

Panel on Commerce and Industry

List of issues suggested to be considered (position as at 12 October 2004)

Proposed timing for discussion

Items carried over from the last session

1. **Impact of the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA)**

Members were updated on the progress of the implementation of CEPA at the meeting on 10 May 2004. Some members suggested that the Administration should consider setting up a high-level committee comprising representatives from the Government and business leaders to explore innovative ways to leverage on the opportunities brought about by CEPA.

End 2004/
early 2005

The Administration has advised that a quantitative survey and analysis of the economic impact, including that on local employment will be conducted 9 to 12 months after CEPA's implementation. The Administration will revert to the Panel in due course.

An information paper provided by the Administration summarizing the outcome of the recent Government's discussion with the Mainland on further liberalization of trade in goods and services under CEPA has been circulated vide LC Paper No. CB(1)2500/03-04 on 27 August 2004 for members' reference.

2. **Draft Copyright (Prescription of Copyright Registers) Regulation**

Item discussed at the meeting on 12 May 2003. Members noted the Administration's proposal of prescribing the copyright registers maintained by the United States, Canada and India with a view to simplifying the proof of copyright ownership in legal proceedings under section 121(2) of the Copyright Ordinance (Cap.528). Members asked the Administration to consider the setting up of a copyright register in Hong Kong. The Administration undertook to consider members' views and revert to the Panel in due course.

To be confirmed

**Proposed timing
for discussion**

3. Unauthorized downloading of copyright works from the Internet

Item raised at the special meeting of the Panel on Information Technology and Broadcasting (ITB Panel) on 25 March 2004 in connection with the discussion on "Measures to facilitate the development of film industry". Organizations attending the meeting pointed out that with the advancement in technology, there has been an increase in activities relating to making available movie products on the Internet for access and downloading through various means of transfer, in particular, the so called peer to peer transfer (P2P network) by users without the authorization of the copyright owners concerned. They considered that the act of making available infringing copies through the P2P network should be sanctioned, lest the well-being of the creative industries would be adversely affected.

To be confirmed

Since copyright issues relating to the unauthorized downloading of movie and musical products from the Internet fall within the purview of the CI Panel. Members of the ITB Panel agreed that the CI Panel should be invited to explore the subject further in conjunction with the Administration and deputations.

The Administration is in the course of examining the possible criminal liabilities involved on the copyright side under the current law when there is the sharing of infringing materials through P2P networks. The Administration will report to the Panel on the findings in due course.

4. Review of the Innovation and Technology Fund (ITF) and Applied Research Fund (ARF)

Item raised at the Panel meeting on 13 April 2004 in connection with the discussion of the "Strategic Framework for Innovation and Technology Development". The Administration undertook to conduct a detailed review on ITF and ARF in the context of the new strategic framework.

To be confirmed

In examining the Director of Audit's Report on the funding of projects under the ARF (relevant extract of the Report issued vide LC Paper No. CB(1)2060/03-04(01) on 7 June 2004), the Public Accounts Committee (PAC) noted the Audit's recommendation that the Secretary for Commerce, Industry and Technology should take the lead to critically review the role of ARF having regard to the various factors outlined in the Report.

**Proposed timing
for discussion**

PAC agreed that the subject matter, in particular the review on the future positioning of ARF, should be referred to the CI Panel for further discussion. The PAC's report on the funding of projects under the ARF has been tabled at the Council meeting on 23 June 2004.

The Administration has advised that both ITF and ARF are being reviewed under the new strategic framework, and the target date of completion of the review will be approximately November 2004. The Administration will report to the Panel the outcome of the review in due course.

5. Measures for monitoring the operation of the AsiaWorld-Expo (AWE)

Item discussed at the Panel meeting on 12 July 2004. It has been proposed that the Panel may consider exploring the subject further with the Administration in the next term having regard to members' concern about the measures in place for monitoring and ensuring the effective operation of the AsiaWorld-Expo.

To be confirmed

Item proposed by the Administration

6. Hong Kong Trade Development Council (TDC)'s application for the Tamar Site for temporary exhibition use and proposal of atrium link extension to the Hong Kong Convention and Exhibition Centre (HKCEC)

The Administration has proposed to brief the Panel about TDC's application for the Tamar Site for temporary exhibition use and its proposal of constructing atrium link extension to the HKCEC.

The Panel's first regular meeting (exact date to be confirmed)