

Appendix

Case – Television Programmes “News Roundup” (晚間新聞) broadcast on the Jade Channel of Television Broadcasts Limited (“TVB”) on 21 January 2014 at 11:00pm – 11:20pm; and “A Closer Look” (時事多面睇) broadcast on the I News Channel of TVB on 22 January 2014 at 1:16am – 1:25am and its repeats at 3:17am and 5:17am

A member of the public complained that in the report about the Government’s plan to regulate property management companies (“PMCs”), the following remarks made by an interviewee were inaccurate –

- (a) there was a lawsuit regarding the failure of the PMC of his housing estate to demolish an unlawfully built guard house as per the request of the relevant government department; and
- (b) the concerned PMC and the incorporated owners (“IO”) of the housing estate did not inform the property owners the legal costs of the lawsuit.

The CA’s Findings

In line with the established practice, the CA considered the complaint case and the representations of TVB in detail. The CA took into account the relevant aspects of the case, including the following –

Details of the Case

- (a) in the relevant report in both programmes, there were interviews with a number of stakeholders and property owners on the issue. A resident

of the concerned housing estate shared his views on the PMC of the housing estate he lived in; and

- (b) the alleged remarks about the PMC and the IO of the concerned housing estate were made by the interviewee and presented in the voice-over of the reporter.

Relevant Provisions in the Generic Code of Practice on Television Programme Standards (“TV Programme Code”)

- (a) paragraph 1A of Chapter 9 – the licensee shall make reasonable efforts to ensure that the factual contents of news and current affairs programmes are accurate; and
- (b) paragraph 15 of Chapter 9 – licensees should take all reasonable care to satisfy themselves that all material facts are so far as possible fairly and accurately presented.

The CA’s Considerations

The CA, having regard to the relevant facts of the case, considered that –

- (a) though the concerned remarks on the specific situation of a particular housing estate was not the focus of the report, TVB should have taken all reasonable care to ensure that all the material facts in the concerned news programme and current affairs programme were presented fairly and accurately as far as possible, as required by paragraphs 1A and 15 of Chapter 9 of the TV Programme Code;

- (b) regarding the alleged remarks made by the interviewee and presented in the voice-over of the reporter, TVB failed to submit evidence to support the existence of any lawsuit arising from the alleged failure of the PMC to demolish the guard house and the non-disclosure of legal costs relating to such a lawsuit as mentioned in the concerned report; and
- (c) TVB had not taken all reasonable care to satisfy itself that all material facts were fairly and accurately presented in the concerned programmes.

Decision

In view of the above, the CA decided that TVB should be **strongly advised** to observe more closely paragraphs 1A and 15 of Chapter 9 of the TV Programme Code.