

**Public Consultation Exercise for the Mid-term Review of  
Domestic Free Television Programme Service Licences and  
Sound Broadcasting Licences  
(September - November 2021)**

Fantastic Television Limited  
HK Television Entertainment Company Limited  
Television Broadcasts Limited  
Hong Kong Commercial Broadcasting Company Limited  
Metro Broadcast Corporation Limited

**Information Document**



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## OVERVIEW OF THE DOMESTIC FREE TELEVISION PROGRAMME SERVICE LICENCES AND SOUND BROADCASTING LICENCES

### 1. THE LICENSED SERVICES OF DOMESTIC FREE TELEVISION PROGRAMME SERVICE LICENSEES

#### 1.1 Programme Channels

Currently, Fantastic Television Limited (“Fantastic TV”), HK Television Entertainment Company Limited (“HKTVE”) and Television Broadcasts Limited (“TVB”) provide a total of nine free TV channels:

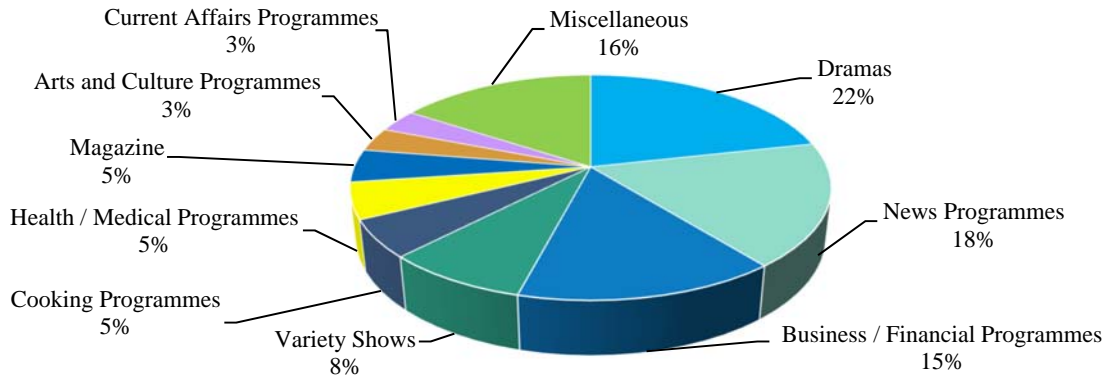
<u>Name of Channel</u>	<u>Channel Description</u>
<b>Fantastic TV</b>	
Hong Kong Open TV	A Cantonese channel offering a variety of local and overseas productions
Hong Kong International Business Channel	An English channel offering a variety of local and overseas productions with focus on business and financial programmes
<b>HKTVE</b>	
ViuTV	A Cantonese channel offering a variety of local and overseas productions
ViuTVsix	An English channel offering a variety of local and overseas productions
<b>TVB</b>	
Jade	A Cantonese channel offering a variety of local and overseas productions
Pearl	An English channel offering a variety of local and overseas productions
J2	A general entertainment channel offering a variety of programmes targeting adultescent
TVB News Channel	A 24-hour news channel
TVB Finance & Information Channel	A channel offering up-to-date information on financial and property markets and other topics of general interests

## 1.2 Programme Types

### 1.2.1 Integrated Chinese Channels

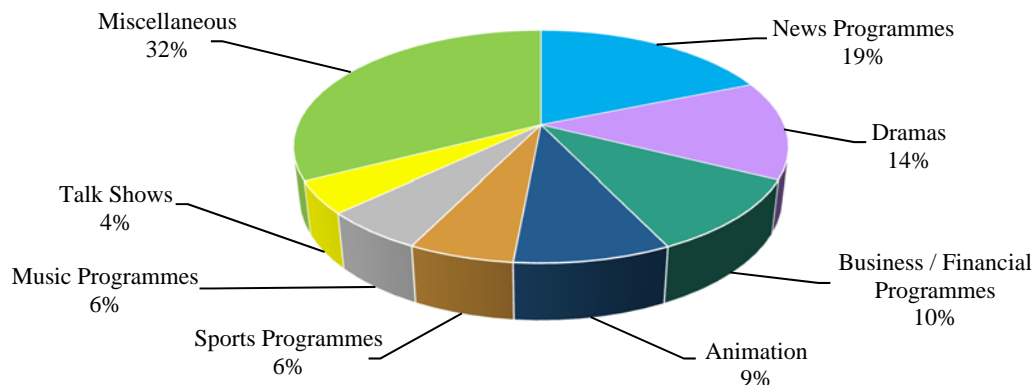
The different genres of programmes provided by Fantastic TV, HKTVE and TVB on their integrated Chinese channels in June 2021 are shown in the following charts –

**Programme Types on Hong Kong Open TV**



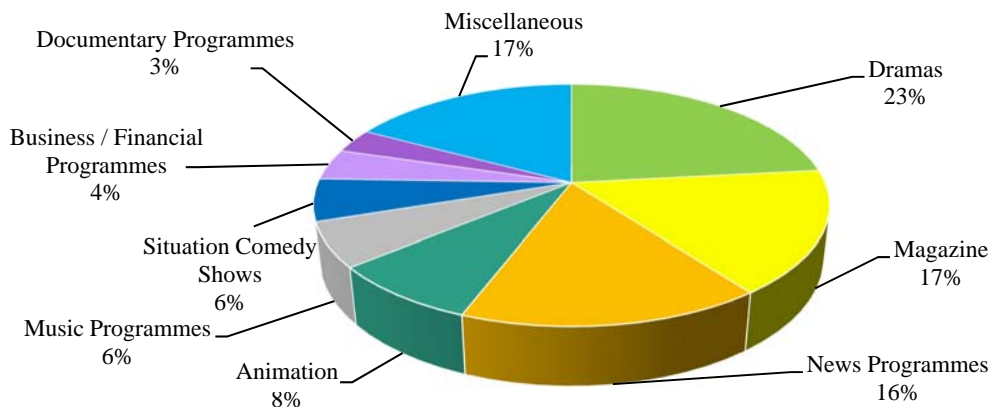
“Miscellaneous” includes children’s programmes, feature films, holiday/travel programmes, fashion shows, sports programmes and youth advisory programmes.

**Programme Types on ViuTV**



“Miscellaneous” includes cooking programmes, holiday/travel programmes, children’s programmes, health/medical programmes and hobbies/leisure programmes.

**Programme Types on Jade**

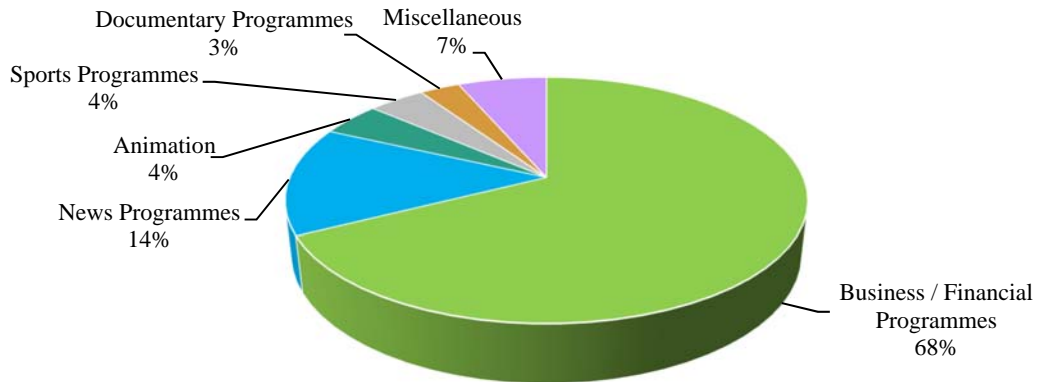


“Miscellaneous” includes children’s programmes, variety shows, talk shows, holiday/travel programmes, cooking programmes, weather programmes, quiz and panel game shows, and health/medical programmes.

### 1.2.2 *Integrated English Channels*

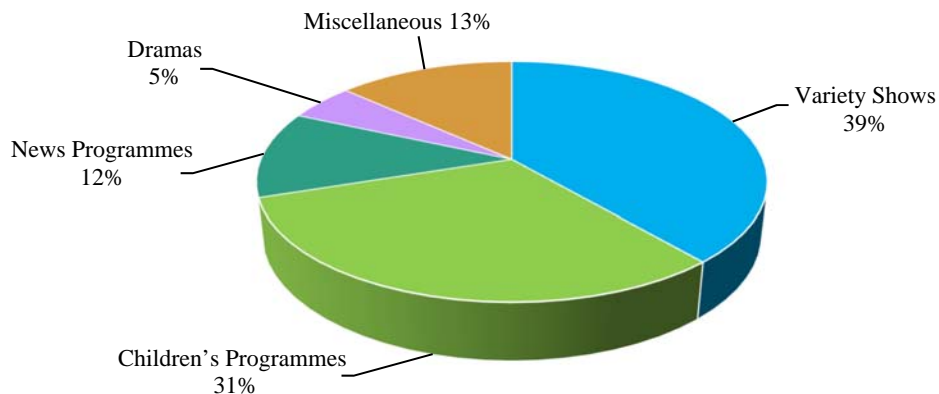
The different genres of programmes provided by Fantastic TV, HKTVE and TVB on their integrated English channels in June 2021 are shown in the following charts –

**Programme Types on HKIBC**



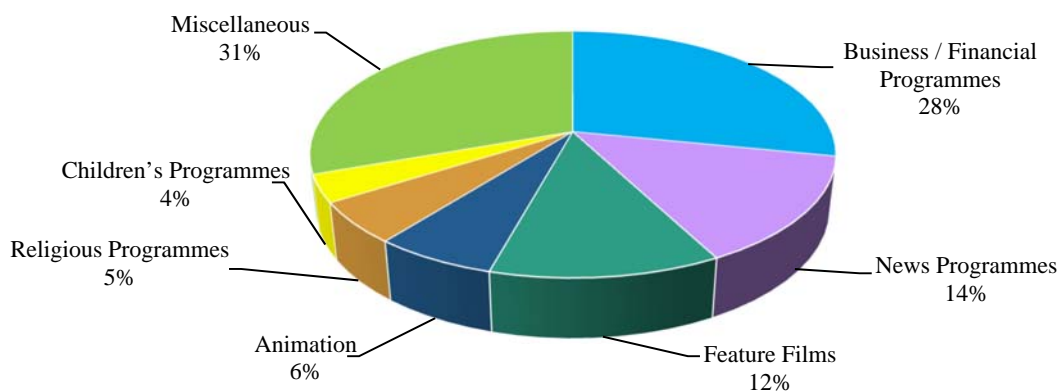
“Miscellaneous” includes holiday/travel programmes, RTHK programmes and current affairs programmes.

**Programme Types on ViuTVsix**



“Miscellaneous” includes feature films, sports programmes and education programmes.

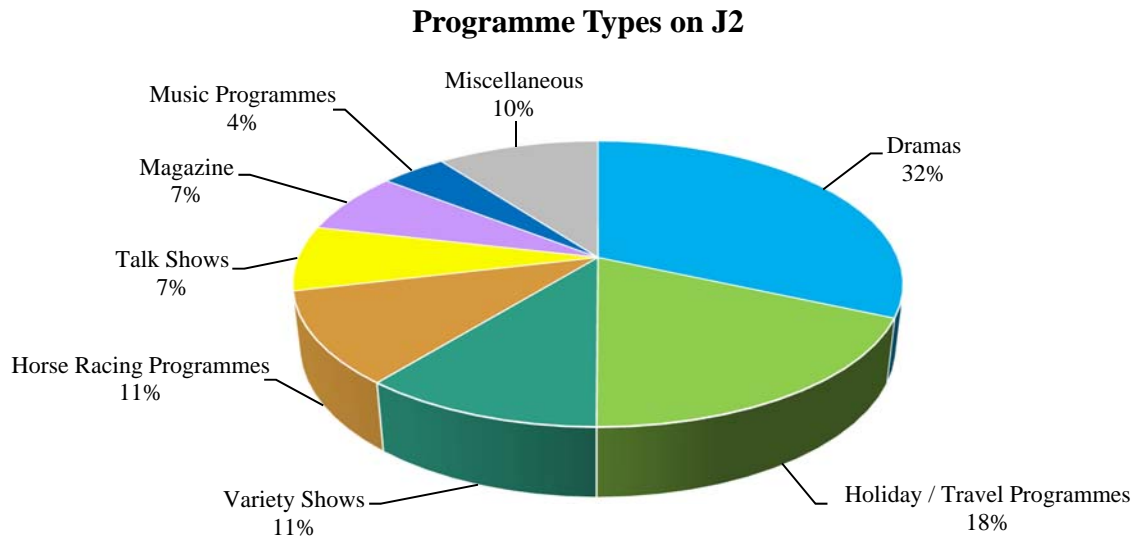
**Programme Types on Pearl**



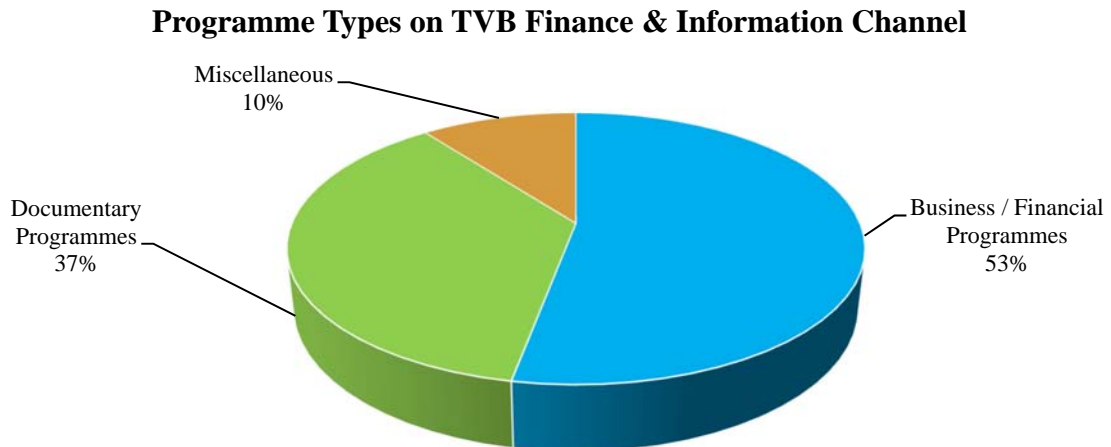
“Miscellaneous” includes holiday/travel programmes, cooking programmes, magazine, dramas, weather programmes and other programmes such as education programmes and hobbies/leisure programmes.

### 1.2.3 *Thematic Channels*

The different genres of programmes provided by TVB on its thematic channels (save for TVB News Channel) in June 2021 are shown in the following charts –



“Miscellaneous” includes youth advisory programmes, non-children’s animation, hobbies/ leisure programmes, quiz and panel game shows, arts and culture programmes, documentary programmes.



“Miscellaneous” includes news programmes, magazine, arts and culture programmes and health / medical programmes, etc.

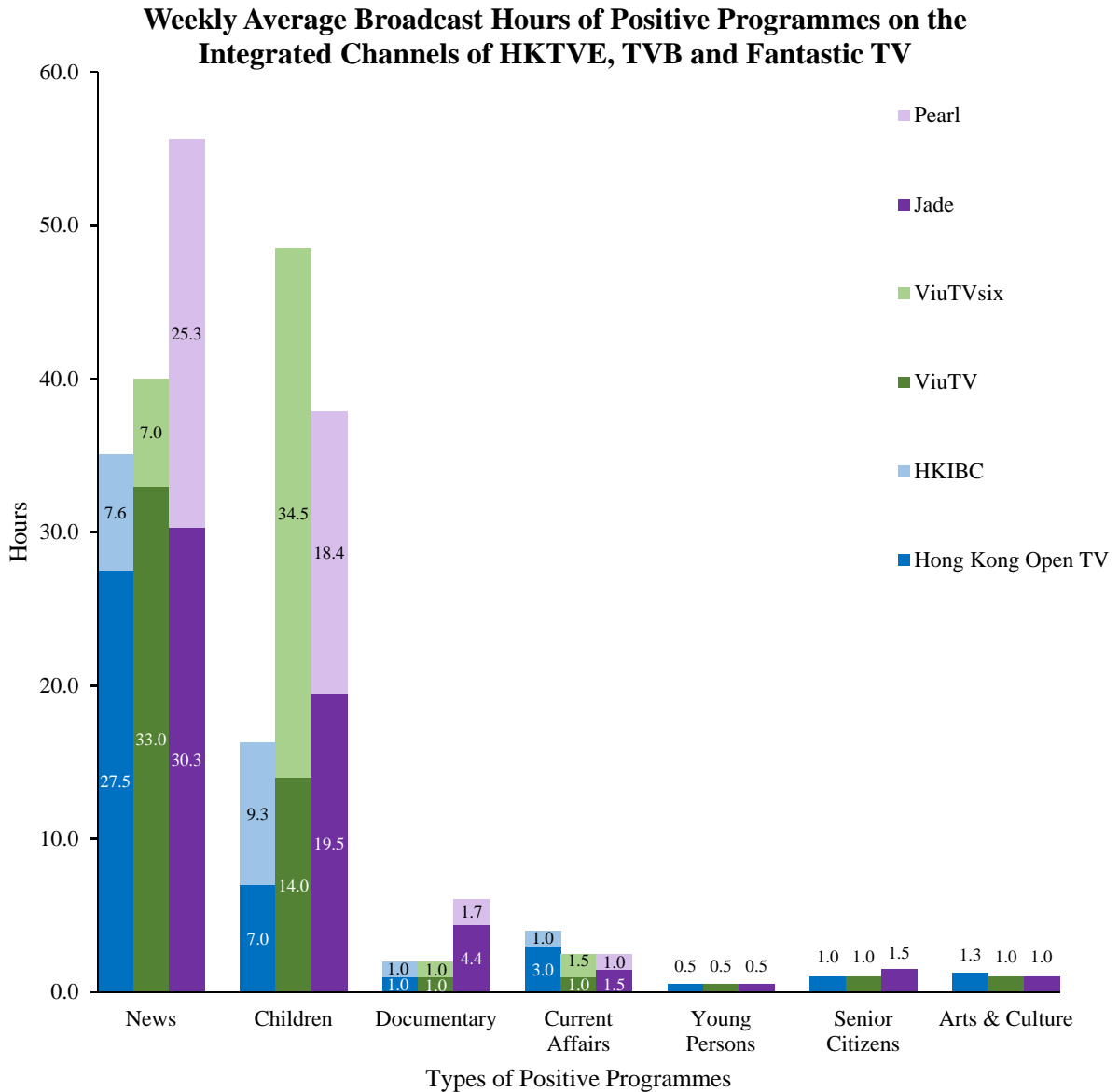
### 1.3 Positive Programme Requirements

During the period under review, Fantastic TV, HKTVE and TVB were each required to broadcast at least 27.5 hours of positive programmes<sup>1</sup> per week on their free TV

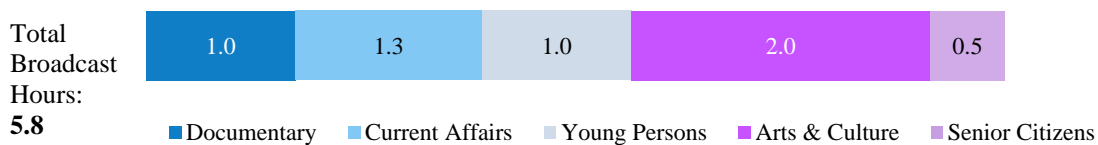
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<sup>1</sup> The positive programmes that Fantastic TV, HKTVE and TVB are required to broadcast comprise news programmes, current affairs programmes, documentary programmes, arts and culture programmes, children’s programmes and programmes for senior citizens and young persons.

channels. They all met the requirements<sup>2</sup>. The weekly average number of hours of the positive programmes broadcast by the three licensees are as follows –



**Weekly Average Broadcast Hours of Positive Programmes on the Thematic Channels of TVB**



<sup>2</sup> TVB was required to broadcast at least 45.5 hours of positive programmes per week, while HKTVE was required to broadcast at least 41.5 hours of positive programmes per week.

As Fantastic TV transmits its service via a fixed network without any use of spectrum, the requirements upon Fantastic TV relating to positive programmes are less onerous than those currently apply to other spectrum-based free TV licensees (HKTVE and TVB). Fantastic TV was required to broadcast at least 27.5 hours of positive programmes per week.

#### 1.4 Complaint Records

During the period from 1 December 2015 to 30 June 2021, the CA received and processed a total of 5 948 cases (involving 65 004 complaints) relating to the materials broadcast by free TV licensees. A breakdown of these complaint cases is set out in the following table –

Licensees Concerned	No. of Complaint Cases	No. of Complaints Involved
<b>Fantastic TV</b>	174	261
<b>HKTVE</b>	475	772
<b>TVB</b>	5 299	63 971
<b>Total</b>	<b>5 948<sup>3</sup></b>	<b>65 004</b>

#### 1.5 Breaches of Regulatory Requirements

Of the 5 948 cases processed during the period under review, the CA found 30 cases substantiated and imposed 31 sanctions<sup>4</sup>. A breakdown of the sanctions imposed is set out in the following table –

Licensee \ Sanction	Financial Penalty	Serious Warning	Warning	Strong Advice	Advice	Total
<b>Fantastic TV</b>	0	0	0	0	4	4
<b>HKTVE</b>	0	0	0	1	4	5
<b>TVB</b>	3 <sup>5</sup>	3	4	4	8	22

<sup>3</sup> The cases attracted most complaints over the period are - (a) eight cases (over 22,000 complaints) against TVB in 2019 and 2020 relating to the social unrest; (b) one case (over 13,000 complaints) against TVB in 2016 relating to the provision of simplified Chinese subtitles only and/or the use of Putonghua in some news programmes; and (c) one case (over 8,200 complaints) in 2016 against the news reports of TVB on a Legislative Council member's remarks that five missing booksellers were allegedly arrested in the Mainland for soliciting prostitutes. All of these complaints were classified by the CA as unsubstantiated.

<sup>4</sup> In 2017, the CA found two contraventions by TVB in a complaint case which involved five programmes broadcast by TVB. As a result, two sanctions were imposed for the breaches by TVB in a single case.

<sup>5</sup> The three financial penalties imposed on TVB in May 2016, November 2016 and June 2018 respectively involved breaches of the provisions that governed indirect advertising and product/service sponsorship. The first case involved the prominent exposure of the brand logo and products of a sponsor (i.e. a fried chicken chain) with complimentary remarks, which constituted blatant advertising material for the sponsor. The second case and the third case involved the gratuitous and editorially unjustified in-programme promotions of the over-the-top and mobile app services (i.e. myTV SUPER and Big Big Channel) operated by the subsidiaries of TVB.

While TVB was involved in three major contraventions of the provisions governing indirect advertising where financial penalties had been imposed, it is noted that TVB's performance in this aspect has been significantly improved since the new regulatory regime came into operation in July 2018 and the remaining contravention was not serious in nature with only "advice" imposed as the sanction.

## 1.6 Six-year Investment Plans

Fantastic TV, HKTVE and TVB have respectively made investment commitments for the past six years and proposed investments for the coming six years as follows –

<b>Fantastic TV</b>		
	2016-2022 (Investment commitments approved by the Chief Executive in Council)	2022-2028 (Investment proposed by Fantastic TV)
(\$ million)		
Programming investment	969	680
Other operating expenditure	169	350
Capital investment	39	10
<b>Total</b>	<b>1,176</b>	<b>1,040</b>

Fantastic TV has attributed the decrease in the proposed investment for 2022 to 2028 to (a) a reduction of operating costs of Fantastic TV and fees charged by its main service provider (viz. i-CABLE Communications Limited); and (b) a reduction of programming costs charged by content providers. Other operating expenditure will be doubled for the next six years due to the launch of its spectrum-based free TV service in 2022. Capital expenditure for 2022 to 2028 will be much lower than that for the past six years as the investment on network and hardware will be mainly for maintenance.

<b>HKTVE</b>		
	2015-2021 <sup>6</sup> (Investment commitments approved by the Chief Executive in Council)	2021-2027 (Investment proposed by HKTVE)
(\$ million)		
Programming investment	687	952
Other operating expenditure	721	1,165
Capital investment	124	54
<b>Total</b>	<b>1,532</b>	<b>2,171</b>

HKTVE has explained that the increase in the programming investment and other operating expenditure in 2021 to 2027 will enable HKTVE to continue producing high quality programmes such as dramas and variety programmes. The proposed investment will also cover the development of innovative content formatting, viewer engagement projects and distribution initiatives. With the establishment of a stable

<sup>6</sup> In December 2015, the CA approved an application by HKTVE for using spectrum, on top of fixed network, as an additional means of transmission for the delivery of its licensed free TV service. HKTVE was required to comply with the updated investment commitment of \$1,532 million for the period from 1 April 2015 to 31 March 2021 after the new transmission arrangement came into effect. The original investment commitment of HKTVE for the same period amounted to \$1,393 million.



transmission network for broadcasting the free TV services, the proposed capital investment for the next six years will focus on infrastructure maintenance.

<b>TVB</b>		
	2016-2021 (Investment commitments approved by the Chief Executive in Council)	2022-2027 (Investment proposed by TVB)
(\$ million)		
Programming investment	6,192	6,450
Other operating expenditure	Nil	Nil
Capital investment	144	150
<b>Total</b>	<b>6,336</b>	<b>6,600</b>

TVB has explained that the proposed investment for 2022 to 2027 will be expended on enhancement of the content creation capability, by focusing on premium contents that are locally relevant, in order to maintain its position in the Chinese content sector. TVB will also invest in development of the talent resources. The proposed capital investment is expected to remain stable, mainly focusing on replacement of equipment as well as enhancement and development of facilities to improve efficiency, usage and workflow.

## 2. THE LICENSED SERVICES OF SOUND BROADCASTING LICENSEES

### 2.1 Programme Channels

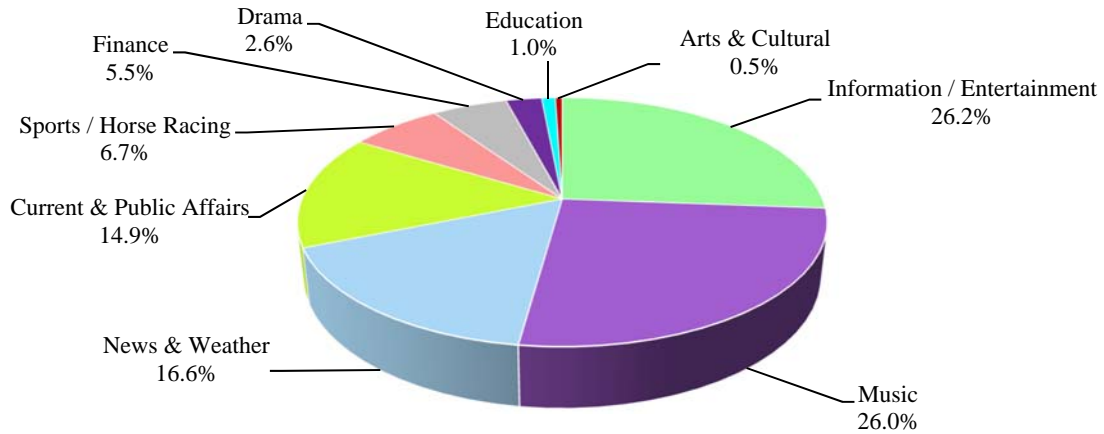
Currently, Hong Kong Commercial Broadcasting Company Limited (“CRHK”) and Metro Broadcast Corporation Limited (“Metro”) provide a total of six radio channels. A full list of the channels is set out below –

<u>Name of Channel</u>	<u>Language / Radio Frequency</u>	<u>Programme Content</u>
<b>CRHK</b>		
CR1	Cantonese / FM 88.1-89.5 MHz	a wide range of programmes for mature audience, including news, weather, traffic, current affairs, drama and talk shows.
CR2	Cantonese / FM 90.3-92.1 MHz	featuring pop culture and music targeting young listeners.
AM864	English / AM 864 kHz	all-music channel with a variety of music selection.
<b>Metro</b>		
Metro Info	Cantonese / FM 99.7-102.1 MHz	provides a variety of programmes on lifestyle, health, music, news and market information
Metro Finance	Cantonese / FM 102.4-106.3 MHz	provides real-time, market-moving news and information about financial markets around the world.
Metro Plus	English / AM 1044 kHz	mainly a music channel with programmes for Filipino, Indian and Thai communities in Hong Kong

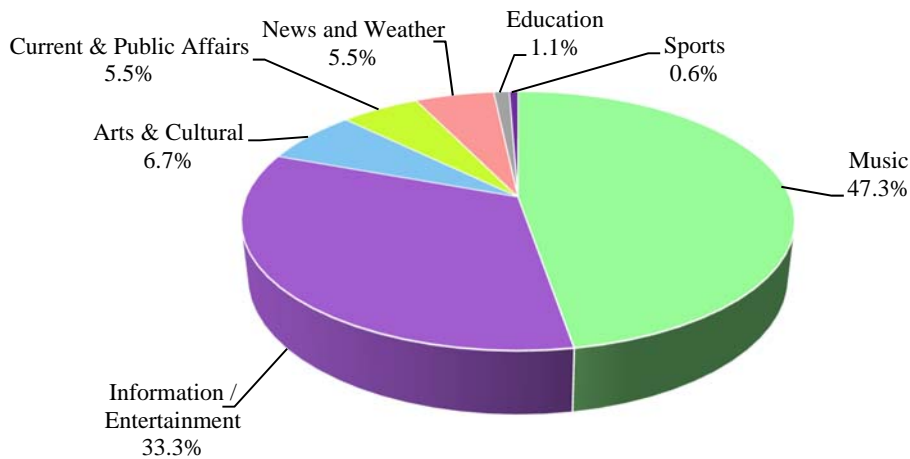
## 2.2 Programme Types

The different genres of programmes provided by CRHK and Metro in June 2021 are shown in the following charts –

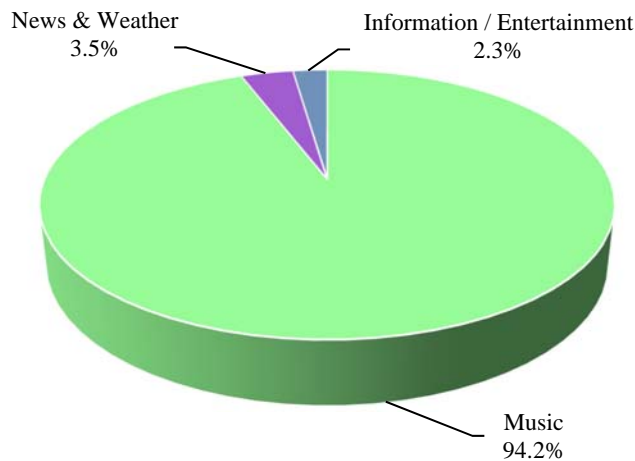
### Programme Types on CR1



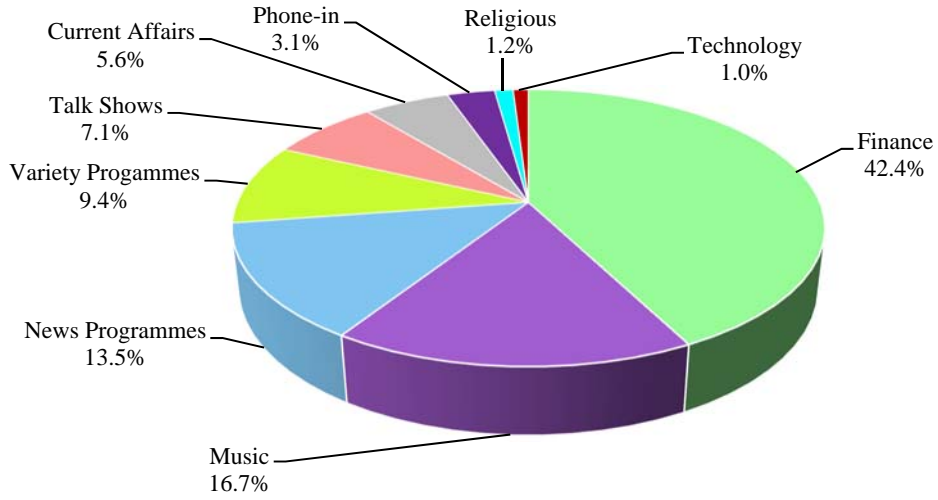
### Programme Types on CR2



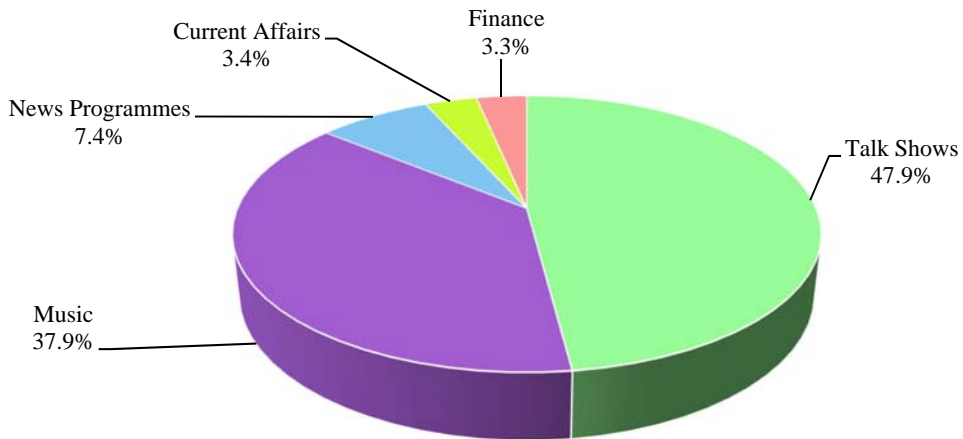
### Programme Types on AM864



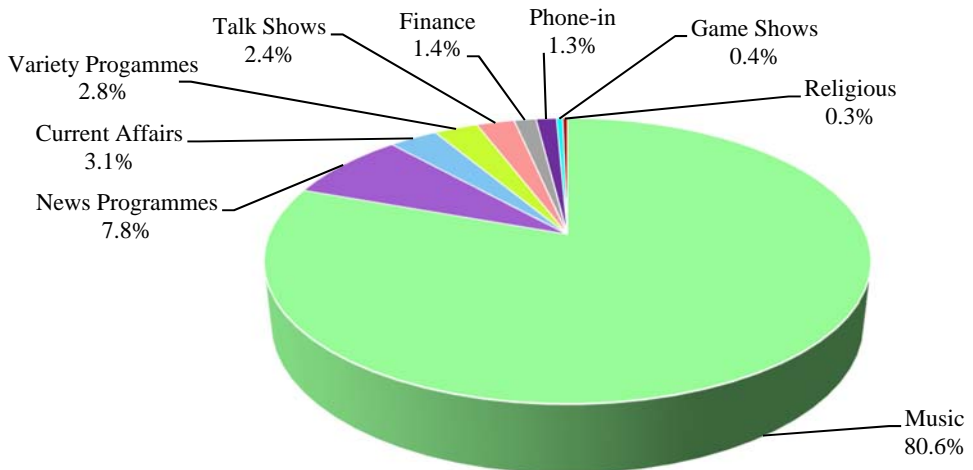
### Programme Types on Metro Finance



### Programme Types on Metro Info



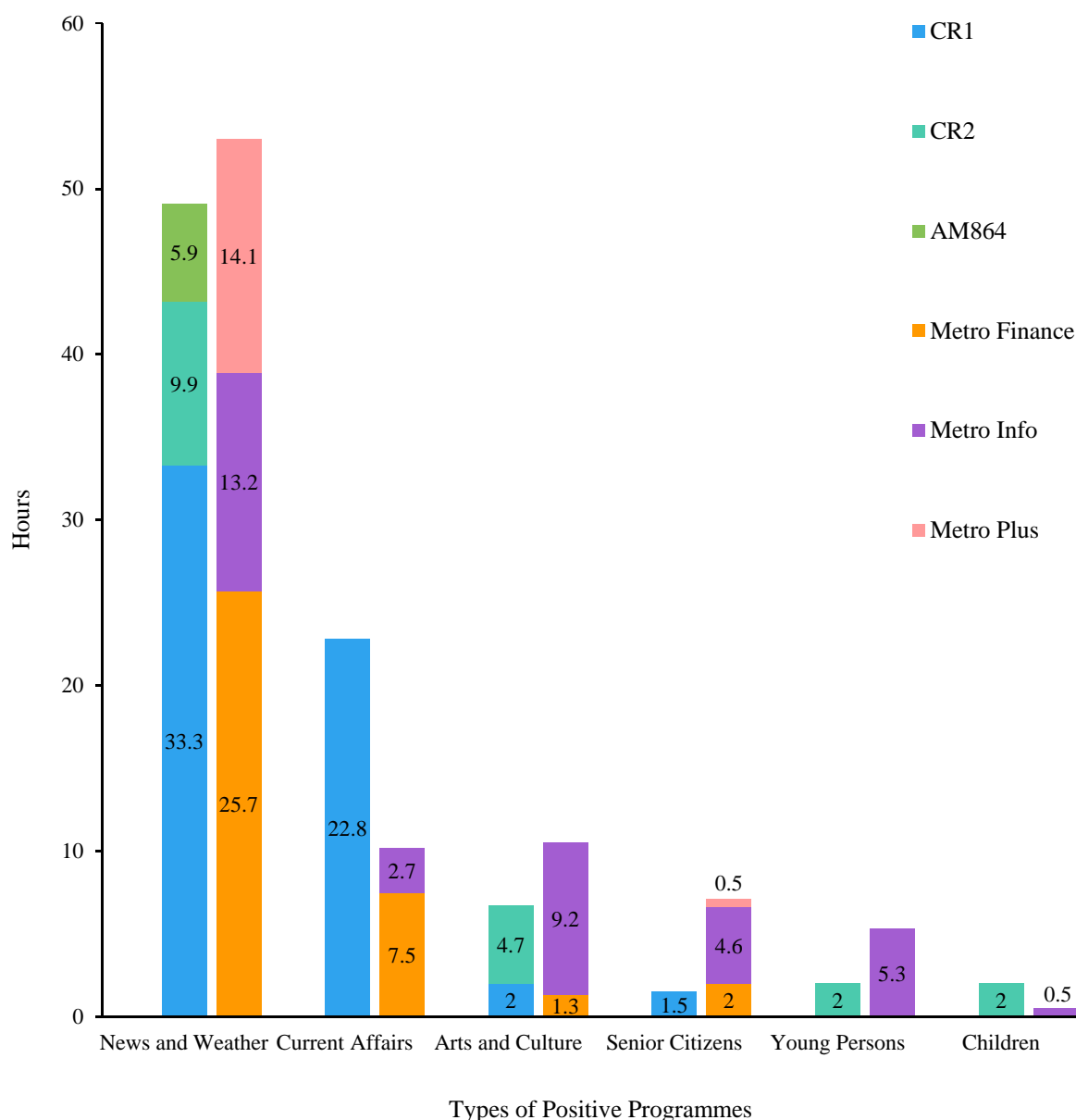
### Programme Types on Metro Plus



### 2.3 Positive Programme Requirements

During the period under review, CRHK and Metro were each required to broadcast at least 28.5 hours of positive programmes<sup>7</sup> per week and they all met the requirements. The weekly average number of hours of the positive programmes broadcast by the two licensees are as follows –

**Weekly Average Broadcast Hours of Positive Programmes on CRHK and Metro**



<sup>7</sup> The licensees were required under their licences to broadcast news and weather programmes, current affairs programmes, arts and culture programmes and advisory programmes, viz. programmes for young persons, senior citizens and children.

## 2.4 Complaints Records

During the period from 26 August 2016 to 30 June 2021, the CA received and processed a total of 673 cases (involving 1 469 complaints) relating to the materials broadcast by sound broadcasting licensees. A breakdown of these complaint cases is set out in the following table –

Licensees Concerned	No. of Complaint Cases	No. of Complaints Involved
<b>CRHK</b>	605	1 396
<b>Metro</b>	57	60
<b>CRHK &amp; Metro</b>	11	13
<b>Total</b>	<b>673<sup>8</sup></b>	<b>1 469</b>

## 2.5 Breaches of Regulatory Requirements

Of the 673 cases processed during the period under review, the CA found 9 cases substantiated and imposed 9 sanctions. A breakdown of the sanctions imposed is set out in the following table –

Sanction Licensee	Financial Penalty	Serious Warning	Warning	Strong Advice	Advice	Total
<b>CRHK</b>	0	0	1	4	2	7
<b>Metro</b>	0	0	1	1	0	2

## 2.6 Six-year Investment Plans

CRHK and Metro have respectively made investment commitments for the past six years and proposed investments for the coming six years as follows –

<sup>8</sup> The case which attracted most public complaints (659 complaints) involved the programmes “On A Clear Day” (在晴朗的一天出發) broadcast on CR2 channel on 10 September 2019. The complaint was classified by the CA as unsubstantiated.

<b>CRHK</b>		
	2016-2022 <sup>9</sup> (Investment commitments approved by the Chief Executive in Council)	2022-2028 (Investment proposed by CRHK)
(\$ million)		
Programming investment	682	513
Capital investment	21	18
<b>Total</b>	<b>703</b>	<b>531</b>

CRHK’s annual investment amounts committed for the years 2022 to 2028 are based on a gradual annual increase over the revised annual investment amounts committed for 2020 to 2022 (approved by the CA in October 2020). The investment commitment for 2016 to 2022 were revised due to the increasingly challenging broadcasting environment, including the pandemic and prevalence of new social media and streaming platforms, making CRHK’s total investment commitment for 2022 to 2028 24% less than the total investment amount committed for 2016 to 2022.

<b>Metro</b>	2016-2022 <sup>10</sup> (Investment commitments approved by the Chief Executive in Council)	2022-2028 (Investment proposed by Metro)
(\$ million)		
Programming investment	594	542
Capital investment	22	19
<b>Total</b>	<b>617</b>	<b>561</b>

Metro proposes a more conservative investment plan in view of the post-COVID era. The total investment amount committed for 2022 to 2028 will be 9% less than the total investment amount committed for 2016 to 2022.

<sup>9</sup> In October 2020, the CA approved that the investment commitment of CRHK be adjusted from \$909 million to \$703 million.

<sup>10</sup> In April 2021, the CA approved that the investment commitment of Metro be adjusted from \$685 million to \$617 million.

### **3. HIGHLIGHTS OF EXISTING REGULATORY REQUIREMENTS**

#### **3.1 Programme Requirements**

##### **3.1.1 *Language of Broadcast/Designated Language***

###### Free TV

- Free TV licensees shall provide one language service in the Cantonese dialect (viz. an integrated Chinese channel) and one language service in the English language (viz. an integrated English channel).
- Free TV licensees may broadcast on the integrated English channel up to 25% of their programme materials in other languages (except in Cantonese<sup>11</sup>) outside the hours of 7:00 p.m. to 11:30 p.m. and a window of two continuous hours from 7:00 p.m. to 11:30 p.m. one day per week in other languages (except in Cantonese) with English subtitles. They may also broadcast Putonghua programmes with Chinese subtitles on the integrated Chinese channel up to 10% of the total broadcasting time.

###### Sound

- 80% of the broadcast time of one channel shall be in Cantonese, and 80% of another channel should be in English. There is no language requirement for the third channel.

##### **3.1.2 *Broadcast of Specified Types of Programmes***

###### Free TV

Free TV licensees shall broadcast –

- (a) two comprehensive news bulletins daily, each of not less than 15 minutes duration, between 6:00 p.m. and 12:00 midnight, on each of the integrated Chinese and English channels;
- (b) 60 minutes of current affairs programmes per week between 6:00 p.m. and 12:00 midnight on each of the integrated Chinese and English channels, of which 30 minutes are to be wholly of Hong Kong origin;

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<sup>11</sup> Among the 25% broadcasting time on the integrated English channel allowed for programmes in other languages, 5% shall not be in Cantonese or Putonghua.



- (c) 60 minutes of documentary programmes per week between 6:00 p.m. and 12:00 midnight on each of the integrated Chinese and English channels, of which 30 minutes are to be wholly of Hong Kong origin<sup>12</sup>;
- (d) two hours of children's programmes (for children up to 15 years old) daily between 9:00 a.m. and 7:00 p.m. on each of their integrated Chinese and English channels<sup>13</sup>. On the integrated Chinese channel, 30 minutes of such programmes should be wholly of Hong Kong origin. On the integrated English channel, there should be at least two hours of programmes per week with educational values targeting teenagers;
- (e) 30 minutes of programmes for young people (aged 16 – 24) per week between 8:00 a.m. and 12:00 midnight on the integrated Chinese channel only;
- (f) 60 minutes of programmes for senior citizens (over the age of 60) per week between 8:00 a.m. and 12:00 midnight on the integrated Chinese channel only; and
- (g) 60 minutes of arts and culture programmes per week between 8:00 a.m. and 12:00 midnight on the integrated Chinese channel only, of which 15 minutes are to be wholly of Hong Kong origin.

### Sound

Sound broadcasting licensees shall broadcast—

- (a) in any one channel, a minimum of two comprehensive news bulletins of not less than 10 minutes each between 12:00 noon and 12:00 midnight, half-hourly news and weather reports between 6:00 a.m. and 12:00 midnight, and hourly news and weather reports for the remaining hours of broadcasting unless to do so would cause unreasonable interruption of its broadcast programmes; and in the remaining channels, hourly news and weather reports throughout the day;
- (b) a minimum of 90 minutes of current affairs programmes in its services each week between 8:00 a.m. and 12:00 midnight;
- (c) on the Chinese language service a minimum of one half-hour programme each week between 8:00 a.m. and 12:00 midnight which is intended and suitable for the education and proper development of young persons (aged 16 to 24) in Hong Kong;

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<sup>12</sup> The wholly of Hong Kong origin requirement in respect of documentary programmes is not applicable to Fantastic TV's integrated English channel.

<sup>13</sup> Fantastic TV is required to broadcast an hour of children's programmes daily on each of its integrated Chinese and integrated English channels.

- (d) on one or two of its services, one of which must be the Chinese language service, a minimum of 90 minutes of programme each week between 8:00 a.m. and 12:00 midnight which is intended and suitable for the particular requirements of senior citizens (over the age of 60) in Hong Kong;
- (e) on one or two of its services, one of which must be the Chinese language service, a minimum of 30 minutes of programmes each week between 9:00 a.m. and 10:00 p.m. with educational values intended and suitable for children (up to and including the age of 15) in Hong Kong;
- (f) on each of any two of its services, one of which must be the Chinese language service, a minimum of 45 minutes of arts and culture programmes each week between 8:00 am and 12:00 midnight.

### 3.2 Other Programme Requirements Applicable to Free TV Only

#### 3.2.1 *Subtitling*

- Free TV licensees shall provide subtitling for all news programmes, current affairs programmes, weather programmes and emergency announcements on their services. On the integrated Chinese channels and TVB's thematic channels, Chinese subtitling must be provided for all programmes shown between 7:00 p.m. and 11:00 p.m. and dramas<sup>14</sup>. On the integrated English channels, English subtitling must be provided for all programmes shown between 8:00 p.m. and 11:30 p.m. and educational programmes for teenagers.<sup>15</sup>

#### 3.2.2 *Sign Language*

- TVB shall provide, on the integrated English channel, sign language interpretation and traditional Chinese subtitles for a comprehensive news programme in Cantonese of not less than 15 minutes each day.

### 3.3 Programme Standards

#### 3.3.1 *General Programme Standards*

##### *Free TV & Sound*

- The licensees should ensure that their programmes are handled in a responsible manner and that they should avoid needlessly offending

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<sup>14</sup> The subtitling requirement for dramas is not applicable to Fantastic TV.

<sup>15</sup> Fantastic TV is not required to provide subtitling for programmes shown between 8:00 p.m. and 11:30 p.m. on the integrated English channel.

audience by what they broadcast. The licensees should not include in their programmes any material which is indecent, obscene, of bad taste, denigrating or in contravention of the law.

### 3.3.2 *Family Viewing Hours and Information for Viewers (applicable to free TV only)*

- Nothing unsuitable for children shall be broadcast between 4:00 p.m. and 8:30 p.m. The restriction on the provision of material unsuitable for children should only be relaxed on a gradual and progressive basis after 8:30 p.m.
- Programmes which are not generally suitable for viewing by children must be classified into Parental Guidance Recommended (“PG” [家長指引]) and Mature (“M” [成年觀眾]) categories.
- Programmes classified “PG” may contain adult themes or concepts but must remain suitable for children to watch under the guidance of a parent or guardian.
- Programmes classified “M” are recommended for viewing by grown-up members of the family only and should only be shown between 11:00 p.m. and 6:00 a.m.
- Aural and visual advice on the classification of programmes should be given before the start of the programme. A classification symbol signifying the classified category of the programme should also be superimposed on the screen.
- An aural and visual statement must be given at the start of the programme describing the principal elements which have contributed to the classification and indicating their intensity and/or frequency.

### 3.3.3 *Protection of Children*

#### Free TV

- Licensees should be vigilant on the likely effects of all materials on children, and ensure that scenes likely to frighten, unnerve or cause pain to children should not be permitted in programmes targeting children.

#### Sound

- The licensees should not schedule programmes targeting adult listeners at times when they normally broadcast programmes targeting children or young persons. The standards relating to language, violence and sex should be strictly observed in programmes which might reasonably be expected to hold the attention of children and young people.

### 3.3.4 *Accuracy and Impartiality*

#### Free TV & Sound

- News should be presented with accuracy and due impartiality. Correction of factual error should be made as soon as practicable after the original error, or at the end of the current programme or the beginning of a subsequent programme.
- The licensees must ensure that due impartiality is preserved as respects news programmes and any factual programmes or segment thereof dealing with matters of public policy or controversial issues of public importance in Hong Kong (except personal view programmes).

### 3.3.5 *Fairness*

#### Free TV & Sound

- The licensees have a responsibility to avoid unfairness to individuals or organisations featured in factual programmes, in particular through the use of inaccurate information or distortion.

### 3.3.6 *Personal View Programmes*

#### Free TV & Sound

- “Personal view programmes” are programmes in which the licensees and/or the programme hosts and/or, sometimes, individual contributors put forward their own views. The nature of a personal view programme must be identified clearly at the start of the programme. Facts must be respected and the opinion expressed, however partial, should not rest upon false evidence. A suitable opportunity for response to the programme should be provided. Licensees should be mindful of the need for a sufficiently broad range of views to be expressed in any series of personal view programmes.

### 3.3.7 *Gambling*

#### Free TV & Sound

- No programme should be presented in a manner which encourages or offers instructions in gambling.

### 3.3.8 *Crime*

#### Free TV & Sound

- Criminal activities, when depicted, must be consistent with and reasonably related to plot and character development. Crime should not be portrayed in a favourable light. The presentation of criminal techniques in such a way as to be instructional or to invite imitation should also be avoided. Depictions containing detailed instructions for, or illustrations of, the use of illegal drugs, harmful devices or weapons are not permitted. Depictions of triad ceremonies, rituals, hand signs, etc., and triad expressions not generally accepted in daily language should be avoided. Glorification of criminals, the power of triads and membership in a triad society should be avoided.

### 3.3.9 *Use of Language*

#### Free TV & Sound

- Downright offensive expressions are prohibited in TV and radio. For free TV, bad language should not be used in programmes targeting children. Expressions considered vulgar by an average person are to be avoided for radio programmes.

### 3.3.10 *Violence and Sex*

#### Free TV

- The portrayal of sex and nudity on free TV needs to be defensible in context and presented with tact and discretion. Explicit or gratuitous depiction of sexual violence is prohibited. All depictions of violence should be relevant and necessary to the development of character, or to the advancement of theme or plot. No violence for its own sake or purely for dramatic attraction is allowed.

#### Sound

- Radio programming should present such subjects as violence and sex without undue emphasis and only as required by plot development or character delineation. Violence, physical or psychological, should only be projected in responsibly handled contexts and not be used in excess or in an exploitative manner. The depictions of material reflective of sexual considerations should be handled with sensitivity.

### 3.3.11 *Indirect Advertising*

#### Free TV

- As a general rule, with the exception of news programmes, current affairs programmes, children’s programmes, educational programmes, religious service and other devotional programmes, indirect advertising in TV programmes is permitted.

#### Sound

- No undue prominence may be given in any radio programme to a product, service, trademark, brand name or logo of a commercial nature or a person identified with the above so that the effect of such reference amounts to advertising.

### 3.4 Advertising Requirements

#### 3.4.1 *Advertising Time*

#### Free TV

- The aggregate advertising time on free TV shall not exceed 10 minutes per clock hour between 5:00 p.m. and 11:00 p.m. each day. At other times, the aggregate advertising time shall not exceed 18% of the total time the service is provided in that period.

#### Sound

- Sound broadcasting licensees shall not broadcast on any day advertising material which exceeds in total 12% of the time which broadcasting takes place on that day.

#### 3.4.2 *Broadcast of Announcements in the Public Interest and CA Publicity Material*

#### Free TV

- Free TV licensees shall broadcast announcements in the public interest on each channel up to two minutes per every two clock hours, and publicity material for the CA on each channel up to five minutes per week.

#### Sound

- Sound broadcasting licensees shall broadcast such announcements in the public interest as required by the CA provided that such announcements shall not exceed 1 minute in a clock hour on each service. CA publicity material may be broadcast twice daily during the period between 6:00

p.m. and 11:00 p.m. for not more than 1 minute on each service up to a maximum limit of five minutes each week.

### 3.4.3 ***Designated Language (applicable to free TV only)***

- Advertisements broadcast in languages other than the designated language of the service must carry subtitles in the designated language of that service. On the integrated English channel, a maximum of 50% of the number of advertisements can be broadcast in non-designated languages in any clock hour between 7:00 p.m. and 11:00 p.m. On the integrated Chinese channel, no more than four advertisements may be broadcast in non-designated languages in any clock hour.

## 3.5 Advertising Standards

### 3.5.1 ***General Advertising Standards***

#### Free TV & Sound

- Advertising should be legal, decent, honest and truthful, advertisements must be clearly distinguishable as such and be recognisably separate from the programmes, and advertisements must comply with the laws of Hong Kong.

### 3.5.2 ***Factual and Best-selling Claims***

#### Free TV & Sound

- All factual claims and best-selling claims should be capable of substantiation.

### 3.5.3 ***Programme Sponsorship***

#### Free TV & Sound

- A sponsored programme must be clearly identified as such.

#### Free TV

- Free TV licensees may accept title sponsorship and product/service sponsorship subject to the basic principle that the sponsor identifications and/or exposure of the product(s)/service(s) within a programme are not obtrusive to viewing pleasure. Licensee may include product placement within programme provided that the exposure or use of product or service is presented in a natural and unobtrusive manner having regard to the programme context and genre, and there is no direct encouragement of purchase or use of product or service.

- News programmes and programmes, announcements or other material included at the direction of the CA, religious service or other devotional programmes must not be sponsored.

#### Sound

- Mention of a sponsor related product in sponsored programmes or programme segments may be permitted provided it does not occur frequently and does not obtrude on programme interest or entertainment. No bona fide news programmes comprising local or international news item may be sponsored.

### 3.5.4 *Unacceptable Products or Services*

#### Free TV & Sound

- Advertisements for the following products or services (including but without limitation to) are not acceptable:
  - tobacco products;
  - fortune tellers and the like;
  - unlicensed employment services, registries or bureaux;
  - night clubs, dance halls, massage parlours, sauna houses, bath houses or similar establishments in which hosts/hostesses are employed for the primary purpose of attracting or entertaining customers or in which floor shows or other live performance or activities involving sexual behaviour are presented;
  - escort and dating services targeting young persons under 18;
  - pay per call information services which offer adult material of a sexual nature;
  - organisations/companies/persons which advertise for the purpose of giving betting tips;
  - betting (including betting pools) except advertisements for lotteries, football and horse race betting which are authorised by or under the Betting Duty Ordinance (Cap. 108) and related publications and pre-recorded information services;
  - medical preparations listed in Part 1 of Schedule 10 to the Pharmacy and Poisons Regulations (Cap. 138A);
  - smoking cessation (excluding nicotine replacement therapy);
  - prevention or treatment for any disease of hair or scalp (excluding prevention or treatment of dandruff by means of external applications);
  - pregnancy testing services;
  - clinical laboratory testing services;
  - relief or cure of alcoholism and drug addiction;
  - cosmetic surgery and slimming or weight reducing measures involving the use of medical preparations; and
  - procurement of miscarriage or abortion.



- Indirect advertising of the unacceptable product or service is unacceptable.
- Liquor advertising should not be broadcast between 4:00 p.m. and 8:30 p.m. Such advertisements should not be shown in proximity to children's programmes or programmes targeting young persons under the age of 18.
- Advertisement for a medical preparation or treatment should not contain any reference to a prize competition or promotional scheme involving gifts, premium offers and samples.
- Products of a personal nature, such as female sanitary products and condoms, etc., should be presented with care and sensitivity. No advertisement for condoms should be shown between 4:00 p.m. and 8:30 p.m. in free TV.
- No advertisement of a political nature shall be broadcast.