

Information Note on  
Authorization under Section 14(1)  
of the Telecommunications Ordinance (Cap 106)

Issued to  
Fixed Telecommunications Network Services Operators,  
Fixed Carrier Operators and United Carrier Licensees

**Background**

The Communications Authority (CA) has authorised under section 14(1) of the Telecommunications Ordinance licensed Fixed Telecommunications Network Services operators, Fixed Carrier operators and Unified Carrier licensees (collectively referred to as "Operators") to access the common parts of private buildings to install and maintain the necessary facilities. The purpose is to allow the Operators to provide their licensed services to occupiers of buildings. For the name and contact of the Operators, please call OFCA In-building Systems Enquiry Hotline 8102 4100 or visit the web site of the Office of the Communications Authority (OFCA) at <http://www.ofca.gov.hk>.

2. Where authorizations have been given to the Operators by the CA, the Operators have legal rights to access those buildings to install and maintain the required facilities in the common parts. Building management office, Incorporated Owners, Owners Committee and owners of buildings (hereafter referred to as the "IO/BMO") should permit and assist the Operators to access the building for provision of services.

3. It should be emphasised that the authorization does not give the Operators any right to enter upon the buildings for the purpose of marketing and promotional activities. Operators wishing to conduct any such activities should obtain prior permission from the IO/BMO concerned.

**Legal Steps that may be Taken by the Operators to Gain Access**

4. In case access arrangement cannot be satisfactorily agreed upon between the IO/BMO and the Operators, both parties may approach this office for mediation. If

after the mediation, the IO/BMO still refuses or delays any Operators to access the building, the Operators may take the following steps to gain access:-

- (a) The relevant Operator, under section 14(4) of the Telecommunications Ordinance, may apply to a magistrate for an order that the IO/BMO shall not prevent or obstruct it from gaining access to the buildings to install the required facilities in the building.
- (b) The relevant Operator may under section 14(9)(a) apply for a certificate to be issued by the CA to certify that the Operator has the right of access under section 14(1) of the Telecommunications Ordinance and may apply to the court for an injunction under section 14(9)(b) where any IO/BMO of the buildings specified in the certificate does not allow the Operator to gain access to the buildings.

5. For any enquiry about this note, please call OFCA In-building Systems Enquiry Hotline 8102 4100, or contact us by fax to 2116 0136 or email to [in-bldg@ofca.gov.hk](mailto:in-bldg@ofca.gov.hk).

This Information Note is intended only as a brief outline of the Operators' general position under section 14 of the Telecommunications Ordinance and does not constitute advice or substitute for professional advice. All Operators, IO/BMO and readers of this Information Note are advised to consult their own legal advisers on any matters to which information provided herein may be relevant.