

For discussion  
on 14 May 2012

**Legislative Council Panel on  
Information Technology and Broadcasting**

**Radio Television Hong Kong's  
Community Involvement Broadcasting Service  
and the Establishment of the  
Community Involvement Broadcasting Fund**

**PURPOSE**

This paper seeks Members' support on the proposed establishment of the Community Involvement Broadcasting Fund (CIBF).

**PROPOSAL**

2. We propose to create a commitment of \$45 million for setting up the CIBF to encourage and support the community involvement broadcasting service (CIBS) to be launched by Radio Television Hong Kong (RTHK).

**JUSTIFICATIONS**

3. There are strong calls from some sectors of the community for opening up the airwaves for community and public access broadcasting. However, there was hitherto a lack of sufficient frequency spectrum to support low-cost territory-wide reception. This, together with the fact that stand-alone community broadcasting services required substantial financial and human resources, inhibits community involvement in broadcasting. Recent technological advancement, which gives impetus to the digitisation of free-to-air television and the development of digital audio broadcasting (DAB), has provided new opportunities for the provision of more channels and platforms.

4. The Government launched a public consultation<sup>1</sup> in October 2009 on proposals to enhance the role and functions of RTHK as a public service broadcaster, including a proposal to task RTHK to devote part of its airtime and resources within the development of its digital services to provide a platform for community participation in broadcasting and the establishment of a dedicated fund, as a pilot, to support and encourage community and ethnic minority involvement in broadcasting. Subsequent to the consultation, the provision of a platform to support and facilitate community participation in broadcasting and the administration of a CIBF have been incorporated in the RTHK Charter as one of the public purposes of RTHK.

5. To take forward the initiative, we consulted Members on 12 December 2011 (LC Paper No. CB(1)531/11-12(04)) on RTHK's plan to conduct a public consultation exercise on the proposals to set up the CIBS and CIBF as a pilot project for three years. The intention is for the radio programmes to be the first testing ground for CIBS given their lower technological threshold for public involvement. We conducted a three-month public consultation from December 2011 to March 2012. Over 80 members of the public and representatives of various organisations attended the two public consultation meetings and 14 written submissions were received. A summary of the views received and our response is at Encl. 1 Enclosure 1. Having taken into account public views, we have drawn up a plan for the implementation of CIBS and establishment of CIBF.

## **IMPLEMENTATION OF CIBS AND ESTABLISHMENT OF CIBF**

### **Operation of the CIBS**

#### *Objective*

6. The objective of CIBS should be the promotion of a wide range of social gains to the community, in particular –

- (a) plurality, diversity and social inclusion;

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<sup>1</sup> “The New Radio Television Hong Kong: Fulfilling its Mission as a Public Service Broadcaster”, Commerce and Economic Development Bureau, October 2009.

- (b) mutual respect, social empathy and civic mindedness;
- (c) creativity, uniqueness and talent nurturing; and
- (d) community involvement.

7. We will accord a high priority to the promotion of plurality, diversity and social inclusion. In particular, we envisage that CIBS will serve as a platform to encourage non-government organisations and underprivileged communities to share ideas with the public through broadcasting.

#### *Broadcasting Platform of CIBS*

8. We have carefully considered the suggestion from some respondents for CIBS to be broadcast on regular FM channels. As we already have a full range of programmes at our FM channels throughout the day, it will be a better use of resources to broadcast CIBS programmes on the DAB channel. To enhance the reach of CIBS programmes to local and overseas audiences, we will promote CIBS programmes through RTHK's FM channels as well as its website.

#### *Service Targets*

9. The service targets of CIBS will not only be mass audience but also niche audience and minority interest. The CIBS platform will also pay attention to those communities which usually have less opportunity to have their own voice heard in public.

#### *Programme Themes and Production Cycle*

10. Taking into account the views expressed during the consultation, we will adopt 11 programme themes for CIBS, namely education, art and culture, social services, ethnic minorities, politics and current affairs, economy and finance, health, environment, religion and philosophy, science and technology and district affairs. The 11 programme themes will be spread across the three-year period of the CIBS pilot project. For each

quarter, there will be three themes, one of which will be dedicated to ethnic minorities.

11. Each CIBS programme will have 13 episodes in one quarter. This will allow sufficient time for a programme to build rapport with its audience while enabling other community involvement broadcasting (CIB) producers to participate. We estimate that there will be 14 to 28 episodes of CIBS programme each week in the first year of the pilot project.

#### *Application process*

12. We will conduct two rounds of CIBS applications each year, totalling six rounds for the three-year pilot project. In each round, applications for the next two quarters will be considered. As a measure to provide more flexibility, applicants can opt for producing either a half-hour or a full-hour programme.

#### *Chinese and Non-Chinese Language Services*

13. There will be two language services in CIBS, namely Chinese Language Service (CLS) and Non-Chinese Language Service (NCLS). We received wide public support to provide these two language services. We will allow different Chinese dialects (e.g. Fukienese, Cantonese) and Putonghua within the CLS, and English and different foreign languages within the NCLS. We will accord flexibility in the time allocation between CLS and NCLS depending on the number and quality of applications received. Since applications from ethnic minorities organisations will be accepted in every round of applications, it is likely that NCLS programmes will be broadcast throughout the pilot project period.

14. To allow audiences from different language backgrounds to understand the NCLS programmes, we will request NCLS programme producers to provide an English or Chinese translation of the transcript of their programmes which will be uploaded onto a thematic CIBS website (mentioned in paragraph 18 below).

### *Relationship between RTHK and CIB Producers*

15. The duties and liabilities of RTHK and CIB producers will be clearly stipulated in a legal document for confirmation by both parties. CIB producers will produce programmes independently and be liable in case of breach of any broadcasting regulations and standards. RTHK's role will be administrative and facilitative and it will not be involved in editorial matters unless upon the request of CIB producers or in case of non-compliance. We will help CIB producers to understand the broadcasting regulations and standards.

### *Facilitation and Orientation*

16. Noting the request from some respondents in our consultation that more facilitation be provided by RTHK, we will provide the following facilitation for CIB producers –

- (a) assignment of a RTHK facilitator to follow up with each successful CIBS application;
- (b) a comprehensive briefing, covering topics such as technical requirement, sourcing of studios and facilities, broadcasting regulations and standards, copyright requirements, and values of public service broadcasting; and
- (c) setting up an online resource centre, which can be accessed through the RTHK website, containing the information in (b) above.

### *CIBS Selection Committee and selection criteria*

17. On the assessment of applications received, we will establish a CIBS Selection Committee comprising seven non-official members appointed by the Director of Broadcasting (D of B). Membership will comprise scholars on communications or broadcasting, experts from different fields drawn from the RTHK Programme Advisory Panel (PAP), and one member familiar with ethnic minorities issues. Depending on what the designated programme themes are for each round of application, D of B

will draw from the pool of some 120 RTHK PAP members (with diverse background in the fields of art and culture, education, social welfare, medical services, legal services, information technologies, businesses and district affairs, etc.) a few whose expertise is relevant to the assessment involved. RTHK will provide secretariat support for the CIBS Selection Committee.

18. Taking into account the concern expressed by some respondents in our consultation on the transparency of and public participation in the selection process, we will upload materials (i.e. a brief programme synopsis and a three-minute sound track) provided by applicants on a thematic CIBS website for public viewing. Members of the public may participate in the selection process through voting at the thematic website, and the result of which will be taken into account by the CIBS Selection Committee. Results of the selection will also be posted on the thematic website for public information.

19. The eligibility of becoming a CIB producer will be his/her originality and ability to communicate the intended messages through broadcasting. The aim of CIBS is not to look for professional or experienced broadcasters. We will develop specific selection criteria in consultation with the CIBS Selection Committee. We propose that the selection criteria should be developed in accordance with the following general guiding principles –

- (a) programme ideas and contents, as well as social gains arising from the programme, are the most important elements in CIBS;
- (b) CIBS programmes should promote a wide range of social gains (mentioned in paragraph 6 above);
- (c) views of the public should be reflected in the decision of the CIBS Selection Committee and votes received in the RTHK website will be the indicator of public views;
- (d) the applicant's organisational capability to manage the project and deliver the proposed CIBS programme;

- (e) the applicant's track record in both quality and quantity of previous CIBS programmes (if applicable) should be taken into account; and
- (f) priority should be given to registered groups<sup>2</sup> and proposals on recorded programmes.

## **Establishment of CIBF**

### *Objective*

20. We propose to create a new commitment of \$45 million for the establishment of CIBF for a pilot period of three years. The purpose of the CIBF is to provide financial support to community and ethnic minority to encourage their involvement in broadcasting. CIBS applicants who require financial assistance may submit applications under the CIBF. Subject to Members' support and funding approval by the FC, we plan to launch the CIBS and establish the CIBF in the fourth quarter of 2012. Upon completion of the pilot period, we will conduct a review on the operation of the CIBS and CIBF to assess whether it is an effective means to encourage community involvement in broadcasting.

### *Administration of CIBF*

21. The CIBS Selection Committee (mentioned in paragraph 17 above) will be responsible for assessing applications for CIBF. We propose to adopt the same guiding principles as those listed under paragraph 19 above in developing the specific selection criteria for CIBF. RTHK will be responsible for the administration of the fund and D of B, as the Controlling Officer, will approve disbursement of funds from CIBF on the advice of the CIBS Selection Committee. The guiding principles in the administration and disbursement of funds are –

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<sup>2</sup> Registered groups will include –

- (a) organisations registered under the Companies Ordinance (Cap. 32);
- (b) organisations registered under the Societies Ordinance (Cap. 151);
- (c) charitable institutions exempted from tax under section 88 of the Inland Revenue Ordinance (Cap. 112); and
- (d) members of umbrella organisations of the above.

- (a) CIBF funding will only be used to defray actual expenses (namely technical and labour costs) incurred for the production of CIBS programmes;
- (b) funds will be disbursed to CIB producers in instalments or in a manner as agreed with RTHK before the commencement of programme production;
- (c) funding support for technical and labour costs will be capped at a ceiling of \$7,500 per a half-hour programme and \$15,000 per an one-hour programme. Based on our professional experience, such rate should be sufficient to cover the production costs; and
- (d) as voluntarism is the core spirit of CIBS, a standard rate, in the form of honorarium per person with a limited quota of participants (e.g. producers, presenters, scriptwriters and researchers) on each episode, will be adopted. We will consult the CIBS Selection Committee on the appropriate level of honorarium and quota of participants.

22. Actual cash flow of the CIBF will depend on the number of applications received and approved. For planning and budgetary purpose, the estimated cash flow is as follows –

<b>2012-13</b> <b>(\$ million)</b>	<b>2013-14</b> <b>(\$ million)</b>	<b>2014-15</b> <b>(\$ million)</b>	<b>Total</b> <b>(\$ million)</b>
7	19	19	45

RTHK will absorb the workload arising from the setting up and administration of CIBF.

## **CONTROL AND EVALUATION MECHANISM**

### **CIBS**

23. According to the RTHK Charter, RTHK should ensure that all its programmes broadcast on its platforms comply with the codes of practices



issued by the Communications Authority. As CIBS programmes will be broadcast by RTHK through its platforms, CIB producers will be required to comply with these codes of practices, and D of B should have the final decision in this respect. NCLS programme producers will be required to certify on the Chinese or English translation of transcripts that the programme contents comply with the broadcasting regulations and standards.

24. RTHK also has the duty to ensure public accountability of CIBS. Each CIB producer will be required to submit an audited financial statement and complete an evaluation report upon completion of the 13 episodes. RTHK will record supplementary comments on the evaluation report where appropriate. These evaluation reports will be used for review of CIBS upon the conclusion of the three-year pilot project.

25. In view of the fact that CIBS is a publicly-funded service, copyright of CIBS programmes will be vested in RTHK. We will request CIB producers to seek our prior consent before using the programmes in any other platforms.

## **CIBF**

26. Given the policy objectives of CIBS, we believe the success or otherwise of CIBS should not be judged on the basis of audience ratings. Nonetheless, to ensure proper use of public funds, all CIBF recipients will be required to co-operate with RTHK in monitoring the progress of programmes supported by the CIBF and be accountable for the use of the disbursed funds. In particular, CIBF applicants will be required to state the key deliverables, milestones, targets, and methods for measuring its performance when they submit proposals for consideration by the CIBS Selection Committee. They will also be required to submit budgets, enter into a funding agreement with RTHK based on the approved budget, and submit an audited financial report upon completion of the programme.

Encl. 2 Specific control measures for the use of CIBF are set out in Enclosure 2. To assess the cost-effectiveness of the projects funded by the CIBF, we will put in place the following mechanisms –

- (a) we will set up focus groups, comprising of listeners and experts, to seek feedback on the CIBS programmes; and

- (b) we will invite listeners to provide their views on the CIBS programmes through the submission of a questionnaire available on the CIBS thematic website.

27. To ensure that the selection process will be conducted in a fair manner, we will seek the advice of the Independent Commission Against Corruption (ICAC) on the assessment criteria and procedures to be adopted by the CIBS Selection Committee. We will also seek ICAC's advice in drawing up a code for declaration of interest for compliance by members of the CIBS Selection Committee.

### **ADVICE SOUGHT**

28. Members are invited to advise on the proposed establishment of the CIBF. Subject to Members' views, we will proceed to seek approval from the Finance Committee in June for the establishment of the CIBF.

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Radio Television Hong Kong  
May 2012

**Public Consultation on Pilot Project for  
Community Involvement Broadcasting Service**

**Summary of Views**

1. In the *Public Consultation Paper on Pilot Project for Community Involvement Broadcasting Service (CIBS)*, we presented our initial views on the proposed CIBS and sought public views on the following issues regarding CIBS –

- (a) Objectives;
- (b) Service targets;
- (c) Programme themes and production cycle;
- (d) Chinese and non-Chinese language services;
- (e) Eligibility criteria for community involvement broadcasting (CIB) producers;
- (f) Relationship between RTHK and CIB producers;
- (g) Facilitation and support by RTHK;
- (h) Community Involvement Broadcasting Fund (CIBF); and
- (i) Selection criteria and process of CIBS and CIBF.

2. The public consultation was conducted from 29 December 2011 to 29 March 2012. Over 80 members of the public and representatives of various organisations attended two public consultation meetings and 14 written submissions were received. The full proceedings of the two public consultation meetings and the full set of written submissions received from the public can be viewed at RTHK website.

## **Overall design**

3. On the whole, respondents were supportive of CIBS. A vast majority of respondents noted that the CIBS would provide a new platform for the community, especially the underprivileged and minority groups, to voice their ideas and concerns, thereby promoting creativity. Comments were received on the following issues –

- (a) the role of the RTHK;
- (b) the use of Digital Audio Broadcasting (DAB) as the broadcasting platform; and
- (c) the scope of CIBS.

## **Role of RTHK**

4. One respondent suggested that there should be minimal intervention from RTHK, in particular in the areas of programme contents and service targets. One respondent commented that RTHK should only be the “platform of broadcasting” instead of the “broadcaster” such that CIB producers would be individually responsible for their programmes in compliance with broadcasting regulations. One respondent proposed that a board of trustees should be established to administer CIBF instead of RTHK being the Controlling Officer. Two respondents expressed concern that the public might have the impression that editorial autonomy of CIB producers was compromised as CIBS was funded by the Government.

## *Our response*

5. We support the principle of editorial autonomy in CIBS and will respect and protect the editorial autonomy of CIB producers. Nevertheless, we also have the responsibility of ensuring compliance with the relevant broadcasting regulations and standards as we will provide the broadcasting platform. CIB producers will be held responsible in case of any breach of broadcasting regulations and standards.

6. CIBS is totally new and we consider that the proposed structure of administering the CIBF appropriate. Upon completion of the CIBS pilot project in three years' time, we will review the outcome and effectiveness of CIBS and examine such issues as our role and the governance structure in the light of experience gained.

### Broadcasting Platform

7. Some respondents were concerned that DAB was a new platform which was not yet popular and the reach to the mass audience might be limited. Some respondents suggested that CIBS programmes should be broadcast on FM channels during prime listening hours. One respondent suggested that the Government should help the underprivileged communities to acquire DAB radios.

### *Our Response*

8. As we already have a full range of programmes at our FM channels throughout the day, it will be a better use of resources to broadcast CIBS programmes on the DAB channel, which can also avoid major disruptions to the current programming on FM channels. The audienceship of DAB is expected to pick up in the next few years. We will enhance the reach of CIBS by promotion through various media, including our FM channels. We will also upload CIBS programmes on the RTHK website.

### Scope of CIBS

9. Some respondents proposed that the scope of CIBS should be extended to cover TV programmes, in particular digital television programmes. One respondent suggested that the TV programme time slots of RTHK on the free TV channels be reserved for CIBS. Separately, some respondents suggested that some community groups had produced programmes for broadcast on the Internet or other media and these groups should be allowed to participate in CIBS using these programmes.

## *Our Response*

10. In view of the relatively low technical requirements, radio broadcast should be the initial testing ground for CIBS. Upon completion of the CIBS pilot project in three years' time, we will review CIBS and explore other opportunities including TV production. As one of the social gains sought in CIBS is creativity and originality, we believe broadcasting time under CIBS should be reserved for programmes not previously broadcast on other platforms.

### **Objectives**

11. A majority of respondents expressed support for the main objective of CIBS stated in the public consultation paper which is to promote a wide range of social gains to the community, in particular –

- (a) plurality, diversity and social inclusion;
- (b) mutual respect, social empathy and civic mindedness;
- (c) creativity, uniqueness and talent nurturing, and
- (d) community involvement.

12. Most respondents suggested that promotion of diversity, plurality, social inclusion and cross-cultural understanding should be the prime focus of CIBS programmes. A number of respondents suggested that CIBS should be a platform to enable non-governmental organisations, grassroots groups and underprivileged communities to voice their views and share ideas with the public through broadcasting. It was suggested that minority or non-mainstream ideas should take higher priority over mainstream programmes and the ratings of audience should not be a consideration. One respondent proposed to add “consensus building” as one of the CIBS objectives. One respondent proposed to add education, in particular civic-mindedness, as an objective.

### *Our Response*

13. We agree that promotion of diversity, plurality, social inclusion and cross-cultural understanding should be the prime focus for CIBS. We also agree that priority should be given to niche interests and non-mainstream topics, and original ideas should be encouraged. In general, the additional objectives proposed by respondents are already embraced by the social gains listed in paragraph 11.

### **Service Targets**

14. We recommended that the service targets should not only be mass audience but also niche audience and minority interest. This recommendation received wide support during the consultation. Some respondents suggested that the underprivileged communities and minority groups should be given higher priority, and service targets requiring special attention should include ethnic minorities, children in poverty, the elderly in poverty, new arrivals, foreign domestic helpers, and rehabilitated people. One respondent proposed that service targets might be classified by age with special attention to young people under the age of 18. It was also suggested that there should be CIBS time slots designated for student productions and representatives from the education sector should be invited to participate in the selection process.

### *Our Response*

15. We agree that the CIBS platform should pay attention to communities which usually have less opportunity to have their voice heard in public. We define service targets of CIBS as communities or groups of people who share common interests and aspirations, values and cultures, geographical vicinity and closeness, among other characteristics. The service targets, therefore, include both the mass audience and niche audiences. We will pay particular attention to minority interests and non-main stream voices in the choice of programme themes.

16. Owing to the lack of resources and experience, it is reasonable to expect that many CIBS programmes may be amateurish. However, this should not hamper the spirit of the CIB producers' service to the target

audiences. We expect that accumulation of experience from the pilot project will continuously improve the overall quality of CIBS programmes.

## **Programme Themes and Production Cycle**

### **Programme Themes**

17. In the consultation paper, 11 programme themes were proposed for CIBS. These 11 programme themes were generally supported by the respondents.

18. Additional programme themes were recommended, namely, integration of physically handicapped and able-bodied, underprivileged communities, and programmes targeting at those aged 18 or below. The programme theme and contents should not be too similar to mainstream programme on other channels. One respondent suggested that the CIBS should not broadcast District Council meetings or events sponsored by District Councils because such events were already broadcast in regular programme time.

19. One respondent did not agree to have programme themes designated for each quarter. It was suggested that application for any programme theme should be allowed in any quarter to allow flexibility for community groups. One respondent suggested that changing programme themes every quarter should be avoided because successful programmes would need continuity.

20. There were diverse views on whether CIBS programmes should be interactive. One respondent suggested that phone-in programme should be allowed while another respondent considered that interaction with audience would not be necessary. Different views were expressed on the contents of the CIBS programme. Some respondents proposed that critical commentaries, radical views and controversial topics should be allowed. Some respondents, however, cautioned against programmes advocating radical ideas.



## *Our Response*

21. We believe that the 11 programme themes already cover the additional themes proposed by the respondents. For example, topics regarding the underprivileged communities and integration of physically handicapped are covered under the theme of social services. Programmes for people under the age of 18 can be covered in any programme themes.

22. We agree that the theme and contents of CIBS programmes should not overlap with programmes on regular channels. On programme contents and formats, we will respect editorial autonomy of CIB producers as long as broadcasting regulations and standards are complied with.

23. We believe all the 11 programme themes should be spread out in the three years of pilot project so that community groups of various interests or expertise will all have a chance for application. Under this principle, we agree that there should be flexibility in designating the programme themes.

## Production Cycle

24. The consultation paper proposed that there should be 13 weeks in one production cycle, and each CIB producer will produce 13 episodes of one-hour programme.

25. Some respondents suggested that it would be difficult to produce one full-hour of programme every week, in particular for groups relying heavily on volunteers. They asked for flexibility in programme length. Some commented that half-an-hour weekly programmes would be more manageable. Some suggested that even shorter time intervals such as 10 minutes should be allowed.

26. Views on the thirteen-week cycle of CIBS programmes were diverse. Some said voluntary groups would have difficulty in producing 13 episodes in a quarter. Some, however, said that 13 weeks might not be enough for certain topics or popular programmes. Some thought that 13 weeks would be the right length for a production cycle.

### *Our Response*

27. The arrangement of 13 weekly programmes in a quarter is the usual practice for regular radio broadcast. This will allow sufficient time for a programme to build rapport with its audience while enabling other community involvement broadcasting (CIB) producers to participate.

28. We agree that some flexibility should be given to CIB producers to decide the length of each episode e.g. half-hour programmes should be considered in addition to one full-hour programme.

### **Chinese and Non-Chinese Language Services**

29. There was general public support for providing two language services, namely Chinese Language Service (CLS) and the Non-Chinese Language Service (NCLS). Some respondents suggested that CLS should include different Chinese dialects (e.g. Fukienese, Cantonese) and Putonghua whereas NCLS should include English and other foreign languages.

30. Diverse views were received on the allocation of programme hours between CLS and NCLS. One respondent suggested that the proportion should be 7:3 or 6:4. Another proposed that there should at least be one hour of NCLS each week. Some said that there was no need to fix a proportion because it would all depend on the number of applications. Some thought that priority should be given to non-Chinese and non-English programmes.

### *Our Response*

31. We agree that CLS and NCLS should not be restricted to Cantonese and English programmes respectively. Different languages and dialects will be allowed subject to satisfaction of other selection criteria. We also agree that there should be flexibility in the time allocation between CLS and NCLS depending on the number and quality of applications. In line with the objectives of CIBS, we consider that programmes for ethnic minorities should be given time slots every week.

32. In order to facilitate regulatory compliance and help audiences from different language background understand the CIBS programmes, NCLS programme producers will be asked to provide an English or Chinese translation of transcript of their programmes.

### **Eligibility Criteria of Community Involvement Broadcasting Producers**

33. It is proposed in the consultation paper that the eligibility of CIB producers will be their original ideas and ability to deliver their messages through broadcasting. Priority will be given to registered groups and recorded programmes.

34. Several respondents suggested that the eligibility threshold should be set fairly low, especially the requirements of broadcasting experience and technical competence, so that more groups could participate.

35. While there was no objection to the proposed priority for registered groups, some suggested that there should be flexibility. One respondent proposed that RTHK should facilitate interested persons to get registered by providing information on company or society registration, and that groups that were in the process of registration should not be excluded. Another respondent recommended that individual producers should be accepted if there were few registered groups applying for CIBS.

36. One respondent suggested that registered groups which had their own broadcasting platform, such as Internet radio or TV, should not be allowed to participate in CIBS so as to give the opportunities to other groups with no broadcasting platform.

### *Our Response*

37. We are in favour of setting low eligibility threshold as it is not the objective of CIBS to look for professional or experienced broadcasters. We also agree that priority should be given to groups without an existing broadcasting platform where appropriate. We note that there is no objection to the principle of giving priority to registered groups and recorded programmes.

## **Relationship between RTHK and CIB Producers**

38. The consultation paper proposed that CIB producers and RTHK would enter into an agreement with duties and liabilities of both parties clearly stipulated. The agreement will incorporate the programme purpose, content outline, production format as approved by the Selection Committee, approved budget, and compliance with broadcasting regulations and standards. CIB producers are expected to produce programmes independently according to the agreement whereas RTHK will be the facilitator. CIB producers are expected to cooperate with RTHK in compliance with broadcasting regulations and standards and accountability of use of public fund.

39. There was general support amongst respondents that there should be a legally binding agreement between RTHK and CIB producers; and that CIB producers should be held liable if they violated the broadcasting regulations and standards. Some suggested that the agreement terms should be made clear to community groups before signing to avoid misunderstanding in future.

40. Questions and comments were received on the copyrights and distribution rights. Some asked if CIB producers could broadcast the CIBS programmes they produced on other websites or channels. It was also suggested that Creative Commons or other forms of open copyrights should be introduced for CIBS programmes so that these programmes may be distributed more widely. One respondent proposed that CIB producers should own the copyrights of the programmes and that RTHK should facilitate CIB producers in obtaining the copyrights of the materials they used in production.

41. Some were concerned that editorial autonomy of CIB producers would be compromised in the course of interaction between RTHK and CIB producers. Some suggested that RTHK should not intervene in the CIBS programme production, unless there was violation of regulations and standards. Some proposed that CIB producers should be fully responsible for any regulatory breaches and RTHK would not need to monitor the programmes.

42. One respondent commented that the Director of Broadcasting (D of B) should not personally make the final decisions on compliance of broadcasting regulations and standards. Instead, D of B should appoint professional broadcasters from RTHK and scholars to form a committee to monitor compliance of CIBS programmes.

### *Our Response*

43. We note the general support for the requirement of having a legally binding agreement between RTHK and CIB producers. We will brief all CIB producers clearly the terms of the agreement before signing.

44. We believe the copyrights of CIBS programmes should be owned by RTHK because the scheme is publicly-funded. Agreement should be sought from RTHK prior to broadcasting the CIBS programmes in other channels or platforms. As a general principle, we will not allow commercial use of those programmes. Currently, RTHK adopts Creative Commons copyright license in its special project *The RTHK Creative Archives*. We can put CIBS programmes under the same archives, subject to agreement with CIB producers.

45. We believe editorial autonomy is the cornerstone of CIBS. CIB producers should produce their programmes independently and will be responsible for any breach of broadcasting regulations and standards. RTHK's roles are administrative and facilitative. RTHK will not be involved in editorial matters unless upon the request of CIB producers or in case of non-compliance. We will help CIB producers to understand the broadcasting regulations and standards.

### **Facilitation and Orientation**

46. The types of facilitation to be provided by RTHK as proposed in the consultation paper include an orientation of basic technical requirements, advice on the sourcing of studios and facilities, and orientation on regulations and standards as well as copyright requirements, and values of public service broadcasting.

47. On the whole, respondents favoured more facilitation from RTHK for CIBS applicants and CIB producers. There were suggestions that RTHK should provide CIB producers with comprehensive training on technical and broadcasting skills, as well as free consulting service on matters of budgeting, manpower and time planning for broadcasting production.

48. Some proposed that CIBF should cover costs of training. One respondent suggested that equipment costs and studio rentals should be sponsored on top of the \$15,000 per episode; and that the ceiling for funding equipment and rentals should be linked to the market rates for studios. Another respondent suggested that community groups would benefit more from professional support (such as consulting service and training) than funding support.

49. Some respondents suggested that special support and training should be provided to people with disabilities; for example, special technical training for those visually-impaired, and facilitation for people with intellectual or language difficulty.

### *Our Response*

50. Radio broadcasting is chosen for the CIBS pilot project because the technical requirements for production are not high and the barriers of entry for participants are low. We believe that community groups' ideas and messages will be more important than their technical skills and prior experience in broadcasting. As such, we consider that facilitation and orientation in the form of information sharing, briefings and the setting up of a resource centre should be sufficient. We will also provide information on sourcing the facilities and studios. We think that the current proposed level of funding should be sufficient to cover the cost of manpower and facilities for CIBS programme production.

51. To facilitate participation by community groups of different nature and sizes, we will make the operation of the pilot project (for example, application procedures) as simple as possible. We will provide appropriate facilitation and support to persons with disabilities participating in CIBS.

## **Community Involvement Broadcasting Fund**

52. Subject to endorsement by the Legislative Council, the Government has earmarked \$45 million for the establishment of the CIBF as a pilot project for three years. The consultation paper proposed that the CIBF would be used to cover actual expenses for the programme production, subject to a ceiling of \$15,000 per episode. There will be a standard rate of honorarium per person and a quota of honorarium recipients for each episode. The CIBF recipients will be required to submit budgets, enter into an agreement based on the approved budget, and submit audited financial statements in order to ensure accountability for the use of public funds.

53. Some respondents suggested that the Government's financial commitment to CIBF should be increased and that CIBF funding should also cover expenses of CIB producers incurred for public education, training, and support for participation by persons with disabilities. It was also suggested that the CIBF should be made permanent beyond the pilot project period.

54. One respondent suggested that CIBF recipients should be given part of the funding at the beginning of production to ease their financial burdens. It further suggested that the level of honorarium should be of the same scale as that for RTHK's regular programmes. Another respondent suggested that a 10% contingency on top of the ceiling of \$15,000 should be allowed if a CIB producer had good reasons for exceeding the budget. However, one respondent suggested that the ceiling of \$15,000 was too high.

### *Our Response*

55. From our professional experience, we consider that the ceiling of \$15,000 will be sufficient to cover the costs of producing a one-hour radio programme. For a half-hour CIBS programme, the funding ceiling will be capped at \$7,500. We believe that a single standard rate of honorarium for participants will facilitate administration and budgeting by CIB producers. Since the objective of CIBF is to encourage community involvement in broadcasting, we consider it appropriate that the funding under CIBF be used for sponsoring production of CIBS programmes.

## **Selection Criteria and Process**

56. It is proposed in the consultation paper that the primary criteria for allocating the CIBS time slots are the programme ideas and contents. A CIBS Selection Committee will be set up to advise D of B on the selection of participants and allocation of CIBF funding.

57. Many respondents highlighted the need for transparency and public participation in the selection process. One respondent stressed the importance of participation by members of the public. It suggested that citizens might nominate themselves to join the CIBS Selection Committee. It further proposed that the membership of CIBS Selection Committee should be changed every quarter, except for the chairperson. One respondent proposed that there should be RTHK staff, broadcasting professionals, and representatives from Small and Medium Enterprises serving on the CIBS Selection Committee and that the CIBS Selection Committee should be reappointed every year. Another respondent suggested that the CIBS Selection Committee should be formed by broadcasting professionals, representatives from different communities, professors from tertiary institutions and legislators. Some suggested that the committee membership should change with different programme themes. One respondent proposed that the membership should change only once a year to ensure consistency in applying the selection criteria.

58. There were suggestions that the role of CIBS Selection Committee should not be to advise D of B in the selection but to make decisions on the selection so as to alleviate public concern on interference with editorial autonomy of CIB producers.

59. One respondent proposed to set up an appeal mechanism. Another respondent suggested that the records of selection should be open to the public for the purposes of public monitoring and references for future applicants.

60. One respondent proposed that if the applicants did not need funding support, their applications would not need to be screened by the CIBS Selection Committee. The only criteria they should meet would be



whether the applicants' programmes would provide a platform of expression for the public.

61. Diverse views had been expressed on priorities in the selection criteria. Some said that priority should be given to small non-governmental organisations with special ideas and minority groups. Some suggested that priority should not be given to those having the facilities and capacity to produce programmes. Others suggested that current Internet broadcast programmes should also be given a chance to be aired on CIBS to reach out to more audience.

62. On the format of selection, one respondent suggested that there should be an open competition where applicants should present their programmes and ideas to the public.

#### *Our Response*

63. We agree that transparency and professionalism are important elements in the design of selection process and criteria. We consider that the main selection criteria should be whether the applications can meet the objectives of CIBS and be able to deliver their proposals. The CIBS Selection Committee will advise D of B, who will be the Controlling Officer of CIBF, on the selection of applications, allocation of broadcasting slots and CIBF fund.

64. We propose that there should be two rounds of CIBS applications each year, or a total of six rounds in three years. In each round, applications for the next two quarters will be considered. The materials (i.e. a brief programme synopsis and a three-minute sound track) provided by all applicants will be posted on the RTHK website to enhance transparency.

65. The applications will be assessed by a CIBS Selection Committee comprising seven non-official members appointed by D of B. Membership will comprise scholars on communications or broadcasting, experts from different fields drawn from the RTHK Programme Advisory Panel (PAP), and one member familiar with ethnic minorities issues. Depending on what the designated programme themes are for each round of application, D of B will draw from the pool of some 120 RTHK PAP

members (with diverse background in the fields of art and culture, education, social welfare, medical services, legal services, information technologies, businesses and district affairs, etc.) a few whose expertise is relevant to the assessment involved. We will also encourage public participation in the selection process through Internet voting by members of the public, the outcome of which will be taken into account by the CIBS Selection Committee.

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**Control Mechanism of CIBF**

To ensure proper monitoring of the use of the CIBF, the following control measures will be put in place:

- applicants will be required to state the key deliverables, milestones, targets, and methods for measuring its performance when they submit proposals for consideration by the CIBS Selection Committee;
- D of B may stipulate specific terms to control the use of the allocated funds and request compliance by the applicants who receive support from the CIBF;
- D of B has the right to decide that the approved funds be paid by installments after the CIBS producers have achieved the pre-determined milestones;
- successful applicants are required to maintain all relevant records (including procurement / tendering and staff payroll records), separate and complete books of accounts and register of equipment procured, for inspection and checking by RTHK or representatives of the Government as and when required. Such records are required to be kept for a period of seven years following completion of the programme;
- RTHK will regularly inspect the progress of the production of CIBS programmes by the CIB producers and report to the CIBS Selection Committee regularly;
- successful applicants are required to submit final audited accounts and evaluation reports upon completion of the programme to the satisfaction of D of B;
- D of B reserves the right not to disburse outstanding funds to successful applicants, or reduce the amount of outstanding funds to be paid, if their performance is not satisfactory or if they breach any funding terms and condition as stated in the agreement.