

# Communications Authority press release

The following is issued on behalf of the Communications Authority:

This press release summarises the decisions of the Communications Authority (CA) following its 91st meeting held in December 2019:

Non-compliance with licence requirements on broadcast of announcements in the public interest (APIs) and publicity material for the CA (CA publicity material) by Television Broadcasts Limited (TVB)

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The CA decided that TVB had breached Condition 19.1 of its domestic free television programme service licence (licence) by failing to broadcast some of the scheduled APIs provided by the Government and CA publicity material during the period from July 13 to November 26, 2019, as stipulated under the licence (Note). TVB is required to make up the shortfall in the broadcast of APIs and CA publicity material in the coming three months.

TVB reported to the CA that the broadcast of some of the scheduled APIs and CA publicity material on TVB News channel was pre-empted since July 13, 2019, without compensation to make way for breaking news and live broadcasts relating to or arising out of the recent social events. While the CA noted the circumstances, the CA considered that the difficulties in broadcasting the scheduled APIs and CA publicity material with flexibility permitted under the existing arrangement should not have been insurmountable.

Taking into account TVB's representations as well as all the relevant circumstances of the breach, the CA decided that TVB should be strongly advised to observe the relevant licence condition more closely and be required to provide additional timeslots as compensatory arrangement to make up the shortfall in the broadcast of APIs and CA publicity material in the coming three months.

Non-compliance with the licence requirement on the broadcast of hourly news and weather reports by Hong Kong Commercial Broadcasting Company Limited (CRHK)

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The CA decided that CRHK had breached Condition 23.1(b) of its sound broadcasting licence by failing to broadcast an hourly weather report at 7am and hourly news and weather reports from 8am to 2pm on AM864 Channel on September 2, 2019.

The CA noted that the missed broadcasts of hourly news and weather reports had been due to a technical fault of the microphone in the on-air studio, and that a staff of CRHK had forgotten to read out the weather report at 7am. The CA considered that CRHK had not exercised sufficient vigilance to monitor on-air broadcasts and to avoid human error.

Taking into account CRHK's representations as well as the specific circumstances of the breach, the CA decided that CRHK should be strongly advised to observe the relevant licence condition more closely. The CA noted that CRHK had promptly taken remedial measures with a view to preventing such a recurrence in the future.

Note: TVB is required under Condition 19.1 of TVB's licence to broadcast such APIs and CA publicity material as directed or provided by the CA. In accordance with the licence, TVB has been directed to broadcast on each of its programme channels (a) a maximum of one minute of APIs every single clock hour in accordance with the schedules prepared by the Information Services Department (ISD); and (b) a maximum of five minutes of CA publicity material every week in accordance with the schedules prepared by the Office of the Communications Authority (OFCA).

To give some flexibility to the licensees, the CA allows them to deviate from ISD's and OFCA's schedules under exceptional circumstances (i.e. deviations due to live broadcasts or caused by forces beyond the licensees' control) on condition that the pre-empted APIs and CA publicity material would be broadcast two hours prior to or after the live broadcasts, or within two hours after the scheduled time, as the case may be.