

LCQ12: Operation of RTHK

Following is a question by the Hon Elizabeth Quat and a written reply by the Secretary for Commerce and Economic Development, Mr Edward Yau, in the Legislative Council today (May 27):

Question:

Regarding the operation of the Radio Television Hong Kong (RTHK), will the Government inform this Council:

(1) of the average TV ratings of the programmes broadcast on RTHK's TV 31 and TV 32 channels during the prime time (i.e. from 7pm to 11pm), as well as the average hourly production cost of such programmes, in each of the past two years; whether the Government will request RTHK to consolidate the programmes concerned, so as to release a channel for other purposes; if so, of the details; if not, the reasons for that;

(2) given that the Office of the Communications Authority has received a number of complaints about RTHK's TV programme "Headliner" broadcast on March 13 this year, whether the Government knows the progress of the Communications Authority on following up such complaints;

(3) given that the Charter of Radio Television Hong Kong (the Charter) was made in as early as 2010, whether the Government has plans to review the Charter in order to ensure that its contents keep pace with the times; if so, of the details (including the review direction); if not, the reasons for that;

(4) of the procedures adopted by RTHK for granting copyright licences covering its programmes; the number of programmes in respect of which a licence was granted by RTHK in each of the past three financial years, and set out, by programme name, (i) the name of the organization granted the licence, (ii) total programme hours and (iii) the income so generated;

(5) whether it has reviewed if RTHK's directorate establishment is commensurate with the relevant officers' workload and work efficiency; whether it has plans to downsize the directorate establishment;

(6) as it has been stipulated in the Charter that the RTHK Board of Advisors (the Board) shall maintain regular communication with RTHK management, and that the Director of Broadcasting (the Director) may seek advice of the Board on matters pertaining to the editorial principles, standards and quality of RTHK programming, and on community participation in broadcasting, of (i) the matters on which the Director sought advice of the Board, (ii) the details of the advice given by the Board to the Director, and (iii) the follow-up actions taken by the Director on the advice so given, in the past three years; if there were matters on which follow-up actions had not been taken in accordance with the advice so given, of the details and the reasons for that;

(7) given that while it is stipulated in the Charter that the Board should, through receiving reports on the performance evaluation of RTHK and RTHK's compliance with performance evaluation indicators, advise the Director on matters such as the adoption of appropriate performance evaluation indicators and ways to improve service delivery, and that RTHK should produce an annual report no later than six months after the conclusion of the year reported on, the Director of Audit pointed out, in his value for money audit report on "Radio Television Hong Kong: Provision of programmes" issued in November 2018, that RTHK had neither submitted any performance evaluation report to the Board, nor prepared any annual report, whether the Government has gained an understanding from RTHK of the reasons for that; and

(8) of RTHK's mechanism in place to follow up the complaints against its programme staff for allegedly having a biased stance and disseminating inaccurate statements, etc.; as the Government has pointed out that the presentation of RTHK in its programme "The Pulse" broadcast on March 28 this year breached the One-China Principle and the public purposes and mission stipulated in the Charter, of the details of the follow-up actions taken by RTHK and the programme staff of the programme on the matter?

Reply:

President,

Radio Television Hong Kong (RTHK) is both a public service broadcaster and a government department. The roles that RTHK should play and the objectives that it should achieve are clearly stipulated in the Charter of RTHK (Charter). RTHK enjoys editorial independence, but not without any restraints. The Charter specifies that RTHK, as a public service broadcaster, should comply with the relevant code of practices issued by and complaints handling mechanism of the Communications Authority (CA), and attach great importance and give due consideration to the views of the RTHK Board of Advisors. As a government department, RTHK is under the policy purview and housekeeping oversight of the Commerce and Economic Development Bureau (CEDB). RTHK and its staff are subject to all rules and regulations applicable to government departments. CEDB has all along been handling RTHK matters in accordance with the Charter.

Our reply to the various parts of the question raised by the Member is as follows:

(1) For RTHK TV 31 programmes, the average rating in 2018 and 2019 was 0.1 (8 000 viewers) and 0.3 (19 600 viewers) respectively. As regards RTHK TV 32 programmes, the average rating in 2018 and 2019 was 0.0 (1 400 viewers) and 0.5 (32 700 viewers) respectively. RTHK has no separate breakdown of ratings of digital television (TV) channels by period.

Regarding production costs, the cost per transmission hour on RTHK's digital TV channels in financial years 2018-19 and 2019-20 was \$25,150 and \$19,390 respectively.

RTHK TV 31 offers programmes of diversified topics, covering current and public affairs, education, arts and culture and minority interests. RTHK TV 32 mainly broadcasts Legislative Council meetings, news, press conferences and sports events, etc. As the two channels have different positioning, there is no plan to consolidate the channels.

(2) According to the Charter, RTHK should ensure that all its TV and radio programmes should comply with the relevant codes of practices issued by the CA for regulating the programme standards of broadcasting licensees. In accordance with the established mechanism, the CA adopts consistent standards and procedures in handling complaints against programmes of commercial and public service broadcasters.

As regards the RTHK TV programme "Headliner" broadcast on February 14, 2020, the CA received over 3 300 complaints, and announced its decisions on May 19, 2020. The CA took the view that the complaints in respect of accuracy of factual contents, denigration of and insult to the Police, and expression of a sufficiently broad range of views in personal view programmes were substantiated, and decided that RTHK should be warned to observe more closely the relevant provisions in the Generic Code of Practice on Television Programme Standards (Code). Given that RTHK, as a public service broadcaster, had been repeatedly ruled to have breached the various provisions in the Code, CEDB took the view that the situation was very serious and had asked RTHK to undertake the following response:

(1) to state clearly the acceptance of the CA's decision regarding complaints against the programme "Headliner" and to offer an apology;
(2) to examine whether there is any negligence and error committed by staff and personnel in the course of the programme production and editorial processes, and, if so, to follow up or take disciplinary actions; and
(3) to conduct a full review of the programme production and editorial mechanism in order to ensure that all RTHK programmes fulfil in full the public purposes and mission specified in the Charter.

RTHK indicated that it accepted the CA's ruling and would follow up seriously. RTHK apologised to the people being discontented with RTHK and the police officers feeling offended due to the series of events. Furthermore, RTHK had decided to immediately pull the episodes involved in the CA's rulings from the shelves, cease production of "Headliner" after the broadcast of this season, and immediately launch the review on that programme.

As regards the RTHK TV programme "Headliner" broadcast on March 13, 2020, the CA has received 5 complaints, which are being processed.

(3) After comprehensive discussion and consultation, the Government promulgated the Charter, which was announced in August 2010 and signed by the then Chief Secretary for Administration, the Chairman of the Broadcasting Authority and the Director of Broadcasting. CEDB will examine whether there is a need to review on the Charter, having regard to the views of the public and stakeholders.

(4) Any organisation or individual who plans to broadcast RTHK programmes on its own platform may approach RTHK for acquiring the content licence of RTHK programmes. RTHK will set a fee in accordance with the price scheme and the copyright required by the user.

Information on the content licences issued by RTHK in the past three years is as follows:

Year	Number of Organisations	Income (\$million)	Programme hours
2019-20	39	2.52	About 110
2018-19	26	2.34	About 50
2017-18	26	2.32	About 160

The relevant organisations have a wide coverage, including TV stations, online media, news agencies, airlines, libraries, film makers, universities, record companies, publishers, mobile application companies and non-governmental organisations, etc. The content of the programmes include news, current affairs, documentaries, archive footages, dramas, music, arts, literature and interviews, etc.

Due to the confidentiality clause in the contract, RTHK cannot disclose the details of the fees charged for the content licence of individual programme, but the relevant fees are determined in accordance with the established price scheme of RTHK. Having regard to the recommendations of the Director of Audit's Report No. 71 (Audit Report) on RTHK's provision of programmes published by the Audit Commission in October 2018, RTHK conducted an in-depth review on the procedures of issuing content licences (including setting guidelines on how to determine the fees and stipulating the factors to be taken into consideration in determining the fees, which include programme genre, scale of production, licence period and licensing terms involved, etc.), and implemented the relevant recommendations in 2019.

(5) The existing directorate establishment of RTHK meets the actual operational need of the department, and we will review it from time to time.

(6) and (7) According to the Charter, the RTHK Board of Advisors advises the Director of Broadcasting on matters pertaining to editorial principles, programming standards and quality of RTHK programming, service performance evaluation, service improvement and community participation in broadcasting, etc., and receives reports on complaints against editorial principles, programming standards and quality of RTHK programming.

The current Board of Advisors has provided advice on various aspects with regard to the areas mentioned above. The relevant discussions and recommendations are recorded in details in the minutes and the Board of Advisors Annual Reports, which are uploaded onto RTHK's website. RTHK indicated that it attached great importance to the advice tendered by the Board of Advisors, and would certainly relay the views to the production

sections concerned for discussion, review and follow-up.

The Audit Report recommended that RTHK should submit the reports on performance evaluation of RTHK and its compliance with performance evaluation indicators to the Board of Advisors regularly; and to prepare an Annual Report for public inspection in accordance with the requirements of the Charter. RTHK implemented the relevant requirement in 2019.

(8) Regarding the concerns arising from an interview with an official of the World Health Organization in RTHK programme "The Pulse", CEDB holds the view that the presentation in that episode has breached the One-China Principle and the purposes and mission of RTHK as a public service broadcaster as specified in the Charter. CEDB has urged the Director of Broadcasting and RTHK to fully abide by the Charter and that they must handle all programmes in a professional and vigilant manner as required.

RTHK indicated that it had carefully examined and humbly listened to the views of all parties. The management has repeatedly reminded and called on RTHK staff to abide by the One-China Principle which is not to be breached.