

**Report on Review
of
Public Service Broadcasting
in Hong Kong**

**Committee on
Review of Public Service Broadcasting**

March 2007

Report on Review of Public Service Broadcasting in Hong Kong

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Foreword

Broadcasting is one of the most powerful and influential means of communication today. Within this medium, public service broadcasting (PSB) has a unique role because it serves any and all members of a community, but is *not* beholden to any political, commercial or sectorial interests. It relies on public support and thrives on public trust.

When done well, PSB fosters citizenship, promotes pluralism, enhances cultural vibrancy and contributes to a free society.

The Committee on Review of Public Service Broadcasting (the Committee) was appointed by the Chief Executive of the Hong Kong Special Administrative Region. The Committee's mandate was to review and determine PSB's role, if any, in Hong Kong. Should PSB be deemed necessary, the Committee was to recommend ways and means of how PSB might best serve the people of Hong Kong.

After months of thorough review, research, consultations and deliberations, the Committee has concluded that there is a genuine need for PSB in Hong Kong. Further, the Committee, in brief, recommends that:

“This public broadcaster be constituted by law as a statutory body, funded primarily from the public purse, to fulfill specific public purposes;

“It be independent in its editorial and programming decisions. Its Board, management and rank-and-file shall exercise freedom of speech and of the press *responsibly*; and

“It be operated under stringent governance and accountability measures. It shall exercise all due financial prudence as it expends public money.”

The Committee is grateful to the hundreds of people, both here and abroad, who have generously shared their wise counsel, insight, experiences, expertise and candour.

The Committee has met with legislators, commercial broadcasters, other media executives, management and staff representatives from Radio Television Hong Kong, academics, various special interest and social concern groups as well as overseas PSB experts. In addition, many more expressed their views in writing, either by mail to the Committee or by accessing the Committee's website.

The Committee also wishes to acknowledge the dedication, initiative and industry of its Secretariat, under the outstanding leadership of Committee Secretary, Ms. Alice Y. Lau. Without her and the staff's tireless efforts, neither the review nor this Report could have been completed so effectively and efficiently.

Last but certainly not least, the Chair wishes to thank all Members of the Committee who have given up much of their precious time, often at the expense of not being able to attend to their other duties fully.



Raymond R. Wong
Chairman

Committee on Review of Public Service Broadcasting

Remembering ...

The Committee notes with much regret and sorrow the passing of a Member, **Mr. Pao Wan-lung**, on November 8, 2006. Mr. Pao, 56, was a veteran journalist and broadcaster. He died after losing a courageous battle against the scourge of cancer. While in remission and before becoming incapacitated, Mr. Pao took part in and contributed to all reviews, consultations and deliberations of the Committee, including the International Conference in June. Even after he became bedridden in hospital in August, he kept abreast of the progress of the Committee's work by reading all the email traffic to and from Members. Not until just days before the Lord called him home did Mr. Pao stop encouraging and sharing his PSB vision with the Committee.

THE REPORT

*This Report is compiled in English, with a Chinese translation.
In case of discrepancy between the two, the English version shall prevail.*

Chapter 1

Introduction

Background

The Committee on Review of Public Service Broadcasting (the Committee) was set up by the Government of the Hong Kong Special Administrative Region (SAR) on January 17, 2006 to conduct a comprehensive review of public service broadcasting (PSB) in Hong Kong, and to examine and recommend on the structure, funding, governance, programming, monitoring and accountability in the provision of PSB. Its terms of reference and membership are at Appendix 1.

2. The Committee has examined the role of and justification for PSB in Hong Kong, and formulated recommendations which address community needs despite the SAR's demographic changes or technological advancements.

3. Before the Committee commenced work, Members had pledged to the public that it would safeguard its independence and conduct the review in a professional, impartial, open and transparent manner.

Local consultation

4. The Committee is well aware that should its subsequent recommendations be adopted, they would have profound impact and implications not only on Hong Kong's PSB development, but also on the local broadcasting industry as a whole.

5. The Committee therefore appreciates the importance of public engagement and consultation, and considers them vital parts of the review process.

6. Towards that end, the Committee invited some 400 organisations and individuals either to meet with or to submit written opinions to the Committee.

7. These included the Panel on Information Technology and Broadcasting of the Legislative Council (ITB Panel), media, cultural, education, sports, professional, social services, religious, human rights concern organisations, think tanks and political groups. A full list is at Appendix 2.

8. The Committee also briefed both the print and electronic media periodically on the progress of its work and organised public events to canvass views of the community at large.

9. To gauge the views of the industry and obtain expert inputs, the Committee met with the management of Radio Television Hong Kong (RTHK); the RTHK Programme Staff Union; commercial broadcasting licensees and other stakeholders in the broadcasting industry; and academics from local tertiary institutions that offer communication, journalism, media studies and related courses. The Committee also met with representatives from various concern and special interest groups.

10. The Committee launched a website (www.psb.org.hk) in March 2006 to share general information on PSB and delivery models around the world, provide useful links to related organisations, enable submission of views, and offer a web-based forum for open exchanges of views among members of the public.

11. At the time of compiling this Report, the Committee has received more than 140 written submissions, including those submitted through the electronic mailbox at the website mentioned above. Some of these submissions are in response to invitation, but many more are spontaneous. A full list of the respondents is at Appendix 3, and a summary of the views received is at Appendix 4.

12. The Committee from the very onset decided to receive all views in confidence so as to encourage the utmost candour from the widest spectrum of the community. The Committee further decided to use these submissions solely for the review. Therefore, none of the views cited in the appended summary of submissions are attributed to either individuals or organisations.

Research on overseas PSB models

13. The Committee has data-mined extensively from international reference materials, such as research papers and other literatures in order to learn from overseas PSB experiences and bring an international perspective to the subject matter.

14. Furthermore, the Committee convened a four-day International Conference on Public Service Broadcasting in Hong Kong in mid-June 2006. At the conference, experts from Australia, Germany, Japan, the United Kingdom and the United States shared their experiences in the various ways of operating different PSB systems in their home countries.

15. In addition to in-depth discussions with the Committee, the overseas speakers (list at [Appendix 5](#)) also attended panel discussions with Legislative Councillors, representatives of RTHK and commercial broadcasting licensees, academics and media practitioners. Some 200 local participants took part in the Conference and related activities. They offered a good opportunity also for professional exchange and helped enhance public understanding in PSB. An overview of the PSB models in these countries is at [Appendix 6](#).

16. While the PSB experiences in other parts of the world are of substantive reference value and offer ample food for thought, the Committee clearly realises there is no one size that fits all. PSB models vary from place to place as they are each shaped by the unique history, culture and socio-political characteristics of the community they serve. Hong Kong's PSB model, therefore, must be genuinely home grown and tailor-made to serve specifically the SAR's own audience. This was the unsurprisingly unanimous advice from the overseas speakers.

Focus Group deliberations

17. Though the Committee appreciates the input from the overseas experts, it also feels that local Focus Groups invited to scrutinise in depth four specific areas of expertise could further enhance the Committee's understanding of what might serve Hong Kong best. Accordingly, the Committee formed the following groups in August and September 2006:

- the Focus Group on PSB Governance Structure;
- the Focus Group on PSB Accountability Measures;
- the Focus Group on PSB Funding Arrangements; and
- the Focus Group on PSB Programming.

18. The Focus Groups were convened by Committee Members. Thirty-one people with a deep understanding, interest and commitment in these areas were invited to join in their personal capacity to explore possible options, examine their pros and cons, and help develop feasible proposals for a PSB regime purpose-built for Hong Kong.

19. The reports of the Focus Groups, their respective scopes of discussion and memberships are at Appendices 7 to 10.

20. Following announcement of the findings of the Focus Groups, a town-hall meeting was convened in late September 2006 to canvass public feedbacks.

21. The Committee acknowledges and appreciates the fine work done by the Focus Groups and the valuable insights their members have offered. The Committee's conclusions and recommendations in this Report, however, are solely those of the Committee Members who have fully and carefully reviewed the Focus Groups' findings as well as refined them in light of the public views received.

Chapter 2

Need for and Role of PSB in Hong Kong

22. This chapter identifies the defining features of PSB; reviews the current situation in Hong Kong to ascertain the availability and adequacy of PSB; and, finally, assesses the need for PSB in Hong Kong and defines its public purposes.

What is PSB?

23. PSB is not a new invention. There is rich international literature and extensive reference on the definition of PSB, its role, functions and public value. The United Nations Educational, Scientific and Cultural Organisation (UNESCO) aptly defines PSB as “broadcasting made, financed and controlled by the public, for the public. It is neither commercial nor state-owned, free from political interference and pressure from commercial forces.”

24. The most commonly adopted defining features, or principles, of PSB are: *universality*, *diversity*, *independence* and *distinctiveness*.

25. The principle of *universality* imposes an obligation on PSB to address the needs of the entire population, regardless of race, gender, age and social background. Therefore, PSB should produce and broadcast programmes that are beneficial to the largest possible number of recipients.

26. The test of *diversity* requires PSB to be diversified in programme genres it offers, in the audience groups it serves, and in the subjects it addresses. “PSB should reach everyone, not through every programme, but through all programmes and their variety.”¹ As such, the *diversity* of PSB complements its *universality*.

27. PSB must uphold its *independence* and defend it from any real or perceived commercial, political and/or government influences. Only then can it serve as a credible and open platform, upon which the public is confident in using it as a means to express themselves and share their views.

¹ Banerjee, I. & Seneviratne, K. (Ed) (2005). *Public Service Broadcasting: A best practice sourcebook*, section 1.2.

28. *Distinctiveness* is the driving force for PSB to take creative risks, explore new ideas and programme formats, and provide new services or deliver existing ones in new ways. PSB is expected to do things differently, but without excluding genres so as to maintain *diversity*. Typically, a high percentage of PSB programmes should be first-run original productions.

29. These defining features underline a fundamental difference between PSB and commercial broadcasting: The first principle of PSB is to serve public interest. Commercial broadcasting, on the other hand, understandably and quite rightly sets its priority as maximising profits for its shareholders.

Hong Kong's current scene

30. Hong Kong has a vibrant broadcasting sector. Television (TV) and sound broadcasters deliver a wide array of programmes, which are readily available to the general public at no cost (for free TV and all radio services) or at a fee (for pay TV). Free TV and radio broadcasting have a high household penetration of 99.6% and 95.2% respectively.² A detailed overview of local broadcasting services in general, as well as the regulatory framework, can be found in the *Report on the Study of Public Service Broadcasting for Hong Kong* of the ITB Panel (ITB Panel Report).³ As a quick reference, Appendix 11 outlines the overall availability of broadcasting services in Hong Kong.

Commercial broadcasting

31. Commercial broadcasting is a regulated business in Hong Kong. Operators are licenced, and are subject to the regulatory oversight of the Broadcasting Authority (BA).⁴ The BA does not preview or censor programmes. It issues generic codes of practice for broadcast programme services. The editorial responsibilities rest with the licensees.

² According to the Broadcasting Service Survey 2005 commissioned by the Broadcasting Authority (BA) (http://www.hkba.hk/en/doc/bss2005_eng.pdf), domestic free TV programme services and sound broadcasting services had a household penetration of 99.6% and 95.2% respectively in Hong Kong. The same for domestic pay TV programme services was 33.8%.

³ See Chapter 3 of the ITB Panel Report (<http://legco.gov.hk/yr05-06/english/panels/itb/papers/itb-rpt061009-e.pdf>).

⁴ The BA (www.hkba.hk) is a statutory regulator that administers the Broadcasting Ordinance (Cap. 562); issues codes of practice, guidelines and directions to licensees; and processes complaints and imposes sanctions where any non-compliance occurs.

32. Hong Kong adopts a technology-neutral regulatory regime for commercial TV broadcasting. TV programme services are regulated according to their nature and pervasiveness rather than mode of transmission. There are currently two commercial domestic free TV broadcasters that operate under renewable licences issued by the Chief Executive in Council (CE in C). They are Asia Television Limited (ATV), successor to the original Rediffusion Television which began its service in 1957, and Television Broadcasts Limited (TVB) which went on air in 1967. Each operates one Cantonese-dialect and one English-language channels.

33. The prevailing annual licence fee payable for a domestic free TV licence consists of a fixed fee of HK\$4,308,900 and a variable fee of HK\$1,421,600 multiplied by the number of TV programme service channels provided under the licence, i.e. about HK\$7 million annually for each of the two current licensees on existing scale of operation.

34. After a licence is issued, the monitoring of a licensee's performance and compliance falls on the BA. Sanctions for contravention with the licence conditions and codes of practice include advice, warning, fine, inclusion of apology or correction in the TV or radio service, suspension of licence and recommendation to the CE in C on licence revocation.

35. Hong Kong does not have a public TV station or channel. ATV and TVB are required to carry during specified periods of time programmes supplied by the Government and BA, subject to statutory maximum limits of broadcasting hours.

36. RTHK was the only source of radio programme services from 1928 until the founding of Hong Kong Commercial Broadcasting Company Limited (Commercial Radio) in 1959. Metro Broadcast Corporation Limited (Metro Broadcast), the only other commercial sound broadcaster, started broadcasting in 1991.

37. Commercial Radio and Metro Broadcast each operates three radio channels: two in Cantonese and one in English. Similar to the free TV licensees, they operate under renewable licences issued by the CE in C, and are required to pay licence fees according to the formulae stipulated in their respective licences.

38. The commercial TV and radio broadcasters receive advertising revenue and commercial sponsorships, and are accountable to their respective shareholders in terms of revenue and profits. Rating is an important performance indicator. Apart from BA's regulatory oversight, as commercial entities, they also have to comply with applicable legislation such as those in the Companies Ordinance (Cap. 32).

39. The commercial domestic free TV and sound broadcasters are required by licence to comply with positive programme requirements, which oblige them to ensure that their “programming is balanced in content and provides an adequate and comprehensive service which is responsive to the diverse needs and aspirations of the community”.⁵ Accordingly, they must provide a stipulated minimum amount of specific genres of programmes (such as news, current affairs programmes, programmes for children/young persons/senior citizens and arts and culture programmes) in specified periods of time within a broadcast cycle.⁶ The positive programme requirement mirrors rather closely RTHK’s obligations “to serve all audiences - including special interest groups - by providing diversified radio, television and internet services that are distinctive and of high quality, in news and current affairs, arts, culture and education”.⁷ The Committee considers that of all the broadcasting services available in Hong Kong today, RTHK’s programmes and positive programmes provided by the commercial broadcasters are closest in nature to PSB programmes. They are referred to as “PSB-like programmes” in the ensuing paragraphs.

Publicly funded broadcasting

40. RTHK is a government department under the policy purview and housekeeping oversight of the Commerce, Industry and Technology Bureau (CITB) of the Government of the Hong Kong SAR. It is the only publicly funded broadcaster in Hong Kong, and the oldest in the territory which first launched a radio broadcasting service in 1928. A brief history of RTHK is at Appendix 12. In addition to its broadcasting role, RTHK also produces educational TV programmes for schools under the auspices of the Education and Manpower Bureau.

41. Currently, RTHK operates seven radio channels, including a local English-language channel, a turn-around channel for BBC World Service and a Putonghua channel. RTHK does not have its own TV channel. Its TV programmes are provided by the Government to the commercial domestic free TV broadcasters who are required by licence to broadcast Government programmes free of charge, subject to the statutory maximum limits of 12

⁵ See Condition 1(b) in the First Schedule of the respective licences of ATV and TVB (<http://www.citb.gov.hk/ctb/eng/broad/doc/licen3.pdf> (for ATV) and <http://www.citb.gov.hk/ctb/eng/broad/doc/licen5.pdf> (for TVB)) and in Condition 8.2(b) in the licences of Commercial Radio and Metro Broadcast (<http://www.citb.gov.hk/ctb/eng/broad/cbc.pdf> (for Commercial Radio) and <http://www.citb.gov.hk/ctb/eng/broad/metro.pdf> (for Metro Broadcast)).

⁶ The positive programme requirements are set out in Conditions 4 to 10 in the First Schedule of the respective licences of ATV and TVB, and in Conditions 23 to 27 of the licences of Commercial Radio and Metro Broadcast. Please see the links in Footnote 5.

⁷ Please see RTHK’s Performance Pledge 2006 (http://www.rthk.org.hk/about/pledge/pledge2006_e1.htm).

hours and 6 hours respectively in any week for a Chinese language and an English language service.

42. In 2007-08, RTHK targets to provide 50,510 output hours with its seven radio channels, 560 hours of TV programmes, and 140 hours of educational programmes for primary and secondary students.

43. RTHK is funded by the Government from the General Revenue. Its expenditure estimate for 2007-08 is HK\$456.1 million. Since the Government adopts cash accounting, RTHK's expenditure estimate does not cover overhead costs such as pension benefits of civil servants, unspent leave, some employment benefits and allowances, intra-governmental services, accommodation and depreciation. According to the Government, RTHK's total staff on-cost is about 30% of the total salary expenses. However, staff on-cost does not include those relating to intra-governmental services, accommodation and depreciation. The Committee has not been able to secure definitive or reliable information for calculating the actual cost of operating RTHK on its present scale.

44. Unlike the commercial broadcasters, RTHK does not operate under a licence. Instead of complying with licence conditions, it is required to follow all rules and regulations applicable to government departments across the board.

45. The working relationship between RTHK and CITB, and their respective obligations and responsibilities have been set out in a Framework Agreement. This is an administrative document renewed every two years. The latest version, dated August 2005, is at [Appendix 13](#). As stipulated in the Framework Agreement, RTHK has editorial independence. It has developed its own set of *Producers' Guidelines* for internal reference and compliance.

46. According to a memorandum of understanding signed among RTHK, BA and CITB, RTHK complies with the generic codes of practice issued by the BA, which are applicable to all commercial broadcasters. In practice, however, the sanctions of fine, licence suspension and licence revocation do not apply to RTHK because it is a government department and does not hold a licence.

Availability of PSB programmes

47. An often-held public perception is that RTHK is the key, if not the sole, provider of PSB programmes in Hong Kong. In fact, as mentioned in paragraph 39, the commercial broadcasters are also required by licence to provide PSB-like programmes.

48. According to research conducted by the Committee, in 2005, the PSB-like programme output by commercial broadcasters⁸ was over 11,000 hours for TV and over 6,650 hours for radio. Details are set out at Appendix 14.

49. In 2005-06, RTHK produced 557 hours of TV productions, about 5% of the commercial PSB-like TV programme output, and 30% of the total statutory maximum limit of Government programmes that the commercial broadcasters are required to broadcast. Its radio programme output was 49,750 hours, or 7.5 times of PSB-like radio programmes produced by commercial sound broadcasters.

50. The research also reveals that the commercial broadcasters produce significantly more PSB-like programme output than is required under licence conditions. Other than out of a sense of social responsibility on their part, this may also be attributed to the popularity of certain such programmes (i.e. rating considerations).

51. It should be noted that although all TV programme output by RTHK is broadcast via the TV channels operated by the domestic free TV broadcasters, the output hours have been attributed to RTHK in the calculations.

Adequacy of PSB

52. While service availability can be established largely based on facts, the adequacy of PSB calls for a qualitative analysis of the PSB programmes in terms of how far they meet public needs and expectations.

53. Many respondents have expressed their expectations of PSB during their consultations with the Committee; some with specific references to the current output of RTHK as it is the only non-commercial outlet among Hong Kong's established broadcasters. The comments received reveal a general consensus that Hong Kong deserves more and better PSB than is presently available.

54. The Committee concludes from its consultations that there is a strong public demand for quality current affairs programmes: Programmes that present issues of public concern in a comprehensive, informative and explanatory manner, and address divergent viewpoints impartially and even-

⁸ In this particular section, the term "commercial broadcasters" refers only to the commercial domestic free TV and commercial sound broadcasters. Domestic pay TV programme service licensees, non-domestic TV programme service licensees and other licensable TV programme service licensees are not subject to any licence condition regarding the provision of positive programmes.

handedly. Submissions to the Committee indicate such a need has not been met in full.

55. One of the areas in which significant improvement should be made is in enforcing a clear and mandatory demarcation between news and editorial opinions in PSB newscasts and public affairs programmes. Any blurring between factual/interpretative reporting and opinions/commentaries cannot help but undermine the credibility of any news organisation. Such credibility is earned only by vigilantly abiding to the basic tenets of accuracy and impartiality in reporting the news. The public is best served when given complete, factual and balanced information, and only with which responsible citizens can make up their own minds on any issue of public interest.

56. That is not to say no opinion should be presented in PSB current affairs programmes. In fact, one of the key PSB functions is to help bring out different sides of the story by airing divergent and sometimes conflicting opinions.

57. However, a clear and firm line must be maintained between moderating and commentating. A moderator takes no stance but ensures all sides of a controversial issue are being heard. By contrast, a commentator, when clearly labeled as such, should be free to espouse his/her opinion as long as it is based on facts, not fiction, innuendoes, rumours or outright lies.

58. Should PSB programmes feature commentaries, these too must be clearly labeled as such either on screen or by periodic audio reminders. Furthermore, it is adamant that commentators on all sides of an issue be given equal exposure on air.

59. A public broadcaster should encourage qualified staff with proven subject expertise to produce in-depth analyses on issues of public interest. Again, a strict distinction must be maintained between analyses and commentaries.

60. It is also important that the different roles of a moderator, commentator and analyst, whether performed by staff or other persons engaged by a public broadcaster on an ad hoc basis, are clearly defined and made known to the audience.

61. Another area of perceived inadequacy is the diversity of PSB programmes. During the consultation, many social services organisations and human rights concern groups have urged for more coverage of the lifestyles and challenges faced by minorities, the underprivileged and/or new immigrants, especially those from the Mainland. In doing so, PSB will reflect

more fully the pluralistic nature of Hong Kong, promote understanding and enhance social cohesiveness.

62. Submissions to the Committee also indicate that the current mix of PSB programmes lacks distinctiveness and creativity, qualities that should set them apart from what is readily available from commercial broadcasting. Instead of replicating what is available in the market, PSB should take measured risks: Experiment with new genres and bold formats, tackle controversial topics and commission programmes from independent producers to nurture talent. In short, PSB should inspire change, lead by example and set higher standards for the broadcasting industry.

Identifying gaps

63. The commercial broadcasters provide a significant amount of PSB-like programmes under the current regime. Commercial broadcasting has a propensity toward programmes with a mass appeal as they help maximise rating which in turn helps to increase advertising revenue. Popular programme formats and themes often dominate the schedule as they pose a lower commercial risk while promising a higher return in investment. Limited opportunities are available for exploring new genres and ideas, as they may not fit into proven “formulae” that deliver market success. These limitations also are reflected in the PSB-like programmes produced by commercial broadcasters.

64. Reliance solely on commercial broadcasting for meeting community needs for broadcasting services presents risks that minority interests are overlooked (not *universal*); programme choices in terms of both genres and subjects discussed are relatively limited (not *diverse*); and programme schedules fairly homogeneous across different stations (not *distinct*). The pressures of maximising profits for the shareholders also render the broadcasters/producers more susceptible to commercial and political considerations (not *independent*).

65. The Committee appreciates that commercial broadcasting is regulated in Hong Kong, and that the licence holders must comply with programme, advertising and technical codes issued by the BA.⁹ Vibrant and competitive, commercial broadcasting also has played its constructive role in broadcasting information and entertainment to meet Hong Kong’s social and economic needs. The concerns raised in paragraph 63 are not meant to be a denigration of commercial broadcasting. These concerns are just a factual recitation of the intrinsic limitations of this form of economic activity.

⁹ Please refer to <http://www.hkba.hk/en/tv/codes.html> (for TV) and <http://www.hkba.hk/en/radio/codes.html> (for radio).

66. Turning to RTHK, it is funded fully by the public and tasked to provide programmes that inform, educate and entertain. However, these attributes are insufficient to qualify RTHK as a public broadcaster, or ensure that its services satisfy public needs for PSB. The well-intended statement in the Framework Agreement on editorial independence does not alter the fact that RTHK is part of the executive branch of the Government, managed and staffed by civil servants who are duty bound to implement government policies and comply with government-wide rules and regulations. RTHK's status as a government department casts a shadow of doubt over its independence, which cannot help but reinforces, however unfairly, the perception of doubt on the impartiality of its programmes. This is an inherent problem that applies to RTHK radio and TV programmes alike.

67. RTHK's PSB role is further constrained by a lack of control over any TV station or channel. Reliance on the commercial TV broadcasters for transmission of RTHK productions pre-determines its output quantity and blurs RTHK's own branding. Sometimes RTHK's programmes are misconstrued as programmes of the same genre produced by the commercial TV broadcasters.

PSB in Hong Kong: need and public purposes

68. The local broadcasting sector already has multiple outlets, and each has developed its own programme schedule. Free TV and radio services are available, and enjoy a high household penetration. While the present regime may not meet the PSB principles discussed earlier in this chapter, one may question whether the inadequacy in PSB presents a real problem for Hong Kong and its people.

69. Hong Kong is a modern and affluent society. Its people deeply cherish and widely respect the freedom of expression, free flow of information and pluralism. The Committee considers that a genuine PSB will enrich Hong Kong's social and cultural tapestry, create a better balance in the local media ecology and contribute to the long-term development of a thriving and highly competitive broadcasting industry. As Hong Kong thrives on trade in goods and services, maintaining a workforce with global perspective and achieving a high international profile are both crucial for the SAR's continued economic success. PSB will broaden the regional and international perspective of the people, and contribute to Hong Kong's overall competitiveness as globalisation continues and accelerates.

70. The landscape of local broadcasting will change as a result of digitisation and further development of multimedia technologies. Broadcasting, and, in a broader sense, communication, will be made easier

with new technologies. Spectrum scarcity will cease to be a constraint, so stations and production houses will proliferate. This will provide room for broadcasting services to expand in scope and variety, and the conventional mode of service delivery may undergo fundamental changes. Potentially, the choice of channels and an abundance of content may inundate the public, further fragment the market and strain the existing regulatory regime.

71. These changes will enhance rather than diminish the social responsibility and value of PSB. There will be a greater and more pronounced public demand for PSB as the audience looks to it as a credible source of accurate and impartial information, educational inspirations and resources, as well as quality entertainment and enlightenment.

72. PSB should also exemplify high quality broadcasting in the impartiality of news, diverse and creative productions, commitment to nurturing talent, and promotion of social and cultural values. It should set the benchmark for other broadcasters, promote competition in the industry and generally enhance the balance of Hong Kong's broadcasting and media ecology.

73. It is common for overseas public broadcasters to have clearly defined missions or public purposes. Some of these are enshrined in law,¹⁰ and some are incorporated into legal documents underpinning their operation and continuance.¹¹ These mission statements charge a public broadcaster with an explicit public service mandate, and are often used to evaluate their performance and adequacy of services provided. Along the same line, and having regard to local circumstances, the Committee proposes that PSB in Hong Kong should serve four specific public purposes.

74. First, PSB should sustain citizenship and civil society. It should do so by:

- (a) promoting understanding of our community, our nation and the world through accurate and impartial news, information, perspectives and analyses;
- (b) promoting understanding of the concept of "One Country, Two Systems" and its implementation; and

¹⁰ Examples include the Australian Broadcasting Corporation (Australian Broadcasting Corporation Act 1983), Special Broadcasting Service (Special Broadcasting Service Act 1991), Canadian Broadcasting Corporation (CBC) (Broadcasting Act) and Channel Four Television Corporation (Channel 4) (Communications Act 2003).

¹¹ For instance, the public service mandate of the British Broadcasting Corporation (BBC) is set out by a number of provisions in both the BBC Royal Charter, and the Agreement between BBC and the Government of the United Kingdom.

(c) providing an open platform for exchange of views.

75. The second purpose is to foster social harmony and promote pluralism. Through the diversity of its programme coverage, universality of reach, and sensitivity to the pluralistic nature of Hong Kong and the world, PSB should seek to enhance public understanding and acceptance of the cultural, linguistic, religious and ethnic diversity both in the local community and beyond.

76. Thirdly, PSB should help establish education value and promote lifelong learning. This can be achieved by stimulating interest in a full range of subjects, and providing information and resources to facilitate learning at all levels and for all ages.

77. Lastly, PSB should stimulate creativity and excellence to enrich the multi-cultural life of the people of Hong Kong. It should produce, commission or acquire for broadcast distinctive and original content for public consumption; it should actively promote public interest, engagement and participation in cultural activities; and its programming and other corporate policies and practices should foster creativity and nurture talent.

78. To deliver on all these fronts, it is important for PSB to follow closely the development of multimedia, and take the lead when necessary to ensure delivery of quality programmes through as many platforms as possible, serving as wide an audience as possible.

Chapter 3

The Case for a New Public Broadcaster in Hong Kong

79. Convinced of the need for and public value of PSB, the Committee examines the options for delivering it to the community, establishes the case for a new public broadcaster, and defines the role of PSB vis-à-vis commercial broadcasting.

Examining the options

Build on the present

80. The existence of a publicly funded broadcaster and the PSB-like programme output of commercial broadcasters under licence have led some people to question the need and merit of setting up a new public broadcaster. Some respondents to the consultation have suggested that any real or perceived inadequacy in PSB should be addressed by requiring RTHK and the commercial broadcasters to do more. Others advocate improving the current regime with incremental changes.

81. The inherent limitations of the commercial broadcasters and RTHK in performing a full PSB role have been thoroughly discussed in paragraphs 63 to 67. In addition, the absence of a designated PSB body is likely to lead to a lack of programming, editorial and quality consistency and coordination in PSB outputs. Since RTHK does not have a TV channel, the broadcast of its TV output through the commercial channels will weaken the distinct identity of PSB. And this “multiple contributors” approach will also render it impossible for PSB to establish itself as a trusted open platform for exchange of opinions. Therefore, the Committee does not consider this a viable option for satisfying the genuine public needs for PSB in Hong Kong.

Create a PSB “coordinator” or “publisher”

82. Other respondents have suggested creating a public authority to determine PSB programming strategy and priorities, and broadcast programmes. Instead of producing programmes in-house, third parties such as existing broadcasters or independent producers would be commissioned to produce PSB programmes through an open and competitive tender system. This mirrors the publisher-broadcaster role adopted by Channel Four

Television Corporation (Channel 4) in the United Kingdom.¹² A bolder variation is to “out-source” also the programme transmission function by buying airtime from the commercial broadcasters or partnering with other multimedia platform operators. In this scenario, the PSB body is more a “coordinator” than a “broadcaster”.

83. These are plausible propositions, and have been examined in detail. A crucial success factor, as can be gleaned from Channel 4’s experience, is that the “publisher” or “coordinator” must devote great efforts and significant resources to work with the third-party producers, both to assure quality and to maintain consistency with PSB programming policies and compliance with various regulatory requirements.

84. Even with these investments, it will remain a daunting task for the “publisher” or “coordinator” to build up a coherent and discernible PSB identity. The Channel 4 example succeeds in the context of the United Kingdom where there already exists the huge and influential British Broadcasting Corporation (BBC). The publisher-broadcaster approach is therefore an “affordable” and welcome alternative to instill variety into the PSB scene in the United Kingdom. Hong Kong does not have this luxury, at least not for now.

Set up a new public broadcaster

85. With digitisation (see Chapter 9), market segmentation and competition with multimedia services will mount increasing pressure on commercial broadcasters to chase ratings and revenue. Against such a backdrop, Hong Kong needs a public broadcaster dedicated solely to quality broadcasting for the public commonweal: An industry leader who sets the benchmarks in the impartiality of news, in the diversity, quality and distinctiveness of programming, in the commitment to upholding Hong Kong’s social mores and cultural values; an organisation whose only masters are its service recipients, without ever being beholden to any political patrons, investor/shareholders or advertisers. This is the Committee’s PSB vision for Hong Kong.

86. The Committee supports the formation of a full-scale public broadcaster with programme development and transmission responsibilities to serve clearly defined public purposes. This position is subject to two qualifications: First, shouldering the programme development responsibility does not imply that all programmes must be produced in-house. The Committee considers that a public broadcaster should adopt multiple modes

¹² As a publisher–broadcaster, Channel 4 does not produce its own programmes but commissions them from more than 300 independent production companies across the United Kingdom.

of programme development, including self-production, external commissioning and acquisition (see paragraph 202). Second, the recommendation of only one instead of several public broadcasters is founded on the cognizance that Hong Kong has a relatively small and homogeneous local market, and that it will take time for PSB values to take root. When public demand justifies and resources are readily available, the Committee sees no reason why there should not be more than one public broadcaster. The licensing aspect of such a possible scenario is discussed briefly in paragraphs 153 and 154.

The role of RTHK

87. Right from the start, the review has been repeatedly misconstrued that it targets RTHK, and the Committee's mandate is to "rein it in". Despite these periodic uninformed and undeserved denigrations, it has been the clear and unswerving position of the Committee that its task is to undertake a macro and comprehensive examination of PSB in Hong Kong: Do we need it, what is it for and how to deliver it? Given the nature of the review, it targets no one in the broadcasting industry but will inevitably affect all, including RTHK, the only publicly funded broadcaster in Hong Kong. This particular section examines the option of transforming RTHK into a bona fide public broadcaster, in every sense of that term.

88. As discussed in paragraph 66, the current status and structure of RTHK does not fit the bill of a public broadcaster in full. The administrative Framework Agreement ([Appendix 13](#)) has addressed certain aspects relevant to PSB, such as editorial independence and public aim. However, it is not, and is never intended to be, a framework for a true public broadcaster. The working relationship between RTHK and its policy bureau as defined in that document is incomparable to that which should exist between a public broadcaster and the government. The status and structure of RTHK as a government department allow no room for a governance regime which enables independent strategy setting, a high degree of financial and operational autonomy, and direct public accountability based on a specific public mandate. These aspects will be discussed in detail in Chapters 4 to 6. The remaining question, then, is whether RTHK can be transformed to become a public broadcaster.

89. To be a genuine public broadcaster, RTHK would need to be freed from its present government department status and reconstituted into a statutory body with a clear public service mission. The Committee has examined this option in detail.

90. Founded in 1928, RTHK's constitutional relationship with the executive branch of the Government has remained largely the same in spite of changes to its name and expansions in the scope of its services. As with all established organisations, it has an entrenched structure, elaborate internal codes and a strong corporate culture. Reconstitution into a statutory body will herald significant changes, and entail difficult decisions on whether to preserve remnants of the existing organisational structure and practices.

91. Staff transition is also a major concern. All existing staff members of RTHK are government employees. The majority of them joined as career civil servants and have legitimate expectations of security of tenure, remuneration, promotion prospect and retirement protection.

92. The transformation of RTHK into a statutory body naturally demands a detailed examination which might well result in drastic changes to the manpower structure and staff employment terms.

93. According to a survey report released by the RTHK Programme Staff Union in March 2006, the prospect of a change in existing civil servant status drew mixed responses from staff. The majority of the respondents expressed a clear wish to preserve their existing employment terms. The survey report is at [Appendix 15](#) for reference.

94. The Committee considers it important for the future public broadcaster to have a high degree of autonomy in determining its own organisational structure, internal rules and practices as well as staff requirements and employment terms, subject only to statutory provisions and public scrutiny.

95. Any proposal to modify RTHK into a public broadcaster will also pre-empt government decision on what role it may assign to RTHK, as a government department, following the formation of a public broadcaster. The Committee has consciously steered away from discussing this matter, as it falls outside of the Committee's terms of reference.

96. In short, a sea change in RTHK's status is bound to be fraught with practical and insurmountable problems, and not conducive to the start-up of a new public broadcaster. Therefore, the Committee does not favour the transformation of RTHK into a public broadcaster. Instead, it proposes the establishment of a new public broadcaster with a fresh start.

97. Nonetheless, the Committee would be remiss were it not to remind the Board and management of the future public broadcaster of the vast reservoir of talent, experience and expertise of RTHK staff, which could be

drawn on subject to their meeting the new organisation's practical requirements and prevailing policies.

The role of PSB vis-à-vis commercial broadcasting

98. The co-existence of PSB and commercial broadcasting raises questions on their respective roles. Since commercial broadcasting is a regulated business in Hong Kong, and operators are required to obtain a licence and pay licence fees, understandably there are concerns about the market impact of a new public broadcaster on the existing broadcasting industry. These concerns will be exacerbated if the public broadcaster were to receive public subsidy or advertising revenue.

99. During public consultations, local commercial broadcasters in general accepted competition with a public broadcaster in programme quality, but were concerned about what they perceived as a possible "overlap" in programme offers. Some believed that a public broadcaster should focus on "filling in gaps," whereas others accepted a certain level of duplication in programme genres, but urge a public broadcaster to adopt a uniquely different approach to differentiate its output from commercial broadcasting. All were adamantly opposed to PSB competing for rating and advertising revenue. By contrast, the receiving public in general supported a full range of PSB programmes, the more diverse and attractive they are, the better. There were also a handful of submissions which suggested a more restricted remit for PSB, so that it would focus on serving audience groups overlooked by commercial broadcasting, addressing "serious" subjects or subjects not adequately covered by commercial broadcasting for various reasons, and avoid entertainment programmes already in abundant supply in the market.

100. Conventionally, the functions of PSB are to "inform, educate and entertain".¹³ The Committee considers these a generic description of the *raison d'être* of broadcasting, whether public or commercial. They can hardly be relied on to differentiate the two. In Hong Kong, commercial TV and radio broadcasters are also required by licence to "entertain, inform and educate". The Committee believes that PSB is different fundamentally from commercial broadcasting in two key aspects.

101. First, PSB has a set of agreed public purposes, as proposed in Chapter 2. Guided by such a clear public service mission or mandate, a public broadcaster should provide comprehensive programming to satisfy the needs of the entire community, catering for both mass and minority interests and tastes. For so long as its programming policy is public-interest oriented, its

¹³ For instance, these functions are included in the BBC Royal Charter and Agreement, and the object of CBC as prescribed in the Broadcasting Act of Canada. Various UNESCO pieces also echo the same.

role should not be restricted to, or defined by, what is left unserved or under-served by commercial broadcasting. Given the tests of *universality* and *diversity*, avoiding genres already provided by commercial broadcasting is not an option for PSB. As suggested in international PSB literature, PSB should provide “rich entertainment that is informative, educational and above all, in the public interest”.¹⁴ “Its mandate is not restricted to education and cultural development. PSB must also appeal to the imagination, and entertain. But it does so with a concern for quality that distinguishes it from commercial broadcasting.”¹⁵

102. Secondly, PSB must be accountable to the public for the scope and quality of service it provides, and the way it spends resources. The accountability aspect will be addressed more fully in Chapter 5.

103. Apart from the different nature of PSB and commercial broadcasting as discussed above, the Committee proposes that PSB should also seek to be “different” from commercial broadcasting in its risk-taking propensity and role as a socio-cultural institution.

104. To deliver the public purpose of stimulating creativity and excellence, PSB must be daring, innovative, and willing to take measured risks. It should:

- (a) promote innovation and originality by exploring new programme genres. In doing so, it promotes pluralism and expands choices for the receiving public. When it succeeds in developing outstanding genres or ideas, it sets standards and examples for the commercial broadcasters.
- (b) offer an outlet for airing quality productions by independent producers. A mix of in-house and independent productions enriches the texture and varies the tone of PSB programmes, helps nurture local talent and contributes to the development of the entire broadcasting industry. Often, it also broadens the programme offer to the audience.
- (c) address all subjects of social relevance, including those with political, religious, racial, cultural and other sensitivities, so as to promote public understanding.

¹⁴ Banerjee, I. & Seneviratne, K. (Ed) (2005). *Public Service Broadcasting: A best practice sourcebook*, section 6.2.

¹⁵ World Radio and Television Council (May 2001). *Public Broadcasting: Why? How?*

- (d) with due regard to cost-effectiveness, explore all possible means and technologies of programme delivery, enabling it to reach out to all, especially the new generation of audience who are less attracted to the conventional modes of TV and radio broadcasting.

105. As a socio-cultural institution invested by the public, PSB should provide a “meeting place” trusted by and equally accessible to every citizen to receive information, as well as express and exchange views. To achieve this, PSB must be, and publicly seen to be:

- (a) accurate and authoritative in the information it disseminates;
- (b) balanced in the views it reflects, and even-handed with all who seek to express their views via the PSB platform;
- (c) immune from commercial, political and/or government influences; and
- (d) uphold the highest professional standards of journalism.

106. The Committee believes that PSB and commercial broadcasting should complement, rather than threaten the viability of, each other. Their co-existence should create a balanced broadcasting ecology that contributes to plurality and promotes healthy competition.

107. Some have suggested that PSB should not compete with commercial broadcasting for rating. Provided that PSB does not pursue rating for its own sake and at the expense of neglecting or defying its public service remit or any part of it,¹⁶ the Committee supports competition between PSB and commercial broadcasting for audience popularity as it drives all broadcasters to excel in the services they provide. PSB also needs to reach the widest possible audience to achieve social and cultural impacts.

Press freedom and freedom of expression

108. During the review process, there were repeated calls on the Committee from some legislators and members of the public to “guarantee” press freedom and freedom of expression as the cardinal principle for the development of PSB in Hong Kong.

¹⁶ For instance, blind pursuit for high rating may lead a broadcaster to avoid certain programme genres or themes simply because they do not appeal to the mass audience and will generate a low rating.

109. It is common for overseas broadcasting legislation to enshrine protection for freedom of journalistic/creative expression. In Hong Kong, similar protections are enshrined in Article 27 of the Basic Law and Article 16 in Section 8 of the Hong Kong Bill of Rights Ordinance (Cap. 383). To this extent, the above concern has already been addressed, pre-dating the review.

110. That said, the Committee is fully cognizant of and staunchly defends these basic human rights. The Committee has stated in public often, and once again reiterates it here, that the Committee regards press freedom and freedom of expression as part and parcel of Hong Kong people's fundamental and constitutional rights. They are not the subject of, but rather the basic premises for, the review. The PSB vision as outlined in this and other chapters, if realised, should contribute to a vibrant media industry and a free society.

Chapter 4

Governance

Introduction

111. Corporate governance is defined as the processes and the related organisational structures by which organisations are directed, controlled and held to account. It “involves a set of relationships between an organisation’s management, its board, shareholders and other stakeholders. Corporate governance also provides the structure through which the objectives of the organisation are set, and the means of attaining those objectives and monitoring performance are determined,” concludes the Organisation for Economic Cooperation and Development (OECD)’s *Principles of Corporate Governance*.¹⁷

112. Research and studies by many esteemed international and local professional bodies have reaffirmed that good governance is essential to the fulfillment of public service mandate and proper use of funds by public organisations. A brief background of key reports and the framework for corporate governance is at Appendix 16.

113. Public consultations by the Committee have also shown an overwhelming community consensus on the need for and importance of good governance for a credible public broadcaster.

International experience

114. As the overview at Appendix 6 shows, almost all overseas PSB models have:

- (a) a clear legislative framework to establish the status of the public broadcaster and, in some cases, its governance structure;
- (b) a governing body (a Board or some similar nomenclature) which sets the objectives and strategy of the public broadcaster, monitors its performance and ensures legal and regulatory compliance. In most cases, it is also the body held accountable to the public for the overall performance of the organisation;

¹⁷ Organisation for Economic Cooperation and Development (OECD) (2004). *Principles of Corporate Governance*.

- (c) a separate management team charged with the responsibility to run the day-to-day operation of the public broadcaster. In most cases, the management team, or at least the head of the team, is appointed by the Board for a fixed term;
- (d) a clear separation of the roles of the Board (policy setting and monitoring) and the management team (implementation, supervision and daily operation); and
- (e) established accountability measures, a subject addressed separately in Chapter 5.

115. The governance structure of public broadcasters vary from place to place, each shaped by the unique history, culture and socio-political characteristics of the communities they serve. Their experiences provide a reference and not a solution for Hong Kong.

Need for a statutory framework

116. Having considered the findings of the Focus Group on PSB Governance Structure and public views, the Committee concludes that the governance structure of a public broadcaster in Hong Kong should be underpinned by legislation to uphold the organisational and editorial independence of the public broadcaster from potential commercial, political and/or government influences.

117. The relevant legislation also should ensure transparency and provide for a broad governance and accountability framework within which the public broadcaster would operate.

118. However, the Committee stresses that such legislation should not seek to prescribe all the detailed arrangements, so that appropriate degrees of flexibility might be given to the Board and the management team to perform their respective functions effectively.

Separation of power between the Board and the management

119. The powers and responsibilities of the Board of a public broadcaster and its management must be clearly defined and delineated.

Role of the Board

120. As the governing body, the Board should:

- (a) uphold and defend the freedom of speech and of the press by ensuring such freedom is exercised responsibly by the public broadcaster's management and the rank-and-file without fear of or favour to any commercial, political, government or individual interests;
- (b) inculcate and foster in all employees a strict adherence to the basic tenets of ethical programming, especially in news and public affairs, including but not limited to accuracy, fairness, balance, impartiality, providing perspectives and explanations;
- (c) uphold the organisational and editorial independence and integrity of the public broadcaster;
- (d) determine and ensure the implementation of the objectives, strategies and broad policies of the public broadcaster to ensure that its services reflect the interests and needs of the public;
- (e) ensure that the public broadcaster fulfills its public service missions in a proper, efficient and economical manner in order to render maximum social benefit to the public;
- (f) ensure compliance with all legal and applicable regulatory requirements;
- (g) determine the remuneration, terms, conditions and tenure of employment of the Chief Executive Officer (CEO) of the public broadcaster including appointment, reappointment and removal; and
- (h) approve the remuneration of other key senior staff.

121. The Board should maintain regular communication with the management team, but must not be involved in the day-to-day operational and editorial decisions of the organisation, which are rightly matters to be dealt with by the CEO and the management team.

Role of the CEO

122. The CEO of a public broadcaster should shoulder total corporate responsibility for all activities of the organisation. More specifically, the CEO should be responsible for:

- (a) implementing the strategies, policies as well as internal codes and guidelines determined by the Board;
- (b) all aspects of day-to-day operation of the organisation;
- (c) recommendation of remunerations of key senior staff for approval by the Board;
- (d) staff appointment, reappointment and removal; and
- (e) keeping the Board informed in a timely manner of all issues of strategic importance, including feedback and deliberation outcome of advisory bodies (see paragraph 148).

Formation of the Board

Size

123. The size of the Board should be large enough to bring in the range of expertise required, but small enough to ensure efficiency and ease of operation. Noting the international trend toward smaller boards, and that many overseas public broadcasters have a board of 9 to 12 members, the Committee recommends that the optimal size of the Board should not be more than 15.

Composition

124. The Committee considers that bringing the right mix of expertise into the Board is critical for the effective governance of a public broadcaster. The appointment of some lay members also will help broaden the Board's representation. Accordingly, the Committee recommends that the Board should include three categories of members.

(a) Members with industry/professional experience

First, the Board should have at least one person from each of the following fields in order to benefit from their expertise and professional perspectives:

- (i) person(s) with experience in the media sector to enable the Board to understand better the unique nature of the industry, and the interaction among the various media, broadcasters and audience;
- (ii) person(s) with experience in journalism to help establish a corporate culture of respect for and strict adherence to the recognised standards of ethical journalism;
- (iii) person(s) with experience in education to help guide the organisation in fulfilling its public mission to promote education value and lifelong learning;
- (iv) person(s) with experience in arts and culture to help guide the organisation in performing its role as a patron of arts and cultural activities and to nurture creative talent;
- (v) person(s) with experience in technology to help steer the organisation in embracing challenges of and exploring opportunities arising from technological developments;
- (vi) person(s) with legal qualification and experience to help ensure corporate compliance with statutory and other applicable regulatory requirements, and legal propriety of all undertakings by the organisation;
- (vii) person(s) with qualification and experience in accounting and/or finance to facilitate the Board in monitoring the efficiency, cost-effectiveness and financial accountability of the organisation;
- (viii) person(s) with senior management experience and expertise to help build a strong and constructive partnership between the Board and the management team, and generally enhance the management quality of the organisation; and

- (ix) person(s) with experience in serving the interests of minorities and/or the underprivileged to help ensure that services offered by the public broadcaster cater for the needs and interests of all in the community.

(b) Ex-officio members

To enhance internal communication and foster a constructive partnership among the Board, the management and staff, the Board should include two ex-officio members:

- (i) the CEO to serve as the bridge between the Board and the management, and steer organisational activities according to the decisions of the Board; and
- (ii) a representative elected by the non-executive staff at large, regardless of union membership, to facilitate Board consideration of the practical implications of decisions on front-line staff, and generally enhance communication among the Board, management and rank-and-file.

(c) Lay members

Although each and every sector of the community has a legitimate claim on PSB, it will not be practicable for the Board to accommodate all interests. This may be addressed to some extent through the appointment of lay members who, in the opinion of the appointment authority, will contribute positively to the good governance of the public broadcaster and effective operation of the Board. Such an arrangement will also allow flexibility, so that experts outside of the core areas specified in paragraph 124(a) may be recruited to suit the changing needs of the organisation. The appointment of lay members should, however, be subject to the maximum size of the Board proposed in paragraph 123.

125. The Committee proposes that all Board members, except the CEO and the elected staff representative, should be appointed in their personal capacity. These members should not represent the sector or organisation from which they are drawn. Once appointed, they should serve the best interest of the public broadcaster as long as it acts within its defined public service mission.

126. The appointment authority should appoint the Chairman of the Board from among Board members, except the CEO and elected staff representative. Board members (including the Chairman) should elect among themselves a Deputy Chairman and a Treasurer. The Deputy Chairman should assume the role and responsibilities of the Chairman in his/her absence. The Treasurer should assist the Board in overseeing all financial and budgetary matters.

Ineligibility for Board appointment

127. The Committee has also considered the categories of persons who should not be considered for appointment to the Board:

- (a) To ensure PSB will be free from the influence of the executive, the legislative and the judiciary of the Hong Kong SAR, the following categories should be excluded:
 - (i) a serving Member of the Executive Council; a full-time employee of the SAR Government, whether pensionable or otherwise; and a public officer;¹⁸
 - (ii) a serving Member of the Legislative Council; and
 - (iii) a judicial officer.
- (b) To preserve and reflect the principle of “One Country, Two Systems” and ensure that Hong Kong’s PSB serves the needs of the local community, the following categories should be excluded:
 - (i) serving member of any national, provincial, regional or municipal congress, legislature, assembly or council of any place outside Hong Kong, or a serving member of the Chinese People’s Political Consultative Conference;
 - (ii) a person serving any government outside Hong Kong with or without emoluments; and
 - (iii) an officer or member of any armed forces.

¹⁸ A “public officer”, as defined in section 3 of the Interpretation and General Clauses Ordinance (Cap. 1), means any person holding an office of emolument under the Government, whether such office be permanent or temporary.

- (c) To underline the public service nature of PSB and avoid conflict of interest, a person who is a holder of a commercial broadcasting licence in Hong Kong or an employee of a local commercial broadcasting licensee should be excluded.

128. The Committee also proposes to exclude the following categories of persons for appointment to the Board:

- (a) an undischarged bankrupt;
- (b) a person legally determined of having an unsound mind; and
- (c) a person convicted, whether in Hong Kong or elsewhere, of corrupt or illegal conduct, bribery, treason or any offence which has resulted in either a death sentence or an imprisonment for terms of more than three months either within the immediate 10 years prior to appointment, or at any time and has not completed such sentences.

129. Though the Committee feels it would be best were incumbent political party executives not be eligible for appointment to the Board to guard against partisan influences, the Committee appreciates that such exclusion is not feasible at present in the absence of legislation on political parties in Hong Kong.

Tenure

130. The Committee proposes a fixed term of three years on first appointment to provide security and stability, subject to reappointment for a maximum of another three years. With the exception of the CEO, no Board member should serve longer than six consecutive years. To enhance continuity at the Board level, by the end of the first three-year term, reappointments should be staggered so that:

- (a) not more than one-third of serving members might be reappointed for three years;
- (b) not more than one-third might be reappointed for two years; and
- (c) the remaining members might be reappointed for one year.

131. Under such an arrangement, new members would be introduced onto the Board from the fourth year onward, on a fixed term of three years, subject to reappointment for a maximum of another three years.

Appointment

132. The transparency and integrity of the method and process for establishing the Board will determine public credibility of the Board and the public body that it governs.

133. It has been suggested in some of the written submissions that Board members should be elected from their respective constituencies. The Committee has spent much time deliberating this option carefully before concluding that there are genuine concerns that Board members so elected might well feel the pressure to represent the interests of particular constituencies rather than those of the public at large. This will be contrary to the spirit proposed in paragraph 125. Since the proposed Board composition will involve many different sectors, the election process also would undoubtedly become unduly complex, and be susceptible to loopholes for potential political or other untoward influences.

134. The Committee proposes that the Board members of a public broadcaster should be appointed by the Chief Executive (CE) of the Hong Kong SAR. Direct appointment of the Board by the head of the SAR underlines the importance of PSB, and is in line with the common practice for appointment to statutory bodies in Hong Kong.

135. However, the CE should exercise the power of appointment within the statutory confines of the size and composition of the Board, as well as the tenure of its members.

136. To provide further check and balance, the Committee also proposes a scheme of advertisement and nomination as elaborated in the ensuing paragraphs. These steps should instill sufficient transparency and credibility into the appointment process.

Advertisement

137. With reference to overseas best practice in the process of appointments to public bodies, it should be a statutory requirement to advertise Board vacancies. This will make the recruitment of Board members more transparent. The pool of talent will be expanded as individual candidates may come forth voluntarily, and community and professional organisations may put forward names for consideration.

Nomination

138. The Committee believes that the Board should know best what expertise it needs, and should therefore be well placed to nominate candidates for appointment by the CE. A public broadcaster will also be seen to be more independent if it can nominate candidates for its own Board. However, arrangements must be in place to avoid conflict of interests and self-perpetuation of the Board.

Long-term arrangement

139. Applications and nominations for appointment (including reappointment) to the Board should be considered by a Nomination Committee (NC) comprising of:

- (a) the Board Chairman;
- (b) outgoing Board members, i.e.:
 - (i) all serving Board members not eligible for reappointment (e.g. those who had completed six consecutive years of service); and
 - (ii) other serving Board members who have declared they would not accept reappointment;
- (c) one person elected among non-Board members of the committees set up by the Board (see paragraphs 145 to 147); and
- (d) one person elected among the members of the Community Advisory Committee set up by the CEO (see paragraph 148).

An interim arrangement will be required to cater for circumstances under which the NC cannot be formed (see paragraph 143).

140. The NC should consider all applications and nominations received and recommend a nomination list to the Board for endorsement and subsequent submission to the CE for appointment. (The proposed terms of reference of the NC are at Appendix 17.) The nomination list submitted by the Board to the CE must contain at least two names for each of the categories of Board membership proposed in paragraph 124(a), plus the CEO and an elected staff representative (see paragraph 124(b)). The CE shall appoint Board members who belong to these categories from the list of nominees submitted by the Board. However, the NC process should not apply to the appointment of lay members (see paragraph 124(c)). Neither should

the NC specify the positions to be taken up by the nominees in the Board, as this should be subject to a separate mechanism as proposed in paragraph 126.

141. The Board should be required by law to publicise the assessment criteria when advertising Board vacancies, and disclose an overall profile of candidates included in the nomination list submitted to the CE. Though the nominees should not be named so as to protect their privacy, the names and backgrounds of those appointed by the CE should be announced at the first instance.

Interim arrangement

142. An interim arrangement will be required for the appointment of the first Board, or under any other unforeseen circumstances when the NC as envisaged above cannot be formed.

143. The Committee proposes that, in the interim, the CE should appoint no fewer than three persons to form a Provisional NC (PNC) and perform the same function as proposed in paragraph 140. All other statutory requirements relating to the nomination process should be implemented, including advertisement of vacancies and assessment criteria and subsequent disclosure of an overall profile of the nominated candidates. The terms of reference of a formal NC should also apply to a PNC. Members of the PNC should possess sufficient knowledge of the media field, understand Hong Kong's need for PSB, and be committed to upholding the independence and integrity of a public broadcaster.

Codes of conduct

144. Since the Board sets the policies of a public broadcaster, codes of conduct should be developed and adopted by its members to reflect the following key values and principles:

- (a) integrity and honesty, more specifically:
 - (i) disclosure and avoidance of conflict of interest;
 - (ii) avoidance of abusive use of position for personal or any other gains;
 - (iii) proper use of powers for public interest and the benefit of the public broadcaster;
 - (iv) proper delegation of powers; and

- (v) exercise due care, skill and diligence;
- (b) objectivity and independent judgment;
- (c) openness and accountability;
- (d) selflessness;
- (e) compliance with laws and regulations; and
- (f) leading by example.

Board committees and other supporting organs

145. In addition to the NC, the Board should set up three standing committees to support its work, namely an Executive Committee (EC), an Audit Committee and a Management and Administration Committee. The proposed terms of reference of these three Board committees are also at Appendix 17 for reference.

146. The EC should comprise of the Board Chairman, Deputy Chairman, Treasurer and the CEO. All Board committees, except the NC, should make submissions and report to the Board regularly through the EC. An organisation chart showing the relationship between the Board and the Board committees as well as the management is at Appendix 18.

147. The Board should have general powers to set up other standing or ad hoc committees in light of experience and the needs of the organisation. It is proposed that:

- (a) every Board committee should be chaired by a Board member;
- (b) every Board committee should preferably have no fewer than three and no more than five serving Board members;
- (c) Board committees, except the EC, may co-opt non-Board members as appropriate;
- (d) the Board Chairman, Deputy Chairman and Treasurer should recommend members of the Board committees (including co-opted members) to the Board for appointment, except in the cases of:
 - (i) the NC, the membership of which has been proposed separately in paragraph 139; and

- (ii) the EC, the membership of which has been proposed separately in paragraph 146; and
- (e) members of the Board committees should comply with the same codes of conduct for Board members as proposed in paragraph 144.

148. The CEO should establish a Community Advisory Committee (CAC) to receive feedback and inputs on all aspects of the operation and service of the public broadcaster. Members of the CAC should be drawn from the community at large. Other advisory bodies might also be set up should such needs arise. Should any matter of strategic importance arise in the deliberation of any of the advisory bodies, including the CAC, the CEO must keep the Board informed accordingly in a timely manner.

149. Members of the Board, Board committees and advisory committees established by the CEO should receive no compensation.

Complaints handling

150. The Board should charge the CEO with setting up a mechanism for receiving and handling complaints from the public. The number and nature of substantiated complaints and actions taken should be reported to the Board at regular intervals. Complaints against the CEO and appeals against the findings of the management in respect of any complaint should be referred to the Board for arbitration, which should be final within the structure of the public broadcaster.

151. All complaints, regardless of their nature, and their resolutions or lack thereof, must be duly documented and be subject to the Board's, and when appropriate, the public's scrutiny.

Regulatory oversight and licensing

152. The regulatory regime as well as requirements and guidelines that apply to commercial broadcasters should be equally applicable to a public broadcaster insofar as they are relevant.

153. Some of the written submissions have suggested that a public broadcaster should operate under a licence that is renewable and revocable.

154. The Committee has no objection in principle to a licensing scheme. However, before contemplating a second or more public broadcasters for Hong Kong, time should be allowed for the first public broadcaster to

establish its footing and the public to review its value and performance. During the initial stage when there should be only one public broadcaster, licensing does not seem to be a necessity, provided that major aspects such as public purposes, governance, accountability, funding and regulatory obligations are clearly spelled out in law. The need for and merits of a PSB licensing scheme should be revisited periodically.

155. The Committee considers that there may be a need to make consequential amendments to the existing broadcasting regulatory legislation on enactment of the proposed legislation that underpins the provision of PSB.

Chapter 5

Accountability

156. The Committee recognises that a public broadcaster must be held accountable to the public it serves and for the public money it expends. The accountability measures should be specific, feasible and meaningful. As far as practicable, relevant parties, whether organisation or individual, should be identified to exercise a monitoring role to hold the public broadcaster accountable.

Realm of accountability

157. It is important to hold a public broadcaster accountable while respecting its freedom and independence on programming and editorial matters. To ensure that a public broadcaster will perform its functions with integrity and command public respect and trust, it should be held accountable to the public for its:

- (a) Service scope: To ensure that a public broadcaster delivers the range of services that fulfills its public service mandate.
- (b) Programming quality: To ensure that a public broadcaster delivers quality service in terms of both the programmes and their scheduling.
- (c) Financial propriety: To ensure that a public broadcaster uses public resources in a proper, prudent and cost-effective manner, and in line with its public service mandate.
- (d) Management: To ensure that a public broadcaster manages its own operation properly and efficiently, with due regard to the principles of fairness and transparency.

Accountability measures

158. A public broadcaster should adopt internal measures as well as comply with external ones to enhance its accountability. Internal mechanisms facilitate proper management of a public broadcasting organisation, and enable self-auditing and review. They also serve as a constant reminder to a public broadcaster, from the Board through management to staff, of the

importance of public accountability. The external measures subject a public broadcaster to explicit and specific scrutiny from outside its corporate structure. They also help establish a clear relationship between a public broadcaster and outside parties to whom it is held accountable.

Internal measures

159. The internal measures should be transparent so that, while entrusting the public broadcaster with the primary responsibility of proper management of its own operation, the compliance with self-imposed rules and guidelines will be subject to public scrutiny. The proposed internal measures include the following:

- (a) The management should formulate internal procedures for making editorial, programming and financial decisions, subject to endorsement by the Board. Parties who are required to comply with the procedures should be clearly specified, and penalties for breaches defined.
- (b) The management should formulate programme standards for staff compliance, and seek endorsement from the Board. The endorsed programme standards should be promulgated and be publicly accessible. External assessors should be appointed to conduct audit on compliance with the programme standards, and report to the Board. They should have a limited tenure, and their assessment should focus on compliance rather than programme genre, content, quality and/or scheduling. By nature of their assignment, external assessors should not be allowed to preview any programme. The audit findings of the external assessors should be made known by the Board to the management for necessary follow-up. The public should also be duly informed of the assessment.
- (c) Conduct regular internal reporting, reviews and audits to ensure compliance with statutory requirements and internal procedures, uphold financial probity, and identify problems and correct them. The regularity of these internal exercises and a compliance assessment by the Board should be covered in the annual report of a public broadcaster.
- (d) Formulate mechanisms and procedures for receiving and handling complaints from the public. These measures shall be publicised widely through appropriate channels. The complaint handling authority should report to the Board and be independent from the management, keep proper records of all complaints received and

how they have been handled. These records should be accessible to the public on request. The annual report should contain a section on complaints handling.

- (e) Formulate mechanisms for obtaining feedback from the audience and other stakeholders. The annual report should give an account of feedback received.

160. As a general principle, the Board should also adopt appropriate measures to enhance the overall transparency of the organisation's operation.

External measures

161. The proposed external measures are set out below:

- (a) Subject to the regulatory oversight of the BA, and comply with all applicable regulatory requirements (including fulfillment of public service mission) and codes of practice. Given the unique nature of PSB, some of the requirements and codes imposed on the commercial broadcasters should be adjusted accordingly so that they might be applicable to a public broadcaster.
- (b) An external auditor should be appointed by the Board to audit the financial statements annually.
- (c) Annual reports should be published to review performance and announce corporate plans. Without limiting the information that may be included in an annual report, it should cover matters discussed in paragraph 159(c) to (e) above, and the annual audited financial statements as proposed in paragraph 161(b). The annual report should be submitted to the CE, who in turn should cause the report to be tabled before the Legislative Council.
- (d) The Director of Audit may conduct an examination into the economy and efficiency with which a public broadcaster has expended its resources in performing its public service functions.
- (e) The appropriation of public money to a public broadcaster should be subject to the approval of the Finance Committee of the Legislative Council.

Stakeholders' involvement

162. The accountability measures have been developed with a view to enabling all stakeholders to exercise a meaningful role in monitoring the different aspects of a public broadcaster's performance.

163. The Legislative Council will scrutinise the spending of public money by a public broadcaster at regular intervals, and such other aspects of its operation as and when public interest warrants.

164. The Government will, through the BA, monitor a public broadcaster's compliance with applicable statutory requirements and codes of practice, and keep track of its economy and efficiency through the Director of Audit when deemed necessary. Within the statutory framework for PSB, the relevant policy bureau will also ensure overall consistency with the prevailing broadcasting policy.

165. The receiving public and other stakeholders in the community will have channels to provide feedback on a public broadcaster's service scope and quality (including programme, scheduling, transmission and delivery quality, etc). A public broadcaster shall be required to obtain public feedback proactively (see paragraph 159(e)). The proposed disclosure of information by a public broadcaster will also equip the community to play a monitoring role in an informed manner.

Chapter 6

Funding

166. The Committee, in formulating the proposed funding model, has assumed that a new public broadcasting organisation will be constituted with a clean slate.

167. The Committee has studied the PSB funding arrangements of several overseas countries in detail. An overview, with the public broadcasters grouped by their primary funding sources, is at [Appendix 19](#). In gist:

- (a) The two most commonly adopted PSB funding models are audience licence fees (Germany, Japan and the United Kingdom) and appropriation (Australia and Canada). The United States adopts a distinctly different model in which federal appropriation accounts for a fairly low percentage of the total expenditure of individual public radio and television broadcasters (between 10% and 30%, averaging about 15% for a public broadcasting station in a medium-sized city).
- (b) Many overseas public broadcasters derive a certain percentage of funding from alternative revenue sources. These range from “retail” advertising revenue, “institutional/brand” sponsorships, donations, sales of programmes to advisory/consultancy services.

168. PSB funding arrangements around the world vary from place to place. The Committee considers that Hong Kong should develop its own funding solution and drive for community consensus.

Key considerations

169. The Committee considers that a suitable funding model for a public broadcaster should:

- (a) provide a stable source of revenue to reflect the community’s commitment to PSB and enable its sustainable development;
- (b) promote a sense of public ownership, and generate incentive for a public broadcaster to respond to public expectations;

(c) protect a public broadcaster from commercial, political and/or government interference; and

(d) promote cost-effectiveness and value for money in the provision of PSB.

170. To meet the array of considerations outlined above, the Committee proposes a funding model with multiple funding sources (“combined funding model”).

Recurrent expenditure

Primary source

171. The Committee has considered various options, including audience licence fee, a fixed percentage of rates revenue, and government appropriation.

Audience licence fee

172. The key attractions of an audience licence fee are the direct link that it will establish between a public broadcaster and the public it serves, and a stronger sense of public ownership. However, significant public resistance is expected, because such a fee will be regarded as a new tax. The experience of overseas public broadcasters also points to concerns about high administrative cost and potentially substantial delinquency of payment. Given these concerns, the Committee concludes that audience licence fee may not yield the stable stream of revenue required to support PSB.

Fixed percentage out of rates revenue

173. The Committee has also considered carefully the option of carving out an agreed percentage of rates revenue for PSB. Those who support this option argue that rates are a progressive and broadly based tax that can provide stable PSB funding. However, there is a lack of linkage between property ownership/occupancy and PSB consumption. The linkage is even weaker in relation to commercial premises, the rates payment from which accounts for more than half of total rates revenue in Hong Kong. In view of the volatility in rates revenue over the past 10 years (see chart at [Appendix 20](#)), it is also doubtful whether the proposal can provide stable funding for PSB.

174. The proponents of the rates revenue option also argue that a “fixed percentage” arrangement will avoid the need for annual resource allocation, and hence possible political and/or government interference. The Committee considers it important for a public broadcaster to be held accountable to the public financially. There is no defensible reason to side-step the established process of appropriation of public funds, which is subject to scrutiny by the public through the legislature.

Reliance on individual and institutional contributions

175. The Committee also has considered the model in the United States, which derives a rather low percentage of PSB funding from federal appropriation and relies heavily on individual and institutional contributions in the form of sponsorships, subscriptions and donations. Empirically, such an arrangement has driven many of PSB providers in the United States to make use of their airtime for solicitation of funds. The Committee does not consider this model workable as revenue so derived will undoubtedly be uncertain and volatile for a new public broadcaster in Hong Kong.

Asset vesting or capital injection

176. During the early stage of the review, there was also a suggestion that the Government should vest assets or inject capital in a public broadcasting entity so that it can finance its own operation in future. This option is hardly feasible as a public broadcaster is unlikely to generate sufficient recurrent revenue through its normal activities to support its operation.

Government appropriation

177. Through government appropriation, PSB directly draws on public money. This is consistent with its public service nature. It charges a public broadcaster with a clear responsibility to serve the public and promote its interest. Appropriation also provides a reasonably stable and predictable source of income.

The recommended option

178. The Committee proposes that the primary source of PSB funding should come from government appropriation, subject to approval by the Legislative Council. To maintain the level of public commitment to PSB, the real value of government appropriation should be preserved through annual adjustment in line with inflation.

179. To enhance the transparency of government appropriation, expenditure for PSB funding should be established as a separate head of expenditure. It is also proposed that PSB funding should not be included in the “financial envelope” of any Principal Official (PO) to underline PSB’s independence. Though this means that no PO would be responsible for representing the interest of a public broadcaster in the resource allocation process, the Committee is confident that such a perceived drawback could and should be more than adequately made up by the strong and assertive advocacy of the PSB Chairman, Board and management.

Other sources of revenue

180. To provide greater flexibility and autonomy to a public broadcaster, it should be allowed to raise funds from sources other than government appropriation (“supplementary sources”), provided that doing so:

- (a) is consistent with PSB’s role and mission as enshrined in law;
- (b) does not affect programme editorial control or distort programme agenda, and does not render PSB susceptible to any commercial, political and/or government influences;
- (c) is commensurate with the status and image of the public broadcaster as an independent, non-profit making public body, and does not undermine public trust in and respect for it; and
- (d) complies with the common standards of courtesy, decency and good taste.

181. The management of a public broadcaster should formulate guidelines to reflect the principles proposed in paragraph 180, and seek the endorsement of the Board. The endorsed guidelines should be promulgated and be publicly accessible.

182. Subject to paragraphs 180 and 181, a public broadcaster should be permitted to:

- (a) solicit commercial “institutional/brand” sponsorships, except for news and current affairs programmes;
- (b) solicit donation;
- (c) invite voluntary subscription from the public to promote public ownership;

- (d) charge pay-per-view fees for on-demand services; and
- (e) sell programmes and merchandise.

183. A public broadcaster should not raise “retail” advertising revenue as it will bring commercial pressure and influence to bear on PSB. It will also confuse the role of a public broadcaster as a non-profit making public body.

Funding cycle

184. A three to five-year funding cycle is proposed to allow a public broadcaster greater flexibility in financial planning. Compared with an annual cycle, this should also reduce a public broadcaster’s exposure to extraneous political and financial negotiations, resulting in undue pressure.

Phased implementation

185. The combined funding model should be implemented in phases.

186. To offer financial certainty and stability to a newly constituted public broadcaster, and thus allowing it time to establish a footing, it should receive full funding for recurrent expenditure through government appropriation in the first funding cycle. The real value of the amount of annual government appropriation in the first funding cycle, which should reflect the estimated annual recurrent expenditure, will be referred to as the “baseline” hereafter.

187. During the first funding cycle, a public broadcaster might also raise revenue from supplementary sources, subject to the rules and guidelines it would have developed and promulgated as proposed in paragraph 181. The amount thus raised should not affect the “baseline”. It should be retained by the public broadcaster and transferred into a development fund (see paragraph 193).

188. From the second funding cycle onward, a public broadcaster should be required to raise revenue through supplementary sources. The percentage of revenue from supplementary sources should increase progressively up to 20% of the “baseline” by the 10th anniversary of incorporation.

189. The Board of a public broadcaster should work out an implementation programme for achieving the 20% target within the 10-year time frame. Through a progressive but measured increase in the proportion of revenue from supplementary sources, a combined funding model will be

established over time. The amount of funding from government appropriation could then be reduced correspondingly, thus maintaining the “baseline”. The overall objective is to reduce reliance on, and hence the risk of interference from, any single source, and make room for achieving the other key considerations highlighted in paragraph 169.

190. Irrespective of the actual amount raised by a public broadcaster from supplementary sources, government appropriation should not fall below 80% of the “baseline” during the first 10 years to preserve the level of public commitment to PSB. Any surplus should be retained by the public broadcaster and transferred into a development fund (see paragraph 193).

191. The continuance or otherwise of the “baseline” and the proportion of revenue from supplementary sources from the 11th year onward should be subject to review in light of the practical experience gained in the first 10 years, and in particular of public feedback on the performance of the public broadcaster in terms of programming, management and governance quality. The review process should be independent, open and transparent.

Capital expenditure

192. A public broadcaster would need to invest from time to time in capital projects such as significant expansion in service scope and major upgrading in facilities and equipment. Such a need cannot be met from within recurrent expenditure, and should be catered for separately.

193. The Committee proposes that a public broadcaster should build up a development fund through retention and accumulation of surplus income, and draw on it for funding capital projects. It should also be given lending powers under the law. Should these avenues be inadequate for meeting legitimate capital investment needs, especially major expansion in service scope in response to public demands, a public broadcaster should be allowed to apply for additional government appropriation specifically for capital expenditure, subject to approval by the Legislative Council.

Sizing up PSB funding requirement

194. The Committee considers it necessary to establish the actual financial needs of providing PSB in Hong Kong once the PSB mission and the scale of operation have been agreed upon.

Chapter 7

Programming

195. The ultimate tests of the value and success of PSB are the quality and range of programmes it delivers to its audience. In exploring the principles and broad parameters for PSB programming, the Committee is mindful that PSB outputs should be consistent with the underlying principles of *universality, diversity, independence* and *distinctiveness*. It must also reflect PSB's public purposes. A conscious attempt has been made not to prescribe such details as output hours, proportion of different programme genres or scheduling options, because the precise programming strategy and approach should be determined by the management of a public broadcaster.

Positioning and development strategy

196. As discussed in paragraph 63, given the nature and constraints of commercial broadcasting, the current broadcasting environment in Hong Kong provides limited room and opportunity for innovation and improvement. In view of this, the Committee proposes that PSB programming should be driven by innovation, quality and socio-cultural consideration. The Committee feels that while value for money and ratings are legitimate considerations, they should not be the primary concerns in PSB programming.

197. PSB programming should be all-rounded, diverse, innovative and of a high quality. In particular, it should seek to provide what is lacking in commercial broadcasting so as to offer the public real and varied choices. Only by doing so could PSB build up its brand and foster a positive image, and receive public recognition and support for the values it represents.

198. The Committee proposes the following PSB programme development strategy:

- (a) In terms of programme content:
 - (i) Promote the humanities, arts, sciences and education to broaden the international, national and regional perspectives of the public, and enhance the quality of life for the people.

- (ii) Provide accurate, comprehensive, in-depth and interactive news and current affairs programmes to promote rational discussion, uphold the tradition of responsible press freedom, and promote the social values of diversity and tolerance.
 - (iii) Consciously develop programmes as education resources to enhance public interest in and knowledge of a wide range of subject matters, and promote lifelong learning.
- (b) In terms of the programme development direction:
- (i) Encourage innovative PSB programming in terms of both the subject matter and programme format to promote the vibrant development of the broadcasting, media and film sectors in Hong Kong.
 - (ii) Encourage local original productions to attract and nurture talent for the broadcasting industry.
- (c) In terms of scheduling, PSB programmes should be all-rounded to meet the diverse needs of different social, ethnic and age groups in the society; promote interaction, understanding and mutual respect; and facilitate development of a harmonious and civil society.

Broadcasting platforms

199. To ensure PSB can be genuinely universal, the Committee considers that Hong Kong's public broadcaster should:

- (a) operate at least one free TV channel. Free TV remains the most pervasive mode of local broadcasting. The proposed channel will broaden the audience reach of PSB programmes and maximise their socio-cultural effect. The public broadcaster should provide Cantonese, English and Putonghua programmes to cater for the unique linguistic environment in Hong Kong. Initially, these could be delivered through one channel with, say, six hours of original programmes daily. In the light of public demand and resource availability, the amount of original programmes may be increased progressively, and even an additional channel may be considered to allow greater flexibility in the packaging and scheduling of programmes in different languages/dialects.

- (b) operate a sufficient number of radio channels. The oldest form of broadcasting, radio is accessible at home, in the workplace and while commuting. Listeners can enjoy radio programmes even when undertaking other activities. As such, it is a broadcasting mode with significant social impact. Constrained by Hong Kong's topography, in an analogue broadcasting environment, FM radio channels are far more effective than AM ones. Hence, there should be enough FM channels for PSB radio broadcasting.
- (c) develop multimedia platform. Digitisation is re-inventing the traditional broadcasting industry, and multimedia platforms have the potential of becoming the most popular means among the new generation for receiving programme content. PSB must develop multimedia platforms to bring its output to the largest number of recipients. Multimedia technologies may also enable the provision of interactive programmes and enhance the attractiveness of PSB.

200. A public broadcaster should develop programme strategies according to the characteristics of the TV, radio and multimedia platforms, and explore the synergy among them. Since the development and use of different broadcasting platforms require resources, a pragmatic and cautious approach should be adopted to avoid spreading resources so thin as to undermine PSB service quality or quantity.

Modes of programme development

201. A public broadcaster should adopt multiple modes of programme development to diversify the source, subject, format and style of PSB programmes.

202. More specifically, PSB programmes may be developed in the following modes:

- (a) Commission independent producers/production houses to submit programme development proposals or to produce programmes. Commissioning opens up business opportunities for local creative industries, nurtures talent and promotes the development of the broadcasting industry. The participation of outside parties will enhance the diversity of PSB programmes and bring domain expertise into programme development. A public broadcaster should

develop a proper system of commissioning, set a percentage quota for commissioned programmes, and increase the quota over time.¹⁹

- (b) Acquire programmes, including those produced outside Hong Kong. In the initial stage, this might well be the major source of English and Putonghua TV programmes (except news and current affairs programmes), because it would take time to build up the capability of producing them locally.
- (c) Produce programmes in-house, and co-produce in partnership with other producers, be they based locally or elsewhere.

203. Whatever programme development mode a public broadcaster may adopt, it must be responsible for programme quality assurance (including compliance with internationally accepted technical standards), and ensure the consistency of individual programmes with PSB public service mission and overall programme directions.

Programme genres

204. At present, commercial broadcasting already provides a wide range of programme genres such as news and current affairs, documentary, drama, animation as well as phone-in programmes. Despite the variety in genres, commercial broadcasting programmes tend to be rather homogeneous as discussed in paragraph 63. The Committee considers that PSB should be unique not in terms of its programme genres, but its commitment to innovation, quality and universality of service through the diversity of programmes. PSB should compete with commercial broadcasting on these fronts rather than in audience rating. There are no valid reasons to stay clear of programme genres already available in commercial broadcasting.

205. The Committee notes that programmes currently available from the market are inadequate in the following respects. While providing comprehensive and diverse programmes, PSB should in particular fill in a number of identified gaps, as summarised in the following paragraphs.

206. In terms of subject matter and/or content, PSB programmes should:

- (a) contribute to the public purpose of sustaining citizenship and civil society by covering:

¹⁹ It is a common practice for overseas public broadcasters to set a quota for commissioned programmes. For instance, BBC and Channel 4 both adopt a 25% quota for PSB TV services. Some radio and new media services adopts a lower 10% quota. Since the development stage of the broadcasting sector and maturity of the independent production market vary from place to place, the quota adopted by overseas organisations should only serve as a reference.

- (i) civic education, including facts and analyses of national and local political, social and economic systems, and the unique constitutional status of Hong Kong under the principle of “One Country, Two Systems”; and
 - (ii) major international events and developments to broaden people’s international perspective.
- (b) support the public purpose of establishing education value and promoting lifelong learning by covering the humanities and social sciences (such as economics, sociology, history and philosophy) and natural science.
- (c) further the public purpose of enriching people’s multicultural life by covering arts and culture (including music, drama, opera, visual arts and literature) as well as sports.

207. In terms of target audience, PSB programmes should also seek to cater for the specific needs and interests of ethnic minorities, senior citizens, children and students. This would enhance the universality of its services and diversity of its programme mix.

Chapter 8

Performance Evaluation

The need for performance evaluation

208. Performance evaluation is an essential element in the on-going management of any responsible organisation. To evaluate performance, an organisation must set clear targets, develop measurable performance indicators and conduct regular assessments. These activities generate critical management information that reveals risks and problems, as well as highlights opportunities for improvement.

209. A public broadcaster's performance evaluation is not only a requisite management process. It is both a foundation for accountability and a tool to gain the public's trust and support for a public broadcaster. The evaluation outcome provides a basis for public scrutiny of the extent to which a public broadcaster delivers its public service mission, and returns value for the public money it expends.

Objectives and performance indicators

210. The Committee has identified broad areas of a public broadcaster's performance that should be subject to evaluation. It also has examined the objectives that should be achieved in each of these areas.

211. No attempt has been made to set specific targets, as this should be done by the management of a public broadcaster in the light of the actual circumstances of the organisation. The proposed key performance indicators (KPIs) on the following pages are to facilitate consideration by, rather than for imposing on, a public broadcaster.

Scope and quality of services

212. Within this performance area, the Committee considers that a public broadcaster should seek to achieve four objectives:

Obj-1. Provide a comprehensive mix of programme genres to cater for the entire population, addressing both majority and minority needs and interests.

Possible KPIs

- (a) Range of programme genres: overall, and by transmission media.
- (b) Broadcast hours and percentage of different programme genres.

Obj-2. Cater for the diverse needs of different groups in the community, and promote public understanding and tolerance of such diversity.

Possible KPIs

- (a) Availability of programmes in different languages and/or dialects.
- (b) Availability of multi-cultural programmes.
- (c) Availability of programmes that cover different religions.
- (d) Availability of programmes that cater for the special needs of audience with disabilities (e.g. deafness or blindness).

Obj-3. Stimulate creativity and originality, and nurture talent.

Possible KPIs

- (a) Broadcast hours and percentage of:
 - (i) Locally first-run programmes.
 - (ii) Programmes produced in-house.
 - (iii) Commissioned programmes (produced by independent producers and/or production houses).
 - (iv) Programmes acquired from outside sources.
- (b) Resources (amount and percentage of total budget) spent on each of the categories listed in (a).

Obj-4. Provide quality programmes.

Possible KPIs

- (a) Rate of approval by external assessors appointed by the Board to assess compliance with internal programme standards (see paragraph 159(b)).
- (b) Audience feedback (see paragraph 159(e)).
- (c) Number of local, regional and/or international awards received.

Audience reach and market share

213. The objective of a public broadcaster in this performance area should be to:

Obj-5. Maximise the social impact of PSB by reaching as large a population as possible with services delivered across various platforms, including radio, TV, online and other new media as they become available.

Possible KPI

Total audience size (number of persons who has at any point during the relevant period received PSB services), and growth/decline.

Quality of governance and management

214. Good governance, effective management and cost-effectiveness are the assumptions underlying the independence of a public broadcaster. In this performance area, it should pursue the following objectives:

Obj-6. Ensure the credibility and accountability of PSB through quality governance.

Possible KPIs

- (a) Compliance with statutory and other applicable requirements.
- (b) Adequate and timely reporting, review, disclosure and response to the public.

- (c) Adoption of and compliance with codes of conduct for members of the Board and the committees it sets up.
- (d) Adoption of appropriate transparency measures.

Obj-7. Ensure the efficiency and sustainability of PSB through effective internal management.

Possible KPIs

- (a) Delineative and unambiguous table of organisation with clear chains of command.
- (b) Proper delegation of authority in all aspects of day-to-day operation.
- (c) Regular communication between management and staff, and between management and the Board.
- (d) Fair, effective and transparent staff appraisal mechanism, with regular evaluation and corresponding management actions of reward/punishment.
- (e) Adequate support for staff training and development.

Obj-8. Ensure cost-effectiveness and optimal utilisation of assets through sound resource management which may involve the reduction of administrative layers, sharing of resources across divisions, exploration of new revenue sources, etc.

Possible KPIs

- (a) Cost per broadcast hour overall.
- (b) Cost per broadcast hour by programme genres.
- (c) Utilisation rate of facilities and equipment (e.g. studios, outside broadcast vans, etc).
- (d) Percentage of administrative and programme production expenditures as part of the total expenditure.
- (e) Annual target for revenue growth generated from sources other than government appropriation, and the extent of achieving the target.

Development of new media services

215. A public broadcaster should pursue the following objectives:

Obj-9. Explore and develop new media services to reach out to as large an audience as possible.

Possible KPI

New broadcasting content, information (including archives) and interactive services available through new media.

Obj-10. Enhance the accessibility and quality of new media services, and promote their use by the public.

Possible KPIs

(a) New media service users: number and growth/decline.

(b) User retention (e.g. browsing duration).

(c) Signal quality assessment.

(d) Connection speed and reliability.

Public participation

216. To cater for the changing needs of the community, and respond to public expectations in a timely and constructive manner, a public broadcaster should:

Obj-11. Provide adequate and effective opportunities for obtaining public views and feedback, and use these inputs in the decision making process.

Possible KPIs

(a) Forums to facilitate on-going public consultation on all aspects of PSB services and operation such as the CAC proposed in paragraph 148, and other advisory bodies as necessary: availability, frequency of meeting, and timeliness of reporting to the Board.

- (b) Public hearings and survey of public satisfaction level: regularity and timeliness of reporting to the Board.

Obj-12. Maintain a credible, accessible and efficient complaints handling system. Handle complaints in a positive, timely and fair manner, and take follow-up actions as necessary.

Possible KPIs

- (a) Publicity on complaints channels.
- (b) Number of complaints/appeals received.
- (c) Number of complaints/appeals substantiated.
- (d) Number of complaints resolved and/or appeals addressed.
- (e) Improvement measures identified/implemented.
- (f) Disclosure of overall complaint handling statistics.

Value of performance evaluation

217. As stated earlier, performance evaluation not only serves as a management tool for a public broadcaster, but also enhances its public accountability. To generate useful management information:

- (a) evaluation should be conducted regularly to enable comparison of performance over time;
- (b) follow-up actions should be identified and implemented promptly; and
- (c) evaluation outcomes should be shared with staff to build a common understanding of corporate objectives and actions needed to achieve them, and reported in a timely manner to the Board to enable effective oversight and facilitate adjustment in organisational strategies and directions.

218. The key evaluation outcomes and follow-up actions adopted should also be disclosed to the public in the annual report or through other appropriate forms of publicity. Such information will facilitate informed public scrutiny and enhance the accountability of a public broadcaster.

Chapter 9

Digital Broadcasting

219. The rapid advancement of digital and related technologies has fundamentally altered the global broadcasting scene. How and to what extent will digitisation affect the development of PSB in Hong Kong?

The benefits of digital broadcasting

220. Digital broadcasting brings significant benefits to the audience as it improves TV's video quality by eliminating ghosting or snowing through higher definition transmission, while at the same time it enhances sound quality by multiplexing the audio signals for true multi-channel sound broadcasts.

221. Digitisation also opens up business opportunities to the broadcasters by enabling the development of new services such as multimedia content, interactive programmes, electronic programme guides, datacasting and mobile reception.

222. For the wider community, digital broadcasting yields higher spectrum efficiency as more channels can be accommodated within a given spectrum through digital compression technology. As a result, viewers and listeners will enjoy greater choices. In the case of terrestrial TV services, when a high digital coverage is achieved, analogue switch-off will also free up the existing frequency bands for accommodating more broadcasting and communication services. Hence, the economic and social benefits of digital broadcasting go beyond the broadcasting sector.

Industry adoption

The international scene

223. The benefits of digital broadcasting have spurred on broadcasters around the world to embrace digitisation by producing programmes, packaging channels and transmitting output on a digital platform, often with conscious policy guidance and support from government. The ITB Panel Report contains a factual account of the adoption of digital technology by public broadcasters in Australia, Canada, Germany, the United Kingdom and

the United States. The relevant information contained in that Report has been extracted and tabulated at Appendix 21.

224. The Committee notes that these overseas public broadcasters are in different stages of digitisation. In all cases, the migration from analogue to digital platform covers both TV and radio services, with the digitisation of TV broadcasting typically preceding that of radio broadcasting.

The local scene

225. The pace of digitisation in the local broadcasting sector is also covered in Appendix 21. In gist, digital TV services are already available via satellite, cable and broadband networks. According to the implementation framework for digital terrestrial TV (DTT) broadcasting, the two domestic terrestrial TV broadcasters (ATV and TVB) will start simulcasting their existing services in both analogue and digital formats and launch a new digital service on the respective additional frequency channels assigned to them within 2007, with a view to achieving at least 75% coverage in 2008. The target to switch off analogue TV broadcasting by 2012 is subject to consumer replacement speed and technical studies.

226. The introduction of digital audio broadcasting (DAB) services will be market-led. No timetable has been set. The major concerns include the affordability of digital receivers, availability of other wireless communication technology for sound transmission and the need to finalise the Band III frequency plan with the Mainland authorities and clear the frequency band concerned for DAB services. Among local sound broadcasters, only RTHK has conducted tests on digital transmission of radio services on Band III frequencies, and is prepared to launch new programme services in a digital format, subject to resource availability.

Digitisation of Hong Kong's PSB

Embrace change and new opportunities

227. The potential that digitisation holds for offering new services is of particular importance to a public broadcaster as it will maximise the socio-cultural impacts of PSB by expanding its audience reach, enabling a more diverse programme offer, and attracting more, especially the new generation of, viewers and listeners. The Committee therefore recommends that a public broadcaster in Hong Kong, when established, should operate on a digital platform to provide a full range of broadcasting services: TV, radio and multimedia services.

228. As a component of the local broadcasting industry, it is taken for granted that a public broadcaster in Hong Kong shall provide TV services on a digital platform. Spectrum will need to be allocated for this purpose (see paragraph 199(a)), or it will be inconsistent with the Government's DTT implementation framework, and delay the target of analogue switch-off by 2012.

229. For radio services, the existing analogue system is near saturation, with only two AM and no more FM frequency bands available for new radio channels. It leaves hardly any room for new entrants, including a public broadcaster, without causing frequency overlapping or signal interference to existing operators. Developing a digital platform for PSB radio broadcasting is therefore an attractive proposition. In this regard, using digital multimedia broadcasting (DMB) applications instead of DAB will enhance versatility and accommodate not only radio but also multimedia PSB contents. The development of a multimedia platform will also enable a public broadcaster to provide interactive contents and foster two-way communication with users of its service.

230. The Committee is mindful that the DMB market conditions in Hong Kong have yet to mature. The attraction of multimedia contents should create incentive for listeners to pay for a digital receiver, but it will take time to ready the public for a complete switchover to digital broadcasting in Hong Kong. Until then, total reliance on DMB applications may undermine the competitiveness of PSB radio services vis-à-vis analogue-based commercial radio services. It is therefore recommended that Hong Kong's public broadcaster be allocated:

- (a) one multiplex for digital broadcasting of radio and multimedia services; and
- (b) until complete digital switchover is achieved, sufficient FM frequency bands to allow public access to a level of PSB services comparable to what is currently available. All existing FM frequency bands have already been allocated (see paragraph 229). With the transfer of PSB responsibilities from RTHK to a new public broadcaster, there should be room for the former to transfer a corresponding number of FM frequency bands to the latter.

A total approach

231. As evident from overseas experience, it makes sense for all services provided by a public broadcaster to be delivered via the same platform. With advance planning and coordination, technically it is feasible for certain elements of the digital broadcasting infrastructure (such as transmission towers) to support a full spectrum of PSB services and generate economies of scale. Sharing a common digital platform also fosters synergy among the TV and radio streams of programme production and delivery by a public broadcaster, and enables the development of new multimedia contents and services. In Hong Kong, a public broadcaster is best placed to reap these practical benefits because the commercial broadcasters are subject to the existing restriction on cross-media ownership.

232. Developing a digital PSB outfit will require significant commitment of and financial support from the public. The Committee is nevertheless convinced of the need to do so. In addition to the considerations set out above, from a development perspective, digitisation of PSB will ensure long-term compatibility with international partners as more and more public and commercial broadcasters around the world go digital. It is also consistent with the Government's policy to promote the development of the broadcasting industry and facilitate technology convergence.

233. Drawing on the advice of technical experts with industry knowledge, the Committee has identified, in broad terms, the likely facilities and equipment required for a public broadcaster to provide digital TV broadcasting and multimedia delivery, and the corresponding cost estimate. These are set out in Appendix 22 for reference only.

234. As and when a policy decision has been made to develop PSB on a digital platform, detailed technical and other necessary studies must of course be conducted to ascertain the actual requirements and precise cost. The Committee has not been able to provide a similar rough estimate for DAB or DMB in view of limited local experience in this regard.

An ever-changing scene

235. When analogue switch-off is achieved and broadcasting frequency bands released for other uses, there may well be a proliferation of content distributors and further segmentation of the market. In time, the conventional mode of broadcasting which combines the dual functions of programme production and transmission may cease to be the prevalent mode of service delivery. Instead, there may be a more marked division between content providers who develop and produce "programmes", and carriers who transmit

the output using different platforms. In fact, certain programme contents for broadcast is already being transmitted through the telecommunication networks in Hong Kong to mobile phone users who are paying extra to subscribe to the service.

236. The rapidly shifting media habits of the public from conventional to new, non-broadcast content distribution systems accessible on computer and handheld devices will pose great challenges to the broadcasting industry of which PSB is a part. It is therefore important to review the exact roadmap for digitisation as PSB takes shape in Hong Kong, and fine-tune it in light of the latest technological developments, changing market conditions as well as evolving audience needs, habits and expectations.

Chapter 10

Implementation Plan

237. The Committee, after many months of consultations, review and deliberations, is convinced that there is a need for PSB in Hong Kong. Accordingly, the Committee has proposed the establishment of a new public broadcaster with clearly defined governance structure, accountability measures, funding arrangements and programming strategy. It also has identified possible KPIs for performance evaluation, and addressed the impact of new media development on PSB.

238. The Committee suggests that this newly minted public broadcaster be named the Hong Kong Public Broadcasting Corporation (PBC). The plan for bringing the PBC into being is outlined below.

Immediate measures

239. The Government has committed to consider the Report of the Committee in detail and consult the public. The Committee recommends that, following policy endorsement, several measures should be implemented immediately. These measures focus on preparation of the enabling legislation; studies to define the operational, technical and financial parameters of the PBC; and physical construction of PBC premises.

240. The lead time between the submission of this Report and the commencement of the immediate measures will depend on the duration of internal consideration, public consultation as well as the process of policy formulation and formal endorsement by the Government.

241. The Committee proposes that the Government implement the following immediate measures:

- (a) Formulate legislative proposals and law drafting. The enabling legislation should provide a legal basis for the eventual establishment of the proposed PBC. It should also contain transitional provisions to enable the setting up of a Provisional PBC (PPBC) with legal powers to oversee the developmental stage and prepare for the formal launch of the PBC. The Government should engage the Legislative Council in shaping the legislation so as to benefit from the advice of the legislators and facilitate a smooth passage through the Council.

- (b) Commission detailed consultancy studies to:
 - (i) establish the infrastructure, equipment and technical requirements of the PBC; and
 - (ii) ascertain its financial requirements, having regard to the agreed PSB missions and (i) above.
- (c) Make substantive planning for the provision of purpose-built PBC premises, including site identification, statutory procedures such as town planning and environmental impact assessment, technical feasibility study and funding application.

242. In view of the public value of PSB to Hong Kong, the Committee urges the Government to expedite the immediate measures with a view to completing them within 12 months from policy endorsement.

Short-term measures

243. When the enabling legislation is ready for scrutiny by the legislature, and suitable candidates lined up to run the PPBC, the Committee recommends the following short-term measures:

- (a) The Government should:
 - (i) identify and line up members of the PPBC Board, and, as far as practicable, involve them in refining and finalising the enabling legislation;
 - (ii) present the bill to the Legislative Council for scrutiny; and
 - (iii) subject to the approval of the Finance Committee of the Legislative Council, provide full funding to enable the operation of the PPBC. Funding should be dispersed on an annual basis to underline the PPBC's transitional nature.
- (b) The candidates identified for appointment to the PPBC Board should:
 - (i) be engaged in lobbying support for the bill and the funding proposals; and
 - (ii) identify the CEO for the PPBC and, through him/her, line up a management team.

244. The duration of this stage will depend largely on the time required for the scrutiny of the bill and funding proposals. The process for identifying PPBC Board members and the CEO should proceed in parallel. Prospective PPBC Board members should be involved in the implementation of the short-term measures as soon as they confirm their commitment, pending a legal basis for formal appointment.

Medium-term measures

245. Substantive preparation for the establishment of the PBC will start with the enactment of the enabling legislation. The Committee recommends the following medium-term measures:

- (a) The Government should activate the transitional provisions in law to establish the PPBC and appoint its Board, while holding other provisions in the legislation in abeyance.
- (b) The PPBC Board should appoint the CEO, who in turn should recruit the management team. All of them should be employed on terms determined by the PPBC Board (“PBC terms”).
- (c) The CEO and management team should:
 - (i) review findings arising from the studies proposed in paragraph 241(b) above, determine the exact requirements of the PBC and seek Board endorsement;
 - (ii) develop editorial, financial and auditing codes, programming standards, guidelines for receiving sponsorship, and internal systems for procurement as well as programme commissioning and acquisition, and seek Board endorsement;
 - (iii) manage the construction programme of the new premises, as well as source and procure equipment;
 - (iv) formulate programming strategy and scheduling, and in light of these, determine requirements of production, news, engineering and other staff, both for immediate employment by the PPBC and for deferred employment on formal establishment of the PBC. While the PPBC will not broadcast programmes immediately, it will need to begin programme production, commissioning and acquisition so as to build up a sizeable stockpile, especially for TV, for broadcast once the PBC goes on air;

- (v) determine staff employment terms and selection criteria, and roll out recruitment drives. Any person who meets the specified qualifications/requirements should be considered on an equal basis. All staff will be employed on PBC terms; and
 - (vi) develop complaints handling mechanism, and seek Board endorsement.
- (d) When measures (a) to (c) have been completed, the Government should take necessary steps to commence the remaining provisions in the legislation, establish the PBC, and repeal the transitional provisions. Should any PPBC Board members be retained, their year of service on the provisional body should not count toward their tenure on the PBC Board. This will allow the appointees concerned to serve the PBC for a longer period of time, and enhance continuity at the Board level. The PBC Board should reaffirm the appointment of the CEO and retain all staff on their original employment terms.

246. A flow chart showing the medium-term measures is at [Appendix 23](#).

Long-term measures

247. It will take time for a brand new public broadcaster such as the PBC to try out the governance structure, accountability measures, funding arrangements and programming parameters. At the same time, the public should scrutinise its performance closely, determine whether the PSB mandate is met in full, and explore room for the further development of PSB. The Committee therefore recommends the following long-term measures:

- (a) In relation to PSB in general: Periodic reviews of the overall PSB regime, including the need for a licensing scheme should there be more than one PSB provider eventually. These reviews may need to be conducted more frequently (say, every five years) in the initial 10 years, then further apart but regularly (say, every 10 years) to ensure that the PSB arrangements in Hong Kong moves in time to meet changing needs of the community.
- (b) In relation to the PBC: Review at an appropriate juncture the proportion of government appropriation to supplementary funding sources from the 11th year onward, and as necessary in future.

Chapter 11

Other Issues

248. In undertaking the review, the Committee has consulted extensively, both within and beyond the broadcasting sector, to ascertain Hong Kong's need for PSB, and how best to deliver it. Diverse views and suggestions have been received, some on subjects beyond the Committee's terms of reference. Of these, the Committee has discussed three that are considered relevant to the overall broadcasting scene in Hong Kong: Government information dissemination and policy promotion; community broadcasting; and public access broadcasting.

Government information dissemination and policy promotion

249. While it is a fairly unanimous expectation of PSB to facilitate monitoring of government performance, there are divergent views on whether a public broadcaster should have any role in disseminating government information and promoting its policies. Some expect a public broadcaster to bear the responsibility of doing so as part of its public purposes; others fear that such a role will render a public broadcaster at best a "government mouthpiece" or at worst, a propaganda machine.

250. The Committee appreciates full well that every government has a legitimate and practical need to communicate information to the public and explain, promote or defend its policies through broadcasting as a pervasive means of communicating with the public. The need is perhaps more pronounced now than ever when the public expects greater transparency in government policy formulation and implementation, and timely flow of accurate information is crucially important for the proper functioning of the economic and social systems.

251. At present, such a need is met through one or a combination of the following means in Hong Kong:

- (a) Government's announcements in the public interest (APIs) and weather forecasts and weather programmes carried by the commercial broadcasters according to licence requirements;

- (b) public affairs programmes or specifically commissioned programmes produced by RTHK, which are broadcast through RTHK's radio channels or commercial TV channels according to licence requirements; and
- (c) programmes produced by outside parties, including, but not limited to the commercial broadcasters, which are carried by the commercial broadcasters through separate arrangements.

252. The establishment of a public broadcaster as recommended in this Report should not fundamentally affect arrangements (a) and (c) in paragraph 251. However, subsequent to the proposed transfer of RTHK's existing PSB functions to the PBC, the reduced role of RTHK could hardly justify the allocation of seven radio channels and TV airtime on the domestic free TV channels. As a result, (b) may no longer be a valid option. What role then, if any, should the PBC play in filling in the gap?

253. The Committee considers it important to preserve the substance and perception of PSB as a service and platform genuinely independent and equally accessible to all. Hence, the PBC should not be under any obligation to disseminate information provided by the Government, except in such emergency situations as natural disasters or outbreak of pandemic diseases, or promote government policies. Instead, it should have the independence to decide on whether and/or how to cover government information and messages according to its public purposes, programming policies and editorial judgment, and subject to regulatory requirements and journalistic standards, as they are similarly applicable to all other local broadcasters.

254. How, then, might the gap identified in paragraph 252 be filled? The Committee believes that the Government may consider producing its broadcast contents in-house or commission outside parties to do so on an open and competitive basis. The Government also may want to invite all local broadcasters to bid for transmitting such contents to the public. It should be up to the commercial broadcasters and the PBC alike to decide whether to bid for such projects. The Information Services Department, the Government's public relations consultant, publisher, advertising agent and news agency, may coordinate government publicity and information dissemination as it does now. Such an arrangement should help accommodate the needs of the Government, and allow sufficient flexibility for all parties involved without affecting their independence, financial viability and corporate priorities.

255. In addition, and with reference to the current licence requirements imposed on the commercial broadcasters, the Committee considers that the PBC may be required either by statute or through administrative arrangements to broadcast a specified amount of APIs and weather forecasts

and weather programmes provided by the Government. The broadcast content should be clearly branded as government information so as to be distinctly differentiated from programmes that belong to PBC's own schedules.

Community broadcasting and public access broadcasting

256. The Committee notes from public discussions that apparently there is a confusion of community broadcasting with public access broadcasting.

257. Community broadcasting is sometimes described as a “third tier of broadcasting”, which serves to meet a perceived gap in broadcasting services unfulfilled by commercial broadcasting and PSB. It caters to the needs of very specific groups, often defined with reference to locality (such as small rural communities or remote villages) or shared interests (such as common ethnic or cultural origins, and indigenous groups). The issues covered by community broadcasting are typically local in nature, or of concern mainly to the target audience. Community broadcasting is usually operated by non-profit making community groups (including universities and churches), and funded by a mix of sponsorships, grants, donations and advertising revenue.

258. Public access broadcasting refers to the opening up of the airwaves for individuals or groups to express their opinions and exchange views with others. The challenge usually lies in managing these public access slots, because not every interest group can be given its own channel or station to control. Often, specified programme slots are set aside on existing broadcasting channels or stations for this purpose.

259. The lack of a broader outlook and comprehensive scope mean that neither community broadcasting nor public access broadcasting can be a replacement for PSB. Also, they are not bound by the underlying PSB principles of *universality, diversity, independence* and *distinctiveness*.

260. Local views are diverse on whether there is a case to provide community broadcasting or public access broadcasting in Hong Kong. The Committee has not ventured into an in-depth analysis of their need and feasibility. By way of general observation, community broadcasting and public access broadcasting both contribute to an open society, foster freedom of expression and facilitate participation in public life. They are not costless pursuits and will involve public resources in terms of broadcasting frequencies or airtime, and sometimes financial and technical support in programme production and transmission.

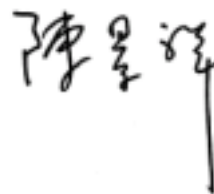
261. Public access broadcasting, if provided, should have regard to spectrum efficiency, especially as its primary objective of providing an open forum for public expression of opinions should be met at least in part by PSB.

262. Given the high penetration of free TV and radio services in Hong Kong, and a small and relatively homogeneous population, there is no apparent case for funding community broadcasting with public money. Should certain sectors in the society find value in receiving community broadcasting services tailored for their specific needs, it should be pursued on a self-financed basis.

263. The Committee also considers that community broadcasting and public access broadcasting should both be subject to BA's regulatory oversight.



Mr. Raymond R WONG
(Chairman)



Mr. CHAN King Cheung
(Member)



Ms May FUNG
(Member)



Professor LEUNG Tin Wai
(Member)



Professor Judy TSUI
(Member)



Mr. Mathias WOO
(Member)

APPENDICES

Committee on Review of Public Service Broadcasting

Terms of Reference

1. To examine the role of, and justifications and public purposes for, public service broadcasting (PSB) in the development of Hong Kong's broadcasting market, against the public financial and other resources required for such broadcasting.
2. To identify issues concerning public accountability for PSB in matters of editorial impartiality, programming policy and good governance.
3. To identify measures for the Administration to evaluate the effectiveness of PSB and arrangements through which the public can participate in such a process.
4. To recommend, in the light of the above, an appropriate arrangement for the provision of PSB in Hong Kong.
5. To recommend implementation plans for the short, medium and long terms.

Membership

Mr. Raymond Roy WONG (Chairman)

Mr. CHAN King Cheung

Ms May FUNG May Gay

Professor LEUNG Tin Wai

Mr. PAO Wan Lung

Professor Judy TSUI

Mr. Mathias WOO

END

**List of Organisations and Individuals
Invited to Submit Views on the Review of Public Service Broadcasting¹**
被邀就公共廣播服務檢討提交意見書的機構及人士名錄¹

Legislative Council / 立法會

1. Information Technology and Broadcasting Panel
資訊科技及廣播事務委員會

Academics and Commentators / 學者及評論員

2. Chan Wo Shun, Alex
陳和順
3. Cheung Chor Yung
張楚勇
4. Chow Chuen Ho, Larry
周全浩
5. Choy Chi Keung, Ivan
蔡子強
6. Fung Ying Him, Anthony
馮應謙
7. Leung Wai Yin, Kenneth
梁偉賢
8. Sung Lap Kung, James
宋立功
9. To Yiu Ming
杜耀明
10. Wong Sai Chak, Martin
黃世澤

¹ The list is arranged in alphabetical order of the English name of the organisations and individuals in each category. Some of the names do not have a confirmed translation, and are listed only in the name provided in the written submissions. Those that only appear in Chinese are arranged according to the number of strokes in the first Chinese character.
此名錄包括不同界別的機構及人士，按照其英文名稱的字母順序排列。部分機構及人士的譯名未能確認，故僅以意見書所載的名稱收錄。只具中文名稱者按筆劃排列。

Cultural Sector / 文化界

11. Academy Alumni Association
香港演藝學院校友會
12. Actors' Family Ltd.
演戲家族有限公司
13. Alliance Francaise de Hong Kong
香港法國文化協會
14. Artiste Training Alumni Association
藝進同學會
15. Asia Vigour Productions Ltd.
恒藝亞洲綜合製作有限公司
16. Asian Cultural Council
亞洲文化協會
17. The Association of Chinese Culture of Hong Kong
香港中華文化總會
18. Association of Hong Kong Dance Organizations
香港舞蹈團體聯會
19. Association of Managers, Cultural Services
文化工作經理協會
20. B & W Far East Publicity Ltd.
日港遠東宣傳有限公司
21. Big Honour Entertainment Ltd.
大名娛樂有限公司
22. British Council
英國文化協會
23. Cantonese Opera Advisory Committee
粵劇發展諮詢委員會
24. Celestial Pictures Ltd.
天映娛樂有限公司
25. Centro Digital Pictures Ltd.
先濤數碼企劃有限公司
26. Chan Fruit
陳果
27. Chan Ho San, Peter
陳可辛
28. China Star Entertainment Ltd.
中國星集團有限公司
29. Chow Fan Fu
周凡夫

30. Chung Ying Theatre Company
中英劇團
31. City Chamber Orchestra of Hong Kong
香港城市室樂團
32. City Contemporary Dance Company
城市當代舞蹈團
33. City Entertainment
電影雙週刊
34. Class 7A Drama Group Ltd.
7A 班戲劇組
35. Committee on Libraries
圖書館委員會
36. Committee on Museums
博物館委員會
37. Committee on Performing Arts
表演藝術委員會
38. Composers and Authors Society of Hong Kong Ltd.
香港作曲家及作詞家協會
39. Dance Art Hong Kong Ltd.
動藝有限公司
40. East Asia Entertainment Ltd.
東亞娛樂有限公司
41. Edko Films Ltd.
安樂影片有限公司
42. Edward Lam Dance Theatre Ltd.
非常林奕華有限公司
43. Emperor Entertainment (Hong Kong) Ltd.
英皇娛樂(香港)有限公司
44. Emperor Motion Pictures
英皇電影
45. Far-Sun Film Co. Ltd.
花生映社
46. Federation of Hong Kong Filmmakers
香港電影工作者總會
47. Film Development Committee
電影發展委員會
48. Film Workshop Co. Ltd.
電影工作室有限公司
49. Filmko Films Distribution (Hong Kong) Ltd.
星皓影片發行(香港)有限公司

50. First Distributors (H.K.) Ltd.
香港第一發行有限公司
51. Fringe Club
藝穗會
52. Fun Entertainment Co. Ltd.
53. Fung Mei Wah, May
馮美華
54. Galaxy Production Ltd.
嘉歷仕製作公司
55. The Goethe-Institut Hong Kong
香港歌德學院
56. Gold Label Entertainment Ltd.
金牌娛樂事業有限公司
57. Golden Harvest Entertainment Co. Ltd.
嘉禾娛樂事業有限公司
58. Heung Shu Fai
香樹輝
59. HK United Arts Entertainment Co. Ltd.
香港聯藝機構有限公司
60. Hong Kong & Macau Cinema and Theatrical Enterprise Association
港澳電影戲劇總會
61. The Hong Kong Academy for Performing Arts
香港演藝學院
62. Hong Kong Arts Administrators Association
香港藝術行政人員協會
63. Hong Kong Arts Centre
香港藝術中心
64. Hong Kong Arts Development Council
香港藝術發展局
65. Hong Kong Arts Festival Society Ltd.
香港藝術節協會有限公司
66. Hong Kong Ballet
香港芭蕾舞團
67. Hong Kong Chinese Orchestra
香港中樂團
68. Hong Kong Culture and Arts Foundation
香港文化藝術基金會
69. Hong Kong Culture Association
香港各界文化促進會
70. Hong Kong Dance Company
香港舞蹈團

71. The Hong Kong Dance Federation
香港舞蹈總會
72. Hong Kong Film Arts Association
香港電影美術學會
73. Hong Kong Film Awards Association
香港電影金像獎協會
74. Hong Kong Film Critics Association
香港影評人協會
75. Hong Kong Film Critics Society
香港電影評論學會
76. Hong Kong Film Directors' Guild
香港電影導演會
77. The Hong Kong Institute for Promotion of Chinese Culture
香港中華文化促進中心
78. Hong Kong Institute of Contemporary Culture
香港當代文化中心
79. The Hong Kong International Film Festival Society Ltd.
香港國際電影節協會有限公司
80. Hong Kong Kowloon and New Territories Motion Picture Industry
Association Ltd.
香港影業協會有限公司
81. Hong Kong Movie Production Executives Association
香港電影製作行政人員協會
82. Hong Kong Performing Artistes Guild
香港演藝人協會
83. Hong Kong Philharmonic Orchestra
香港管弦樂團
84. Hong Kong Repertory Theatre
香港話劇團
85. Hong Kong Screenwriters' Guild
香港電影編劇家協會
86. Hong Kong Sinfonietta Ltd.
香港小交響樂團有限公司
87. Hong Kong Theatres Association
香港戲院商會
88. Hong Kong Video Industry Association/The Federation of Motion Film
Producers of Hong Kong
香港錄影業協會/香港電影製片家協會
89. Impact Entertainment (Int.) Ltd.
藝能娛樂(國際)有限公司

90. InD Blue
藍空間
91. International Association of Theatre Critics (Hong Kong)
國際演藝評論家協會(香港分會)
92. International Federation of the Phonographic Industry (Hong Kong Group) Ltd.
國際唱片業協會(香港會)有限公司
93. International Management Group (Overseas) Inc.
國際管理集團
94. Jet Tone Films Ltd.
澤東電影有限公司
95. Jingkun Theatre Ltd.
京崑劇場
96. Jumbo Kids Theatre Co. Ltd.
大細路劇團有限公司
97. Kim Sum Cantonese Opera Association
劍心粵劇團
98. K's Productions Co Ltd.
99. Kwang Hwa Information and Culture Center
光華新聞文化中心
100. Lam Yuk Wah, Peter
林旭華
101. Ma Ka Fai
馬家輝
102. Media Asia Group
寰亞綜藝集團
103. Mei Ah Entertainment Group Co. Ltd.
美亞娛樂資訊集團有限公司
104. Ming Ri Institute for Arts Education
明日藝術教育機構
105. Movie Producers and Distributors Association of Hong Kong
香港電影製作發行協會
106. Ngau Pang Sue Yuen
牛棚書院
107. On & On Theatre Workshop Co. Ltd.
前進進戲劇工作坊有限公司
108. Opera Hong Kong Ltd.
香港歌劇協會有限公司
109. Prospects Theatre Co. Ltd.
新域劇團有限公司
110. Puffin Music Management & Event Co. Ltd.

111. Shaw Brothers (Hong Kong) Ltd.
邵氏兄弟(香港)有限公司
112. South China Film Industry Workers Union
華南電影工作者聯合會
113. Southern Film Co. Ltd.
南方影業有限公司
114. Sze, Stephen
史文鴻
115. Theatre Du Pif Ltd.
進劇場有限公司
116. Theatre Ensemble Ltd.
劇場組合
117. Theatre Space Foundation Ltd.
劇場空間基金有限公司
118. Tomson (Hong Kong) Films Co. Ltd.
湯臣(香港)電影有限公司
119. Topman Global Ltd.
亨泰環宇有限公司
120. Tsui W.S., Bernadette
徐詠璇
121. Universe Film Distribution Co. Ltd.
寰宇影片發行有限公司
122. Video Power
錄影力量
123. Videotage
錄影太奇
124. Visible Record Ltd.
采風電影有限公司
125. Yau Ching Yuen
游清源
126. Ying E Chi Ltd.
影意志有限公司
127. Yiu Wing Entertainment Co. Ltd.
耀榮娛樂有限公司
128. Zuni Icosahedron
進念二十面體
129. 江素惠
130. 李照興
131. 紀文鳳
132. 馬國明
133. 張偉雄

- 134. 國際舞聯有限公司
- 135. 劉健威
- 136. 黎鍵

Education Sector / 教育界

- 137. Committee on Home-School Co-operation
家庭與學校合作事宜委員會
- 138. The English Schools Foundation
英基學校協會
- 139. Grant Schools Council
補助學校議會
- 140. HK Aided Primary School Heads Association
香港資助小學校長會
- 141. Hong Kong Association of Heads of Secondary Schools
香港中學校長會
- 142. Hong Kong Direct Subsidy Scheme Schools Council
香港直接資助學校議會
- 143. Hong Kong Federation of Education Workers
香港教育工作者聯會
- 144. Hong Kong Professional Teachers' Union
香港教育專業人員協會
- 145. Hong Kong Special Schools Council
香港特殊學校議會
- 146. Hong Kong Subsidized Secondary Schools Council
香港津貼中學議會
- 147. Subsidized Primary Schools Council
津貼小學議會

Human Rights Forum² Participants / 人權論壇²參與者

148. Alliance of Civic Education
公民教育聯席
149. Amnesty International Hong Kong Section
國際特赦組織香港分會
150. Association for the Advancement of Feminism
新婦女協進會
151. The Balance of Human Rights Watch
152. Broad Alliance for Rescuing Dr. Wang Bingzhang
各地營救王炳章大聯盟
153. Civil Human Rights Front
民間人權陣線
154. Civil Rights for Sexual Diversities
性權會
155. Equal Opportunities Commission
平等機會委員會
156. Hong Kong Christian Institute
香港基督徒學會
157. The Hong Kong Council of Social Service
香港社會服務聯會
158. Hong Kong Human Rights Commission
香港人權聯委會
159. Hong Kong Human Rights Monitor
香港人權監察
160. Hong Kong Informal Education Research Centre
161. Hong Kong Institute of Education
香港教育學院
162. Hong Kong Sex Culture Society
香港性文化會
163. Human Rights Council of Hong Kong
164. Justice
165. Justice and Peace Commission of the Hong Kong Catholic Diocese
香港天主教正義和平委員會

² Established by the Home Affairs Bureau in October 2003, the Human Rights Forum provides a regular platform of communication between the Government and human rights groups on issues related to human rights. It meets quarterly and does not have a fixed membership. Any human rights non-governmental organisations or other groups that indicate their interest in joining the Forum are welcome to do so. As of July 2006, there are 30 organisations on the list of invitees to the Forum.

民政事務局於2003年10月設立人權論壇，為政府及人權關注團體提供定期溝通渠道，討論與人權有關的課題。論壇每季開會一次，並無固定會員，任何關注人權的非政府機構或其他團體如有興趣均歡迎加入。截至2006年7月，共有三十個機構在人權論壇的邀請之列。

166. Office of Emily Lau, Legislative Councillor
劉慧卿議員辦事處
167. Office of Fernando Cheung, Legislative Councillor
張超雄議員辦事處
168. Oxfam Hong Kong
樂施會
169. Rainbow Action
彩虹行動
170. Sham Shui Po Community Association Ltd.
深水埗社區協會有限公司
171. Society for Community Organization
香港社區組織協會
172. The Society for Truth and Light
明光社
173. Tongzhi Community Joint Meeting
同志社區聯席
174. Unison Hong Kong
港融樂會

Media Related Organisations / 傳媒相關組織

175. The Foreign Correspondents' Club
香港外國記者會
176. Hong Kong Federation of Journalists
香港新聞工作者聯會
177. Hong Kong Journalists Association
香港記者協會
178. Hong Kong News Executives' Association
香港新聞行政人員協會
179. Hong Kong Press Council
香港報業評議會
180. Hong Kong Press Photographers Association
香港攝影記者協會
181. The Newspaper Society of Hong Kong
香港報業公會

Political Groups / 政治團體

182. The Alliance
泛聯盟
183. Article 45 Concern Group (now Civic Party)
四十五條關注組 (現為公民黨)
184. Citizens Party
民權黨
185. Democratic Alliance for the Betterment and Progress of Hong Kong
民主建港協進聯盟
186. Democratic Party
民主黨
187. The Federation of Hong Kong and Kowloon Labour Unions
港九勞工社團聯會
188. The Frontier³
前綫
189. Hong Kong Association for Democracy and People's Livelihood
香港民主民生協進會
190. Hong Kong Confederation of Trade Unions
香港職工會聯盟
191. The Hong Kong Federation of Trade Unions
香港工會聯合會
192. Liberal Party
自由黨
193. Neighbourhood & Worker's Service Centre
街坊工友服務處

Professional Organisations / 專業組織

194. Hong Kong Bar Association³
香港大律師公會
195. Hong Kong Dental Association
香港牙醫學會
196. The Hong Kong Institute of Architects
香港建築師學會
197. Hong Kong Institute of Certified Public Accountants
香港會計師公會

³ The Frontier, Hong Kong Bar Association and Law Society of Hong Kong are participants in the Human Rights Forum. They have been invited separately to also submit views in that capacity. 前綫、香港大律師公會及香港律師會是人權論壇的參與者，因此曾另行獲邀以該身分提交意見。

198. The Hong Kong Institute of Landscape Architects
香港園境師學會
199. Hong Kong Institute of Planners
香港規劃師學會
200. The Hong Kong Institute of Surveyors
香港測量師學會
201. The Hong Kong Institution of Engineers
香港工程師學會
202. Hong Kong Internet Service Providers Association
香港互聯網供應商協會
203. The Hong Kong Medical Association
香港醫學會
204. Internet & Telecom Association of Hong Kong
香港互聯網暨通訊業聯會
205. Internet Professional Association
互聯網專業協會
206. The Law Society of Hong Kong³
香港律師會

Religious Organisations / 宗教組織

207. Catholic Diocese of Hong Kong
天主教香港教區
208. Chinese Muslim Cultural and Fraternal Association
中華回教博愛社
209. The Confucius Academy
孔教學院
210. The Hong Kong Buddhist Association
香港佛教聯合會
211. Hong Kong Christian Council
香港基督教協進會
212. The Hong Kong Taoist Association
香港道教聯合會

Social Services Sector / 社會服務界

213. Aberdeen Kaifong Welfare Association
香港仔街坊福利會

214. The ABM Hong Kong Swatow Baptist Church Community Service Association Ltd.
美差會潮浸服務聯會有限公司
215. Adventure-Ship Ltd.
乘風航
216. Against Child Abuse Ltd.
防止虐待兒童會
217. Agency for Volunteer Service
義務工作發展局
218. Alliance of Hong Kong Youth Groups
香港青年社團聯盟
219. Alternatives to Violence Project/HK Foundation Ltd.
香港愛和平基金會
220. Arts with the Disabled Association Hong Kong
香港展能藝術會
221. Asbury Methodist Social Service
循道衛理亞斯理社會服務處
222. Asian Outreach Hong Kong Ltd.
香港亞洲歸主協會
223. Association for the Rights of the Elderly
老人權益促進會
224. Association of Baptists for World Evangelism (Hong Kong) Ltd.
萬國宣道浸信會有限公司
225. The Association of Evangelical Free Churches of Hong Kong
香港基督教播道會聯會
226. Baptist Oi Kwan Social Service
浸會愛群社會服務處
227. Barnabas Charitable Service Association Ltd.
基督教巴拿巴愛心服務團有限公司
228. Bonaventure Integrated Children and Youth Centre
聖文德堂轄下文德青少年綜合服務中心
229. The Boys' & Girls' Club Association of Hong Kong
香港小童群益會
230. The Boys' Brigade, Hong Kong
香港基督少年軍
231. Breakthrough Ltd.
突破有限公司
232. The Cadet Region of Hong Kong St. John Ambulance Brigade
香港聖約翰救傷隊見習隊
233. Care the Visually Impaired
香港視障視全人士協會

234. Caritas – Hong Kong
香港明愛
235. Centre for Restoration of Human Relationships
復和綜合服務中心
236. Chai Wan Baptist Church Social Service
柴灣浸信會社會服務處
237. Chain of Charity Movement
愛德循環運動
238. Cheung Chau Rural Committee Integrated Youth Centre
長洲鄉事委員會青年綜合服務中心
239. Chinese Evangelical Zion Church Ltd., Social Service Division
中華錫安傳道會社會服務部
240. The Chinese History & Culture Educational Foundation for Youth
中華青少年歷史文化教育基金
241. The Chinese Rhenish Church
中華基督教禮賢會
242. Chinese YMCA of Hong Kong
香港中華基督教青年會
243. Choi F.M., Jonathan
蔡暉明
244. Christian & Missionary Alliance Church Union Hong Kong Ltd.
基督教宣道會香港區聯會有限公司
245. Christian Action
基督教勵行會
246. Christian Family Services Centre
基督教家庭服務中心
247. Christian Fellowship of Pastoral Care for Youth Ltd.
基督教青少年牧養團契
248. The Church of United Brethren in Christ
基督教協基會
249. The Dragon Foundation
龍傳基金
250. East Kowloon Youth Society
東九龍青年社
251. Ebenezer School & Home for the Visually Impaired
心光盲人院暨學校
252. Elderly Commission
安老事務委員會
253. Evangelical Free Church of China
中國基督教播道會

254. The Evangelical Lutheran Church of Hong Kong
基督教香港信義會
255. Ever Concern Action
樂天關懷行動
256. Federation of New Territories Youth
新界青年聯會
257. Fu Hong Society
扶康會
258. The Girls' Brigade Hong Kong
香港基督女少年軍
259. Hans Anderson Club
安徒生會
260. Haven of Hope Christian Service
基督教靈實協會
261. Hok Yau Club
學友社
262. Home Care for Girls Ltd.
關愛之家有限公司
263. Hong Kong & Macau Lutheran Church Ltd.
港澳信義會有限公司
264. Hong Kong Adventure Corps
香港少年領袖團
265. Hong Kong Air Cadet Corps
香港航空青年團
266. Hong Kong Association of Gerontology
香港老年學會
267. The Hong Kong Association of Senior Citizens
香港長者協會
268. Hong Kong Association of the Deaf
香港聾人協進會
269. The Hong Kong Award for Young People
香港青年獎勵計劃
270. Hong Kong Baptist Hospital Au Shue Hung Health Centre
香港浸信會醫院區樹洪健康中心
271. The Hong Kong Catholic Marriage Advisory Council
香港公教婚姻輔導會
272. Hong Kong Children & Youths Services
香港青少年服務處
273. Hong Kong Chinese Women's Club
香港中國婦女會

274. Hong Kong Ching Fai Association
香港青暉社
275. Hong Kong Christian Service
香港基督教服務處
276. The Hong Kong Committee on Children's Rights
香港兒童權利委員會
277. Hong Kong Council of Early Childhood Education and Services
香港幼兒教育及服務聯會
278. The Hong Kong Council of the Church of Christ in China
中華基督教會香港區會
279. Hong Kong Employment Development Service
香港職業發展服務
280. Hong Kong Family Planning Association
香港家庭計劃指導會
281. Hong Kong Family Welfare Society
香港家庭福利會
282. Hong Kong Federation of Handicapped Youth
香港傷健青年協會
283. The Hong Kong Federation of Youth Groups
香港青年協會
284. Hong Kong Free Methodist Church
香港循理會
285. The Hong Kong Girl Guides Association
香港女童軍總會
286. The Hong Kong Joint Council of Parents of the Mentally Handicapped
香港弱智人士家長聯會
287. Hong Kong Juvenile Care Centre
香港青少年培育會
288. Hong Kong Lutheran Social Service
香港路德會社會服務處
289. Hong Kong New Generation Cultural Association
香港新一代文化協會
290. Hong Kong Outstanding Students' Association
香港傑出學生協會
291. Hong Kong Outstanding Tertiary Students' Services Association
香港傑出專上學生服務協會
292. Hong Kong Physically Handicapped and Able-Bodied Association
香港傷健協會
293. Hong Kong Playground Association
香港遊樂場協會

294. Hong Kong Red Cross
香港紅十字會
295. Hong Kong Sea Cadet Corps
香港海事青年團
296. Hong Kong Sheng Kung Hui Welfare Council
香港聖公會福利協會
297. Hong Kong Social Workers Association Ltd.
香港社會工作人員協會有限公司
298. The Hong Kong Society for the Deaf
香港聾人福利促進會
299. Hong Kong Society for the Protection of Children
香港保護兒童會
300. Hong Kong Student Aid Society
香港學生輔助會
301. Hong Kong Union for Young Leader
香港青年領袖同盟
302. Hong Kong United Youth Association
香港青年聯會
303. Hong Kong Women Development Association
香港婦女發展聯會
304. Hong Kong Young Women's Christian Association
香港基督教女青年會
305. Hong Kong Youth Association
香港青年會
306. Hong Kong Youth Development Council
香港青年發展議會
307. Hong Kong Youth Institute
香港青年學院
308. Hong Kong Youth Institute of Law
香港青少年法律學會
309. Hong Kong Youth Unified Association
香港青年協進會
310. Hong Kong-Macao Conference of Seventh-Day Adventists
基督復臨安息日會港澳區會社會服務部
311. HOPE Worldwide
寰宇希望
312. I.B.P.S. (HK) Ltd.
佛香講堂
313. Idea-For-Hong-Kong
城市智庫

314. Industrial Evangelistic Fellowship
工業福音團契
315. International Social Service Hong Kong Branch
香港國際社會服務社
316. Joint School Campus TV Association
聯校電視台
317. Junior Achievement
國際成就計劃
318. Junior Chamber International Hong Kong
國際青年商會香港總會
319. Kely Support Group
啟勵扶青會
320. Keswick Foundation Ltd.
凱瑟克基金
321. Kowloon Women's Welfare Club
九龍婦女福利會
322. Kwun Tong Methodist Social Service
循道衛理觀塘社會服務處
323. Kwun Tong Resident Association (Youth Department)
觀塘民聯會(青年部)
324. Life Education Activity Programme
生活教育活動計劃
325. Lions Clubs International Hong Kong & Macau 303 District
國際獅子總會港澳 303 區
326. Make-A-Wish Foundation of Hong Kong
願望成真基金
327. Methodist Centre
循道衛理中心
328. Methodist Epworth Village Community Centre
循道愛華村服務中心
329. The Mission Covenant Church
基督教聖約教會
330. Mission to New Arrivals Ltd.
新福事工協會有限公司
331. Mongkok Kaifong Association Ltd. Chan Hing Social Service Centre
旺角街坊會陳慶社會服務中心
332. Monitoring Alliance on Elderly Policies
長者政策監察聯席
333. Mother's Choice
母親的抉擇

334. The Neighbourhood Advice-Action Council
鄰舍輔導會
335. New Territories Women and Juveniles Welfare Association
新界婦孺福利會有限公司
336. New Youth Forum
新青年論壇
337. The Outstanding Young Persons' Association
傑出青年協會
338. Pentecostal Church of Hong Kong
竹園區神召會
339. Playright Children's Play Association
智樂兒童遊樂協會
340. Po Leung Kuk
保良局
341. Pok Oi Hospital (Social Service Division)
博愛醫院社會服務處
342. Produce Green Foundation
綠田園基金
343. Rehabaid Society
復康資源協會
344. Richmond Fellowship of Hong Kong
利民會
345. Rotary International District 3450 (Hong Kong, Macau & Mongolia)
國際扶輪 3450 區 (香港、澳門、蒙古)
346. The Salvation Army
救世軍
347. The Samaritans
撒瑪利亞會
348. Save the Children Hong Kong
香港救助兒童會
349. Scout Association of Hong Kong
香港童軍總會
350. Shamching Youth Association
深青社
351. Sik Sik Yuen
嗇色園
352. The Sisters of the Good Shepherd
善牧會
353. Sisters of the Precious Blood – Precious Blood Children Village
寶血女修會寶血兒童村

354. SKH Carpenter Church
聖公會聖匠堂
355. SKH Lady MacLehose Centre
聖公會麥理浩夫人中心
356. SKH St. Christopher's Home
香港聖公會聖基道兒童院
357. Social Services of the Hong Kong College of Technology
香港專業進修學校社會服務
358. Society of Boys' Centres
香港扶幼會
359. The Society of Rehabilitation and Crime Prevention, Hong Kong
香港善導會
360. Society of St. Vincent De Paul Central Council Hong Kong
聖雲先會香港中央分會
361. Specialized Committee on Elderly Service, The Hong Kong Council of Social Service
香港社會服務聯會長者服務專責委員會
362. St. Stephen's Society
聖士提反會
363. St. James' Settlement
聖雅各福群會
364. Stewards Ltd.
香港神託會
365. Summerbridge Hong Kong Ltd.
夏橋有限公司
366. Tai Po Baptist Church
大埔浸信會
367. TREAT
親切
368. Tsung Tsin Mission of Hong Kong
基督教香港崇真會
369. Tung Wah Group of Hospitals
東華三院
370. United Christian Nethersole Community Health Service
基督教聯合那打素社康服務
371. Victoria Park School for the Deaf
啟聲學校
372. The Warehouse Teenage Club Ltd.
蒲窩青少年中心
373. Wong Sing Wing, Dennis
黃成榮

374. World Vision Hong Kong
香港世界宣明會
375. Yan Chai Hospital
仁濟醫院
376. Yan Oi Tong
仁愛堂
377. Yang Memorial Methodist Social Service
循道衛理楊震社會服務處
378. Yau Tsim Mong Youth Society
油尖旺青年社
379. Young Men's Christian Association of Hong Kong
香港基督教青年會
380. Youth Development Concern of Eastern District
東區青少年發展關注組
381. Youth Kwun Tong
青年觀塘
382. Youth Outreach
協青社
383. Yuen Long Church, Church of Christ in China
中華基督教會元朗堂
384. Zion Social Service Centre
錫安社會服務處

Sports Sector / 體育界

385. Chung Chi Ping, Roy
鍾志平
386. Community Sports Committee
社區體育事務委員會
387. Elite Sports Committee
精英體育事務委員會
388. Fang, David
方津生
389. Leung Wing Cheung, William
梁永祥
390. Li Ka Cheung, Eric
李家祥
391. Major Sports Events Committee
大型體育活動事務委員會

392. Sports Federation & Olympic Committee of Hong Kong, China
中國香港體育協會暨奧林匹克委員會
393. Tan, Stephen
陳智文

Think Tanks / 智囊團體

394. The Better Hong Kong Foundation
香港明天更好基金
395. Civic Exchange
思匯
396. Hong Kong Policy Research Institute Ltd.
香港政策研究所
397. One Country Two Systems Research Institute
一國兩制研究中心
398. Synergy Net
新力量網絡

END / 完

**List of Organisations and Individuals who made
Written Submissions on the Review of Public Service Broadcasting¹**
就公共廣播服務檢討提交書面意見的機構及人士名錄¹

Academic Institutions / 學術機構

1. Asia-Pacific Institute of Ageing Studies, Lingnan University
嶺南大學亞太老年學研究中心
2. Hong Kong Shue Yan College (now Hong Kong Shue Yan University)
香港樹仁學院（現稱香港樹仁大學）
3. School of Communication, Hong Kong Baptist University
香港浸會大學傳理學院
4. School of Journalism and Communication, The Chinese University of Hong Kong
香港中文大學新聞與傳播學院

Academics and Commentators / 學者及評論員

5. Chow Chuen Ho, Larry
周全浩
6. Choy Chi Keung, Ivan
蔡子強
7. Ho M.W., Richard
何文匯
8. Ingham, Michael A.
9. Ooi, Vicki
10. Yu Siu-wah
余少華

¹ The list is arranged in alphabetical order of the English name of the organisations and individuals in each category. Some of the names do not have a confirmed translation, and are listed only in the name provided in the written submissions. Those that only appear in Chinese are arranged according to the number of strokes in the first Chinese character. For organisations and individuals who made multiple submissions, their names appear only once in the list.
此名錄包括不同界別的機構及人士，按照其英文名稱的字母順序排列。部分機構及人士的譯名未能確認，故僅以意見書所載的名稱收錄。只具中文名稱者，按筆劃排列。曾提交多份意見書的機構及人士，其名稱在此名錄中只載錄一次。

Consulates-General / 總領事館

11. Consulate General of Austria in Hong Kong
奧地利駐港總領事館
12. Consulate General of Finland Hong Kong
芬蘭駐港總領事館
13. Consulate General of Italy in Hong Kong
意大利駐港總領事館
14. Consulate General of Sweden in Hong Kong
瑞典駐港總領事館
15. Consulate General of Switzerland Hong Kong
瑞士駐港總領事館

Cultural and Sports Sectors / 文化及體育界

16. Celestial Pictures Ltd.
天映娛樂有限公司
17. The Chinese Artists Association of Hong Kong
香港八和會館
18. Composers & Authors Society of Hong Kong Ltd.
香港作曲家及作詞家協會
19. Chung Chi Ping, Roy
鍾志平
20. Dragon & Phoenix Cantonese Opera Troop
龍嘉鳳劇團
21. East Asia Entertainment Ltd.
東亞娛樂有限公司
22. The Hong Kong Academy for Performing Arts
香港演藝學院
23. Hong Kong Chinese Arts Promotion Centre
香港中國藝術推廣中心
24. Hong Kong Record Merchants Association Ltd.
香港唱片商會有限公司
25. International Association of Theatre Critics (Hong Kong)
國際演藝評論家協會(香港分會)
26. International Federation of the Phonographic Industry (Hong Kong Group) Ltd.
國際唱片業協會(香港會)有限公司
27. Jingkun Theatre Ltd.
京崑劇場

28. Opera Hong Kong
香港歌劇院
29. Record Companies (including Bailey, East Asia, EMI, Emperor, Sony
BMG, Universal, Warner and WorldStar)
30. South China Film Industry Workers Union
華南電影工作者聯合會
31. Zuni Icosahedron
進念二十面體

Education Sector / 教育界

32. HK Aided Primary School Heads Association
香港資助小學校長會
33. Hong Kong Federation of Education Workers
香港教育工作者聯會
34. Hong Kong Professional Teachers' Union
香港教育專業人員協會
35. Hong Kong Subsidized Secondary Schools Council
香港津貼中學議會

Human Rights Concern Groups / 人權關注團體

36. Article 19, London
37. Asian Human Rights Commission
38. Hong Kong Human Rights Monitor
香港人權監察

Licensed and other Broadcasting Organisations / 持牌及其他廣播機構

39. Asia Television Ltd.
亞洲電視有限公司
40. Citizens' Radio
民間電台
41. Hong Kong Commercial Broadcasting Co. Ltd.
香港商業廣播有限公司
42. Metro Broadcast Corporation Ltd.
新城廣播有限公司
43. PCCW Media Ltd.
電訊盈科媒體有限公司

44. Radio Television Hong Kong
香港電台
45. Television Broadcasts Ltd.
電視廣播有限公司

Professional Organisations (non-media related) / 專業組織 (非傳播界)

46. Hong Kong Bar Association
香港大律師公會
47. Hong Kong Dental Association (Ltd.)
香港牙醫學會(有限公司)
48. The Hong Kong Institute of Architects
香港建築師學會
49. Hong Kong Institute of Certified Public Accountants
香港會計師公會
50. The Hong Kong Institution of Engineers
香港工程師學會
51. The Hong Kong Medical Association
香港醫學會
52. Hong Kong Specialist Medical Association
香港專科醫生學會

Media Practitioners and Related Organisations / 傳媒工作者及相關組織

53. Hong Kong Journalists Association
香港記者協會
54. Hong Kong News Executives' Association
香港新聞行政人員協會
55. Hong Kong Press Council Ltd.
香港報業評議會
56. International Federation of Journalists
國際記者聯會
57. Ng Ming Lam
吳明林
58. Radio Television Hong Kong Programme Staff Union
香港電台節目製作人員工會
59. Wong Bak Yao
王伯遙
60. 梁儒盛

Political Groups / 政治團體

61. The Alliance
泛聯盟
62. Civic Party
公民黨
63. Democratic Party
民主黨
64. Hong Kong Association for Democracy and People's Livelihood
香港民主民生協進會
65. The Hong Kong Federation of Trade Unions
香港工會聯合會
66. Liberal Party
自由黨

Religious Organisations and Individuals/ 宗教組織及人士

67. The Buddhist Alumni Association Ltd.
佛學班同學會有限公司
68. Catholic Diocese of Hong Kong
天主教香港教區
69. Hong Kong Christian Council
香港基督教協進會
70. Justice and Peace Commission of the Hong Kong Catholic Diocese
香港天主教正義和平委員會
71. Orthodox Metropolitanate of Hong Kong and South East Asia
正教會普世宗主教聖統香港及東南亞都主教教區
72. Religious Broadcasting & Television Advisory Committee
73. Cardinal Zen, Joseph
陳日君樞機

Social Services Sector / 社會服務界

74. Agency for Volunteer Service
義務工作發展局
75. Arts with the Disabled Association Hong Kong
香港展能藝術會
76. Breakthrough Ltd.
突破有限公司

77. Fu Hong Society
扶康會
78. The Hong Kong Association of Senior Citizens
香港長者協會
79. Hong Kong Association of the Deaf
香港聾人協進會
80. The Hong Kong Council of Social Service
香港社會服務聯會
81. The Hong Kong Federation of Youth Groups
香港青年協會
82. The Hong Kong Paediatric Foundation
香港兒科基金
83. Joint Council for the Physically and Mentally Disabled Hong Kong
香港復康聯會
84. Joint School Campus TV Association
聯校電視台
85. Junior Chamber International Hong Kong
國際青年商會香港總會
86. The Salvation Army
救世軍
87. Senior Citizen Home Safety Association
長者安居服務協會
88. World Vision Hong Kong
香港世界宣明會

Think Tanks / 智囊團體

89. The Better Hong Kong Foundation
香港明天更好基金
90. Hong Kong Research Association
香港研究協會
91. SynergyNet
新力量網絡

Other Individuals and Groups / 其他人士及團體

92. Cheung K.M., Frankie
93. Clements, Robert
94. Lai, Howard
黎浩華

95. Lam Shu Wing
96. Lin, David
97. Liu K. K.
98. Liu, Benjamin
99. Lok, Peter
樂鞏南
100. Ma Ying Ping
101. Meur
102. Ngan Yee Ling, Rebecca
顏綺苓
103. So, Ian
104. South Democratic Alliance
南方民主同盟
105. Spain, Eric
106. Wong Kwok Fai
黃國輝
107. Yeung Cheung Man
楊祥民
108. Yip Ming
葉明
109. Yuen Yeuk Kwong, Patrick
袁若光
110. 民間關注公共廣播服務機構政策小組
111. 阮大可
112. 呂國仁、何少施、曾嘉得及朱妙珍
113. 呂國清
114. 李曾超群
115. 何福康
116. 周先生
117. 香港政府退休公務員團隊
118. 徐志堅
119. 畢之道
120. 麥惠強
121. 陳義叔
122. 黃兆輝
123. 傅忠
124. 曾卓衡、呂致英及潘清儀
125. 普通市民
126. 黃炯
127. 鄭波

END / 完

**Summary of Written Submissions received by
the Committee on Review of Public Service Broadcasting**

Notes for this Appendix

1. This Appendix presents the views expressed in the written submissions received and collated by the Committee. It is not a full or exact reproduction of the original submissions, and the presentation of views may differ from that in the original submissions.
2. To facilitate consideration, the views have been grouped under different headings. If different submissions express views that are substantially the same, such views will be presented once only in the Appendix.
3. The order in which the views are presented is random, and does not reflect their relative importance or how widely they are shared.
4. The views received are diverse. Some of them may conflict with each other, and are presented alongside to reflect the full range of views received.
5. Specific views on Focus Group proposals are marked with .

NEED FOR AND ROLE OF PSB

1. Views in support of PSB

(a) A universal service for all

- ◆ Serve the needs of different stakeholders in the civic society, including non-governmental religious, cultural, social services and academic organisations, instead of limited to serving the Government
- ◆ Cater for the diverse needs of the community, including the minority groups
- ◆ Provide a public space for citizen-originated programming, as well as for narrowcast or elite services
- ◆ Serve the minority
- ◆ Reflect the views of the majority, whilst also providing an opportunity for the minority (whether individuals or organisations) to express themselves
- ◆ Reflect and enhance public awareness of the plight of the underprivileged

- ◆ Provide programmes for the elderly, young people and children, and help enhance public awareness of the needs of these groups
- ◆ Set aside broadcasting hours to cater for various groups in the community
- ◆ Expand audienceship to include overseas Chinese

(b) Inform, educate and entertain the public

- ◆ Provide comprehensive and diverse information to the public, and offer analysis in an independent and unbiased manner
- ◆ Provide timely and impartial coverage of local and global events
- ◆ Entertain the public
- ◆ Help make the local environment of media, information and culture more balanced and proportional
- ◆ Provide news and public affairs programmes that are impartial and free from political, government and commercial influence
- ◆ Provide non-commercial programmes which entertain and inform
- ◆ Provide information on social welfare and health education
- ◆ Provide programmes which disseminate financial information
- ◆ Provide programmes which disseminate legal knowledge
- ◆ Provide programmes to promote animal welfare and educate the public on animal care
- ◆ Establish a designated channel to broadcast educational entertainment programmes, which complemented school education
- ◆ Perform the role of educating the public by producing serious TV drama programmes
- ◆ Provide a media platform for the Examination and Assessment Authority and other institutions to conduct listening examinations
- ◆ Reflect the concerns of non-governmental organisations to the public

(c) Disseminate Government information and monitor its performance

- ◆ Monitor the Government, the legislature and the media
- ◆ Serve as a platform for communication between the public and the Government, reduce public misunderstanding of government policies, and enhance public awareness of policy implementation
- ◆ Disseminate government information to serve public interest, but should not become a government propaganda machine
- ◆ Provide accurate, timely, and comprehensive official information to the public, and report progress of policy implementation
- ◆ Enable the Government to promote policy in a timely, comprehensive and accurate manner
- ◆ Promote Government's public policies and lend support in their implementation
- ◆ Offer constructive advice at appropriate times so as to assist the Government in correcting mistakes
- ◆ Serve as a non-official Government spokesman to explain policies, and respond to ridicules, criticisms and attacks
- ◆ Should not be a government mouthpiece or be required by law to provide airtime to the Government
- ◆ Role of promoting government policies can be performed by the Information Services Department
- ◆ Should not provide propaganda-type broadcasting service

(d) Promote development of civil society

- ◆ Promote a culture of openness, transparency and respect for pluralism
- ◆ Enhance understanding in and tolerance of different cultures
- ◆ Promote racial and gender equality
- ◆ Uphold freedom of speech
- ◆ Empower people to make informed decisions
- ◆ Provide a platform for public exchanges, and facilitate public debate by providing comprehensive analysis and different perspectives

- ◆ Enhance public awareness, promote participation in public affairs, provide impetus for social development, and enhance social harmony
- ◆ Promote and manifest the core values of the Hong Kong community
- ◆ Reflect and demonstrate the characteristic of a pluralistic, professional, responsible and caring society
- ◆ Upgrade the public's multi-cultural sensitivity
- ◆ Promote a sense of humanistic, environmental and social responsibilities
- ◆ Be a creative driver of community, cultural and civil society development
- ◆ Cultivate and nurture Hong Kong people's sense of belonging
- ◆ Promote the "One country, Two systems" concept
- ◆ Serve as a cornerstone of democracy
- ◆ Promote civic education and establish a civil society
- ◆ Establish social conscientiousness and shoulder social responsibilities
- ◆ Promote young people's participation in community affairs and their care for the community
- ◆ Promote education of democracy and enable public exchange of views
- ◆ Provide room for public officers to explain government policies and public administration
- ◆ Not to use public money to sustain any government mouthpiece broadcaster as it may tilt the balance of the broadcasting field towards being more partial and pro-government

(e) *Enrich life of the public*

- ◆ Broaden the public's horizon and enhance their cultural awareness and appreciation
- ◆ Enrich life and deepen understanding in the meaning of life
- ◆ Promote art and cultural development as well as heritage preservation
- ◆ Advocate arts, culture and broadcasting as important elements in life
- ◆ Provide alternative programming and programmes not commercially viable

- ◆ Provide spiritual and religious programmes
- ◆ Provide a diversity of programmes which are informative and with multiple perspectives
- ◆ Provide creative programmes of arts and culture
- ◆ Cultivate a critical awareness of media consumption

(f) Provide quality programming and demonstrate professionalism

- ◆ Provide quality programmes and offer real choices to the citizens
- ◆ Strive for excellence and creativity
- ◆ Set professional benchmarks and uphold professional integrity in the broadcasting sector
- ◆ Pursue long-term goals, and produce high quality programmes with creativity and an international perspective
- ◆ Maintain a high degree of credibility

(g) Role of PSB in the broadcasting sector

- ◆ Complement/supplement commercial broadcasting
- ◆ Balance the impact of consumerism and mediocrity created by commercial broadcasting
- ◆ Generate healthy competition in the market to promote creativity and enhance production quality
- ◆ Should not focus only on market segments not adequately served by the commercial broadcasters
- ◆ Should not marginalise PSB's role despite the rapid and widespread increase in market supply of audiovisual contents
- ◆ Provide an alternative to commercial broadcasting
- ◆ Avoid competition with commercial broadcasters in terms of market share, advertising revenue and audience rating
- ◆ Provide a universal service through comprehensive and diverse programming to satisfy the needs of the different groups in the community

- ◆ Bear social responsibility and work for the prosperity and stability of the society
- ◆ Compete with commercial broadcasters in terms of programme genres and standards, but should not encroach too far on the territory of popular entertainment
- ◆ Strive to produce distinctive programmes independent of commercial and political considerations
- ◆ Be a local leader and pioneer in the digital media environment so as to facilitate technological development and innovation in Hong Kong
- ◆ Collaborate with commercial broadcasters to advance community interests, promote quality broadcasting and explore synergy in digital development
- ◆ Promote creativity and nurture talents to facilitate general development of the broadcasting industry

(h) Other suggested PSB roles/functions

- ◆ Counter social injustice
- ◆ Provide a balance in the broadcasting market
- ◆ Vent public rage
- ◆ Promote local culture and enhance the international status of Hong Kong
- ◆ Popularise Putonghua
- ◆ Deepen local understanding of life and people in Mainland China
- ◆ Support local music and small, creative local record producers
- ◆ Advocate and provide a platform for alternative and experimental programming
- ◆ Produce, promote and publicise Hong Kong films
- ◆ Cultivate talents and facilitate the development of the local broadcasting sector
- ◆ In-depth reporting of community issues
- ◆ Enhance the overall quality of the people
- ◆ Enhance competitiveness

- ◆ Supplement community broadcasting
- ◆ Guide the public, especially those who feel helpless and lost, in search for solutions to address their difficulties
- ◆ Enhance cooperation with elderly service organisations, correct public misconception about retirement life, and promote the positive side of retirement so that elderly people can regain their sense of fulfillment and self-confidence
- ◆ Nurture more broadcasting talents
- ◆ Promote creative industry
- ◆ Provide knowledge-based critique and self-critique
- ◆ Promote use of English
- ◆ Protect core social values and norms

2. Views that challenge the need for PSB

- ◆ No need for a publicly-funded broadcaster
- ◆ Role of PSB can be performed by the commercial broadcasters
- ◆ Should offer funding to the commercial broadcasters to provide PSB programmes
- ◆ PSB is not much different from commercial broadcasting except in terms of the source of funding

CORE VALUES AND GUIDING PRINCIPLES OF PSB

- ◆ Serve the public and public interest
- ◆ Protect freedom of speech
- ◆ Uphold editorial independence
- ◆ Neutral, impartial and fact-based
- ◆ Diverse and open-minded
- ◆ Promote ideological (including political and religious) freedom
- ◆ Promote equal opportunities

- ◆ Protect fundamental human rights
- ◆ Diversify programmes and respond to market needs
- ◆ Promote social prosperity and stability
- ◆ Free from government and commercial influences
- ◆ Align programming strategy with the government's position and direction, free from the influence of any commercial or local organisations
- ◆ Operate independently, and subject to oversight of a monitoring organ
- ◆ Operate with transparency
- ◆ Non-profit making
- ◆ Seek to maintain budget balance
- ◆ Owned by and accountable to the public
- ◆ Public to determine broadcasting content, responsibilities, organisation and funding
- ◆ Persuade the audience with reason, and avoid pleasing the audience with claptrap or passing judgments
- ◆ “Universality”, “diversity”, “independence” and “distinctiveness” should be the guiding principles for PSB programming in Hong Kong. Value for money should not be the only guiding principle

STATUS AND GOVERNANCE OF PSB

1. Status

- ◆ Establish as an independent body
- ◆ Establish as a public authority through legislation
- ◆ Establish as a corporation
- ◆ Constitute by legislation to guarantee independence, stipulate sustainable funding methods and a democratic mechanism for selecting the board of governors
- ◆ Establish as a public corporation like the MTRC and issue shares
- ◆ Should not corporatise

- ◆ Operate under a 12-year licence, subject to periodic reviews of PSB direction, remit and performance
- ◆ Role, remit, governance and accountability measures governed by legislation and monitored accordingly to ensure it is free from political and commercial influences
- ◆ Defining the remit through legislation will lead to operational rigidity
- ◆ De-link from the government
- ◆ Operate as a government department and fulfill its duties as such, and avoid competition with commercial broadcasters
- ◆ De-link from the Civil Service
- ◆ Restructure Radio Television Hong Kong (RTHK) into a statutory body

2. **Governance principles**

- ◆ Enjoy an independent status
- ◆ Exercise rigorous governance
- ◆ Maintain operational flexibility
- ◆ Sustainable
- ◆ Uphold editorial independence
- ◆ Enjoy a reasonable level of freedom
- ◆ Accountable to the public
- ◆ Accountable to the Legislative Council
- ◆ Free from interference of the Government / Legislative Council
- ◆ Editorial policy should be supported by the public

3. **Governance structure**

(a) *The governing body (“The Board”)*

(i) Function

- ◆ Oversee policies, programming and resource allocation

- ◆ Appoint/remove Chief Executive Officer (CEO)
- ◆ Evaluate performance of the management
- ◆ Forecast and manage expenditures
- ◆ Authority to appoint and remove staff
- ◆ Ensure a public broadcaster fulfills its social responsibilities
- ◆ Separate the Board and the management team. The Board should not get involved in daily operation. It should only perform a monitoring role
- ◆ Role of governing Board restricted to general oversight, with no interference in day-to-day editorial decision-making
- ◆ A Board member should only perform his/her duties through the Board process, and should be prohibited from using his/her Board member status to interfere with management matters

(ii) Composition

- ◆ Knowledgeable individuals from the community and professional fields, and international experts
- ◆ Representatives from various sectors of the community / with sufficient public participation
- ◆ Media experts
- ◆ Formed by government representatives and local residents
- ◆ Reflect a broad cross-section of the community and diverse expertise and experience, including professionals, people with broadcasting experience
- ◆ People with a record of contributing to the public good and advocating cultural values of Hong Kong
- ◆ Include elderly representatives
- ◆ Not more than 20 members, comprising community leaders, professionals, media practitioners, academics and members of the public with no political affiliation
- ◆ Members include government representatives, independent directors from media and entertainment industries, members of the public and legislators

- ◆ The Board should have between 10 to 20 members who support the values of PSB and be drawn from a wide range of professions and sectors. There should be a staff-elected representative with a special responsibility to reflect professional views on editorial and programming matters
- ◆ The governing Board should comprise of 15 persons, including two persons with media experience, two with journalism experience, two with public affairs experience, one with experience in education, one with experience in arts and culture, one with technology experience, one with legal qualification and experience, one with qualification and experience in accounting and/or finance, one with senior managerial expertise and experience, one with experience in serving minority interests and providing social services, the CEO; and an elected staff representative.
- ◆ No Board member should be nominated by the Chief Executive (CE)
- ◆ Ethnic minorities should be represented on the Board
- ◆ The Government needs to appoint an official representative into the Board to play a monitoring role and ensure proper use of public money
- ◆ Composition of the Board should reflect different sector's interest rather than merely focusing on the interest of minorities or elites. Should have seats reserved for different categories, i.e. experience in journalism, etc
- ◆ Members of the Committee on Review of Public Service Broadcasting and its Focus Groups as well as persons associated with commercial broadcasting licensees should be ineligible for appointment
- ◆ The Legislative Council is a relatively representative body. Its members should not be ineligible for appointment to the Board
- ◆ Board members should not be appointed by the CE alone. They should come from different sectors of the society. The interest of ethnic minorities, persons with disabilities and other vulnerable groups should be protected. Some members should be elected from their respective independent bodies such as the Hong Kong Journalists Association and the Hong Kong Bar Association

(iii) Formation methods

A. By appointment

- ◆ The CE should appoint the chairman and members from amongst permanent residents in the public service, culture, education, commercial and labour groups and ethics minorities, subject to endorsement of the Legislative Council
- ◆ Appointed by the Government and accountable to the Legislative Council
- ◆ Appointed by the CE
- ◆ Commissioned by the Legislative Council
- ◆ Official members appointed by the Broadcasting Authority
- ◆ Include some elements of elections to ensure accountability

B. By (or primarily by) election

- ◆ Elected through a democratic process
- ◆ Primarily comprise of members elected among popularly elected councilors, plus a few government officials and media academics. The Board Chairman should be elected by and among Board members
- ◆ Should not be appointed by the CE, but should be selected through a transparent recruitment and selection process, and elected by civil society and the media industry democratically and impartially
- ◆ At least certain categories of Board members should be elected to dilute CE's influence/control through appointment
- ◆ Board members (except the CEO and elected staff representative) should be pre-dominantly independently elected. Political interference through election should be less than that arising from CE's appointment. Sectoral interest is also unlikely to be of any real significance in the Board of a public PSB. Election may be complex, but there is little choice left if one is determined to uphold integrity of PSB
- ◆ Board Chairman should be elected by Board members rather than appointed by the CE

C. By nomination

(The comments in this part were mostly made in relation to the proposal of the Focus Group on Governance Structure regarding the nomination of Board members. They may not necessarily be specific proposals in themselves to form the Board through a nomination process.)

- ◆ Publish a clearly written set of selection criteria in the same advertisement announcing vacancies
- ◆ Publicise list of names put forward by individuals and professional groups and the final nomination list. Candidates who choose to compete for public office should face public vetting and be prepared to disclose their names at different stages
- ◆ Organise public hearings/open forums for the public to question nominated candidates
- ◆ Only one candidate should be nominated for each category for CE's appointment. Otherwise, CE's final say in the final stage will introduce too much political influence, and implies a lack of confidence in the Nomination Committee
- ◆ The Nomination Committee may have a tendency of self-perpetuation through the nomination of like-minded persons by outgoing Board members
- ◆ The Provisional Nomination Committee should comprise of three to five persons, ideally drawn from the field of media education
- ◆ Elect members of the first Nomination Committee through secret ballot by an electorate comprised of full-time teaching or research staff in schools or departments of journalism or communication in post-secondary educational institutions. They should be independent persons free from political interference with the best knowledge of the media field and the best understanding of the need for PSB in Hong Kong

D. Mixed models

- ◆ Some members should be returned by election. The other members should represent the diversity in society and include experts knowledgeable in the media, and should be appointed by the CE in Council and endorsed by the Legislative Council

- ◆ Members should come from different sectors and organisations to ensure a wide representation. They should include persons who represent public views, media/journalistic practitioners, civic organisations, staff of the public broadcaster, the underprivileged/minority groups, as well as members of the public. Some members may be elected from within their own sectors. Individual candidates who are willing and feel able may volunteer and apply, then jointly approved by the Government and the Legislative Council
- ◆ The Board should have not fewer than 20 members appointed by the CE. Members should come from the following four categories, with a representative of the Commerce, Industry and Technology Bureau and the CEO of the Radio Television Hong Kong Corporation in attendance at Board meetings –
 - One-fifth of members nominated by the Legislative Council, but who must not belong to the same political party
 - One-fifth nominated by the media representative organisations, such as the Hong Kong Journalists Association, Hong Kong Federation of Journalists, Hong Kong News Executives' Association and Newspaper Society of Hong Kong. To avoid conflict of interest, the nominees should not be involved with any electronic media
 - One-fifth nominated by representative organisations in the sectors of culture, education and arts
 - The Government to nominate the remaining members from other professional, religious and social service organisations. These members should represent different interests in the community, such as the underprivileged and other concern groups. In addition, there should be members with experience of managing large commercial entities and financial expertise

(iv) Tenure

- ◆ Six-year term, with one-third or half of the members reshuffled every two to three years
- ◆ Fixed term by rotation
- ◆ The tenure should be not more than three years, and each member may serve up to two terms

(b) Statutory Board committees

- ◆ Should define statutory powers of the Board committees and their working relationship with the Board, and whether they will co-opt non-Board members

(c) The management

- ◆ The CEO openly recruited to be responsible for operating the organisation and overseeing editorial matters and programme production
- ◆ The CEO manages all aspects of day-to-day operation and be responsible to the Board
- ◆ The CEO acts as the Editor-in-Chief, with full authority in determining programming direction and internal management
- ◆ The CEO should not also be the Editor-in-Chief
 - The Editor-in-Chief should report to the CEO, and be responsible for (a) exercising all aspects of day-to-day operations; (b) exercising editorial final decisions independently; and (c) staff appointment and reappointment and removal of editorial department
 - The CEO would be responsible for (a) implementing the strategies and broad policies determined by the Board; (b) generating income; (c) keeping the Board informed in a timely manner of all issues of strategic importance; and (d) staff appointment, reappointment and removal (including approval of the terms of key senior staff by the Board) of the administrative and marketing departments
- ◆ The management be responsible for operation, policy issues, programming strategies and resource allocation
- ◆ Authority of the management team drawn from wide public support, and endorsed by the legislative and the executive branches of the Government
- ◆ The management be separate from the Government
- ◆ The management can be replaced in an extreme case

- ◆ The Government to directly examine and approve the expenditure estimate and budget, corporate strategy, position and direction of a public broadcaster, and appoint/remove the senior management. Day-to-day operation and management, programme production and appointment/removal of frontline staff may be delegated to the senior management of a public broadcaster, provided that the Government's position and direction will not be violated

(d) Staff

- ◆ Employed on non-civil service terms
- ◆ Enjoy operational autonomy
- ◆ Proper accountability mechanism in place to enhance efficiency
- ◆ Should further the common goal of PSB
- ◆ Should adhere to professional codes of practice
- ◆ Enjoy option to purchase shares of the corporation (if established as a public corporation)
- ◆ Staff employed on non-civil service contract terms should continue to be employed with salary not lower than at their current level. Civil service staff should have the following options:
 - Preserve their civil servant position and seconded to the newly established corporation. They will not be eligible for promotion, and their remuneration will be adjusted in accordance with the general pay adjustments of the civil service
 - With reference to voluntary departure/early retirement schemes adopted by other departments, the Government may allow staff who are unwilling to stay to discontinue employment on reasonable terms
 - Transfer staff to suitable posts in other departments on terms, conditions and ranks no worse than at present.
- ◆ In accordance with the relevant Civil Service Bureau circular, the principles of staff participation and consultation, transition of all staff, and an option for civil servants to retain their status should be observed

4. Need for licensing when multiple public service broadcasters co-exist

- ◆ Possible to have more than one public broadcaster, and all should operate under licence so that they will be subject to external regulatory oversight and licence renewal will be subject to review
- ◆ More PSB providers will encourage greater diversity in the media, but this should only be pursued after an effective and independent framework and enough resources have been provided for at least one such organisation
- ◆ Provide PSB funding for multiple providers (including public organisations, charitable bodies, etc) to bid for programme production
- ◆ Establish a small public body to set PSB objectives and priorities, and outsource actual production and transmission of PSB programmes through open tender
- ◆ RTHK to continue provide PSB, albeit on a reduced scale. At the same time, establish a new public broadcaster to operate in parallel with RTHK. The co-existence of the two bodies will provide greater flexibility

5. Other views on governance

- ◆ Determine the appointment method and procedures of the governing Board and qualification of members through public consultation
- ◆ Any attempt to change the corporate governance structure, and accountability measures should proceed with caution, in an open and transparent manner, and after proper consultation
- ◆ Introduce practices in the private sector to enhance efficiency
- ◆ Board members, holders of key posts and staff should be immune from civil liability if they have exercised due care and diligence

MONITORING AND ACCOUNTABILITY

1. General expectations

- ◆ Managed prudently, professionally and efficiently to command public trust and support

- ◆ Maintain operational transparency
- ◆ Monitored by and accountable to the public
- ◆ Monitored by and accountable to the Legislative Council
- ◆ Accountable to the Government is the same as accountable to the public
- ◆ Accountable to the CE
- ◆ Subject to the same regulatory regime as applied to the commercial broadcasters
- ◆ Review the regulatory system every eight to ten years
- ◆ Monitor a public broadcaster according to public opinions

2. **Scope and criteria of assessment**

- ◆ Consistency with agreed programme production directions
- ◆ Budget compatibility
- ◆ Efficiency and cost-effectiveness
- ◆ Quality as perceived by the public
- ◆ Whether programming supports social development and development of the civil society
- ◆ Whether programming addresses minorities' concern
- ◆ Whether programming aligns with long-term planning
- ◆ Take into account ratings, appreciation index and number of international awards received, but do not assess performance solely on these bases
- ◆ Hours of production
- ◆ Should not focus on advertising revenue and ratings

3. Proposed measures

(a) *Internal procedures and on-going monitoring*

- ◆ Develop and adopt a proper and professional management system, reinforced by clear, sound and consistent financial principles and best business practices
- ◆ Establish internal mechanisms and procedures to review programming direction, cost-effectiveness and performance in other aspects
- ◆ Comply with internal codes of practice for programming staff
- ◆ Establish an “electronic mail box” to receive public feedback
- ◆ Produce a programme every month to discuss listeners’ and viewers’ feedback
- ◆ Establish a standing Advisory Committee / Council to monitor operation and performance. Members should come from the following categories:
 - General public
 - Academics
 - Related government departments
 - Public personalities who are impartial, righteous and knowledgeable
 - Minority groups
- ◆ Enhance public participation in public broadcasting
- ◆ Subject to media scrutiny
- ◆ Councilors from different sectors should represent the public and relay public opinions to a public broadcaster
- ◆ Subject to monitoring by a think tank which represents different sectors in the community
- ◆ Establish a transparent and responsible complaint handling procedure
- ◆ Establish an upward referral system as commonly adopted by public bodies

(b) Periodic assessment

- ◆ Conduct public opinion polls
- ◆ Convene consultation meetings with the academics
- ◆ Collect views of selected audience groups through polling and consultation
- ◆ Conduct market surveys
- ◆ Organise periodic public meetings to review performance and assess whether PSB programming meets the needs of the public
- ◆ Assessed by relevant professional institutions
- ◆ Assessed by a Government-appointed advisory body
- ◆ Invite assessments from credible and reputable survey agencies (such as universities)
- ◆ Analyse audience ratings and information on distribution of the audience to facilitate public evaluation
- ◆ Government to carry out an overall assessment based on results of regular surveys conducted by independent organisations, views expressed by community organisations, and public opinion collected by a public broadcaster in the normal course of its operation
- ◆ Establish a standing mechanism for public consultation (including the setting up of a community advisory committee and regular public hearings) to receive public feedback
- ◆ External assessors appointed to conduct regular audits on compliance with the programme standards should be genuinely independent, without any direct or indirect political affiliations
- ◆ External assessors must not be a standing institution watching over the shoulders of the staff of a public broadcaster, or a means to intervene in the daily operation of the organisation. Crucial to prevent previewing of programmes by any external assessor or Board member
- ◆ A public broadcaster should introduce a programme for viewers to express their views about the contents of PSB programmes, and for a public broadcaster to reply to those views

(c) *External regulatory/supervisory mechanisms*

- ◆ Subject to the Broadcasting Authority's (BA) codes of practice and internal codes of practice for programming staff
- ◆ Subject to the regulatory oversight of the BA and receive public complaints
- ◆ Subject to the regulatory oversight of the BA and regular licence renewal. The BA should set out the considerations for licence renewal (such as clearly defined performance indicators)
- ◆ Subject to external audit
- ◆ Subject to Audit Commission's regular examination, the findings of which should be made public
- ◆ The Director of Audit should not review PSB except when it is called for by the Legislative Council
- ◆ Subject to scrutiny by the Independent Commission Against Corruption
- ◆ Subject to scrutiny by the Equal Opportunities Commission
- ◆ Subject to scrutiny by the Privacy Commissioner for Personal Data
- ◆ Subject to scrutiny by the Ombudsman
- ◆ Subject to financial monitoring by the Financial Secretary
- ◆ Subject to the same regulatory oversight as applied to all other departments in the government establishment
- ◆ No need for any external monitoring
- ◆ PSB should be monitored by the public rather than the Government
- ◆ PSB should adhere to existing broadcasting laws and content regulations, and be subject to the regulation of the new Communication Authority
- ◆ PSB mandates and performance targets should be reviewed every 10 years by the public. The CEO of a public broadcaster should appear before the Legislative Council Panel on Information Technology and Broadcasting to answer questions. The annual audited accounts and auditor's report should be viewed and agreed by the Legislative Council prior to approval of the next PSB budget
- ◆ PSB should be subject to the "cross media ownership" rules
- ◆ PSB should continue to come under the content regulation of the BA, but need not obtain a broadcasting licence

(d) Reporting/disclosure for accountability

- ◆ Submit annual report to the Legislative Council and attend hearings conducted by its committees
- ◆ Publicise performance indicators for all types of programmes on a regular basis
- ◆ Submit annual report to the CE
- ◆ Open Board meetings to the public and make Board papers available to the public, except for those parts justified to be withheld

(e) Suggestions on overseas references

- ◆ Model on arrangements adopted by the Australian Broadcasting Corporation, British Broadcasting Corporation and/or Canadian Broadcasting Corporation

FUNDING OF PSB

Notes for the section on “Funding of PSB”

1. The written submissions received contain a variety of funding suggestions, including various combinations of different revenue sources. Justifications, where provided, are also stated in this document.
2. Many of the suggestions may co-exist, but some are mutually exclusive. Given the myriad of suggestions, no particular attempt has been made to categorise them. Proposals which have met with expressed objection are marked with a ◆ symbol. One submission expressed objection to sponsorship from political organisations, although this has not been proposed in any of the submissions received.

1. Funding principles

- ◆ The Government provides stable source of income, free from political and commercial influences
- ◆ Minimise dependence on public funding
- ◆ Establish stable funding mechanism to ensure continuity and sustainable development
- ◆ Provide sufficient funding to ensure distinctiveness
- ◆ Provide sufficient funding to ensure PSB serves the public interest well

- ◆ Provide sufficient funding to ensure PSB remains competitive in a technologically driven media environment
- ◆ Avoid competition with commercial broadcasters on resources
- ◆ Financed by and for the public
- ◆ Financially independent
- ◆ Be sustainable and acceptable to the public, widely and deeply rooted in the public, and promote a sense of public ownership
- ◆ A public broadcaster that is independent of the Government should not receive any public funding at all, or it will pose an unfair competition to the commercial broadcasters

2. Modes of funding

(a) *Purely funded by public money*

- ◆ Annual appropriation by the Government[◆]
- ◆ Annual appropriation with approval of the Legislative Council
- ◆ Funding provided by the Government based on a three to five-year cycle, with the endorsement of the Legislative Council
- ◆ Generated from tax return[◆] to ensure its financial support comes from the public
- ◆ Levy licence fee[◆]
- ◆ Carve out a specified percentage from rates revenue[◆] and designate it for financing recurrent PSB expenditure
- ◆ Levy PSB tax[◆]

(b) *Public money as primary funding source*

- ◆ Mainly from public money, supplemented with:
 - Individual donations
 - Corporate donations
 - Sponsorship by individuals
 - Commercial sponsorship[◆]

- Sponsorship from related organisations for specific programme types, such as sponsorship from the Education and Manpower Bureau for education programmes
- Programme sales[◇]
- Product sales[◇]
- Advertising revenue (limited or unlimited)[◇]
- Listeners' and viewers' fee/licence fee/subscription fee (regular or pay-per-view)
- Licence fee paid by commercial broadcasters
- Organise profit-making events
- Expand source of revenue and reinvest the returns in PSB
- Issue bonds or debentures
- ◆ The Government to provide basic operational expenses
- ◆ Oppose to annual appropriation with the approval of the Legislative Council as it will subject a public broadcaster to political pressure

(c) *Rates revenue as primary source of funding*

- ◆ Carving out a fixed percentage of rate revenue for PSB funding has many advantages: (a) Avoids possible political and government interference during annual resource allocation exercises. (b) Promotes a sense of public ownership (including the commercial sector, which also benefits from accurate, unbiased and timely report of information). (c) Rates are progressive - a more equitable contribution in theory when compared with the licence fee arrangement. (d) A more impartial means of ascertaining the amount of public funding available to PSB. Fluctuation in rates revenue can be solved by stating clearly in the law that the funding should not be less or more than certain percentage of the annual expenditure or by capping the fluctuations based on a last year figure or a moving average of previous years

(d) *Mixed funding models*

- ◆ Partially funded by the Government, and progressively increase private or corporate donations or sponsorship and overseas sales, provided that the principle of editorial independence is upheld

- ◆ Partially funded by commercial sponsorships or donations, provided that there is no encroachment on autonomy
- ◆ Establish a trust fund to receive funding from government, lottery funds, special levy on commercial broadcasting licences, PSB operational revenue, etc. to ensure financial autonomy

(e) Other suggested funding models

- ◆ Funded by product sales
- ◆ Annual PSB appropriation managed by related government departments and other public bodies, which will commission PSB programmes and broadcast them

(f) Phased approach with initial funding support from public money

- ◆ Progress from corporatisation towards privatisation, gradually reduce government subvention and become self-financed so as not to draw on public funds
- ◆ Draw on taxes, rates, public and corporate donations. During the first 10 years, two-third of funding should come from the Government, one quarter from other public and subsidised organisations, and the rest from the general public via donations, sponsorship, etc.
- ◆ The Government to provide funding at a level not lower than at present during the first five years to allow time for a public broadcaster to make adaptations and adjustments. Thereafter, the Government should provide at least two-third of the required funding. The public broadcaster should shoulder the remaining one-third, relying primarily on sponsorship, donations, and income from products sales and copyrights, supplemented by advertising revenue
- ◆ Difficult to achieve the target of deriving 20% of funding from other sources by the 10th year. Should decrease percentage or extend time frame
- ◆ The target of deriving 20% of funding from other sources by the 10th year is too harsh as a public broadcaster will have to compete with commercial broadcasters for commercial sponsorship, and potentially also with a government propaganda agency for government sponsorship

- ◆ The target of deriving 20% of funding from other sources by the 10th year is too lenient, and should be increased further to 50-60% to exert pressure on a public broadcaster to exploit other funding sources
- ◆ After the first funding cycle, a public broadcaster could increase its income from alternative funding sources gradually to 5% then 10%, based on practical experience in raising alternative sources of income

(g) Capital projects

- ◆ Establish a trust fund with initial start-up funding from Government and surplus revenue to meet capital needs for set up and future development, and address fluctuation in rates income (if adopted as the primary source of PSB funding)
- ◆ Enable digitisation through a one-off supplementary provision
- ◆ A public broadcaster should deploy surplus funds for investment in fixed assets and be empowered to establish a fund to receive money raised from external sources for related purposes. An alternative is to move RTHK to a new site, and inject all land premium arising from the sale of the current sites at Broadcast Drive into the said fund
- ◆ Establish a development fund for capital projects and investment with seed money from the Government and public donations. The seed money may partially come from the land sale revenue of the current RTHK premises at Broadcast Drive after reprovisioning and partially from a one-off government appropriation

(h) Funding cycle

- ◆ Adopt a five-year funding cycle to allow for greater flexibility in financial planning and reduce exposure to political and financial pressures
- ◆ Lengthen funding cycle to five or ten years

3. Other suggestions on funding

- ◆ Adopt a long funding cycle, and review every five to ten years
- ◆ Index funding level against inflation

- ◆ Provide additional and stable funding to plan for digital development and sustainable PSB development
- ◆ Allocate funds with flexibility in accordance with legal powers and responsibilities
- ◆ Do not blindly reduce the existing staff welfare and remuneration for the sake of cost saving
- ◆ Shall not borrow or receive monetary contribution from any member of the Board, staff, persons associated with political organisations, or other bodies that might harm its goodwill
- ◆ Shall not assign or mortgage any of its real estate or machinery
- ◆ Shall not invest in any high-risk monetary investment
- ◆ Should be immune from paying any tax

PSB PROGRAMMING AND DELIVERY

- ◆ Encourage public participation in developing programme strategy and production
- ◆ Enhance news coverage of Mainland China
- ◆ Provide suitable services for the minority groups and ethnic minorities
- ◆ Serve the South Asian audience in Hong Kong by broadcasting some radio programmes in their languages via the FM channels, especially those which disseminate information on government services and policies
- ◆ Help people who do not speak Cantonese/English/Putonghua to integrate into the mainstream society
- ◆ Produce more programmes which focus on Hong Kong and its people
- ◆ Produce more programmes regarding retirement life and lifelong learning
- ◆ Provide more creative cultural programmes
- ◆ Popularise arts among people with a disability
- ◆ Produce more credible programmes
- ◆ Produce more high quality programmes for sale in overseas markets

- ◆ Air all genres of music to cater for a diverse audience
- ◆ Produce and deliver programmes using alternative delivery methods such as IPTV and WebTV via the Internet
- ◆ Distribute selected minority interest programmes via the Internet or VCD and DVD
- ◆ Provide services to local and overseas Hong Kong people through the Internet
- ◆ Make use of the digital platform to provide services
- ◆ Work with pay television operators to broadcast PSB content
- ◆ Programme production should have a focus

EXTERNAL COMMISSIONING

- ◆ Encourage external commissioning
- ◆ Impose local content and in-house production requirements on a public broadcaster (e.g. setting minimum quotas for original productions)
- ◆ Enhance efficiency and optimise the use of resources by commissioning some programmes
- ◆ External commissioning should be increased eventually to 25% of the total programme output
- ◆ Set aside specific broadcasting time and resources for external commissioning of programmes
- ◆ A PSB fund may be established to receive community donations for external commissioning, instead of relying solely on payments made by a public broadcaster
- ◆ Establish an external commissioning assessment committee, with half of its members drawn from within a public broadcaster and the remaining half appointed by its governing Board. An independent member should assume chairmanship of the assessment committee
- ◆ Invite persons with a disability who have right talent to participate in programme production
- ◆ Sponsor independent production instead of owning production facilities

ALLOCATION AND USE OF BROADCAST CHANNELS

- ◆ Provide initially one Chinese and one English channel for PSB
- ◆ Establish community channels and public access channels to provide more platforms
- ◆ Set up a public access channel operated by diverse citizen groups in a co-op fashion, with seed money from the Government and production facilities provided by the commercial broadcasters
- ◆ Establish an education channel, a health channel, and a channel for live broadcast of Legislative Council meetings. These channels should be operated by non-profit making groups or organisations or by RTHK
- ◆ Establish a dedicated channel for the elderly to produce programmes themselves
- ◆ Establish a 24-hour channel for collecting opinions
- ◆ Set up community radio stations to provide point-to-point broadcast
- ◆ Set up a multi-cultural radio channel to offer programmes of different languages
- ◆ Establish a new channel for the Government to disseminate information through agencies such as the Information Services Department
- ◆ Cancel one of the commercial broadcasting channels and turn it into a PSB channel
- ◆ A public broadcaster should be allocated a free television channel
- ◆ Retain the existing broadcasting channels so as to reduce tax payers' burden
- ◆ Further discuss the proposal to set up public access channels and assess the value of the proposal before taking it on board
- ◆ Establish two services
 - Sunday Community radio service: District Councils and the Home Affairs Department to provide community broadcast in partnership on Sundays to broadcast district affairs and opinions
 - New media resource centre: Provide technical training and support to the public and provide linkage amongst various organisations to expand the community network, maximise utilisation of the broadcasting media and increase audienceship

- ◆ Allocate television channels and radio frequencies for the public to air their views
- ◆ Should consider the feasibility of area channels to provide better news and weather coverage to people living in a particular area

DIGITISATION

- ◆ PSB should take the lead in the digitisation of sound broadcasting
- ◆ Digitise all channels to facilitate the development of more independent channels and meet the needs of the public
- ◆ Digitisation will lead to a more comprehensive range of PSB, and niche interests will be better served
- ◆ Digitisation will increase the number of channels available for broadcasting
- ◆ Allocate spectrum for providing television and radio PSB programmes on a digital platform

SPECIFIC VIEWS REGARDING RTHK

- ◆ Strengthen RTHK's role as Hong Kong's public broadcaster as it meets Hong Kong people's wants and needs
- ◆ Support programmes produced by RTHK Radio 4
- ◆ Retain English language broadcasting by RTHK
- ◆ Switch RTHK Radio 3 to a FM channel
- ◆ Put RTHK under the supervision of the Legislative Council
- ◆ Increase funding for RTHK
- ◆ Do not provide funding support to RTHK and let it operate separately from the Government
- ◆ Sell RTHK by auction
- ◆ Reform RTHK and replace all its senior management and programme hosts
- ◆ Relocate Broadcasting House and speed up relevant construction projects

- ◆ Contract out educational television productions
- ◆ Oppose to RTHK becoming an independent and autonomous body
- ◆ The Government should take back two radio channels for its own use
- ◆ Concerned that a new public broadcaster may charge fee for use of RTHK archives to make a profit
- ◆ RTHK should remain in operation for a reasonable duration (say, five to ten years) to facilitate a gradual transition into the new PSB set-up
- ◆ RTHK should not only monitor the Government, but should also enhance public understanding of the Basic Law, and move in step with the Chinese nation and its people

PSB ROLE OF COMMERCIAL BROADCASTERS

- ◆ Relieve domestic free television broadcasting licensees from the obligation of carrying Government supplied programmes
- ◆ Pay commercial broadcasters for the broadcast of announcements in public interest
- ◆ Assign the Information Services Department to collate information and organise publicity campaigns for the Government, and broadcast through commercial as well as PSB channels

OTHER COMMENTS

- ◆ The Government may commission anybody it prefers to produce and broadcast programmes to meet its needs for explaining and publicising policies
- ◆ Build on the existing foundation of PSB and provide an environment conducive to its further maturity
- ◆ Earnestly develop a creative and quality PSB
- ◆ Design a flexible and more efficient mode of PSB operation to enable the formulation of long-term strategies and cope with the fast-changing media environment
- ◆ The Government should be a facilitator rather than a decision-maker for PSB

- ◆ Do not rely solely on overseas models in the review of PSB
- ◆ The review of PSB is flawed
- ◆ Whenever the CE or any key government official makes a public speech, whether broadcast live or recorded, sign language translation should be provided, or Chinese subtitles added if broadcast live
- ◆ Regulate the broadcast of medical advertisements in Hong Kong (including advertisement of local, cross-boundary and overseas medical services)
- ◆ Continuously upgrade PSB in Hong Kong in light of international broadcasting developments and development of the civil society
- ◆ Formulate a culture policy

END

**Overseas Speakers
at the International Conference on Public Service Broadcasting***

(In alphabetical order of speakers' names)

Ms Nikki Clarke

Executive Editor, Asia and The Pacific Region
British Broadcasting Corporation World Service
United Kingdom

Mr. Vincent Curren

Senior Vice President/Radio
Corporation for Public Broadcasting
United States

Mr. Geoff Heriot

Chief, Corporate Planning and Governance
Australian Broadcasting Corporation
Australia

Professor Dr. Albrecht Hesse

Legal Director and Deputy Director General
Bavarian Broadcasting Corporation
and
Chairman, Legal Committee
Association of Public Broadcasting Corporations of Germany
Germany

Mr. Yoshinori Imai

Executive Editor and Program Host
Japan Broadcasting Corporation
Japan

Mr. Tom Koch

Director
WGBH International
United States

Mr. Toshio Oshima

Executive Controller-General
Japan Broadcasting Corporation
Japan

Dr. Jonathan Simon

Senior Manager, Corporate Relations
Channel Four Television Corporation
United Kingdom

Mr. Philip Williams

Acting Head of Policy
Special Broadcasting Service
Australia

Mr. Robert Winteringham

Deputy General Counsel
Corporation for Public Broadcasting
United States

END

* Mr. Chu Pui-hing, Director of Broadcasting of Hong Kong, also spoke at the International Conference.

Overview of Overseas PSB Models*

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
Australian Broadcasting Corporation (ABC), Australia					
<p>Officially incorporated in 1932 as a network of 12 radio stations in the name of Australian Broadcasting Commission. Renamed as Australian Broadcasting Corporation with the passing of the Australian Broadcasting Corporation Act 1983 (ABC Act 1983) by the federal parliament.</p> <p>Public service mandate enshrined in the ABC Charter reproduced in section 6 of the ABC Act 1983.</p>	<p>ABC operates a nationwide TV channel, with state and territory news breakouts; and a second free-to-air digital channel. It also operates four national radio networks, 60 local radio stations, and three internet music-based services. In addition, ABC operates Radio Australia, an international shortwave service with transmissions aimed at East Asia and the Pacific Islands. Under contract to the Australian Government, it also</p>	<p>The ABC Board has up to seven members. It ensures (1) the efficient functioning of ABC with maximum benefit to the people of Australia; (2) the independence and integrity of ABC; (3) that the gathering and presentation of news and information is accurate and impartial, and in accordance with recognised standards of journalism; (4) compliance with legislative and legal requirements.</p>	<p>The current Executive Committee consists of:</p> <ul style="list-style-type: none"> • Managing Director (MD) (appointed by the Board) • Chief Operating Officer (COO) • Director Corporate Strategy & Communications • Director Radio • Director Television • Director New Media & Digital Services • Director News & Current Affairs 	<p>The ABC Advisory Council consists of 12 members selected from all over Australia. Vacancies are filled by recruitment through TV and radio advertising every year. The Advisory Council advises the Board on matters relating to ABC's broadcasting programmes. Appointments are usually for a term up to four years.</p>	<p>Divisional directors submit monthly governance reports to the Board.</p> <p>Submits annual reports to Parliament for scrutiny.</p> <p>Subject to audit reviews by the Australian National Audit Office.</p> <p>Complaints on content handled by the Independent Complaints Review Panel established by the Board. Aggrieved parties may also seek review by the</p>

* The funding arrangements of these overseas public broadcasters are set out in [Appendix 19](#).

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
	<p>operates an international TV service, the Australia Network (formerly called ABC Asia Pacific).</p> <p>ABC Enterprises (comprises of retail, consumer publishing and content sales, and resource hire) was established in 1974 with all profits returned to ABC to reinvest in programme-making.</p>	<p>Members of the Board are appointed by the Governor-General on the recommendation of the Government. The Chairman is appointed for a five-year term, renewable. The current incumbent is an expert in administration of an arts enterprise. The other directors shall either be experienced in broadcasting, communication or management, or have expertise in financial or technical matters, or have cultural or other interests relevant to the provision of broadcasting services. The current directors include a finance manager, two lawyers, a columnist, and two research experts. Their terms of office range from two to five years.</p>	<p>Director Enterprises reports directly to the MD but is not currently a member of the Executive Committee.</p> <p>COO is responsible for the operational support divisions: Business Services, Production Resources (the TV production “factory”), Technology & Distribution, and Human Resources.</p>		<p>Australian Communications and Media Authority.</p>

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
Special Broadcasting Service (SBS), Australia					
<p>The SBS radio network began in 1975 with two small radio stations in Sydney (2EA) and Melbourne (3EA). In 1980, SBS began TV service in Sydney and Melbourne and progressively extends to all Australia. SBS Online began in 1997 and is the most linguistically diverse website in the world.</p> <p>In 1991, Australian Prime Minister announced the government's National Agenda for a Multicultural Australia, including plans to introduce legislation to establish SBS as an independent corporation with its own Charter. In the same year, SBS was</p>	<p>SBS is charged with the Charter obligation to "provide multilingual and multicultural radio and TV services that inform, educate and entertain all Australians and, in doing so, reflect Australia's multicultural society".</p> <p>68 languages are spoken on SBS Radio. Programmes in more than 60 languages are broadcast on SBS Television. Online, SBS New Media provides text and audio-on-demand services in more than 50 languages.</p> <p>SBS broadcasts a second channel, <i>SBS World News Channel</i>, which is entirely foreign language</p>	<p>The Board determines SBS's objectives, strategies and policies, and ensures that it performs its function in a proper, efficient and economical manner. It consists of the Managing Director and not fewer than four nor more than eight non-executive directors. The directors collectively possess an appropriate balance of expertise, including an understanding of Australia's multicultural society and the needs and interests of SBS's culturally diverse audience. The directors must include a person who has an appropriate understanding of the interest of employees and be able to make consultations between</p>	<p>The Board appoints the Managing Director for a period not longer than five years, subject to reappointment for a period not longer than five years.</p> <p>The current management team includes:</p> <ul style="list-style-type: none"> • Managing Director • Director, Content • Director, News and Current Affairs • Director, Technology and Distribution • Director, Commercial Affairs • Chief Financial Officer • Director, Strategy and Communications • Manager, Human Resources • Corporate Counsel 	<p>The Board appoints members of the Community Advisory Committee. Committee members must have an understanding of Australia's multicultural society, in particular an understanding of ethnic, Aboriginal or Torres Strait Islander Communities. The Board determines the terms and conditions of appointment of each member of the Committee. Currently there are nine members in the Committee. They advise the Board on community needs and opinions, including the needs and opinions of small or newly arrived ethnic groups, and on matters relevant to the SBS Charter.</p>	<p>Publishes corporate plans which set out the objectives of SBS and its subsidiaries, outline strategies and policies, forecast revenue and expenditure, and make public SBS performance indicators and targets, and any measure adopting on the advice of the Community Advisory Committee.</p>

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
<p>established under the SBS Act 1991 as a national public broadcaster with a special mandate to reflect the multicultural nature of Australian society. The Act also provides SBS with editorial independence from government.</p>	<p>news broadcasts. It also has an electronic programme guide channel with programme schedules, news headlines and nation-wide weather. SBS uses subtitles (instead of dubbing) on non-English speaking movies and shows.</p>	<p>the Minister and representatives of industrial organizations representing employees.</p> <p>Members of the Board are usually appointed for three years, subject to reappointment of not more than five years.</p> <p>The Governor-General appoints one of the non-executive directors to be the Chairperson and another to be the Deputy Chairperson of the Board.</p>	<ul style="list-style-type: none"> Audience Affairs Manager 		
Bayerischer Rundfunk (Bavarian Broadcasting) (BR), Germany					
<p>BR is a member of the Association of Public Broadcasting Corporations of Germany (ARD) and the public broadcasting authority for the German Freistaat (Free State) of Bavaria, with its main</p>	<p>BR operates the Bayerisches Fernsehen – Third TV channel for Bavaria and provides programmes to various TV & radio networks, some done in collaboration with other broadcasters.</p>	<p>The Broadcasting Board (BB) represents the interest of the general public. Its 47 members are selected by political, ideological and social groups, and include not more than one-third who are representatives of the</p>	<p>The management team includes:</p> <ul style="list-style-type: none"> DG (term of five years with possible reappointment) Deputy DG (to be chosen among the directors) 	<p>The BB has four commissions: Radio, TV, Finance and General Affairs. The members of the Commissions are BB members (each BB member has to sit on two Commissions). The Commissions prepare</p>	<p>Required to assign a person responsible for each category of programme. The names of the responsible individuals must be broadcast at least once a day. They must be aware of and must</p>

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
<p>offices located in Munich.</p> <p>The functions of BR are determined by a legal foundation with regulations based on the Bayerischen Rundfunkgesetz (Bavarian Broadcasting Law) passed in 1948 and amended in 1993. This broadcasting law is supplemented by Rundfunkstaatsvertrag (Broadcast State Treaty), which regulates the relationship of public and private broadcasters. It also contains fundamental regulations particularly for financing.</p>	<p>It operates four radio channels plus one non-stop news radio channel and two other channels available only via digital radio or internal streaming.</p> <p>BR also administers three musical organisations: the Bavarian Radio Symphony Orchestra, the Munich Radio Orchestra, and the Munich Radio Choir.</p>	<p>Bavarian State Government and the Bavarian Landtag.</p> <p>BB members serve for five years, subject to reappointment. They elect from among themselves a Chairman and Deputy Chairman.</p> <p>BB meets at least once every two months. It elects and dismisses the Director-General (DG); approves nomination of senior staff members; elects four members of the Board of Administration; approves budget estimates and annual balance sheets; and advises the DG on all broadcasting matters, in particular the planning and content of programming.</p> <p>The Board of</p>	<ul style="list-style-type: none"> • Programme Director (one each for radio and TV) • Administrative Director • Technical Director • Legal Director <p>All senior staff appointment requires the approval of the BB. They are appointed for a maximum of five years with admissible extension.</p> <p>The dismissal of the DG requires a two-third majority of the members of the BB.</p>	<p>draft decisions, but decision-making rests with the BB.</p>	<p>approve the contents of a programme broadcast by radio or TV. They shall bear the legal responsibility and be punished with imprisonment if BR broadcasts programmes with illegal content.</p> <p>The DG shall formally address complaints. The plaintiff can also inform the Radio Commission or Television Commission of the BB if he/she is not satisfied with the way a complaint has been addressed.</p>

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
		<p>Administration (BA) comprises of six members viz. the President of the Bayerischer Landtag (BA Chairman), President of the Bavarian Administrative Court (BA Deputy Chairman) and four members elected by the BB. The four members elected by BB serve for five years. Once so elected, they have to resign from BB to maintain a clear delineation between BB and BA.</p> <p>BA meets at least once a month. It concludes the contract of appointment of the DG; represents BR in legal dealings and legal conflicts between BR and the DG; oversees the DG's conduct of business; examines the proposed</p>			

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
		budget and balance sheet; and publishes the balance sheet and operations report compiled by the DG.			
Japan Broadcasting Corporation (NHK), Japan					
<p>NHK was initially incorporated as the national broadcasting organisation in 1926, then reestablished under the terms of the Broadcast Law in 1950 as the people's station. It is governed by the Broadcast Law 1950, which guarantees NHK's independence both in terms of its activities and corporate structure. The provisions of the Broadcast Law 1950 are applicable to all domestic broadcasters including NHK.</p>	<p>NHK operates two terrestrial TV services (NHK General TV and NHK Educational TV) and three satellite services (NHK BS-1, NHK BS-2 and NHK Hi-Vision). For overseas audience, it also broadcasts NHK World TV and NHK World Premium. In addition, NHK operates three radio networks (NHK Radio 1, NHK Radio 2 and NHK FM). For overseas audience, it also broadcasts NHK World Radio Japan.</p>	<p>NHK has 12 Governors. They make decision for every important matter concerning NHK's management policy and operation, including the annual budget, operational plan and basic programming policy. The Governors are appointed by the Prime Minister and approved by both Houses of the Diet on behalf of the people of Japan. Political party executives and civil servants are not qualified for appointment.</p>	<p>The Executive Board includes the President, Vice-President and eight Directors.</p>	<p>An independent review committee has been set up recently to assess the performance of NHK on delivering the commitment it has made to the public every year.</p>	<p>Submits annual budgets, operating plans and financial statements to the Diet via the Cabinet.</p> <p>Accounts reviewed by the Board of Audit.</p> <p>Discloses budget, operating reports and minutes of Board of Governors, and releases annual reports.</p>

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
British Broadcasting Corporation (BBC), United Kingdom					
<p>BBC was founded in 1927 by a Royal Charter. Since then, it has been governed by the BBC Royal Charter, and the Agreement between BBC and the United Kingdom (UK) government.</p> <p>The Royal Charter establishes BBC's constitutional status and defines its general objectives and functions.</p> <p>The Agreement recognises BBC's editorial independence and sets out its public obligations in detail.</p> <p>The BBC Charter Review was completed in 2006. The new Royal Charter has taken effect from January 2007.</p>	<p>BBC operates eight TV channels, comprising BBC One, BBC Two, BBC Three, BBC Four, the news channel of BBC News 24, BBC Parliament, and the children's channels of CBBC and CBeebies.</p> <p>It also runs five analogue radio network stations as well as five digital-only stations and the BBC World Service. Its commercial subsidiaries generate revenue for BBC to reinvest in public service programming.</p>	<p>The BBC is governed by the BBC Trust, which sets the strategic direction of the BBC, represents interests of licence fee payers, issues service licences and holds the Executive Board to account for its performance in delivering BBC services.</p> <p>The BBC Trust consists of the Chairman, Vice-Chairman and ten members. Their background and experience is wide, ranging from broadcasting, regulation, competition, business, the public sector and engagement with the public, to programme-making and journalism. They are appointed by the Queen on the advice</p>	<p>The BBC Executive Board is responsible for delivering the BBC's services in line with the priorities set by the BBC Trust. It is responsible for all aspects of operational management, including:</p> <ul style="list-style-type: none"> • directing the BBC's editorial and creative output; • operational management of the BBC; • ensuring compliance with all the BBC's legal and regulatory requirements (including initial handling of complaints about the BBC), except where these areas specifically relate to the BBC Trust or the Trust Unit; 	<p>Nil</p>	<p>Scrutinised by Parliament through debates in the Houses and at select committee hearings.</p> <p>Submits annual performance reports to Parliament.</p> <p>Subject to public service TV broadcasting reviews conducted by the Office of Communications (Ofcom), the independent regulator and competition authority for the UK communications industries, with responsibilities across TV, radio, telecommunication and wireless communication services.</p>

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
		of the Ministers following an open appointment process.	<ul style="list-style-type: none"> • ensuring compliance with all the requirements which the Trust places on the Executive Board; • appointing and holding to account the management of the BBC and its subsidiaries; • conducting the BBC's operational financial affairs to ensure value for money; • accounting to the BBC Trust for its own performance and the performance of the BBC and its subsidiaries; and • complying with any decision from the BBC Trust in relation to the exercise of its functions. 		

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
			<p>The BBC Executive Board is made up of ten executive directors and five non-executive directors and is chaired by the Director-General (DG). The Deputy DG is the Deputy Chair.</p> <p>The DG is the chief executive and editor-in-chief, and is appointed by the BBC Trust. The other members of the Executive Board are appointed by the Nominations Committee and approved by the BBC Trust.</p>		
Channel Four Television Corporation (Channel 4), United Kingdom					
<p>The Channel 4 service was originally established under the Broadcasting Act 1981 and was provided for by the Independent Broadcasting Authority. The Channel 4 was</p>	<p>Channel 4 operates a national 24-hour TV service available on all digital platforms (terrestrial, satellite and cable) as well as through conventional analogue transmission.</p>	<p>The Board of Channel 4 consists of 13 members, the majority of whom are non-executive. The Board is responsible for endorsing group strategies, approving annual budgets, ensuring</p>	<p>Management is undertaken by the Senior Executive Management Committee. The role of management is to implement Board policies on risk and control.</p>	<p>Nil</p>	<p>The Communication Act 2003 requires Channel 4 to:</p> <ul style="list-style-type: none"> • obtain approval from the Board on annual budgets, cashflow projections and performance targets;

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
<p>subsequently established under the Broadcasting Act 1990 and the Channel's functions were transferred over to the new Corporation in 1993. From then on, Channel 4 was permitted to sell its own advertising.</p> <p>Channel 4's corporate values are "Do it first. Make trouble. Inspire change."</p>	<p>It also operates a portfolio of digital channels including E4, More 4 and FilmFour, all of which are available free-to-air from July 2006.</p> <p>Channel 4 has an expanding range of new media services, including the broadband public service documentary channel FourDocs.</p> <p>The public service remit for Channel 4 is the provision of a broad range of high quality and diverse programming which, in particular:</p> <ul style="list-style-type: none"> demonstrates innovation, experiment and creativity in the form and content of programmes; 	<p>compliance with legislation and regulatory licences, internal control and reviewing the Corporation's effectiveness. It also appoints the Chief Executive (CE) of Channel 4.</p> <p>The Chairman of the Board is appointed by Ofcom. The non-executive members are appointed by Ofcom following consultation with the Board Chairman, and with the approval of the Secretary of State for Culture, Media and Sport.</p> <p>The Board Chairman and CE jointly appoint other executive members of the Board.</p>			<ul style="list-style-type: none"> develop short, medium and long-term operational strategies; present quarterly review reports to the Board on compliance with regulatory, statutory and licence requirements; undertake group-wide business risk evaluation process; report quarterly to the Board on progress against approved plans for all new ventures and investments; submit monthly report to the Board on actual results to date and forecasts to the end of the financial year;

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
	<ul style="list-style-type: none"> • appeals to the tastes and interests of a culturally diverse society; • makes a significant contribution to meeting the need for the licensed public service channels to include programmes of an educational nature and other programmes of educative value; and • exhibits a distinctive character. <p>As a publisher-broadcaster, Channel 4 does not produce its own programmes but commissions them from more than 300 independent production companies across the UK.</p>	<p>All non-executive members are considered to be independent. The Board is supported by four Sub-committees, for Budget, Audit, Remuneration and New Business.</p>			<ul style="list-style-type: none"> • audit published statutory financial statement annually; and • conduct internal audit to review system of internal control.

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
Corporation for Public Broadcasting (CPB), United States					
<p>CPB was established in 1967 by the Public Broadcasting Act as a private non-profit corporation to promote public telecommunication services in the United States (US). The Act sets out the legal status, organisation structure, accountability, public service mandate and general powers of CPB.</p>	<p>CPB is prohibited from owning or operating TV and radio stations. It is also prohibited from producing programmes. CPB promotes public telecommunication services (TV, radio, and online) by allocating funds to public broadcasting TV stations (mostly members of the Public Broadcasting Service) and radio stations (mostly members of the National Public Radio), and conducting research relating to PSB.</p> <p>CPB also makes grants for production of programmes.</p>	<p>The CPB Board of Directors has nine members. The Board sets policy, and establishes programming priorities. The directors are appointed by the US President and confirmed by the Senate for a six-year term. They may serve up to two terms. They are selected among US citizens eminent in fields such as education, cultural and civil affairs, or the arts. Of them, one director must be selected to represent public TV stations and another to represent public radio stations. Not more than five may be from any one political party.</p>	<p>The Board of Directors appoints the President and Chief Executive Officer (CEO), who in turn appoints the other senior executives of CPB. The management team currently includes:</p> <p><u>Corporate Officers</u></p> <ul style="list-style-type: none"> • President and CEO • Executive Vice President • Senior Vice President (Sr VP), General Counsel • Corporate Secretary • Treasurer and Chief Financial Officer <p><u>Senior Staff</u></p> <ul style="list-style-type: none"> • Sr VP, Business Affairs • Sr VP, Radio 	<p>The CPB Office of the Ombudsmen is appointed by and reports to the Board of Directors and the CPB President. The two Ombudsmen (respected journalists) write on issues related to journalistic integrity, balance and objectivity, and respond to programme issues raised by the public and government officials and the public broadcasting community. All decisions to review programming, and all reports on broadcasts, are made by the Ombudsmen. They confine their writing to material that has been broadcast on the public airwaves and will not engage in pre-broadcast commentaries.</p>	<p>Submits an annual performance report to Congress.</p> <p>Subject to audit by the General Accounting Office, the investigative arm of Congress.</p> <p>The officers and directors of CPB may be called upon to testify before Congress.</p> <p>Subject to the audit by CPB's independent Office of Inspector General.</p> <p>Submits yearly Report on Public Broadcasting's Service to Minority Audiences.</p> <p>Submits yearly report on its efforts to facilitate programmes of high</p>

Background and Legal Framework	Services operated/provided	Governing Body	Management Team	Other Organs	Accountability Measures
			<ul style="list-style-type: none"> • Sr VP, Educational Programming and Services • Sr VP, Media • VP, Media Strategies • VP, Government Affairs • VP, Communications and Corporate Spokesman • VP, Television Programme Development • VP, System Development and Station Grants Administration 	<p>CPB's Office of Inspector General conducts independent audits and investigations; promotes economy, efficiency, and effectiveness; and deters and prevents fraud, waste, and mismanagement in CPB programmes and operations.</p>	<p>quality, creativity and excellence to be made available with strict adherence to objectivity and balance in programmes or series of programmes of a controversial nature.</p> <p>Board meetings are generally open to public attendance.</p>

END

Report of the Focus Group on PSB Governance Structure

The Focus Group (FG) on PSB Governance Structure met four times in August and September 2006 to discuss issues within its scope at Enclosure A. The membership of the FG is at Enclosure B.

2. This report sets out the outcome of discussion for consideration by the Committee on Review of Public Service Broadcasting.

Need for a statutory framework

3. The FG agreed that the governance structure of a public broadcaster should be underpinned by legislation. The role and function, composition, size and appointment of the governing body (the Board) should be prescribed in law for the purpose of transparency. In addition, the relevant legislation should confirm the independence of a public broadcaster, and provide for a broad governance and accountability framework within which a public broadcaster would operate. However, it should not seek to prescribe all the detailed arrangements, so that more flexibility would be given to the Board to perform its functions.

Separation of power between the Board and management

4. The FG considered that the powers and responsibilities of the Board of a public broadcaster and its management should be clearly defined and delineated.

Role of the Board

5. As the governing body, the Board should perform the following role and functions:

- (a) determine and ensure the implementation of the objectives, strategies and broad policies of the public broadcaster to ensure that its services reflect the interests and needs of the public;
- (b) ensure that the public broadcaster fulfills its public service missions in a proper, efficient and economical manner in order to render maximum social benefit to the public;

- (c) uphold the independence and integrity of the public broadcaster;
- (d) ensure compliance with legal and applicable regulatory requirements, and uphold the universally recognised standards of ethical journalism, including, but not limited to, accuracy, fairness, balance and impartiality;
- (e) determine the terms and tenure of employment of the Chief Executive Officer (CEO) of the public broadcaster including appointment, reappointment and removal; and
- (f) approve the remuneration of other key senior staff.

Role of the CEO

6. The CEO of a public broadcaster should perform both management and editorial functions. In management terms, the CEO should be responsible for:

- (a) implementing the strategies and policies determined by the Board;
- (b) all aspects of day-to-day operation of the organisation;
- (c) staff appointment, reappointment and removal (including seeking Board approval of remuneration of key senior staff); and
- (d) keeping the Board informed in a timely manner of all issues of strategic importance, including deliberation outcome of advisory bodies (see paragraph 29).

7. At the same time, the CEO should be the Editor-in-Chief of the public broadcaster, who should shoulder editorial responsibilities and exercise editorial decisions independently.

8. In view of the dual functions, the CEO must possess substantial editorial experience (preferably 20 years or more) in addition to managerial experience.

Formation of the Board

Composition

9. The FG believed that bringing the right mix of expertise into the Board was critical for the effective governance of a public broadcaster. The appointment of some lay members would also help broaden the Board's representation. Members agreed that the Board should include:

- (a) at least one person from each of the following categories:
 - (i) person(s) with experience in the media sector;
 - (ii) person(s) with experience in journalism;
 - (iii) person(s) with experience in education;
 - (iv) person(s) with experience in arts and culture;
 - (v) person(s) with experience in technology;
 - (vi) person(s) with legal qualification and experience;
 - (vii) person(s) with qualification and experience in accounting and/or finance;
 - (viii) person(s) with senior managerial experience and expertise;
and
 - (ix) person(s) with experience in serving minority interests and/or providing social services;
- (b) the CEO;
- (c) an elected staff representative; and
- (d) subject to the maximum size of the Board proposed in paragraph 14, lay member(s) who, in the opinion of the appointment authority, may contribute positively to the good governance of the public broadcaster and effective operation of the Board.

10. All Board members, except the CEO and elected staff representative, should be appointed in a personal capacity. They should not represent the sector or organisation from which they are drawn. Once appointed, they should serve the best interest of the public broadcaster insofar as it acts within its defined public service mission.

11. The appointment authority should appoint the Chairman of the Board from amongst Board members, except the CEO and elected staff representative.

12. To preserve the independence of a public broadcaster and protect it from political, government and commercial interferences, the following categories of persons should be ineligible for appointment to the Board:

- (a) a serving Member of the Executive Council of the Hong Kong Special Administrative Region (HKSAR);
- (b) a serving Member of the Legislative Council of the HKSAR;

- (c) a full-time employee of the HKSAR Government, whether pensionable or otherwise;
- (d) a judicial officer;
- (e) a public officer;
- (f) a serving member of any national, regional or municipal congress, legislature, assembly or council of any place outside Hong Kong, or a serving member of the Chinese People's Political Consultative Conference;
- (g) an officer or member of any armed forces;
- (h) a person employed by any government outside Hong Kong;
- (i) an undischarged bankrupt;
- (j) a person legally of an unsound mind; and
- (k) a person convicted, whether in Hong Kong or elsewhere, of corrupt or illegal conduct, bribery, treason, or any offence which attracted death sentence or imprisonment for more than 3 months either within the immediate 10 years prior to appointment, or at any time and has not suffered the punishment.

13. Ideally, serving political party executives should be ineligible for appointment to the Board to guard against partisan influences. However, the FG recognised that such exclusion would not be feasible in the absence of local legislation on political parties.

Size

14. The FG considered that the size of the Board should be large enough to bring in the range of expertise required, but small enough to ensure efficiency and operability. Noting the international trend towards smaller boards, and that many overseas public broadcasters have a board of 9 to 12 members, the FG proposed that the optimal size of the Board should not be more than 15.

Tenure

15. The FG proposed a fixed term of three years on first appointment to provide security and stability, subject to reappointment for a maximum of another three years. With the exception of the CEO, no Board member should serve longer than six consecutive years. To enhance continuity at the

Board level, by the end of the first three-year term, reappointments should be staggered so that:

- (a) not more than one-third of serving members might be reappointed for three years;
- (b) not more than one-third might be reappointed for two years; and
- (c) the remaining members might be reappointed for one year.

Under such an arrangement, new members would be introduced into the Board from the fourth year onward, on a fixed term of three years, subject to reappointment for a maximum of another three years.

Appointment authority

16. The FG agreed that, within the existing constitutional setup of Hong Kong, the Chief Executive of the HKSAR (CE) should appoint members of the Board, subject to the size, composition and nomination process spelt out in law. The statutory provisions, including those relating to advertisement and nomination as proposed in paragraphs 17 to 22, were designed to enhance the credibility and transparency of the appointment process, and provide checks and balance on the CE's appointment power.

Advertisement

17. With reference to overseas best practice in the process of appointments to public bodies, the FG proposed that vacancies in the Board should be advertised publicly. This would make the recruitment of Board members more transparent. The pool of talents would be expanded as individual candidates can come forth voluntarily, and community and professional organisations put forward names for consideration.

Nomination

Long-term arrangement

18. The FG believed that the Board should know best what expertise it needs, and should therefore well placed to nominate candidates for appointment by the CE. A public broadcaster would also be seen to be more independent if it could nominate candidates for its own Board. However, arrangements must be in place to avoid conflict of interests and self-perpetuation of the Board.

19. Members agreed that, except in relation to the Board serving the first term, or under such other circumstances when there is no outgoing Board members, applications and nominations for appointment (including reappointment) to the Board should be considered by a Nomination Committee (NC) comprising of outgoing Board members, i.e.:

- (a) all serving Board members not eligible for reappointment (e.g. those who had served up to six consecutive years); and
- (b) those other serving Board members who declared they would not accept reappointment.

20. The NC should be chaired by the longest serving Board member amongst the outgoing ones. It should consider all applications and nominations received and put forward a nomination list to the CE. The nomination list must contain at least two names for each of the categories of Board membership proposed in paragraph 9(a), plus the CEO and an elected staff representative (paragraph 9(b) and (c) respectively). The CE must appoint Board members who belong to these categories from amongst the candidates nominated by the NC.

21. The appointment of Board members who belong to the category in paragraph 9(d) would not be subject to the NC process.

22. The NC should be formed in good time to handle the nomination process properly, and should cease to function after the submission of the nomination list to the CE.

Interim arrangement

23. An interim arrangement will be required for the appointment of the first Board, or under such other circumstances when there is no outgoing Board member, because the NC as envisaged above could not be formed.

24. The FG proposed that, in the interim, the CE should appoint not fewer than three persons to form a provisional NC and perform the same function as proposed in paragraph 20. All other statutory requirements relating to the appointment, including advertisement of vacancies, should be implemented. Members of the provisional NC should be committed to upholding the independence and integrity of a public broadcaster.

25. The FG also considered the option of election for Board members in some categories. However, elected Board members might feel the pressure to represent the interests of a particular constituency rather than that of the public at large, which is contrary to the spirit proposed in paragraph 10. The process could be unduly complex, and might open up loopholes for political or other unwarranted influences. On balance, the FG concluded that the proposed scheme of advertisement, nomination and appointment in line with specific statutory provisions should instill sufficient transparency and credibility for the appointment process.

Codes of conduct for Board Members

26. Since the Board holds the helm of a public broadcaster, the FG proposed that codes of conduct should be developed and adopted by its members to reflect the following key values and principles:

- (a) integrity and honesty, more specifically:
 - (i) disclosure and avoidance of conflict of interest;
 - (ii) avoidance of abusive use of position for personal gains;
 - (iii) proper use of powers for public interest and the benefit of the public broadcaster;
 - (iv) proper delegation of powers; and
 - (v) exercise due care, skill and diligence;
- (b) objectivity and independent judgement;
- (c) openness and accountability;
- (d) selflessness;
- (e) compliance with laws and regulations; and
- (f) leading by example.

Statutory committees and other supporting organs

27. The FG proposed that the Board should set up two standing committees to support its work, namely an Audit Committee and a Management and Administration Committee (to cover finance, administration, human resource policies and remuneration for senior staff).

28. The Board should have general powers to set up other standing or ad hoc committees in light of experience and the needs of the organisation. Every Board committee should be chaired by a Board member.

29. The CEO should set up under his/her charge a Community Advisory Committee (CAC) to receive feedback and inputs on all aspects of the operation and service of the public broadcaster. Members of the CAC should be drawn from the community at large. Other advisory bodies could also be set up should the need arise. Should any matter of strategic importance arise in the deliberation of any of the advisory bodies, including the CAC, the CEO should be responsible for keeping the Board informed in a timely manner.

Complaints handling

30. The FG proposed that the Board should charge the CEO with setting up a mechanism for receiving and handling complaints from members of the public. The number and nature of sustained complaints and actions taken should be reported to the Board at regular intervals. Complaints against the CEO and appeals against the findings of the management in respect of any complaint should be referred to the Board for arbitration, which should be final within the structure of the public broadcaster.

External regulatory oversight and licensing

31. The FG considered that the regulatory regime as well as requirements and guidelines that applied to commercial broadcasters should be equally applicable to a public broadcaster (insofar as they were relevant).

32. Members discussed and concluded that, at least in the initial stage when there would likely be only one public broadcaster, PSB should be governed by statute instead of licence. Members recognised the need to make consequential amendments to the existing broadcasting regulatory legislation on enactment of the proposed legislation that underpinned a public broadcaster.

END

**Scope of Discussion
of the Focus Group on PSB Governance Structure**

1. Propose the function, size, composition, terms of office and appointment mechanism for the Board of a public broadcaster.
2. Propose the function, size, composition, terms of office and appointment mechanism for the management of a public broadcaster.
3. Propose the division of powers and responsibilities between the Board and management.
4. Consider need for supporting bodies within a public broadcaster's governance structure, and develop proposals if found necessary.
5. Consider the need for external regulatory oversight, and develop proposals if found justified.
6. Consider the need for legislation to underpin the governance structure.

END

Membership of the Focus Group on PSB Governance Structure

Convenor Professor Judy TSUI

Members Mr. CHONG Chan Yau

 Professor Richard MW HO

 Mr. LAW Yuk Kai

 Mr. William LF LEE

 Dr. LI Pang-kwong

 Mr. David SUN

 Ms Nancy TSE

 Dr. YAN Mei Ning

END

Report of the Focus Group on PSB Accountability Measures

The Focus Group (FG) on PSB Accountability Measures met three times in August 2006 to deliberate on issues within its scope of discussion at Enclosure A. The membership of the FG is at Enclosure B.

2. Cognizant that a public broadcaster should be held accountable to the public it serves and for the public money it expends, the FG has sought to identify concrete accountability measures that are specific, feasible and meaningful. As far as practicable, the FG has also identified relevant parties – whether organisation or individual – which are well suited for exercising a monitoring role to hold the public broadcaster accountable.

3. This report sets out the outcome of discussion for consideration by the Committee on Review of Public Service Broadcasting.

Realm of accountability

4. The FG recognises the importance of holding a public broadcaster accountable while respecting its freedom and independence on programming and editorial matters. After full and careful deliberation, the FG proposes that a public broadcaster should be held accountable to the public in the following respects. In this way, it will perform its functions with integrity and command public respect and trust.

- (a) Service scope - to ensure that a public broadcaster delivers the range of services that fulfills its public service mandate.
- (b) Programming quality - to ensure that a public broadcaster delivers quality service in terms of both the programmes and their scheduling.
- (c) Financial propriety - to ensure that a public broadcaster uses public resources in a proper, prudent and cost-effective manner, and in line with its public service mandate.

- (d) Management - to ensure that a public broadcaster manages its own operation properly and efficiently, with due regard to the principles of fairness and transparency.

Accountability measures

5. The FG has concluded that a public broadcaster should adopt internal measures as well as comply with external ones to enhance its accountability. Internal mechanisms facilitate proper management of a public broadcasting organisation, and enable self-auditing and review. They also serve as a constant reminder to a public broadcaster – from the Board through management to staff – of the importance of public accountability. The external measures subject a public broadcaster to explicit and specific scrutiny from outside its corporate structure. They also help establish a clear relationship between a public broadcaster and outside parties to whom it is held accountable.

Internal measures

6. The FG places emphasis on the transparency of the internal measures so that, while entrusting the public broadcaster with the primary responsibility of proper management of its own operation, the compliance with self-imposed rules and guidelines will be subject to public scrutiny. The proposed internal measures include the following:

- (a) The management should formulate internal procedures for taking editorial, programming and financial decisions, subject to endorsement by the Board. Parties who are required to comply with the procedures should be clearly specified, and penalties for breaches defined.
- (b) The management should formulate programme standards for staff compliance, and seek endorsement from the Board. The endorsed programme standards should be promulgated and be publicly accessible. External assessors should be appointed to conduct audit on compliance with the programme standards, and report to the Board. The audit outcome should be made known by the Board to the management for necessary follow up. The public should also be informed of the assessment in a suitable form.

- (c) Conduct regular internal reporting, reviews and audits to ensure compliance with statutory requirements and internal procedures, to identify problems and correct them. The regularity of these internal exercises and a compliance assessment by the Board should be covered in the annual report of a public broadcaster.
- (d) Formulate mechanisms and procedures for receiving and handling complaints from the public, and publicise widely through reasonable channels. The complaint handling authority should be independent from the management and report to the Board. Keep a proper record of all complaints received and how they have been handled, and make the record accessible free of charge to the public on request. The annual report should contain a section on complaints handling.
- (e) Formulate mechanisms for obtaining feedback from the audience and other stakeholders. The annual report should give an account of feedback received.

External measures

7. The proposed external measures are set out below:

- (a) Subject to the regulatory oversight of the Broadcasting Authority (BA), and comply with all applicable regulatory requirements (including fulfillment of public service mission) and codes of practice. Given the unique nature of PSB, some of the requirements and codes imposed on the commercial broadcasters may need adjustment for application to a public broadcaster.
- (b) An external auditor should be appointed by the Board to audit the financial statements annually.
- (c) Annual reports should be published to review performance and announce corporate plans. Without limiting the information that may be included in an annual report, it should cover matters discussed in paragraph 6(c) to (e) above, and the annual audited financial statements as proposed in paragraph 7(b). The annual report should be submitted to the authority that appoints the Board

of the public broadcaster, who in turn should cause the report to be tabled before the Legislative Council.

- (d) The Director of Audit may conduct an examination into the economy and efficiency with which a public broadcaster has expended its resources in performing its functions and exercising its powers.
- (e) The appropriation of public money to a public broadcaster should be subject to the approval of the Finance Committee of the Legislative Council.

Stakeholders' involvement

8. The accountability measures have been developed with a view to enabling all stakeholders to exercise a meaningful role in monitoring the different aspects of a public broadcaster's performance.

9. The legislature will scrutinise the spending of public money by a public broadcaster at regular intervals, and such other aspects of its operation when so warranted out of public interest.

10. The government will, through the BA, monitor a public broadcaster's compliance with applicable statutory requirements and codes of practice, and keep an eye over its economy and efficiency through the Director of Audit when necessary. The relevant policy bureau will also ensure overall consistency with the prevailing broadcasting policy.

11. The receiving public and other stakeholders in the community will have channels to provide feedback on a public broadcaster's service scope and programming quality (programme quality, scheduling, transmission quality, etc). In fact, a public broadcaster will be required to obtain public feedback proactively (see paragraph 6(e) above). The disclosure of information by a public broadcaster as proposed above will also equip the community to play a monitoring role in an informed manner.

12. The need for setting up community advisory bodies or audience liaison groups has been raised and referred to the FG on PSB Governance Structure for further consideration.

END

**Scope of Discussion
of the Focus Group on PSB Accountability Measures**

1. Define the scope of accountability for a public broadcaster.
2. Identify the stakeholders of a public broadcaster and define their respective roles.
3. Identify key accountability measures.
4. Propose measures to foster public participation in the monitoring of a public broadcaster, and for obtaining audience feedback.

END

Membership of the Focus Group on PSB Accountability Measures

Convenor Professor LEUNG Tin Wai

Members Mr. CHAN Yiu Wah

Dr. CK LAW

Professor Clement YK SO

Mr. TIK Chi-yuen

Professor Timothy KY WONG

Professor Angelina YUEN TSANG Woon-ki

END

Report of the Focus Group on PSB Funding Arrangements

The Focus Group (FG) on PSB Funding Arrangements met four times in August and September 2006 to deliberate on issues within its scope of discussion at Enclosure A. The membership of the FG is at Enclosure B.

2. This report sets out the outcome of the FG's discussion for consideration by the Committee on Review of Public Service Broadcasting.

Key considerations

3. In considering the funding model, members of the FG considered that a suitable funding model for a public broadcaster should:

- (a) provide a stable source of revenue to reflect the community's commitment to PSB and enable its sustainable development;
- (b) promote a sense of public ownership, and generate incentive for a public broadcaster to respond to public expectations;
- (c) protect a public broadcaster from commercial and political (including government) interference;
- (d) promote cost-effectiveness and value for money in the provision of PSB.

4. To meet the array of considerations outlined above, the FG supported a funding model with multiple funding sources ("combined funding model").

Recurrent expenditure

Primary source

5. The FG considered various options, including government appropriation, audience licence fee, and carving out from rates revenue.

6. The FG considered that the key attractions of an audience licence fee were the direct link it would establish between a public broadcaster and the public it served, and a stronger sense of public ownership. However, significant public resistance was expected, because such a fee would be regarded as a new tax. There were also concerns about the high

administrative cost and potential leakage. Given these concerns, it might not yield the stable stream of revenue required to support PSB.

7. The FG also considered the option of carving out an agreed percentage of rates revenue for PSB. Rates were a progressive and broadly based tax that would provide stable PSB funding. A “fixed percentage” arrangement would avoid the need for annual resource allocation, and hence possible political and government interference. However, there is an apparent lack of linkage between property ownership/occupancy and PSB consumption. The linkage is even weaker in relation to the commercial premises (the rates payment from which accounted for more than half of total rates revenue).

8. The FG therefore proposed that the primary source of PSB funding should come from government appropriation, subject to approval by the Legislative Council. To maintain the level of public commitment to PSB, the real value of government appropriation should be preserved through annual adjustment in line with inflation.

9. To enhance the transparency of government appropriation, expenditure for PSB funding should be established as a separate head of expenditure. It was also proposed that PSB funding should not be included in the financial “envelope” of any Principal Official (PO) to underline its independence, although this means that no PO would be responsible for representing the interest of a public broadcaster in the resource allocation process.

Other sources of revenue

10. The FG considered that a public broadcaster should be allowed to raise funds from sources other than government appropriation (“supplementary sources”), provided that doing so:

- (a) is consistent with PSB’s role and mission as enshrined in law;
- (b) does not affect programme editorial control or distort programme agenda, and does not render PSB susceptible to any commercial and/or political influence;
- (c) is commensurate with the status and image of the public broadcaster as an independent, non-profit making public body, and does not undermine public trust and respect in it; and
- (d) complies with the common standards of courtesy, decency and good taste.

11. The management of a public broadcaster should formulate guidelines to reflect the principles proposed in paragraph 10, and seek the endorsement of the Board. The endorsed guidelines should be promulgated and be publicly accessible.

12. Subject to paragraphs 10 and 11, the FG considered that a public broadcaster should be permitted to:

- (a) solicit sponsorship, except for news and current affairs programmes;
- (b) solicit donation;
- (c) invite voluntary subscription from the public to promote public ownership;
- (d) charge fees on audience-payers for on-demand services; and
- (e) sell programmes and merchandise.

13. The FG considered that a public broadcaster should not raise advertising revenue as it would bring commercial pressure and influence to bear on PSB. It would also confuse the role of a public broadcaster as a non-profit making public body.

Funding cycle

14. The FG proposed a 3-year budgetary cycle to allow a public broadcaster greater flexibility in financial planning. Compared with an annual cycle, this should also reduce a public broadcaster's exposure to political and financial negotiations (hence pressure).

Phased implementation

15. The FG proposed that the combined funding model should be implemented in phases.

16. To offer financial certainty and stability to a newly constituted public broadcaster, and allow it time to establish a footing, it should receive full funding for recurrent expenditure through government appropriation in the first triennium. (The real value of the amount of annual government appropriation in the first triennium, which should reflect the estimated annual recurrent expenditure, will be referred to as the "baseline" hereafter in this report.)

17. During the first triennium, a public broadcaster might also raise revenue from supplementary sources, subject to the rules and guidelines it developed and promulgated as proposed in paragraph 11. The amount thus raised should not affect the “baseline”. It should be retained by the public broadcaster and transferred into a development fund (see paragraph 23).

18. From the second triennium onward, a public broadcaster should be required to raise revenue through supplementary sources. The percentage of revenue from supplementary sources should increase progressively up to 20% of the “baseline” by the 10th anniversary of incorporation.

19. The Board of a public broadcaster should work out an implementation programme for achieving the 20% target within the 10-year time frame. Through a progressive but measured increase in the proportion of revenue from supplementary sources, a combined funding model will be established over time. The amount of funding from government appropriation could then be reduced correspondingly, thus maintaining the “baseline”. The overall objective is to reduce reliance on (and hence the risk of interference from) any single source, and make room for achieving the other key considerations highlighted in paragraph 3.

20. Irrespective of the actual amount raised by a public broadcaster from supplementary sources, government appropriation should not fall below 80% of the “baseline” during the first 10 years to preserve the level of public commitment to PSB. Any surplus should be retained by the public broadcaster and transferred into a development fund (see paragraph 23).

21. The continuance or otherwise of the “baseline” and the proportion of revenue from supplementary sources from the 11th year onwards should be subject to review in light of the practical experience gained in the first 10 years, and in particular of public feedback on the performance of the public broadcaster in terms of programming, management and governance quality. The review process should be independent, open and transparent.

Capital expenditure

22. The FG recognised that, from time to time, a public broadcaster would need to spend on capital projects such as significant expansion in service scope and major upgrading in facilities and equipment. Such a need could not be met from within recurrent expenditure, and should be catered for separately.

23. The FG proposed that a public broadcaster should build up a development fund through retention and accumulation of surplus income, and draw on it for funding capital projects. It should also be given lending powers under the law. Should these avenues be inadequate for meeting legitimate capital investment needs (especially major expansion in service scope in response to public demands), a public broadcaster should apply for government appropriation of capital expenditure, subject to approval by the Legislative Council.

Sizing up PSB funding requirement

24. The FG focused on establishing a balanced and feasible funding arrangement for PSB to meet the key considerations set out in paragraph 3. No advice was offered on the nominal amount required to meet PSB needs, as this would warrant a separate and detailed consultancy study, having regard to the agreed PSB mission, scale of operation, and nature and characteristics of the broadcasting industry (and of PSB in particular).

END

**Scope of Discussion
of the Focus Group on PSB Funding Arrangements**

1. Define the key considerations (guiding principles) for the funding model of a public broadcaster.
2. Explore funding options for recurrent operating expenses (including, but not limited to, audience licence fee; government appropriation; hypothecation from commercial broadcasting licence fees or other forms of public revenue; sponsorship; donations; advertising receipts; and programme sales), and propose a model (whether single or multiple source(s)).
3. Propose means to fund capital projects.
4. Propose funding cycle.
5. Consider need for a phased approach and propose way forward if found desirable.

END

Membership of the Focus Group on PSB Funding Arrangements

Convenor Mr. CHAN King Cheung

Members Dr. CHEUNG Chor Yung

Mr. Andrew FUNG Wai Kwong

Ms Cyd HO Sau Lan

Dr. Eric LI

Ms. Nansun SHI

Dr. James SUNG Lap Kung

Mr. Peter WAN

Ms Ada WONG Ying Kay

END

Report of the Focus Group on PSB Programming

The Focus Group (FG) on PSB Programming met three times between September and November 2006 to deliberate on issues within its scope of discussion at Enclosure A. The membership of the FG is at Enclosure B.

2. This report sets out the outcome of the FG's discussion for consideration by the Committee on Review of Public Service Broadcasting.

PSB programming: positioning and development strategy

3. The FG believed that driven by profit-seeking considerations, commercial broadcasting tended to place emphasis on programmes with a mass appeal to maximise rating and advertising revenue. Commercial broadcasting schedules were often inundated with programmes on popular subjects presented in a well-worn formula and repetitive pattern to lower commercial risk and help ensure a higher return rate. As a result, there was limited room for innovation and improvement. In view of the above, the FG proposed that PSB programming should be driven by innovation, quality and socio-cultural effect. The FG also supported the considerations of value for money and high ratings, but cautioned that these should not be the primary considerations in PSB programming.

4. PSB programming should be all-rounded, diverse, innovative and of a high quality. In particular, it should seek to provide what is lacking in commercial broadcasting so as to offer the public real and fuller choices. Only by doing so could PSB build up its brand and a positive image, and receive public recognition and support for the values it represented.

5. The FG proposed the following PSB programme development strategy:

(a) In terms of programme content:

- (i) Promote humanities, arts, science and education in order to broaden the international, national and regional perspectives of the public, and enhance the quality of the people.
- (ii) Provide accurate, comprehensive, in-depth and interactive news and current affairs programmes in order to promote

rational discussion, uphold the tradition of press freedom, and promote the social values of diversity and tolerance.

- (iii) Consciously develop programmes as education resources in order to enhance public interest in and knowledge of a wide range of subject matters, and promote lifelong learning.
- (b) In terms of the programme development direction:
 - (i) Encourage innovative PSB programming in terms of both the subject matter and programme format in order to promote the vibrant development of the broadcasting, media and film sectors in Hong Kong.
 - (ii) Encourage local original productions in order to attract and nurture talent for the broadcasting industry.
- (c) In terms of scheduling, PSB programmes should be all-rounded in order to meet the diverse needs of different social, ethnic and age groups in the society; promote interaction, understanding and mutual respect; and facilitate development of the civil society.

Broadcasting platforms

6. The FG endorsed universality and diversity as the guiding principles for PSB programming. On this basis, the FG considered that Hong Kong's public broadcaster should:

- (a) Operate at least one free TV channel. Free TV remains the most pervasive mode of local broadcasting. A TV channel would help broaden the audience reach of PSB programmes and maximise their socio-cultural effect.
- (b) Operate a sufficient number of radio channels. The oldest form of broadcasting, radio is accessible at home, in the workplace and when commuting. Listeners could enjoy radio programmes even when undertaking other activities. In short, it is a broadcasting mode with significant social impact. Constrained by Hong Kong's topography, in an analogue broadcasting environment, FM radio channels are far more effective than AM ones. Hence, there should be enough FM channels for PSB radio broadcasting.
- (c) Develop multi-media platform. Digitisation is the trend in the broadcasting sector, and multi-media platforms have the potential of becoming the most popular channel among the new generation for receiving broadcasting content. PSB must develop multi-media

platforms to bring its output to the largest number of recipients. Multi-media technologies may also enable the provision of interactive programmes and enhance the attractiveness of PSB.

7. The FG proposed that a public broadcaster should develop programme strategies according to the characteristics of the TV, radio and multi-media platforms, and explore the synergy among them. Since the development and use of different broadcasting platforms would require resources, a pragmatic and cautious approach should be adopted to avoid spreading resources so thin as to undermine PSB service quality or quantity.

Modes of programme development

8. The FG considered that a public broadcaster should adopt multiple modes of programme development in order to diversify sources, subjects, formats and styles of PSB programmes.

9. More specifically, PSB programmes may be developed in the following modes:

- (a) Commission independent producers/production houses to submit programme development proposals or to produce programmes. Commissioning would open up business opportunities for local creative industries, nurture talent, and promote the development of the broadcasting industry. The participation of outside parties would enhance the diversity of PSB programmes and bring domain expertise into programme development. The FG proposed that a public broadcaster should develop a proper system of commissioning, set a percentage quota for commissioned programmes, and increase the quota over time.¹
- (b) Acquire programmes, including those produced overseas.
- (c) Produce programmes in-house, and co-produce in partnership with outside bodies.

10. Whatever programme development mode a public broadcaster might adopt, it must be responsible for programme quality assurance (including compliance with internationally accepted technical standards), and

¹ It is a common practice for overseas public broadcasters to set a quota for commissioned programmes. For instance, BBC and Channel 4 both adopt a 25% quota for PSB TV services. Some radio and new media services adopt a lower 10% quota. The FG recognised that the development stage of the broadcasting sector and maturity of the independent production market varied from place to place. The quota adopted by overseas organisations should only serve as a reference.

ensuring consistency of individual programmes with PSB public service mission and overall programme directions.

PSB programme genres

11. At present, commercial broadcasting already provides a wide range of programme genres such as news and current affairs, documentary, drama, animation as well as phone-in programmes. Despite the variety in genres, driven by profit and returns, commercial broadcasting programmes tend to be rather homogeneous as discussed in paragraph 3. Familiar subjects and well-worn formulae were replicated to appeal to popular tastes, at the expense of minority interests.

12. The FG considered that PSB should be unique not in terms of its programme genres, but its commitment to innovation, quality, and universality of service through the diversity of programmes. PSB should compete with commercial broadcasting on these fronts rather than in audience rating. There was no need for PSB to avoid programme genres already available in commercial broadcasting, or the principles of universality and diversity would be violated.

13. The FG noted that programmes currently available from the market were inadequate in the following respects. While providing comprehensive and diverse programmes, PSB should in particular fill in these gaps:

- (a) In terms of subject matter/content:
 - (i) education, including humanities and social sciences (such as economics, sociology, history and philosophy) as well as natural science;
 - (ii) arts and culture (including music, drama, opera, visual arts and literature); and
 - (iii) sports.
- (b) In terms of target audience:
 - (i) programmes for ethnic minorities;
 - (ii) programmes for senior citizens;
 - (iii) programmes for children; and
 - (iv) programmes for students.

END

**Scope of Discussion
of the Focus Group on PSB Programming**

1. Discuss how to reflect PSB missions through programming. This may include (but is not limited to):
 - Cultivation of talent through external commissioning of programmes: purpose and guiding principles (e.g. creativity, originality, quality assurance and risk-taking).
 - PSB positioning and programming strategy: comprehensive programming to cater for all, or niche programming for targeted audience groups, or both?
 - Quality programmes to promote civic-mindedness, encourage lifelong learning and enhance media literacy.
2. Identify programme genres that should be provided by a public broadcaster (as opposed to formulating a precise programme mix, or suggesting specific programmes).
3. Discuss the impact of technological advancements on PSB programming (e.g. digitisation and the consequent audience segmentation, and transmission of audio and visual contents via other platforms beyond the confines of TV and radio).

END

Membership of the Focus Group on PSB Programming

Co-convenors Ms May FUNG

Mr. Mathias WOO

Members Ms CHAN Kim-shing

Mr. CHUA Hoi-wai

Ms Ann HUI

Mr. Kenneth IP

Mr. Andy LAU

Professor LUI Tai Lok

Ms Nansun SHI

Ms SIU King Lo, Dominica

Mr. Peter TSI

Mr. Louis YU

END

Summary of Existing Broadcasting Services in Hong Kong*

Television (TV)

<i>Domestic free TV</i>		
Commercial licensees		2
Channels	Cantonese	2 (one each by the commercial licensees)
	English	2 (one each by the commercial licensees)
Penetration		Above 99% (6.57 million viewers aged 4 or above, or 2.22 million TV households) (as at August 2005)
<i>Domestic pay TV</i>		
Commercial licensees		3
Channels		245 [◇] (as at 1 November 2006)
Subscribers		1.22 million (as at August 2005)
<i>Non-domestic TV service available for local reception</i>		43 [◇] channels (as at 1 November 2006)

Radio

Publicly funded broadcaster (RTHK)		1
Commercial licensees		2
Channels	Cantonese	7 (3 by RTHK, and 2 each by the commercial licensees)
	English	4 (2 by RTHK, and 1 each by the commercial licensees)
	Bilingual (Cantonese & English)	1 (RTHK)
	Putonghua	1 (RTHK)

* The information in this Appendix includes services provided by commercial and publicly-funded broadcasters.

◇ The figure includes multiple counts as some channels are provided by more than one licensee.

END

Brief History of Radio Television Hong Kong

- In 1928, the Hong Kong Government first launched an English radio broadcasting service. A Chinese channel was introduced in 1934. It was officially named “Radio Hong Kong” (RHK) in 1948 and starting from 1951, the Public Relations Office took over the broadcasting service.
- In 1954, RHK became a separate government department in its own right. In 1969, Broadcasting House was built at Broadcast Drive, which became the new headquarters of RHK. A Public Affairs Television Unit was established in 1970, producing public affairs programmes to be aired on licensed commercial TV stations.
- In 1973, RHK set up its own newsroom (prior to that, news bulletins were prepared by the Government Information Services). In 1976, the station’s name was changed to “Radio Television Hong Kong” (RTHK) to reflect its increasing TV output. In the same year, RTHK set up an Educational Television Unit to produce educational TV programmes for schools.
- Currently, RTHK operates seven radio channels and produces TV programmes broadcast via the commercial broadcasters, who are required by licence to set aside certain airtime at specified hours for this purpose.

(Source: RTHK website at www.rthk.org.hk)

END

Framework Agreement between
Secretary for Commerce, Industry and Technology and
Director of Broadcasting

1. SCOPE

- 1.1 This Framework Agreement specifies the working relationship between the Secretary for Commerce, Industry and Technology (the Secretary) and Director of Broadcasting (the Director); their respective responsibilities with respect to each other; the key programmes of activity undertaken by RTHK (the Department); and the aims and mission of the Department.
- 1.2 The word “programme” in this document refers to “a programme of activity”, as distinguished from radio and television “programming” and “production” activities which the Department undertakes on a day-to-day basis.
- 1.3 This Framework Agreement is revised and renewed on 1 August 2005, and is subject to review and renewal by the Secretary in consultation with the Director every two years.

2. STATUS AND RESPONSIBILITIES

- 2.1 The Department is editorially independent. The Director as the Chief Editor is responsible for ensuring that a system of editorial control in accordance with RTHK’s Producers’ Guidelines exists to provide fair, balanced and objective news, public affairs and general programming that inform, educate and entertain the public.
- 2.2 The Secretary will provide the Director with policy guidance and support as follows :
 - (i) defining the programmes and agreeing the underlying activities;
 - (ii) reviewing policy aspects of each programme: the policy aim, description, operational objectives, matters requiring special attention over the next 12-month period, performance targets and financial data;

- (iii) securing resources for the programmes;
- (iv) setting performance targets, in consultation with the Director, which will identify the efficiency and effectiveness of resources deployed to the programmes for achieving the aims, mission and objectives set out in paragraphs 4.1 – 4.3 below and assess whether value for money is being achieved;
- (v) reviewing quarterly with the Director the achievement of these targets and any resulting actions required;
- (vi) reviewing annually, at a set time, the achievement of targets, using this as a basis for developing objectives and targets for the next 12 months and for establishing resource allocation priorities set out in (vii) below;
- (vii) establishing priorities for the allocation of new resources at an annual review of each programme area and the aspects set out in (ii) above; and
- (viii) speaking for the Government on policy matters about the Department.

2.3 The Director will be responsible to the Secretary for:

- (i) managing the activities in each programme on a day to day basis;
- (ii) establishing for each programme all of the aspects set out in 2.2 (ii) above;
- (iii) helping the Secretary to review all of the aspects set out in 2.2 (ii) above and to re-define them, as necessary, in order to achieve the aims, mission and objectives set out in paragraphs 4.1 – 4.3 below;
- (iv) ensuring appropriate delegation to the responsible officer within the Department for each programme and ensuring that an adequate organisation and staffing structure is provided with the resources allocated;

- (v) delegating the performance targets as agreed with the Secretary to the relevant programme or activity level and supervising their achievement;
- (vi) reviewing quarterly with the Secretary progress in achieving these targets and for implementing any resulting actions required;
- (vii) reviewing annually, at a set time, with the Secretary the achievement of targets, and using this as a basis for developing objectives and targets for the next 12 months; and
- (viii) speaking on matters relating to the operation and management of the Department; and
- (ix) improving in-house systems and structures that will maximise value and effectiveness of available resources.

3. PROGRAMMES

The key programmes of activity undertaken by the Department which are overseen by Commerce, Industry and Technology Bureau are:

- (i) provision of multi-channel radio services;
- (ii) provision of public-service television productions; and
- (iii) provision of new media services.

4. AIMS

4.1 The Department's overall aim is to provide to the people of Hong Kong high-quality radio, television and new media services which inform, educate and entertain. The Department will strive to reflect the views of all sectors of the community of Hong Kong.

4.2 Specifically, the mission of the Department is to:

- (i) inform, educate and entertain audiences through multi-media programming;

- (ii) provide timely, impartial coverage of local and global events and issues;
- (iii) deliver programming which contributes to the openness and cultural diversity of Hong Kong;
- (iv) provide a platform for free and unfettered expression of views; and
- (v) serve a broad spectrum of audiences and cater to the needs of minority interest groups.

4.3 Within this, the objectives with regard to each of the programmes are:

- (i) on its radio services to:
 - (a) provide on its channels a reasonable balance of quality output in the fields of information, education and entertainment;
 - (b) develop and implement a strategy which gives a clear definition to channel identity and is appealing to various sectors of the community;
 - (c) give emphasis to the provision of balanced and objective news and public affairs programming;
 - (d) provide a channel of communication for different sectors of the community and the Government to put forward their views on matters of public interest;
 - (e) provide news bulletins/summaries in both Chinese and English on a round-the-clock basis;
 - (f) maintain and develop programming designed to encourage audience participation and community involvement;
 - (g) maintain and develop programming designed to foster in the community an interest in fine music, culture and the arts; and

- (h) provide programming which serves minority audience needs.
- (ii) for its television services to:
- (a) provide high-quality television productions principally for market segments not adequately served by commercial television broadcasters;
 - (b) continue the prime time transmission arrangements with the commercial stations;
 - (c) give emphasis to the provision of balanced and objective public affairs programming;
 - (d) provide a channel of communication for different sectors of the community and the Government to put forward their views on matters of public interest;
 - (e) give emphasis to productions in Chinese;
 - (f) maintain and develop programming to encourage audience participation and community involvement; and
 - (g) provide programming designed for minority interest groups, including productions fostering interest in culture, music and the arts.
- (iii) In its new media services to:
- (a) maintain a balanced mix of high quality radio and television programming on the Internet;
 - (b) give emphasis to the provision of e-Learning projects;
 - (c) provide programming designed for fostering interest in culture and the arts;
 - (d) provide a channel of communication for Internet users around the globe;

- (e) maintain and develop the Internet content in traditional Chinese, simplified Chinese and English format; and
- (f) provide programming with updated streaming format and mobile connection.

5. FINANCIAL PLANNING AND CONTROL

- 5.1 Financial planning and control requirements will be determined in the context of the annual resource allocation process and the annual estimates exercise by the Secretary.
- 5.2 Any deviation from the agreed estimates which is a result of actions outside the control of the Director (e.g. unanticipated direction by the LegCo or ExCo) will be taken into account when evaluating the Department's performance.
- 5.3 The accounts produced by the Department in the annual estimates and resource allocation process will include information on performance against agreed financial and non-financial targets.

END

**PSB-like Programmes provided by
Local Commercial Free TV Broadcasters and Sound Broadcasters
under the Positive Programme Requirements**

A. Provided by domestic free TV licensees (i.e. Asia Television Ltd. (ATV) and Television Broadcasts Ltd. (TVB))

	Programme Content	Required annual broadcast hours per licence	Actual broadcast hours per licence in 2005 ¹		Licence requirement ²
			TVB	ATV	
1.	News	365	2,321	1,658.5	On each language service a minimum of two comprehensive news bulletins, each of not less than 15 minutes duration each evening between 6:00 p.m. and 12:00 midnight
2.	Documentary	104	994	1,327.3	Each week on each language service a minimum of 60 minutes
3.	Current affairs	104	184	779.5	Each week on each language service a minimum of two half-hour programmes
4.	Children	1,460	1,961	1,505	1.5 hours daily on each language service between 4:00 p.m. and 7:00 p.m., plus 30 minutes daily on each language service between 9:00 a.m. and 7:00 p.m.
5.	Young persons	26	36	26	A minimum of one half-hour programme per week on the Chinese language service
6.	Senior citizens	52	52	52.5	A minimum of 60 minutes of programming per week on the Chinese language service
7.	Arts & culture	52	52	52.5	A minimum of 60 minutes of programming each week on the Chinese language service
Total		2,163	5,600 (258.9% of licence requirement)	5,401.3 (249.7% of licence requirement)	

¹ The relevant figures in the two columns have been obtained from TVB and ATV.

² See Conditions 4 to 10 in the First Schedule of TVB and ATV's licences.

B. Provided by commercial sound broadcasting licensees (i.e. Metro Broadcast Corporation Ltd. (Metro) and Commercial Broadcasting Co. Ltd. (CR))

	Programme Content	Required annual broadcast hours per licence	Actual broadcast hours per licence in 2005 ³		Licence requirement ⁴
			Metro	CR	
1.	News and weather reports	[Non-specific]	2,374	2,877	In any one service, a daily minimum of two programmes consisting of comprehensive news bulletins of not less than 10 minutes each between 12:00 noon and 12:00 midnight; and half-hourly report between 6:00 a.m. and 12:00 midnight and hourly report for the remaining hours; and in the two remaining services, hourly reports. (The licence does not stipulate the minimum duration of the half-hourly and hourly reports.)
2.	Current affairs	78	203.7	550	A minimum of 90 minutes each week
3.	Young persons	26	52	26	A minimum of one half-hour programme each week on the Chinese language service
4.	Senior citizens	52	280	52	A minimum of two half-hour programmes each week on one or two services, one being Chinese language service
5.	Arts & culture	52	106	131	A minimum of 30 minutes of programmes each week on each of any two services, one being Chinese language service
Total		208 (plus the non-specific requirements for item 1)	3,015.7	3,636	

END

³ The relevant figures in these two columns have been obtained from Metro and CR.

⁴ See Conditions 23 to 27 of Metro and CR's licences.

**Survey Report Released by
the RTHK Programme Staff Union in March 2006
香港電台製作人員工會於二零零六年三月公布的調查報告**

The survey report reproduced in this appendix is only available in Chinese.
本附錄所載的調查報告只設中文版本。

公共廣播服務檢討問卷調查

1. 調查目的和方法

香港電台節目製作人員工會委托嶺南大學公共管治研究部進行了是次調查，其目的是收集香港電台員工關於港台的未來發展及對本身保障的要求的意見，以便向有關當局作出反映。是次調查以自填問卷調查形式，在二零零六年二月底至三月初進行，由被訪者將填妥的問卷交回特設的意見收集箱。這次訪問對象為香港電台員工。我們共收回 298 份問卷。問卷見附件一，被訪者的個人背景資料見附件二。

2. 問卷答案結果和分析

2.1 你同不同意：香港電台的功能應該包括 -- 宣傳政府政策？

	頻數	百分比
非常不同意	22	7.5
不同意	33	11.2
一半一半	81	27.6
同意	69	23.5
非常同意	84	28.6
無意見/不知道	5	1.7
總數	294	100.0

調查結果顯示，有五成二 (52.0%) 的被訪者表示同意香港電台的功能應該包括宣傳政府政策，一成九 (18.7%) 表示不同意。

2.2 你同不同意：香港電台的功能應該包括 -- 推廣文化及教育？

	頻數	百分比
非常不同意	7	2.4
不同意	4	1.3
一半一半	7	2.4
同意	76	25.6
非常同意	202	68.0
無意見/不知道	1	0.3
總數	297	100.0

調查結果顯示，有九成四 (93.6%) 的被訪者表示同意香港電台的功能應該包括推廣文化及教育，只有百分之四 (3.7%) 表示不同意。

2.3 你同不同意：香港電台的功能應該包括 -- 提供社會資訊及新聞？

	頻數	百分比
非常不同意	8	2.7
不同意	1	0.3
一半一半	12	4.1
同意	55	18.6
非常同意	218	73.6
無意見/不知道	2	0.7
總數	296	100.0

調查結果顯示，有九成二 (92.2%) 的被訪者表示同意香港電台的功能應該包括提供社會資訊及新聞，只有百分之三 (3.0%) 表示不同意。

2.4 你同不同意：香港電台的功能應該包括 -- 提供娛樂？

	頻數	百分比
非常不同意	9	3.0
不同意	25	8.4
一半一半	70	23.6
同意	93	31.4
非常同意	96	32.4
無意見/不知道	3	1.0
總數	296	100.0

調查結果顯示，有六成四 (63.9%) 的被訪者表示同意香港電台的功能應該包括提供娛樂，一成一 (11.5%) 表示不同意。

2.5 你同不同意：香港電台的功能應該包括 -- 為市民提供發表及交流意見的平台？

	頻數	百分比
非常不同意	7	2.4
不同意	6	2.0
一半一半	14	4.7
同意	68	23.1
非常同意	199	67.5
無意見/不知道	1	0.3
總數	295	100.0

調查結果顯示，有九成一 (90.5%) 的被訪者表示同意香港電台的功能應該包括為市民提供發表及交流意見的平台，只有百分之四 (4.4%) 表示不同意。

2.6 你同不同意：香港電台的功能應該包括 -- 推廣正面訊息及普世價值？

	頻數	百分比
非常不同意	9	3.1
不同意	15	5.1
一半一半	28	9.6
同意	67	22.9
非常同意	165	56.5
無意見/不知道	8	2.7
總數	292	100.0

調查結果顯示，有七成九 (79.5%) 的被訪者表示同意香港電台的功能應該包括推廣正面訊息及普世價值，只有百分之八 (8.2%) 表示不同意。

2.7 你同不同意：香港電台的功能應該包括 -- 監督政府？

	頻數	百分比
非常不同意	10	3.4
不同意	12	4.1
一半一半	30	10.3
同意	56	19.2
非常同意	173	59.5
無意見/不知道	10	3.4
總數	291	100.0

調查結果顯示，有七成九 (78.7%) 的被訪者表示同意香港電台的功能應該包括監督政府，只有百分之八 (7.6%) 表示不同意。

2.8 你同不同意：香港電台的功能應該包括 -- 推動創意？

	頻數	百分比
非常不同意	7	2.4
不同意	6	2.0
一半一半	34	11.5
同意	70	23.6
非常同意	173	58.4
無意見/不知道	6	2.0
總數	296	100.0

調查結果顯示，有八成二 (82.1%) 的被訪者表示同意香港電台的功能應該包括推動創意，只有百分之四 (4.4%) 表示不同意。

- 2.8 現時香港電台作為公營廣播機構，在體制上以政府部門運作。你認為現行的運作模式的好處是甚麼？

調查結果顯示，最多被訪者指出的現行運作模式的好處是：香港電台作為公營廣播機構，有穩定的財政資源，製作節目時免於商業考慮，因而可以保持編輯自主和更好地服務社會。被訪者的詳細答案見附件三。

- 2.9 現時香港電台作為公營廣播機構，在體制上以政府部門運作。你認為現行的運作模式的壞處是甚麼？

調查結果顯示，最多被訪者指出的現行運作模式的壞處包括：(1) 行政僵化，缺乏彈性；(2) 同工不同酬，打擊士氣；(3) 身份混亂，給人口實以打壓港台；(4) 政府撥款減少，資源不足；(5) 部分港台員工缺乏上進心及積極性。被訪者的詳細答案見附件四。

- 2.10 你同不同意：港台應該脫離政府架構？

	頻數	百分比
非常不同意	57	19.5
不同意	37	12.6
一半一半	35	11.9
同意	49	16.7
非常同意	83	28.3
無意見/不知道	32	10.9
總數	293	100.0

調查結果顯示，有四成五 (45%) 的被訪者表示同意港台應該脫離政府架構，三成二 (32.1%) 表示不同意，也有一成一 (10.9%) 的被訪者表示「無意見/不知道」。

- 2.11 你同不同意：「港台應該採納類似 BBC 的模式，即政府透過某種形式撥出公帑，由社會人士以公開公平方式推選董事局成員監管，日常運作由行政總裁（即現在的廣播處長）負責。」？

	頻數	百分比
非常不同意	24	8.3
不同意	18	6.2
一半一半	34	11.8
同意	72	24.9
非常同意	105	36.3
無意見/不知道	36	12.5
總數	289	100.0

調查結果顯示，對於「港台應該採納類似 BBC 的模式，即政府透過某種形式撥出公帑，由社會人士以公開公平方式推選董事局成員監管，日常運作由行政總裁（即現在的廣播處長）負責。」的提法，有六成一（61.2%）的被訪者表示同意，一成五（14.5%）表示不同意，也有一成二（12.5%）的被訪者表示「無意見/不知道」。

- 2.12 你同不同意：有需要透過立法以確保港台的公營廣播機構角色？

	頻數	百分比
非常不同意	17	5.8
不同意	18	6.2
一半一半	27	9.3
同意	62	21.3
非常同意	140	48.1
無意見/不知道	27	9.3
總數	291	100.0

調查結果顯示，有六成九（69.4%）的被訪者表示同意有需要透過立法以確保港台的公營廣播機構角色，一成二（12.0%）表示不同意，也有接近一成（9.3%）的被訪者表示「無意見/不知道」。

- 2.13 你同不同意：近幾年的事件〔由頭條新聞風波,兩國論至近期的停播賽馬、十大中文金曲等〕顯示香港電台的編輯獨立受到打壓？

	頻數	百分比
非常不同意	12	4.1
不同意	23	7.8
一半一半	28	9.5
同意	97	32.9
非常同意	120	40.7
無意見/不知道	15	5.1
總數	295	100.0

調查結果顯示,有七成四 (73.6%) 的被訪者表示同意近幾年的事件〔由頭條新聞風波,兩國論至近期的停播賽馬、十大中文金曲等〕顯示香港電台的編輯獨立受到打壓,一成二 (11.9%) 表示不同意。

- 2.14 你認為香港電台編輯獨立受壓來源是甚麼？
[只限在 2.13 段 表示「同意」或「非常同意」近幾年的事件顯示香港電台的編輯獨立受到打壓的被訪者回答]

	頻數	百分比
特區政府	166	77.9
親北京人士	150	70.4
中央政府	102	47.9
其他	28	13.1
無意見/不知道	3	1.4
總數	213*	*

* 由於被訪者可以回答超過一項節目,因此各項的頻數總和與百分比總和,超過樣本總數和百分之一百。

調查結果顯示,在表示「同意」或「非常同意」近幾年的事件顯示香港電台的編輯獨立受到打壓的被訪者中,七成八 (77.9%) 認為香港電台編輯獨立受壓來源是特區政府,七成 (70.4%) 認為受壓來源是親北京人士,四成八 (47.9%) 認為受壓來源是中央政府。

2.15 你同不同意：香港電台現時提供的公共廣播服務是一種市場干預？

	頻數	百分比
非常不同意	136	46.6
不同意	71	24.3
一半一半	25	8.6
同意	23	7.9
非常同意	8	2.7
無意見/不知道	29	9.9
總數	292	100.0

調查結果顯示，有一成一（10.6%）的被訪者表示同意香港電台現時提供的公共廣播服務是一種市場干預，七成一（70.9%）表示不同意，也有一成（9.9%）的被訪者表示「無意見/不知道」。

2.16 你同不同意：香港電台現時提供的公共廣播服務是平衡市場，提供另類選擇？

	頻數	百分比
非常不同意	5	1.7
不同意	14	4.8
一半一半	33	11.3
同意	82	28.0
非常同意	145	49.5
無意見/不知道	14	4.8
總數	293	100.0

調查結果顯示，有七成七（77.5%）的被訪者表示同意香港電台現時提供的公共廣播服務是平衡市場，提供另類選擇，只有百分之六（6.5%）表示不同意。

2.17 香港電台的前途，你有沒有感到憂慮？

	頻數	百分比
有	216	74.0
沒有	52	17.8
無意見/不知道	24	8.2
總數	292	100.0

調查結果顯示，有七成四 (74.0%) 的被訪者表示對香港電台的前途有感到憂慮，一成八 (17.8 %) 則表示沒有感到憂慮。

2.18 你的擔憂是甚麼？

[只限在 2.17 段 表示對香港電台的前途有感到憂慮的被訪者回答]

調查結果顯示，最多被訪者表示對香港電台前途感到的憂慮包括：(1) 工作前景不明，工作失去保障，薪酬福利面臨改變；(2) 政府增加對港台的干預增加；(3) 港台前途未明，影響工作前景；(4) 政府減少對港台的撥款，影響節目質素。被訪者的詳細答案見附件五。

2.19 作為香港電台員工，在專業層面上，你認為以下方面是否重要 -- 編輯自主？

	頻數	百分比
非常不重要	4	1.4
不重要	5	1.7
一半一半	12	4.1
重要	46	15.9
非常重要	213	73.4
無意見/不知道	10	3.4
總數	290	100.0

調查結果顯示，有八成九 (89.3%) 的被訪者表示作為香港電台員工，在專業層面上，編輯自主是重要的，只有百分之三 (3.1%) 表示不重要。

2.20 作為香港電台員工，在專業層面上，你認為以下方面是否重要 -- 創作空間？

	頻數	百分比
非常不重要	2	0.7
不重要	3	1.0
一半一半	9	3.1
重要	63	21.8
非常重要	208	72.0
無意見/不知道	4	1.4
總數	289	100.0

調查結果顯示，有九成四 (93.8%) 的被訪者表示作為香港電台員工，在專業層面上，創作空間是重要的，只有百分之二 (1.7%) 表示不重要。

2.21 作為香港電台員工，在專業層面上，你認為以下方面是否重要 -- 全民知情權？

	頻數	百分比
非常不重要	0	0.0
不重要	10	3.4
一半一半	21	7.2
重要	59	20.2
非常重要	194	66.4
無意見/不知道	8	2.7
總數	292	100.0

調查結果顯示，有八成七 (86.6%) 的被訪者表示作為香港電台員工，在專業層面上，全民知情權是重要的，只有百分之三 (3.4%) 表示不重要。

2.22 作為香港電台員工，在專業層面上，你認為以下方面是否重要 -- 節目收視／收聽率？

	頻數	百分比
非常不重要	14	4.8
不重要	38	13.1
一半一半	118	40.7
重要	87	30.0
非常重要	29	10.0
無意見/不知道	4	1.4
總數	290	100.0

調查結果顯示，有四成 (40.0%) 的被訪者表示作為香港電台員工，在專業層面上，節目收視／收聽率是重要的，一成八 (17.9%) 表示不重要，也有四成一 (40.7%) 的被訪者表示節目收視／收聽率的重要性是「一半一半」。

2.23 作為香港電台員工，在專業層面上，你認為以下方面是否重要 -- 節目公信力？

	頻數	百分比
非常不重要	3	1.0
不重要	1	0.3
一半一半	7	2.4
重要	47	16.2
非常重要	230	79.0
無意見/不知道	3	1.0
總數	291	100.0

調查結果顯示，有九成五 (95.2%) 的被訪者表示作為香港電台員工，在專業層面上，節目公信力是重要的，只有百分之一 (1.4%) 表示不重要。

2.24 作為香港電台員工，在專業層面上，你認為以下方面是否重要 -- 配合政府政策？

	頻數	百分比
非常不重要	19	6.5
不重要	40	13.7
一半一半	109	37.5
重要	77	26.5
非常重要	39	13.4
無意見/不知道	7	2.4
總數	291	100.0

調查結果顯示，有四成 (39.9%) 的被訪者表示作為香港電台員工，在專業層面上，配合政府政策是重要的，兩成 (20.3%) 表示不重要，也有三成七 (37.5%) 的被訪者表示配合政府政策的重要性是「一半一半」。

2.25 作為香港電台員工，在專業層面上，你認為以下方面是否重要 -- 監督政府？

	頻數	百分比
非常不重要	3	1.0
不重要	22	7.6
一半一半	33	11.4
重要	69	23.8
非常重要	155	53.4
無意見/不知道	8	2.8
總數	290	100.0

調查結果顯示，有七成七 (77.2%) 的被訪者表示作為香港電台員工，在專業層面上，監督政府是重要的，接近一成 (8.6%) 表示不重要，也有一成一 (11.4%) 的被訪者表示監督政府的重要性是「一半一半」。

- 2.26 作為香港電台員工，在專業層面上，你認為以下方面是否重要 -- 推廣普世價值，正面訊息？

	頻數	百分比
非常不重要	6	2.1
不重要	12	4.1
一半一半	45	15.5
重要	80	27.5
非常重要	138	47.4
無意見/不知道	10	3.4
總數	291	100.0

調查結果顯示，有七成五 (74.9%) 的被訪者表示作為香港電台員工，在專業層面上，推廣普世價值和正面訊息是重要的，只有百分之六 (6.2%) 表示不重要，也有一成五 (15.5%) 的被訪者表示推廣普世價值和正面訊息的重要性是「一半一半」。

- 2.27 作為香港電台員工，如果日後港台與你的僱傭關係有改變，你認為哪些保障最為重要？

調查結果顯示，最多被訪者表示如果日後港台與他們的僱傭關係有改變時，最為重要的保障包括：(1) 薪酬；(2) 福利；(3) 退休金；(4) 工作穩定性；(5) 晉升機會；(6) 公務員的身份。被訪者的詳細答案見附件六。

**** **** ****

Corporate Governance

Background

In the late 1980s and early 1990s, the National Commission on Fraudulent Financial Reporting (“Treadway Commission”)¹ in the United States (US) and the Committee on the Financial Aspects of Corporate Governance (“Cadbury Committee”)² in the United Kingdom (UK) released two key reports on corporate governance.

2. Another significant work on public sector corporate governance was done by the Committee on Standards in Public Life (“Nolan Committee”) in the UK in 1995.³ This was followed by a report issued by the International Federation of Accountants (IFAC) in August 2001,⁴ which provided comprehensive benchmarks. The Organisation for Economic Cooperation and Development (OECD) published the Principles of Corporate Governance in 2004.

3. In Hong Kong, the former Hong Kong Society of Accountants (HKSA) issued the *Report of the Working Group on Corporate Governance* in 1995. It also published *Corporate Governance for Public Bodies - A Basic Framework* in May 2004.

4. These reports and publications as well as a plethora of others have formed the basis for the development of corporate governance framework including principles and mechanisms for both private and public sector organisations.

¹ National Commission on Fraudulent Financial Reporting (“Treadway Commission”) (1987), US. *Report of the National Commission on Fraudulent Financial Reporting*.

² Committee on the Financial Aspects of Corporate Governance (“Cadbury Committee”) (1992), UK. *Report of the Committee on the Financial Aspects of Corporate Governance*.

³ Committee on Standards in Public Life (“Nolan Committee”) (1995), UK. *First Report of the Committee on Standards in Public Life*.

⁴ Public Sector Committee, International Federation of Accountants (August 2001). *Governance in the Public Sector: A Governing Body Perspective, Study 13*.

The framework of corporate governance

5. The practice of corporate governance depends on the legal systems, regulatory environments and relevant laws *in situ*. Since the practice of corporate governance varies, the popular approach to corporate governance guidelines has been to develop principles that can be applied across different countries and markets.

6. The *Principles of Corporate Governance* promulgated by OECD is a case in point. It covers five broad areas: The rights of shareholders; equitable treatment of shareholders; the role of stakeholders; disclosure and transparency; and the responsibilities of the Board.

7. OECD recognises the basic rights of shareholders and advocates that all shareholders should be treated equally regardless of the size of their shareholdings. It also affirms that stakeholders have an interest in the organisation. The corporate governance framework should respect and recognise the legal rights of stakeholders, including the right to access relevant and reliable information. Therefore, an organisation should produce timely and accurate information and disclose its financial performance, major transactions, governance structure and policies. All these information and disclosures should be audited by an independent auditor and disseminated in a fair, timely and cost-effective way to its shareholders and stakeholders.

8. The Board is held accountable to the organisation and its stakeholders for effective monitoring of the management. The key functions that the Board should fulfill include:

- (a) reviewing and guiding corporate strategy;
- (b) overseeing accounting and financial reporting system, including risk management, internal controls and external audit;
- (c) overseeing governance and disclosure process;
- (d) monitoring potential conflict of interest of Board members, management and shareholders; and

- (e) being responsible for selecting key executives, monitoring their performance and determining compensation.

9. To discharge its duties, the Board must be independent from the management. The appointment of independent non-executive members can ensure that the Board exercises objective judgment and avoids conflict of interest.

10. Despite the significant development in private sector corporate governance over the last decade, corporate governance in the public sector has only recently received more attention globally and in Hong Kong. The Hong Kong Institute of Certified Public Accountants (HKICPA) (formerly the HKSA) believes that good corporate governance in public sector organisations is very important to the wellbeing, success and prosperity of our community. With a proper governance structure and related processes, stakeholders and the community can be assured of the proper use and stewardship of public funds and other assets.

11. The publications of the Nolan Committee (1995), the IFAC (2001) and the HKSA (2004) on public bodies have helped identify the following cornerstones of public sector governance:

- (a) standards of behaviour;
- (b) organisational structures and processes;
- (c) risk management and control; and
- (d) accountability, reporting and disclosure.

12. The standards of behaviour involve seven elements of ethical conduct including personal qualities, leading by example, integrity, honesty and objectivity, openness and accountability, selflessness and dealing with conflict of interest. These are the attributes guiding the ethical conduct of Board members, management and employees of the organisations. They should be defined clearly in codes of conduct for compliance.

13. Organisational structures and processes include compliance with statutory and regulatory requirements, proper stewardship of assets and resources, safeguarding of and proper and effective use of funds, and

effective communication with stakeholders. The roles and responsibilities of the governing Board, chairman, non-executive members, executive management as well as human resources and remuneration policies should also be clearly defined.

14. Risk management and control comprise an effective budgeting and financial management process, a system of effective internal control and internal audit, and the establishment of an audit committee and the need for an external audit conducted by an independent auditor. Accountability, reporting and disclosure deal with both internal and external reporting to stakeholders and the community.

END

Proposed Terms of Reference of Board Committees

Executive Committee

To consider and make recommendations to the Board on:

1. issues discussed and reports submitted by all Board committees, except the Nomination Committee;
2. strategic planning and future development of the organisation; and
3. any other unforeseen matters that fall within the role and function of the Board.

Audit Committee

1. Monitor and oversee the financial reporting process to ensure completeness, accuracy and fairness of audited financial statements, the adoption of appropriate accounting policies and standards, and the adequacy of disclosure of significant audit adjustments.
2. Monitor and review the internal control mechanisms to ensure that all risk areas are covered adequately, including:
 - (a) effectiveness and efficiency of operations;
 - (b) reliability of internal and external reporting; and
 - (c) compliance with applicable statutes and internal policies and receive report from the internal auditor.
3. Monitor and oversee the internal audit function to ensure that its mandate, resources and organisational status are appropriate; plans and activities are adequate to provide systematic coverage of the internal control and risk management systems put in place by the management; and appropriate actions are taken in a timely manner on the findings.
4. Recommend to the Board through the Executive Committee:
 - (a) the appointment of the external auditor and the audit fee; and
 - (b) any management advisory services, including those to be provided by the external auditor.

5. Monitor and oversee the external audit including its nature and scope, and ensure compliance with appropriate accounting policies and standards.
6. Submit an annual report to the Board.

Management and Administration Committee

1. Recommend to the Board through the Executive Committee:
 - (a) corporate and annual plans;
 - (b) cycle and annual budgets, including expenditure on capital projects;
 - (c) corporate investment, insurance and related matters;
 - (d) human resource policies;
 - (e) management and operational structures; and
 - (f) appointment, remuneration and related personnel matters of the Chief Executive Officer (CEO).
2. Oversee the performance assessment process and evaluate performance against key performance indicators of the organisation.
3. Monitor the financial position of the organisation.
4. Review the performance of the CEO.
5. Submit an annual report to the Board.

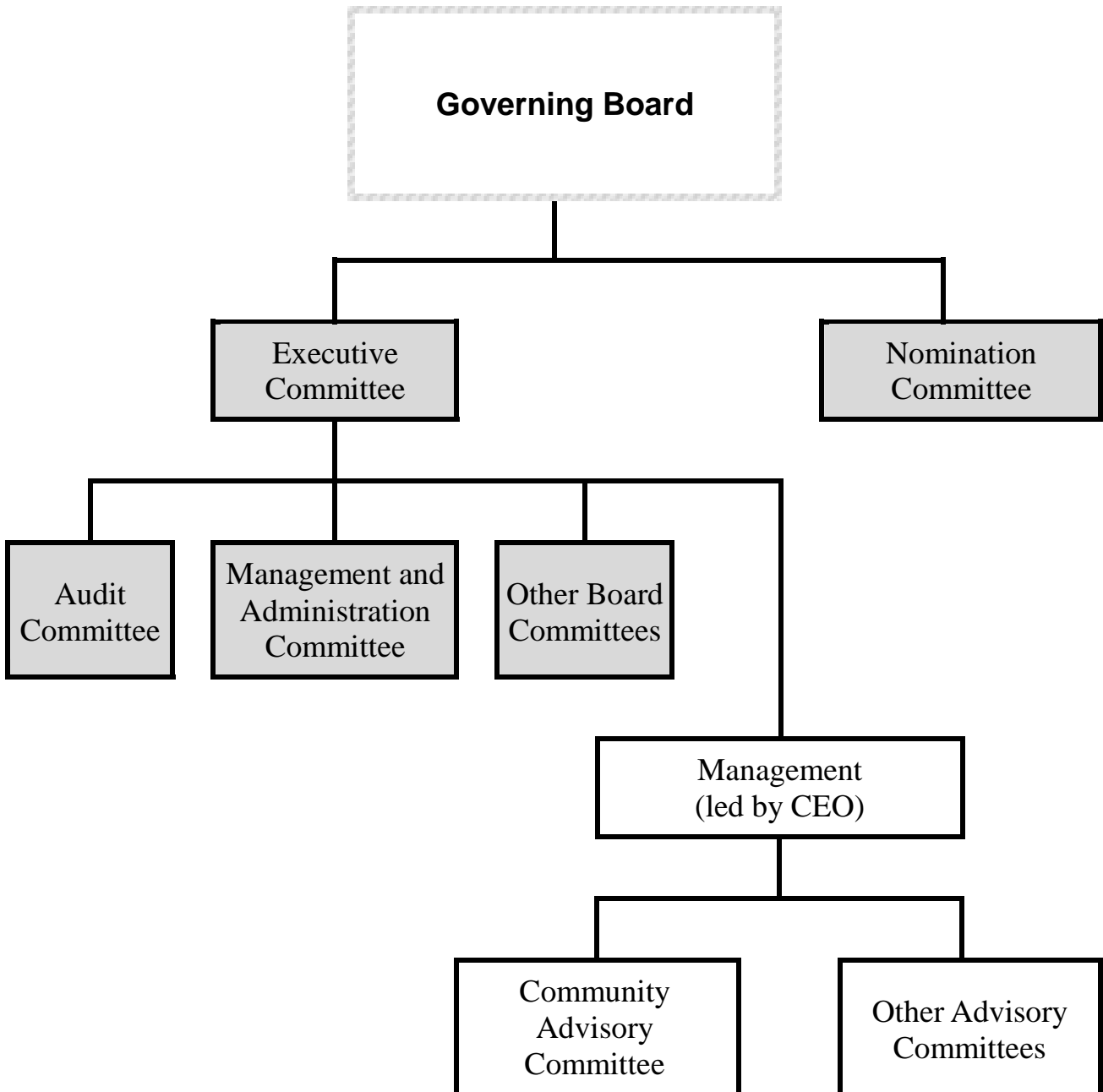
Nomination Committee

1. Recommend to the Board the criteria for assessing the suitability of individual candidates for appointment to the Board.
2. In accordance with the criteria endorsed by the Board:
 - (a) assess the suitability of candidates who apply for appointment as Board members, as well as candidates put forward by community and professional organisations for such appointments; and

- (b) identify individuals other than those mentioned in (a) above who may be suitably qualified for appointment as Board members.
3. In relation to serving Board members who may be considered for reappointment, assess their suitability in accordance with the criteria endorsed by the Board, having regard also to their past performance in the Board.
 4. Identify the best qualified candidates in terms of the expertise, qualification and experience required for Board membership, and recommend to the Board a nomination list for submission to the Chief Executive.
 5. Collate an overall profile of the candidates in the nomination list endorsed by the Board for disclosure to the public, while protecting the privacy of the candidates.

END

**Organisation Chart
showing Relationship of the Board
with its Committees and the Management**



Note: Board committees are shaded in grey.

END

Overview of Funding Models adopted by Overseas Public Service Broadcasters

A. Audience Licence Fee as Primary Source of Funding

Country	PSB provider	Funding Arrangements
Germany	Association of Public Broadcasting Corporations of Germany (ARD)*	Funded mainly by audience licence fees determined through an inter-state agreement. In 2004, audience licence fees accounted for 82% of ARD's total income. Revenue from co-production, co-financing and marketing of programmes accounted for about 16%, while advertising revenue accounted for 2%. This funding arrangement is typical of German public broadcasting corporations. In the case of Bavarian Broadcasting (an ARD member), for instance, 89% of its funding comes from audience licence fees, 9% from product licensing and investment and up to 2% from advertising.
Japan	Japan Broadcasting Corporation (NHK)	Funded by a Receiving Fee System under the Broadcast Law 1950, which requires each household that owns a TV set to pay a receiving fee. However, there is no penalty for non-payment.

* ARD represents the interests of ten German public broadcasting corporations established separately under their respective state laws. The only German public broadcaster not represented by ARD is Zweites Deutsches Fernsehen (ZDF), a nation-wide public TV corporation founded jointly by all German states. ARD and ZDF adopt largely the same funding arrangements.

United Kingdom	British Broadcasting Corporation (BBC)	Funded mainly by audience licence fees set by the Department for Culture, Media and Sport, subject to parliamentary approval. In 2004-05, audience licence fees accounted for 77% of BBC's total income, followed by 16% from revenue from the commercial businesses, 6% from BBC's World Service and 1% from other sources. The recent review has proposed no change to this funding model.
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B. Parliamentary Appropriation as Primary Source of Funding

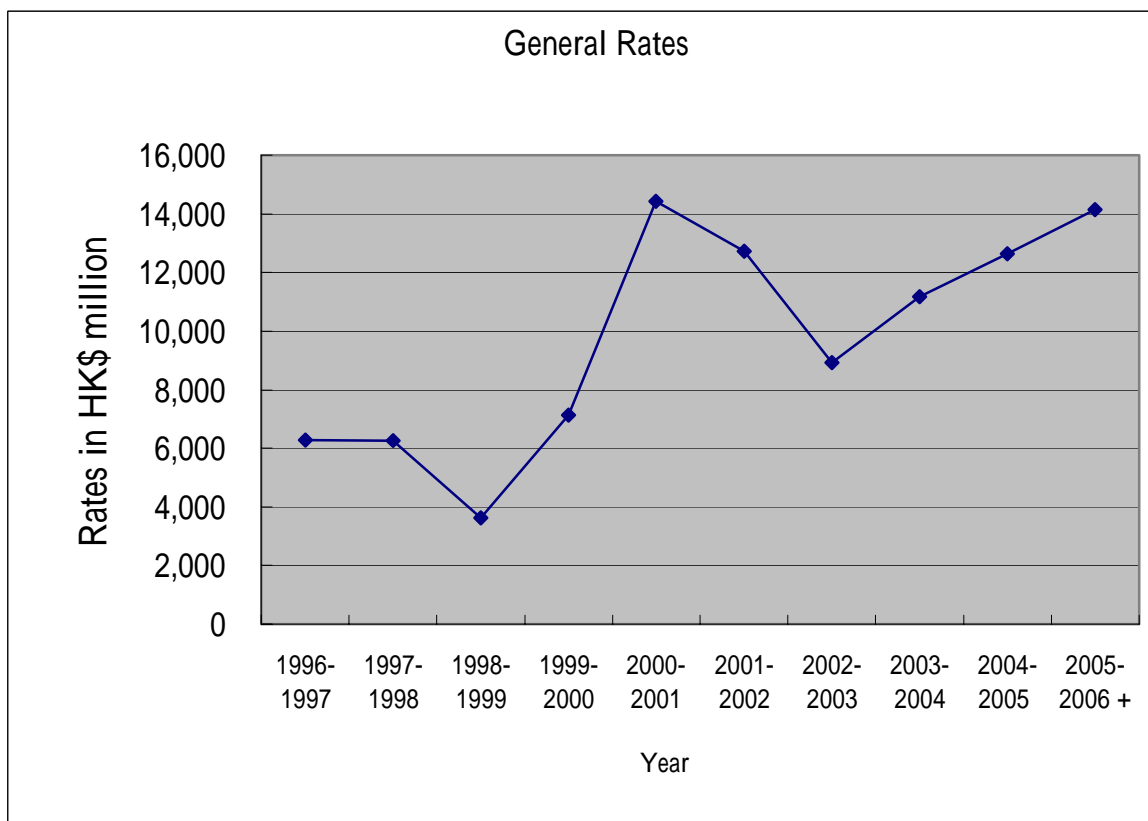
Country	PSB provider	Funding Arrangements
Australia	Australian Broadcasting Corporation (ABC)	Funded mainly by appropriation by the Parliament under direction of the Ministry of Finance. This is supplemented by commercial revenue generated through the activities of ABC Enterprises.
	Special Broadcasting Service (SBS)	Approximately 85% of the bulk of SBS funding comes from Government appropriation. The remainder of its operating budget comes mostly from advertising, sponsorship and merchandising.
Canada	Canadian Broadcasting Corporation (CBC)	Funded mainly through parliamentary appropriation, supplemented by revenue from advertising and other sources. In 2004-05, parliamentary appropriation and advertising financed 61% and 21% of CBC's total operating expenditure respectively. Separately, CBC also receives additional long-term capital expenditure for equipment and maintenance from the Government.

C. Primary Source of Funding from Sources other than Audience Licence Fee and Appropriation

Country	PSB provider	Funding Arrangements
United States	Corporation for Public Broadcasting (CPB)	CPB is financed almost entirely by federal appropriations. Of the total amount of federal appropriations given to CPB, not more than 5% may be spent on administration. Another 6% must be spent on “system support” (e.g. the payment of programming royalties, the costs of interconnection facilities and operations, grants for assistance to stations that broadcast in languages other than English, grants for the provision of affordable employment training, and for projects that will enhance public broadcasting). The remaining 89% is distributed to public broadcasting TV and radio stations, and producers of programmes. However, CPB grants only account for about 15% of the revenue of the public broadcasting industry (i.e. on average, a public broadcasting station only derives 15% of its revenue from CPB grants).
United Kingdom	Channel Four Television Corporation (Channel 4)	Funded entirely by commercial activities, principally through the sale of advertising time. In 2004, advertising and sponsorship accounted for 82% of the total revenue generated. Over the last 2 years, Channel 4 has moved its pay-TV channels to a free-to-air basis as the growth of digital TV continues (now with about 75% household penetration). From July 2006, pay-TV revenue has fallen to zero. Part of this has been compensated by the introduction of pay-VOD services since the end of 2006.

END

Rates Revenue (1996-97 to 2005-06)*



Notes

* Compiled by the Committee using statistics obtained from the Census and Statistics Department, HKSAR Government.

+ Based on provisional figures available for 2005-06.

END

Public Broadcasters' Role in meeting the Challenge of Digitisation

Source: *Report on the Study of Public Service Broadcasting for Hong Kong published by the Legislative Council Panel on Information Technology and Broadcasting (October 2006) ("the ITB Panel Report")*

UK	Canada	USA	Germany	Australia	Hong Kong
<p>The UK has the highest digital television penetration in the world. As of 31 December 2005, digital television was viewed by 17.5 million (i.e.70%) households possessing television sets.</p> <p>Subsequent to the government's announcement in September 1999 for a digital switchover subject to accessibility and affordability by the general public, commercial terrestrial broadcasters and</p>	<p>In Canada, digital radio broadcasting was introduced in 1995 and is primarily a simulcast of existing AM and FM programmes. By February 2005, CRTC has issued 76 transitional licences for digital radio broadcasting, 18 of which were issued to CBC.</p> <p>In June 2002, Canada adopted a voluntary, market-driven transition model for launching digital television broadcasting, without mandating</p>	<p>Since 2001, CPB has received appropriations from Congress to support the conversion from analogue to digital transmission for both public radio and television stations. By end-January 2006, Congress had provided CPB with nearly US\$220 million to support 461 public radio stations and 285 public television stations to convert from analogue to digital broadcasting.</p> <p>In March 2004, PBS launched the PBS HD Channel to provide a</p>	<p>In November 2002, digital terrestrial television (DTT) was first implemented in the Berlin-Brandenburg region where all analogue signals were switched off in August 2003. Subsidies to low-income households and an extensive consumer programme were some of the measures undertaken to facilitate digital uptake. According to the plan of the federal government, the entire country will switch to digital television and radio</p>	<p>In March 1998, the Australian government announced the mandated introduction of DTT broadcasting in metropolitan areas from 1 January 2001 and in all regional areas by 1 January 2004. Under the policy framework, existing broadcasters were obliged to continue their analogue broadcasting for at least eight years after the start date for digital services in their licence/coverage areas.</p>	<p>Digital television services are already available in Hong Kong via cable, satellite and broadband networks. However, terrestrial television, the most pervasive form of television service, is yet to be digitised. The Administration announced in July 2004 the implementation framework for DTT. Under the framework, ATV and TVB, the two incumbent terrestrial broadcasters, are required to start broadcasting their services in both analogue and digital format by end of 2007 and to achieve at least 75% of digital coverage by 2008. The Administration's target is to switch off analogue broadcasting five years after the commencement of simulcast, i.e. by 2012.</p> <p>Meanwhile, OFTA is leading a working group with ATV and TVB to solve technical problems and facilitate inter-departmental coordination to ensure timely network rollout. RTHK,</p>

UK	Canada	USA	Germany	Australia	Hong Kong
<p>BBC, in collaboration with the government and Ofcom, have devised an action plan with an implementation timetable. In the White Paper issued after the Charter Review of BBC, the UK government confirms that BBC should continue to play a leading role in the switchover process scheduled to take place from 2008 to 2012.</p> <p>At present, Channel 4 is extending the fulfilment of its remit to digital channels by strengthening its programmes, increasing the investment in originated</p>	<p>switch-over deadlines. CBC was issued transitional digital television licences and began broadcasting in high-definition television in 2005 at a capital cost of C\$190 million over 5 years and an annual operating cost of C\$19 million.</p> <p>Over 40% of Canadians are now living in digital households with subscriber-access to over 200 channels. In addition to channel fragmentation, the emerging digital media space as a result of digitalisation has also given rise to</p>	<p>fully packaged channel with high-definition and wide-screen television programmes round-the-clock. The PBS HD Channel is offered to the public by over 90% of PBS's member stations which have digitalised their services and by local digital cable providers. By early 2006, public digital television services are available to approximately 95% of all of the US households.</p> <p>In October 2002, FCC endorsed a technology for radio stations to adopt digital broadcasting. In January 2003, NPR announced the</p>	<p>broadcasting in 2010 and 2015 respectively.</p> <p><i>(Paragraphs 2.99 of the ITB Panel Report)</i></p>	<p>Both ABC and SBS have fulfilled their legislative obligation for DTT broadcasting. In 2004-05, ABC's digital transmission from 137 transmitter locations broadcasting 1 858 hours of high definition materials reached 95.8% of Australia's population. SBS has rolled out digital transmission to over 90% of Australia's population from 127 transmitter locations. ABC and SBS each broadcast digitally simulcasts of their analogue television services and operate separate digital-only channel(s).</p>	<p>being the sole publicly-funded broadcaster in Hong Kong, has indicated that part of its future aspirations is to develop digitalisation of broadcasting in both radio and high-definition television (HDTV). RTHK has also started its trial productions of television drama in HDTV in 2006.</p> <p>On digital audio broadcasting (DAB), the former Information Technology and Broadcasting Bureau (ITBB) set up a steering committee in February 1998 and coordinated a series of technical trials of DAB by RTHK, CRHK and Metro. In two consultation papers issued in 2000 and 2003, the Administration maintained its view that the introduction of DAB services should be market-led. The Administration's main considerations were the relatively high prices of digital receivers when compared to those of analogue receivers, the availability of other wireless communications technology capable of transmitting sound and the need to finalise the Band III frequency plan with the Mainland authorities and</p>

UK	Canada	USA	Germany	Australia	Hong Kong
<p>drama-docs and seeking new cross-platforms to extend access of programmes. There are around 44 million people in the UK living in areas where national digital radio services are available. Ofcom has awarded one national commercial multiplex licence carrying eight programme services and 44 local digital multiplex licences which together carry about 300 commercial radio services.</p> <p><i>(Paragraphs 2.28 – 2.31 of the ITB Panel Report)</i></p>	<p>platform fragmentation. As it is necessary to present the programme in different formats in order to serve audiences over multiple platforms, the costs of distributing/versioning the content are high. CBC's goal under the new media strategy is to strive to be "the most important and popular source of Canadian news, information, and entertainment content on digital networks".</p> <p><i>(Paragraphs 2.52 – 2.54 of the ITB Panel Report)</i></p>	<p>Tomorrow Radio project to test new digital technologies and services operating within the FCC-endorsed digital radio system. By April 2006, there are 101 NPR member stations broadcasting on digital radio technology in the US. Public digital radio services had a penetration rate of 76% in early 2006.</p> <p><i>(Paragraphs 2.78 – 2.80 of the ITB Panel Report)</i></p>	<p>---</p>	<p>In April 2006, the Australian government announced the introduction of digital radio services by 1 January 2009. ABC and SBS have participated actively in digital radio trials. Currently, ABC has three digital radio services broadcasting while SBS delivers two digital radio services through its digital television platform, broadcasting programmes in 68 languages.</p> <p><i>(Paragraphs 2.123 – 2.125 of the ITB Panel Report)</i></p>	<p>clear the frequency band concerned for DAB services. Meanwhile, tests conducted by RTHK on digital transmission using Eureka 147 in Band III are still underway. In its submission to the ITB Panel in January 2006, RTHK reported that so far, trial results of DAB were satisfactory. Moreover, with adequate funding, RTHK will be able to launch new programme services in digital format, such as new learning and children's channels. It has also stated its preparedness as a public broadcaster to explore DAB further. CRHK and Metro, the incumbent commercial broadcasters, agreed in principle with a market-led approach and expressed concern about competition for advertising revenue when the number of channels will likely rise in a digitalised environment.</p> <p><i>(Paragraphs 3.55 – 3.57 of the ITB Panel Report)</i></p>

END

**Broad Estimate of Facilities, Equipment and Cost
for providing Digital PSB TV Broadcasting and Multimedia Delivery**

Basic items

Item	Unit Cost (HK\$ '000)*	Quantity	Total cost (HK\$ '000)
News			
3 news studios (200-300 square metres each), plus newsroom facilities (including electronic news production system, electronic news gathering (ENG) special lens and microwave link)	110,577	1 (set)	110,577
ENG crew with vehicle	1,285	15	19,275
Overseas bureau	1,451	2	2,902
Production			
Studio (600 sq m)	33,679	1	33,679
Studio (450 sq m)	25,124	1	25,124
Studio (350 sq m)	21,510	2	43,020
Studio (200 sq m)	19,796	2	39,592
Outside Broadcast (OB) and Field Production			
OB van	37,988	1	37,988
Electronic field production (EFP) crew	1,627	10	16,270
EFP special lens and video player	1,312	1	1,312
Postproduction			
Dubbing studio	4,284	2	8,568

* Inclusive of 10% material cost.

Item	Unit Cost (HK\$ '000)*	Quantity	Total cost (HK\$ '000)
Non-linear editing workstation plus video server and high definition cut-only edit	16,774	1 (set)	16,774
Graphic workstation	6,390	1	6,390
Library	28,014	1	28,014
Head-end Facilities	44,706	1	44,706
IT Network Facilities	39,351	1	39,351
Sub-total			473,542
Installation cost (12%)			56,825
Total (basic items)			530,367

Optional items

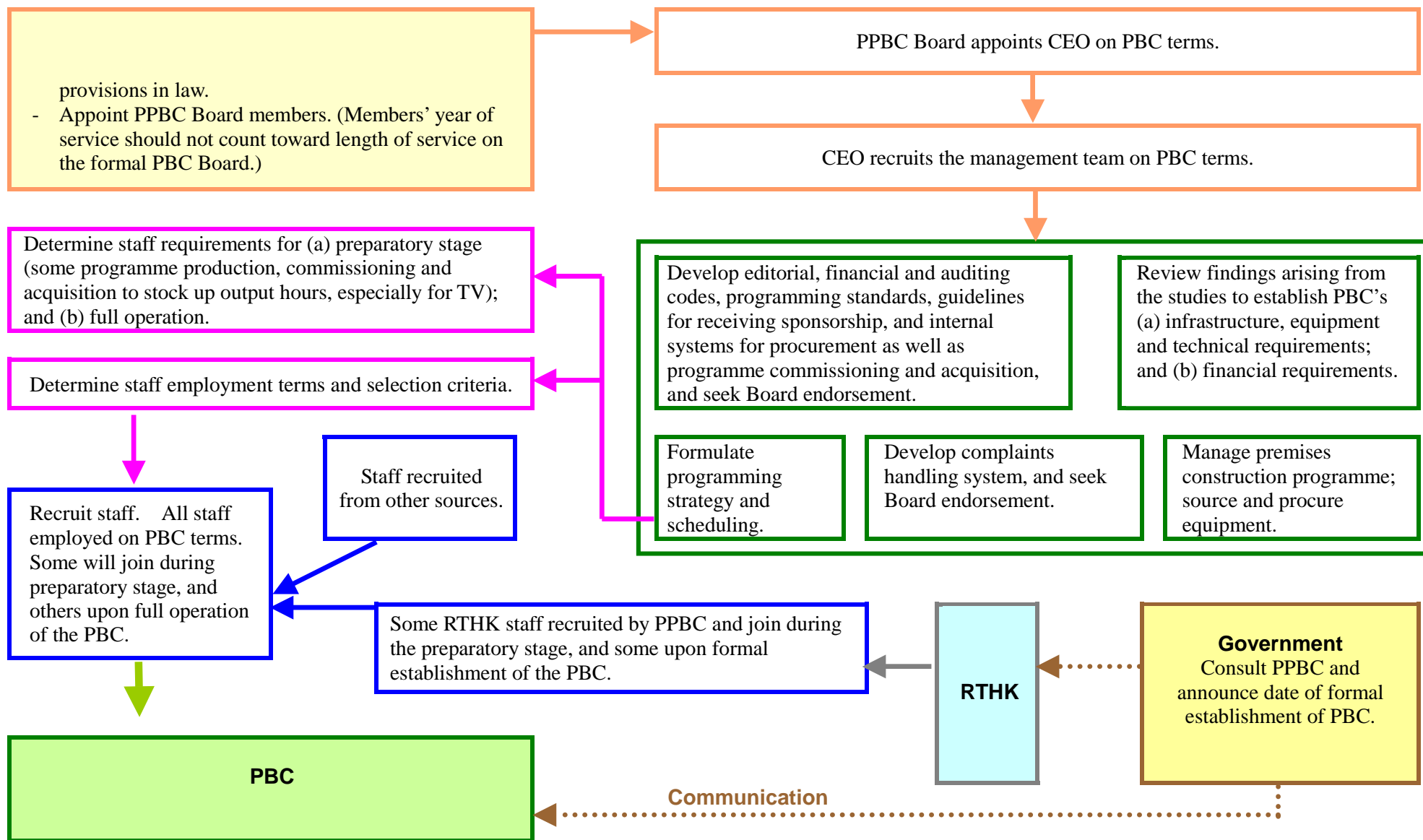
Item	Total cost (HK\$'000) *	
Production Technical Director's room (100 sq m) with equipment x 1	10,000	
Postproduction sound effect studio with mixing for surround sound 5.1 x 1	5,000	
Postproduction audio booth x 1	1,000	
Maintenance spare x 1	13,729	
Sub-total		29,729
Installation cost (12%)		3,567
Total (optional items)		33,296

Grand total (basic + optional items) = HK\$ 563,663,000

END

* Inclusive of 10% material cost.

Implementation Plan: Flow Chart of Medium-term Measures



END

GLOSSARY

Glossary

詞彙

Note: Arranged in English alphabetical order.

註：按英文用語字母序排列。

Accountability	問責
Acquisition (of programme)	購買(節目)
Analogue broadcasting	模擬廣播
Analogue switch-off	終止模擬廣播
Asset vesting	授予資產
Audience reach	受眾人數
Band III frequency	頻帶 III
“Baseline”	「撥款基數」
Board	董事局
Board committee	董事局設立的委員會
Capital expenditure	資本開支
Capital injection	注資
Codes of conduct	行為守則
Commercial broadcasting	商業廣播
Commercial “institutional/brand” sponsorship	商業「機構/品牌」贊助
Community broadcasting	社區廣播
Content distributor	內容經銷商
Content provider	內容供應者
Cross-media ownership	跨媒體擁有權
Development fund	發展基金
Digital audio broadcasting	數碼聲頻廣播
Digital broadcasting	數碼廣播
Digital compression technology	數碼壓縮技術

Digital multimedia broadcasting	數碼多媒體廣播
Digital terrestrial TV broadcasting	數碼地面電視廣播
Distinctiveness	獨特性
Diversity	多元性
Domestic free television	本地免費電視
Donation	捐款
Dubbing studio	配音室
Editorial independence	編輯獨立
Electronic field production crew	電子外勤攝製組
Electronic news gathering	電子新聞採訪
Electronic news production system	電子新聞製作系統
External assessor	外邀評審員
External auditor	外聘核數師
External commissioning	向外委約
Field production	外勤製作
“Financial envelope”	「財政封套」
Focus Group	專題小組
Frequency	頻率
Frequency band	頻帶
Frequency overlap	頻率重疊
Funding arrangement	財政安排
Governance	管治
Graphic workstation	繪圖工作站
Head-end facility	放送設施
High definition cut-only edit	高清粗編設備
Independence	獨立性
Independent producer/production house	獨立製作人/製作公司
Internal streaming	內部串流技術
IT network facility	網路設施
Key performance indicator	主要成效指標

Maintenance spare	維修零件
Management	管理層
Market segmentation	市場「分割」
Market share	市場佔有率
Microwave link	微波傳送系統
Multimedia	多媒體
Multiplex	多路傳輸頻道
New media	新媒體
Non-linear editing workstation	非線性剪輯工作站
On-cost	外加成本
On-demand service	自選服務
Outside broadcast	戶外攝製
Outside broadcast van	戶外直播車
Overhead cost	間接成本
Pay-per-view fee	按次徵收服務收費
Performance evaluation	表現評估
Phone-in programme	叩應(或稱烽煙)節目
Postproduction audio booth	後期製作錄音室
Postproduction sound effect studio	後期製作音響效果錄音室
Programming	節目事宜
Programme genre	節目類別
Public access broadcasting	公眾頻道廣播
Public service broadcasting	公共廣播服務
PSB “coordinator”	公共廣播「統籌機構」
PSB-like programme	類似公共廣播的節目
PSB “publisher”	公共廣播「發行機構」
Publicly funded broadcaster	用公帑營運的廣播機構
“Retail” advertising revenue	「零售」廣告收入
Rating	收視/收聽率
Recurrent expenditure	經常性開支

Renewable licence

可續期牌照

Sense of public ownership

市民擁有公共廣播機構的意識

Signal interference

訊號干擾

Stakeholder

持份者

Technology convergence

科技匯流

Technology-neutral

「科技中立」

Universality

普及性

Video server

視頻伺服器

END/完

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