GUIDELINE ON
TELEVISION PROGRAMME SERVICE LOCKING DEVICES

Introduction

This guideline sets out the criteria with which the Communications Authority (CA) will assess whether a television programme service locking device (locking device) is to its satisfaction for the purposes of the Broadcasting Ordinance (BO).

Background

2.   Under the BO, a locking device means "a device which enables a person to whom a television programme service is or is to be provided to control access to the service".   Section 20 of the BO provides that a licensee (except a domestic free television programme service licensee) shall provide a locking device to the CA's satisfaction where its licensed service is –

(a)   a domestic pay television programme service;

(b)   a non-domestic television programme service provided in Hong Kong where a subscription is required to be paid for the service provided in Hong Kong; or

(c)   an other licensable television service,

but excluding such a service provided to hotel rooms.

3.   It is common for pay television services around the world to be accompanied by a subscriber control facility to prevent unauthorised access or children's access to the services.

Licensees' Responsibilities

4.   Licensees are responsible for ensuring that their locking devices are to the CA's satisfaction.   In this regard, the CA may, at any time, ask for information on the characteristics and operation of such locking devices and a demonstration of the locking devices; and inspect and test the locking devices.

5.   Licensees should make a written submission to the CA, describing the features of their locking devices and how the locking devices meet the CA's criteria. For those licensees who already provide television programme services now, the

submission should be made to the CA within one month of the promulgation of this guideline.   For other licensees, the submission should be made to the CA at least two months before the licensees start providing television programme services for their customers.   Licensees may change their locking devices provided that they inform the CA of such changes at least two months in advance.

CA's Criteria

6.   In assessing whether a locking device is to its satisfaction, the CA will have regard to a number of criteria.

The locking device should allow subscribers to restrict unauthorised access to selected channels or programme categories or specified time zones, or any combination of them

7.   Access control varies from locking device to locking device.   A typical locking device uses a personal identification number (PIN).   By restricting knowledge of the PIN, a subscriber may restrict unauthorised access to selected channels or programme categories or specified time zones, or any combination of them.   Another form of access control is by means of special smart cards.

8.   Regardless of the type of locking device used, it is essential that the locking device allows parents to impose viewing restrictions for their children, such restrictions being in force until and unless they are changed by the parents.   The licensees shall provide means of imposing viewing restrictions which may be on the basis of channels or programme categories or time zones, or any combination of them.

The locking device and related arrangements must be adequately secure to ensure that parents can exercise effective viewing restrictions for their children

9.   A locking device must be sufficiently secure to ensure that the specified viewing restrictions cannot be changed or modified without parental permission.   There should be sufficient safeguards against easy tampering of the locking device to gain access to restricted programme categories/channels/specified time zones.   Resetting of the locking device should also be adequately secure to ensure that it cannot be done at home by a child or an unauthorised user.   Related arrangements such as the notification of PINs should be so secure as to avoid disclosing the PINs to children.

The locking device must be easy to use and administer

10.   A locking device must be easy to use and administer by the customer. Programming the locking device to impose viewing restrictions must be a simple step-by-step process.   Any written or oral information on the use of the locking device should be clear and easily understood by a layman.

The support facilities of a subscriber management system must be secure

11.　　　　A customer service facility that manages subscription details and provides billing services for pay TV programmes is usually referred to as a subscriber management system (SMS).　An SMS provides support services for the subscriber control facility.　The SMS records a customer's subscription details such as the channels/programmes to which the customer subscribes.

12.　　　　To change subscription details, specify a new PIN or order an adult programme, the customer may need to contact the SMS in some cases.　When the customer contacts the SMS, his subscriber identification in an agreed mode may need to be given over the telephone.　Such identification details should be sufficiently complex and secure to eliminate chances of similar telephone calls by a child or an unauthorised user under false pretences.

Reservation

13.　　　　This guideline does not contain a definitive or an exhaustive list of the criteria with which the CA will assess whether a locking device is to its satisfaction. Whilst the CA will have regard to the criteria in this guideline, it will not be limited by the guideline if it takes the view that other criteria are also relevant.

14.　　　　Moreover, it reserves the right to change its view on a locking device with which it was earlier satisfied, after consideration of the latest technological developments and its experience in enforcing the BO.　If this happens, the licensee in question is responsible for improving the locking device to such an extent as to satisfy the CA, as required by the BO.　The CA shall, before changing its view on a locking device, give the licensee concerned a reasonable opportunity to make representations to the CA.

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