

## **Breaches dealt with by the Communications Authority (“CA”) in March 2021**

### **Revocation of the Other Licensable Television Programme Service Licence of TTV Asia Limited (“TTV”)**

#### **Relevant Provisions**

Broadcasting Ordinance (Cap. 562) (“BO”)

- Sections 32(4)(a)(i) and 32(7)(a)
- Section 13(1) of Schedule 4

Broadcasting (Licence Fees) Regulation (Cap. 562A) (“Broadcasting Regulation”)

- Section 3
- Sections 3(b)(ii) and 5(2)(b) of Schedule 4

Type B Other Licensable Television Programme Service Licence (“Licence”)

- Condition 7.1

#### **The CA’s Findings**

Under the BO, Broadcasting Regulation and the Licence, TTV is required to pay annually to the CA a variable fee calculated by multiplying HK\$5,400 with the number of hotels to which its service is provided on each anniversary of the effective date of the Licence. The variable fee shall be payable not later than 60 days after each anniversary of the effective date of the Licence.

TTV has failed to pay the variable fee for the licence year 2020/2021 within 60 days of the due date (“Variable Fee”). Despite repeated demands and reminders, TTV still failed to pay the Variable Fee to date. The CA was satisfied that there was cause to revoke the Licence under section 32(4)(a)(i) of the BO which provides that the CA may revoke a licence for failure by the licensee to pay licence fee owing by the licensee required under the BO within 60 days of the due date.

Pursuant to section 33(2)(a) of the BO, the CA served on TTV a notice in writing stating that the revocation of the Licence was under consideration and the reasons, and invited TTV to make representations. TTV did not

respond or make any representations.

## **Decision**

Taking into account the severity, nature and duration of TTV's breaches, the CA reached a final decision that the Licence should be revoked. Pursuant to section 32(7)(a) of the BO, the revocation of the Licence took effect on 19 March 2021.