# 行政院所屬各機關出國報告 (出國類別:會議)

# 出席 2012 亞洲有線暨衛星 廣播電視協會管制者圓桌論壇及 年會報告

服務機關:國家通訊傳播委員會

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出國期間: 2012年10月28日至11月1日

報告日期:2013年1月



# 摘 要

近年來隨著網際網路的發達、寬頻服務的提供、影音串流技術的進步及多屏幕(multiscreens)影音服務技術的成熟,廣播電視產業的變化瞬息萬變;國家通訊傳播委員會作為廣播電視產業的監理機關,面對匯流下產業的變化更應隨時掌握及更新。亞洲有線暨衛星廣播電視協會(CASBAA)自2003年起每年在香港舉辦管制者圓桌論壇及年會活動,迄今正好是第10度舉行。本會為持續加強與該國際組織合作關係,並增進瞭解區域監理對象之發展動態及經營策略,自2006年起即參與CASBAA管制者圓桌論壇及年會,本年度為第6次受邀參加。

CASBAA 特別點出了傳統廣電媒體與 OTT-TV (Over-The-Top TV) 規管差異的問題,傳統廣播電視業者仍試圖尋找與新興視訊內容如 OTT-TV 服務相輔相乘的共處之道,主辦單位呼籲各國應該放寬有線及衛星廣電業者的規範,因為許多廣電規範是在消費者當年只有電視媒介可選擇的年代所制定的,這種規範已經過時而且讓他們無法跟新與 OTT-TV 競爭,這種蒸汽火車時代"steam-driven regulation" (意謂「蒸汽引擎推動的管制」)應該與時俱進。

藉由參與 CASBAA 管制者圓桌論壇及年會活動,可了解亞太地區廣播電視媒體及新興視訊內容產業的發展概況,從產業界領導群之間的對話,增進對監理對象關切議題的掌握,並了解廣播電視產業環境動態及最新趨勢,並作為未來匯流下相關視訊內容政策規劃之參考。我國市場幅員較小,相對於 OTT-TV 服務的跨國性產業發展趨勢,我市場參與者仍是以單純提供寬頻接取服務為主。如何從產業培植的視野將 OTT-TV 產業留在國內,鼓勵本國業者參進新進市場,而非在未來國際市場的規模戰中淪為 Dumb Pipe,是本會應重視的課題。



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# 壹、 前言/目的

亞洲有線暨衛星廣播電視協會(Cable and Satellite Broadcasting Association of Asia;以下簡稱 CASBAA)成立於 1991年,迄今逾 21年。其會員提供的有線及衛星廣播電視服務範圍,涵蓋亞太 18個區域市場、收視人口估計達 4億 4500萬人;130個會員包括頻道及視訊內容提供者、有線廣播電視及新興媒體平台提供者、媒介傳輸服務提供者、廣告行銷媒體服務提供者等。最早的會員包括 HBO亞洲公司、ESPN、Star TV、CNN及 Discovery 頻道。

國家通訊傳播委員會(下簡稱本會)參與 CASBAA 管制者圓桌論壇及年會活動的目的在於了解廣播電視產業環境動態及最新趨勢,尤其近年來隨著網際網路的發達、寬頻服務的提供、影音串流技術的進步及多屏幕(multiscreens)影音服務技術的成熟,廣播電視產業的變化瞬息萬千;本會作為通訊傳播產業的監理機關,面對匯流下產業的變化更應隨時掌握及更新。付費電視(pay-TV)市場與 OTT-TV(Over-The-Top TV<sup>1</sup>)影音服務之間的關係、社群媒體在影音內容上的應用、廣電業者如何適應新興媒體環境的變遷、網路新世代對於廣電內容的態度等,都是產業關注的焦點。

 $<sup>^1</sup>$  近年來視訊影音服務透過機上盒、聯網電視、平板電腦、智慧型手機等各種裝置提供,不論消費者何種終端裝置,都可以隨處看到影音串流,產業界將這種網路視訊服務的型態通稱為 Over-The-Top TV。



圖 1 CASBAA 會員涵蓋亞太地區媒體服務產業



圖 2 台灣寬頻服務業者亦加入 CASBAA 會員

# (一) CASBAA 組織概況

雖然 CASBAA 是以傳統廣電內容的傳輸技術一衛星及光纖纜線為名而成立,但隨著視訊內容數位化及網路串流影音技術臻於成熟,CASBAA 的會員逐漸溢出有線及衛星廣播電視的範疇,即使是傳統的廣電業者也開始發展 OTT-TV 的服務類型,才能滿足觀眾 TV Everywhere Anytime 的需求。根據統計<sup>2</sup>,該協會會員類別以頻道業者占 34%為最多,其次是平台業者 20%,至於衛星產業會員及技術服務業者各占 15%、16%,其他類亦占 15%。

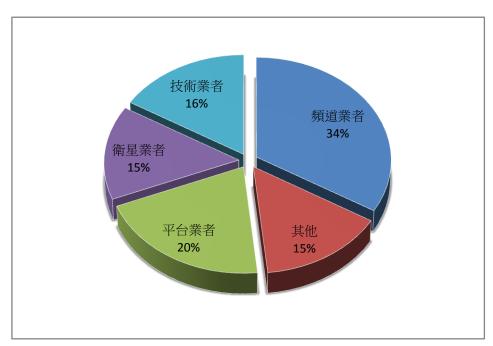


圖 3 CASBAA 會員產業類別

<sup>&</sup>lt;sup>2</sup> 參考 CASBAA 首席政策總裁 John Medeiros 於管制者圓桌論壇所提報簡報資料,詳本文附件1。

因為環境變化及產業趨向,CASBAA組織結構也隨之調整。與幾年前相較<sup>3</sup>,該協會新設立「OTT及聯網媒體小組」(The OTT & Connected Media Group)就是為了促進會員透過數位平台傳輸的視訊內容,能朝付費市場成長發展;同時也增進相關產業如OTT、寬頻、行動裝置(手機、平板等)、聯網電視、社群媒體及雲端技術服務等商業營運模式的知識及可行性。

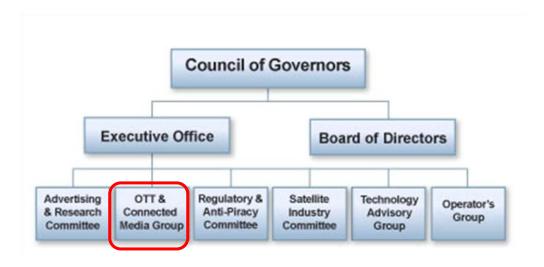


圖 4 CASBAA 組織架構

# (二) 本會參與情形

CASBAA2012 年年會主題為-18 Reasons Why(18 個理由),其意涵為 CASBAA 18 個亞洲市場、18 個年會議題,協會主席 Fenez 說,「你也可以把它 解讀為 18 洞的會員高爾夫球聯誼賽 $^4$ 。」

<sup>&</sup>lt;sup>3</sup>〈出席2009 亞洲有線暨衛星廣播電視協會年會暨參訪香港廣播電視監理單位及相關業者報告〉, 詳 <a href="http://report.nat.gov.tw/ReportFront/report\_detail.jspx?sysId=C09803434">http://report.nat.gov.tw/ReportFront/report\_detail.jspx?sysId=C09803434</a>。

<sup>&</sup>lt;sup>4</sup> 該高爾夫球聯誼賽屬會員自費活動,安排於管制者圓桌論壇同日舉行(10月29日),各國監理機關代表並未參加。然而對於 CASBAA 的產業會員而言,參與高球聯誼似乎是個增進交誼與商機的機會,該活動由會員 EuroSport 頻道贊助,但參與者仍需付費(USD\$350/人)。



圖 5 CASBAA 2012 年年會主題主視覺設計

該協會自 2003 年起每年在香港舉辦管制者圓桌論壇及年會活動,迄今正好是第 10 度舉行。本會為持續加強與該國際組織合作關係,並增進瞭解區域監理對象之發展動態及經營策略,自 2006 年起即參與 CASBAA 管制者圓桌論壇及年會,本年度為第 6 次受邀參加。歷次奉派出席人員及主題如下:

# 表 1 國家通訊傳播委員會歷次參與 CASBAA 年會人員及主題

年度	主題	出席者	(出席時)單位職稱
2006	From Bandwidth to Brandwidth	石世豪	副主任委員
	從頻寬到品牌寬度	周永津	營運管理處簡任技正
		簡淑如	傳播內容處科長
2007	It's All About Content.	何吉森	傳播內容處處長
	一切都關乎內容		
2009	Extending Your Reach	何吉森	傳播內容處處長
	延伸你的觸角	林慧玲	傳播內容處簡任視察
		簡淑如	傳播內容處科長
2010	Unlock Your Network	許志麟	傳播內容處簡任視察
	解鎖你的網絡		
2011	TV365	何吉森	傳播內容處處長
	電視 365	朱其慧	傳播內容處薦任視察
		曾秉芳	傳播內容處薦任科員
2012	18 Reasons Why	陳元玲	委員
	18 個理由	談如芬	内容事務處薦任科員

# 貳、 出席 CASBAA 管制者圓桌論壇

管制者圓桌論壇(The Regulators' Roundtable)是 CASBAA 主動邀請亞太地區各國監理機關參與的討論會,由主辦單位設定若干主題,邀請產業代表簡報,並由與會政府及產業代表針對議題進行討論。每年出席的政府代表不盡相同,但進行的方式及時間均一致。會議日期訂於年會前一日下午(10月29日下午2時至5時),時間長約3小時。





圖 6 管制者圓桌論壇會議情形

參與管制者圓桌論壇與各國監理單位及產業代表進行面對面溝通,是此行主 要目的。以下就議程安排及會議紀要分別說明。

# (一) 議程

## 表 2 管制者圓桌論壇議程表

Online Delivery of TV Programing-Innovation and Regulation for the Future/電視節目線上傳輸—未來的創新與規管

議題 1: Regulation of Content Delivery-Online and Offline/ 內容規管—線上傳輸與傳統廣電的差異	簡報人: John Medeiros-Chief Policy Officer, CASBAA
議題 2:	簡報人:
Innovation in Content Delivery/ 內容傳輸技術之創新	Annabel Archer – Vice President and Regional Counsel, Turner International Asia-Pacific Rebecca Heap – Director, Content and
	Partnerships, Foxtel
議題 3:	簡報人:
View from the Market Floor-A Platform's Perspective on Competition/ 市場觀點—從平台競爭的角度	Timothy Goodchild – Senior VP,  Regulatory and Strategic  Relations, Starhub
	Stuart Chiron – Head of Group Regulatory Affairs, PCCW
議題 4:	簡報人:
Monitoing the Dark Side-Broadband Growth and Online Piracy/ 一窺黑暗面—寬頻成長與線上侵權	Joe Welch, Senior VP, Government Affairs, Newscorp

# (二) 會議紀要

CASBAA 首席政策總裁 John Medeiros 提出 1 份亞洲 OTT 市場規管的簡報<sup>5</sup>,他指出,許多政府對於網路視訊並沒有清楚的規管,就算少數訂有規範者實際上也難以落實。他藉由比較傳統廣電業者及網路新興視訊業者的管制差異,呼籲各國應該放寬有線及衛星廣電業者的規範,因為許多廣電規範是在消費者當年只有電視媒介可選擇的年代所制定的,這種規範已經過時而且讓他們無法跟新興OTT-TV 競爭,他稱這種規範叫做「蒸汽引擎推動的管制」(steam-driven regulation),意謂是蒸汽火車時代的老古董,應該與時俱進。以下將 John Medeiros的引言報告摘要如下:

# 1、引言報告:亞洲網路視訊/OTT 市場的規管(Regulation of Internet Video/OTT in Asian Market)

#### (1) 寬頻普及下的視訊服務

影音內容傳輸的方式變化甚劇,當今寬頻網路普及使得各種視訊內容得以透過網路串流到各種終端設備上,消費者透過網路「看電視」的情形愈來愈多。根據 Cisco 的研究,網路影音 (internet video)及 P2P 檔案分享 (peer to peer trafic)合計占了網路流量的 2/3 強,這種趨勢在未來幾年內將不會改變。其中 P2P 檔案分享很多都是非法侵權內容,且屬商業型態的經營模式。

寬頻網路使民眾得以接取高品質的影音內容,不僅造就 OTT-TV 盛行, 也使得網路盜版更形猖獗。特別是寬頻網路大都在鋪設在都會區,而付費電 視市場的訂戶也大都是以都會區的居民為主,因此 OTT-TV 的威脅也許不是

<sup>&</sup>lt;sup>5</sup> CASBAA 首席政策總裁 John Medeiros 針對該議題所提報的簡報〈亞洲 OTT 市場的規管〉(Regulation of Internet Video/OTT in Asian Markets)全文附於本報告附件 1。

現在,但可能很快就會出現。舉例來說,印尼與菲律賓全國整體寬頻普及率低,但雅加達及馬尼拉都會區的付費電視訂戶,往往也是寬頻上網的使用者; 因此這種競爭即使不是全面性的,也是非常直實的。

然而付費電視市場的商機受到規管影響甚深,規管不對稱將造成產業競爭市場的傾斜,對網路影音市場有利、對付費電視市場不利。在一次研討會中,我聽到有人將傳統廣電規管稱之為「蒸汽引擎推動的規範」(steam-driven regulation),意指廣電規範是在消費者僅有電視管道可以選擇的年代制定的,如今這種年代早已遠去。

#### (2) OTT-TV 煮涵

CASBAA 為此特別進行了 1 項針對亞洲 14 個市場管制環境的研究<sup>6</sup>,當然在很多國家的案例中,何謂清楚的規管還有待進一步定義。至於 OTT 的定義,在產業中 OTT 被用來指稱廣泛的網路影音內容;也有一些付費電視業者認為,OTT 是那些跟他們一同競爭的內容,所以廣電業者自己在網路上提供的內容不算 OTT-TV。

OTT 有許多型態,從大多數市場及法令與監理的觀點而言,絕大多數OTT 在司法管轄上的意義被視為網路數據的傳輸。因此我們採取廣義的定義:意謂著「任何藉網際網路傳輸的視訊(video)」,它和電信業者提供的IPTV 不同;IPTV 是電信業者在區域內經營電信網絡,同時也包裹提供視訊內容,而OTT 很可能也是透過同樣的網路線傳輸,但卻是和 IPTV 競爭的內容。

事實上,包括電信業、系統營運商,甚至是直播衛星業者都必須和OTT 競爭;為了競爭,這些業者也競相上網提供內容。舉例來說,香港有線電視 業者提供奧運重看(catch-play)服務,我透過香港電訊盈科寬頻網路接取,

<sup>6</sup> 該報告摘錄於本文附件 2。

從智慧型手機上也看得到。

#### (3) OTT 類型

各種以網路傳輸為基礎的 OTT 型態,有合法網站的經營型態,也有很多侵權網站的類型,如下表所示:

表 3 舉例說明 OTT/網路視訊網站

	類別	舉例
合法網站	重(隨)看電視服務(catch-up)	BBC iPlayer; Hulu; TVB.com; iwanttv.com.ph
	即時串流	Willow.tv
	付費電視業者提供的 VOD 隨選服 務	Comcast XFINITY; J:COM Xvie
	內容/平台業者合作提供的「電視 隨時看」 (TV Everywhere)	HBOGo; Fox Movies Play; ESPNPlayer
	非付費電視業者提供的VOD串流/ 訂閱服務	Netflex; Hulu; Quickflix
	使用者產製內容上傳(業餘/專業)	YouTube; Dailymoton
非法網站	網路儲存服務(cyberlockers)	Megaupload
	即時串流	3Ptv.cn
	P2PBT 下載器網絡	The Pirate Bay
	封閉型 P2P 網絡	許多內建Android系統的電視機上盒可接取的網站

資料來源:CASBAA 研究

OTT-TV 泛指各種網路上提供的影音內容,有些是完全靠廣告支撐的訂閱服務,有些是皆具收視費及廣告盈收;某些業者是依賴出售聯網機上盒獲

利,讓客戶以這些 STB 串流盜版內容。也有一些電視設備製造商和內容提供者簽約,提供聯網電視的內容進而搖身變為電視內容的整合者(TV aggregator),因此它的角色就像是有線電視系統營運一樣兼具平台整合的功能。

#### (4) OTT 的管理

根據我們的研究,儘管很多國家聲稱它們的監理對網路視訊業者沒有例外,事實上並非如此;也有一些國家說那些不受任何國家管轄的業者 (offshore)的影視業者也要遵守同一套國內法,事實上也是極為有限。付費市場和 OTT 在各國都存在著規管差異,我們認為,對廣電媒體採取 light-touch 的國家,這種規管差異程度較為輕微。

CASBAA 的目的是要讓各位了解,將 OTT 網路視訊內容納入現行的監理框架不是可行(not practical or do-able)的方式。最佳方式是減輕付費電視業者的規管負擔,減少老古板管制模式(old-style regulation)所導致的競爭扭曲。這種傾斜的競爭環境如果被容許下去,最大的受害者是各國媒體產業包括電信、有線電視系統、直播衛星業者,他們承受規管差異的負擔,從稅賦、費率、本國節目比例等,這種不建全的競爭環境將使國內有創意的產業受損、投資減少、消費者也被損耗殆盡。政府不應該再擋在國內付費電視業者及產業的前面。

#### (5) 舉 A 國為例

來看一下 A 國的規管方式:

- 不區分付費電視或網路,不限定取得執照。
- 在線上提供服務的國內「廣電業者」(非隨選、不包括國外網站)遵循一定的內容規範。

- 無本國節目比例的要求。
- 有著作權規範,對於制止檔案分享有規定。
- 費率由市場決定。
- 廣告管理由產業自律規範(適用於網路及傳統媒體)來完成。

#### (6) 舉 B 國為例

- 多個監理機關做不一致的規管,有線、IPTV、聯網電視、線上影音串流各有不同持照規定。
- ◆ 大型網站受著作權規範,卻有許多廣泛的侵權行為不受懲罰。
- 理論上嚴格審查廣電及網路內容,但網路根本不遵循規範,數以百 計未經審查的節目內容在網路上流竄。
- 政府規定付費電視的費率,對網路如何收費沒有規範。
- 付費電視有廣告秒數及置入的限制,網路廣告無規範。

跟 A 國相較,B 國對於付費電視的管制要嚴格許多,理論上他們也對網路視訊產業有較嚴格的管制,但事實上該國有許多不受規管的地下網路視訊業者存在,嘲笑著政府機關的規定。

#### (7) 付費電視管制建議

CASBAA 認為付費電視的最佳管制模式是:

- 執照:簡化、合理費率。
- 著作權:採取網路侵權的制止行動;限制侵權網站的金流。
- 内容標準:讓成人當成人,聚焦於兒少保護。
- 本國節目比例:鼓勵本土內容使之可近用,但勿造成付費電視業者

負擔。

稅賦:比照網路產業減輕付費電視產業負擔。

經濟管制:費率、獨家播映、所有權管制應該尊重市場。

● 廣告:應與線上廣告平等對待。

## 2、會議討論

參與管制者圓桌會議討論的包括台灣、日本、香港、印尼、新加坡、馬來西亞、菲律賓、越南、巴基斯坦等 9 個政府監理機關代表及 CASBAA 產業界代表如透納公司、Foxtel<sup>7</sup>公司、新聞集團(Newscorp)、電訊盈科(PCCW)公司及 Starhub 公司等。以下分就各主題將討論過程摘述於後:

#### (1) 內容規管—線上傳輸與傳統廣電的差異

巴基斯坦管制者代表 Nasir Ayub 說, "online contents"(線上內容)最大的問題是非法內容的部分,例如廣電業者頻道內容上載於網路後遭到侵權盜用,或盜版業者上傳及散佈侵權內容。他們國內大多數電視頻道屬無線電視,所以他認為 OTT 管理應聚焦於內容違法部分;但網路上的違法內容根本就難以規範。

新聞集團的政府事務資深副總裁 Joe Welch 指出, CASBAA 對 OTT 的管制研究旨在呈現出傳統廣電與網路影音之間的規管差異,特別是經濟上的差別對待。至於網路上的非法內容確實也是其中一大問題。

關於傳統廣電與 OTT 之間差別規管的例子,來自澳洲的 Foxtel 公司內容與合作部董事 Rebecca Heap 舉例說,目前澳洲最受歡迎的 TOP 20 電視節

<sup>&</sup>lt;sup>7</sup> Foxtel 是新聞集團(福斯公司)1995 年與澳洲電信公司 Telstra 合資成立的澳洲付費電視業者,經營有線系統營運、直播衛星、IPTV 等業務,近年來更進軍網路 OTT 市場。其官網宣稱訂戶數超過 220 萬戶,員工達 2500 人。詳 <a href="http://www.foxtel.com.au/about-foxtel/what-we-do/default.htm">http://www.foxtel.com.au/about-foxtel/what-we-do/default.htm</a>。

目有 17 個是本國節目,政府規定戲劇節目總支出的 10% 須用於新製本土戲劇。但是這項規範並沒有及於 OTT 業者。

CASBAA 政策副總裁 John Medeiros 質疑,澳洲付費電視業者投資於本國節目製播,不僅是政策規範,也是民眾的收視習慣支持而然。一旦消費者未來剪掉有線電視的纜線轉向 OTT,這個規定也沒有辦法對本國節目有所幫助了。

#### (2) 內容傳輸技術之創新

ESPN 的營運發展及數位媒體董事 Kelly Cook 介紹該公司的 OTT 服務—ESPNPlay,她說他們每年轉播 2500 項運動賽事,採用網路直播服務;他們和付費電視業者如福斯公司合作,網站營運靠廣告及贊助,客戶愈來愈多,而且其中有 40%是利用行動裝置收看。



圖 7 本會代表參與管制者圓桌會議進行情形

代表台灣出席的本會陳委員元玲請問在場產業界代表,有關付費電視市場與新興視訊服務之間的消長情形,「是否 OTT 正蠶食傳統廣電市場?在廣告盈收或訂戶數量上有何改變?」ESPN的 K. Cook表示,「其實很難說是蠶

食(cannibalization),因為你不能確定收看 OTT 的就是原本的付費電視市場的觀眾,我們只能說 OTT 創造了另一種消費的選擇;從 ESPNPlay 的經驗來看,廣告總體盈收是增加的 (incremental),例如三星贊助 NBA 球賽,只是增加另一種平台,讓球迷更便於欣賞他們想看的體育賽事。」Foxtel 的R. Heap 表示,整體來說盈收是增加的,所以他們不關心是否有蠶食消長現象。透納公司的代表指出,他們的 OTT 服務一直都是與傳統廣電服務型態合作,作為提升付費服務附加價值的方式;因此二者是合作關係,而非競爭關係。

#### (3) 市場觀點—從平台競爭的角度

香港電訊盈科集團規管事務小組主任 Stuart Chiron 指出香港付費市場和 OTT 之間的差異:包括兒少保護、平台內容匯集規定(例如新聞比例、紀錄片及兒童節目等要求)、廣告規定(秒數限制、廣告產品限制)、跨媒體所有權規範等。

新加坡法律顧問機構 Olswang 亞洲公司合夥人 Elle Todds 質疑,消費者 上網看侵權內容難道是產業無法滿足消費者的需求使然嗎?她認為答案並 非如此, Todds 認為,廣電業者將內容授權給合法 OTT 業者,也是獲利的 來源,因此合法的 OTT 不是廣電產業的威脅;而侵權網站與合法內容業者 之間才是真正不公平的競爭環境,真正威脅所在。

從平台競爭的角度而言,不同國家的規管對於業者所造成的負擔迥然不同,因為規管愈細,他們要做的事情愈多,推出服務的速度就愈慢,消費者就愈可能上網去看侵權內容。新加坡的業者代表問在場產業界人士說,平台是否有義務要去審查/修剪/編輯內容? Foxtel 的代表說,原則上福斯的內容在美國就代表未刪剪的內容。

馬來西亞的監理機構代表 Aly Syahrom 說國內的「推動因素」(push factor)是電視產業內容監理採高標準的理由。新加坡的管制者代表 Gabriel Chong 說他們為了拉平傳統廣電與 OTT 之間的規管差異,也要求境內 OTT 納管,實際上的管理確實是很難實施一樣的規範(如限制兒少瀏覽),然而家長團體又期待管制者有所作為;因此在產業要求低度規管與民間團體要求政府干涉間如何平衡,是一大挑戰。我國管制者代表陳元玲問新加坡代表,要求 OTT 持照的規定是否會促使業者出走海外?該國代表 G. Chong 重申規管應該力求公平,由於新規定尚未生效,所以還看不出後續影響。但在場業者表示, OTT 服務出走海外確實是很有可能的,屆時更將是「國內」廣電持照者與「國外」OTT 業者之間的不公平競爭。

## (4) 一窺黑暗面—寬頻成長與線上侵權

新聞集團的 Joe Welch 指出侵權問題的嚴重性,並呼籲各國政府重視民眾使用侵權網站的問題,他以著名的 Piratebay.se 為例,他說該網站位居印度民眾最愛網站第 48 名、在新加坡是第 35 名、在菲律賓位居第 19 名、在澳洲是眾最愛網站的第 32 名。在寬頻網路發展愈佳的地區,付費媒體市場就受傷愈重。例如美國電影頻道的訂戶在香港與新加坡兩地呈現逐年衰退之勢。Welch 認為馬來西亞及南韓政府近年來採取網站封鎖的方式,就是對付盜版極佳的方法。

# 參、 出席 CASBAA 年會

亞洲有線暨衛星廣播電視協會總部設於香港,每年舉辦年會大會時,都循例邀請香港政府首長致歡迎辭。此次 2012 年會邀請香港特別行政區政府通訊事務管理局(Office of the Communications Authority; OFCA)總監利敏貞(Eliza Lee)出席,她在開幕致詞上表示,全球通信業的快速發展,推動創新技術和消費者需求不斷變化,為了因應電信和廣電匯流的挑戰,今年初通訊事務管理局。(整合電信管理局及廣電局)成立,作為香港通訊傳播產業的統一監理機關。利敏貞也展望香港產業的創新及投資發展能向美國與加拿大看齊。



圖 8 香港通訊事務管理局總監利敏貞開幕致辭

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<sup>&</sup>lt;sup>8</sup> 香港特別行政區通訊事務管理局網頁詳 <a href="http://www.ofca.gov.hk/tc/home/index.html">http://www.ofca.gov.hk/tc/home/index.html</a>。



圖 9新任 CASBAA 主席 Marcel Fenez 開幕致辭

# (一) 年會第1日議程

CASBAA 年會邀集了全球及亞洲地區的產業領導人、監理機關、媒體從業人士及技術專業人員共同參與,希望透過聚焦於不同議題的討論,為產業環境的未來尋覓出重要的發展趨向。

#### 第1天年會(2012年10月30日)主要議程如下:

- Talking TV—討論視聽眾的經驗如何改變,多頻道視訊內容經營者
   (Multichannel Video Program Disributor)如何行銷及製作跨媒體類型的內容。
- The Biggest Winner—請艾美獎及金球獎的最大贏家 Ben Silverman 來談節目製作趨勢。
- Gone Local: Content for the New World—請重要的內容供應者共同討論 全球電影、電視內容如何創新及因應競爭。

- The Big Bang—杜比音效專題。
- Brave New World—緬甸媒體市場在過去 2 年內有革新的進展,未來的前景如何。
- Do You Like Me? Socialisting TV in Asia—社群媒體及互動服務如何改變亞洲電視,業者如何影響觀眾參與及其視聽的方式與經驗。
- Unleashing Content Potential: Securing the Future of the Pay TV Model —
   釋放內容的潛力,確保付費電視商業模式的未來。
- Great Ad Brands at work with Great Channels Brands—大型頻道商如何適應環境及消費者使用習慣的改變,與不同廣告商發展出具有創意的行銷個案。
- Go!Go!Go!—討論OTT為何會成為最大的媒體機會,請OTT業者 現身說法談論其營運模式及策略。

# (二) 年會第1日會議紀要

# 本土內容的強調

國際透納廣播公司(Turner Broadcasting System International)總裁 Gerhard Zeiler 在 "Talking TV"的議程中,接受 CNN 主播 Andrew Stevens 的訪談。Zeiler 認為,電視商業經營的模式必須融入當地市場、當地文化,才有可能成為成功的商業模式;他指出:「重點在於創造出具有相關性內容」。

換言之,「電視內容必是當地人民生活的參照,而且必須具有原創性,不能 流於拷貝。例如印度寶萊塢電影就成功地觸及了當地人民的生活,因此電視內容 若不能觸動人心,就不可能是好的內容。」他也提到新興市場的可能性例如巴西 廣播電視市場是德國與法國市場相加的總和,印尼市場也正在蓬勃發展。



圖 10 CASBAA 年會 Talking TV 議程畫面

艾美獎及金球獎得主—Electus 公司的主席 Ben Silverman 則指出,現在製作以本地為主題的內容(local content production)關鍵的創新正在發生。2000 年起產業界興起了一股對本地內容(local content)的關切,在東南亞市場也創造了一股新的機會,例如緬甸市場。緬甸資訊部副部長 Ye Htut 表示,緬甸人口平均年齡不到 30 歲,目前他們正在修正新的監理架構,未來將開放廣播電視產業准許外資投資付費電視市場。緬甸本土的上百個少數民族也需要能傳達本土文化的多元群體。

# 社群媒體的興起

如何將社群媒體的應用轉變成商機是議程中另一項討論的焦點。Viacom Media Networks 及 Scratch 公司的執行副總裁 Ross Martin 認為,在當今的媒體產業中,社群媒體持續強化與視聽眾互動的連繫。Google 公司亞太地區內容夥伴關係的董事 Gautam Anand,也表示廣電媒體中社群媒體使用情形呈現大量增加的現象。

關於匯流下不同類型媒體的整合,福斯國際(FOX International Channels)

拉丁美洲分公司的 Diego Reck,特別說明了他們在體育賽事現場節目中採用新的整合技術,讓觀眾得以即時評論正在轉播中的球賽。華特·迪士尼公司媒體網絡技術部門的主管 Kenneth Lee 發言時特別提到迪士尼發展了智慧型裝置的行動應用程式—Watch Disney app,他說怎樣在 app 中插入廣告是他們公司目前正在研究的策略。



圖 11 CASBAA 年會於香港君悅飯店 1 樓會議廳舉辦情形

香港 TMS 公司總裁 Jonathan Ellis 強調說,「業者如果不了解其中的緣由何在,就不應該把廣播媒體的觀眾往社群媒體平台推。使用社群媒體的真正利機,是藉機了解視聽眾的喜好及各種數據並妥善運用它,這才是社群媒體真正的價值所在。」

# OTT-TV 的機會

與會者也關心 OTT-TV 市場的機會。隨著技術上可行的多屏方案出現,OTT 成為很簡單的影音串流技術,過去人們使用各種數位機上盒(set-top box),現在 則是匯流到各種裝置(devices)。但 OTT-TV 要克服的挑戰是如何適應各種不同 規格的行動裝置,簡化傳輸方案。

然而發展成功的 OTT-TV 案例卻是寥寥可數。衛星傳輸服務公司 SES 的亞太及中東地區廣告部資深副總裁 Deepak Mathur 認為,Bloomburg TV 在 OTT 市場發展得很好,雖然目前仍是免費的網路資訊服務。法國的頻道商 TV5 Monde總經理 Alexandre Muller 則認為 YouTube 才是發展最成功的 OTT 業者,它從世界各地匯聚了許多內容,每分鐘上載至 YouTube 的影音內容片長達 72 小時,單日點閱量破 40 億大關。

部分付費電視業者認為,很多小型的 OTT 業者採取創新的理念,靈活的策略,透過雙向的互動很快就掌握到人們的需求與喜好;但事實是觀眾並未因此而完全離開付費市場。最大的隱憂反而是十數年之後,當現在年齡在 18 到 20 歲左右的消費者未來成為消費市場的大宗,他們對於影音內容的使用習慣會跟現在有何不同,會有哪些改變?這才是他們所擔心的。

與會者都認為 OTT-TV 是一項有利工具,足以釋放出巨大的市場潛力,如果不抓住機會,就是把好處留給那些企業化經營的盜版業者。

# 侵權問題的關切

無論是傳統媒體或社群媒體,盜版都是他們關注的主要議題。Irdeto 公司的 首席技術長 Andrew Wajs 指出,網路駭客變得愈來愈難預測,因此追蹤及監控是 打擊駭客的重要工作;而行動裝置上的內容則有賴監控軟體的保護,重點就是設 法讓使用者收看侵權內容變得極度不方便,讓使用者安於使於合法內容。

第一天年會的與談來賓儘管各有不同的關注,不過他們均一致同意——內容供應商絕不應忽視觀眾,需要聆聽他們的聲音、觀察他們、向他們學習,適應新世代的習慣並尊重他們的選擇,因為觀眾才是所有與會者共同的老闆。

# (三) 年會第2日議程

第2天年會(2012年10月31日)主要議程如下:

- After Megaupload Online Piracy in Asia and Beyond—業者如何因應網路侵權。
- Reinventing Sports 一大型運動賽事是仍然是熱情球迷情願付費收看的 服務內容,隨著獨家轉播權利金愈來愈高,業者如何應付這種不斷上升 的成本壓力?
- Securing Content Distribution A Marriage of Technologies and Devices—
   檢視產業鏈中的內容傳輸、消費者電子設備及安全控管方案間的關係。
- Playing It Again! 一隨著設備進步,付費電視業者在網路上提供的隨(重) 看視訊服務(catch-up TV)也成為重要的議題,業者應該為訂戶提供多 少上網隨看服務?維持多久?這種隨選服務作為一種市場策略,讓訂戶 滿意的關鍵是什麼?
- In Conversation: Tablets, Terminals and Consumption—媒體趨勢大師索爾·伯曼(Saul Berman) 10 年前曾經預言電視走向消失,如今並未發生, 但平板、終端裝置等發明確實改變了影音內容消費的型態。
- Indonesia And still They Come! 一印尼大型付費電視業者對印尼媒體市場的發展前景進行對談。
- The Top Slot 亞太地區的產業領導人對於多頻道影音內容市場未來的 風險與商機有何看法。
- 年度 CASBAA 主席獎頒獎
- Discovery 私人宴會

# (四) 年會第2日會議紀要

# 網路盜版

付費電視業者必須面對消費者不願意付費取得網路影音內容的問題,尤其在線上盜版內容取得容易且品質也不錯的情況下,要消費者掏錢買版權內容確實深具挑戰。香港 TVB 法律顧問陳國傑指出,最新的侵權技術是,內建 Android 系統的機上盒一"TVPad"能夠把所有違法侵權的華文網路內容全部下載下來,而 TVB 是最大的華文影音內容供應商,受到影響甚鉅。令業界擔心的是類似 TVPad 這樣的裝置有可能成為一種消費潮流,而銷售這種機上盒目前並未違法(the sale of the TVPad isn't an unlawful offense yet)。

Discovery 亞太公司的董事總經理 Tom Keaveny 說,多頻道視訊內容業者仍然必須擁抱整個市場的價值鏈,從內容的創作者到終端消費者皆然;雖然 Discovery 不是盜版問題的最大受害者,但產業仍需協力共同對抗盜版內容的猖獗問題。

# VOD 隨選視訊內容

「電視隨時看」的服務儼然成為新的趨勢,英國 BBC 公司提供的 BBC iPlayer 就是一個典例。BBC 數位內容的營收占總營收的比例,在 4 年內由不到 3%成長至 12.8%。BBC 全球網絡及 iPlayer 的總裁 Jana Bennett 表示,過去 1 年內英國聯網電視占家戶電視機的比例成長 1 倍,達到 6%;根據研究機構 Screen Digest 的預測,2016年聯網電視將會達到英國家戶的 1/3。BBC iPlayer 的服務讓他們能深入了解消費者的喜好及行為模式,也讓他們因此而更符合民眾對多屏幕影音服務要求的標準。iPlayer 在英國的收視觀眾正在增加,特別奧運期間隨選內容的需求及收視率大幅攀升,這種網路隨選服務比起連鎖超市,更像是一家精品店,它必須更符合消費者的需求,做一個聰明的 shopkeeper 讓使用者更容易做出選擇,

而不是僅僅把商品擺上貨架。

# 付費電視市場前景

福斯公司澳洲雪梨地區的營運總裁 Richard Freudenstein 認為,澳洲市場目前最迫切的問題不是成本,而是內容供不應求。他認為付費市場未來有 5 個重要問題,「訂戶成長」、「利潤」、「大眾宣傳」、「市占率」及「員工參與」,而其中技術工具將是這 5 大發展的關鍵。

J:COM 公司的總裁森修一提到日本媒體市場,由於競爭激烈且消費者習慣免費的廣播電視內容,因此日本媒體環境對付費電視業者而言相當具有挑戰性;但他們為了因應日本銀髮族的需求,發展出結合網路購物、社區服務及影音娛樂的三合一服務,似乎不失為一套有價值的發展策略。

媒體趨勢大師索爾·伯曼舉例指出,當年他女兒要求他買1台數位電視給她,因為男友送了她1台 Wii 遊戲機;結果伯曼有一天到女兒家發現新電視根本沒有接上有線電視的 cable 機上盒,她女兒說電視內容不是用電視機來看,而是用電腦看。付費電視過去一直是成功的營運模式,但現在人們看電視的方式已經改變,電視產值仍然會成長,只是金流的模式會改變,營運商的商業模式必須去適應產業環境的變化。



圖 12 索爾·伯曼表示:營運商須適應產業環境的變化

# 肆、 心得與建議

職有幸奉派出席香港 CASBAA 年會並帶回第一手寶貴資料及經驗,經現場參與及聆聽記錄各界人士對話及討論過程,謹將所見所得試圖濃縮摘錄於此份報告中;希望本報告能提供未來繼續參與後續 CASBAA 管制者圓桌論壇及年會的與會者一些有用的參考。雖然本會已多次參與該活動,惟每年的重點及收穫似仍不相同。

# (一) 心得

今年 CASBAA 在年會召開之前,就針對亞太各國如何規管新興 OTT 市場進行比較研究<sup>9</sup>,並將報告事前提供在網站<sup>10</sup>上。對本會參與管制者論壇,與各國代表及產業界人士就新興視訊內容產業進行意見交換,因此有了共同的參考架構,也使得該論壇得以順利進行。然而另一方面,管制者圓桌論壇的議程,在年會活動的網站上一直付之闕如,雖經本會內容事務處多次去函詢問議程安排,仍不知何故無法儘早提供。直到取得管制者圓桌論壇的詳細議程及排定主題,已經只剩下 4 個工作天,因此相關談參資料的準備時間難謂充裕。即便如此,業務承辦人員仍盡力協助請本會各該單位在最短時間內儘量提供適宜之談參文稿。

另抵達會議召開地點後,奉派出席論壇的陳委員元玲於管制者圓桌論壇召開前夕,仍與本人就論壇議題預為準備;陳委員提出許多有關本會業管事務的數據請本人協助找答案。幸得隨行攜有筆記型電腦,因此即使在香港飯店中仍能立即著手準備所需資料,並於飯店商務中心列印參考資料供長官卓參。此外本人服務於內容事務處新興媒體內容科,本科先前採購1台公務用平板iPad,透過網路連

<sup>9</sup> 有關該報告:"A Tilted Playing Field Asia - Pacific Pay TV and OTT",部分節錄於本報告附件 2: 〈亞太付費電視及 OTT 市場〉,另參考附件 3:〈亞太地區 14 個國家對 OTT 服務管制架構一覽表(摘要)〉。

<sup>10</sup> 参考 http://www.casbaa.com/publications/regulatory 。

線電話(skype)即時與會內長官連繫,對於臨時需求資料及相關文獻數據等,助益甚多。本報告特別將此行臨時在香港研提的談參資料列入附件4供日後與會者參考,雖在管制者論壇的討論中未必全部派上用場,但對於實際參與各國對談的長官而言,仍是1份重要的參佐。

在此須感謝內容事務處內容應用規範及發展科楊科員慧娟、新興媒體內容科陳科長慧紋,及綜合規劃處、主計室、秘書室等會內同僚,由於他們盡責及專業的協助,此行參與國際會議始得順利開展,本人不僅向他們致謝也為他們敬業及專業態度致敬。

# (二) 建議

為了讓日後相關奉派出國人員能更順利參與各項國際會議,本人親身的經驗或許可提供作為日後的參考:

- 1、有時候主辦單位(即使已經是連續主辦 10 年有豐富經驗者)會無法於期限內提供所需議程規劃及議題安排等資料,但還是需要不斷主動向對方聯繫,早日取得相關會議安排的資訊。否則出國事務及準備工作雜亂,難免手忙腳亂。
- 2、事前準備再多也不會太多。寧可過於充份地準備,也不要到了當地還 在匆忙地上網查資料、找答案。
- 3、網路連線是現代生活不可或缺,不論是查找資料或公務連繫。例如本人這次一到香港即需不斷上網搜尋相關資料、以電子郵件聯絡及以網路 skype 打電話(本人事前已購買點數的 skype 網路電話帳號)。因此出國網路漫遊的需求相當大,而香港當地飯店大多無免費 wifi,應思考如何解決網路連線的需求問題,才可能讓行程順利進行。
- 4、 香港飯店遇到展覽熱門期間常常會漲價,且一房難求,因此要在日支

生活費的7成內找到合宜飯店有時很難,因此要儘早決定住宿飯店,可委由旅行社代為尋覓。

5、 計畫趕不上變化,還是要有臨機應變的能力;詳細閱讀行政院主計處 頒訂的〈國外出差旅費報支要點〉,了解相關規定。

### 伍、 結語

藉由參與 CASBAA 管制者圓桌論壇及年會活動,本會可了解亞太地區廣播電視媒體及新興視訊內容產業的發展概況,從產業界領導群之間的對話,增進對監理對象關切議題的掌握。可以得知目前有線及衛星廣播電視業者仍試圖尋找與新興視訊內容如 OTT-TV 服務相輔相乘的共處之道,但消費者使用習慣的改變仍是他們最關切的事。業者必須想方設法去緊貼消費者特別是年輕世代的媒介使用習慣,以免淪為時代的塵埃。

至於多屏幕的發展,只是讓電視內容以多種裝置呈現,符合消費者隨時看、 隨處看的需求,付費電視服務仍持續是市場的主流。電視節目製作這一行業,具 有原創性的戲劇永遠能吸引人,說故事的方式並沒有根本上的改變。科技只是讓 民眾能自由選擇,因此與其視之為競爭的障礙,毋寧視為是發展的契機。



圖 13 2011 年亞太各國國內生產毛額年增率與媒體產業成長比較

資料來源:CASBAA

根據 CASBAA 季刊第7卷第2期<sup>11</sup>的報導指出,亞太地區媒體廣告市場已

<sup>&</sup>lt;sup>11</sup> CASBAA Connections, Volume 7 Number 2,

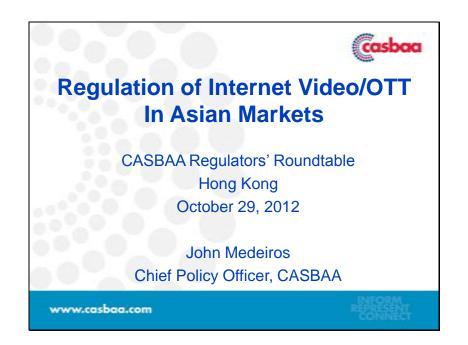
經是全球廣告市場的火車頭,2011年亞太廣告市場的總量占全球廣告市場的36.3%,2012年將增加到37.4%,其中最主要來自於中國及印度。亞洲廣告支出的成長強勁,2011年包括印度(23%)、印尼(22%)、越南(20%)、菲律賓(19%)及巴基斯坦(19%)的廣告支出均有大量成長。至於澳洲、紐西蘭、新加坡、南韓及台灣,在亞太國家中媒體產業的成長均低於經濟成長,顯示在這些國家媒體產業仍有成長的空間。

此外本次會議主辦單位特別點出了傳統廣電媒體與OTT-TV 規管差異的問題,產業界希望能拉齊二者的管制(a level-headed regulatory approach)。意在放寬傳統廣播電視媒體的管制,而非倡導各國管制者也將管制的手延伸到無邊無際的網際網路內容上。少數國家如中國、新加坡等要求OTT業者取得許可執照的作法,實際上在民主國家確實是可行性不高。我國市場幅員較小,相對於OTT-TV服務的跨國性產業發展趨勢,我市場參與者仍是以單純提供寬頻接取服務為主。如何從產業培植的視野將OTT-TV產業留在國內,鼓勵本國業者參進新進市場,而非在未來國際市場的規模戰中淪為Dumb Pipe,是本會應重視的課題。站在管制機關的立場,未來仍需持續關注新興媒體產業的發展,也須多了解產業界的意見,希望我國業者未來也能在新興媒體服務中占有一席之地。

詳—http://www.casbaa.com/ftpdir/Publication/Connections/2012Q2/STANDALONE/index.html 。

### 附件 1:亞洲 OTT 市場的規管

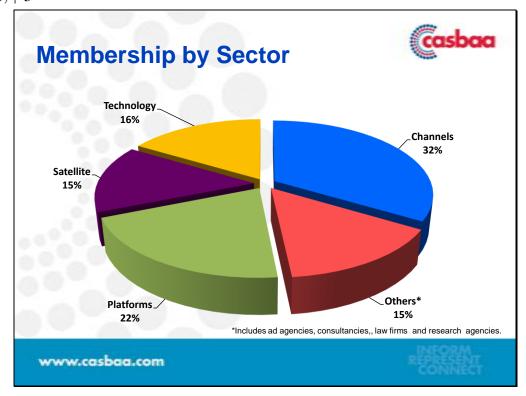
簡報人:CASBAA 首席政策總裁 John Medeiros 投影片 1



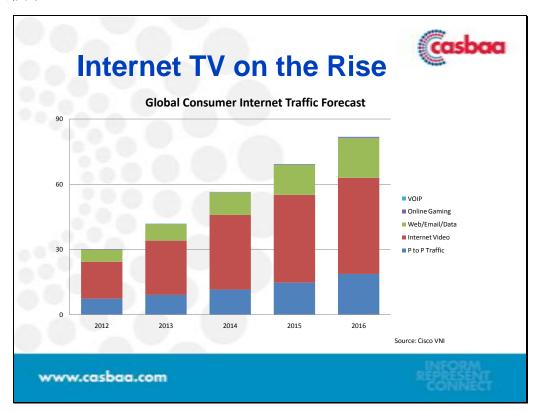
#### 投影片 2



影片 3



投影片 4



The environment for distribution of television programming to consumers is changing very rapidly. As broadband connections improve to a level adequate to comfortably view TV streams, we see that all over the world, people are watching more and more TV that reaches them over internet connections.

This chart shows Cisco's evaluation of internet traffic growth over the next few years. The red bar is internet video being streamed from many thousands of websites. The blue bar is "peer to peer" traffic – but much of that originates with commercial websites as well – maybe pirated, and not legal content, but the sites pushing it are certainly commercial.

So as you can see, video content already makes up roughly 2/3rds of global internet traffic, and that ratio is not expected to change very much over the next five years.

投影片 5

# **Altering the Landscape**



- Bandwidth is rapidly being built, almost everywhere. More of our consumers are plugging into internet programming feeds.
- The pay-TV industry wants and needs to compete. But commercial opportunities for us are shaped by differential regulation.
- "Steam-driven" regulation is not adequate for the internet age.

www.casbaa.com

The reason for that growth is that new broadband networks are making it possible for consumers to receive video content of excellent quality over their broadband lines.

In some of our markets in Asia, we find people in the TV industry who think "oh, this is not something that really affects us." "This is really a problem for the advanced markets," etc. etc.

But I think the key answer to that is "it may not be much of a competitive threat to you today, but tomorrow comes really quickly." So for some governments this is a pressing issue, but for others we're giving you a "heads-up" warning about issues that will be coming up, soon.

Bandwidth is being built everywhere – particularly in the urban areas where the bulk of pay-TV customers in Asia are found. Take Indonesia or the Philippines – broadband availability on a nationwide basis is pretty low, but if you look at just Jakarta and Manila, you find that the same people who would have to be re the of big pay-TV packages are the ones with access to broadband lines. The competitive threat may not be nationwide, but it is very real.

And of course for the pay-TV industry, our commercial opportunities are shaped by regulation — where the regulation is asymmetrical — where the playing field is severely tilted, the competition from Internet video is being given a real boost up. I was at a conference recently where one delegate from the mobile phone industry referred to this as "steam-driven" regulation. That may be a little too antique, but it is certain that in the area of broadcasting there are in many jurisdictions rules and regulations designed for the era when the consumer's only choice for viewing was a small, heavy box with a very limited choice of programming. That era is gone.

投影片 6



So the problem of asymmetrical regulation is affecting many companies in our industry, and we thought it would be useful to take a closer look, and see how the playing field looks, in Asia and Australasia. So CASBAA organized an in-depth examination of the regulatory environment as it affects pay-TV, and as it affects TV delivered over the internet.

It took us about six months of research to pull together the necessary info for the 14 markets we wanted to cover. In many cases, clear regulations have yet to be defined. In others, rules are being changed. But we came as close as we could, and the result of this work has been published in a book entitled "A Tilted Playing Field." It catalogues the policies in the Asian markets, and it describes what we found.

I think you've all received this book already, and it's also available for free download on our website. I hasten to say – if you notice some aspect of the description of your government's regulatory regime which we've misunderstood, please let us know. Trying to look at a broad range of specific policies in 14 markets with very different rule-sets is a challenge and we want to be as accurate as possible, in all of them. So if you spot something that needs fixing, don't keep it to yourself – let us know.

# A Broad Definition for OTT Casboa



- Few governments distinguish OTT business models - Internet regs apply
  - So we adopted a broad definition and looked at:
    - Video delivered by anyone over <u>internet</u> lines.
    - The network owner is not the same as the content provider.
    - Can be watched on many devices; additional hardware not required.

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Now the first thing was to define what we are talking about. Within the industry, there are lots of names and definitions that float around. Many people use the short form "OTT" to talk about internet TV. Some pay-TV operators tend to think of "OTT" as everything that competes with them, so when they themselves offer content over internet lines for people to consume on tablets or computers or smartphones, they don't call that "OTT."

Well, there are many types of OTT offerings, and we saw that in most markets, from a legal and regulatory point of view, there were very few distinctions among these types of OTT television. The regulations in MOST jurisdictions tend to treat them all the same – as internet data.

So we adopted a broad definition, and for the purposes of this study we took into consideration any video delivered over internet lines. One of the key distinguishing characteristics is that almost always the entity providing the content is NOT necessarily the same as the entity that operates the network. So this is what separates OTT television from IPTV networks run by telcos all around this region. The telcos operate the

network AS WELL AS package and sell the content. So OTT is actually often competitive with telco IPTV offerings, even if they come over the same wires.

That said, many telcos – and cable companies and even DTH providers – are now racing to compete with other OTT services by providing their own internet-based video. One example I watched recently was HKCable TV's catch-up videos of the Olympics, which I watched over PCCW's broadband internet lines (and I could have watched on my Smartone mobile phone, too).

投影片8



So here's a chart that describes how broadly we considered OTT by giving examples. Note that we were focused on the video <u>content</u> and where it was coming from. OTT internet television can be fully ad-supported, offered on a subscription basis, or use a hybrid model. Some pirate OTT operators fund themselves through equipment sales -- by selling special "connected TV" boxes that receive the pirated program streams.

So in addition to a focus on content, you could also look at the <u>device</u> where the content is viewed, and so-called "connected TVs" or "Smart TVs" fall into that category. People are gadget-conscious, of course, and there are large marketing budgets for TV set manufacturers....so you may hear a lot about "Smart TVs" but they are in reality not very smart when it comes to what people do with a TV set – which is watch great TV content. Now, some device manufacturers are signing up content providers to create packages of internet TV programming that can be watched on their devices. In that respect, they are TV aggregators, just like your local cable company.

The bottom line, of course, is that in Asia today there are many many ways of consuming video content. And they all compete with each other for viewers.

投影片9

# **Asia Today**



- There are in most countries large inequities in treatment of video and the video business, depending on who is providing.
- Many governments say they intend to regulate "onshore" OTT providers. Even there, offshore providers get a pass.
- Huge differences in pay-TV policies affect the OTT differential.
  - Where a "light touch" is used for pay-TV, that's easier to reconcile with OTT practices.

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In our examination of regulatory policies we found huge asymmetries between rules for pay-TV and for OTT. I won't go into all the different areas where there is a tilted playing field, but they're described in the book.

It was striking that many governments <u>say</u> their policies DO apply to online video providers – but in <u>fact</u> they don't. And for the most part, even <u>those</u> governments admit that their ability to require <u>offshore</u> providers to obey any rules at all is very limited.

So a differential exists, everywhere. What we found, though, is that the differential – the "tilt" – is less in markets where the government has a light-touch regulatory approach.

CASBAA's position is that trying to make online video conform to all existing regulations is NOT a practical or do-able solution. The best way to handle the asymmetry is to REDUCE the regulatory burden on the pay-TV industry. Where governments can come closer to a "light touch" on the pay-TV industry, they will reduce the competitive distortions caused by old-style regulations.

投影片 10

# **Asian Companies Hit Hard**



- Focus on onshore regulation means the biggest hurdles are put in the way of home players.
- Main Problem Areas:
  - Content Regulation
  - Uncontrolled Piracy
  - Business issues: rate regulation, taxation, exclusivity controls, local content issues, etc.

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I think it's important to bring home what this means in a practical sense. When this kind of tilted playing field is allowed to persist, the most badly affected players are your home champions. They are the telcos and cablecos and DTH providers who are trying to drive their business by

supplying your consumers with a high-quality mix of content from many places. They bear the heaviest burdens of regulatory differentials -- everything from taxes to rate regulation to local censorship burdens are levied on home pay-TV companies (in some cases even when they branch out into supplying programs on the Internet), and not on offshore providers.

Governments which allow a tilted playing field and unhealthy competitive environment to persist will see their own creative industries damaged, local broadcasters weakened, and investment in networks and content impaired. In the end consumers will be worse off.

We think it's important for Asian governments not to put obstacles in the path of their own pay-TV companies and creative industries.

投影片 11

# **Country A's Approach**



- No sector-specific regulation for pay TV or the internet. Licensing unrestricted.
- Content rules enforced on domestic online "broadcasts" (not on-demand, and probably not overseas websites)
- No local content requirements.
- Copyrights enforced, some effort to deter file "sharing"
- Rates left to market forces.
- Ad regulations accomplished by industry codes of conduct that apply both online and offline.

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So rather than go through the entire range of policies in 14 countries and regions, now I'd like to just describe two examples, really.....the two governments we found in our study that were at both ends of the policy continuum with respect to the tilted playing field.

I won't name the countries – that's not important. You might recognize them from the policy descriptions, but the purpose of this examination is not to point fingers – it's too look at policy frameworks that work better....or worse.

投影片 12



# **Country B's Approach**

- Multiple regulatory agencies impose inconsistent regulations. Separate licensing regimes, for cable, IPTV, connected TV and online streams.
- Foreign content tightly restricted on pay-TV systems;
   flourishing online usually pirated.
- Some efforts to enforce copyright on major websites but widespread copyright violations continue unpunished.
- Heavy censorship theoretically applies both online and offline. Massive disobedience online: uncensored programs streamed from hundreds of websites.

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And for contrast, here is Country B. Policies there are much heavier on the pay-TV industry, and – in theory – they are heavier for the online video content industry too.....except that the reality in Country B is that a very large underground online video industry exists, and it flouts most of the rules.

投影片 13



## **More on Country B**

- Government sets basic pay-TV rates; no regulation of online charges.
- Ad minutes and placement strictly limited on pay-TV; no regulation of online ads.

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Country B also imposes some very heavy <u>economic</u> burdens on its pay-TV industry.

投影片 14

### **Best Practices**



- Licensing: Simple, with reasonable fees.
- Copyrights: Action to deter online piracy. (There are many options.)
- Restrict financial flows that feed rogue websites.
- Content Standards: let adults be adults; focus on protecting kids.
- Local Content Support: Promote local content, make it accessible, but don't burden pay-TV.
- Taxation: Lighten burdens as online competition bites.
- Economic Regulation: Market-friendly policies on rates, exclusivity, ownership restrictions.
- Advertising: Treat online ads equitably.

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So, based on our examination of issues around the region, here's a list of Best Practices we would recommend to regulators everywhere.

# 附件 2: CASBAA 研究報告:亞太付費電視及 OTT 市場



# A Tilted Playing Field

Asia-Pacific Pay TV and OTT







Shearn Delamore & SHIN&KIM







# **Executive Summary**

The business of delivering video to consumers is undergoing a revolution; driven by new media devices (such as tablets and smartphones), growing broadband penetration, the rise of platform competitors in most markets, and the emergence of a new generation learning to consume media via multiple devices in multiple settings.

Many of the "new media" services arrive in the consumer's home over broadband data lines which access the entire range of services and media available over the global internet. Unlike traditional pay-TV offerings or even the relatively newer IPTV services marketed by telcos, the vast majority of internet video is obtained from third parties disaggregated from the networks over which the data is transmitted.

This has given rise to "OTT" video for television delivered "over the top" of broadband data. OTT video uses internet infrastructure to reach the consumer with an ever-growing array of offerings from major media companies as well as new entrants.

#### Off-shore/On-shore

A few governments in Asia distinguish between different types of services and have implemented differentiated regulatory approaches. However in most Asian markets OTT video remains subject only to the relatively loose regulations applied to internet services.

CASBAA has examined the regulatory frameworks in 14 Asian markets, seeking to understand how the rules applied to OTT television differ from those applied to pay-TV systems. (A similar analysis could be done for free-to-air terrestrial TV regulations, as free-to-air broadcasters usually face even more substantial regulatory constraints, but the scope of our interest is the pay-TV ecosystem). We consulted with industry players, legal experts and government agencies in an effort to understand how market players and regulators view OTT television, as well as the rules governing it.

Because in most places, most OTT offerings take place within the framework of internet regulation, we have summarized our findings in two categories: pay-TV and OTT. This corresponds to the regulatory reality, but it blurs many of the key distinctions among OTT platforms – most prominently between those located within a given market and those located offshore.

And it also ignores the crucial difference between legitimate platforms and those using unauthorized and stolen programming for their content base.

#### Internet-Based Television (authorised & unauthorised)

	DESCRIPTION	EXAMPLES		
Legal sites	"Catch-up" television	BBC iPlayer; Hulu; TVB.com; iwanttv.com.ph		
	Live streaming	Willow.tv		
	VOD offered by pay-TV providers	Comcast XFINITY; J:COM Xvie		
	"TV Everywhere" Offerings by content/ platform partnerships	HBOGo; Fox Movies Play; ESPNPlayer		
	VOD (and subscription VOD) streaming offered by providers other than pay-TV providers	Netflix, Hulu, Quickflix		
	User-generated uploads (amateur and professional)	YouTube, Dailymotion		
Illegal sites	Cyberlockers	Megaupload, etc.		
	Live streaming	3pTV.cn		
	Peer-to-Peer BitTorrent networks	The Pirate Bay		
	Closed peer-to-peer networks	(numerous sites accessed by Android-based TV boxes)		

For that reason, we have noted in our data matrixes where a few governments have put differentiated rules in place (for example, regulating subscription OTT platforms in one way, while treating ad-based services differently) or licensing OTT services originating within the government's jurisdiction, but allowing platforms offshore to enter as "internet services." Where those distinctions were clear, we have reported them in our data matrixes.

#### New Ways, Old Regs

Detailed examination of the regulatory frameworks revealed a major dichotomy: a video stream, delivered over a traditional, regulated pay-TV network, is subject to numerous constraints, burdens and requirements – many of which are holdovers from legacy "broadcasting" regulatory approaches – while the identical video stream, delivered "over the top", is much more lightly regulated. Lower taxation, lighter content regulation, fewer constraints on business models (e.g. advertising), and of course weak or nonexistent intellectual property protection are

all features of the OTT video environment in most Asian markets.

Indeed, the very lightest regulatory hand is reserved for video products supplied through the global internet. Even governments which profess to exercise some level of control over OTT services originating within their own jurisdictions shrug their shoulders and admit that a service provider based offshore is almost impossible to govern under existing rules and policies.

The result, not surprisingly, has been the rise of a major industry housed offshore and largely out of regulatory reach, using the internet to deliver video without regard to national rules and regulations — and the rules requiring respect for intellectual property are the most flouted. The pirate video transmission business is the most international, least law-abiding, and lowest tax-paying of any segment of the global media business. It is growing by leaps and bounds, sapping the energy of indigenous creative industries and TV business operators around the region and

The pirate video transmission business is the most international, least law-abiding, and lowest tax-paying of any segment of the global media business !!

capturing very large advertising revenues for the benefit of essentially global organized criminal conspiracies<sup>1</sup>.

This CASBAA study points up the need for urgent attention to the issues of the tilted playing field. Legitimate video supply industries cannot sustain investment and continue to improve networks and services in the face of unequal competition from lightly-regulated internet-based services — or worse — totally unregulated pirate video transmission networks. Governments which allow a tilted playing field and unhealthy competitive environment to persist will see their own creative industries damaged, local broadcasters weakened, and investment in networks and content impaired. In the end consumers will be worse off.

Action by regulators, officials, and political leaders is necessary. CASBAA believes that two important fields of action must be pursued: governments must review their existing regulatory constraints on pay-TV systems, in light of the competitive challenge from legitimate OTT video. Action should be taken to reduce or eliminate regulatory codes, taxation policies, content controls, etc. that burden the pay-TV industry and leave it handicapped in the face of content from OTT providers. And steps must be taken to block growth of the illegitimate OTT sector – to prevent offshore pirate video operators from growing

business models based on misuse and theft of the legitimate industries' content.

Unfortunately, there is ample evidence that governments are not inclined to look the future in the face and take decisions that make maximum economic sense, but carry some political risk no matter how small. Bureaucracies created to regulate broadcasting, shape revenue flows, and control what the general public may watch do not easily yield, even in the face of ample evidence that the general public is turning away from the regulated media and using online sources subject to fewer strictures. One recent example has been Australia's Convergence Review, which posed many excellent questions challenging the logic of differential regulation, but which ended with proposals that aimed to extend broadcast regulatory schemes to OTT providers, including government controls on use of sporting events, and local content quotas. Australia's decision to launch a review was clear-sighted - they went first. But CASBAA hopes other administrations will not follow Australia in moving backwards rather than forwards.

Throughout Asia, similar issues lie in wait; they will come to the fore in response to technological, political and commercial developments in each market. Indeed, generalizations are very risky in this region, where political systems are dissimilar, broadband penetration rates vary so hugely, and where there is every prospect that great "digital divides" between urban and rural areas will persist for decades to come. A detailed examination by each government of its own rules, and the development of its own broadband economy is essential. CASBAA firmly believes that the orientation of those examinations should be to reduce the regulatory load on tax-paying, job-generating Asian pay-TV industry players, and not to try to find ways to extend burdens to legitimate online content delivery.

The Megaupload website reported that it had 180 million registered users, received an average of 50 million daily visits, and accounted for 4 percent of global internet traffic before it was closed pursuant to court indictments in the USA. It used these visits to generate large revenues from advertising, estimated in court documents at US\$25 million.

### Conclusions

Some general themes emerged from CASBAA's examination of the regulatory frameworks in Asia:

There is no regulation-free zone: There is already some form of regulation of OTT TV/ internet content in every jurisdiction - the myth of the wholly unregulated internet is indeed a myth. (Even as liberal a market as Hong Kong does not permit its citizens to access videos promoting illegal gambling, or child pornography) Moreover, as broadband penetration increases in the developing world and online consumption of media becomes more mainstream, regulation in many jurisdictions looks set to increase. It is less clear what regulation will be introduced, when it will come into effect, and how it will affect offshore service providers - this last issue is particularly pressing for OTTTV suppliers given the global reach of the internet.

Burdens are heaviest on home players: In many markets, regulations bind domestically-based OTT providers, but not those in other jurisdictions. This is a recognition of the more free-wheeling aspect of internet information flows, but also an unfortunate reflection of (conscious or unconscious) willingness on the part of political and regulatory actors to impose disproportionate burdens on the domestic TV platforms which are most likely to create local content, pay local taxes, employ local people, etc. Continuing expansion of the OTT economic space will make it ever-more difficult to ensure a "level playing field", as between domestic and offshore content providers, and as between the various television platforms, such as cable, satellite, terrestrial, IPTV and OTT TV.

Multiple revenue streams create multiple challenges: When pay TV arrived in Asia, whether financed through subscriptions or ondemand payments, it presented a discrete set of challenges; many governments established

specific regulatory frameworks for pay TV, demarcating it from "free" TV depending on whether payments were requested. In the OTT space, however, lines are increasingly blurred. Most online advertising in Asia is generated and displayed internationally, and many OTT sites are ad-based. Some "pay" content is provided without access controls online based on a combination of advertising and efforts to build brand loyalty. "TV Everywhere" solutions use access controls to provide "pay" content but involve no payment at all (and in some cases no advertising either); they are designed to reinforce consumer loyalty to in-country pay-TV platforms. Finally, it is notable that a huge pirate OTT industry is financed by internationally-supplied advertising, generating hundreds of millions of dollars in revenue that competes with legitimate content suppliers on the basis of their own stolen programming!

#### Focuses of Concern

In our examination of Asian regulatory practices, we discerned three sets of issues confronting governments and the television industry, each of which represents a large area of unequal regulation, and each of which represents a substantial handicap to the competitive position of traditional television suppliers. We advocate that regulators - charged with overseeing growth and development of this industry - devote their efforts to reducing burdens on pay-TV players. Even as industry players scramble to cope with changes in their competitive environment, politicians and special interests who favor keeping burdens on pay-TV must be faced, and told that the changing environment requires changes in traditional regulatory approaches. Denial will not be an option for long in this rapidly-evolving online content marketplace.

#### **Content Regulation**

Traditionally, the heavy regulation of television content has been justified by governments on the basis that television is a mass media platform and accordingly content regulation is essential to protect the vulnerable, such as children. But this justification is significantly weakened when censorship is applied indiscriminately to television supply (regardless of the existence or not of access controls) and when the consumers of television services also consume online video content, not subject to the same content controls. In addition, strict content rules can have a detrimental social effect, driving demand underground to access content by illegal means. Illegal content is not only censorship-free, it is ethics-free and this is a supremely valid social reason to lighten content controls on legitimate content suppliers.

Better approaches for the modern world are available, and they should be promoted by regulators. One example may be seen in jurisdictions such as Australia, where service providers are required to provide their customers with filtering options so that they may personally control the content they and their dependents access. A public consultation has just closed in the United Kingdom to determine whether and how ISPs should implement similar controls in the U.K.

#### Copyright

For legitimate OTT TV service providers and their content providers, copyright protection and enforcement online present the most significant legal and commercial issues. National copyright regimes remain ill-equipped to deal with online copyright infringement. Although various national governments have conducted enforcement campaigns targeting illegal uploaders of copyright material, piracy remains widespread, and it is growing as a result of the maturation of the online advertising market, which has frequently been hijacked to support illegal pirate websites. As a result, legitimate services have to compete with a vast number of infringing services online, some of which are increasingly well-funded and highly professional in outward appearance, quality of delivery and customer service.

Copyright infringement is a very large barrier to entry into the market, given the challenges pirate services present to all legitimate OTT TV content and service providers, especially weaker new entrants. At a time when many governments are attempting to encourage the development of innovative content services for the high-speed broadband networks they are building, the failure to address systemic copyright infringement discourages the very entrepreneurial investment governments are seeking to promote.

#### **Business models**

Various governments impose numerous restrictions on the business operations of "traditional" pay-TV platforms such as cable, satellite and even IPTV. Many of these are rooted in licensing regimes (applicable to domestic players only) that draw heavily from outdated concepts of "broadcasting" regulation originating in the blackand-white TV era.

Our study has found a consistent, large disparity between regulatory regimes applicable to the business models of pay TV, and those applied to OTT television. It is clear that traditional pay-TV platforms operate at a considerable disadvantage as a result of the extensive regulatory interference by many governments in commercial matters.

#### Examples include:

- Rate regulation: Business models are hamstrung by strict control of retail and wholesale rates in some markets, such as India and Taiwan. In other jurisdictions such as China, Japan, Malaysia, South Korea, Thailand and Vietnam, varying degrees of regulatory oversight are exercised on pay TV, but not on OTT television.
- Taxation: Local media operators in countries including India, Thailand and Malaysia are subject to taxation over and above standard company tax. Some of these taxation levels (for example, on satellite DTH pay TV in India),

- reach breathtaking levels. Domesticallysupplied OTT television almost everywhere is taxed at normal corporate rates, and internationally-supplied OTT operates in a large grey zone.
- Regulation of program supply/exclusivity: Pay-TV content and service providers are subject to rules restricting or prohibiting exclusive content arrangements in countries such as India and Singapore as well as specific mandated sharing regimes for major sporting events. Other jurisdictions dictate business models by stipulating the channel bouquets to be offered to consumers or, as in India, mandating a la carte program supply. OTT television faces no such constraints, and as market share for OTT platforms grows, it is already apparent that major players (ex. Youtube, Youku) are seeking to leverage this regulatory differential by developing their own exclusive programming. We see development of new content options as a competitive gain for consumers – as long as the shackles are removed from the traditional pay-TV industry.
- Local content quotas: These typically apply only
  to pay-TV platforms, although a recent review
  in Australia has recommended extending local
  content quotas onto online platforms for large,
  professional content providers. This would
  apply in theory to professional sites outside
  the country as well as inside -- but there is no
  indication about how offshore sites might be
  required to conform.
- Advertising restrictions: Minutage restrictions are pervasive for traditional pay-TV platforms and "Made in ..." rules apply in Indonesia, Vietnam and Malaysia. Countries such as China require advertising to be approved and Australian and Singapore pay-TV operators are subject to advertising revenue caps.
   Services that may not be advertised on TV include fortune tellers (Korea), dance halls

- (Hong Kong), chatlines and dating services (Singapore), and job recruitment agencies (Taiwan). There are no parallel restrictions anywhere on internet advertising.
- · Ownership restrictions: Foreign investment in pay-TV distribution platforms and pay-TV content is subject to very widespread restrictions. The level of permitted foreign investment varies from jurisdiction to jurisdiction: China prohibits foreign investment outright as does the Philippines (cable and DTH), Indonesia limits foreign investment to 20% in pay-TV platforms, Thailand to 25%, Malaysia to 30% and Singapore to 49%. Licensing conditions in Malaysia and Vietnam require pay-TV licensees to be locally incorporated. Such rules may be applicable in some markets to OTT suppliers based domestically, but offshore suppliers especially of illegal content - are wholly foreignowned.

### 附件 3: 亞太地區 14 個國家對 OTT 服務管制架構一覽表(摘要)

內容事務處新興媒體科 整理

資料來源: CASBAA 2012年10月24日

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可、禁		視服務(包括透過行動上網)	。來源是在本國							照,但之後推		台灣提供的 OTT		電視服務提供者還必須
止或未		本國提供者得在廣電總局進口	] 或在境外。							出新內容或新		服務都必須事前	Î	再取得付費電視執照。
管制?		審查體系下,提供某些外國領	तं							頻道則無須先		許可,不論是本國		
		目內容,像是外國電視劇和電	<u> </u>							審。不得播放		或(理論上)境	Ì	
		影。								方言節目。		外。		
內容控	・ACMA 如接獲	•網際網路電內容整合者和電		・沒有特定			• 在自願採用的P			•網際網路規	• 無特定針對	• 適用一般指導	• 對於網際網路	・反國家、反共產黨、
制 <sup>13</sup>	任何申訴表示境	視頻道一樣有相同的義務。所						共OTT-TV 的廣播		範禁止的內容	OTT TV 的管	原則。這些指導原	内容的管制很	可能引起宗教/種族激
	外 OTT 電視內容	有進口節目必須受到審查和批	t 適用於猥褻和	管制。	求 ISP 業者	OTT TV,但	者應該保證內容的	内 播原則。但可訢	諸 2009 年的一	包括種族歧	制,但適用於	則並未區分本國	少,而且也沒有指	烈反應的明顯內容或其
	違反分級且無接	可。	不雅管制條											他相關內容都是審查的
	取限制,得通知		例。透過位於		情内容的接			頁 括線上串流的線						對象。處罰手段為取封
	ISP 過濾這些內		香港的網站,		取。			<b>通廣播內容,但不</b>						鎖 IP/網站,尤其針對外
	容。如為境內則得		散布猥褻內容				知移除機制。	括隨選的線上				明確。		國 ICP 利用境外伺服器
	要求移除。		可能違法。			放平台上的		容。	國境內所有	活動。			網路上也是違法	的情形。
						内容。			內容。				的。	

<sup>&</sup>lt;sup>12</sup>在 CASBAA 公布的《A Tilted Playing Field—Asia-Pacific Pay TV and OTT》這份文件中,**有關台灣的資料是由理律法律事務所提供,但內容提及 NCC 所提出的衛廣法修正草案**打算**規管 OTT 電視服務一節,似有誤解。** 這份文件所指陳管制範圍延伸到 OTT 的條文,應指 NCC 在 100 年 3 月送行政院的衛廣法修正草案有關「他類節目供應事業」,其立法說明為「鑑於數位匯流技術發展,新興之媒體載具與傳輸方式推陳出新,電信平臺上已有多媒體傳輸平臺服務(MOD, Multimedia On Demand)及行動電視等,而現行法對於上開媒體尚乏規範之明文。基於通訊傳播基本法第六條及第七條之精神,政府應鼓勵通訊傳播新技術及服務發展,避免因不同傳輸技術而為差別管理,對於性質相同之服務應採取齊一之管制,爰增列第七款,明定「他類頻道節目供應事業」之定義。」

<sup>13</sup> 各國對於 OTT 電視內容的管制強度不一,但對於境外 OTT 電視內容均無管理權限。

### 附件 4: 參考資料

▶ 台灣寬頻上網的人數比例

74.18%(根據台灣網路資訊中心 TWNIC 所做 2012 年台灣寬頻網路使用調查/調查時間 2012 年 3 月,12 歲以上民眾寬頻使用普及率達 74.18%)

- ▶ 寬頻上網的方式:
  - 1、 ADSL 占 44%(由 2011 年的六成降到 2012 年的四成)
  - 2、 光纖到府服務占 42%
    - 顯示各家電信業者所提供的光纖到府服務已普遍被使用寬頻網路的 民眾接受。
    - 中華電信自 2010 年起即大量設置 FTTH 設備,並表示 2015 年高速 寬頻指標希望達到「80%的家戶可接取 100Mbps 有線寬頻」及「光纖 用戶達到 600 萬戶」為目標。
  - 3、 Cable Modem 占 8%
  - 4、 區域網路 LAN 占 3%
- ▶ 上網的使用工具(可複選):
  - 1、PC 占 90.85%
  - 2、Notebook 占 50%

  - 4、 Tablet 片 17.14%
  - 5、 Connected TV/Set-Top-Box 占 2.47%

(顯示家中有聯網電視或數位機上盒的民眾,僅占全部上網人口的 2.47%; 以上網人口占全部人口的七成計算,可約略估計:國人家中擁有聯網電視 或可聯網機上盒比例約占 18%)

- ➤ 台灣曾經使用 OTT-TV services 以網路收看影音節目的比例(資策會 FIND 2011 年 9 月調查)
  - 有看過 占 30.3%
  - 完全沒有看過 占 69.7%
- ► 台灣主要視訊市場概況(根據 2010 年 12 月 NCC 委託研究「電視使用行為調査」)
  - 1、 Cable 占 81% (訂戶數約 501 萬戶,其中數位化比率占 14%)
  - 2、網路 OTT (利用網路看短片或安裝電視卡透過網路收看電視節目)占 43%
  - 3、 Walled Garden IPTV (MOD by CHT telecom) 占 17% (訂戶數約 114 萬台)
  - 4、 Terrestrial Broadcasting TV 占 33.2%
- ▶ 寬頻上網的定義
  - 寬頻上網的速度最主要是指不同於傳統以撥接上網的窄頻環境(56bit),目前業者大多將寬頻上網的定義設定在傳輸速度能超過64k,即可稱作寬頻網路。
  - 2、 國際上對於寬頻並沒有一致定義,而是泛指高速的數據傳輸服務。美國 FCC 認為寬頻意味著「上載速率為 4Mbps/上行速率達 1Mbps,可實現視頻等多媒體應用,並保持基礎的 web 瀏覽及 e-mail 收發」。
  - 3、目前市場上所提供的寬頻服務有 ADSL、Cable Modem(纜線數據機服務)等,技術上以 Cable Modem 所能提供的最大速限較快,甚至可超過1500Kbps。但不論是 Cable Modem 的有線電視網路架構或是 ADSL 的電信架構,所有的網路服務都是頻寬共享的環境,因此連線速度會隨著當時上網人數多寡、對方網站主機流量、各頭端線路品質等因素而起伏改變。
- ▶ 本國節目/外國節目播出時數

根據 NCC100 年通訊傳播績效報告

廣電事業本國節目外國節目
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無線電視事業	91.12%	8.88%
衛星電視事業	39.87%	60.13%

#### ▶ 目前關於 local content 的規範:

- Broadcasting Act 規定 terrestrial broadcasting TV 的本國自製率 70%;
- Cable Broadcasting Act 規定 Cable platform 的本國節目總量須達 20%-該 規範從未成為問題,因為非常容易達到。

另外衛星廣播電視法正在修法,草案要求衛星廣播業者規劃節目應該考 量內容多樣性、人性尊嚴、社會責任、保障本國文化。

The Satellite Broadcasting Act is undergoing an amendment, the draft requires the satellite broadcasting program providers should consider "diversity, human dignity, social responsibility, and local culture protection".

#### ▶ IPTV 的定義

根據 ITU(國際電信聯合會)的定義,Imternet Protocal Television/

IPTV 是一種融合廣播電視、數據、視訊、音訊、文字圖像的多媒體服務,經由使用網際網路協定(Internet Protocal;IP)的通訊網路,提供**具備服務品質** (Quality of Service/QoS)、使用者經驗(Quality of Experience/QoE)、安全性、互動性及可靠性的多媒體服務,給予使用者。因此 IPTV 一詞即意味著可控制網路環境中提供的網路視訊服務。

電信業者及Cable業者均可透過加強現有的技術支援這種多媒體雙向數據傳輸,提供語音、數據、多媒體三合一 triple play 的服務,部分營運商甚至加入行動的功能成為 quardruple play 四合一服務。

#### ▶ 網路廣告

■ 2011 年台灣網路廣告營收 102 億元/較 2010 年成長 19.46%

■ 2012 年(estimated)網路廣告市場 NT\$117 億元(US\$400 million,less than HULU 2011 ads 420million 美金 )/

比 2011 年成長 14.64%

比 2008 年成長 96%(4 年內成長 1 倍)

- 網路廣告主要三個部分:
- 1、 social/buzz 社群口碑行銷 8%
- 2、 search ads 關鍵字廣告 30%
- 3、 display ads 網站廣告 63%

### ▶ 台灣媒體廣告市場(動腦雜誌 2011 年台灣廣告調查)

台幣/億元	2011 Ad	2010 Ad	Growth/decli
NTD\$100million	expenditure	expenditure	ne rate
Terrestrial	52.5	54.83	-4.25%
Cable	212.31	206.13	+3%
Newspaper	107.6	119.56	-10%
Magazine	69.46	67.77	2.5%
Radio	40.35	44.83	-10%
internet	102.61	85.51	+20%