

Bills Committee on Communications Authority Bill

**List of follow-up actions arising from the discussion
at the meeting on 17 February 2011**

1. The Administration was requested to advise on the following:
 - (a) whether the Government would be responsible for the future injection of funding into the Office of the Communications Authority (OFCA) Trading Fund in the event that it would be depleted by the litigation costs, if any, to be incurred by the future Communications Authority (CA);
 - (b) the enforceability of the provisions under Clause 21 of the Bill relating to the proposed offence to give or disclose confidential information obtained or received officially; and
 - (c) how to ensure that the disclosure of information authorized by the CA or the OFCA in the form of a summary compiled under Clause 21(2)(g) of the Bill could prevent the particulars concerned from being ascertained from it, and the party to bear the legal liability if it could not.

2. The Administration was requested to consider:
 - (a) deleting Clause 13(7) of the Bill to address members' concern about its counter-productive effect;
 - (b) deleting the wordings "一經收取" from the Chinese version of Clause 19(1) of the Bill to avoid semantic inconsistency with "已繳付" in the main clause of the sentence;
 - (c) deleting Clause 21(4)(a) of the Bill to avoid uncertainty and ensure enforceability of the provisions; and
 - (d) deleting the brackets from the phrase "(但僅因非法披露才屬公眾可知的資料除外)" in the Chinese version of Clause 21(2)(a) of the Bill.