proposed and members agreed that the visit should be cancelled.

6. In response to Mr CHAN Chun-ying's query on whether a virtual tour, instead of an on-site visit, could be made, Secretary for Innovation and Technology ("S for IT") said that the Administration would facilitate members to visit the Smart Lab in person or online. While there might be insufficient time for the Administration to give a briefing with the aid of virtual reality technology at the meeting, the Administration would subsequently upload

virtual docent tour video onto the thematic website to facilitate viewing of the Smart Lab by members.

(Post-meeting note: The Administration has prepared a virtual tour of the Smart Lab. Members may access the tour through the hyperlink <https://my.matterport.com/show/?m=Zikn8xcX8jV>. The information was issued to members vide LC Paper No. CB(1)727 /19-20 on 5 June 2020.)

III. Smart Government Innovation Lab

(LC Paper No. CB(1)593/19-20(03) -- Administration's paper on the Smart Government Innovation Lab

LC Paper No. CB(1)593/19-20(04) -- Paper on the Smart Government Innovation Lab prepared by the Legislative Council Secretariat (Background brief))

Briefing by the Administration

7. At the invitation of the Chairman, S for IT gave introductory remarks on the work progress of the Smart Lab. Deputy Government Chief Information Officer then gave a powerpoint presentation on the progress of Smart Lab in promoting the adoption of I&T products and solutions in public services. Details of the briefing were set out in the Administration's paper (LC Paper No. CB(1)593/19-20(03)).

(Post-meeting note: A soft copy of the powerpoint presentation (Chinese version only) was circulated to members vide LC Paper No. CB(1)601/19-20(01) by email on 11 May 2020.)

Discussion

Smart Lab

8. Some members including Mr CHAN Chun-ying, Ms YUNG Hoi-yan, Mrs Regina IP and Mr YIU Si-wing shared the view that 15 proof-of-concept projects, as set out in Annex 1 to the Administration's paper (LC Paper No. CB(1)593/19-20(03)), were less important to the public. While the efforts of the Office of the Government Chief Information Officer ("OGCIO") in establishing Smart Lab were commendable, Mr CHAN commented that the Administration

should step up efforts to provide more convenient public services, such as promoting the adoption of information technology ("IT") solutions in the Transport Department to facilitate the applications for renewal of vehicle licences in a more effective manner. Mr YIU and Mr CHAN Han-pan expressed similar views. Mr YIU asked whether the Administration would consider adopting the office automation system so that government staff could work from home by remotely accessing the relevant system to speed up the approval procedures of licence applications.

9. Mr CHAN Chun-ying noted that over 60 solutions and services proposed by the local industry and universities had been successfully matched by the E&M InnoPortal, while the Smart Lab had matched a total of 31 business needs with solutions. He sought information on whether the Administration had awarded any contract for the implementation of these IT solutions, and the number of start-ups had successfully bid for government projects.

10. S for IT said that the Administration had promoted active participation of industry players to assist departments in adopting various IT solutions to improve public services. He said that most of the 31 solutions and services that had been successfully matched, were provided by local start-ups. Government Chief Information Officer ("GCIO") said that, while most start-ups were awarded contracts, some projects were planned for trial to test if they could meet the business needs of departments and if they were technically feasible. The expenses of arranging proof-of-concept trial for solutions were shared by the Administration. For example, the Administration had spent \$170,000 for arranging proof-of-concept trial of a project, entitled "Use light detection and ranging (LiDAR) to estimate the average journey time and speed of vehicles on specific road sections". The solution was put forward by a start-up in Hong Kong Science Park.

11. GCIO further said that the proof-of-concept trials would enable bureaux and departments ("B/Ds") to better understand how the solutions could effectively address their business needs and be implemented. On the other hand, OGCIO had invited tenders for blockchain-related projects each costing between some \$700,000 and \$1 million, in which start-ups were successful in bidding for most of these contracts. The Smart Lab would continue to strengthen the exchange and collaboration between government departments and the industry, thereby creating more opportunities for start-ups to participate in the bidding of government contracts.

12. Mr CHAN Chun-ying noted that the Smart Lab had set up an industry liaison office at Cyberport 1 to showcase and display some technologies that had been successfully or were being tested by B/Ds. Mr CHAN took the view that the exhibits in the showroom might enlighten visitors and help recruit and

nurture more I&T talents. He queried whether the showroom would be open for public viewing, including academia and other industries. GCIO said that more than 20 industry organizations, including overseas organizations, had visited the Smart Lab. The Administration welcomed the public including various groups and students to visit the Smart Lab.

13. Mr MA Fung-kwok noted with concern that while the Smart Lab had matched a total of 31 business needs with solutions, it only arranged proof-of-concept trials for 15 proposals. He questioned why the Administration had not arranged trials and testing for the remaining proposals. Mr MA further enquired about the progress in this regard, including how the Administration would follow up the matter.

14. GCIO said that the Smart Lab had matched a total of 31 business needs with solutions, and in the process, thematic workshops had been arranged for relevant government departments. These departments would pilot the use of technologies in due course. Some other departments considered that the technology solutions could not meet their business needs and hence requested for alternative proposals. Trials and proof-of-concept testing for alternative proposals would then be arranged in collaboration with the relevant departments. The Administration would continue to identify more suitable solutions for testing.

15. Mr MA Fung-kwok noted that the Smart Lab had published over 50 business needs of B/Ds on the website. He enquired whether the Administration would help source additional technology solutions from the industry if new service needs were identified by these B/Ds.

16. S for IT said that the adoption of IT solutions would enhance efficiency of public services and support government departments to maintain public services during the epidemic. Looking ahead, the Administration would step up efforts in facilitating more government departments to proactively explore the adoption of technologies in enhancing existing public services, or introduce new services by adopting an innovative approach. The Smart Lab would strengthen collaboration with the E&M InnoPortal to enhance the operational efficiency of government departments. Furthermore, the Administration had launched a time-limited Distance Business Programme under the Anti-Epidemic Fund to support enterprises to continue business and services during the epidemic through adoption of IT solutions.

17. Ms YUNG Hoi-yan questioned the Administration's objective to promote the development of smart government. She commented that the IT solutions matched by the Smart Lab in general failed to benefit members of the public and the community as a whole. Ms YUNG expressed concern on the effectiveness

of three proof-of-concept projects, including "Use radio frequency identification (RFID) technology to manage valuable audio-visual equipment and keep track of all equipment movement", "Use light detection and ranging (LiDAR) to estimate the average journey time and speed of vehicles on specific road sections" and "Use smart film to display real-time data, such as date, time and weather information, on the glass enclosure of a room or meeting room". Ms YUNG sought explanation from the Administration as to why these projects were considered as adopting innovative technologies.

18. S for IT said that given the rising expectation for public services, the Administration would continue to assist B/Ds in bringing in IT applications to improve the quality and efficiency of public services. S for IT said that the objectives were to provide the public with greater convenience, drive economic development and improve people's livelihood. An example was the use of RFID technology to help B/Ds track the movement of equipment and manage the records in an efficient manner, thus allowing more flexibility in overall staff deployment for discharging other duties.

19. Ms YUNG Hoi-yan further said that she and members of the public expected that the Smart Lab would develop groundbreaking technologies to improve people's daily life and foster economic development. Referring to a proof-of-concept project entitled "Use anti-bot technology which integrates AI and machine learning to distinguish human inputs from robot-generated inputs in real time so as to prevent people from using computer programmes to automatically book public facilities", Ms YUNG queried why the Administration had not arrested any person who had engaged in fraudulent or deceptive acts by automated computer programmes (commonly referred to as "bots").

20. GCIO said that the Leisure and Cultural Services Department ("LCSD") had previously adopted anti-bot solution to prevent ticket purchasing activities and advance booking of sports facilities by automated computer programmes but the efforts were not very effective. The Smart Lab identified an IT solution to effectively help prevent automated access to the online systems by bots so that members of the public could book sports and recreation facilities and services more easily and quickly. On the other hand, it would be up to LCSD to decide whether any enforcement action should be taken against such touting activities.

21. Mr CHAN Han-pan expressed that the Smart Lab should continue to drive the adoption of IT solutions among B/Ds to improve public services on one hand and to facilitate B/Ds in stepping out of the comfort zone on another. He suggested that the Smart Lab should adopt a more proactive approach to foster wider adoption of local research and development ("R&D") products in government departments. Meanwhile, the Smart Lab should put more emphasis

on enhancing the quality of life of the people as far as practicable. He queried what initiatives the Administration would implement to provide more convenient public services.

22. S for IT said that the Administration would launch the "iAM Smart platform in the fourth quarter of 2020 to provide one-stop personalized digital government services. It would enable members of the public to access various government and commercial e-services in a convenient manner.

Smart Government

23. While expressing support for the work of Smart Lab, Ir Dr LO Wai-kyok lamented the slow progress of introducing e-Government services. He noted that in view of the outbreak of COVID-19, the Government had made arrangements for government personnel to work from home. However, many government departments still required the submission of hard copies of drawing and building plans of engineering projects for approval. Ir Dr LO also referred to Annex 1 to the Administration's paper (LC Paper No. CB(1)593/19-20(03)), and commented that most of the IT solutions were mature in the market and had been widely adopted in other places. He mentioned that the Legislative Council delegation had visited the Shanghai Stock Exchange during the join-Panel duty visit to the major cities in the Yangtze River Delta Region in April 2019. He was particularly impressed by a guiding robot which served as a smart receptionist to greet visitors. The delegation also received a briefing from Mr Jack MA, the Executive Chairman of the Alibaba Group, on the Hangzhou "City Brain" system, which was an artificial intelligence ("AI") platform analyzing data such as pedestrian flow, traffic flow and road condition to achieve real-time adjustment of road traffic as well as alleviate traffic congestion in the city. Ir Dr LO asked the Administration to expedite the implementation of e-Government services.

24. S for IT agreed that there was room for further enhancing e-Government services. Based on the experience of combating the epidemic, OGCIO would continue to facilitate more government departments to explore the adoption of technologies in enhancing existing public services. Trials and proof-of-concept testing for suitable solutions were intended to let government departments better understand solutions and products which addressed their needs, while local start-ups could get hold of the business challenges and operational needs of government departments.

25. The Deputy Chairman pointed out that members of the public in general had high expectations on the development of smart government, especially how the Administration would promote the use of I&T solutions by government departments to tackle problems encountered in the community. For instance, the

Administration should adopt AI technology to facilitate the public to search and access information on the Anti-epidemic Fund, and speed up the cash disbursement of \$10,000 to Hong Kong residents under the Cash Payout Scheme. To prepare for the approach of typhoon season, there were concerns about whether and how the Administration would strengthen management of dangerous trees in a bid to facilitate prevention and instant monitoring of flooding and fallen tree incidents under severe weather. The Deputy Chairman commented that the Administration should in parallel expedite the dissemination of emergency information (such as real-time traffic data) to the public.

26. The Deputy Chairman further said that as some government departments had not yet made use of cloud services, many government services had been suspended when the Administration implemented the work from home arrangement for government staff earlier. She also pointed out that members of the public had to access certain public services in person given that there were a number of government forms which could not be submitted online. The Deputy Chairman commented that while the Administration had made dedicated efforts in fostering the development of smart government, public services should be people-oriented.

27. S for IT said that the Government had allocated considerable amount of resources to the development of I&T over the past few years in order for members of the public to see and perceive the benefits from I&T development. Since the establishment of the Smart Lab, OGCI had approached B/Ds to explore the feasibility of adopting various IT solutions, for example the use of Internet of Things technology by the Tree Management Office of the Development Bureau for monitoring tree stability.

28. GCI said that OGCI had introduced chatbot functions to the GovHK portal to facilitate search and use of e-Government services and forms by the public. OGCI also piloted the use of chatbot in 1823 public enquiry services. The chatbot function could help the public access information in an efficient and convenient manner through interactive text exchanges, and would refer enquiries to individual B/Ds for follow-up as necessary. Moreover, the Administration, in collaboration with the relevant industry, developed and launched the "COVID-19 Infection Local Situation Interactive Map Dashboard" in February 2020 to keep the public abreast of the latest epidemic situation. Besides, with the launch of the "iAM Smart" one-stop personalized digital service platform in the fourth quarter of 2020, users could make use of iAM Smart to fill on-line forms.

29. Mr YIU Si-wing said that the establishment of the Smart Lab was to promote the development of smart government with innovative IT solutions, while the Administration should devise short-, medium- and long term plans to foster the development of smart government. Mr YIU however observed that

the Smart Lab had pursued many projects at a micro level but lacked a macro perspective. He commented that the Administration should assume a role similar to that of the Audit Commission, and make recommendations to help B/Ds rectify the outdated practices as appropriate. To align with the development of smart government, Mr YIU considered that the Administration should adopt a forward-looking attitude and take the lead to promote efforts on Smart Lab instead of focusing on individual projects. To enhance the image of Hong Kong, Mr YIU suggested that public museums and arts museums in the territory should be equipped with robots for providing guided tours.

30. S for IT said that the Government had released the *Smart City Blueprint for Hong Kong* ("the Blueprint"), setting out a clear and concrete direction for smart city development in Hong Kong under six smart areas including "smart government". The Steering Committee on Innovation and Technology chaired by the Chief Executive met regularly to review progress of the main I&T measures, including smart city projects, and provide steer as necessary. S for IT reaffirmed the Administration's commitment to taking forward the initiatives under the Blueprint. Also, the Smart Lab would continue its endeavour to encourage and facilitate wider adoption of I&T in government departments.

Application of blockchain

31. Mr MA Fung-kwok noted that OGCIIO was collaborating with four government departments including the Intellectual Property Department, the Department of Health, the Environmental Protection Department and the Companies Registry to implement pilot applications on application of blockchain technology. He asked whether and what other government departments would consider adopting blockchain technology, and what procedures the Administration would take to pursue the pilot projects.

32. GCIIO said that, apart from collaborating with four government departments to implement pilot applications to explore the adoption of blockchain in public services, OGCIIO had arranged a conference to promote blockchain technology for more than 20 government departments. OGCIIO had also approached a number of B/Ds to explore the feasibility of adopting blockchain technology in e-government services. The Administration had not set any targets in this respect but considered that the blockchain technology would be conducive to improving public services. OGCIIO expected that more government departments would adopt blockchain technology for providing e-Government services after getting a better understanding of the benefits offered by blockchain technology.

Big data analytics

33. Citing data mining and data analysis conducted by Cambridge Analytica Limited as an example, Mrs Regina IP requested the Administration to conduct more big data analytics in order to have a better understanding of public opinions included, inter alia, voting preference of electors, the number of people intended to take part in demonstrations. Mrs IP commented that the big data analytics could shed light on what issues the public was most concerned with. She believed that the Administration would be able to respond quickly if it had been well aware of the public concerns over the supply of masks after the outbreak of COVID-19. She also expressed that big data analytics was more useful than an opinion poll as the latter still used landlines to reach poll participants and some people might refuse to respond to certain organizations due to self-selection bias. Mrs IP asked if the Administration would assist the Policy Innovation and Co-ordination Office in conducting big data analytics, and provide technical support to the Office as appropriate.

34. S for IT said that the Administration would continue with the on-going efforts to widely promote the adoption of big data analytics in the Government. GCIO said that OGCIO had been developing the big data analytics platform, which was expected to be launched in September 2020, to facilitate B/Ds in taking more big data analytics projects on areas of concern to the public and making prompt response. GCIO further said that the chatbot had used big data analytics technology to provide more precise answers to public enquiries.

35. In response to Mrs Regina IP's further enquiry on the implementation of the big data analytics platform, GCIO said that the Administration had implemented the next generation GovCloud ("GovCloud") and the big data analytics platform by tendering. The big data analytics platform would run on the GovCloud to expedite the conduct of big data analytics. As regards the big data analytics projects, the Administration would engage technology companies by tendering, in addition to deploying internal staff to conduct big data analysis. Mrs Regina IP asked the Administration to furnish the public with the data analysis in due course so as to facilitate the community to understand the views of people from different age groups and different backgrounds. GCIO noted Mrs IP's views.

IV. The governance and management of Radio Television Hong Kong

(LC Paper No. CB(1)593/19-20(05) -- Administration's paper on the governance and management of Radio Television Hong Kong)

36. The Chairman informed Panel members that the Secretariat received around 1 200 submissions from the public on this agenda item since the last working day. The Chairman instructed the Clerk to upload a specimen copy of these submissions to the Legislative Council ("LegCo") website.

(Post-meeting note: Soft copies of all the submissions were circulated to members in batches vide LC Paper Nos. CB(1)607/19-20(01) to (268) and CB(1)607/19-20(269) to (1349) on 8 May 2020 and 21 May 2020.)

Briefing by the Administration

37. At the invitation of the Chairman, the Secretary for Commerce and Economic Development ("SCED") outlined the topics covered in the Administration's paper on the governance and management of Radio Television Hong Kong ("RTHK").

Declaration of interest

38. Ms YUNG Hoi-yan declared that she was the counsel on behalf of a member of the public bringing a private prosecution against the Director of Broadcasting ("D of B").

Discussion

Charter of RTHK and RTHK's dual identities

39. Members noted that RTHK was both a public service broadcaster and a government department. The roles that RTHK should play and the objectives that it should achieve were stipulated in the Charter of RTHK ("the Charter").

40. Mr WU Chi-wai said that a public purpose of RTHK, as set out in the Charter, was to sustain citizenship and civil society. Mr WU asked if the Administration was satisfied that RTHK should serve merely as a mouthpiece of the Government. Mr IP Kin-yuen asked whether the Administration would tolerate sarcasm in RTHK programmes or regard RTHK as a mouthpiece instead. Dr KWOK Ka-ki asked whether CEDB would uphold Clause 7(c) of the Charter to the effect that RTHK should be immune from commercial, political and/or other influences.

41. SCED replied that the Administration had never required RTHK to only convey the viewpoints of the Government. The first public purpose of RTHK as stated in the Charter was to sustain citizenship and civil society, under which the Charter required RTHK to promote understanding of the concept of "One

Country, Two Systems" and its implementation in Hong Kong; and engender a sense of citizenship and national identity. The Administration considered that the overall programme production and editorial stance of RTHK should fully demonstrate the public purposes specified in the Charter.

42. Mr CHAN Han-pan enquired whether it was RTHK's mission to promote the understanding of the concept of "One Country, Two Systems" and to engender a sense of national identity. He further asked whether CEDB or the Communications Authority ("CA") would take any actions against those hosts or artists in RTHK programmes that did not align themselves with RTHK's mission.

43. SCED clarified that the public purposes and mission of RTHK were stipulated in the Charter. It was one of RTHK's five public purposes, as the public service broadcaster in Hong Kong, to sustain citizenship and civil society through, inter alia, promoting understanding of the concept of "One Country, Two Systems" and its implementation in Hong Kong; and engendering a sense of citizenship and national identity. SCED reiterated that RTHK enjoyed editorial independence. As the Editor-in-Chief, D of B was responsible for making the final editorial decisions in RTHK and was accountable for editorial decisions taken by RTHK programme producers. CEDB was not involved in the editorial process.

44. Ms Claudia MO accused the Administration for having, for years, been vindictive of RTHK for its often reproving and critical stance towards the Government. SCED responded that the Administration's position towards the recent incidents related to RTHK had been elucidated in various public statements issued between 18 February and 2 April 2020. SECD maintained that as the director of the bureau overseeing the work of RTHK, he had the responsibility to point out that RTHK, as a public service broadcaster and a government department, should adhere to the "One-China Principle" in its programmes.

45. Mr HUI Chi-fung commented that CEDB frequently picked on RTHK without giving the Department due credits where it deserved. He asked whether the Administration's scathing stance on RTHK reflected its eventual intention to abolish the Department. SCED responded that he had, on various occasions, acknowledged RTHK's contribution in serving the needs of minority interest groups in Hong Kong. Meanwhile, he considered it imperative that any complaints lodged against RTHK should be followed up rigorously. CA was an independent statutory body and it was using the same yardstick, procedures and standards when considering complaints against all broadcasters. In response to Mr HUI, SCED maintained that the Administration supported the work of RTHK and expected the Department to abide by the Charter.

46. Mr Alvin YEUNG said the terms of the Charter and the RTHK's Producers' Guidelines ("the Producers' Guidelines") had been clearly set out and put into practice for years without problems. In particular, the Producers' Guidelines required RTHK's producers to achieve due impartiality uninfluenced by political pressures, saying that programme makers would be failing in their duty if they limited the comprehensiveness and open examination of issues and events. Noting that the Administration was accusing RTHK of breaching the Producers' Guidelines and had asked RTHK to review its practice to ensure that the standard of its programmes complied with the Charter, the CA's relevant codes of practice and the Producers' Guidelines, Mr YEUNG queried if the Administration was trying to reinterpret these documents or to augment them by adding new requirements or standards.

47. SCED responded that the Administration had made its stance clear and had provided the proper context by which the Administration arrived at such conclusions on five recent occasions between February and April 2020. In response to Mr YEUNG's further query as to whether the Administration could ensure that the Producers' Guidelines would not be amended, SCED clarified that the Charter was an agreement among RTHK, the Administration and CA (formerly Broadcasting Authority); the Producers' Guidelines were developed by RTHK in accordance with the principle of editorial independence enshrined in the Charter.

The One-China Principle and the programmes, The Pulse and Taiwan Stories III

48. Members noted that CEDB accused the RTHK programme, *The Pulse*, of violating the One-China Principle and the public purposes and mission as stipulated in the Charter. In the episode concerned, a reporter asked a senior official of the World Health Organization ("WHO") whether WHO would reconsider Taiwan's membership given the latter's contribution in combating the Coronavirus Disease 2019. Members also noted that in a commissioned RTHK television ("TV") programme, "Taiwan Stories III", the bilateral relations between Taiwan and an African country was referred to as "diplomatic ties between two countries". After the programme was aired, RTHK issued a statement of apology and undertook a review of the editorial process.

49. Ms Claudia MO commented that CEDB had made its criticism according to its overall impression on the episode, and the Administration had not been able to adduce the specific expressions to substantiate its claim that RTHK had breached the One-China Principle. Mr WU Chi-wai commented that the RTHK reporter had been discreet in handling the interview and the questions raised therein did not appear to have touched on sovereignty issues. Mrs Regina IP questioned the intention of the reporter, arguing that WHO membership was commonly known to be based on sovereign states. She also queried whether D

of B had provided sufficient guidance to his subordinates. Mr CHU Hoi-dick queried how the *Taiwan Stories III* was considered to have breached the One-China Principle, and whether it was the Administration's position that any references to "Taiwan" or "Republic of China" would have to be censored from RTHK's programmes, or whether SCED had imputed the wrong motive to the producers.

50. SCED reiterated that the presentation in that particular episode of *The Pulse* had breached the One-China Principle. In *Taiwan Stories III*, Taiwan was referred to as a country, which was also considered incompatible with the One-China Principle. SCED noted that RTHK had apologized publicly for *Taiwan Stories III*, taken it off the shelf from RTHK's platforms and ordered the production crew to review the programme production process. CEDB also requested RTHK to review the situation so as to avoid the recurrence of similar incidents. D of B explained that he had given clear and specific instruction to staff to adhere strictly to the One-China Principle. In fact, the particular episode of *The Pulse* was mostly concerned with the pandemic, and production staff did not expect that the programme could have been interpreted from the sovereignty issue perspective.

51. Mr CHU Hoi-dick enquired whether it was against the One-China Principle to refer Taiwan as the Republic of China ("ROC") in RTHK programmes. SCED said that D of B was accountable for editorial decisions in RTHK. He supplemented that Taiwan was part of China and Taiwan did not use the name ROC when it took part in a number of international organizations.

Communications Authority's codes of practice and the programme, Pentaprisism

52. Mr WONG Ting-kwong said that as stipulated in the Charter, D of B was accountable for editorial decisions taken by RTHK programme producers. He enquired whether any production staff members who were civil servants had been disciplined for programmes which were ruled to be in breach of CA's relevant codes of practice.

53. D of B responded that although the majority of complaint cases against RTHK were classified by CA as minor breaches, RTHK had always handled each of CA's decisions with prudence and strict follow-ups at once. Taking into account both professional perspectives and the Civil Service Regulations ("CSR"), RTHK resolved complaints by, for example, reviews of related mechanisms, personnel arrangement, immediate pulling of programme from RTHK's web archive and other prompt improvements where needed. On the basis of CSR and the Civil Service Code, RTHK would follow up the incidents under established mechanism and procedures.

54. Mr WONG further asked whether any investigation had been conducted and what remedial measures had been implemented regarding those serious cases. D of B stressed that RTHK had promptly pulled an episode of its TV programme, *Pentaprisim*, from RTHK's web archive on the next day it was broadcast, following an internal review conducted well before the announcement of CA's decision. The production crew was also immediately required to review the relevant editorial and programme production process, and appropriate arrangements had been made to the crew concerned. In response to Mr CHAN Chun-ying's enquiry, D of B added that the guest host concerned would not be invited to future episodes of the programme.

55. Noting that D of B offered in his open letter to RTHK's colleagues an expression of regret to those who felt offended by RTHK programmes, Ms YUNG Hoi-yan and Ms Elizabeth QUAT asked whether SCED considered such a way of apology acceptable.

56. SCED replied that as stated in the Charter, RTHK should abide by the relevant codes of practice issued by CA. The Administration considered RTHK being ruled to have breached the Generic Code of Practice on Television Programme Standards ("the Code") a serious matter. SCED added that RTHK should, after studying CA's decisions, accept the ruling, apologize for breaching the Code, hold relevant staff member(s) accountable for their negligence, and conduct a review of its editorial and programme production process, with a view to ensuring that the programme standards would be in compliance with the Charter, the CA's relevant codes of practice and RTHK's Producers' Guidelines.

57. Mr CHAN Chun-ying noted that although the Code required licensees to avoid unfairness to individuals or organizations featured in factual programmes, in particular through the use of inaccurate information or distortion, there were no penalties for infringing the Code. Mr CHAN asked whether RTHK had rectified any factual errors it made in the past by means of public apology or clarification. D of B replied that in such cases, RTHK had fully complied with government guidelines, and followed up strictly according to the established procedures.

Follow-up to the Director of Audit's Report No. 71

58. Mr CHAN Chun-ying noted that the *Director of Audit's Report No. 71* dated October 2018 on RTHK's provision of programmes ("the Audit Report") recommended that RTHK should develop viewership indicators, such as appreciation index, for TV channels and programmes, and consider setting targets/benchmarks for different categories of RTHK programmes. Mr CHAN

enquired the reason for having no progress on this matter. Referring to the Audit Report's recommendation that RTHK should collect cross-media TV ratings, Mr MA Fung-kwok further enquired how RTHK could prove that its TV channels, with an average TV rating of 0.1, were worth sustaining.

59. Permanent Secretary for Commerce and Economic Development (Communications and Creative Industries) ("PS(CCI)") said that in response to the Audit Report criticisms of RTHK's low TV ratings (i.e. average number of viewers was about 6 400) in 2018, CEDB had requested RTHK to collect more detailed data on the cross-media TV ratings of its TV channels and programmes, and report them in the Controlling Officer's Report so as to further ascertain the reasons for low TV ratings of its programmes. TV rating data were readily available from survey firms and such data were widely adopted by the broadcasting industry to fully assess the viewership of TV programmes and TV channels, and the popularity of specific time slots (such as prime time). However, this was not done. Also, hit rates of programmes on new media platforms were not systematically collected or presented.

60. PS(CCI) indicated that RTHK should consider developing viewership indicators, appreciation index and awareness level for its different categories of programmes, TV channels and time slots, as recommended in the Audit Report. It was expected that such data, together with cross-media TV ratings of these programmes, would assist RTHK to evaluate its performance in a more comprehensive and objective manner, enabling RTHK to take more effective measures to enhance the popularity of its TV programmes, develop performance targets and respond to the expectations and needs of the viewers. PS(CCI) added that CEDB was aware of the long delays in RTHK's follow-up work, and had asked RTHK to take necessary actions in a timely manner.

Other concerns

61. Ms Elizabeth QUAT queried why RTHK could allow one of its TV programmes, *Hong Kong Connection*, to be featured on the online platform of a local newspaper, *Apple Daily*, without displaying the RTHK logo. D of B replied that it was a case of content licensing of RTHK programmes. Any interested party might approach RTHK for acquiring the content licence of RTHK programmes. D of B undertook to provide details in writing.

(Post-meeting note: The Administration's response was circulated to members vide LC Paper No. CB(1)731/19-20(01) on 8 June 2020.)

62. Upon Mr CHAN Han-pan's enquiry, D of B said that he had clearly declared his United States nationality when he took up his appointment.

V. Any other business

63. There being no other business, the meeting ended at 4:30 pm.

Council Business Division 1
Legislative Council Secretariat
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