

The Broadcasting Authority's Public Consultation on the Requirement on Minimum Duration of Programme Segments on Domestic Free Television Programme Services (Ref: WC 1/2006)

Purpose

1. The Broadcasting Authority (BA) is now conducting a review of the provisions in the Generic Code of Practice on Television Programme Standards (TV Programme Code) governing the minimum duration of programme segments on domestic free television programme services (Domestic Free TV). Members of the public are invited to give written views and suggestions on the issue.

Background

2. One of the functions of the BA is to secure proper standards of television broadcasting and to provide guidance for licensees by issuing codes of practice. The main source of revenue for Domestic Free TV is advertising, and there are provisions in the legislation restricting the amount of advertising allowed for Domestic Free TV. To safeguard the audience's interest in viewing programmes without unnecessary interruption and the Domestic Free TV licensees' need to broadcast advertisements and other non-programme material, such as programme promotional material and announcements in the public interest, there are provisions in the TV Programme Code stipulating the minimum duration of a programme segment.

Existing Provisions

3. At present, Domestic Free TV licensees are required to comply with specified time standards governing the broadcast of advertisements and duration of programme segments. The relevant provisions in the legislation and the TV Programme Code are:

- (a) section 11(1), Part 3 of Schedule 4 to the Broadcasting Ordinance (BO) (Cap 562) which stipulates that the aggregate advertising time of a television programme service shall not exceed 10 minutes per clock hour between the period from 5pm to 11pm each day and at other times the aggregate advertising time shall not exceed 18% of the total time the service is provided in that period; and
- (b) paragraph 12 of Chapter 12 of the TV Programme Code which stipulates that the minimum duration of each programme segment between breaks of a programme should be 10 minutes except for imported programmes with

built-in breaks, live telecast events and sports programmes.

4. Paragraph 14 of Chapter 12 of the TV Programme Code also stipulates that the BA may vary the minimum programme segment duration in the interest of better viewing and presentation. To enhance flexibility in the scheduling of advertising and non-programme material, the Domestic Free TV licensees are allowed to deviate from the 10-minute requirement subject to the following conditions:

- (a) except telecast news, the minimum duration for any programme segment should not be less than 7 minutes; and
- (b) the average duration of the programme segments of a programme must not be less than 10 minutes (per programme).

Proposed Revision of the Code of Practice

5. To lessen the regulatory burden for Domestic Free TV licensees and to allow them more flexibility in editing and scheduling of programmes with different programme segment duration thereby improving the quality of presentation and facilitating the provision of a wider variety of programmes, the BA is considering whether the present minimum programme segment duration requirement of 10 minutes should be further relaxed in the present broadcasting environment. The proposals under consideration are:

- (a) a total lift of the 10-minute minimum programme segment duration requirement on any programme; or
- (b) a total lift of the 10-minute minimum programme segment duration requirement for all television programmes with the exception of specified types of programmes, such as drama, movies, etc., that may warrant safeguards against obtrusion of viewing interest; or
- (c) a relaxation of the 10-minute minimum programme segment duration requirement such as lowering of the minimum programme segment duration requirement subject to the condition that the average duration of the programme segments (per programme) still reach a certain minimum time standard.

The proposed relaxation of the requirement on minimum programme segment duration will not lead to an increase in advertising time, which is governed by the BO.

Invitation for Comments and Suggestions

Please send your written views and comments on the proposals in this consultation document to the Broadcasting Authority Secretariat the latest by

10 January 2007 through any of the following means -

By Post: Broadcasting Authority Secretariat
 39/F, Revenue Tower
 5, Gloucester Road
 Wanchai, Hong Kong
 (Attn: Content Regulation 1 – Consultation on Revision of Codes)

By Fax: 2507 2219
 (Attn: Content Regulation 1 – Consultation on Revision of Codes)

By e-mail: cr@tela.gov.hk

The written views and comments submitted will be referred to the BA for internal reference and consideration during the review of the relevant provisions of the Codes of Practice. All personal data provided by you in your submission, if any, shall be destroyed when the data is no longer required for the aforesaid purposes.

For enquiries, please send e-mail to <cr@tela.gov.hk> or call the Content Regulation Section 1 at 2594 5723.

Broadcasting Authority Secretariat
December 2006