

Panel on Information Technology and Broadcasting

List of outstanding items for discussion

(position as at 8 June 2006)

Proposed timing for discussion

IT-related issues

1. Information Security

Last discussed on 17 March 2006. Further to the issuance of the “Report on leakage of personal data” by the Independent Police Complaints Council, the Chairman has advised that the Panel on Security would consider how the report should be followed up. It has also been requested that members of the Panel be invited to take part in the meeting of the Panel on Security, if held, to discuss the subject.

November 2006

The Panel has agreed that the Panel on Home Affairs will be invited to follow up with the Administration and the Office of the Privacy Commissioner of Personal Data (PCO) on the review of the Personal Data (Privacy) Ordinance (PD(P)O) (Cap 486).

At the meeting on 6 April 2006, the Panel has requested the Administration to provide a comprehensive report in about November 2006 on the current state of information security in bureaux and departments; as well as how various regulators exercise their monitoring role to ensure that information security is being observed and complied with by the relevant sectors under their purviews. The report should also include measures taken by publicly-funded bodies to maintain and enhance information security and the names of individual publicly-funded body which refuse to provide such information, if any.

2. Report on the Cyberport Project

Last discussed on 8 May 2006. The Administration and Hong Kong Cyberport Management Company Limited have been requested to brief the Panel annually, after the financial statement of the financial year in question has been audited (usually by October each year). In reporting the financial status of the Cyberport project, relevant figures for the past few years should be listed side by side in the consolidated account report. The Administration was also asked to provide quantifiable information which would enable the Panel to assess the effectiveness or otherwise of the Cyberport in fulfilling its public missions.

To be confirmed

Telecommunications

3. Regulatory issues pertinent to the convergence of fixed and mobile communications services

To prepare for the convergence of fixed and mobile telecommunications services, the Administration launched a consultation exercise on 21 September 2005 on the proposed changes to the licensing framework and the unified carrier licence for the provision of both fixed and mobile services. Deadline for submissions was 21 November 2005. The Administration is now studying the submissions. Reviews on fixed/mobile interconnection charge and fixed/mobile number portability commenced in December 2005. The Administration will brief the Panel on the outcome of the reviews and also the proposed way forward. To be confirmed

4. Consultancy study on spectrum policy review

With a view to formulating a responsive, transparent and market-led spectrum policy to enable the community to reap the maximum benefit from the deployment of radio spectrum as a scarce public resource as technology advances, the Administration has engaged a consultant to assist in reviewing spectrum policy and management issues. The Administration will launch a public consultation and seek the views of the Panel on the proposed spectrum policy framework. To be confirmed

5. Licensing of broadband wireless access (BWA) services

Last discussed on 14 March 2005. The second public consultation paper was issued on 31 August 2005. Deadline for submissions was 21 November 2005. The Administration is now reviewing the submissions and will brief the Panel on the proposed way forward in due course. To be confirmed

6. Issues related to the protection of personal information of e-mail account subscribers

Arising from the recently reported incident in which it was alleged that Yahoo! Holdings (Hong Kong) had provided the Mainland authorities information regarding the personal emails of Mr SHI Tao, the Panel discussed the protection of personal information of e-mail account subscribers on 1 November 2005. Members agreed to re-visit the issues after relevant information has been received from the PCO, the Hong Kong Internet Services Providers Association and the Assistant Legal Adviser of the Secretariat. To be confirmed

The paper prepared by the Assistant Legal Adviser 3 (ALA3) on the legal aspects of the subject has been circulated to all Members on 23 January 2006 vide LC Paper No. CB(1)771/05-06. An interim reply provided by PCO has been issued to all Members on 2 December 2005 vide LC Paper No. CB(1)445/05-06. PCO has also been reminded on 27 February 2006 to provide further information to the Panel. Issues raised at the special meeting on 1 November 2005 and ALA3's written advice have been referred to the Panel on Home Affairs to facilitate its follow-up of the review of the (PD(P)O).

Broadcasting

7. Progress in the implementation of digital terrestrial television broadcasting in Hong Kong

The Administration issued a LegCo Brief (File Ref.: CTB(CR)9/1/9(06) Pt.21) on the subject on 29 March 2006. It is reported that the Office of the Telecommunications Authority has been leading a working group with Asia Television Limited (ATV) and Television Broadcasts Limited (TVB) to solve technical problems and facilitate inter-departmental coordination so as to ensure timely network rollout. Given the Administration's promulgated milestones that by 2007, ATV and TVB will start simulcasting their services in analogue and digital formats, members are concerned, inter alia, about the latest progress, as well as the readiness of the broadcasters and the community for digital terrestrial television broadcasting.

10 July 2006
(tentative)

8. Review on public service broadcasting

On 17 January 2006, the Administration announced the appointment by the Chief Executive of an independent committee to review public service broadcasting (PSB) in Hong Kong. The Panel has met with the Administration, the Committee on Review of Public Service Broadcasting, RTHK Programme Staff Union on 25 January 2006 to discuss issues related to the review. Mr Raymond WONG, Chairman of the Committee has agreed to brief the Panel after the Committee has submitted a report on the review to the Chief Executive in October 2006.

To be confirmed

The Panel has also received deputations' views on issues related to the review at the meeting on 11 March 2006.

**Proposed timing
for discussion**

9. Domestic/private pirated viewing of subscription television programmes

Last discussed on 11 July 2005. The Administration has been requested to, inter alia, monitor the global trend of regulatory practices against pirated viewing of pay TV programmes and update the Panel where necessary.

To be confirmed

10. Review of the broadcasting regulatory regime

In the light of technological and market convergence in the electronic communications sector, the boundaries between telecommunications, broadcasting and information technology are blurring. Some old concepts adopted for the regulation of broadcasting may become obsolete in the converging environment. Just like other jurisdictions, Hong Kong needs to update the regulatory regime in the light of latest technological and market developments to ensure that its framework remains conducive to the further development of the broadcasting industry in particular and the electronic communications industry in general.

To be confirmed

11. Opening up radio/TV channels for use of the community

Item proposed by the Deputy Chairman. The subject of public access channels has been considered in the context of the development of Digital Broadcasting in Hong Kong, licence renewal for television and sound broadcasters at the Panel meetings held on 27 June 2003, 5 December 2003, 12 January 2004, 8 March 2004 and 9 January 2006; and of review on public service broadcasting at the meeting on 25 January 2006 and 11 March 2006.

To be confirmed

On 18 February 2004, a motion on broadcasting policy moved by Hon SIN Chung-kai and as amended by Hon Howard YOUNG and Hon Andrew CHENG was passed by the Council urging the Government to, inter alia, establish public access television channels which may be operated by public organizations for the broadcast of programmes produced by community groups and the public. In its progress report, the Administration considered that given the vibrant broadcasting sector providing a variety of services to meet the communications needs of the public, there is no urgent need to set up a public channel.

The Panel received a letter from the Organizing Committee of the Citizens' Radio requesting the Panel to urge for the opening up of radio channels for the use of the community so as to safeguard the freedom of speech. The letter was circulated to Panel members on 19 October 2005 vide LC Paper No. CB(1)93/05-06(01). Representatives of the Citizens' Radio also attended the Panel's

special meeting on 11 March 2006 and stated their position in support of the setting up of public access channels in Hong Kong.

The Administration has expressed its views on the provision of public access channels for sound broadcasting in its information paper entitled "Issues on Broadcasting" (CB(1)238/05-06(03)) which was considered by the Panel on 14 November 2005. At the same meeting, the Administration supplemented that there were other considerations in the provision of public access channels, such as the financial capability of the channel providers, channel governance and management as well as the accountability of these channels.

12. Issues related to the regulation of pornographic and violent materials transmitted through the mass media

In response to the letter from the "Anti-Pornographic & Violence Media Campaign" (vide LC Paper No. CB(1)519/05-06) and the letter from Hon CHOY So-yuk (attached) requesting that the Panel should discuss the subject, the Chairman has agreed to include the item for the Panel to consider the subject at a Panel meeting in due course. Meanwhile, the Campaign has been invited to provide its submission, if any, for the Panel's consideration.

To be confirmed