

BROADCASTING ORDINANCE (Chapter 562)

DIRECTION (Section 24(1))

To: Times International Media Group Limited

Date: 17 December 2013

Interpretation

In this Direction, unless the context otherwise requires,

“TIMG” means Times International Media Group Limited;

“Authority” means the Communications Authority (successor of the Broadcasting Authority);

“Licence” means the non-domestic television programme service licence held by TIMG;

“Licensee’s Proposal” means the same as defined in Condition 1.4.1 of the Licence;

“Ordinance” means the Broadcasting Ordinance (Cap. 562)

“Service” means the non-domestic television programme service which TIMG is authorised and required to provide in accordance with the Licence and any law or Ordinance.

Background

Condition 10.1 of the Licence provides that, unless the licensee’s compliance is waived by the Authority, TIMG shall comply with the Licensee’s Proposal, including statements and representations regarding the launch of Service by TIMG.

2. Under Condition 1.4.1 of the Licence, the Licensee’s Proposal

means all statements and representations made to the Authority and the Government by or on behalf of the Licensee in its application for the Licence. In its application for the Licence, TIMG submitted that it would launch its proposed service in the second half of 2007. However, TIMG has yet to launch its Service as at 30 November 2013.

3. Having considered the circumstances of the case and the representations of TIMG dated 29 July 2013, 15 August 2013 and 11 November 2013, the Authority is of the view that TIMG's failure to launch its service in accordance with the Licensee's Proposal is in breach of Condition 10.1 of the Licence.

4. Taking into account the severity, nature and duration of the breach and representations made by TIMG, the CA decided that TIMG should be seriously warned to observe Condition 10.1 of the Licence.

5. Section 24(1) of the Ordinance empowers the Authority to issue directions in writing to a licensee requiring it to take such action specified in the notice as the Authority considers necessary in order for the licensee to comply with any requirement under, among others, a prescribed Ordinance or any licence condition applicable to it.

Direction

6. The Authority, in exercise of its power under section 24(1) of the Ordinance, hereby *directs* TIMG to launch its Service by 30 June 2014. Failure to comply with this Direction may result in the Authority imposing further sanctions on TIMG including revocation of licence in accordance with the Ordinance.

7. This Direction will be published on the Authority's website: www.coms-auth.hk in accordance with section 24(3) of the Ordinance.

(Miss Eliza Lee)
for Communications Authority
17 December 2013