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Panel on Information Technology and Broadcasting

Meeting on 14 February 2011

Background brief on New initiatives of Radio Television Hong Kong

Purpose

This paper gives a brief summary on the previous discussions by Members on issues related to the future operation of Radio Television Hong Kong (RTHK).

Background

2. Public service broadcasting (PSB) and the future of RTHK has been a matter of public concern for over 20 years. Following the deliberations of the Executive Council on 22 September 2009, the Administration announced its decision on the way forward in respect of PSB and the future of RTHK. In gist, RTHK would remain as a Government department and be tasked to take up the mission to serve as the public service broadcaster for Hong Kong. The Government committed that appropriate resources would be provided for service enhancement to enable RTHK to expand its scope of service to fulfil its role and mission and better serve the community. A three-month consultation was subsequently launched by the Government to gauge public views on how best RTHK should operate to achieve its mission as a public service broadcaster. The Administration announced the outcome of the public consultation exercise in March 2010. An extract from the Government's consultation report summarizing the public views received is in the **Appendix**.

Previous discussions

3. At the meetings of the Panel on Information Technology and Broadcasting (the Panel) on 5 October and 19 November 2009, 12 April, 31 May and 10 December 2010, members discussed and received views from deputations on the development of PSB in Hong Kong and related issues on the future of RTHK.

Digital Audio Broadcasting and Digital Terrestrial Television

4. At the Panel meetings on 19 November 2009, 31 May and 10 December 2010, members shared the views of deputations that RTHK should be provided with sufficient resources and manpower to enhance its digital audio broadcasting (DAB) and digital terrestrial television (DTT) services to fulfil its role and mission of a public service broadcaster for Hong Kong. The Administration was urged to provide additional resources to enable RTHK to increase its production of High Definition TV programmes and to draw up a comprehensive plan on the development of DTT services, including the resource allocation for the launch of DTT and the timetable for establishing the DTT transmission network.

5. According to the Administration, RTHK would be allocated spectrum frequencies to launch five DAB programme channels in mid-2012. Four of the new DAB programme channels would mainly be used for improving the reception of AM broadcasting (including sound quality) and enhancing existing programme content. The other DAB programme channel would be used for relaying national programmes. RTHK would also provide value-added data services to the audience, such as the screening of news highlights, weather information and traffic reports on DAB receivers.

6. The Administration further advised that RTHK would be committed to establishing the DTT transmission network, including discussing with the two free-to-air TV broadcasters on the rental of suitable hilltop sites, purchasing transmitters and equipment, and conducting technical trials. The Government had allocated the required resources to RTHK, and agreed to provide additional resources to enable RTHK to increase its production of HDTV programmes from about 50 hours to not less than 200 hours per year as from 2011-2012.

Community Involvement Broadcasting

7. Panel members generally supported the establishment of the Community Broadcasting Involvement Fund, as proposed by the Administration in the consultation paper in October 2009, to facilitate

community participation in broadcasting. Some members shared the deputations' view that instead of RTHK devoting part of its airtime and resources within the development of its digital service to provide a platform for community participation in broadcasting, the Administration should open up airwaves for independent community groups, non-governmental organizations, religious bodies and ethnic minorities to participate in public access broadcasting and produce their own programmes so as to encourage a plurality of voices. These members also urged the Administration to draw up long-term policy, detailed plan and timetable for opening up airwaves for community broadcasting. The Administration advised that the Government had earmarked \$45 million for a three-year trial under the proposed Fund. RTHK would work out the details in consultation with the Board of Advisors.

Development of New RTHK Broadcasting House in Tseung Kwan O

8. At the Panel meeting on 10 December 2010, members noted that the Government had decided that Tseung Kwan O Area 85 would be the site for the development of the new RTHK Broadcasting House. The Panel called on the Administration to expedite the reprovisioning of the new headquarters and the acquisition of related facilities and equipment to enhance programme production. The Administration advised that the Government planned to complete the technical feasibility study around the first half of 2011, and would complete the town planning procedures and application for funding as soon as possible.

Digitization of programme archives

9. At the Panel meeting on 10 December 2010, members noted that RTHK would establish a Media Asset Management project starting from 2011-2012 to restore archive materials at risk, digitize the most valuable portion (about 25%) of RTHK's archives, and provide specialized storage for the archive materials to facilitate easy access and retrieval. Panel members generally supported the project and urged the Administration to provide the necessary manpower and funding to expedite the preservation of the programme archive which was of great historical value to avoid the loss of records due to ageing. Some members questioned the basis and the rationale for setting 25% of the total pool of materials as the target of digitization, and expressed grave concern whether assets which reflected the social and political development of Hong Kong would be selectively screened out in the process of digitization. They urged RTHK to draw up a long-term policy in respect of the safekeeping and disposal of the original copy of the digitized files and to enlist the assistance of historians and archive expertise in determining the materials to be digitized and to advise on proper storage. There was also a suggestion that instead of keeping the original

copies for an indefinite period of time, selected items of public interest should be donated to museums for display for public enjoyment.

10. Panel members shared some deputations' views that RTHK archive materials (including RTHK's own work and works contributed by others), which were commissioned by public money, should be made readily accessible to the general public and the industry. Some members also urged RTHK to step up co-operation with the media and communications centre of the universities to make good use of the archive materials for academic studies and historical research. Suggestion was made to compile a comprehensive archive index/catalogue for easy reference, access and retrieval by the public, professional media producers, universities and researchers.

Recent developments

11. At the Legislative Council meeting on 5 January 2011, Hon Paul CHAN Mo-po raised a question on manpower arrangement of RTHK. According to the Administration's reply, RTHK would create a number of additional posts in 2011-2012, including a permanent D1 post of Controller (Broadcasting Services) and a supernumerary post of Deputy Director of Broadcasting for three years for the launch of new initiatives undertaken by RTHK. RTHK would also resume internal promotion for staff at various ranks and the recruitment of civil servants for vacancies in the Assistant Programme Officer rank.

Latest position

12. The Administration will brief the Panel on 14 February 2011 on the new initiatives to support the development of RTHK as the public service broadcasting in the next few years and the strengthening of the directorate support for RTHK.

Relevant papers

Legislative Council Brief on public service broadcasting and the future of Radio Television Hong Kong issued on 22 September 2009

<http://www.legco.gov.hk/yr08-09/english/panels/itb/papers/itb1005-ctbcr9179-e.pdf>

Minutes of Information Technology and Broadcasting Panel meeting on 5 October 2009

<http://www.legco.gov.hk/yr08-09/english/panels/itb/minutes/itb20091005.pdf>

Minutes of Information Technology and Broadcasting Panel meeting on 19 November 2009

<http://www.legco.gov.hk/yr09-10/english/panels/itb/minutes/itb20091119.pdf>

Information paper provided by the Administration for the Information Technology and Broadcasting Panel meeting on 12 April 2010

<http://www.legco.gov.hk/yr09-10/english/panels/itb/papers/itb0412cb1-1520-5-e.pdf>

Minutes of Information Technology and Broadcasting Panel meeting on 12 April 2010

<http://www.legco.gov.hk/yr09-10/english/panels/itb/minutes/itb20100412.pdf>

Minutes of Information Technology and Broadcasting Panel meeting on 31 May 2010

<http://www.legco.gov.hk/yr09-10/english/panels/itb/minutes/itb20100531.pdf>

The Administration's letter of 3 December 2010 on the proposal to allocate new resources to RTHK as from 2011-2012 for launching various services to fulfil its role and mission as the public service broadcaster of Hong Kong.

<http://www.legco.gov.hk/yr10-11/english/panels/itb/papers/itbcb1-682-1-e.pdf>

Minutes of Information Technology and Broadcasting Panel meeting on 10 December 2010

<http://www.legco.gov.hk/yr10-11/english/panels/itb/minutes/itb20101210.pdf>

Hon Paul CHAN Mo-po's question on manpower arrangement of Radio Television Hong Kong at the Council meeting on 5 January 2011

<http://www.legco.gov.hk/yr10-11/chinese/counmtg/floor/cm0105-confirm-ec.pdf>

Council Business Division 1
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CHAPTER THREE

SUMMARY OF RESPONSES

3.1 This chapter summarises the public responses and views received in respect of the main issues covered in the consultation paper.

(A) Public Purposes

3.2 The consultation paper invited views on the following public purposes of RTHK -

- (a) sustaining citizenship and civil society;
- (b) fostering social harmony and promoting pluralism;
- (c) establishing education value and promoting lifelong learning; and
- (d) stimulating creativity and excellence to enrich the multi-cultural life of Hong Kong people.

3.3 Many written submissions received commented on the four proposed public purposes. Most of these submissions in general supported the proposed public purposes. Some had made suggestion on new public purposes for RTHK after taking account of its role as a public service broadcaster. There were also some views that the individual public purposes set out in the consultation paper should be modified.

3.4 For those respondents who were in support of the proposed public purposes, their views are summarised below –

- (a) RTHK, as the public service broadcaster, should establish educational value for the community and promote

understanding of our nation. RTHK should also provide content such as news, technologies, vocational training, entertainment and sports, etc;

- (b) RTHK should be a channel for the Government to explain, promote and publicise its policies (e.g. civic education) and for the public to have better understanding of Government policies. Some existing programmes like the “Letter to Hong Kong” which provided opportunities for Government officials to convey messages about Government’s policies to the public should be retained;
- (c) RTHK should serve as a channel or platform for the promotion of Government’s policies, but it should not become a mouthpiece of the Government;
- (d) The public from different age groups and with different backgrounds should be covered under the purpose of establishing educational value and promoting lifelong learning;
- (e) The purpose “promoting understanding of our community, our nation” should not cover excessive propaganda to promote patriotism;
- (f) As regards promoting lifelong learning, RTHK might cooperate with tertiary institutions and professional organisations to launch various types of learning programmes. RTHK should continue to work with schools and academic institutions to encourage more students to listen to or watch RTHK programmes; and
- (g) As regards stimulating creativity, RTHK might launch a wide range of activities such as competitions on song and poetry writing.

3.5 A number of submissions contained suggestions on new or modified public purposes for RTHK. Their views are summarised below –

- (a) the proposed four public purposes for RTHK were in order but a fifth purpose or objective should be added to spell out that RTHK's programmes should not duplicate those provided by commercial service broadcasting;
- (b) it should be made clear in the public purposes that RTHK should complement commercial service broadcasting;
- (c) a separate public purpose for RTHK should be to "monitor the Government";
- (d) RTHK should support the Government, inform the public about Government policies and collect their feedback;
- (e) RTHK should protect public interest and enhance social justice;
- (f) RTHK should facilitate communication between the Government and the public, promote achievements of Hong Kong to the international arena; and help connect Hong Kong to the world;
- (g) RTHK should develop the international perspective of Hong Kong people and provide impetus for social and cultural exchanges;
- (h) RTHK should focus more on providing impartial, objective and politically neutral news reports and current affairs programmes, representing a balance of interests;
- (i) RTHK should provide historical and cultural documentaries and educational programmes, and promote family values;
- (j) RTHK should provide an open platform for free exchange of ideas and promote social participation;

- (k) the proposed public purpose regarding fostering social harmony seemed to have political connotation and should be avoided; and
- (l) “safeguarding free flow of information, freedom of press and expression” and “reflecting public opinion, safeguarding public interest and promoting social justice” should be made the public purposes for RTHK.

3.6 We have not received any public views suggesting that there should not be any specification of public purposes for RTHK as a public service broadcaster.

(B) Corporate Governance

3.7 To ensure that RTHK is fully capable of achieving its public mission objectives and to enhance its corporate governance, the Government has decided to establish a broad-based Board of Advisors (the Board) for RTHK. The Board will be a new body to advise the Director of Broadcasting (D of B) on a wide range of issues, including editorial policy, programme standards, public standards reviews, etc. The consultation paper sought views on the operation of the Board to enhance the corporate governance of RTHK and its accountability to the public.

3.8 Generally speaking, the views received regarding the establishment of the Board of Advisors were diverse. There were relatively less views received regarding the details of the Board, including its composition, terms of reference, scope of work, etc.

3.9 The views supporting the establishment of the Board of Advisors and the views concerning the composition and functions of the Board are summarised below -

- (a) RTHK, as the public service broadcaster, should rightly be advised by the Board with wide representation from the public, in particular the department had an unsatisfactory track record of corporate governance as evidenced by a

number of incidents resulting in audit inquiries and in some cases, prosecution and imprisonment of individual staff;

- (b) a Board appointed by the Chief Executive was necessary. As it would only be advisory in nature, the independence of RTHK would not be affected;
- (c) a Board would help improve the effective governance of RTHK;
- (d) the independence of the Board was crucial and the proposed composition was agreeable;
- (e) the Chief Executive should make the appointments to the Board impartially;
- (f) the Board could help monitor the programme content of RTHK;
- (g) the Board should have the power to invite members of RTHK management to attend the Board's meetings and provide requisite information and reports to the Board;
- (h) the Board members should be patriotic and devoted to serving the public. They could consist of representatives from different sectors such as education, arts and culture, social and other groups, etc;
- (i) the Board could act as a communication platform between the public and the Government; and
- (j) it was proper for the Board to advise RTHK on editorial policy and programme standards. Members of the public should have channels through which they could voice their opinion if the Board's advice could not meet public expectations.

3.10 On the other hand, there were some views which cast doubts on the establishment of the Board. These views are summarised as below -

- (a) the proposal of setting up the Board was not supported because as a Government department, RTHK's performance could be monitored by the Legislative Council. The Board was likely to create unnecessary bureaucratic layers in the governance of RTHK. It would actually be a form of "monitoring committee or steering group". Instead of only "advisory" in nature, the Government should rename the Board as a "monitoring committee" and for it to take up the responsibility of monitoring RTHK;
- (b) the Board might not be able to enhance accountability of RTHK in the sense that the public could not participate in the selection of the members of the Board, and that as in the case of other advisory groups which already existed, the Board seemed to be set up to "control" RTHK;
- (c) despite being advisory in nature, the Board might interfere with the editorial independence of RTHK. It might undermine the public's trust and support for public service broadcasting;
- (d) there was an existing Programme Advisory Panel advising the RTHK on programme content. Hence, there was no need to establish a new Board to advise RTHK. Instead, ways to strengthen the Programme Advisory Panel should be considered, such as expanding its membership to include representatives from more walks of life;
- (e) the Board was a form of self-censorship initiated by the Government;
- (f) a public service broadcaster should be a statutory body and report to a committee constituted by a democratic process; and

- (g) it would be difficult for D of B, in his capacity as a civil servant, to disregard the advice of the Board and maintain his independence.

3.11 There were also views concerning the more detailed aspects of the composition, functions and operation of the Board. These views are summarised below -

- (a) since the Board members would be appointed by the Chief Executive, there could be political intervention. The Board members should not have any political background;
- (b) the appointment of Board members solely by the Chief Executive lacked transparency. Members, though appointed by the Chief Executive, should be nominated by different community sectors and professional groups;
- (c) some Board members should represent the Heung Yee Kuk, minorities, children, young people and parents. An RTHK staff member in addition to D of B should be included in the Board;
- (d) the general public should monitor RTHK rather than members appointed to a Board;
- (e) protecting freedom of expression should be the first priority of the Board's duties;
- (f) the Board should only focus on the performance evaluation of RTHK;
- (g) the Board should monitor RTHK's role in fulfilling its public service objectives on behalf of the public, not the Government;
- (h) the Board should be supported by a secretariat of its own rather than by RTHK staff;

- (i) the Board should operate with a high degree of transparency. Board meeting minutes should be open for public access; and
- (j) the Board should submit regular performance reports to the Chief Executive and the Legislative Council.

(C) The Charter

3.12 Having regard to the future expanded role of the new RTHK and to further enhance its editorial independence, the Government has decided to draw up a Charter to be signed by the Chief Secretary for Administration, the D of B and the Broadcasting Authority Chairman. The Charter will take the form of a formal document that sets out the relationship between the Government and the RTHK. It will give substance to the relationship and clarify issues such as transparency in RTHK's operation, the accountability and editorial independence of RTHK, and the role of the Broadcasting Authority (BA) in providing oversight over the programme standards of RTHK. Views were sought on the Charter and various matters to be covered by it.

3.13 An overwhelming majority of views received supported elevating the existing Framework Agreement in the form of a Charter. More specific views are summarised below -

- (a) the Charter should recognise RTHK's role as a public service broadcaster. Its top priority should be to maintain RTHK's editorial independence. It should also seek to enhance RTHK's accountability;
- (b) reference should be made to the existing Framework Agreement signed between CEDB and RTHK and the Memorandum of Understanding between CEDB, RTHK and the Broadcasting Authority in drawing up the Charter;
- (c) the Charter should guarantee that all programmes broadcast by RTHK would be regulated in the same way as that for the

commercial broadcasters. It should also be clearly stipulated that RTHK would not be subject to any pressure from the Government or other quasi-government bodies;

- (d) the Charter should be a statutory document and public consultation should be conducted during the legislative process;
- (e) the Charter should be reviewed every two years with established channels for RTHK staff and the public to participate in the review. Another view suggested that the Charter should be reviewed every 12 years with a mid-term report after six years;
- (f) it should be made clear that Government's only role in the operation of RTHK was to provide funding for the operation of RTHK; and
- (g) the Charter should set out the principles rather than concrete details to allow flexibility in operation. It should also make reference to RTHK Producers' Guidelines.

(D) Performance Evaluation

3.14 Key performance indicators for evaluating various objectives to be achieved by RTHK were set out in the consultation paper. Public views were sought on the performance evaluation of RTHK and the performance objectives/indicators to be adopted. The views received include -

- (a) the various objectives set out in the consultation paper were too many and too complicated. They should be more precise and concise. Reference could be made to the performance evaluation principles adopted by the British Broadcasting Corporation, namely (1) reach; (2) quality; (3) impact; and (4) value for money;

- (b) the performance evaluation of RTHK should be different from that of the commercial broadcasters and should not focus too much on cost-effectiveness, market share or broadcasting ratings. RTHK's performance should be evaluated in terms of the programme quality and the producers' impartiality in editing the programme;
- (c) "Cost per unit audience", "cost per broadcast hour by programme genres", "number of local and international awards obtained", "provision of a comprehensive mix of programmes, catering for diverse needs of different groups, and stimulating creativity" could be included as some of the evaluation criteria;
- (d) the evaluation criteria should also include whether the programmes were suitable for different age groups, whether the transmission coverage was satisfactory and whether complaints were handled properly;
- (e) a Quality Assurance Unit should be set up to monitor the performance of RTHK. Objective assessment conducted by an independent organisation was necessary;
- (f) a complaints committee should be established to handle public complaints against RTHK programmes. There was also a view that the Efficiency Unit's 1823 hotline could be tasked to handle complaints against RTHK so as to maximise cost-effectiveness; and
- (g) regular opinion surveys on public satisfaction should be carried out, and the focus of such surveys should be on public participation.

(E) Extended Mode of Service Delivery

3.15 RTHK is tasked to develop as an all-round public service broadcaster to serve the community including providing new digital

audio broadcasting services and digital terrestrial television. Views were sought on the extended mode of service delivery in future.

3.16 From the views received, the public has shown a clear preference for RTHK to expand the scope of its services in the digital field. We have not received any view which suggested that RTHK should just maintain its existing services and not progress with technological advancement and market trend. Specific views received are as follows -

- (a) RTHK's new services should complement the programmes provided by the commercial broadcasters;
- (b) the mandatory broadcast of RTHK programmes on commercial television stations should be maintained after RTHK commenced broadcasting in its own television channels. Conversely, there were also views that RTHK programmes in commercial television should be phased out;
- (c) RTHK's own television channel should provide more programmes on classical music, opera, dance, drama, etc;
- (d) public access to the archive of past RTHK programmes should be provided; and
- (e) RTHK's new television channel would induce keen competition amongst the television broadcasters. RTHK should instead establish an online television station to facilitate public participation.

(F) New Programming Opportunities

3.17 Views were sought on the future programme opportunities of RTHK, including the opportunities to -

- (a) promote and facilitate local original content production;

- (b) foster partnership with national and international broadcasters and content producers; and
- (c) encourage community participation in broadcasting, including the establishment of a Community Broadcasting Involvement Fund.

3.18 Members of the public generally agreed with the proposed new programming by RTHK and welcomed the establishment of the Community Broadcasting Involvement Fund to facilitate community participation in broadcasting.

3.19 There were views advocating for more programmes on civic education, arts and culture, liberal studies, current affairs, political structures of overseas countries, innovation and creativity, legal issues and traditional culture in the New Territories. There were also comments that more English and Putonghua programmes as well as programmes for various sectors of the community including children, youth, parents, senior citizens, and ethnic minorities should be provided by RTHK. The respondents generally agreed that RTHK should strengthen its cooperation with other broadcasters including both overseas and Mainland counterparts. There were also diverse views on the need to relay programmes of China Central Television and China National Radio, but respondents generally agreed to the broadcasting of some of these programmes.

3.20 In addition, the following specific views about RTHK's programming were received -

- (a) community broadcasting programme hosts needed not be provided by RTHK;
- (b) RTHK should not focus on mainstream programmes but should develop programmes not adequately provided by the commercial broadcasters. RTHK should not regard commercial considerations as its top priority;

- (c) the division of programmes among different broadcasting channels should be well coordinated;
- (d) radio channels could be set up for 18 districts in collaboration with Home Affairs Department and District Councils;
- (e) BBC radio programmes should be broadcast through FM radio mode; and
- (f) a committee should be set up to manage the Community Broadcasting Involvement Fund. Application procedures should be clearly set out and the granting of the fund should be carefully managed.

(G) Other Views Outside the Scope of the Public Consultation

3.21 In addition to the views sought by the consultation paper, some respondents had expressed their opinions on an array of other subjects. These are summarised as follows -

- (a) the Government should adopt the recommendation of the Review Committee to set up an independent public service broadcaster instead of entrusting RTHK to carry out the task. RTHK could not effectively perform the function of an independent public service broadcaster and be free from any political and financial interference under the proposed governance structure;
- (b) airwaves should be opened up and the threshold for granting sound broadcasting licences should be lowered for independent community groups to participate in public access broadcasting so as to encourage a plurality of voices and promote civic education;
- (c) RTHK should be a department directly under the Chief Secretary for Administration with administrative, financial and editorial independence;

- (d) some members of the public expressed dissatisfaction with the quality of programme hosts. Programme hosts should be politically neutral and should declare their interests, if any;
- (e) the re-provisioning of a new Broadcasting House in Tseung Kwan O was welcomed. The existing studios and equipment would need to be upgraded and improved;
- (f) the Government should set up a Public Broadcasting Resource Centre and a Public Broadcasting Protection Committee (保護公共廣播委員會); and
- (g) two separate radio channels should be set up, one for promoting Government policies and one for public service broadcasting.