

Bills Committee on Broadcasting Bill

The Broadcasting Authority

Purpose

The purpose of this paper is to inform Members of the functions, composition and operations of the Broadcasting Authority (BA).

Functions

2. The BA is a statutory body established in September 1987 under the Broadcasting Authority Ordinance (Cap. 391). Its role is to regulate licensed television and radio broadcasters in Hong Kong through provisions in the Television Ordinance (Cap. 52), the Telecommunication Ordinance (Cap. 106) and the Broadcasting Authority Ordinance (Cap. 391).

3. The role of the BA, in practice, is :-

- (a) to make recommendations to the Chief Executive in Council on applications for and renewal of licences;
- (b) to prepare and revise codes of practice setting standards for television and radio broadcasts;
- (c) to monitor television and radio broadcasts in Hong Kong in order to ensure compliance by the licensees with the regulatory system governing such broadcasts and to keep abreast of developments in the industry; and
- (d) to deal with complaints about broadcasts and impose sanctions on the broadcasters, if necessary.

Composition

4. The BA has 12 members. Nine members including the

Chairman, are non-official members drawn from the community. The remaining three are public officers.

Committees

5. The BA discharges its duties through a number of committees. The Complaints Committee is responsible for considering complaints about broadcasts and making recommendations to the BA regarding such complaints. The Complaints Committee comprises five BA members and four co-opted non-official members.

6. The Codes of Practice Committee is responsible for keeping various broadcasting standards under regular review. It comprises five BA members and three co-opted non-official members.

The Broadcasting Authority Secretariat

7. The BA is supported by the Television and Entertainment Licensing Authority (TELA). It discharges its executive functions through the Commissioner of TELA who is its Principal Executive Officer. The Broadcasting Division of TELA also serves as the BA's Secretariat.

8. Besides providing secretariat service to the BA, its Complaints Committee and Codes of Practice committee, TELA also carries out the various functions of the BA through its compliance, standards, publicity and publication, research and development sections. The work of these sections involves :-

- (a) The processing of public complaints about broadcasting;
- (b) the publication of the Complaints Bulletins on complaints processed by the BACC and selected complaints processed by CTEL so as to keep the public informed of the standards and decisions of the BA;
- (c) the processing of applications by licensees for

- exemptions from their licence conditions and for approvals to undertake other ventures;
- (d) the review and drafting of codes of practice for television and radio broadcasting;
 - (e) the review of the broadcasters' licences;
 - (f) the collection of public opinion on broadcasting matters through meeting with the public advisory groups, surveys, and public hearings; and
 - (g) the research on overseas practice and the monitoring of technical and regulatory developments.

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