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廣播業的發展

Development of the Broadcasting Industry

本地免費電視節目服務牌照和聲音廣播牌照的中期檢討

香港電視娛樂有限公司、電視廣播有限公司和奇妙電視有限公司的免費電視牌照，以及香港商業廣播有限公司和新城廣播有限公司的聲音廣播牌照有效期為12年，須在牌照生效第六年後進行中期檢討。在諮詢業界和公眾的意見後，通訊辦協助通訊局審視了這些持牌機構在牌照有效期首六年的表現及餘下六年的投資和節目承諾。通訊局認為持牌機構提供的服務大致符合公眾期望。通訊局亦注意到公眾支持放寬若干規定，讓持牌機構在節目管理方面更具彈性，以協助業界應對困難的經營環境。

通訊局就牌照中期檢討所提出的建議，總體目標是鼓勵業界進一步投資¹，及優化及改善規管制度以促進業界的持續發展²。同時，通訊局認為持牌機構須透過其免費廣播服務及節目協助提高市民的國家安全意識、國家觀念和國民身分認同³。通訊局的建議於2023年2月獲行政長官會同行政會議接納。在通訊辦的支援下，該等建議已透過牌照的修訂及／或通訊局向相關持牌機構發出的指示實施。



通訊局定期舉行會議，以優化及改善廣播業的規管制度。

The CA holds meeting regularly to optimise and refine regulatory requirements for the broadcasting industry.



檢討電視及電台業務守則

在中期檢討的諮詢過程中，我們收到不少公眾和業界對通訊局發出的業務守則有關規管節目和廣告內容的建議。中期檢討完成後，我們協助通訊局就上述收到的意見對業務守則進行審視，總體方向是因應持牌機構營商環境日趨困難而進一步優化規管制度。在通訊辦的協助下，通訊局於2023年第三季就業務守則的修訂建議諮詢公眾及持牌機構。預計有關檢討工作連同修訂刊憲將於同年年底完成。

牌照管理

終止有線電視的本地收費電視牌照

行政長官會同行政會議在接獲有線電視的申請及考慮通訊局的意見後，於2023年2月14日批准於同年6月1日起終止有線電視的收費電視牌照。其後通訊辦積極與有線電視作出跟進，確保有線電視妥善執行所承諾的退場安排及有關的技術調整，以保障用戶權益及公眾利益，並透過有線電視推出的一系列宣傳（包括新聞公報、專題網頁、流動應用程式以及廣播廣告）增加有線電視用戶對退場安排的認識。

¹ 三家免費電視持牌機構及兩家聲音廣播持牌機構承諾就餘下六年牌照期的總開支投放合共港幣112億元。

² 涵蓋多個範疇，包括放寬指定語言規定（適用於免費電視及聲音廣播持牌機構），以及調整對節目的要求（例如增加免費電視的本地製作、為免費電視提供字幕及手語服務，以及加強免費電視及聲音廣播持牌機構在指定播放節目方面的服務），以符合整體社會利益。

³ 除了現時規定播放時事節目的時數外，免費電視及聲音廣播持牌機構亦須每星期播放額外最少30分鐘有關國民教育、國民身分認同和正確認識《香港國安法》的節目。

Mid-term Review of Domestic Free Television Programme Service Licences and Sound Broadcasting Licences

The free TV licences of HK Television Entertainment Company Limited, Television Broadcasts Limited and Fantastic Television Limited and the sound broadcasting licences of Hong Kong Commercial Broadcasting Company Limited and Metro Broadcast Corporation Limited with validity period of 12 years are subject to a mid-term review (Mid-term Review) after completion of half of the licence validity periods. We assisted the CA in assessing the performance of these licensees in the first six years of their respective licences and their investment and programme commitments for the remaining six years after having consulted the views of the industry and the public. The CA considered that the licensees' services have largely met public expectations. The CA also noted that the public supported some forms of regulatory relaxation to allow more flexibility for the licensees in programme management to meet with the more challenging business environment.

The overall objectives of the CA's recommendations are to encourage additional investment in the industry¹, and to optimise and refine regulatory requirements for sustainable development of the industry². At the same time, the CA also recognised the need for the free broadcasting licensees to help raise the sense of national security, national consciousness and identity among the community³ through their broadcast services and programmes. The CA's recommendations were accepted and endorsed by the CE in C in February 2023. With OFCA's support, the recommendations have been implemented by way of licence amendments and/or directions issued by the CA to the licensees concerned.

¹ For the remaining six years of the licences, the total committed expenditure of the three free TV licensees and the two sound broadcasting licensees amounts to HK\$11.2 billion.

² This covers a variety of aspects including relaxation of designated language requirements (for free TV and sound broadcasting licensees) and adjustment of programme requirements (such as increase in local productions for free TV, provision of subtitling and sign language for free TV, and enhancement of positive programmes for free TV and sound broadcasting licensees) for the interest of the community at large.

³ On top of the existing required broadcast hours of current affairs programmes, free TV and sound broadcasting licensees shall also broadcast no less than 30 minutes per week of programmes on national education, national identity and National Security Law.

Review of Television and Radio Codes of Practice

During the consultation process in the Mid-term Review, a number of suggestions were received from the public and the industry relating to the regulation of programme and advertising contents under the codes of practice issued by the CA. Following the completion of the Mid-term Review, we assisted the CA in conducting a review of its codes of practice in response to the views received, along the general direction of refining the regulatory regime to facilitate the licensees in meeting the challenges of the rapidly evolving business environment. With OFCA's support, the CA consulted the public and the licensees on the proposed amendments to the codes of practice in the third quarter of 2023. The review is expected to be completed by end 2023 following gazettal of the amendments.

Licence Administration

Termination of Domestic Pay TV Licence of HKCTV

Having considered the CA's views, the CE in C approved on 14 February 2023 the termination of HKCTV's pay TV licence with effect from 1 June 2023 upon receiving the application from HKCTV. OFCA had actively worked with HKCTV to ensure its proper implementation of the committed exit arrangements and the associated technical adjustments for protecting customer rights and the interest of the general public, through a series of publicity programmes (including press releases, thematic webpages and mobile applications as well as on-air announcements) launched by HKCTV to facilitate its customers' understanding of the exit arrangements.

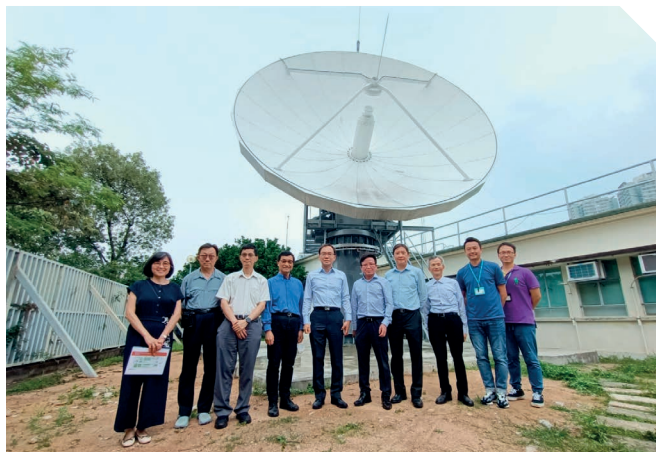
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非本地電視節目服務及其他須領牌電視節目服務牌照的新申請／續期申請／終止牌照申請

在2022／23年度，通訊辦處理了一宗為香港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申請。通訊辦亦處理了一宗非本地電視節目服務牌照的續期申請、一宗其他須領牌電視節目服務牌照的續期申請，以及一宗由持牌人提出，有關終止其他須領牌電視節目服務牌照的申請。上述申請均獲通訊局批准。



通訊辦同事視察新的衛星電視廣播監測系統。

OFCA staff arranged a visit to review the new Satellite Broadcast Monitoring System.

處理廣播投訴

通訊局不會預先審查廣播內容，而是採用投訴主導的方式，以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。作為通訊局的執行部門，通訊辦協助

通訊局根據《廣播（雜項條文）條例》（第391章）的規定，以及通訊局的廣播投訴處理程序處理有關廣播內容的投訴。

在2022／23年度，通訊辦處理了1 857個個案（涉及3 984宗投訴）⁴。與2021／22年度的數字（1 552個個案，涉及8 575宗投訴）比較，本年度所處理的個案數目增加了20%，而處理的投訴宗數則下跌54%⁵。在所處理的個案中，有13個個案（涉及1 121宗投訴）轉交通訊局轄下廣播投訴委員會處理，其後並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。通訊事務總監行使通訊局授予的權力處理餘下的1 844個個案（涉及2 863宗投訴），這些個案涉及輕微違規，或有關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條文）。



通訊局廣播投訴委員會定期舉行會議處理有關廣播內容的投訴。

The Broadcast Complaints Committee holds meeting regularly to handle complaints about broadcast materials.

⁴ 為確保運作效率，涉及同一事宜／廣播內容，指稱相近的投訴，會歸納為同一個案一併處理。

⁵ 2022／23年度所處理的投訴宗數下跌，主要原因是在2021／22年度曾處理若干與社會動亂相關的投訴個案，導致所處理的投訴宗數大幅增加（總數超過4 500宗）。



New/Renewal/Termination of Non-domestic Television Programme Service and Other Licensable Television Programme Service Licences

In 2022/23, OFCA processed a new application for other licensable television programme service licence for the provision of television programme services in hotel rooms in Hong Kong. OFCA also handled an application for renewal of non-domestic television programme service licence and an application for other licensable television programme service licence, as well as an application for licence termination by a licensee for other licensable television programme service. All those applications were approved by the CA.



在2023年4月投入服務的新衛星電視廣播監測系統。

The new Satellite Broadcast Monitoring System was put into service in April 2023.

Handling of Broadcast Complaints

The CA does not pre-censor broadcast content. Instead, it adopts a complaint-driven approach to ensure that broadcast content complies with prevailing legislation, licence conditions and

the codes of practice that it has issued. As the executive arm of the CA, OFCA assists the CA in handling complaints about broadcast materials in accordance with the provisions in the Broadcasting (Miscellaneous Provisions) Ordinance (Cap. 391) (B(MP) O) and the broadcast complaint handling procedures of the CA.

In 2022/23, OFCA handled 1 857 cases (involving 3 984 complaints)⁴, which represented an increase of 20% in the number of cases, and a reduction of 54% in the number of complaints processed⁵, as compared with the figures recorded in 2021/22 (1 552 cases, involving 8 575 complaints). Among those cases handled, 13 cases (involving 1 121 complaints) were referred to the Broadcast Complaints Committee under the CA for consideration before submission to the CA for deliberation and determination. Details of the complaint cases considered by the CA are published on its website. The remaining 1 844 cases (involving 2 863 complaints) relating 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 (i.e. the substance of the complaints did not involve contravention of relevant legislation, licence conditions or provisions in the codes of practice) were handled by the Director-General of Communications with the power delegated by the CA.



通訊辦職員在樓宇天台進行實地測量，以協助居民解決電視訊號接收問題。

OFCA staff members conducting a field measurement at the rooftop level of a building to help residents resolve television reception issue.

⁴ To ensure operational efficiency, complaints with similar allegations relating to the same issue or broadcast material are grouped together for handling and counted as a single case.

⁵ The decrease in the number of complaints processed in 2022/23 was mainly due to the fact that in 2021/22, there were a number of cases concerning social unrests, which gave rise to a substantial number of complaints (over 4 500 complaints in total).