

立法會
Legislative Council

LC Paper No. LS46/10-11

**Paper for the House Committee Meeting
on 8 April 2011**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 1 April 2011**

Date of tabling in LegCo : 6 April 2011

Amendment to be made by : 4 May 2011 (or 25 May 2011 if extended by resolution)

**Prevention of Bribery Ordinance (Cap. 201)
Prevention of Bribery Ordinance (Amendment of Schedule 1) Order 2011
(L.N. 50)**

Existing analogue sound broadcasting licensees are listed as public bodies in Schedule 1 to the Prevention of Bribery Ordinance (Cap. 201) (the Ordinance) and Metro Broadcasting Corporation Limited (Metro) and Wave Media Limited are listed as public bodies in Schedule 1 (item 60 and item 112 of Schedule 1).

2. At the meeting of the Executive Council held on 22 March 2011, the Executive Council advised and the Chief Executive (CE) ordered that sound broadcasting licences for providing digital audio broadcasting (DAB) service should be approved and granted to the following companies –

- (a) Digital Broadcasting Corporation Hong Kong Limited (DBC);
- (b) Metro; and
- (c) Phoenix U Radio Limited (Phoenix U).

3. L.N. 50 is made by the CE in Council under section 35 of the Ordinance to amend Schedule 1 to the Ordinance by -

- (a) replacing "Wave Media Limited" in item 112 of Schedule 1 with

the company's new name "Digital Broadcasting Corporation Hong Kong Limited"; and

(b) adding "Phoenix U Radio Limited" to Schedule 1 as item 115.

4. The effect of the above amendments is that DBC and Phoenix U become public bodies under the Ordinance and the Ordinance is therefore applicable to these DAB licensees.

5. Members may refer to the LegCo Brief (ref: CTB(CR)9/17) entitled "*Grant of Sound Broadcasting Licenses for Providing Digital Audio Broadcasting Services*" issued by the Communications and Technology Branch of the Commerce and Economic Development Bureau dated 24 March 2011 for background information, and in particular, to paragraph 6, about this piece of subsidiary legislation.

6. The Panel on Information Technology and Broadcasting has not been consulted on L. N. 50.

7. L.N. 50 will come into operation on 27 May 2011.

8. No difficulties in the legal and drafting aspects of L.N. 50 have been identified.

Prepared by

Kitty CHENG
Assistant Legal Adviser
Legislative Council Secretariat
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