



數碼地面電視服務的發展

本地免費電視節目服務持牌機構（免費電視持牌機構）負責建設傳送網絡或聘用其他網絡服務營辦商，以提供覆蓋全港的免費電視服務。在三間免費電視持牌機構中，電視廣播有限公司（無綫電視）和營辦Viu TV頻道的香港電視娛樂有限公司（香港電視娛樂）以無線電頻譜傳送的方式，提供共七條數碼地面電視節目頻道²。自數碼地面電視服務於2007年年底推出後，共有29個發射站逐步建成。現時，數碼地面電視傳送網絡覆蓋本港接近100%的人口。

香港的模擬電視和數碼地面電視服務均在470—806兆赫頻帶操作，該頻帶是國際電信聯盟（國際電聯）編配予世界各地主要用作提供電視廣播服務。年內，通訊辦就香港終止模擬廣播的規劃和終止模擬廣播後釋放頻譜作流動電訊服務用途的事宜向政府提供意見。通訊辦已與內地當局聯絡，協調終止模擬廣播的目標日期，以及於終止模擬廣播

後的頻率協調安排。終止模擬廣播後，無綫電視、香港電視娛樂和香港電台須把其現時位於614—806兆赫頻帶的電視頻道，遷移至470—614兆赫頻帶，從而在614—806兆赫頻帶內騰出合共160兆赫的頻譜，用作提供高增值流動電訊服務。通訊辦會繼續與內地當局協調470—806兆赫頻帶的無線電頻譜使用事宜，並會與相關廣播機構商討遷移其電視頻道的安排。

政府檢討電視及聲音廣播規管架構和通訊局簡化行政措施

在2018/19年度，通訊辦就商經局對電視及聲音廣播規管架構進行的檢討提供支援，以回應市場需要及科技發展，使規管架構與時並進。檢討完成後，商經局建議放寬對免費電視、收費電視和聲音廣播牌照所施加的跨媒體擁有權限制，以及對免費電視牌照所施加的外資控制權限制，並

² 無綫電視及香港電視娛樂使用數碼地面電視傳送網絡播放其節目頻道。另一間免費電視持牌機構奇妙電視有限公司則以固定網絡傳送的方式，提供兩條節目頻道。

Development of Digital Terrestrial Television Services

Domestic free television programme service licensees (free TV licensees) are responsible for constructing transmission networks or engaging other network service operators to deliver their free TV services throughout Hong Kong. Among the three free TV licensees, Television Broadcasts Limited (TVB) and HK Television Entertainment Company Limited (HKTVE) (which operates ViuTV) provide a total of seven digital terrestrial television (DTT) programme channels using radio spectrum for transmission². Since the launch of DTT services in late 2007, a total of 29 transmitting stations have been constructed by phases. Currently, the overall coverage of DTT transmission networks is close to 100% of the population.

In Hong Kong, both analogue television and DTT services operate in the 470 – 806 MHz band, the frequency band allocated by the International Telecommunication Union (ITU) primarily for TV broadcasting services worldwide. During the year, OFCA provided advisory services to the Government on the planning for ASO in Hong Kong and the release of spectrum for mobile telecommunications services after ASO. OFCA liaised with the Mainland authorities on the ASO target date and post-ASO frequency coordination. After ASO, TVB, HKTVE and Radio Television Hong Kong will be required to relocate their TV



- ▲ 全面數碼電視廣播將於2020年12月1日開始。
Full digital TV broadcast will commence on 1 December 2020.

frequency channels in the 614 – 806 MHz band to the 470 – 614 MHz band, thereby making available a total of 160 MHz of spectrum in the 614 – 806 MHz band for the provision of high value-added mobile telecommunications services. OFCA will continue to coordinate with the Mainland authorities on the use of the radio spectrum in the 470 – 806 MHz band, and with the relevant broadcasters on the relocation of their TV frequency channels.

Review of Television and Sound Broadcasting Regulatory Framework by the Government and Implementation of Measures by the CA to Streamline Administrative Requirements

In 2018/19, OFCA provided support to CEDB in the latter's review of the television and sound broadcasting regulatory frameworks with the aim of modernising the regulatory framework in response to market needs and technological developments. After the review, CEDB proposed to relax cross-media ownership restrictions in relation to free television, pay television and sound broadcasting licences; and foreign control restrictions in relation to free TV licences. CEDB also proposed to remove the requirement that a free TV or sound broadcasting licensee must be a non-subsidiary company. In March 2019, CEDB introduced into the Legislative Council the Broadcasting and Telecommunications Legislation (Amendment) Bill 2019 proposing legislative amendments to give effect to the above relaxation measures.

Apart from the above legislative amendments pursued by CEDB, the CA also implemented non-legislative measures as part of the multipronged approach to facilitate the development of the broadcasting industry. In July 2018, the CA revised codes of practice to relax the regulation of indirect advertising in television programme services and to lift the prohibition on the

² TVB and HKTVE use the DTT transmission network to broadcast their programme channels. The other free TV licensee, Fantastic Television Limited, currently provides two programme channels using a fixed network for transmission.

建議取消免費電視及聲音廣播持牌機構須為非附屬公司的規定。商經局於2019年3月向立法會提交《廣播及電訊法例（修訂）條例草案》，建議提出法例修訂，以落實上述放寬措施。

除上述由商經局提出的立法建議外，通訊局亦推行多項非立法措施，以配合政府多管齊下促進廣播業發展的方向。通訊局於2018年7月修訂其業務守則，放寬電視節目服務中對間接宣傳的規管，以及取消禁止播放殯儀館及相關服務廣告的規定。以上措施有助業界增加廣告來源，並同時保障觀眾利益。此外，通訊辦協助通訊局簡化部分行政程序，進一步減輕廣播業的規管負擔。具體而言，通訊局於2019年1月簡化收費電視和聲音廣播持牌機構須向通訊局作定期匯報的要求，容許持牌機構每季（而非按現行規定每月）匯報所收集的意見／投訴，並豁免免費電視持牌機構須提交兒童節目類型和廣播時間表的規定。自2019年2月起，通訊局延長持牌機構就公眾投訴向廣播投訴委員會提交陳述的期限，由七個工作天延長至14個工作天。至於對免費電視所施加的外資控制權限制，通訊辦亦於2019年3月起實施經修改的行政安排，包括：簡化持牌機構的股東在股東大會舉行前申報表決控制權所使用的訂明表格、延長持牌機構提交申報資料的期限、以及就受限制表決控權人獲取／持有持牌機構股份提出的申請，通訊局可在獲得申請人同意後，向有關持牌機構披露申請獲得批准。

牌照管理

非本地電視節目服務牌照及其他須領牌電視節目服務牌照申請／續期申請

在2018／19年度，通訊辦處理了一宗新的非本地電視節目服務牌照申請，但該申請不獲通訊局批准。至於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的牌照，通訊辦亦處理了九宗牌照續期申請。

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2018／19年度，通訊辦處理了1 504個個案（涉及3 827宗投訴）³。與2017／18年度的數字（1 866個個案，涉及4 342宗投訴）比較，本年度所處理的個案數目減少了19%，投訴宗數亦減少了12%。在所處理的個案中，有17個個案（涉及423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1 487個個案（涉及3 404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）。

³ 為確保運作效率，涉及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。

broadcast of advertisements for undertakers and associated services. Such measures enable the industry to diversify their source of advertising while still safeguard viewers' interests. OFCA also assisted the CA in streamlining certain administrative requirements, thereby further easing the regulatory burdens on the broadcasting industry. Specifically, the reporting requirements were relaxed in January 2019 by allowing the licensees (pay television and sound broadcasting services) to submit reports on comments/complaints received on a quarterly basis instead of on a monthly basis, and waiving the requirement for free television licensees to submit the types and schedule of children's programmes. Furthermore, the period for broadcasting licensees to make representations to the Broadcast Complaints Committee under the CA in response to public complaints has been extended from seven working days to 14 working days with effect from February 2019. OFCA also implemented in March 2019 changes to administrative measures for enforcing foreign control restrictions applicable to free television licensees by simplifying the prescribed form for a declaration on voting control by shareholders before a general meeting, adjusting the deadlines for submission of a declaration, and disclosing to licensees the approval of applications for acquiring/holding shares by unqualified voting controllers subject to the consent of an applicant.

Licence Administration

Applications for Grant/Renewal of a Non-domestic Television Programme Service Licence and Other Licensable Television Programme Service Licences

In 2018/19, OFCA processed an application for a new non-domestic television programme service licence, which was subsequently rejected by the CA. OFCA also handled nine applications for renewal of other licensable television programme service licences for the provision of television programme services in hotel rooms in Hong Kong.

³ To ensure operational efficiency, complaints with similar allegations relating to the same issue or broadcast material are handled together and counted as a single case.

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 provisions in the Broadcasting (Miscellaneous Provisions) Ordinance (Cap. 391) (B(MP)O) and the broadcast complaint handling procedures of the CA.

In 2018/19, OFCA handled 1 504 cases (involving 3 827 complaints)³, which represented a reduction of 19% in the number of cases, and a reduction of 12% in the number of complaints processed, as compared with the figures recorded in 2017/18 (1 866 cases, involving 4 342 complaints). Among those cases handled, 17 cases (423 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 Director-General of Communications handled the remaining 1 487 cases (involving 3 404 complaints) relating to breaches of a minor nature; 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) with powers delegated by the CA.

