

Appendix

Case – Complaints on Outage of Now TV Limited (Now TV)’s Domestic Pay Television Programme (pay TV) Service

A total of 18 public complaints against Now TV in relation to the outage of its pay TV service between 25 February and 3 March 2025 (the Outage) have been received. The allegations are summarised below –

- (a) Now TV’s pay TV service, comprising both linear and video-on-demand (VOD) channels, was unavailable beginning from 25 February 2025. Even after Now TV announced on 27 February 2025 that its pay TV service had fully resumed, some of the complainants were still unable to successfully access or view the service through set-top boxes (STBs);
- (b) long waiting time was required for access to Now TV’s customer service representatives during the Outage; and
- (c) Now TV had not promptly notified its customers regarding the Outage and the relevant arrangements. Neither had it provided any explanations on the Outage.

The Communications Authority (CA)’s Findings

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

Details of the Case

- (a) the Outage of Now TV's linear and VOD channels began on 25 February 2025 morning and affected most of its subscribers. It was due to the failure in Now TV's hardware systems (the Relevant Systems) responsible for the delivery of linear and VOD channels, leading to a transmission failure of 155 channels, including 82 linear channels (out of 138) and all 73 VOD channels;
- (b) Now TV took various recovery actions and the Relevant Systems for linear channels and VOD channels eventually resumed operation on 25 February 2025 and 27 February 2025 respectively;
- (c) Even after the system restoration, some subscribers still could not resume viewing their subscribed pay TV services via STBs due to various reception issues¹ caused by the overloading of the Relevant Systems. In order to resolve these reception issues, Now TV took a series of remedial actions from 26 February to 3 March 2025. At last, following more than 43.4 hours² of service outage, some complainants gradually resumed access to all of their subscribed Now TV's pay TV channels via STBs;

¹ These reception issues included failure in rebooting the STBs, screen freezes when switching the linear channels and incorrectly prompting for purchase of the subscribers' purchased VOD channels.

² To comply with the minimum standard of 99% service availability as stated in the Generic Code of Practice on Television Technical Standards (TV Technical Code), the aggregate duration of service unavailability per channel of Now TV from September 2024 to February 2025 should not exceed 43.4 hours.

- (d) notwithstanding extra manpower had been deployed by Now TV to handle the surge in customer enquiries, extended handling time was required for a variety of technical troubleshooting. Consequently, some customers experienced a longer waiting time for access to customer service representatives; and
- (e) Now TV had informed its customers of the service outage by posting messages on Now TV's website and its official social media accounts, as well as the social media platforms of other group brands under its parent company.

Relevant Provision in the TV Technical Code

- (a) paragraph 3.6 of Chapter 3 – standards of reliability, measured in terms of service availability to viewers, must be maintained to levels that are as high as reasonably practicable. The minimum standard of availability is 99% averaged over the preceding six months. This standard shall apply on an individual channel basis. Service availability should be measured at the connecting point at the viewers' end; and

Relevant Provision in the Domestic Pay Television Programme Service Licence of Now TV (Licence)

- (a) Condition 30 – the Licensee shall provide and maintain adequate standby equipment (including but not limited to spare parts) and staff to ensure that any interruption to the Licensee's pay TV service

provided under this Licence is avoided or minimised, and that necessary repairs or replacements are made or provided promptly.

The CA's Consideration

The CA, having regard to the relevant facts of the case including the information submitted by Now TV, considered that –

Service Availability

- (a) as a result of the reception issues, the affected channels remained unavailable to some Now TV subscribers even after 27 February 2025, thus Now TV had failed to fulfil the minimum standard of service availability at 99%;

Availability of Adequate Standby Equipment and Staff and Necessary Repairs are Made Promptly

- (b) Now TV took about six days (from 26 February to 3 March 2025) to resolve all the reception issues of its subscribers. Now TV had failed to demonstrate that it had taken reasonable steps to minimise the interruption of its pay TV service promptly given its reactive approach to system restoration and lack of plausible explanations on the incapability of resolving the reception issues in shorter timeframe;

Customer Services

- (c) regarding the allegations from complainants that long waiting time

was required for access to customer service representatives during the Outage, the CA considered that Now TV had deployed extra manpower and provided a 24-hour manned customer hotline for handling customers' enquiries as committed in its Licensee's Proposal in accordance with Condition 11.1 of the Licence³; and

- (d) regarding information dissemination to customers, the CA considered that while the dissemination of information during service outage by television licensees was not a matter regulated by the CA, it was the fundamental responsibility of a pay TV licensee to adequately and timely inform its subscribers of any service interruption and the progress of restoration work.

Decision

In view of the above, the CA considered the complaints regarding Now TV's failure to fulfil minimum standard of service availability, and to maintain adequate standby equipment and staff and make necessary repairs promptly were substantiated and Now TV was in breach of paragraph 3.6 of the TV Technical Code and Condition 30 of the Licence. Having taken into account the specific facts, the circumstances of the case and other relevant factors, the CA decided that Now TV should be **strongly advised** to –

- (a) observe closely the relevant provisions of the TV Technical Code and the Licence;

³ Now TV had committed in the Licensee's Proposal to, among others, providing a 24-hour manned customer hotline and an internal monitoring mechanism to ensure that every properly registered enquiry or comment made by its customer will be followed up by its staff responsively and appropriately.

- (b) follow the principle of service availability stipulated in the TV Technical Code in the calculation of service availability rate;
- (c) improve its monitoring capability with respect to the service availability to subscribers; and
- (d) improve the mechanism of information dissemination to subscribers for similar incidents in future.