

List of questions

(with the concurrence of the Panel Chairman, the Administration has been asked to include in its paper the responses to the following questions)

Agenda item I (A)

- (a) What are the circumstances leading to the recent revelation that the nine persons listed at Annex A of the LegCo Brief (File Ref: CTB(CR)9/5/1(06) Pt.10) have been disqualified persons (DPs) exercising control of ATV since about May 2000?
- (b) What are the statutory/administrative obligations, if any, on the domestic free television programme service licensee (i.e. ATV) and the regulator (i.e. Broadcasting Authority (BA)) in respect of any DP exercising control of the licensee? What is BA's regulatory role in ensuring licensees' compliance with the requirements under the Broadcasting Ordinance and monitoring irregularities on the part of licensees?
- (c) The Chief Executive-in-Council has rejected ATV's application for retrospective approval from 7 July 2000 to 1 June 2005 for the nine DPs to exercise control of ATV. What sanctions, if any, are being contemplated against ATV for its contravention during this period? Has any action been taken? What factors are taken into consideration by BA/Administration in deciding the sanctions to be imposed on ATV?

Agenda item I (B)

- (a) The Panel would appreciate the Administration/BA's comments, if any, on the proposed acquisition which has been reported in the press and on ATV's website.
- (b) Please explain the statutory requirements/restrictions on ownership and corporate control applicable to domestic free television programme service licensees.
- (c) What are the restrictions on non-resident ownership of domestic free television programme service licensees? Under what circumstances would the approval of the Chief Executive-in-Council/BA be required in respect of non-resident ownership of domestic free television programme service licensees? What factors are taken into consideration when considering whether or not such approval should be given?