## 資訊科技及廣播局的信頭

# Letterhead of INFORMATION TECHNOLOGY AND BROADCASTING BUREAU

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29 May 2000

Clerk to Bills Committee Legislative Council 3/F, Citibank Tower 3 Garden Road Hong Kong Fax No. 2509 9055

(Attn: Miss Betty Ma)

Dear Betty,

### **Bills Committee on Broadcasting Bill**

Thank you for your letter of 22 May 2000 enclosing a copy of the submission from the Satellite Television Rentals Ltd. (STR) expressing views on clause 7 of the Broadcasting Bill (the Bill). Our response to the submission is set out below.

#### The submission

STR's proposals, if I summarize them correctly, is that clause 7 of the Bill should be amended to cover -

- (a) the import of digital decoders licensed and copyrighted for use in other countries into Hong Kong for sale; and
- (b) the re-export of such digital decoders.

#### **Policy intent**

Clause 7 of the Bill prohibits the import, sale and let for hire etc. of decoders for use by a Television Receive-Only (TVRO) system to receive a subscription television service not licensed in Hong Kong. The purpose of this clause is to ensure that all subscription television services in Hong Kong are subject to the same licensing regime and regulated on a level-playing field. It is therefore necessary to prohibit the import, sale and let for hire etc. of such decoders "in the course of trade and business", as provided in clause 7. If such a decoder is imported "for sale" in Hong Kong, then this will be caught by clause 7 as this is done in the course of trade and business.

The import of such decoders into Hong Kong for individual or domestic use and the re-export of such decoders from Hong Kong for use in another place are piracy issues beyond the scope of the Bill.

Yours sincerely,

(Eddie Mak)
for Secretary for Information Technology
and Broadcasting

<u>c.c.</u>

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