

Appendix

Case 1 – Television Programme “Noon News” (午間新聞) broadcast at 12:00 noon, 28 November 2021 on the ViuTV Channel of HK Television Entertainment Company Limited (HKTVE)

A member of the public complained about the captioned programme, alleging that in a news item in which a few candidates running for the 2021 Legislative Council General Election (the Election) were mentioned, instead of listing out the names of all other candidates in the relevant constituencies, the programme showed a Quick Reference (QR) code which linked to the information of the candidates.

The Communications Authority (CA)’s Findings

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

Details of the Case

- (a) in the programme under complaint, there was a news item in which some candidates running in different geographical/functional constituencies in the Election were mentioned. Not all the names of the candidates contesting in the constituencies concerned were mentioned in the programme or shown on screen. At the end of the report, two QR codes were shown on screen and the anchor advised

that viewers might scan the QR codes for information of the candidates;

- (b) according to the Electoral Affairs Commission (EAC), HKTVE did not follow the relevant requirement under the guidelines on the Election that the mention of the names of other candidates of the same constituency should be made in the same programme; and
- (c) HKTVE submitted, among others, that it had carried out internal review to rectify the situation with a view to observing all the regulations and guidelines in connection with elections issued by EAC.

Relevant Provision in the Generic Code of Practice on Television Programme Standards (TV Programme Code)

- (a) paragraph 9 of Chapter 12 – licensees should observe all the regulations and guidelines in connection with elections issued by EAC.

The CA's Consideration

The CA, having regard to the relevant facts of the case including EAC's finding that HKTVE did not follow the relevant requirement under the guidelines on the Election, considered that HKTVE was in breach of paragraph 9 of Chapter 12 of the TV Programme Code. The CA also noted that HKTVE had reviewed its internal process to ensure compliance with the relevant requirement in future.

Decision

In view of the above, the CA considered the complaint justified. Having taken into account the specific facts, the circumstances of the case and other relevant factors, the CA decided that HKTVE should be **advised** to observe more closely the relevant provision of the TV Programme Code.

Case 2 – Television Programme “Web Rumour Go Go Go” (流言追追追) broadcast from 4:00pm to 4:30pm, 26 December 2021 on the Hong Kong Open TV Channel¹ of Fantastic Television Limited (Fantastic TV)

A member of the public complained that the captioned programme, which was classified as “Parental Guidance Recommended” (PG) for dangerous acts, was broadcast during the family viewing hours (FVHs) (viz. 4:00pm – 8:30pm).

The CA’s Findings

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

Details of the Case

- (a) the programme under complaint was an information programme themed on escape from entrapment in cars by breaking windows, which was classified as “PG” for dangerous acts and was broadcast from 4:00pm to 4:30pm (i.e. within the FVHs);
- (b) aural and visual advice on the “PG” classification was broadcast before the start of the programme, with warning captions against imitation of the dangerous acts intermittently shown therein; and

¹ The channel was renamed as HOY TV with effect from 18 October 2022.

- (c) Fantastic TV submitted, among others, that the lapse was an inadvertent technical oversight in programme scheduling, and preventive measures would be taken to avoid recurrence.

Relevant Provisions in the TV Programme Code

- (a) paragraph 2 of Chapter 2 – the FVHs are determined as the period between the hours of 4:00pm and 8:30pm on any day, during which time nothing which is unsuitable for children should be shown; and
- (b) paragraph 5 of Chapter 2 – no programmes classified as “PG” should be included within FVHs.

The CA’s Consideration

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

- (a) the programme, classified as “PG” and broadcast during the FVHs, contained portrayal of dangerous acts which carried the risk of imitation by children. It was unsuitable for viewing by children in the absence of parental guidance; and
- (b) there was a clear breach of paragraphs 2 and 5 of Chapter 2 of the TV Programme Code by Fantastic TV.

Decision

In view of the above, the CA considered the complaint justified. Having taken

into account the specific facts, the circumstances of the case and other relevant factors, the CA decided that Fantastic TV should be **advised** to observe more closely the relevant provisions of the TV Programme Code.