

## **Public Consultation on the Review of the Regulation of Indirect Advertising**

### **PURPOSE**

The Communications Authority (“CA”) is conducting a review of the regulation of indirect advertising in television programme services. Indirect advertising is defined as the mingling of programme and advertising material or the embedding of advertising material within programme content, whether inadvertently or by design. Indirect advertising may or may not give rise to a payment or other valuable consideration being received by licensees. For indirect advertising where licensees receive payment/valuable consideration for exposure or use of products/services within a programme, it is called product/service sponsorship, or commonly known as “product placement”<sup>1</sup>. Both types of indirect advertising will be discussed in this Consultation Document. Members of the public are invited to give views and comments on the issues in writing.

### **BACKGROUND**

2. In view of the discussions in the community about product placement in domestic free television programme (“free TV”) services, and having regard to the changing landscape of the local TV market with the entry of new free TV licensees, the CA has researched into the regulation of indirect advertising and product placement in free TV services in other jurisdictions. The findings of the research reveal that the key principles underlying the relevant regulation in Hong Kong are generally in line with those in major overseas jurisdictions. In many places, advertisements are required to be recognisably distinct from programmes, and product placement is subject to specific requirements. Whilst these requirements are similar to those in Hong Kong, the CA considers that there is room for relaxing the existing rules in Hong Kong.

3. The CA commissioned an independent survey firm to conduct a territory-wide opinion survey to gauge public views towards product placement, with more than 1 500 interviews conducted between mid-February and end-

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<sup>1</sup> Product/service sponsorship (or product placement) refers to the inclusion of products/services **within a programme** in return for payment or other valuable consideration being received by a licensee. It is different from other forms of sponsorship such as title sponsorship (viz. incorporating a sponsor’s name, logo, advertising slogan and/or attribute into the title of a programme or programme segment) and sponsorable material within programmes (e.g. superimposition of information on local date, time and weather, in-programme promotion or text message in programmes) as stipulated in the Generic Code of Practice on Television Advertising Standards (“TV Advertising Code”).

June 2017. In addition, six focus group meetings, comprising four sessions for the general public, one for members of the Television and Radio Consultative Scheme (“TRCS”)<sup>2</sup> and one for the creative industry and media professionals, were held in July 2017 to collect more in-depth views on the subject<sup>3</sup> (the opinion survey and focus group discussions are collectively referred to as the “Survey” in the ensuing paragraphs unless otherwise specified).

4. Having considered the findings of the research and the Survey, the CA decided in September 2017 to review the relevant provisions in the Generic Code of Practice on Television Programme Standards (“TV Programme Code”) and the TV Advertising Code (collectively referred to as the “Codes”), with a view to relaxing, wherever possible and appropriate, the relevant standards and restrictions. Having consulted the relevant TV licensees on a set of initial proposals, the CA has formulated the following proposals having regard to the comments received from the licensees for public consultation.

## **THE REVIEW**

### **Guiding Principles for the Review**

5. The CA respects and upholds the creative expression and editorial independence of licensees. The CA fully appreciates that, with the emergence of new media in recent years, TV licensees are facing keen competition and may need to diversify their sources of advertising. At the same time, as a general principle underlying television programme regulation, the degree of restriction applied should be related to the likely audience and their expectations. Hence, the CA attaches great importance to considering the views of the public in reviewing the regulatory regime governing indirect advertising and product placement.

6. The findings of the Survey indicate that the viewing public in Hong Kong generally do not find it objectionable for free TV to include products/services within a programme. However, they consider it necessary to regulate product placement in free TV programmes. Also, both the viewing public and the broadcasting industry tend to support a relaxation of the relevant

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<sup>2</sup> The TRCS, administered by the Office of the Communications Authority, aims at gathering public opinions on broadcasting issues to assist the CA in formulating broadcasting regulations that can reflect community standards. Members of the public join the TRCS on a voluntary basis. The TRCS currently comprises about 540 members of the public to form a mix that mirrors the population profile of Hong Kong by age, sex and occupation.

<sup>3</sup> The executive summary of the results of the opinion survey and the summaries of the views expressed by the participants at the focus group discussions are available on the website of the CA ([http://www.coms-auth.hk/en/media\\_focus/publications/survey/findings\\_of\\_the\\_survey\\_on\\_the\\_regulation/index.html](http://www.coms-auth.hk/en/media_focus/publications/survey/findings_of_the_survey_on_the_regulation/index.html)).

regulation to enhance the competitiveness of free TV services and to facilitate the overall development of the industry. Having regard to the foregoing, the current review seeks to identify areas where the existing standards and restrictions can be relaxed so as to strike a balance between protection of the interests of viewers on the one hand and provision of a more conducive business environment for licensees on the other.

### **Issues Under Review**

7. Following the general direction to relax the current regulatory regime wherever possible and appropriate, the CA seeks to examine the following issues –

- (a) whether the prohibition on indirect advertising should be lifted;
- (b) whether product placement should continue to be regulated by general principles instead of detailed guidelines. If so, whether the existing general principles should be revised;
- (c) whether the prohibition of undue prominence in respect of commercial references within a programme for which the licensee does not receive any payment or other valuable consideration should be removed;
- (d) whether licensees should be required to clearly inform viewers of the inclusion of product placement at the start of a programme; and
- (e) whether acquired programmes should be allowed to deviate from the rules governing indirect advertising and product placement.

### **(A) Prohibition on Indirect Advertising**

#### Current Practice

8. Under the current TV Programme Code, indirect advertising is prohibited. Notwithstanding this general prohibition, product placement subject to certain ground rules and unpaid commercial references to products/services within programmes which are justified by the editorial requirements of the programme or of an incidental nature, are allowed.

#### Public Views and Overseas Practice

9. As mentioned in paragraph 6 above, the viewing public generally do not find indirect advertising in free TV services objectionable but consider

it necessary to regulate such practices in free TV programmes. Viewers' acceptance of indirect advertising in programmes of a more serious nature (such as news and current affairs programmes) and in children's programmes is generally low<sup>4</sup>, while indirect advertising in infotainment and lifestyle programmes (such as travelogues, food programmes, etc.) and dramas is more acceptable to them<sup>5</sup>.

10. There are rules governing product placement<sup>6</sup> in major overseas jurisdictions. Some jurisdictions such as the European Union and the United Kingdom ("UK") prohibit product placement in certain types of programmes (which include news programmes, current affairs programmes, religious programmes and children's programmes) while other jurisdictions such as Korea and Taiwan permit product placement for certain types of programmes (which include films, sports, entertainment and cultural programmes).

### Proposed Changes

11. Having regard to the foregoing, the CA proposes that **indirect advertising should be permitted in free TV services except for certain types of programmes**, viz. news programmes, current affairs programmes, children's programmes, educational programmes, religious service or other devotional programmes.

12. There are comments from TV licensees that indirect advertising should be permitted in current affairs programmes<sup>7</sup> because product placement (viz. indirect advertising with payment or valuable consideration received by licensees) is at present allowed in such programmes provided that due care is exercised in the choice of sponsors to safeguard the credibility and integrity of such programmes. Taking into account licensees' comments, the nature of current affairs programmes, the existing rules, and our objective to strike a balance between protecting viewers' interest and providing a more conducive

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<sup>4</sup> According to the findings of the Survey, on a scale of 1 to 5, with 1 representing "strongly unacceptable" and 5 representing "strongly acceptable", the respondents' levels of acceptance of indirect advertising in news, current affairs and children's programmes are 2.2, 2.4 and 2.7 respectively.

<sup>5</sup> Based on the same scale of 1 to 5, the respondents' levels of acceptance of indirect advertising in infotainment and lifestyle programmes (such as travelogues, magazine programmes, talk shows, food programmes and reality shows) and dramas are 3.5 and 3.4 respectively.

<sup>6</sup> While different definitions are adopted by individual jurisdictions, "product placement" generally refers to the inclusion of or reference to a product or service or trademark in a programme for a commercial/promotion purpose, in return for payment or other valuable consideration.

<sup>7</sup> According to the Annex to TV Programme Code, "current affairs programmes" are defined as programmes, or segments of programmes, focusing on social, economic or political issues relevant to Hong Kong, and with detailed analysis or discussion of news stories that have recently occurred or are ongoing at the time of broadcast.

business environment for licensees, we propose that **product placement can continue to be allowed in current affairs programmes on the condition that licensees exercise care in the choice of sponsors to safeguard the credibility and integrity of such programmes.** In other words, indirect advertising with no payment or valuable consideration received by licensees (and hence not subject to any restriction/regulation under our proposals) will be prohibited in current affairs programmes; while product placement with payment or valuable consideration received by the licensees will continue to be allowed subject to the relevant sponsorship rules.

***Question 1:*** *Do you consider that the general prohibition on indirect advertising should be lifted except for certain types of programmes? If yes, do you consider that the proposed types of programmes in which indirect advertising is prohibited as stated in paragraph 11 above appropriate? Please give reasons for your response.*

**(B) Indirect Advertising where Payment or Other Valuable Consideration is Received by Licensees (commonly known as Product Placement)**

Current Practice

13. Currently, product placement is permitted provided that programme integrity is preserved by not allowing programme agendas to be distorted for commercial purposes. Where a programme is sponsored, the licensee should remain responsible for its content. **Product placement is subject to the following general principles –**

- (a) the exposure or use of products or services within a programme is clearly justified editorially, not obtrusive to viewing pleasure and not gratuitous;
- (b) the sponsor for the product or service featured must be clearly identified in the front and/or end sponsor credits of the programme;
- (c) the product or service featured in a programme must not be unacceptable for advertising under the TV Advertising Code; and
- (d) the advertising standards set out in the TV Advertising Code shall apply to product/service sponsorship where appropriate.

## Public Views and Overseas Practice

14. During the Survey, we have sought respondents' views on whether product placement should be governed by general principles or by detailed guidelines. In the focus group discussions, some participants consider that product placement should continue to be governed by general principles to allow creativity and to provide more flexibility to the licensees. Most of the participants from the creative industry and media profession also favour the adoption of general principles as they consider it difficult for licensees to comply with detailed guidelines governing the duration and size of product placement. In major overseas jurisdictions, only Korea adopts detailed and specific requirements on product placement by stipulating the amount of broadcast time and the size allowed for product placement in a programme. Many other jurisdictions adopt regulatory principles which allow more room for creativity and flexibility for licensees.

15. In addition, the findings of the Survey indicate that one of the main factors affecting the viewers' acceptance level towards product placement in free TV services is whether the presentation is natural. The following forms of presentation are considered generally acceptable –

- (a) products used as props in a manner relevant to the plot/contents of a programme (e.g. snacks and drinks placed on the table shown in a talk show; exposure of the names, brands, trademarks of certain products/services in dramas);
- (b) the host uses certain products for demonstration (e.g. in cookery programmes), or introduces/tries certain products/services (e.g. food in restaurants, clothes in boutiques); and
- (c) references to products/services which appear in the background of a programme (e.g. name, brand, trademark of a product/service shown on the backdrop of a product release event).

16. The viewing public are concerned about product placement that has a prominent effect of promoting the products/services featured therein. Most viewers find the form of presentation where “the host/character of a programme gives favourable remarks for or encourages the use of certain products/services, or the dialogues/plot of a programme has the effect of promoting purchase of the products/services concerned” unacceptable, as it contains prominent reference/element which amounts to advertising and renders the programme too commercialised. We note that the common principle adopted by other major

jurisdictions is that there should not be direct encouragement of purchase or use of products/services; or there should not be promotional references to the products/services placed in programmes, so as to preserve programme integrity.

### Proposed Changes

17. Given the above, the CA proposes to –
- (a) **maintain** the current practice of adopting **general principles** (instead of detailed guidelines) for regulating product placement; and
  - (b) **revise the general principles for regulating product placement** in paragraph 13(a) above as per below –
    - (i) the exposure or use of products/services within a programme is presented in a **natural and unobtrusive manner having regard to the programme context and genres**<sup>8</sup>; and
    - (ii) there is **no direct encouragement of purchase or use of products/services**.
18. In relation to the proposed requirement in paragraph 17(b)(ii) above, taking into account the findings of the Survey and drawing reference from overseas practice, the following forms of presentation of products/services would be considered as direct encouragement of purchase or use of products/services and be provided as guidance to licensees –
- (a) referring to the products/services by frequent use of favourable or superlative language, or containing remarks that the products/services should be purchased/owned/used;
  - (b) containing advertising claims (i.e. statements about the benefits, characteristics and/or performance of products/services which strongly persuade the customer to make a purchase) or promotional slogans associated with the products/services/trademarks;
  - (c) mentioning the price and availability of the products/services; and
  - (d) excessively highlighting or exposing the products/services.

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<sup>8</sup> Making reference to the findings of the research and the Survey, examples of presentation will be provided as illustrations to provide guidance to licensees.

**Question 2:** *Do you consider it appropriate to maintain the current practice of adopting general principles instead of imposing detailed guidelines for regulating product placement? Please give reasons for your response.*

**Question 3:** *Do you have any views on the general principles for regulating product placement as proposed in paragraph 17(b) above?*

**Question 4:** *Do you have any views on the forms of presenting products/services which would likely be considered as direct encouragement of purchase or use of products/services as stated in paragraph 18 above?*

### **(C) Indirect Advertising where No Payment or Other Valuable Consideration is Received by Licensees**

#### Current Practice

19. At present, the TV Programme Code provides that no undue prominence may be given in any 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. Such references must be limited to what can clearly be justified by the editorial requirements of the programme, or of an incidental nature (collectively referred to as “prohibition of undue prominence” hereafter). Currently, the **prohibition of undue prominence applies to cases** where commercial references are included within a programme for which the licensee does **not** receive any payment or other valuable consideration.

20. **Exemptions** from the prohibition of undue prominence are provided for certain programmes and channels (viz. films made for the cinema, acquired programmes covering sporting and other events outside Hong Kong and direct re-transmission channels) under specific conditions<sup>9</sup>.

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<sup>9</sup> Examples of the exemptions are as follows –

- (a) references to commercial names which are built into live sports programmes acquired by a licensee for which the licensee does not receive any payment or other valuable consideration are not subject to the prohibition of undue prominence;
- (b) films made for the cinema and acquired programmes covering sporting and other events which take place outside Hong Kong may deviate from the sponsorship rules (including those on product placement) when the deviation is unavoidable; and
- (c) programmes of channels acquired for direct re-transmission which are produced primarily for reception outside Hong Kong and do not contribute to any advertising revenue of the licensee may deviate from the prohibition of indirect advertising and undue prominence, as well as the sponsorship rules when the deviation is unavoidable.

## Public Views and Overseas Practice

21. According to the findings of the Survey, whether the licensees would receive payment or other valuable consideration for products/services featured in a programme is not regarded as a crucial factor in considering the regulation of indirect advertising. However, some respondents to the Survey take the view that should a licensee receive no payment or other valuable consideration for the inclusion of product/service in a programme, the relevant programme could be subject to more relaxed regulatory requirements.

22. In most major jurisdictions (except the UK), unpaid commercial references within a programme are either exempted from the rules governing product placement or are not regulated at all, and such references are not subject to the prohibition of undue prominence.

## Proposed Changes

23. In view of the above, the CA proposes to **remove the prohibition of undue prominence regarding unpaid commercial references** within a programme. Such a move is consistent with the overall direction of relaxation wherever possible and appropriate, and is in line with the international trend.

24. Notwithstanding the above, the CA considers that if the products/services featured in a programme are provided by companies associated with the licensee concerned, they should be subject to regulation even if the licensee does not receive any payment or other valuable consideration. This is because the licensee would have asked for payment or other valuable consideration for including the products/services in question in its programmes if not for the fact that they are provided by companies associated with it. Given the above, the CA considers it appropriate to subject such a situation to the same set of rules governing product placement (please see paragraphs 13 to 18 above for details). Specifically, the CA proposes specifying under the product placement rules that a licensee is **deemed to have received payment or other valuable consideration for including in its programmes products/services of another company in the group of companies<sup>10</sup> of which the licensee is a member**. The CA considers that the proposed arrangement is necessary to avoid creating a loophole whereby a free or domestic pay television programme service (“pay TV”) licensee can use its licensed TV service as a platform to provide indirect advertising for its associated companies without being subject to any regulation.

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<sup>10</sup> The definition of “group of companies” in section 2(1) of the Companies Ordinance (Cap. 622), which refers to “any 2 or more bodies corporate one of which is the holding company of the other or others” will be adopted.

**Question 5:** *Do you have any views on the proposal to remove the prohibition of undue prominence regarding unpaid commercial references within a programme?*

**Question 6:** *Do you have any views on the proposal that a licensee should be deemed to have received payment or other valuable consideration for including in its programmes products/services of another company in the group of companies of which the licensee is a member? Do you agree that such a situation should be subject to rules governing product placement?*

## **(D) Notification Requirement for Product Placement**

### Current Practice

25. The TV Advertising Code requires that all sponsored programmes must be clearly identified. For product placement, the sponsors must be clearly identified in the front and/or end sponsor credits of the programme. While licensees are allowed to identify sponsors in the front and/or end sponsor credits of the programme, their usual practice is to identify product/service sponsors in the end sponsor credits.

### Public Views and Overseas Practice

26. According to the findings of the Survey, the public generally consider that licensees should clearly inform viewers of the inclusion of product placement at the start of the programme to facilitate viewers to make an informed decision about viewing and assist parents in providing guidance to their children.

27. In most major jurisdictions with specific rules governing product placement, there is a mandatory requirement to signal product placement at the start of a programme. In some jurisdictions, identification is required at both the start and the end of a programme and when a programme resumes after a commercial break.

### Proposed Changes

28. With the proposed relaxation, it is likely that more product placement would feature in programmes in future. Licensees should have the responsibility to make reasonable efforts to minimise the risk of misleading

viewers. The CA considers that the licensees should clearly inform viewers by an aural and visual statement<sup>11</sup> at the start of a programme if it includes product placement. Accordingly, the CA proposes to –

- (a) **maintain** the existing requirement on sponsor credits in paragraph 25 above; and
- (b) **introduce a new requirement** under which **licensees should make an aural and visual statement** at the **start** of a programme **to clearly inform viewers** of the inclusion of product placement therein.

**Question 7:** *Do you have any views on the proposed requirement under which licensees should give an aural and visual statement to clearly inform viewers of the inclusion of product placement at the start of a programme?*

## **(E) Acquired Programmes**

### Current Practice

29. At present, acquired programmes are subject to the rules governing indirect advertising and product placement except for certain programmes and channels under specific conditions (please see footnote 9 for details).

### Public Views and Overseas Practice

30. While the findings of the opinion survey indicate that there is no major difference in the acceptance level towards indirect advertising in station-produced programmes and acquired programmes (produced locally or overseas) broadcast by free TV licensees, the views of participants in focus group discussions are divided. Some consider that the same regulatory requirement should apply to both station-produced programmes and acquired programmes on grounds of equity. However, some others consider that indirect advertising in acquired programmes should be subject to more relaxed standards as licensees usually receive no payment or other valuable consideration for the commercial references featured therein nor have editorial control over such programmes. Moreover, the licensee's editing to ensure compliance (e.g. blurring the relevant products or trademarks) may affect the integrity of the programmes and viewing pleasure which would weaken the position of free TV

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<sup>11</sup> The inclusion of an aural and visual statement seeks to ensure that audience, including those who are visual- and hearing-impaired, would have access to the notification.

licensees in their competition with other media platforms (such as over-the-top service) on which acquired productions are provided.

31. In other major jurisdictions, different forms of exemptions are provided for product placement in acquired programmes. For example, in Taiwan, commercial references in programmes produced by foreign producers and without post-production are not regarded as product placement if the broadcasters do not benefit directly from such commercial references. In Singapore, references to commercial names in programmes are acceptable if they are inherent in programmes acquired by a broadcaster.

### Proposed Changes

32. The CA considers that providing exemption for acquired programmes (produced locally or overseas) would be more in line with the overall direction of relaxing the current rules as well as the practices adopted in other major jurisdictions. In fact, similar exemption is currently provided for programmes of channels acquired for direct re-transmission (see footnote 9(c)). Hence, the CA proposes **to exempt acquired programmes (defined as programmes (produced locally or overseas) which are not produced by the licensee) from compliance** with the rules governing indirect advertising and sponsorship **provided** that the inclusion of indirect advertising within an acquired programme **does not give rise to any payment or other valuable consideration to the licensee**. That said, to strike a balance between the interests of viewers and licensees, the **prohibition of indirect advertising in respect of specific programme genres** (viz. news programmes, current affairs programmes<sup>12</sup>, children's programmes, educational programmes, religious service or other devotional programmes) **should apply to acquired programmes**.

33. In addition, to ensure that viewers would be aware of indirect advertising featured in acquired programmes, the CA considers that acquired programmes should be **subject to the notification requirement**, viz. an aural and visual statement should be given to clearly inform viewers of the inclusion of indirect advertising at the start of an acquired programme. To avoid imposing restrictions which are more stringent than the current regulatory regime, the above notification requirement should not apply to films made for the cinema, acquired programmes covering sporting and other events, as well as direct re-transmission channels mentioned in paragraph 20 above. They

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<sup>12</sup> In case the licensees receive payment or other valuable consideration for inclusion of commercial references within **acquired current affairs programmes**, the licensee should exercise care in the choice of sponsors so as to safeguard the credibility and integrity of such programmes and should follow the sponsorship rules.

will continue to be subject to the current rules<sup>13</sup> rather than the proposed new requirements.

34. There are comments from licensees that the **exemption** from compliance with the indirect advertising and sponsorship rules which currently apply to direct re-transmission channels produced primarily **for reception outside Hong Kong** (which do not contribute to any advertising revenue of the licensees) should be **extended to** direct re-transmission channels produced primarily **for reception in Hong Kong** on a **pay TV** service (which also do not contribute to any advertising revenue of the licensees) given the technical difficulties for the licensees to comply with the relevant rules during direct re-transmission of channels. The CA notes that programmes on direct re-transmission channels which are produced primarily for reception in Hong Kong may contain commercial references targeting local viewers. To address the technical difficulties of the licensees on the one hand and to protect the interests of viewers on the other, the CA proposes that such channels on a pay TV service **should be exempted** from compliance with the relevant rules **on condition that** the licensee would **indicate in** its publicly announced or published **programme schedules that such channels are acquired for direct re-transmission and may contain indirect advertising.**

***Question 8:*** *Do you have any views on the proposal to allow acquired programmes to be exempted from compliance with the rules governing indirect advertising and product placement provided that the inclusion of indirect advertising within a programme does not contribute to any payment or other valuable consideration to the licensee?*

***Question 9:*** *Do you have any views on the proposal that licensees should make an aural and visual statement to clearly inform viewers of the inclusion of indirect advertising in an acquired programme at the start of such a programme?*

***Question 10:*** *Do you have any views on the proposal that the same prohibition of indirect advertising in respect of specific programme genres should apply to acquired programmes?*

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<sup>13</sup> Under the current rules, acquired programmes covering sporting and events outside Hong Kong, as well as direct re-transmission channels produced primarily for reception outside Hong Kong on a pay TV service are not subject to any notification requirement for indirect advertising contained in the programmes. For direct re-transmission channels produced primarily for reception outside Hong Kong on a free TV service, announcements which may be in the form of superimposed text should be displayed to adequately inform viewers that advertisements may be placed within programmes of channels acquired for direct re-transmission.

**Question 11:** *Do you have any views on the proposal that the exemption from compliance with the indirect advertising and sponsorship rules should be extended to cover direct re-transmission channels produced primarily for reception in Hong Kong on a pay TV service (which do not contribute to any advertising revenue of the licensee) subject to the notification requirement in its programme schedules?*

**Question 12:** *Do you have any other comments on the review of the regulation of indirect advertising and product placement?*

### **Applicability of the Proposals**

35. Currently, the rules on indirect advertising and product placement applicable to free TV services are largely the same as those for pay TV services and other licensable television programme services<sup>14</sup>. In line with the existing practice, the above proposals, where appropriate, would **apply to all these services**.

### **INVITATION OF VIEWS AND COMMENTS**

36. The CA invites views and comments from members of the public on the questions raised in this Consultation Document. All views and comments should be made in writing and should reach the CA Secretariat on or before **28 April 2018** through any of the following means –

By Post: Communications Authority Secretariat  
20/F, Wu Chung House  
213 Queen's Road East  
Wanchai, Hong Kong  
(Attn: Special Duty Division – Consultation on Codes Review)

By Fax: 2507 2219  
(Attn: Special Duty Division – Consultation on Codes Review)

By e-mail: [consultation-cop@ofca.gov.hk](mailto:consultation-cop@ofca.gov.hk)

37. Written views and comments received will be referred to the CA and its Broadcast Codes of Practice Committee for consideration. The CA and

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<sup>14</sup> The other licensable television programme service licensees provide television programme services in hotel rooms in Hong Kong.

its Broadcast Codes of Practice Committee reserve the right to make public any submissions in whole or in part and disclose the identity of the source. Any material claimed to be confidential should be clearly marked. The CA would take such marking into account in making its decision on whether to release the material or not.

38. For enquiries, please send e-mail to [consultation-cop@ofca.gov.hk](mailto:consultation-cop@ofca.gov.hk) or call the Special Duty Division at 2961 6456 or 2961 6309.

39. For the avoidance of doubt, all the views expressed in this Consultation Document are for the purpose of discussion and consultation only. Nothing in this Consultation Document represents or constitutes any decision made by the CA. The consultation contemplated by this Consultation Document is without prejudice to the exercise of the powers by the CA under the Communications Authority Ordinance (Cap. 616), the Broadcasting Ordinance (Cap. 562), the Broadcasting (Miscellaneous Provisions) Ordinance (Cap. 391) or any subsidiary legislation.

Communications Authority  
28 March 2018