

## **Proposed research outline**

### **Regulation of radio broadcasting services in selected places**

#### **1. Background**

1.1 The Panel on Information Technology and Broadcasting, at its meeting on 29 January 2008, requested the Research and Library Services Division (RLSD) to conduct a research on regulation of radio broadcasting in overseas places to facilitate Members' deliberation on the situation in Hong Kong.

#### **2. Scope of research**

2.1 This research will focus on the following aspects of regulation of radio broadcasting in selected places:

- (a) government's radio broadcasting policy;
- (b) regulatory authority of radio broadcasting services;
- (c) licensing of radio broadcasting services, including spectrum allocation and licensing fee;
- (d) efforts to promote public access channels; and
- (e) development of digital radio broadcasting.

2.2 The analysis chapter will compare the key features in the selected places and Hong Kong concerning the regulation of radio broadcasting.

#### **3. Overseas places to be studied**

3.1 RLSD proposes to study the following four places, each of which has distinctive features in regulating radio broadcasting services:

- (a) Canada;
- (b) the United States (US);
- (c) the United Kingdom (UK); and
- (d) Australia.

3.2 In Canada, the statutory Canadian Radio-television and Telecommunications Commission (CRTC) is responsible for issuing licences for radio broadcasting services. CRTC reports to the Parliament of Canada through the responsible Minister. It is required to hold public hearings for the issue of licences for radio broadcasting and the establishment of any performance objectives for any licensee. Any application for a licence must meet certain minimum criteria in ownership, financial capacity, technical capacity and programming requirements. The applicant is required to conduct a market study to confirm the demand for the proposed service, show how the service will increase diversity in the market, and address the effect the service would have on existing broadcasters.

3.3 In the US, all spectrum for radio broadcasting services is assigned by the statutory Federal Communications Commission (FCC) through auction, except those allocated to specified uses such as public broadcasting and federal services. FCC is an independent US government agency directly responsible to Congress, with its Commissioners being appointed by the US President and confirmed by the Senate. The legislation allows members of the public to express their views to FCC on applications for licences for new radio broadcasting services or major stock transfer of radio stations.

3.4 In the UK, the statutory Office of Communications (Ofcom) is responsible for licensing and regulating radio broadcasting services. In recent years, Ofcom has been introducing community radio licences for small-scale, not-for-profit radio stations operating for the good of members of the public or particular communities. The legislation requires a community radio station to be funded from multiple sources, with 50% of its funding being disallowed to come from any single source. Meanwhile, the UK government is reviewing its regulatory framework for commercial and community radio services to recognize the transition from analogue to digital broadcasting.

3.5 In Australia, the statutory Australian Communications and Media Authority is responsible for granting licences for community radio on the basis of the applicants' comparative merits in accordance with certain statutory criteria. In 2007, legislation was enacted to facilitate the introduction of digital radio by 1 January 2009.

#### **4. Proposed completion date**

4.1 RLSD proposes to complete the research by June 2008.

Research and Library Services Division  
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