

LC Paper No. CB(1)517/99-00
(These minutes have been
seen by the Administration)

Ref : CB1/PL/ITB/1

Legislative Council
Panel on Information Technology and Broadcasting

Minutes of meeting
held on Monday, 8 November 1999, at 2:30 pm
in Conference Room A of the Legislative Council Building

- Members present** : Hon MA Fung-kwok (Chairman)
Hon SIN Chung-kai (Deputy Chairman)
Hon Kenneth TING Woo-shou, JP
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Eric LI Ka-cheung, JP
Prof Hon NG Ching-fai
Hon James TO Kun-sun
Hon CHAN Kwok-keung
Hon YEUNG Yiu-chung
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon Timothy FOK Tsun-ting, SBS, JP
Hon LAW Chi-kwong, JP
- Member attending** : Hon Ronald ARCULLI, JP
- Members absent** : Hon David CHU Yu-lin
Hon Fred LI Wah-ming, JP
Hon Howard YOUNG, JP
- Public officers attending** : For Items IV and V
Mrs Jessie TING
Deputy Secretary for Information Technology and
Broadcasting

Mr Eddy CHAN
Commissioner for Television and Entertainment
Licensing

For Items IV and VI

Mr Anthony S K WONG
Director-General of Telecommunications

For Item IV

Mr William TANG
Principal Assistant Secretary for Information
Technology & Broadcasting (Y2K)

Mr K H LAU
Director of Information Technology Services

Mr P H CHU
Director of Broadcasting

Ms Ava CHIU
Assistant Commissioner for Television and
Entertainment Licensing (Broadcasting)

Mr C T LEUNG
Director of Electrical and Mechanical Services

Mr LEE Che Kit
Senior Electronics Engineer (Special Duties),
Electrical and Mechanical Services Department

Mr LAM Kam-kwong
Deputy Director of Regional Services
(Administration)

Mr Dennis WONG
Senior Information Technology Manager,
Regional Services Department

Ms Michelle CHAU
Assistant Director of Urban Services (Information
Technology)

Action

Mr Daniel HO
Deputy Manager (IT Centre), Urban Services
Department

Ms Pamela CHAN
Chief Executive Officer, Government Records
Service Division, Chief Secretary for
Administration's Office

Mr MOK Yun-chuen
Chief Executive Officer, Office of The Ombudsman

For Item V

Mr Esmond LEE
Assistant Commissioner for Television and
Entertainment Licensing (Entertainment)

Mr John MAK
Senior Engineer (Special Effects), Television and
Entertainment Licensing Authority

For Item VI

Ms Eva CHENG
Acting Secretary for Information Technology &
Broadcasting

Clerk in attendance : Miss Polly YEUNG
Chief Assistant Secretary (1)3

Staff in attendance : Ms Sarah YUEN
Senior Assistant Secretary (1)4

I Confirmation of minutes of meeting and matters arising
(LC Paper Nos. CB(1)169/99-00 and 283/99-00(01))

The minutes of the Panel meeting held on 7 October 1999 were confirmed.

2. Members noted the Panel's list of follow-up actions arising from previous meetings.

Action

II Date and items for discussion for next meeting

3. Members agreed to discuss the following items at the next meeting to be held on Monday, 13 December 1999, at 2:30 p.m. -

- (a) The proposed Broadcasting Bill (subject to the Administration's readiness);
- (b) News reporting; and
- (c) Network access charges.

Clerk

4. Members agreed to invite representatives from the news industry to take part in the discussion of (b). In this regard, Miss Emily LAU indicated that she would make suggestion on the deputation(s) to be invited after the meeting.

(Post-meeting note: The Administration later informed the Panel it would not be ready to brief members on the proposed Broadcasting Bill at its December meeting. A circular inviting members to suggest organisations/persons to be invited was circulated vide LC Paper No. CB(1)341/99-00 and altogether five organisations/persons have been invited as a result.)

Clerk

5. Members also requested the Clerk to liaise with the Clerk to the Financial Affairs (FA) Panel to ensure that the general policy guidelines for future projects similar to the Cyberport would be discussed at the FA Panel and that members of the Information Technology and Broadcasting (ITB) Panel would be invited to take part in the discussion.

(Post-meeting note: The subject has been scheduled for discussion at the FA Panel meeting on 6 December 1999. All Members of the Legislative Council have been duly informed vide LC Paper No. CB(1)393/99-00.)

III Information papers issued since last meeting

(LC Paper No. CB(1)144/99-00)

6. Members noted the letter from the Eastern Provisional District Board on the proposed increase in Hong Kong Telecom's residential exchange line tariffs circulated vide LC Paper No. CB(1)144/99-00.

IV Progress of Year 2000 compliance exercise and contingency planning in Government and Non-Government organisations funded or regulated by Government

(LC Paper Nos. CB(1)283/99-00 (02) to (06))

7. Members noted the progress of Year 2000 (Y2K) compliance work and contingency planning in the Urban Services Department, the Office of the Ombudsman and the Government Records Service Division of the Chief Secretary for Administration's Office.

Progress in the Regional Services Department (RSD)

8. Miss Emily LAU sought clarification on the statement in the discussion paper that the four mission-critical embedded systems of the RSD which had yet to achieve Y2K compliance were tolerable. In reply, the Senior Information Technology Manager, Regional Services Department said that the said systems were tolerable because they only required clock re-set on 1 January 2000 to continue smooth operation. He also reported that the four systems included an electronic moving message board, a video finish camera system, a scoreboard, and a fire alarm system.

9. In reply to the Deputy Chairman's enquiries about the Regional Council Computerised Booking System (RCCBS), the Deputy Director of Regional Services (Administration) referred members to the paper provided by RSD as a follow-up to the Panel meeting on 2 August 1999 (issued vide LC Paper No. CB(1)1874/98-99) setting out the background for the development of the RCCBS since its tendering crisis in 1993, and pointed out that apart from helping to achieve Y2K compliance, the RCCBS's Mark II System could also accommodate required functional enhancements to it. He further pointed out that the Mark II System had already been rolled out on 25 October 1999 as scheduled.

General progress within Government and in non-Government organisations funded or regulated by Government

General concerns

10. Regarding the number of departments and civil servants that would have to stand by during the rollover to 1 January 2000 and the duration of these special arrangements, the Deputy Secretary for Information Technology and Broadcasting (DS/ITB) explained that stand-by arrangements would be decided by individual departments/bureaux having regard to the services involved and the requirement of Y2K testing. She told members that departments providing emergency and essential services such as the Fire Services Department, the Police and hospitals would all have such arrangements. The Information Technology and Broadcasting Bureau (ITBB) had also reminded

Action

Admin

departments/bureaux a few months before to make early stand-by deployment planning and many of them had already put in place such plans. At members' request, DS/ITB agreed to co-ordinate and provide further information on the stand-by arrangements after the meeting.

(Post-meeting note: The required information has been issued vide LC Paper No. CB(1)504/99-00.)

11. On details of the structure of the territory-wide Y2K monitoring and co-ordinating mechanism, DS/ITB said that the structure consisted of three levels, namely, the organisational level, the sector-wide level overseen by the relevant bureaux/departments for co-ordinating contingency responses across different organisations, and the territory-wide level overseen by the Central Co-ordinating Centre (CCC) for co-ordinating contingency responses across different sectors.

12. At members' request for further details on the operation of the CCC, DS/ITB explained that it was based on the existing emergency response arrangements. The CCC would be activated on 31 December 1999 with the support of over 20 staff members from the ITBB, the Information Technology Services Department, the Electrical and Mechanical Services Department, the Office of the Telecommunications Office, the Information Services Department (ISD) and other relevant departments. The specific duties of the staff concerned had already been assigned and desktop exercises and a command post exercise had also been conducted. During the rollover to 1 January 2000, the CCC would maintain close liaison with the 13 sector-wide co-ordinating centres as well as overseas Y2K centres for monitoring the territory-wide and overseas situations. An efficient incident reporting system would be activated. In addition, the CCC would also be responsible for disseminating Y2K-related information to the media with the assistance of the ISD.

13. Regarding the effectiveness of the desktop and command post exercises, DS/ITB reported that the exercises had been found useful in identifying possible gaps in the sector-wide and territory-wide contingency plans, and in enabling the parties involved in the implementation of sector-wide and territory-wide Y2K contingency plans to be fully conversant with their respective roles in times of emergency. She also confirmed that in these exercises, incidents such as district-wide power failures and serious accidents involving large casualties had been simulated. Evaluation of the responses had been made by the participating bureaux/departments involved and improvements to the contingency arrangements had been made. To thoroughly test and further fine-tune the emergency response arrangements, one more round of territory-wide exercises would be conducted before the end of 1999.

14. In response to Miss CHOY So-yuk, DS/ITB confirmed that arrangements would be put in place to ensure the senior level of the

Action

Government such as the Chief Secretary for Administration and the Chief Executive could be reached for advice in the event of serious Y2K-induced incidents.

Telecommunications

15. Addressing Miss Emily LAU's concern about the arrangement to be made with power suppliers to ensure timely backup power supply for telecommunications operators as a Y2K contingency measure, DS/ITB said that there was close liaison with power suppliers to ensure that in the event of large-scale power failures, priority would be provided to important facilities/services according to a priority list drawn up on the basis of the importance of the services concerned and the availability of back-up generators. Where the telecommunications sector was concerned, the Director-General of Telecommunications (DG Tel) supplemented that all important telecommunications facilities such as important telephone exchanges and central computer systems were safeguarded by being powered by two power supply systems and by being equipped with a backup power generator further supported by an Uninterruptible Power Supply (UPS) device. Moreover, sufficient fuel would be provided for the backup generator for at least a few days' operation so that further fuel, if needed, could be replenished in time to maintain uninterrupted service before power supply resumed.

16. Noting that the deadline for service restoration by fixed and mobile network operators was two hours after the commencement of actual rectification work, Miss Emily LAU called for greater promptness. In response, DG Tel clarified that only in the worst scenario where the system had to be reloaded would service take two hours to resume. Although such lengthy service breakdown might not necessarily be Y2K-induced, the relevant Y2K contingency measures would nonetheless apply where necessary. At members' request to set a shorter deadline for service restoration, DG Tel pointed out that as there were a large number of telecommunications operators in Hong Kong, the possibility of a complete breakdown of telecommunications service was remote.

Broadcasting

17. In response to the Deputy Chairman's enquiry on whether RTHK would consider making regular reports as in the case of typhoons on progress of the rollover to 1 January 2000, DS/ITB clarified that the CCC would be responsible for the dissemination of special Y2K-related information. While press releases and briefings would be arranged to disseminate information on the rollover progress, television and sound broadcasters would be contacted through the ISD for dissemination of special Y2K news if required. At present, there was no plan to follow the pattern of regular broadcasts as in the case of typhoons for fear of creating public panic inadvertently. The Director of

Action

Broadcasting (D of B) supplemented that RTHK's main focus during the rollover to 1 January 2000 would, as in the case of other broadcasters, be on activities specially organised to celebrate the transition to the millennium unless there were emergencies. While minor Y2K-induced incidents would be covered in the news reports, special programme adjustments would be considered in the event of major incidents.

18. As regards the Y2K contingency planning of broadcasters, the Commissioner for Television and Entertainment Licensing confirmed that all licensed broadcasters would establish their own emergency centres. In addition, a sector-wide co-ordinating centre for broadcasting would also be set up under the Television and Entertainment Licensing Authority (TELA) to monitor the situation in the sector and co-ordinate emergency responses where necessary. D of B supplemented that RTHK would also establish its own emergency centre to liaise with all relevant emergency centres and sufficient staff would be on duty or standby during the rollover to 1 January 2000.

Transport and aviation

19. On the Y2K compliance status of airlines, DS/ITB reported that the Civil Aviation Department (CAD) had been closely keeping track of the Y2K status of airlines with regular flights to and from Hong Kong. She further informed members that most of those airlines had confirmed that they could achieve Y2K compliance by the end of 1999. As for airlines which had yet to confirm their Y2K compliance, CAD would refer to advice from the International Civil Aviation Organisation and practices of other major civil aviation authorities in finalising the arrangements for handling their aircraft.

20. Concluding the discussion, the Chairman said that the Secretariat would prepare a consolidated report on the Y2K exercise covering, inter alia, the contingency planning of different policy areas. The report would be presented to the House Committee in late November or early December 1999.

V Briefing on the Entertainment Special Effects Bill

(LC Paper No. CB(1)283/99-00(07) and powerpoint presentation material tabled at the meeting and circulated to members thereafter vide LC Paper No. CB(1)324/99-00)

21. With the aid of power-point presentation, the Commissioner for Television and Entertainment Licensing (C for T&EL) briefed members on the proposed new legislation to govern the use of pyrotechnic materials and other dangerous goods for producing special effects scenes in films, television programmes and theatrical performances.

Action

22. Mr Kenneth TING expressed appreciation of the Administration's efforts to rationalise and streamline the regulatory regime. He however sought clarification on whether all Stream A and Stream B licence holders had to apply for an import licence for the import of pyrotechnic special effects materials. In reply, C for T&EL explained that Special Effects Operators (SEO) Class II could import for his own use reasonable quantities of the types of pyrotechnic special effects materials specified in his licence without having to apply for an additional import licence.

23. In response to Mr YEUNG Yiu-chung, C for T&EL confirmed that the display of fireworks involved techniques of a different nature and was therefore governed by the Dangerous Goods Ordinance, not by the proposed legislation.

24. Addressing concerns about the level of fees to be charged under the proposed regulatory system, the Deputy Secretary for Information Technology and Broadcasting (DS/ITB) confirmed that they would be based on the cost of administering the system. Members were assured that since the system would streamline the licensing procedures, the fees would thus be pitched at reasonable levels. Moreover, the proposed two-year validity period for the licences would also obviate the need for frequent licence renewals and hence help reduce the financial burden on the licensees.

25. As regards the experience required of an applicant for the SEO licence, C for T&EL advised that under the trade's apprenticeship system, experience in this case referred to two years' relevant work experience gained under the supervision of a master and supported by a daily work record of the jobs performed, materials/facilities used and safety measures adopted as verified by the master.

26. Mr YEUNG Yiu-chung expressed concern about the SEO's responsibility should an accident occur when he was producing special effects notwithstanding his compliance with all required procedures. In reply, C for T&EL advised that investigation would be conducted into the cause of the accident and where a criminal offence was involved, appropriate legal action would also be taken. In addition, the proposed legislation would provide for the imposition of penalties and the revocation of the relevant SEO's licence, depending on the seriousness of the case.

27. Regarding assessment of the professional competence of applicants for the SEO licence, C for T&EL advised that TELA would conduct the assessment. For this purpose, TELA had been supported by a senior engineer seconded from the Mines and Quarries Division of the Civil Engineering Department to advise on the use of explosives, and a First Class Special Effects Operator engaged from Hollywood to conduct relevant training courses. In addition, a retired Fire Marshal responsible for licensing work in California had also been recruited to advise on all aspects of the new regulatory system. He

Action

would attend the assessments until TELA had built up its own assessment experience and expertise. DS/ITB supplemented that as the Administration's major concern was public safety, applicants for the SEO licence might also be required to conduct a physical demonstration of his knowledge and ability in producing special effects in a safe manner.

VI Development of broadband and Internet services in Hong Kong
(LC Paper No. CB(1)294/99-00)

28. The Director-General of Telecommunications (DG Tel) briefed members on the consultation paper issued by the Telecommunications Authority (TA) on the subject of broadband interconnection.

29. On the difference between hybrid fibre coaxial (HFC) network and optic fibre network, DG Tel informed members that the difference between the two was that apart from optic fibres, the former also contained coaxial cables.

30. In response to Mr Kenneth TING, DG Tel confirmed the viability of introducing third generation mobile services with broadband capability in 2001 having regard that prototypes of such mobile phones had already been developed and would be licensed in many overseas countries in late 2000. He however pointed out that the date of launch of the service would depend on the wide availability of equipment. The Acting Secretary for Information Technology and Broadcasting supplemented that to facilitate service introduction, a consultation exercise on the relevant regulatory framework would be conducted in the first half of 2000.

31. While welcoming the Administration's liberal attitude towards broadband interconnection whereby regulatory intervention would be kept to a minimum, the Deputy Chairman was concerned about how Government could promote consumer choice at affordable prices in broadband access through ensuring interconnection among broadband telecommunications networks. In response, DG Tel reiterated the TA's established practice of allowing interconnection charges and conditions to be agreed through commercial negotiations. TA would not intervene to mediate or make determination until and unless the parties concerned had failed to reach agreement within a reasonable period of time and the public interest test had been met. In fact, to ensure TA's determination would be based on transparent and non-discriminatory principles, the consultation paper had already invited views on the general principles of interconnection determination for developing a set of guidelines. In view of the complexity of the issues involved and the possible need for a second round of consultation, the guidelines were expected to be available in around mid 2000. He however assured members that with the emergence of new technologies in the provision of broadband infrastructure, some breakthroughs in technology to facilitate interconnection could be

expected.

32. The meeting ended at 4:15 p.m.

Legislative Council Secretariat

2 December 1999