

**Complaints dealt with by the Communications Authority (“CA”) (released on 30 December 2022)**

The CA has considered the following complaint case –

[Television Programme “Late News” \(晚間新聞\) broadcast by Fantastic Television Limited \(“Fantastic TV”\)](#)

The CA also reviewed the decisions of the Director-General of Communications (“DG Com”) on six complaint cases.

Having considered the recommendations of the Broadcast Complaints Committee, the CA decided that –

1. a **serious warning** should be given to Fantastic TV on the complaint against the television programme “Late News” (晚間新聞); and
2. the decisions of the DG Com on the complaint cases should be upheld. Details of the cases are set out in the [Appendix](#).

30 December 2022

**Case – Television Programme “Late News” (晚間新聞) broadcast at 11:00pm, 24 September 2021 on the Hong Kong International Business Channel (HKIBC) of Fantastic Television Limited (Fantastic TV)**

A member of the public complained about the captioned news programme, alleging that it wrongly replayed an edition of the programme broadcast on 6 August 2021 (the “6 August Edition”) on the same channel.

**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 a pre-recorded news programme broadcast on a daily basis;
- (b) the contents of the news items in the programme under complaint were exactly the same as those in the 6 August Edition; and
- (c) Fantastic TV submitted, among others, that due to a human error, its staff wrongly replayed the 6 August Edition in the programme under complaint (the Incident). Fantastic TV had reviewed its internal control mechanism and taken enhanced measures to avoid similar lapses from occurring in the future.

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

- (a) paragraph 1 of Chapter 9 – licensees should ensure that news is presented with accuracy;
- (b) paragraph 1A of Chapter 9 – licensees shall make reasonable efforts to ensure that the factual contents of news are accurate; and
- (c) paragraph 7(e) of Chapter 9 – correction of factual errors should be made as soon as practicable after the original error, or at the end of the current programme or the beginning of a subsequent programme. In some circumstances it may be appropriate for a statement to appear in print.

**The CA’s Consideration**

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

*Accuracy*

- (a) the contents of the news items in the programme under complaint were outdated by several weeks and no longer accurate at the time of broadcast. The staff of

Fantastic TV was not aware of the obvious lapse during the broadcast of the whole programme, let alone rectifying the situation in a timely manner. The Incident reflected serious negligence on the part of Fantastic TV in monitoring the accuracy of its news programme. As such, Fantastic TV was in breach of paragraphs 1 and 1A of Chapter 9 of the TV Programme Code; and

*Correction of Factual Errors*

- (b) Fantastic TV did not correct its factual errors after the Incident. There was a clear breach of paragraph 7(e) of Chapter 9 of the TV Programme Code.

**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 **seriously warned** to observe more closely the relevant provisions of the TV Programme Code.

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## Appendix

### Review of the Director-General of Communications' Decisions on Complaint Cases by the Communications Authority

<b>Title</b>	<b>Broadcast Channel</b>	<b>Broadcast Date</b>	<b>Substance of Complaint</b>	<b>Decision Upheld</b>
TV Programme “A Closer Look” (時事多面睇)	TVB News	17 & 18.6.2020	Inaccuracy & Offensive Material	Unsubstantiated
TV Programme “Every History Tells A Story” (歷史有話說)	TVB News	30.7.2020	Inaccuracy & Offensive Material	Unsubstantiated
TV Programme “The National Security Law” (各有國安法)	TVB News	18.6.2020	Inaccuracy & Offensive Material	Unsubstantiated
TV Programme “Finance at 10” (十點無綫財經)	TVB Finance & Information	4.6 & 16.8.2021	Inaccuracy	Unsubstantiated
TV Programme “Finance at 10” (十點無綫財經)	TVB Finance & Information	17.11.2021	Inaccuracy	Unsubstantiated
TV Programmes “Late News” (晚間新聞) & News Roundup (晚間新聞)	TVB News & TVB Jade	1.11.2021	Inaccuracy	Unsubstantiated