

Comparison between the draft Charter and the proposed amendments

Italic words are those proposed to amend OR the amended version

Draft Charter by CEDB		Proposed version by RTHK	
1.	SCOPE	1	SCOPE
1.1	<p>This Charter specifies –</p> <p>(A) Radio Television Hong Kong (RTHK)</p> <p style="padding-left: 20px;">(i) the public purposes and mission of RTHK (section 2);</p> <p style="padding-left: 20px;">(ii) the editorial independence of RTHK (section 3);</p> <p style="padding-left: 20px;">(iii) the key programme areas of activities undertaken by RTHK (section 6); and</p> <p style="padding-left: 20px;">(iv) the modes of service delivery (section 7), <i>programme directions</i> (section 8) , performance evaluation (section 10), transparency in operation (section 11), <i>financial planning and control (section 12) of RTHK.</i></p>	1.1	<p>This Charter specifies –</p> <p>(A) Radio Television Hong Kong (RTHK)</p> <p style="padding-left: 20px;">(i) the public purposes and mission of RTHK (section 2);</p> <p style="padding-left: 20px;">(ii) the editorial independence of RTHK (section 3);</p> <p style="padding-left: 20px;">(iii) the key programme areas of activities undertaken by RTHK (section 6); and</p> <p style="padding-left: 20px;">(iv) the modes of service delivery (section 7), <i>community broadcast</i> (section 8) , performance evaluation (section 10), transparency in operation (section 11).</p>
	<p>(B) Relationship between RTHK and the other relevant parties</p> <p style="padding-left: 20px;">(i) the status and responsibilities of RTHK and its relationship with the Commerce and Economic Development Bureau (CEDB) and the Secretary for Commerce and Economic Development (the Secretary) (section 4);</p> <p style="padding-left: 20px;">(ii) the Board of Advisors and its relationship with RTHK (section 5); and</p>		No change

	(iii) the role of the Broadcasting Authority (BA) in providing content regulation for RTHK programming (section 9).		
1.2	The signing parties mentioned in this Charter should dutifully and conscientiously observe the terms and their respective obligations set out in this document.		No change
1.3	The phrase “programme areas” in this document refers to “radio, television and new media services”, as distinguished from radio and television “programming” and “production” activities which RTHK undertakes on a day-to-day basis.		No change
2.	PUBLIC PURPOSES AND MISSION	2.	PUBLIC PURPOSES AND MISSION
2.1	As the public service broadcaster in Hong Kong, RTHK is to fulfill the following purposes – (i) sustain citizenship and civil society. <i>This should be achieved by –</i> <i>(a) promoting understanding of our community, our nation and the world through accurate and impartial news, information, perspectives and analyses;</i> <i>(b) promoting understanding of the concept of “One Country, Two Systems” and its implementation in Hong Kong; and</i> <i>(c) engendering a sense of citizenship and national identity through programmes that contribute to the understanding of our community and nation;</i>	2.1	As the public service broadcaster in Hong Kong, RTHK is to fulfill the following purposes – (i) <i>sustain citizenship and civil society.</i>

	<p>(ii) provide an open platform for <i>the free exchange of views without fear or favour. This should be achieved through provision of a wide range of programmes for public participation and expression of views, and provision of a platform to support and facilitate community participation in broadcasting, including the administration of a Community Broadcasting Involvement Fund</i></p>		<p>(ii) <i>provide an open platform for free and unfettered expression of views</i></p>
	<p>(iii) promote social inclusion and pluralism. <i>This should be achieved through the diversity of programming coverage, universality of reach and sensitivity to the pluralistic nature of Hong Kong and the world. The objective is to enhance public understanding and acceptance of the cultural, linguistic, religious and ethnic diversity both in the local community and beyond;</i></p>		<p>(iii) <i>encourage social inclusion and pluralism.</i></p>
	<p>(iv) promote education and learning. <i>This should be achieved through stimulating interest in a wide range of subjects, and providing information and resources to facilitate lifelong learning at all levels and for all ages; and</i></p>		<p>(iv) <i>promote education and learning.</i></p>
	<p>(v) stimulate creativity and excellence to enrich the multi-cultural life of Hong Kong people. <i>This should be achieved through the production, commission and acquisition of distinctive and original content for public</i></p>		<p>(v) <i>stimulate creativity and excellence to enrich the multi-cultural life of Hong Kong people.</i></p>

	<i>broadcast. There should be active promotion of public interest, engagement and participation in cultural activities, and its programming and other corporate policies and practices should foster creativity and nurture talent.</i>		
2.2	<i>RTHK will provide to Hong Kong people high-quality radio, television and new media services.</i> Specifically, the mission of RTHK is to: (i) inform, educate and entertain audiences through multi-media programming; (ii) provide timely, impartial coverage of local, national and global events and issues; (iii) deliver programming which contributes to the openness and cultural diversity of Hong Kong; <i>(iv) provide a platform for the Government and the community to discuss public policies and express views thereon without fear or favour; and</i> (v) serve a broad spectrum of audiences and cater to the needs of minority interest groups.	2.2	RTHK will provide to Hong Kong people <i>editorially independent, professional, distinctive and high-quality</i> radio, television and new media services. (i); (ii); (iii) No change <i>(iv) provide a platform for discussion of public policies and issues, and expression of views thereon without fear or favour; and</i> (v) No Change
3.	EDITORIAL INDEPENDENCE	3.	EDITORIAL INDEPENDENCE
3.1	RTHK is editorially independent.	3.1	No Change
3.2	The Director of Broadcasting (the Director) as the Editor-in-chief is responsible for ensuring that a system of editorial control in accordance with RTHK’s Producers’	3.2	The Director of Broadcasting (the Director) as the Editor-in-chief is responsible for ensuring that a system of editorial control in accordance with RTHK’s Producers’

	Guidelines is in place to provide accurate, impartial, <i>balanced</i> and objective news, public affairs and general programming that inform, educate and entertain the public, and that the highest professional standards of journalism <i>is</i> upheld. Impartiality is the core value and guiding principle for RTHK programming.		Guidelines is in place to provide accurate, impartial, <i>fair</i> and objective news, public affairs and general programming that inform, educate and entertain the public, and that the highest professional standards of journalism <i>are</i> upheld. Impartiality is the core value and guiding principle for RTHK programming.
3.3	As the Editor-in-chief, the Director is accountable for editorial decisions taken by RTHK programme producers.	3.3	No change
4.	STATUS AND RESPONSIBILITIES OF RTHK AND RELATIONSHIP WITH CEDB AND THE SECRETARY	4.	STATUS AND RESPONSIBILITIES OF RTHK AND RELATIONSHIP WITH CEDB AND THE SECRETARY
4.1	RTHK is a Government department under the policy purview and housekeeping oversight of the CEDB. It is subject to all applicable Government <i>rules and regulations, including those on financial control, human resources management and procurement matters. Civil servants working in RTHK are subject to the Civil Service Code.</i>	4.1	RTHK is a Government department under the policy purview and housekeeping oversight of the CEDB. It is subject to all applicable Government <i>rules, regulations and monitoring mechanisms.</i>
4.2	<i>RTHK and its staff are subject to the scrutiny of the Office of the Ombudsman, the Audit Commission as well as the Independent Commission Against Corruption in relation to maladministration investigations, independent audits and anti-corruption law enforcement and operational studies respectively.</i>	4.2	Propose to delete

	4.3 / 4.4		No change. <i>Section 4.3. and 4.4 will change to 4.2 and 4.3</i>
5.	BOARD OF ADVISORS AND ITS RELATIONSHIP WITH RTHK	5.	BOARD OF ADVISORS AND ITS RELATIONSHIP WITH RTHK
5.1	There shall be a broad-based Board of Advisors (the Board) to be appointed by the Chief Executive to advise the Director on the services of RTHK. <i>The Board will be responsible for –</i>	5.1	There shall be a broad-based Board of Advisors (the Board) to be appointed by the Chief Executive to advise the Director on the services of RTHK. <i>The Board shall respect RTHK’s editorial independence, share the values of public service broadcasting and be free from political and commercial influence. It will have the following functions:</i>
	<ul style="list-style-type: none"> (i) advising the Director on all matters pertaining to editorial principles*, programming standards and quality of RTHK programming; (ii) receiving reports on complaints against editorial principles, programming standards and quality of RTHK programming; (iii) receiving reports of public opinion surveys regularly conducted by RTHK to track how well RTHK programming meets up to audience expectations; (iv) receiving reports on the performance evaluation of RTHK and advising the Director on ways to improve service delivery; (v) advising the Director on matters relating to community participation in broadcasting on radio and television channels, including advising on the rules for disbursement of the <i>Community Broadcasting Involvement Fund</i>; and (vi) initiating studies and research on issues pertaining to the 		<p>(i); (ii); (iii); (iv) No change</p> <p>(v) advising the Director on matters relating to community participation in broadcasting on radio and television channels, including advising on the rules for disbursement of the <i>Community Broadcasting Involvement Fund**</i>;and</p>

	achievement of the public purposes and mission of RTHK.		
	* RTHK should be (a) accurate <i>and authoritative</i> in the information it disseminates; (b) <i>balanced</i> in the views it reflects, and <i>even-handed</i> with all who seek to express their views via the public service broadcasting platform; (c) immune from commercial, political and/or other influences; and (d) uphold the highest professional standards of journalism.		* RTHK should be (a) accurate in the information it disseminates; (b) <i>diverse</i> in the views it reflects, and <i>fair</i> with all those who seek to express their views via the public service broadcasting platform; (c) immune from commercial, political and/or other influences. <i>RTHK should also</i> uphold the highest professional standards of journalism.
			** <i>The Community Broadcasting Involvement Fund will be set up to provide financial support for community groups (e.g. ethnic minority groups, non-governmental organizations, etc.) to actively participate in broadcasting and content productions. RTHK will administer the Fund in consultation with the Board of Advisors, to encourage community organisations to bid for resources for producing television and radio programmes, and will arrange to broadcast these contents on RTHK’s channels.</i>
5.2	The Board shall comprise a balanced mix of persons with good local knowledge and varying expertise, who are appointed in their personal capacity. Members of the Board shall include - (i) a non-official Chairman; (ii) member(s) with industry/professional experience. These	5.2	No Change

	<p>include persons from various sectors such as media, journalism, education, arts and culture, technology, legal, accounting and/or finance, persons with senior management experience and expertise, as well as persons with experience in serving the interests of minorities and/or the underprivileged;</p> <p>(iii) lay member(s) whose personal knowledge and/or experience may contribute positively to the achievement of the public purposes and mission of RTHK; and</p> <p>(iv) the Director as the ex-officio member.</p>		
<p>5.3</p>	<p>The Board shall maintain regular communication with the RTHK management <i>and staff</i>, but it will not be involved in the day-to-day operation or staffing matters of RTHK, which are to be dealt with by the Director and the RTHK management. The Board is advisory in nature. It has no executive power. The ultimate editorial responsibility for RTHK rests with the Director.</p>	<p>5.3</p>	<p>The Board shall maintain regular communication with the RTHK management, but it will not be involved in the day-to-day operation or staffing matters of RTHK, which are to be dealt with by the Director and the RTHK management. The Board is advisory in nature. It has no executive power. The ultimate editorial responsibility for RTHK rests with the Director.</p>
<p>5.4</p>	<p>The Director, as the head of RTHK and the ex-officio member of the Board, may seek advice of the Board on matters pertaining to editorial principles, programming standards, quality of RTHK programming and community participation in broadcasting, and should –</p> <p>(i) give due weight and consideration to all advice provided by the Board. The Director shall report and explain to the Board</p>	<p>5.4</p>	<p>No change</p>

	<p>the reasons for not following the advice of the Board;</p> <p>(ii) submit performance evaluation reports to the Board and seek its advice on related matters; and</p> <p>(iii) provide secretarial and other necessary support to the Board in carrying out its responsibilities set out in paragraph 5.1 above.</p>		
6.	PROGRAMME AREAS	6.	PROGRAMME AREAS
6.1	<p>The key programme areas of activity undertaken by RTHK which are overseen by CEDB are:</p> <p>(i) provision of public-service radio services;</p> <p>(ii) provision of public-service television services; and</p> <p>(iii) provision of public-service new media services.</p>	6.1	No Change
6.2	<p>The objectives with regard to the programming of each programme area are:</p> <p>(i) on its radio services to:</p> <p>(a) provide on its channels a range of quality output in the fields of information, education, entertainment and cultural enrichment;</p> <p><i>(b) develop and implement a strategy which gives a clear definition to channel identity, provide programming which serves various sectors of the community such as children, young persons, senior citizens, the English and Putonghua-speaking communities, ethnic minorities, etc;</i></p> <p>(c) give emphasis to the provision of <i>balanced</i> and objective</p>	6.2	<p>(i) (a) No change</p> <p><i>(b) develop and implement a strategy which gives a clear definition to channel identity and is appealing to various sectors of the community;</i></p> <p>(c) give emphasis to the provision of <i>impartial</i> and objective</p>

	<p>news and public affairs programming;</p> <p>(d) provide a platform for the communication and exchange of views on public policies and community matters;</p> <p>(e) support and promote community participation in broadcasting;</p> <p>(f) provide news bulletins/summaries in Chinese, English <i>and other languages as appropriate</i> on a round-the-clock basis;</p> <p>(g) maintain and develop programming designed to encourage audience participation and community involvement, and serve minority audience needs;</p> <p>(h) maintain and develop original programming designed to foster in the community an interest in music, culture and the arts, and encourage the development of the creative industries and local talent; and</p> <p>(i) provide for the relay of national and international broadcasting services.</p>		<p>news and public affairs programming;</p> <p>(d); (e) No change</p> <p><i>(f) provide news bulletins/summaries in Chinese, English on a round-the-clock basis;</i></p> <p>(g); (h); (i) No change</p>
<p>6.2</p>	<p>(ii) for its television services to:</p> <p>(a) provide television services notably in areas not adequately provided by commercial television broadcasters;</p> <p>(b) provide programmes, including programmes produced for the Government, for prime time transmission through the commercial television broadcasters;</p> <p>(c) give emphasis to the provision of <i>balanced</i> and objective public affairs programming;</p>		<p>(a); (b) No change</p> <p>(c) give emphasis to the provision of <i>impartial</i> and objective public affairs programming;</p>

<p>(d) provide a platform for communication and exchange of views on public policies and community matters;</p> <p>(e) support and promote community participation in broadcasting;</p> <p>(f) give emphasis to productions with locally produced original content;</p> <p>(g) maintain and develop programming designed to encourage audience participation and community involvement, and serve minority audience needs;</p> <p>(h) maintain and develop original programming designed to foster in the community an interest in music, culture and the arts, and encourage development of the creative industries and local talent; and</p> <p>(i) provide for the relay of national broadcasting.</p>		<p>(d); (e); (f); (g); (h); (i) No change</p>
<p>(iii) in its new media services to:</p> <p>(a) make available a wide range of radio and television programming on the Internet;</p> <p>(b) give emphasis to the provision of e-learning projects;</p> <p>(c) provide an e-platform for communication and exchange of views <i>on public policies and community matters;</i></p> <p>(d) provide a channel for receiving feedback <i>on the RTHK services through the Internet;</i> and</p> <p>(e) provide live and recorded programming through a streaming format and mobile connection.</p>		<p>(a); (b) No change</p> <p><i>(c) provide an e-platform for communication and exchange of views;</i></p> <p><i>(d) provide a channel for receiving feedback on RTHK services; and</i></p> <p>(e) No change</p>

6.3			6.3 <i>The programme mix of RTHK should include local original content production. Through a mix of in-house, co-production and commissioned programming, RTHK should aim to contribute to the growth of a local content production industry. Co-production may include partnership with national and international broadcasters and content providers.</i>
7	MODES OF SERVICE DELIVERY 7.1. The modes of service delivery of RTHK should include digital audio broadcast as well as analogue AM and FM radio services, digital television broadcasting services as well as new media services.		No Change
8.	<i>PROGRAMMING DIRECTIONS</i>		<i>COMMUNITY BROADCAST</i>
8.1	<i>RTHK should adopt the following measures in its programming productions -</i> <i>(i) local original content production. Through a balanced mix of in-house, co-production and commissioned programming, RTHK should contribute to stimulate the growth of a local content production industry;</i> <i>(ii) partnership with national and international broadcasters and content producers. RTHK should foster cooperation with its national and international counterparts with a view to promoting Hong Kong's brand nationally and internationally and widening the perspective of the local</i>		8.1 <i>(i) Moved to 6.3</i> <i>(ii) Proposed to delete</i> <i>(iii) revised (pls refer to the para below)</i> <i>(iv) Proposed to deleted</i> <i>RTHK should allocate part of its airtime and resources within its digital services to provide a platform for community participation in broadcasting. This should be kept separate and distinct from RTHK's public service programming. RTHK should administer a Community Broadcasting Involvement Fund to provide financial support for</i>

	<p><i>audience;</i> (iii) community participation in broadcasting. RTHK should allocate part of its airtime and resources within the development of its digital services to provide a platform for community participation in broadcasting. Upon the establishment of the Community Broadcasting Involvement Fund and the conduct of a pilot scheme, RTHK should administer the Fund to provide financial support for community groups in their programming production; and <i>(iv) subject to spectrum and technical readiness, RTHK may broadcast in parts or in whole national and international radio/television services.</i></p>		<p><i>community groups according to rules set down in consultation with the Board of Advisors.</i></p>
<p>9.</p>	<p>PROGRAMMING CONTENT REGULATION</p>	<p>9.</p>	<p>PROGRAMME CONTENT REGULATION</p>
<p>9.1</p>	<p>RTHK shall ensure that unless otherwise approved by the BA, all television and radio <i>programming</i> broadcast on its platform or supplied for broadcasting by licensed broadcasters in Hong Kong shall comply with :- (i) the relevant codes of practices issued by the BA to regulate the standards of <i>programming</i> broadcast by broadcasters holding licences issued under the Broadcasting Ordinance or the Telecommunications Ordinance; and (ii) any amendments to the codes of practice issued by the BA from time to time.</p>	<p>9.1</p>	<p>RTHK shall ensure that unless otherwise approved by the BA, all television and radio <i>programmes</i> broadcast on its platform or supplied for broadcasting by licensed broadcasters in Hong Kong shall comply with :- (i) the relevant codes of practices issued by the BA to regulate the standards of <i>programmes</i> broadcast by broadcasters holding licences issued under the Broadcasting Ordinance or the Telecommunications Ordinance; and (ii) any amendments to the codes of practice issued by the BA from time to time.</p>

9.2	The BA shall investigate all complaints received by it, including complaints lodged by the Television and Entertainment Licensing Authority (TELA), against any <i>programming</i> broadcast on RTHK’s platform or supplied by RTHK for broadcasting by licensed broadcasters in Hong Kong.	9.2	The BA shall investigate all complaints received by it, including complaints lodged by the Television and Entertainment Licensing Authority (TELA), against any <i>programme</i> broadcast on RTHK’s platform or supplied by RTHK for broadcasting by licensed broadcasters in Hong Kong.
9.3	For the purpose of such investigation, the BA may require RTHK to provide, free of charge, a true and authentic copy of the <i>programming</i> under complaint. RTHK shall comply with the requirement unless the notice of the requirement reaches RTHK more than 90 days after the broadcast of the <i>programming</i> . Where a <i>programming</i> has been broadcast more than once, the 90 days will run from the date of the last broadcast.	9.3	For the purpose of such investigation, the BA may require RTHK to provide, free of charge, a true and authentic copy of the <i>programme</i> under complaint. RTHK shall comply with the requirement unless the notice of the requirement reaches RTHK more than 90 days after the broadcast of the <i>programme</i> . Where a <i>programme</i> has been broadcast more than once, the 90 days will run from the date of the last broadcast.
	9.4 / 9.5 / 9.6		No Change
9.7	The BA shall decide on the classification of the complaint (namely, whether it is unjustified, partially justified or justified), and may impose appropriate sanctions <i>to RTHK including ordering to issue public apologies and/or to make appropriate corrections.</i>	9.7	The BA shall decide on the classification of the complaint (namely, whether it is unjustified, partially justified or justified), and may impose appropriate sanctions <i>on RTHK including an order to issue a public apology and/or make appropriate corrections.</i>
	9.8 / 9.9		No Change
10.	PERFORMANCE EVALUATION	10.	PERFORMANCE EVALUATION
10.1	RTHK should prepare an annual plan in consultation with the	10.1	RTHK should prepare an annual plan in consultation with the

	Board and the Secretary. The annual planning process will include a public engagement exercise to solicit views from the community <i>and the use of RTHK’s hotlines as well as focus group discussions</i> , with a view to enhancing transparency and accountability.		Board and the Secretary. The annual planning process will include a public engagement exercise to solicit views from the community with a view to enhancing transparency and accountability.
10.2	RTHK should devise, and regularly review, internal procedures to handle public complaints against its operations and programming.	10.2	No change
10.3	In order to provide a basis for public scrutiny of the extent to which RTHK delivers its public service mission and returns value for the public money it expends, RTHK should set clear targets, develop measurable performance evaluation indicators and conduct regular assessments.	10.3	No change
10.4	RTHK should issue performance pledges and compile performance evaluation reports regularly, <i>and submit relevant compliance and evaluation reports to the Board for reference and advice.</i>	10.4	<i>RTHK should issue performance pledges and compile performance evaluation reports on a regular basis.</i>
10.5	<i>RTHK should consult the Board on changes to the performance evaluation indicators and on the adoption of new indicators.</i>		Proposed to delete
11	TRANSPARENCY IN OPERATION	11	TRANSPARENCY IN OPERATION
	11.1		No Change
11.2	The annual report should set out details on RTHK’s operation	11.2	The annual report should set out details on RTHK’s operation

	<p>in the past year, its performance pledges, the extent to which it has met its public purposes and mission, programming objectives, developments in its modes of service delivery and programming directions, achievements in performance evaluation, compliance in the areas of corporate governance and accountability, complaints handling, related figures and follow-up action, <i>etc</i></p>		<p>in the past year, its performance pledges, the extent to which it has met its public purposes and mission, programming objectives, developments in its modes of service delivery and programming directions, achievements in performance evaluation, compliance in the areas of corporate governance and accountability, complaints handling, <i>as well as related information and follow-up action.</i></p>
<p>12</p>	<p>FINANCIAL PLANNING AND CONTROL</p>		<p>Proposed to delete</p>