

## **Summary of the Major Issues Raised by Members of the Public at the Public Hearing on 24 July 2009**

### **I. Proceedings of the Public Hearing**

1.1 The hearing was held from 7:00 p.m to 9:00 p.m. and conducted in Cantonese. English simultaneous interpretation and sign language services were provided. The Chairman of the Broadcasting Authority (“BA”) introduced the purpose of the event, which was to allow the BA to collect views from members of the public about the performance of Asia Television Limited (“ATV”) and Television Broadcasts Limited (“TVB”). The BA would take into account all the views collected when making recommendations to the Chief Executive in Council on the mid-term review of the licences of ATV and TVB.

1.2 After the speech by the Chairman of the BA, representative of ATV made a presentation and views were invited from the floor on ATV’s services. Following this, TVB gave its presentation in turn and members of the public were invited to express their views on TVB’s services. Both ATV and TVB responded to the questions raised after their respective sessions.

## II. Panel Members

<i>BA Chairman</i>	Mr Ambrose Ho, SC, JP
<i>BA Vice Chairman</i>	Mr Duncan Pescod, JP Permanent Secretary for Commerce and Economic Development
<i>BA Members</i>	Mrs Stella Lau, JP
	Mr Kwok Lit-tung
	Mr Henry Tsang
	Mr Adrian Wong, MH, JP
	Ms Marina Wong, JP
	Ms Wong Sau Ying
	Mrs Marion Lai, JP Director – General of Telecommunications
<i>BA Principal Executive Officer</i>	Ms Maisie Cheng, JP Commissioner for Television and Entertainment Licensing
<i>BA Secretary</i>	Mr P L Po Assistant Commissioner for Television and Entertainment Licensing

*Chief  
Telecommunications  
Engineer, OFTA*

Mr P H Ma

*ATV's  
Representatives*

Ms Nancy Hu  
Chief Executive Officer

Mr H Y Kwong  
Senior Vice President – Corporate Development &  
External Affairs

*TVB's  
Representatives*

Mr Stephen Chan  
General Manager – Broadcasting

Mr S K Cheong  
General Manager – Broadcasting

### III. Summary of the Views Expressed

- 219 people attended the public hearing.
- 20 members of the public spoke at the hearing. Their views are summarised below.

<b>A. Broadcasting Issues: The BA will give careful consideration to the public views, as summarized below, in the mid-term review of the two domestic free television programme service licences.</b>	
<b>(a)</b>	<b><u>Programme diversity</u></b>
	<ul style="list-style-type: none"><li>- TVB had broadcast too many game shows offering cash prizes.</li><li>- TVB's HD Jade channel frequently scheduled repeats of the same programmes.</li><li>- ATV should re-introduce its 24-hour news channel to provide choice for audience.</li></ul>
<b>(b)</b>	<b><u>Positive programme requirements</u></b>
	<ul style="list-style-type: none"><li>- The Licensees should provide more programmes (in both languages) suitable for children, such as educational and informational programmes.</li><li>- There should be more programmes on arts and culture as well as programmes for senior citizens and young persons. There were also views that TVB should schedule programmes for the youths on the J2 Channel.</li></ul>

(c)	<b><u>Editorial freedom and independence of news</u></b>
	<ul style="list-style-type: none"> <li>- TVB should cover protests against the handling of news by the TVB news department in its news reports and provide comprehensive views on the issue in its current affairs programmes.</li> <li>- TVB should bear social responsibility and should allow protestors holding banners behind the reporters during live news broadcast. The public have rights to know that there is public discontent on TVB's editorial policy.</li> <li>- The editorial policy of the TVB news department had prevented viewers from receiving comprehensive information. The senior management of the TVB's news department should respond to the public's concerns over the handling of news.</li> <li>- The news departments of the Licensees should avoid sensationalism and treating news as entertainment. News reports should not be used to report entertainment news (e.g. interview with a female artiste in a talk show).</li> <li>- The Licensees failed to report news of a minor nature.</li> <li>- Some considered that the TVB news department should not deploy its reporters to cover typhoon news in dangerous situations.</li> <li>- TVB should exert much greater efforts on the contents of news reporting rather than the presentation of anchors.</li> </ul>

<b>(d)</b>	<b><u>Programme standards</u></b>
	<ul style="list-style-type: none"> <li>- TVB had applied double standards in the use of a crude expression in its drama series and in its news bulletins. The same term was retained in the former but covered by a beep sound in the latter.</li> <li>- The BA should take actions on TVB's low quality programmes in accordance with the provisions of the Generic Code of Practice on Television Programme Standards.</li> <li>- TVB tried to present artistes dressed in a sexy manner as a selling point for quite a number of its programmes. This does not respect female artistes and has adverse effect on the community.</li> <li>- Free TV is an important entertainment for members of the public. The two free TV operators have social responsibility. TVB always produced programmes which have adverse effects on the next generation. This should be tackled seriously.</li> </ul>
<b>(e)</b>	<b><u>Programme Quality</u></b>
	<ul style="list-style-type: none"> <li>- ATV should cater for the taste and expectation of Hong Kong viewers, enhance creativity and should produce more programmes targeting local audiences to achieve higher ratings.</li> <li>- ATV's acquired drama series had failed to attract viewers.</li> <li>- ATV World's morning programmes should provide weather information and time.</li> <li>- Programme quality may be adversely affected due to the reduced investment of the Licensees for the next six years.</li> </ul>

	<ul style="list-style-type: none"> <li>- TVB should produce programmes in a serious manner.</li> <li>- TVB Pearl should improve its programme quality.</li> <li>- Contents of TVB's station-produced programmes for children need to be improved. TVB's commentaries for its sports programmes and Sunday gourmet shows were of poor quality.</li> <li>- TVB's drama series often contained repetitive themes.</li> <li>- Programmes of the Licensees often promoted consumerism.</li> <li>- A recent drama series of TVB was badly produced with poor script and bad tastes. It was so lousy that disrespected audience. TVB should review this seriously.</li> <li>- There was food wastage in TVB's cookery shows.</li> <li>- The Licensees should conduct more location shootings.</li> <li>- TVB should increase the employees in its dubbing department and nurture new talents for the dubbing job.</li> </ul>
<b>(f)</b>	<b><u>Programme Scheduling</u></b>
	<ul style="list-style-type: none"> <li>- The scheduling of financial programmes on TVB's youth-targeted J2 Channel was inappropriate.</li> <li>- It was not necessary for TVB to broadcast messages reminding the audience what were the next programmes.</li> <li>- Animation programmes might not necessarily be broadcast during the period when children's programmes were broadcast as many youngsters were also interested in them.</li> </ul>

	<ul style="list-style-type: none"> <li>- TVB should not cut or fast forward the opening and closing parts of animation programmes.</li> </ul>
<b>(g)</b>	<b><u>Subtitling/Sign Language</u></b>
	<ul style="list-style-type: none"> <li>- The Licensees should help the hearing impaired establish close contact with society by providing more programmes equipped with subtitling and sign language.</li> <li>- Each Licensee should be required to broadcast a percentage of programmes with subtitling/sign language services, and the amount of such programmes should be proportionate to the size of a Licensee's annual revenues.</li> <li>- In response to the request of the hearing impaired, ATV had provided sign language in one of its newly produced programme. This showed its sincerity and should be praised. However, the fact that ATV had accumulated operating losses might make it difficult to provide sign language service within its programmes.</li> <li>- TVB's presentation of programme subtitles could be improved as subtitling was omitted occasionally.</li> </ul>
<b>(h)</b>	<b><u>Advertising</u></b>
	<ul style="list-style-type: none"> <li>- There were suggestions that TVB's broadcast of programmes promoting programmes of TVB Pay Vision had amounted to indirect advertising.</li> <li>- ATV had scheduled excessive advertising.</li> <li>- The Licensees had included too many product placements within programmes.</li> </ul>

<b>(i)</b>	<b><u>Digital Television Services</u></b>
	<ul style="list-style-type: none"> <li>- The DTT coverage should be extended to reach the viewers in rural area such as Kam Tin.</li> <li>- There were concerns that ATV's proposed new digital channel might have an impact on the broadcast hours of its HDTV channel.</li> <li>- ATV's HDTV channel should broadcast horseracing programmes in 16:9 aspect ratio.</li> <li>- There were views that the broadcast of programmes in 16:9 aspect ratio had affected the viewing pleasure of those using 4:3 aspect ratio television sets.</li> </ul>
<b>(j)</b>	<b><u>Competition in the Free Television Market</u></b>
	<ul style="list-style-type: none"> <li>- There was unfair competition in the domestic free television programme service market.</li> <li>- The BA should initiate investigations on TVB's contract terms with its artistes to see whether there were anti-competition provisions.</li> <li>- ATV should file official complaint about the unfair competition in the free television market.</li> </ul>
<b>(k)</b>	<b><u>Capital Investments by Licensees</u></b>
	<ul style="list-style-type: none"> <li>- ATV's accumulated losses might suggest the inherent problems in its operations.</li> </ul>

<b>(l)</b>	<b><u>Other Broadcasting Matters</u></b>
	<ul style="list-style-type: none"><li>- ATV should broadcast more programmes with bilingual soundtracks by means of the NICAM system.</li><li>- The Government should consider the possibility of issuing the third domestic free television programme service licence.</li><li>- ATV's complaints hotline was often unavailable.</li><li>- More free television frequency spectrums should be released to allow the broadcast of television channels from the Mainland. However, there were also views that ATV should cease its broadcast of CCTV-4 channel as there were few viewers.</li><li>- The BA should consider revoking a licence if a licensee failed to run the station in a professional manner and attain satisfactory viewership.</li><li>- The Government should introduce public service broadcasters to serve as a balance to programmes provided by commercial operators.</li></ul>

**B. Others: Other views received from members of the public are set out below. The BA, the relevant government departments and the two domestic free television programme service licensees all have their representatives attending the public hearing to collect views from the public on the performance of the two licensees. The BA would particularly like to express gratitude to members of the public for their views and comments on the arrangements for the public hearing and will make improvements in future accordingly.**

- It was considerate for the BA to conduct a public hearing session in the New Territories.
- The summaries of BA's public hearings should not omit sensitive public views. In addition, the BA should upload video recordings of the public hearings on to its website and include all original written submissions in its report on the public hearings. The BA should not exclude photos depicting protests against Licensees during the previous public hearing sessions.
- The BA should impose a restriction on its members joining the Licensees after their terms of service to avoid conflict of interest.
- The BA should follow up on complaints lodged by the public at the public hearings.
- TVB's artistes who turned singers were not good at singing.