

立法會
Legislative Council

LC Paper No. CB(1)176/05-06
(These minutes have been
cleared by the Chairman)

Ref : CB1/PL/ITB/1

Panel on Information Technology and Broadcasting

Minutes of meeting
held on Thursday, 13 October 2005, at 10:50 am
in Conference Room B of the Legislative Council Building

- Members present** : Hon SIN Chung-kai, JP (Chairman)
Hon Albert Jinghan CHENG (Deputy Chairman)
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Ronny TONG Ka-wah, SC
- Members absent** : Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
- Clerk in attendance** : Miss Polly YEUNG
Chief Council Secretary (1)3
- Staff in attendance** : Ms Pauline NG
Assistant Secretary General 1
- Ms Debbie YAU
Senior Council Secretary (1)1
- Mr Paul WOO
Senior Council Secretary (1)3

Ms Caris CHAN
Senior Legislative Assistant (1)1

Miss Queenie LAM
Senior Legislative Assistant (1)2

Ms Sharon CHAN
Legislative Assistant (1)6

Action

I. Election of Chairman and Deputy Chairman

(LC Paper No. CB(1)12/05-06 - Terms of reference of the Panel
Appendix III

LC Paper No. CB(1)12/05-06 - List of Government advisory
Appendix IV bodies relevant to the Panel)

Mr SIN Chung-kai, Chairman of the Panel in office, chaired the meeting and invited nominations for the chairmanship. Mr SIN Chung-kai was nominated by Mr Howard YOUNG and seconded by Mr Albert CHENG. As Mr SIN was nominated for the chairmanship and accepted the nomination, Mr Albert CHENG, Deputy Chairman of the Panel in office, presided over the election of Chairman.

2. There being no other nomination, Mr Albert CHENG declared that Mr SIN Chung-kai was elected Chairman of the Panel for the 2005-2006 session.

3. Mr SIN Chung-kai took the chair and called for nominations for the deputy chairmanship. Mr Albert CHENG was nominated by Mr Jasper TSANG and seconded by Mr Ronny TONG. Mr CHENG accepted the nomination.

4. There being no other nomination, the Chairman declared that Mr Albert CHENG was elected Deputy Chairman of the Panel for the 2005-2006 session.

II. Schedule of meetings for the 2005-2006 session

5. Members agreed that the regular monthly meetings of the Panel would be held on the second Monday of each month at 2:30 pm except for March 2006 which was rescheduled to be held on Friday, 17 March 2006 at 10:45 am.

(Post-meeting note: Panel members have been informed of the schedule of Panel meetings for the 2005-2006 session vide LC Paper No. CB(1)42/05-06 issued on 13 October 2005.)

III. Discussion items for next meeting

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| (LC Paper No. CB(1)12/05-06
Appendix V | - List of outstanding items for
discussion |
| LC Paper No. CB(1)12/05-06
Appendix VI | - List of follow-up actions |
| LC Paper No. CB(1)41/05-06(01)
<i>(tabled at the meeting and circulated
to members on 13 October 2005)</i> | - Letter from Hon Emily LAU) |

Policy briefing

6. Members noted that the Panel would receive a briefing by the Secretary for Commerce, Industry and Technology on relevant policy initiatives in the Chief Executive's Policy Address 2005-2006 on 18 October 2005 from 4:35 pm to 5:35 pm.

Regular Panel meeting

7. Members agreed to discuss the following items at the next regular Panel meeting to be held on 14 November 2005:

- (a) Broadcasting Services for Radio Television Hong Kong; and
- (b) Revision of film censorship fee.

Special meeting

8. Ms Emily LAU briefly explained her letter about the recently reported incident in which it was alleged that Yahoo! Hong Kong had provided the Chinese authorities information regarding the personal emails of Mr SHI Tao, a Mainland journalist, who was subsequently arrested and convicted in the Mainland. As the incident had aroused considerable public concern, Ms LAU suggested that the Panel should examine the implications of the incident, in particular the privacy protection for e-mail account subscribers. She was also aware that the Chairman had met with representatives of Yahoo! Hong Kong. Mr Ronny TONG considered that the matter might involve complex legal issue and suggested that representative(s) from the Department of Justice should be invited to join the discussion. After exchanging views, members agreed to hold a special meeting to discuss the subject on 1 November 2005 at 2:30 pm. In scheduling the special meeting, members were aware that the following meetings had also been scheduled to be held during the same time-slot:

- (a) meeting of Subcommittee on Strategy and Measures to Tackle Family Violence; and
- (b) meeting of Panel on Security (from 2:30 pm to 5:30pm)

Ms Emily LAU also requested the Secretariat to co-ordinate the use of meeting venues among different committees.

9. The Panel agreed that in addition to the Administration, the following parties would be invited to attend the meeting:

- (a) Yahoo! Holdings (Hong Kong) Ltd
- (b) Office of the Privacy Commissioner for Personal Data, Hong Kong
- (c) Hong Kong Internet Service Providers Association
- (d) Hong Kong Journalists Association
- (e) The Foreign Correspondents' Club, Hong Kong

Clerk
ALA3

Members agreed that all other non-Panel Members should be invited to take part in the discussion. The Chairman also requested the Clerk and the Assistant Legal Adviser (ALA) to look up and prepare some relevant information for members' reference.

Other issues

10. The Deputy Chairman said that certain programme hosts of local broadcasters might have misled small investors by having introduced and recommended individual covered warrants in their programmes. He added that some of these programmes were sponsored by the issuers of the warrants in question. The Deputy Chairman was gravely concerned about any possible of conflict interests and whether or not such programmes had played a role in manipulating the warrant market. The Deputy Chairman also informed members that he had filed written questions for the Administration's reply at the coming Council meeting. He also questioned whether the Broadcasting Authority would take any regulatory action and suggested that the matter be discussed by the Panel.

11. In this connection, the Chairman advised that as he understood, the conduct of intermediaries and their representatives was regulated under the Securities and Futures Ordinance (Cap 571). Mr Ronny TONG and Mr Howard YOUNG considered that it might be more appropriate for the Panel on Financial Affairs to deal with the issue while members of the Panel on Information Technology and Broadcasting should be invited to join the discussion. The Deputy Chairman said that he would raise the issue at the Panel on Financial Affairs.

IV. Any other business

12. There being no other business, the meeting ended at 11:08 am.