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## 廣播業的持續發展 Sustaining the Development of the Broadcasting Industry

### 數碼地面電視服務的發展

#### 擴大數碼地面電視的覆蓋範圍

自數碼地面電視服務於2007年底在本港推出後，兩家本地免費電視節目服務持牌機構——亞洲電視和無線電視已逐步完成了共29個發射站的建設工程。截至2013年9月，數碼地面電視服務至少覆蓋本港99%的人口，與模擬電視廣播服務的覆蓋率相若。數碼地面電視不僅讓更多市民能享用更佳畫面和功能（包括高清電視），更提供更多的電視節目頻道<sup>1</sup>，從而為市民帶來更多的節目選擇和增值服務（例如隱閉式字幕、電子節目指南和互動服務）。



截至2013年9月，本港共建有29個數碼地面電視發射站，令數碼地面電視服務覆蓋全港總人口99%。  
A total of 29 DTT transmitting stations have been established by September 2013, bringing DTT service coverage to 99% of the total population.

### 推出數碼聲音廣播服務

三家數碼聲音廣播持牌機構——香港數碼廣播有限公司（DBC）、新城廣播有限公司（新城）和鳳凰優悅廣播有限公司（鳳凰優悅），根據牌照規定於2012年正式推出數碼聲音廣播服務。香港電台（港台）也於2012年9月正式推出數碼聲音廣播服務。截至2014年9月底，上述持牌機構與港台合共提供17條數碼聲音廣播頻道（DBC七條、新城三條、鳳凰優悅兩條和港台五條）。數碼聲音廣播頻道會逐步增至18條。

數碼聲音廣播傳送網絡由七個主要發射站組成，分別位於筆架山、青山、九龍坑山、金山、飛鵝山、南丫島和歌賦山，並於2012年6月正式投入服務。

### 處理廣播投訴

通訊局不會就廣播內容作預先審查，而是採取投訴主導的方式，確保廣播內容符合有關法例、牌照條件和通訊局所發出的業務守則等規定。作為通訊局的執行部門，我們協助通訊局根據《廣播（雜項條文）條例》（第391章）的規定和通訊局的廣播投訴處理程序處理有關廣播內容的投訴。

在2013 / 14年度，我們處理了3 029個個案（涉及12 998宗投訴）<sup>2</sup>，與2012 / 13年度的數字（1 625個個案，涉及49 184宗投訴<sup>3</sup>）比較，本年度所處理的個案數目增加了86%，而投訴宗數則減少了74%。當中，有43個個案（涉及5 867宗投訴）提交通訊局轄下廣播投訴委員會處理，然後由通訊局審議和裁決。經由通訊

1 亞洲電視和無線電視目前提供共 11 條數碼地面電視節目頻道，包括高清電視和標清電視頻道。  
2 為確保運作效率，針對同一廣播內容的類似投訴或相關指控會歸納為一個個案，以一併處理。  
3 包括一個涉及超過 42 000 宗投訴的個案。

## The Development of Digital Terrestrial Television Services

### *Extending Digital Terrestrial Television Coverage*

Since the launch of DTT services in late 2007, the two domestic free television programme service licensees, namely ATV and TVB, have constructed by phases a total of 29 transmitting stations. By September 2013, this has brought the overall DTT coverage to at least 99% of the population, which is on a par with that of analogue television. More people can now enjoy better quality pictures and enhanced features, including high-definition television (“HDTV”) with more programming choices available from additional television programme channels<sup>1</sup> and value-added services (such as closed captioning, electronic programme guides and interactive services).

### Roll-out of Digital Audio Broadcasting Services

The three Digital Audio Broadcasting (“DAB”) licensees, namely Digital Broadcasting Corporation Hong Kong Limited (“DBC”), Metro Broadcast Corporation Limited (“Metro”) and Phoenix U Radio Limited (“Phoenix U Radio”), formally launched DAB services in 2012 in accordance with their licence requirements. The Radio Television Hong Kong (“RTHK”) also formally launched its DAB service in September 2012. As of the end of September 2014, the licensees and RTHK provided a total of 17 DAB channels (7 by DBC, 3 by Metro, 2 by Phoenix U

Radio and 5 by RTHK). The number of DAB channels will gradually increase to 18.

The DAB transmission network, comprising seven principal transmitting stations located at Beacon Hill, Castle Peak, Cloudy Hill, Golden Hill, Kowloon Peak, Lamma Island and Mount Gough, was officially launched in June 2012.

### Handling of Broadcast Complaints

The CA does not pre-censor broadcast content, but adopts a complaint-driven approach to ensure that broadcast content is in compliance with legislation, licence conditions and the codes of practice issued by the CA. As the executive arm of the CA, we assist the CA in handling complaints about broadcast materials in accordance with the provisions stipulated in the Broadcasting (Miscellaneous Provisions) Ordinance (Cap 391) (“B(MP)O”) and the CA broadcast complaint handling procedures.

In 2013/14, we dealt with 3 029 cases (12 998 complaints)<sup>2</sup>, which represented an increase of 86% in the number of cases, and a decrease of 74% in the number of complaints processed, as compared with the figures recorded in 2012/13 (1 625 cases and 49 184 complaints<sup>3</sup>). Among these, 43 cases (5 867 complaints) were referred to the Broadcast Complaints Committee (“BCC”) under the CA and then to the CA for consideration and determination. Details of the complaint cases considered by the CA are published on the CA website. The Director-General of Communications handled the remaining 2 986 cases (7 131 complaints) under the power delegated by the CA. These complaints were related to breaches of a minor nature, or allegations which did not constitute any breach or were outside the remit of section 11(1) of the B(MP)O, that is, the substance of the complaints did not involve a contravention of legislation, licence conditions or codes of practice.



- 1 ATV and TVB are currently broadcasting 11 DTT programme channels, including both HDTV and standard definition television channels.
- 2 To ensure operational efficiency, complaints with similar or related allegations against the same broadcast material are handled together and counted as a single case.
- 3 Including one case involving over 42 000 complaints.

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局審議的投訴個案的詳情，已在通訊局網站公布。通訊事務總監根據通訊局授予的權力處理餘下的2 986個個案（涉及7 131宗投訴）。這些投訴涉及輕微違規，或其指控並不構成違例情況，或不屬《廣播（雜項條文）條例》第11（1）條的管轄範圍，即投訴內容並不涉及違反有關法例、牌照條件或業務守則的情況。

### 牌照管理

#### 電視節目服務牌照續期的申請

亞洲電視和無綫電視的本地免費電視節目服務牌照將於2015年11月30日屆滿。無綫電視和亞洲電視已分別於2013年11月19日和29日向通訊局提交牌照續期申請。我們協助通訊局於2014年2月至4月期間，就兩家電視台的牌照續期事宜進行了為期兩個月的公眾諮詢。我們亦協助通訊局全面評核亞洲電視和無綫電視自2003年12月以來的表現，以期於2014年11月或之前就牌照續期的申請向行政長官會同行政會議提交建議。

電訊盈科媒體有限公司（電盈媒體）的本地收費電視節目服務牌照將於2015年9月25日屆滿。電盈媒體已於2013年9月25日向通訊局提交牌照續期申請。我們協助通訊局於2013年11月就電盈媒體的牌照續期事宜進行

了為期一個月的公眾諮詢。我們亦協助通訊局全面評核電盈媒體自2003年9月以來的表現，以期於2014年9月或之前就牌照續期的申請向行政長官會同行政會議提交建議。

我們亦處理了八宗非本地電視節目服務牌照及為香港的酒店房間提供電視節目服務的其他須領牌電視節目服務牌照的新牌照及續期申請，詳情如下：

- (a) 星空華文中國傳媒有限公司的非本地電視節目服務牌照申請；
- (b) Swisscom Hospitality Hong Kong Limited的其他須領牌電視節目服務牌照申請；
- (c) 華娛衛視廣播有限公司、GLOBECAST HONG KONG LIMITED（前稱GlobeCast Hong Kong Limited）、陽光文化網絡電視企業有限公司及特納國際亞太有限公司的非本地電視節目服務牌照續期申請；以及
- (d) 真証傳播有限公司和Greenroll Limited的其他須領牌電視節目服務牌照續期申請。

#### 本地免費電視節目服務牌照的申請

2013年10月，行政長官會同行政會議原則上批准奇妙電視有限公司（「奇妙電視」）和香港電視娛樂有限公司（「香港電視娛樂」）的本地免費電視節目服務牌照申請。我們協助通訊局跟進兩家機構牌照申請的後續工作。通訊局在完成評核兩家申請機構所提交的進一步資料及牌照條款的商討工作後，會就應否向其正式批出免費電視節目服務牌照，向行政長官會同行政會議提交建議。

## Licence Administration

### *Applications for Renewal of Television Programme Service Licences*

The domestic free television programme service licences of ATV and TVB will expire on 30 November 2015. TVB and ATV submitted their applications for licence renewal to the CA on 19 and 29 November 2013 respectively. From February to April 2014, we assisted the CA in conducting a two-month public consultation exercise on the renewal of these licences. We also assisted the CA in carrying out a comprehensive assessment of the performance of ATV and TVB since December 2003, with a view to making recommendations to the CE in C on the licence renewal applications by November 2014.

The domestic pay television programme service licence of PCCW Media Limited (“PCCW Media”) will expire on 25 September 2015. PCCW Media submitted an application for licence renewal to the CA on 25 September 2013. In November 2013, we assisted the CA in conducting a one-month public consultation exercise on the renewal of PCCW Media’s licence. We also assisted the CA in carrying out a comprehensive assessment of the

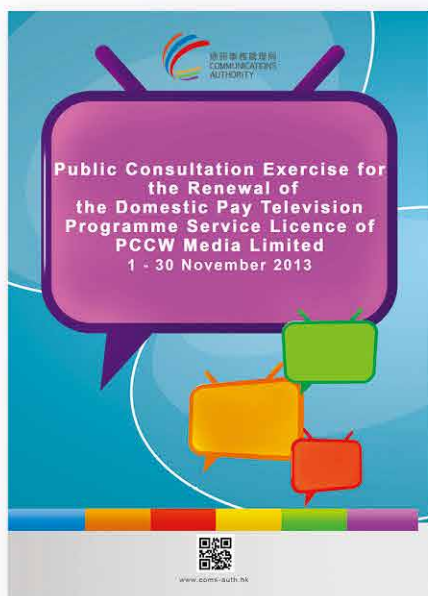
performance of PCCW Media since September 2003, with a view to making recommendations to the CE in C on the licence renewal application by September 2014.

We also processed a total of eight applications for new and renewal of non-domestic television programme service licences and other licensable television programme service licences for the provision of television programme services in hotel rooms in Hong Kong, as follows:

- (a) application for a non-domestic television programme service licence from Star China Media Limited;
- (b) application for an other licensable television programme service licence from Swisscom Hospitality Hong Kong Limited;
- (c) applications for the renewal of non-domestic television programme service licences from China Entertainment Television Broadcast Limited, GLOBECAST HONG KONG LIMITED (formerly GlobeCast Hong Kong Limited), Sun Television Cybernetworks Enterprise Limited, and Turner International Asia Pacific Limited; and
- (d) applications for the renewal of other licensable television programme service licences from Goodnews Communication International Limited and Greenroll Limited.

### *Applications for Domestic Free Television Programme Service Licences*

In October 2013, the CE in C approved in principle the applications for domestic free television programme service licences of Fantastic Television Limited (“Fantastic TV”) and HK Television Entertainment Company Limited (“HKTVE”). We assist the CA in taking the necessary follow-up action on the licence applications. Upon completion of the assessment of further information submitted by the two applicants and conclusion of the licence negotiations, the CA will submit to the CE in C recommendations on whether free television programme service licences should be formally granted to Fantastic TV and HKTVE.



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### 有關控制及管理亞洲電視的調查

2013年8月，我們協助通訊局完成有關一名不符合適當人選規定的人士對亞洲電視行使控制的調查。亞洲電視除因違反有關控制持牌機構的牌照條件而被施加港幣100萬元罰款外，亦須遵守多項要求，包括立即採取糾正行動，確保除了亞洲電視董事、主要人員，以及獲適當授權的人士外，不可讓其他人士管理亞洲電視，以及須採取有效措施，改善其企業管治水平。

### 有關無綫電視違反《廣播條例》的競爭條文的調查

我們協助通訊局完成有關無綫電視涉嫌違反《廣播條例》的競爭條文的調查，並於2013年9月公布了通訊局的調查報告。通訊局裁定無綫電視違反《廣播條例》第13及14條，向無綫電視施加港幣90萬元罰款，以及指示無綫電視停止相關的反競爭行為和採取多項糾正措施。無綫電視於2013年10月就通訊局調查所作的裁決向行政長官會同行政會議提出法定上訴，並於2013年12月就《廣播條例》的上訴機制和通訊局調查所作的裁決提出司法覆核。我們會協助通訊局按照既定程序處理有關上訴和司法覆核。



### 檢討業務守則

我們協助通訊局定期檢討業務守則，以期向廣播機構提供有關節目、廣告和技術標準的適當指引。在本年度，通訊局完成了有關規管社論形式節目和個人意見節目的檢討，並通過對電視和電台業務守則相關的修訂。主要修訂包括：規定包含持牌機構和對持牌人行使控制的人（「服務提供者」）就有關香港公共政策或備受香港公眾關注而又具爭議的議題表達意見的社論形式節目，應被視為個人意見節目的一種，亦應遵守現時適用於個人意見節目的基本規定；在社論形式節目開始時應作出適當宣布，以清楚表明節目內發表的意見屬於或包括服務提供者的意見；以及個人意見節目須在同一個平台提供適當的回應機會。新規定於2014年7月1日生效。

### *Investigation into Control and Management of ATV*

In August 2013, we assisted the CA in completing its investigation into the exercise of control of ATV by a person who did not meet the fit and proper person requirement. Apart from the imposition of a financial penalty of HK\$1 million on ATV for breaching the licensing conditions regarding the control of a licensee, ATV was required, inter alia, to take immediate rectification action to ensure that its management should not be performed by any persons other than its directors and principal officers and duly authorised persons, and to take effective steps to improve its corporate governance standards.

### *Investigation into TVB's Violation of the Competition Provisions of the Broadcasting Ordinance*

We assisted the CA in completing its investigation into the alleged violation of the competition provisions of the BO by TVB, and published the CA's investigation report in September 2013. The CA found TVB in breach of sections 13 and 14 of the BO. It imposed on TVB a financial penalty of HK\$900,000 and directed TVB to end the anti-competitive practices concerned and to take a number of remedial actions. TVB lodged a statutory appeal against the CA's decision on the investigation with the CE in C in October 2013 and filed an application for judicial review on the appeal mechanism under the BO and the CA's decision on the investigation in December 2013. We will assist the CA in responding to the statutory appeal and judicial review according to the established procedures.

### **Review of Codes of Practice**

We assist the CA in conducting regular reviews of the codes of practice to provide proper guidance to broadcasters on programme, advertising and technical standards. During the year under review, the CA completed a review of the regulation of editorial programmes and personal view programmes ("PVPs"), and approved amendments to the television and radio programme codes of practice. The major amendments included that editorial programmes which contained the views of the licensee and persons exercising control of it ("persons providing the service") on matters of public policy or controversial issues of public importance in Hong Kong should be regarded as a type of PVPs and be subject to existing ground rules on PVPs; a suitable announcement should be made at the start of the programme to identify clearly that the views expressed in the editorial programme were or included those of the persons providing the service; and that a suitable opportunity for response to a PVP should be provided on the same platform. The new rules took effect on 1 July 2014.