

## **Legislative Council Panel on Information Technology and Broadcasting**

### **Complaints about news reporting on Asia Television Limited (ATV)**

#### **Introduction**

This paper informs Members of the number and nature of complaints which the Broadcasting Authority has received concerning ATV's "Main News" programme on the Home Channel since 19 October 1999 when ATV started to deploy television artistes as newscasters of the programme.

#### **Background**

2. Commencing 19 October 1999, ATV has rescheduled its half-hour main news bulletin on the Home channel from 6:25pm to 7:30pm and deployed two television artistes, namely, Ivan Ho Sau-shun and Jacqueline Chu Wai-san, as the newscasters of the weekday news programmes. The contents of the main news bulletin also underwent a major revamp, with a marked increase in the broadcast of "soft" news and entertainment news.

3. The Television and Entertainment Licensing Authority (TELA), as the executive arm of the Broadcasting Authority, has received a total of 42 complaints from members of the public against the "Main News" programme broadcast on ATV Home during the period 19 October 1999 to 3 November 1999. No new complaint against the "Main News" programme was received after 3 November 1999. Further information on the nature and processing of the complaints is provided in paragraph 8 below.

## **Relevant Regulations**

### *Provisions Governing Broadcast of News Programmes on Commercial Television*

4. The relevant provisions governing broadcast of news programmes on commercial television broadcasting are set out in the Television (Programmes) Regulation of the Television Ordinance (Cap.52), individual licence conditions as well as the relevant code of practice.

5. Under the Television (Programmes) Regulation of the Television Ordinance, ATV is required to broadcast news covering international and local affairs impartially and accurately. Clause 16 of the First Schedule to ATV's Renewed Licence to Broadcast requires ATV to broadcast on each of its language service a minimum of two comprehensive news bulletins, each of not less than 15 minutes duration, each evening between 6:00pm and 12:00 midnight. There are also provisions in the Commercial Television Code of Practice on Programme Standards governing the principles to be observed by news programmes. Details of the relevant provisions in the legislation, licence and code of practice are at Annex.

6. There is no provision in the legislation, licence condition or code of practice governing the qualification of newscasters or presenters. ATV, therefore, has the autonomy to deploy any staff to be newscasters provided that the news programmes are in compliance with the provisions quoted in paragraph 5 above.

### *The Complaints Procedure*

7. Under section 11 of the Broadcasting Authority Ordinance (Cap. 391), the Broadcasting Authority shall refer any complaint involving a possible breach of the legislation, the licence conditions or the codes of practice to its Complaints Committee for consideration. Upon receipt of the complaint, the Complaints Committee shall give the licensee or other person the subject of the complaint a reasonable opportunity to make representations both orally and in writing. The Complaints Committee will consider any representations made and any evidence received by it and make recommendations concerning the complaint to the Broadcasting Authority. The final decision on whether the complaint is justified or not and the sanction to be taken, if any, rests with the Broadcasting Authority.

## **Current Development**

8. All the 42 complaints received against ATV Home's "Main News" programme, together with ATV's written representations, had been presented to the Complaints Committee for its deliberation at the meeting held on 25 November 1999. The majority of the complaints were related to the deployment of artistes as newscasters; the mixing of "hard" news and "soft" news; that there were too few "hard" news and too much entertainment news; and the frequent rescheduling of the news programmes. There was one complaint which concerned the accuracy of the weather information provided in one specific edition of the news programme; and there was another complaint which was targeted at the mispronunciation of a Chinese term delivered by the newscaster. The Complaints Committee had already submitted its recommendations on these complaints to the Broadcasting Authority. The Broadcasting Authority will make public its findings and ruling on these complaints as and when it has completed its deliberation.

**Information Technology and Broadcasting Bureau  
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**Provisions Governing Broadcasts of News Programmes on  
Commercial Television**

**I. Television (Programmes) Regulation - Chapter 52 Subsidiary  
Legislation**

Regulation 4(1) of the Television (Programmes) Regulation stipulates that a licensee shall broadcast news covering international and local affairs which shall be presented impartially and accurately.

**II. Renewed Licence to Broadcast for ATV**

Clause 16 of the First Schedule to ATV's Renewed Licence to Broadcast requires the licensee to broadcast on each language service a minimum of two comprehensive news bulletins, each of not less than 15 minutes duration, each evening between 6:00pm and 12:00 midnight.

**III. Commercial Television Code of Practice on Programme Standards**

Paragraph 15 stipulates that a news or newsreel service shall observe the following principles :

- (a) News shall be presented accurately and impartially.
- (b) Each news session shall be well-balanced and reasonably comprehensive.
- (c) Commentary and analysis shall be clearly distinguished from news.
- (d) Good taste should guide the selection and presentation of news. Morbid, sensational, or alarming details not essential to factual reporting shall be avoided. News shall be televised in such a manner as to avoid unnecessary alarm.

- (e) Pictorial representation of news shall be carefully selected to ensure fairness and shall not be misleading or sensational.
- (f) No advertising matter shall be offered as news or included in the contents of a news programme or newsreel.
- (g) Correction of factual errors should be made as soon as practicable after the original error, or at the end of the current programme or the beginning of a subsequent programme. In some circumstances it may be appropriate for a statement to appear in print.