

## 2 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年年底在本港推出後，兩家免費電視持牌機構－亞洲電視和無綫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)，亦提供更多的電視節目頻道，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)。

### 數碼聲音廣播服務的發展

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。

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。一個新的數碼聲音廣播補點發射站已於2015年6月落成。

### 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，確保廣播內容符合現行法例、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。



## The Development of Digital Terrestrial Television Services

### *Extending Digital Terrestrial Television Coverage*

Since the launch of Digital Terrestrial Television (“DTT”) services in late 2007, the two free TV licensees, namely ATV and TVB, have constructed by phases a total of 29 transmitting stations. By September 2013, this had brought the overall DTT coverage to at least 99% of the population, which is on 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 and value-added services (such as closed captioning, electronic programme guides and interactive services).

## Development of Digital Audio Broadcasting Services

The three Digital Audio Broadcasting (“DAB”) licensees, namely Digital Broadcasting Corporation Hong Kong Limited (“DBC”), 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.

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. A new DAB gap-filler was completed in June 2015.

## Handling of Broadcast Complaints

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

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在2014/15年度，我們處理了2 694個個案(涉及41 449宗投訴)<sup>1</sup>。與2013/14年度的數字(3 029個個案，涉及12 998宗投訴)比較，本年度所處理的個案數目減少了11%，而投訴宗數則增加了219%<sup>2</sup>。當中，有23個個案(涉及29 439宗投訴)在轉交通訊局轄下廣播投訴委員會處理後，提交通訊局審議和裁決。經由通訊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2 671個個案(涉及12 010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免費電視牌照將於2015年11月30日屆滿。我們根據《廣播條例》及既定程序，協助通訊局處理牌照續期申請。經審視這兩家免費電視持牌機構過往的表現並考慮到公眾的意見，通訊局認為亞洲電視的整體表現未如理想，其牌照不應再獲續期；而無綫電視的牌照則應再獲續期12年，由2015年12月1日至2027年11月30日。行會經考慮包括通訊局的建議後，於2015年4月決定亞洲電視的免費電視牌照不獲續期，



並按《廣播條例》有關條款把其現有牌照的有效期限延至2016年4月1日。行會亦於2015年5月決定無綫電視的免費電視牌照獲續期12年，由2015年12月1日至2027年11月30日。

我們協助通訊局履行法定責任，因應電盈媒體的收費電視牌照將於2015年9月25日屆滿，就有關的牌照續期事宜向行會提交建議。經審視電盈媒體過往的表現並考慮到公眾的意見，通訊局建議電盈媒體的收費電視牌照應獲續期12年，由2015年9月26日至2027年9月25日。行會經考慮通訊局的建議後，於2014年12月批准電盈媒體提出的牌照續期申請。

在報告期內，我們處理了兩宗其他須領牌電視節目服務牌照的續期申請。該兩宗申請分別由DOCOMO interTouch Company Limited和恩雨之聲有限公司提出，為香港酒店房間提供電視節目服務。

<sup>1</sup> 為確保運作效率，針對同一事宜或廣播內容的類似指控會歸納為一個個案，以便一併處理。

<sup>2</sup> 投訴宗數顯著增加是由於一個涉及在無綫電視和無綫網絡電視有限公司播出的電視節目的投訴個案接獲超過27 000宗投訴。

In 2014/15, we dealt with 2 694 cases (41 449 complaints)<sup>1</sup>, which represented a decline of 11% in the number of cases, and an increase of 219% in the number of complaints processed<sup>2</sup>, as compared with the figures recorded in 2013/14 (3 029 cases and 12 998 complaints). Among these, 23 cases (29 439 complaints) were referred to the Broadcast Complaints Committee (“BCC”) under the CA for consideration before being submitted to the CA for deliberation and determination. Details of the complaint cases considered by the CA are published on the CA website. Under powers delegated by the CA, the Director-General of Communications handled the remaining 2 671 cases (12 010 complaints). 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.

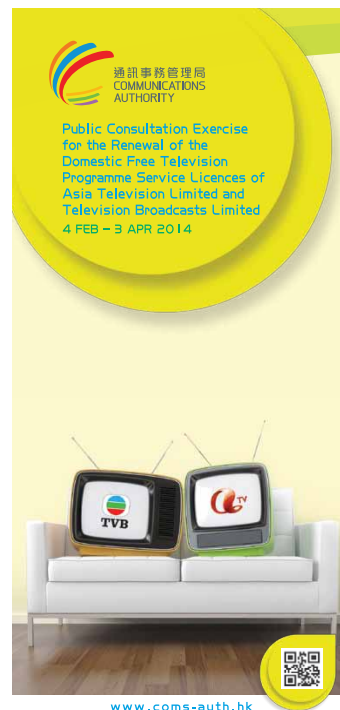
## Licence Administration

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

The free TV licences of ATV and TVB are due to expire on 30 November 2015. In accordance with the BO and established procedures, we assisted the CA in processing the applications for licence renewals. Having examined the past performance of the two free TV licensees and taken into account the views of the public, the CA considered that the overall performance of ATV was unsatisfactory and that its licence should not be renewed while the licence for TVB should be renewed for another 12 years from 1 December 2015 to 30 November 2027. Having regard to, inter alia, the CA’s recommendations, the CE in C decided in April 2015 not to renew ATV’s free TV licence and to extend the term of ATV’s existing licence to 1 April 2016 in accordance with the provision in the BO. The CE in C further decided in May 2015 that the free TV licence of TVB should be renewed for 12 years from 1 December 2015 to 30 November 2027.

We assisted the CA in discharging its statutory duty by submitting to the CE in C its recommendations for the renewal of the pay TV licence of PCCW Media, which is due to expire on 25 September 2015. Having reviewed its past performance, and taking into account the views of the public, the CA recommended that PCCW Media’s pay TV licence should be renewed for a term of 12 years commencing from 26 September 2015 to 25 September 2027. Having regard to the CA’s recommendations, PCCW Media’s licence renewal application was approved by the CE in C in December 2014.

During the period, two applications for renewal of other licensable television programme service licences were processed. They were from DOCOMO interTouch Company Limited and Showers of Blessing Evangelistic Ministry (Hong Kong) Limited for the provision of television programme services in hotel rooms in Hong Kong.



<sup>1</sup> To ensure operational efficiency, complaints with similar allegations against the same issue or broadcast material are handled together and counted as a single case.

<sup>2</sup> The significant increase in the number of complaints was attributed to a complaint case against a television programme broadcast on TVB and TVB Network Vision Limited which gave rise to over 27 000 complaints.

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### 本地免費電視節目服務牌照的申請

行會於2013年10月原則上批准奇妙電視和香港電視娛樂提出的本地免費電視節目服務牌照申請後，通訊辦協助通訊局着手與兩家申請機構進行相關的跟進工作，並就該兩宗申請制定相關建議，以供行會考慮。通訊局其後於2015年1月向行會呈交建議。

行會經考慮包括通訊局就香港電視娛樂牌照申請呈交的建議後，於2015年4月向香港電視娛樂正式批出為期12年的牌照，以提供免費電視服務。香港電視娛樂須按牌照規定，在獲批牌照後12個月內(即2016年3月31日或之前)推出其第一條免費電視節目頻道。通訊辦會協助通訊局監察香港電視娛樂有否按照通訊局批准的計劃推出免費電視服務。

另外，2015年5月，行會經考慮奇妙電視的要求，邀請通訊局審視奇妙電視於2015年9月中或之前所須提交的補充資料及相關確認書，並因應有關資料就奇妙電視的申請向行會提交進一步建議。我們會繼續就奇妙電視的牌照申請，協助通訊局向行會提交建議。



通訊局收到兩宗分別由港視於2014年4月和永升亞洲於2015年4月提出的新免費電視牌照申請。我們會協助通訊局妥善及謹慎地審核有關申請，以期在切實可行的情況下盡快向行會呈交建議。

### 模擬聲音廣播牌照續期的申請

商台和新城的模擬聲音廣播牌照將於2016年8月25日屆滿。商台和新城分別於2014年7月31日及8月25日提交牌照續期申請。我們協助通訊局全面評核商台和新城的表現，包括於2014年9月進行為期兩個月的公眾諮詢，收集公眾對續期申請的意見。通訊局已於2015年5月就牌照續期申請向行會呈交建議。

### *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 by Fantastic TV and HKTVE. We followed up with the two applicants and assisted the CA in finalising its recommendations on the two free TV licence applications to the CE in C. These recommendations were submitted to the CE in C in January 2015.

Having regard to, inter alia, the CA's recommendations on the licence application of HKTVE, the CE in C in April 2015 formally granted a 12-year licence to HKTVE for the provision of free TV service. HKTVE is required under its licence to launch its first free TV programme channel within 12 months after the grant of licence, i.e. by 31 March 2016. OFCA will assist the CA in monitoring HKTVE as it launches its free TV service in accordance with its plan as approved by the CA.

Separately, in May 2015, the CE in C, having taken into account the request of Fantastic TV, invited the CA to further consider any relevant supplementary information and confirmation that Fantastic TV was required to provide by mid-September 2015, and to submit further recommendations to the CE in C on Fantastic TV's free TV licence application. We will continue to assist the CA in submitting its recommendations to the CE in C on the licence application of Fantastic TV.

The CA received two new applications for free TV licences – from HKTV in April 2014 and Forever Top in April 2015. We will assist the CA in assessing the applications properly and prudently with a view to submitting its recommendations to the CE in C as soon as practicable.

### *Applications for Renewal of Analogue Sound Broadcasting Licences*

The analogue sound broadcasting licences of CRHK and Metro will expire on 25 August 2016. CRHK and Metro submitted their applications for licence renewal to the CA on 31 July 2014 and 25 August 2014 respectively. We assisted the CA in carrying out a comprehensive assessment of the performance of CRHK and Metro, including conducting a two-month public consultation exercise in September 2014 to collect public views on the renewal applications. The CA's recommendations on the licence renewal applications were submitted to the CE in C in May 2015.

