

Technical Performance for Radiocommunications Apparatus Covered by the Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order in Hong Kong

What is Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order?

Section 8(1) of the Telecommunications Ordinance (“the Ordinance”) provides that the establishment and maintenance of any means of telecommunications in Hong Kong are subject to licensing. On the other hand, Section 39 of the Ordinance provides that the Chief Executive in Council may by order exempt any person from the obligation to hold a licence under the Ordinance.

2. The Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order (“the Order”) is made under Section 39 of the Ordinance to provide for exemption from licensing in respect of the private use, sale or demonstration with a view to sale of various types of telecommunications apparatus. The apparatus include radiocommunications equipment for use in Hong Kong and customer premises equipment (CPE) for connection to the public fixed telecommunications networks. The exemption arrangement aims at achieving a less onerous and more business-friendly regulatory environment.

What are the radiocommunications apparatus covered by the Exemption Order?

3. Radiocommunications apparatus to be exempted under the Order is required to, *inter alia*, meet the technical criteria set out in the schedules appended to the Order, as well as any technical specifications and certification requirements as may be prescribed by the Communications Authority (CA)¹. The following categories of radiocommunications apparatus are covered:

- apparatus used as a mobile earth station;
- apparatus for connection to a public radiocommunications network or system (such as mobile phones and paging receivers); and
- apparatus meeting the technical criteria set out in Schedule 2 of the Order and tolerating interference from other authorised telecommunications apparatus or system (such as cordless telephones, wireless LAN, remote controls and short-range walkie-talkie).

¹ Pursuant to the Communications Authority Ordinance (Cap. 616), with effect from 1 April 2012, all duties and powers of the Telecommunications Authority (TA) are conferred on the Communications Authority (CA), and all duties and powers of the Office of the Telecommunications Authority (OFTA) are conferred on the Office of the Communications Authority (OFCA), the executive arm of the CA.

What are the technical specifications for radiocommunications apparatus covered by the Exemption Order?

4. In consultation with the industry, the CA has prescribed technical specifications² to set out the minimum performance requirements for the radiocommunications apparatus, except mobile earth stations³, to be exempted from licensing under the Order. These technical specifications are listed in the Schedule to this Information Note, which will be revised from time to time to reflect the technological advancement and market developments. Radiocommunications equipment falling into the scope of the specifications shall be required to conform to the corresponding specifications. For radiocommunications apparatus capable of being used in a combination of radio technologies (such as mobile telephone with Bluetooth function), the apparatus shall be required to conform to all applicable specifications.

Does radiocommunications apparatus covered by the Order need to be certified before it is offered for sale?

5. At present, it is not mandatory that such radiocommunications apparatus offered for sale in Hong Kong shall be of a type or model which has been certified or approved by the CA or a Certification Body (CB). However, manufacturers, suppliers or dealers will be in breach of the Ordinance if their radiocommunications apparatus fails to meet the technical specifications prescribed and if they do not possess a valid dealer licence.

6. OFCA operates a Hong Kong Telecommunications Equipment Evaluation and Certification (HKTEC) Scheme for evaluation and certification of telecommunications equipment. Under the Scheme, manufacturers, suppliers or dealers may apply for certification of the radiocommunications apparatus covered by the Order against the relevant technical specifications on a voluntary basis. The application procedures can be found in the Information Note [OFCA I 401 “How to Apply for Type-Approval or Type-Acceptance of Radio Equipment”](#). A label prescribed by the CA may be affixed on a voluntary basis to the certified apparatus. Although labelling is voluntary, manufacturers, suppliers and dealers are encouraged to use labels prescribed by the CA for consumer guidance. Details of the labelling arrangement can be found in Standardisation Guide [HKCA 3211](#).

² Before the establishment of the CA on 1 April 2012, the specifications prescribed by the TA were named as HKTA specifications. From 1 April 2012 onward, revised versions of existing HKTA specifications and new specifications prescribed by the CA will be named as HKCA specifications. For the avoidance of doubt, unless the specific issue number of the HKTA specification is explicitly specified, reference in any document to HKTA specification shall be construed as including reference to the corresponding HKCA specification as may be revised from time to time. In addition, reference in any document to HKCA specification shall be construed as referring to the corresponding HKTA specification if the HKCA specification under reference is not yet present.

The technical specifications for radiocommunications are prescribed in the form of HKCA 10xx series specifications.

³ The technical criteria for mobile earth stations are given in Schedule 1 to the Order.

Are there any technical requirements for radiocommunications apparatus to be connected to the Fixed Telecommunications Network?

7. In addition to the specifications given in the Schedule, radiocommunications apparatus capable of being used as CPE (such as cordless telephones) for connection to fixed telecommunications networks of Hong Kong should comply with the relevant network connection specifications⁴ issued by the CA. Manufacturers, suppliers or dealers may also apply for a separate certification to verify the conformity of the apparatus with the relevant HKCA 2xxx specification before it is connected to the fixed telecommunications network. For more details, please refer to Information Note [OFCA I 412 “How to Apply for Certification of Wireline Customer Premises Equipment to be connected to the Public Telecommunications Networks in Hong Kong”](#).

How can I obtain additional information?

8. Further enquiries may be referred to the following address:

Office of the Communications Authority,
29/F Wu Chung House,
213 Queen’s Road East,
Wanchai, Hong Kong.
(Attn : Senior Telecommunications Engineer (Standards))

Tel No. : +852 2961 6388
Fax No. : +852 2838 5004
Email : standards@ofca.gov.hk

9. Printed copies of the HKCA specifications and information notes are available upon request to the above address. Alternatively, you may obtain the documents from OFCA’s website at <http://www.ofca.gov.hk>. The full text of the Order is available on-line at the website of the Department of Justice, <https://www.elegislation.gov.hk/hk/cap106Z>.

**Office of the Communications Authority
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⁴ The technical requirements for connection of customer premises equipment with public fixed telecommunications networks are prescribed in the form of HKCA 2xxx performance specifications.

Schedule

HKCA Performance Specifications for Radiocommunications Apparatus Covered by the Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order

Radiocommunications Apparatus	Specification
1.7 MHz / 47 MHz cordless telephone	HKCA 1006
864.1 – 868.1 MHz cordless telephone	HKCA 1015
46 MHz / 49 MHz cordless telephone	HKCA 1026
254 MHz / 380 MHz cordless telephone	HKCA 1045
DECT equipment	HKCA 1034
2.4 GHz and 5 GHz radiocommunications apparatus employing frequency hopping or digital modulation (e.g. Bluetooth products, IEEE 802.11a, IEEE 802.11b/g and other wireless LAN products)	HKCA 1039
Radio equipment exempted from licensing	HKCA 1035
27 MHz radiocommunications apparatus (e.g. model control equipment operating at 27 MHz)	HKCA 1041
409 MHz short-range portable radio	HKCA 1044
Pager for public paging services	HKCA 1004
GSM / PCS mobile telephone	HKCA 1033
3G mobile telephone	HKCA 1048 HKCA 1054
LTE mobile telephone	HKCA 1057 HKCA 1073
RFID equipment operating in the 865-868 MHz and 920-925 MHz bands	HKCA 1049