

## 2

# 成立通訊局及通訊辦 應付匯流年代的挑戰 The CA and OFCA Established to Better Meet the Challenges of the Convergence Era

## 通訊事務管理局及其委員會

隨着近年科技進步和媒體匯流，電訊與廣播服務之間的傳統界線變得日益模糊。有鑑於此，監管香港廣播業和電訊業的獨立法定機構通訊局於2012年4月1日成立，以應付匯流新世代帶來的規管挑戰。根據《通訊事務管理局條例》（第616章），通訊局承擔其前身——前廣播事務管理局（廣管局）和前電訊管理局局長（電訊局長）所履行的職能，規管香港的廣播業和電訊業，並根據《通訊事務管理局條例》、《廣播條例》、《廣播（雜項條文）條例》（第391章）、《電訊條例》和《非應邀電子訊息條例》（第593章）獲賦予相關職責。

通訊局由十名包括主席在內的非官方人員和兩名官方人員組成。通訊局的抱負，是使香港擁有世界級通訊服務，以迎接資訊時代的挑戰。通訊局致力履行其使命，包括提升香港作為區域通訊樞紐的地位、鼓勵通訊市場的創新與投資、促進通訊市場內的競爭和推動採納最佳做法，並承諾以符合《香港人權法案條例》（第383章）條文的方式行事。

鑑於通訊局須承擔廣泛的法定職能及職責，《通訊事務管理局條例》賦予通訊局權力，可委任委員會為其執行職能提供意見或協助。迄今，通訊局已設立三個委員會——廣播投訴委員會、廣播業務守則委員會和電訊事務委員會，就廣播與電訊各項事宜向通訊局提供意見。

## 通訊事務管理局辦公室

通訊局由政府部門通訊辦提供支援。通訊辦於通訊局成立的同一天（即2012年4月1日）投入服務，是通訊局的執行部門，由前電訊局與影視處的有關科別合併而成。為了使運作保持高度靈活，可迅速應對瞬息萬變的通訊業需要，通訊辦以營運基金的模式運作。前電訊管理局營運基金已結轉至通訊辦，並改稱為「通訊事務管理局辦公室營運基金」。

通訊辦由通訊事務總監領導，該職位由公務員出任，轄下員工合共有395人（截至2013年3月31日），他們均堅守正直忠誠、專業精神、尊重他人、高瞻遠矚的信念。通訊局及其執行部門的運作模式，大致仿照廣管局和影視處轄下廣播事務管理科的架構。為全力支持通訊局實踐其抱負，通訊辦致力——

- (a) 公眾 — 滿足社會的需要及期望；
- (b) 業界 — 營造有利於創新和投資的公平規管環境；
- (c) 經濟 — 維持香港作為區域通訊樞紐的卓越地位，以支援經濟發展；
- (d) 員工 — 維持一支團結、靈活應變的專業隊伍，並締造一個表揚和獎賞傑出員工的工作環境；以及
- (e) 公務 — 成為高效率、富成效的模範部門。



## The Communications Authority and its Committees

Technological advancement and media convergence in recent years have increasingly blurred the traditional boundaries between telecommunications and broadcasting services. Against this background, the CA, an independent statutory body which oversees both the broadcasting and telecommunications sectors, was established on 1 April 2012 with the aim of meeting the regulatory challenges arising from the new era of convergence. Under the Communications Authority Ordinance (Cap. 616) (CAO), the CA is charged with the functions previously performed by its predecessors, the former Broadcasting Authority (BA) and Telecommunications Authority (TA), in regulating the broadcasting and telecommunications sectors. It is also conferred with those responsibilities under the CAO, the BO, the Broadcasting (Miscellaneous Provisions) Ordinance (Cap. 391) (B(MP)O), the TO and the Unsolicited Electronic Messages Ordinance (Cap. 593) (UEMO).

The CA comprises ten non-official members, including the chairman, and two official members. It is the vision of the CA that Hong Kong acquires the world-class communications services necessary to meet the challenges of the information age. The CA is committed to fulfilling its mission to, inter alia, enhance Hong Kong's position as a communications hub for the region, encourage innovation and investment in the communications market, and promote competition and adoption of best practices. It is also committed to acting in a manner consistent with the provisions of the Hong Kong Bill of Rights Ordinance (Cap. 383).

In view of its wide spectrum of statutory functions and responsibilities, the CA is empowered under the CAO to appoint any committees for advice or assistance in performing any functions. Hitherto, the CA has set up three committees — the Broadcast Complaints Committee (BCC), the Broadcast Codes of Practice Committee and the Telecommunications Affairs Committee — to advise it on the full range of broadcasting and telecommunications issues.

## The Office of the Communications Authority

The CA is underpinned by a Government department, OFCA, which came into operation on the same date of the establishment of the CA, that is, 1 April 2012. As the executive arm of the CA, OFCA was formed by merging the then OFTA with relevant divisions of the TELA. To maintain a high level of operational flexibility and to respond swiftly to the needs of the fast-moving communications industry, OFCA operates on a trading fund basis, with the previous OFTA Trading Fund being carried forward and renamed the OFCA Trading Fund.

OFCA is headed by a civil servant, the Director-General of Communications, with a total workforce of 395 (as at 31 March 2013). Together, they share the same core values of integrity, professionalism, respect and foresight. The mode of operation of the CA and its executive arm is largely modelled on the organisation of the BA and Broadcasting Division of TELA. In order to provide full support to the CA in fulfilling its vision, OFCA is committed to:

- (a) The Public: Fulfilling the needs and expectations of the community;
- (b) The Industry: Providing a fair regulatory environment conducive to innovation and business investment;
- (c) The Economy: Maintaining Hong Kong's position as a preeminent communications centre in the region to support economic development;
- (d) Our Staff: Maintaining a cohesive, versatile and professional team and nurturing a working environment that recognises and rewards results; and
- (e) The Civil Service: Being a model department that performs effectively and efficiently.