

**Minutes of the 5<sup>th</sup> meeting of  
RTHK Board of Advisors  
held at 2:30 pm, 15 November 2011  
in the Board Room, Broadcasting House,  
30 Broadcast Drive, Kowloon**

**Present :**

Mr Lester G. HUANG, JP (Chairman)  
Dr Eugene CHAN Kin-keung, JP  
Ms FUNG May-gay  
Mr C.K. LAU, JP  
Mr Maurice LEE Wai-man, BBS, JP  
Ms Marisa YIU  
Miss Lisa Marie DJENG Kar-yee  
Mr Roy Tang, Director of Broadcasting

**In attendance from RTHK**

Mr Gordon LEUNG, Deputy Director of Broadcasting  
Mr TAI Keen-man, Deputy Director of Broadcasting  
Mr CHAN Yiu-wah, Head/Digital Audio Broadcasting (Agenda item 3)  
Miss Jace AU, Leader of RTHK's Working Group on Community Broadcasting  
(Agenda item 3)  
Ms CHAN Man-kuen, Head/Corporate Communications & Standards  
(Agenda item 4)  
Ms Amy KWONG (Board Secretariat)

**Absent with apologies**

Mr Ringo LAM Wing-kwan  
Mr Raj Sital MOTWANI, BBS, JP

**Secretary :**

Mr David CHOW (Board Secretariat)

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1. The Chairman welcomed Mr Roy TANG, Director of Broadcasting, who attended the meeting for the first time.

### **Agenda Item 1 : Confirmation of the minutes of the last meeting**

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2. The Chairman said that the Secretariat had circulated the draft minutes of the last meeting held on 26.8.2011 for Member's comments on 22.9.2011 and Members had made no amendment to it. Therefore, the minutes of the last meeting were confirmed without amendments.

### **Agenda Item 2 : Matters arising**

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3. The Chairman said that Ms Jolly Wong had resigned in August 2011. He hoped that a replacement could be appointed at an earlier date.

### **Agenda Item 3 : Public Consultation Paper on Community Broadcasting Involvement Services (BOA Paper 12/2011)**

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4. Miss Jace AU presented the paper.
5. Members generally opined that the draft consultation paper had appropriately set out the core issues of Community Broadcasting Involvement Services (CBIS) to consult the public. The approach and content of the paper were agreeable.

#### Service targets of CBIS

6. A Member said that as mentioned in paragraph 2.6 of the paper, most of the CB programmes would be amateurish. Therefore, proposals should be assessed on the basis of programme content.

#### Eligibility criteria for Community Broadcasting (CB) producers

7. A Member said that it was mentioned in paragraph 2.11 of the paper that priority would be accorded to applications from registered groups. However, there was no mention about the eligibility of individual applicants in case applications from them were accepted.
8. Mr Roy TANG replied that it was common in other public funding schemes that those who possessed a valid Hong Kong Identity Card could apply. RTHK inclined to adopt the same practice.

### Relationship between RTHK and CB producers

9. A Member said that he had reservation on live broadcast in CBIS because it would be difficult for RTHK to ensure that CB producers could comply with the Broadcasting Authority regulations.
10. However, another Member pointed out that according to paragraph 2.15 of the paper, proposals on live broadcast would only be considered if there was an actual need in programme design and proven record of technical ability.
11. A Member suggested that the attributes required of the CB programmes should be stated clearly in the invitation for applications.
12. In response to Members' enquiries, Mr Tai Keen-man replied that -
  - (a) CB producers would be allowed to borrow RTHK's sound records for purpose of the production of their programmes, if there was proven needs; and
  - (b) Copyright of CB programmes would be owned by CB producers. However, RTHK would make it a contractual term with CB producers that they should obtain the copyright required for the programme production and RTHK owned the broadcasting rights on RTHK's channels.

### Facilitation and support by RTHK

13. A Member said that the proposed facilitation provided by RTHK for CB producers was adequate. In fact, the orientation training on basic technical requirements provided for CB producers could benefit not only CBIS but also the media sector in general because the technical skills acquired by CB producers were applicable to their participation in broadcasting on other platforms.

### Selection criteria and process of CBIS and Community Broadcast Involvement Fund (CBIF)

#### Composition of vetting committee

14. A Member said that the creative industry in Hong Kong was small and it was possible that expert members and applicants might know each other. Therefore, it was important that there was a balanced composition of expert members and lay members in the vetting committee.

15. A Member said that RTHK was professional in broadcasting. Hence, it was more appropriate for the Director of Broadcasting (DB) to assume the decision-making role in vetting of applications on the advice of the vetting committee.
16. However, another Member opined that as the Controller of the CBIF, DB should not be involved in the vetting mechanism. Instead, he should oversee the operation of the CBIS and play an adjudicating role in case of dispute and complaint.
17. Mr Roy TANG said that subject to the Board's endorsement of the paper, RTHK would consult the Panel on Information Technology and Broadcasting of the Legislative Council (LegCo) in coming December. It could be envisaged that LegCo Members would expect a high level of public participation in the vetting process. This was also the experience of other public funding schemes such as the Community Investment and Inclusion Fund. Therefore, though RTHK was yet to consider the composition of the vetting committee, it was expected that the general public would form the majority of the vetting committee. DB would assume the final responsibility in RTHK's management of the CBIS. As regards the size of the vetting committee, since vetting committee members would be drawn to serve on vetting panels by rotation on a quarterly basis and more than one panel might be required each time, it was initially thought that over 100 members might be required to make up the vetting committee.

#### Selection criteria and vetting process

18. Some Members said that since public funds were involved, it was necessary to closely monitor the use of approved fund by CB producers and the progress of programmes production. Besides, CB producers should also be required to submit an audited financial statement.
19. Mr TAI Keen-man said that approved funding would be allocated to CB producers on a re-imburement basis. However, some Members said that some CB producers such as students might not be able to disburse the production cost, though it was only \$15,000 for each programme. RTHK would need to consider how to handle such cases.
20. A Member asked whether there would be a mechanism to facilitate vetting panels to assess the proposals. Another Member added that in case several vetting panels were required to be formed to cope with the applications, mechanism should be

put in place to ensure consistency in marking standards among the panels.

21. Mr Roy TANG said that RTHK staff would provide secretariat support to the vetting committee. They would perform initial vetting and offer their technical advice on the proposals for the vetting panel's consideration. However, RTHK staff would not be involved in the vetting panel's assessment process.
22. A Member said that the creative industry was quite unique. CB producers who possessed the talent in programme production might not be able to prepare quality paper proposals. Therefore, it was necessary to consider if more innovative method of proposal submission could be adopted such as digital format of proposal such as sound recording, interactive interview and so forth. Members generally considered that this suggestion should be explored.
23. A Member said that it was advisable to adopt a two-stage approach in the assessment process. At the initial vetting stage, proposals would be assessed mainly on the basis of creativity and uniqueness. The vetting panel might take the opportunity to inspire the applicants to improve their proposals if they were eventually selected for the second stage which was normally in the form of an interview. However, to avoid possible legal dispute when implementing this mechanism, it was necessary to make it clear in the invitation for application that this was an invitation for partnering proposal and not an invitation for tender. Under a partnering proposal, RTHK could reserve all rights in making changes to the rules and regulations relating to assessment and acceptance of the applications.

#### Way forward

24. Mr TAI Keen-man said that RTHK would take note of the comments and suggestions of the Board when finalizing the consultation paper and implementation details of CBIS. The consultation paper only set out broad issues concerning the framework of the CBIS for the public to offer their comments. RTHK would work out the implementation details after the public consultation. Since the Pilot Project would last for 3 years, implementation details could still be fine-tuned on the basis of actual experience gathered after implementation of the project.
25. Mr Roy TANG also thanked Members for their comments on the consultation paper and the CBIS. He added that RTHK planned to launch a three-month public

consultation before the end of 2011. Public consultation would be organized through various channels such as town hall meetings in early 2012. RTHK would report the initial findings of the public consultation to the Board at its meeting in late February 2012. It was planned that applications would be invited in mid 2012 and the CBI service would be launched at the end of 2012.

**Agenda Item 4 : Surveys initiated by the Board of Advisors – The way forward (BOA Paper – 12/2011)**

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26. Ms CHAN Man-kuen presented the paper.
27. Members generally considered that survey to be initiated by the Board should not overlap with those conducted by RTHK such as ratings surveys. Their views were summarized below –
  - (a) Budget for the survey was a major concern as sample size would have implication on survey outcome;
  - (b) The survey should measure public expectations of RTHK as a public service broadcaster (PSB) in the following aspects –
    - (i) its role, development directions and duties;
    - (ii) needs and preferences of the public, especially those minority groups, on programme content;
    - (iii) whether RTHK should re-position itself as a PSB for all Chinese speaking communities in the world; and
    - (iv) whether RTHK had ensured plurality and balanced views in its programmes.
28. A Member suggested that reference could be made to the Tracking Survey conducted by BBC Trust on how BBC had promoted its public purposes detailed in paragraph 8 of the paper.
29. A Member suggested that the public purpose “Education” should be replaced by words like “inspiration”, “knowledge sharing” and so forth.

30. Another Member suggested that to suit the circumstances of Hong Kong, the public purpose “Nation” could be defined as the facilitation and promotion of the mutual understanding between Hong Kong and the Mainland. RTHK could jointly organize programmes with the Hong Kong Economic and Trade Offices in the Mainland for the purpose.
31. Mr TAI Keen-man said that the Commerce and Economic Development Bureau had conducted a public consultation “The New Radio Television Hong Kong - Fulfilling its Mission as a Public Service Broadcaster” in 2009. The consultation paper set out proposals on how to enhance the role and functions of the new RTHK as a PSB and sought views from the public on the implementation measures. RTHK would take note of Members’ opinions and discussed with survey experts with a view to drawing up proposal for the Board’s consideration at future meeting.

[Post-meeting note : The web-link of the public consultation “The New Radio Television Hong Kong - Fulfilling its Mission as a Public Service Broadcaster is: <http://www.cedb.gov.hk/ctb/eng/psb/consult.pdf>]

#### **Agenda Item 5 : Annual report of the Board of Advisors**

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32. A Member said that the approach and content of the Annual Report were in general agreeable. However, to address the concern of the public as to whether the Board would affect the editorial independence of RTHK, it was necessary to mention in the Annual Report that the Board adopted full transparency of its work and had maintained a good working relationship with RTHK.
33. Another Member added that it should be mentioned that the Board fully appreciated the hard work and professionalism of RTHK colleagues.
34. After discussions, Members agreed to include the following points in the Annual Report –
- (a) The Board adopted full transparency in its work. The agenda, papers and minutes of the meetings were published on its homepage;
  - (b) The Board thanked RTHK for the support it had given to the work of the Board;

- (c) The Board appreciated the professionalism and devotion of RTHK colleagues as they were working in a crowded environment and with production equipment which was not so advanced; and
  - (d) The Board fully supported the new RTHK project and considered that more resources should be allocated to RTHK's operation.
35. A Member enquired why the topic "Webcast of the funeral of the Mr SZETO Wah" was mentioned in the Annual Report.
36. Others Members generally considered that the matter was related to the Board's concern about the editorial decision-making process adopted by RTHK in the incident. However, the topic should be renamed as "Editorial and procedural guidelines for webcasts".
37. A Member suggested that it was not necessary to put the profession of Members on the membership list in the Annex to the Annual Report. Other Members agreed.

**Agenda Item 6(a) : Quarterly updates on programmes**

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38. Mr Tai Keen-man presented the paper and Members noted the contents.

**Agenda Item 6(b) : Quarterly updates on complaints**

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39. Mr Tai Keen-man presented the paper and Members noted the contents.

**Date of next meeting**

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40. The Chairman informed the meeting that the next meeting would be held on 24 February 2012.