

## **BROADCASTING ORDINANCE (Chapter 562)**

### **DIRECTION (Section 24(1))**

To: China Satellite TV Group Company Limited

Date: 9 June 2015

#### **Interpretation**

In this Direction, unless the context otherwise requires,

“Authority” means the Communications Authority;

“CHTV” means China Satellite TV Group Company Limited;

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

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

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

“Service” means the non-domestic television programme service which CHTV 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 CHTV’s compliance is waived by the Authority, CHTV shall comply with the Licensee’s Proposal, including statements and representations regarding the Service provided by CHTV.

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, CHTV submitted that upon service launch in December 2009, it would provide a service comprising one 24-hour general entertainment channel. However, CHTV suspended its Service on 15 July 2014 and the Service remains suspended to date.

3. Having considered the circumstances of the case and the representations of CHTV dated 17 February 2015, the Authority is of the view that CHTV's failure to provide the Service in accordance with the Licensee's Proposal during the period of suspension of service without the CA's approval is in breach of Condition 10.1 of the Licence.

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

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* CHTV to resume its Service by 28 June 2015. Failure to comply with this Direction may result in the Authority imposing further sanctions on CHTV including the imposition of a financial penalty in accordance with section 28 of the Ordinance.

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

(Miss Eliza Lee)  
for Communications Authority  
9 June 2015