

UNDERTAKING

[*insert date*]

From: [*name of Organisation*] at [*address of Organisation*]
 (“**Organisation**”)

To: Office of the Communications Authority, at 29/F, Wu Chung House, 213 Queen’s Road East, Wan Chai, Hong Kong
 (“**OFCA**”)

Attn: Assistant Director (Operations)
Office of the Communications Authority

Re: Accreditation under section 32E of the Telecommunications Ordinance

The Organisation has submitted proposal to OFCA (“**Proposal**”) according to the guidelines specified in the Information Note OFCA I 425 “Guidelines for Application for Accreditation by the Communications Authority as Local Certification Body” issued in [month] [year] (“**Guidelines**”). In consideration of the Communications Authority (“**CA**”), as represented by OFCA, agreeing to grant a non-exclusive accreditation (“**Accreditation**”) to the Organisation to be effective from [*C date*] (“**Commencement Date**”) under section 32E(g) of the Telecommunications Ordinance (“**Ordinance**”) as a Local Certification Body (“**LCB**”) for the purpose of carrying out the responsibilities under sections 32E(a) and (c) of the Ordinance, the Organisation hereby undertakes, acknowledges and agrees in favour of the CA all the matters set out in this Undertaking which shall take effect from the Commencement Date.

Scope of Accreditation

1. The Organisation shall perform to the satisfaction of the CA, all testing services for the purpose of section 32E(a) of the Ordinance (“**Testing**”) in accordance with this Undertaking against all Technical Specifications (hereinafter defined), including those covered in the Schedule to the Information Note entitled “How to apply for type approval and type acceptance of radio equipment” (OFCA I 401) available from OFCA’s website at <http://www.ofca.gov.hk/filemanager/ofca/common/Industry/telecom/standard/i401e.pdf> and in the Schedule to the Information Note entitled “How

to apply for Certification of Wireline Customer Premises Equipment to be Connected to the Public Telecommunications Networks in Hong Kong” (OFCA I 412) available from OFCA’s website at <http://www.ofca.gov.hk/filemanager/ofca/common/Industry/telecom/standard/i412e.pdf> and their revision from time to time (**collectively “Information Notes”**). The Organisation shall offer all types of Testing services, without any reduction in scope, as listed in Schedule 1 to this Undertaking. For the purpose of this Undertaking, **“Testing”** includes all sample testing/ evaluation and documentary evaluation for the purpose of Certification (hereinafter defined) and **“Technical Specifications”** includes all latest and relevant technical regulations, specifications and standards prescribed in, or by the CA under, the laws of Hong Kong. The Technical Specifications currently in force are specified in Schedule 1.

2. The Organisation shall perform, to the satisfaction of the CA, all certification services for the purpose of section 32E(c) of the Ordinance (**“Certification”**) in accordance with this Undertaking against all Technical Specifications, including those covered in the Information Notes. The Organisation shall offer all types of Certification services, without any reduction in scope, as listed in Schedule 1 to this Undertaking.

3. The Organisation shall offer all types of Testing and Certification services specified in paragraphs 1 and 2 above with the delivery standards not be less than those listed in Schedule 2 to this Undertaking which shall be made known by the Organisation to the applicant for the Testing and Certification services (**“applicant”**). The Organisation shall comply with all applicable laws including the Ordinance and regulations thereunder and any guidelines which may be issued under section 6D for the purpose of section 32E of the Ordinance.

Administrative and Operational Requirements

Centralised List

4. The Organisation shall notify OFCA at the same time a certificate is issued as specified in paragraph 18 below so that OFCA may update the centralised list of certified telecommunications equipment (**“TE”**) and industrial, scientific and medical (**“ISM”**) equipment maintained and published by OFCA on its official website, i.e. the **“List of Certified Equipment”**.

Proper Record System

5. The Organisation shall maintain a proper record system to keep track of all documentation associated with the Testing and Certification of each equipment including application forms, test reports, description of equipment, technical data, operation manual and other related documents when the certificate remains valid and for an additional period of at least 5 years from the date the certificate is withdrawn for whatever reason. The records shall be made available to OFCA upon request within a reasonable time and at no charge.

Information Update

6. The Organisation shall monitor and keep track of the introduction of new or revised Technical Specifications. Information about new or amendments to the Technical Specifications will be published on OFCA website at <http://www.ofca.gov.hk>, in particular,

http://www.ofca.gov.hk/en/whats_new/index.html

https://www.ofca.gov.hk/filemanager/ofca/common/Industry/telecom/standard/standards_hk_china.pdf

http://www.ofca.gov.hk/en/industry_focus/standards/tel_standards/consultation/index.html

http://www.ofca.gov.hk/en/industry_focus/standards/tel_standards/hkca/radio_equipment_specifications/index.html

http://www.ofca.gov.hk/en/industry_focus/standards/tel_standards/hkca/gmdss_specifications/index.html

http://www.ofca.gov.hk/en/industry_focus/standards/tel_standards/hkca/fixed_network_equipment_specifications/index.html

- (a) in case of any change to the Technical Specifications that does not involve change to the testing methods, such as amendments to the limits of technical parameters (frequency range, power, spurious emission limits and the like), the Organisation shall immediately follow and implement the required update(s) of the relevant Technical Specifications.
- (b) in case of any change of the required testing methods specified in the Technical Specifications which shall be effective upon a date (“Effective Date”) after a transitional period as notified by OFCA, the Organisation shall furnish evidence/reports to OFCA on or before a deadline specified by OFCA (which should be before the Effective Date) for the purpose of declaring and demonstrating to the

satisfaction of the CA the competence and readiness of its own or contracted testing laboratories (such contracting subject to the requirements under paragraph 31) in performing tests using the revised testing methods.

Notification of Change

7. The Organisation shall give prior written notification to OFCA with a copy of the relevant documents if any of the following occurs -

- (a) change in legal, financial, organisation or accreditation status;
- (b) change of its registered office or physical location; or
- (c) change which may affect its continuing compliance with any of the criteria or requirements set out in the Guidelines and this Undertaking.

Handling of Complaints against Organisation

8. After receiving a complaint (whether directly from complainant or forwarded to it by OFCA for handling) on the operation of the Organisation concerning the Testing and Certification services it provides, the Organisation shall address the complaint as soon as practicable. Within 30 days upon receipt of the complaint or OFCA's notification, the Organisation shall report to OFCA the outcome of its investigation and the necessary follow-up and corrective actions taken on the complaint.

No Waiver

9. In providing Testing and Certification services, the Organisation shall not depart from or waive any requirements specified in the Technical Specifications unless prior authorisation is sought and obtained from OFCA.

Others

10. The Organisation shall not claim its Accreditation status with regards to areas which are outside its scope of Accreditation as specified in Schedule 1 to this Undertaking.

Certification Requirements

11. Certification shall be performed by the Organisation on the basis of demonstration of compliance with the applicable requirements in the Technical Specifications. The Organisation shall carefully review the

technical information of the relevant equipment submitted for Testing and Certification including equipment description, test report and supporting information. The Organisation should note that equipment description should consist of advertising material, schematic diagrams and block diagrams of circuitry, user and maintenance manuals while supporting information should consist of photographs of the internal circuit boards and external views of the equipments for precise identification of the equipment. In case of any incomplete equipment description, test report or supporting information, the Organisation shall notify the applicant to provide supplemental information or materials before performing the Testing and Certification.

12. The Organisation shall alert the certificate holders that the CA retains all authority under the law to interpret, implement and enforce the relevant Technical Specifications governing TE and ISM equipment.

Auditing and Non-Compliance Investigation Requirements

13. If complaints are received from consumers or industry about the non-compliance of the certified equipment with the Technical Specifications to which they are certified, the Organisation shall perform an audit on that targeted certified equipment and shall provide OFCA with a result of the audit within 14 days from the receipt of the complaint. If the audit result shows any non-compliance by the certificate holder, the Organisation shall provide OFCA with a proposed remedial plan together with the audit result. The Organisation shall without prejudice to any power of OFCA to review under paragraph 25 then give proper instruction to the certificate holder to carry out remedial actions in accordance with the remedial plan it provided to OFCA. Within 14 days from the date the remedial plan is submitted, the Organisation shall submit to OFCA a follow-up report on (a) the required remedial actions taken by the Organisation on the supplier concerned and (b) the required remedial actions taken by the supplier to ensure full compliance.

Removal from the Lists of Certified Equipment

14. If a certificate holder does not take the remedial action referred to in paragraph 13 or take any remedial actions to resolve and correct any non-compliance issue concerning its certified equipment, (a) the Certification will be withdrawn by the Organisation and the Organisation shall act in accordance with the instruction of OFCA on such withdrawal, if any, (b) the equipment entry in the concerned equipment list(s) under the “List of Certified Telecommunications Equipment” on OFCA website will be removed without prejudice to the generality of the power

exercisable by the CA under the Ordinance and provided nothing herein shall prejudice the right of any certificate holder whose Certification has been withdrawn by the Organisation from applying for a fresh Certification from the Organisation or other accredited Organisation.

Certificate Information

15. The Organisation may issue a certificate to a supplier, agent, manufacturer or related entity after confirming that the equipment concerned complies with the relevant Technical Specifications. The logo or any indication of OFCA, the CA or the government of Hong Kong Special Administrative Region (“HKSAR”) or the flag of HKSAR shall not be printed on the certificate or the label issued by the Organisation. Instead, the accreditation symbol of the external accreditation body and the name of the Organisation may be shown on the certificate.

16. The certification number shown on the accredited certificate shall be of 12-digit format as follows -

“ZZZZZYXXXXX”

where:

- ZZZZZ stands for the code assigned by OFCA for identification of the LCB
- YY denotes for the year of issue (i.e. 20, 21 etc.)
- XXXXX denotes for serial number of certificate issued during that calendar year

17. The following information shall be specified on the type approval/conformance certificates issued by the Organisation -

- (a) a statement of certification to the effect that the concerned equipment has been evaluated and found to comply with the [*HKCA Specification*] performance specification issued by the CA;
- (b) name of the certificate holder;
- (c) name of manufacturer;
- (d) brand name and model number;
- (e) type of equipment;
- (f) HKCA specifications to which the equipment concerned was tested and certified;
- (g) certification number;
- (h) technical details such as the operating frequency range, RF power, Specific Absorption Rate (“SAR”) value (for mobile phone only),

- antenna information, and emission designations (these apply to radio equipment only);
- (i) the conditional notices as set out in Schedule 3 to this Undertaking; and
 - (j) an authorised signature, with the name of the signing officer and the date of issue of the certificate.

Notification Requirements

18. The Organisation shall notify OFCA about the issue of a certificate by electronic means (e.g. by e-mail or other means as specified by OFCA) at the same time as it issues the certificate with the following information -

- (a) all the information shown on the certificate;
- (b) contact information of the manufacturer (company name, contact person, address, e-mail address, fax and phone number);
- (c) contact information of the certificate holder (company name, contact person, address, e-mail address, fax and phone number);
- (d) contact information of the testing laboratory performing the test (company name, contact person, mail address, e-mail address, fax and phone number);
- (e) test report reference number and date of test; and
- (f) contact information of an authorised representative of the Organisation who can respond to enquiries about the certificate.

19. The Organisation's Certification process shall include provisions or arrangements for seeking consent from the applicant for (a) transferring all information specified in paragraph 18 above to OFCA and allowing OFCA to publish, where necessary, the relevant technical information on its website, and (b) transferring to OFCA all information and materials submitted by the applicants to the Organisation for the purposes specified in paragraphs 23 and 24. Save for the said purposes, the Organisation shall keep confidential all information and materials furnished by the applicants for Testing and Certification and shall not make use of such information and materials other than for the purpose of Testing and Certification.

Listing of Certified Equipment

20. Each model of certified equipment (including the relevant technical information of certified equipment as provided by the Organisation) will be posted onto the concerned equipment list(s) under the "List of Certified Equipment" on OFCA website. The Organisation

shall notify OFCA if it finds any discrepancy between the information posted by OFCA and the information it possesses.

ISO Accreditation Requirement

21. The Organisation shall obtain accreditations to ISO/IEC 17065 for the concerned Certification work and to ISO/IEC 17025 for the full range of Testing services performed by it by [day] [month] [year]. If the Organisation fails to obtain the required external accreditations to ISO/IEC 17065 and/or ISO/IEC 17025 within the specified period, the CA may take such action as is appropriate including withdrawal of the Accreditation unless prior consent has been sought from the CA for any justified deferral of meeting this requirement or waiving of this requirement entirely.

Fees for the Testing and Certification Services

22. The Organisation may set its fees independently but shall publish the fees for the Testing and Certification services and maintain such information updated on its website. Any collusion activity between the Organisation and other LCB(s) accredited under section 32E(g) may result in the CA withdrawing the accredited status of the Organisation. For reference of the Organisation, the fees previously charged by the Office of the Telecommunications Authority (OFTA) are given in Schedule 4.

Information and Inspection

23. The Organisation shall provide all information and materials (including but not limited to information and materials relating to its legal, financial, organisation or accreditation status and those submitted by the applicants) to OFCA as it may reasonably request and follow all instructions reasonably given by OFCA so as to ensure or verify that the Organisation is complying with the terms of this Undertaking.

24. The Organisation shall, at all reasonable times upon notice, permit any authorised officers of OFCA or any persons appointed by OFCA to enter the office and laboratory of the Organisation or its contractors (such contracting subject to the requirements under paragraph 31) to inspect or examine the Testing and Certification services (including but not limited to information and materials relating to its legal, financial, organisation or accreditation status and those submitted by the applicants) so as to ensure or verify that the Organisation is complying with the terms of this Undertaking. The inspection and examination may include

individual checking, sample checking or surveillance as OFCA may consider appropriate. When requested to do so, the Organisation shall at its own cost provide OFCA with a reasonable number of copies of any such item and provide all necessary assistance to OFCA, including but not limited to the provision of (a) a representative to be present at such inspection, examination, checking and surveillance; (b) necessary testing instruments and technical advice on the operation of such instruments.

Review, Suspension and Termination of Accreditation

25. The Accreditation will be reviewed periodically by OFCA (including for any compliance issue under this Undertaking, paragraphs 13 and 14 hereof and any possible improvement of the Testing and Certification services). Review meetings between OFCA and the Organisation may be held at such intervals and at such places and times to be determined by OFCA. The Organisation shall provide all reasonable assistance to OFCA in such review.

26. When the Organisation is subject to investigation for non-compliance with this Undertaking, the CA may suspend the Accreditation and may direct the Organisation to take such reasonable action in order to ensure compliance.

27. Without prejudice to paragraph 28, the Organisation may at any time at its option suspend or terminate the Accreditation without cause by giving to OFCA twelve months' written notice of termination.

28. The Organisation or Accreditation may be reprimanded, suspended, withdrawn or terminated as the case may be by the CA upon reasonable notice to the Organisation if any of the following occurs -

- (a) if it is found that any information, representation or warranty contained in or attached to the Proposal or furnished in connection therewith is incorrect or no longer correct to the extent that it would have affected the decision of the CA in granting the Accreditation;
- (b) if the Organisation has breached any terms of this Undertaking and has failed to remedy the same within the time specified in a written notice from OFCA that the same be remedied;
- (c) if the Organisation has failed to comply with the requirements specified by OFCA in a direction issued to the Organisation under paragraph 26 above within the time specified in the direction;
- (d) if the Organisation has failed to obtain the required external accreditations to ISO/IEC 17065 and/or ISO/IEC 17025 by the deadline specified in paragraph 21 above or failed to renew or maintain such accreditations thereafter;

- (e) if, in the reasonable opinion of the CA, the Organisation is unable to provide satisfactory Testing and/or Certification services;
- (f) if there is any amendment to the Ordinance which removes, varies or otherwise changes the accreditation power of the CA under section 32E(g) or renders, either directly or indirectly, the Accreditation unlawful, altered or otherwise materially different;
- (g) if there is any collusion activity between the Organisation and other LCB(s) accredited under section 32E(g) on the setting or charging of fees; or
- (h) if the CA considers that it is in the public interest to do so having regard to matters including, but not limited to, the legal, financial, organisation or accreditation status of the Organisation, and the new development in the testing and certification service markets in Hong Kong.

29. For avoidance of doubt, nothing in paragraphs 26 to 28 shall prejudice any other remedies that may be available to the CA or OFCA. The Organisation shall not claim or be entitled to any compensation or indemnity in respect of any loss or damages arising from such direction, reprimand, suspension, withdrawal or termination.

Relationship of the Parties

30. The Organisation shall not represent itself as an employee, servant, agent or partner of OFCA or the CA.

31. Where any part of the Testing services is contracted to any third party (such contracting shall be subject to prior approval of OFCA and any condition it may reasonably impose), the Organisation shall remain fully liable for any act or omission of such third party as if such act or omission were its own.

Waiver and Indemnity

32. No failure or delay by OFCA in exercising any right, power or remedy available to it shall be interpreted as a waiver thereof, nor shall any single or partial exercise of the same preclude any other or further exercise thereof or the exercise of any other right, power or remedy. Without limiting the foregoing, no waiver by OFCA of any breach by the Organisation shall be deemed to be a waiver of any subsequent breach of that or any other provision hereof.

33. OFCA shall not be held liable for any direct, indirect, special or consequential losses or damages arising whatsoever and howsoever from

the Accreditation or use of the Testing and Certification services provided by the Organisation.

34. The Organisation shall indemnify and keep indemnified the OFCA against all claims, damages, costs, losses or expenses in respect of personal injury, death, losses or damages arising out of or resulting from the performance or attempted performance of the Testing and Certification services to the extent that the same are or have been caused by any negligent or reckless conduct, willful misconduct, breach of statutory duty or breach of this Undertaking by the Organisation.

Miscellaneous

35. In case of any conflict between the Guidelines, the Proposal and this Undertaking, the Guidelines and this Undertaking shall prevail over the Proposal. In case of any conflict between the Guidelines and this Undertaking, this Undertaking shall prevail.

36. Headings to any provisions of this Undertaking are inserted for convenience or reference only and shall not in any way vary, limit or extend the interpretation of this Undertaking.

37. Each of the provisions of this Undertaking is severable and distinct from the others and, if one or more of such provisions or any part thereof is or becomes illegal, invalid or unenforceable, the legality and enforceability of the remainder of this Undertaking shall not be affected or impaired in any way.

38. The requirements under paragraphs 19 and 29 to 39 shall survive after any termination of this Undertaking for whatever cause.

39. This Undertaking shall be governed by and construed according to the laws of Hong Kong.

Additional Undertaking

40. The Organisation further undertakes, acknowledges and agrees to the matters set out in Schedule 5.

As witness whereof, this Undertaking has been entered into the day, month and year first above written.

SIGNED BY)
[*name of individual*])
for and on behalf of)
[*name of Organisation*])
who hereby warrants that)
he has the authority to)
bind the Organisation)
to this Undertaking)
in the presence of:-)

Name: [*name of witness*]
Address: [*address*]

SCHEDULE 1 – SCOPE OF ACCREDITATION / TECHNICAL SPECIFICATIONS

1. The Organisation shall, subject to paragraph 5 of this Schedule, perform all Testing and Certification services for telecommunications equipment (TE), as well as industrial, scientific and medical (ISM) equipment emitting radio frequency energy intentionally, that is for use or sale in Hong Kong and falls under either of the following categories -

- (a) Equipment covered by any HKCA¹ Specifications published by the CA at the following website (excluding Specifications HKCA 1046, HKCA 2035, HKCA 2037 and those of HKCA 21xx, HKCA 22xx and HKCA 23xx series) -

Radio equipment and ISM equipment -

http://www.ofca.gov.hk/en/industry_focus/standards/tel_standards/hkca/radio_equipment_specifications/index.html

GMDSS marine radio equipment -

http://www.ofca.gov.hk/en/industry_focus/standards/tel_standards/hkca/gmdss_specifications/index.html

Customer premises equipment for access to public telecommunications services -

http://www.ofca.gov.hk/en/industry_focus/standards/tel_standards/hkca/fixed_network_equipment_specifications/index.html

- (b) Type of TE or ISM equipment not covered by any HKCA Specification but approved by the CA for use or sale in Hong Kong, subject to compliance with specific technical standard that may be stipulated or approved by the CA for that equipment type.

¹ Before the establishment of the CA on 1 April 2012, the specifications prescribed by the Telecommunications Authority (TA) were named as HKCA specifications. From 1 April 2012 onward, revised versions of existing HKCA 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 HKCA specification is explicitly specified, reference in any document to HKCA 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 HKCA specification if the HKCA specification under reference is not yet present.

2. The technical standard for the equipment type as covered in paragraph 1(b) shall be stipulated or approved by the CA on a case by case consideration. If the Organisation received an application for such certification, it shall approach OFCA for advice on (a) whether the equipment type in question may be used or sold in Hong Kong and thus acceptable for Certification, and (b) what technical standards/specifications shall be applied /adopted on the equipment type if it is allowed for use or sale in Hong Kong. In such cases the Type Acceptance procedures as stated in the prevailing version of Information Note OFCA I 401 at the following link shall be followed -

<http://www.ofca.gov.hk/filemanager/ofca/common/Industry/telecom/standard/i401e.pdf>

3. Certification may be granted for equipment variant, which refers to a model (together with its associated accessories) having electrical and mechanical characteristics identical to a certified equipment.

4. Certification of TE or ISM equipment shall be based on one or more of the following methods or documentations for verifying compliance with the relevant HKCA Specification, or technical standard that may be stipulated or approved by the CA under Type Acceptance procedures -

- (a) Result of test on the equipment sample conducted by the Organisation and/or its contractors as approved by the CA against the relevant HKCA specification or technical standard stipulated or approved by the CA;
- (b) Result of test on the equipment sample and other relevant documents and information produced by a Recognised Testing/Certification Agency² against the relevant HKCA specification or technical standard stipulated or approved by the CA; or
- (c) Result of test on the equipment sample and other relevant documents and information produced by a testing agency against the relevant HKCA specification or technical standard stipulated or approved by the CA, provided that the LCB has evidence that the testing agency is competent to perform the relevant test in

² Please refer to the Information Note OFCA I 411 “Recognised Testing/Certification Agency (RTA) for Evaluation of Telecommunications Equipment” at <http://www.ofca.gov.hk/filemanager/ofca/common/Industry/telecom/standard/i411e.pdf>.

accordance with ISO/IEC 17025, such as documented evaluation performed by qualified personnel according to appropriate procedures.

5. In connection with the provision under paragraph 4(a), the Organisation and / or its contractors as approved by the CA shall provide sample testing/evaluation services for at least the types of equipment tabulated below.

Type of TE or ISM Equipment	Technical Standard
Single-sideband (SSB) equipment for voluntary fitting in small craft in 1.6 - 27.5 MHz frequency band	HKCA 1001
Angle modulated VHF and UHF land mobile transceiver	HKCA 1002
Angle modulated VHF and UHF land mobile repeater	HKCA 1002
1429-1530 MHz fixed link transceiver	HKCA 1003
Public paging transmitter	HKCA 1004
Public paging receiver	HKCA 1004
Angle modulated VHF maritime for voluntary fitting in small craft	HKCA 1005
1.7/47 MHz cordless telephone	HKCA 1006
Industrial, Scientific and Medical (ISM) equipment	HKCA 1007
Wireless microphone equipment	HKCA 1008
Angle modulated VHF and UHF land mobile transceiver intended primarily for data applications	HKCA 1010
864.1/868 MHz cordless telephone	HKCA 1015
Angle modulated 800 MHz trunked radio transceiver	HKCA 1016
Angle modulated 800 MHz trunked radio repeater	HKCA 1016
TV antenna amplifier	HKCA 1019
GSM / PCS repeater	HKCA 1020
CB radio transceiver for use on-board craft and vessels	HKCA 1022
46/49 MHz cordless telephone	HKCA 1026
Radio equipment exempted from licensing	HKCA 1035
Model control and radio equipment operating in the 27 MHz band	HKCA 1041
409 MHz short-range portable radio	HKCA 1044

Type of TE or ISM Equipment	Technical Standard
254/380 MHz cordless telephone	HKCA 1045
CB radio transceiver operating in the 27 MHz band	HKCA 1050
Equipment type not specified above but approved by the CA for use or sale in Hong Kong, subject to compliance with specific technical standard stipulated or approved by the CA for that type of equipment under Type Acceptance procedures (applicable only if testing against such technical standard is within the technical capability of the Organisation)	Specific technical standard stipulated or approved by the CA

SCHEDULE 2 – DELIVERY STANDARD OF TESTING AND CERTIFICATION SERVICES

- (a) Certification of radio equipment -
 - (i) document evaluation – no more than [] working days*
 - (ii) sample testing/evaluation – no more than [] working days*

- (b) Certification of customer premises equipment (documentation evaluation) - no more than [] working days*

* The duration shall be calculated from the date of application to the date of issue of certificate but does not include the time spent on waiting for the delivery of the samples and the associated documentation.

SCHEDULE 3 – Conditional Notices in Certificate

“1. This certificate may be withdrawn if the equipment marketed is found not meeting the technical specification(s) prescribed by the Communications Authority or any of the conditions on this certificate is breached.

2. The certificate holder shall perform remedial actions or recall the certified equipment marketed in Hong Kong as may be required by *[name of Organisation]* or the Communications Authority if they are found not meeting the prescribed technical or safety requirements.

3. Prior approval from *[name of Organisation]* is required for any alteration in Model No. / Brand Name or other particulars for this equipment.

4. No electrical or mechanical change shall be made to this equipment without prior approval from *[name of Organisation]*.

5. The Communications Authority retains all authority to interpret, implement and enforce the relevant technical regulations governing telecommunications equipment, as well as industrial, scientific and medical equipment emitting radio frequency energy intentionally, which is for use or sale in Hong Kong.

6. The grantee of this certificate allows the Office of the Communications Authority to publish the relevant technical information on its website.

7. This certificate may be withdrawn and all the marketed equipment may be recalled if the equipment is a customer premises equipment and generates connection problems in the Hong Kong public telecommunications network.”

**SCHEDULE 4 – LIST OF FEES CHARGED PREVIOUSLY BY
OFTA AS AT 30 SEPTEMBER 2009**

PART 1 Document evaluation for the purpose of Certification

Type of Radio Equipment	Relevant Technical Specification	Evaluation Fee³ (HK\$)
SAR certification of Mobile Equipment for use in the public mobile radiotelephone service	HKCA 2001	1,160
Mobile Equipment for use in the public mobile radiotelephone service <ul style="list-style-type: none"> • GSM, PCS and GSM/PCS dual-mode • 3G mobile CDMA Direct Spread (UTRA FDD) • 3G mobile cdma2000 Spread Spectrum • LTE (evolved UTRA FDD) 	HKCA 1033 HKCA 1048 HKCA 1054 HKCA 1057	3,680
TV antenna amplifier	HKCA 1019	3,680
Radio equipment exempted from licensing	HKCA 1035	3,680
Model control and radio equipment operating in the 27 MHz band	HKCA 1041	3,680
Radio Frequency Identification (RFID) Equipment <ul style="list-style-type: none"> • operating in the 865 – 868 MHz and / or 920 – 925 MHz Bands 	HKCA 1049	3,680
Short Range Devices operating in the 433 MHz band	HKCA 1061	3,680

³ A piece of equipment shall be classified into one or more of the equipment types given in this Schedule and the applicant shall be charged according to the fee of each equipment type separately.

Type of Radio Equipment	Relevant Technical Specification	Evaluation Fee³ (HK\$)
Cordless telecommunications apparatus (CTA) <ul style="list-style-type: none"> • 1.7/47 MHz cordless telephone • 864.1/868 MHz cordless telephone • 46/49 MHz cordless telephone • PHS • DECT • Bluetooth • 2.4 GHz cordless telephone • 5.8 GHz cordless telephone • 254/380 MHz cordless telephone • 2.4 GHz wireless LAN equipment • 5 GHz wireless LAN equipment 	HKCA 1006 HKCA 1015 HKCA 1026 HKCA 1027 HKCA 1034 HKCA 1039 HKCA 1039 HKCA 1039 HKCA 1045 HKCA 1039 HKCA 1039	3,680
409 MHz short-range portable radio	HKCA 1044	3,680
Medical implant communication system	HKCA 1052	3,680
Public paging receiver	HKCA 1004	4,620
Wireless microphone equipment not exempted from licensing	HKCA 1008	3,680
Citizen Band (CB) radio equipment <ul style="list-style-type: none"> • CB radio transceiver for use on-board craft and vessels • CB radio transceiver operating in the 27 MHz band 	HKCA 1022 HKCA 1050	3,680
Equipment for use in Maritime GMDSS radio services <ul style="list-style-type: none"> • Radiotelephone equipment operating on the frequency 2182 kHz • Radiotelephone distress frequency watch receiver • MF and HF single sideband radiotelephone transmitters and receivers • Radiotelephone alarm signal generating devices • Narrowband direct-printing telegraph equipment for the reception of navigational and meteorological warnings and urgent information to ships (NAVTEX) 	HKCA 1218 HKCA 1223 HKCA 1224 HKCA 1225 HKCA 1257	1,890

Type of Radio Equipment	Relevant Technical Specification	Evaluation Fee³ (HK\$)
<ul style="list-style-type: none"> • HF narrow-band direct-printing telegraph equipment for the reception of navigational and meteorological warnings and urgent information to ships • 406 MHz emergency position-indicating radio beacon (EPIRB) • Ship earth stations capable of 2-way communications • 1.6 GHz float-free satellite emergency position-indicating radio beacons (EPIRBs) operating through the geostationary INMARSAT satellite system • Float-free VHF emergency position-indicating radio beacons (EPIRBs) • VHF radio installations capable of voice communications and digital selective calling • Shipborne MF radio installations capable of voice communications and digital selective calling • Shipborne MF/HF radio installations capable of voice communications, narrow-band direct-printing and digital selective calling • Shipborne integrated radiocommunications system (IRCS) • Survival craft two-way VHF radiotelephone apparatus • Marine radar transponder (SART) • Inmarsat enhanced group call (EGC) equipment and Inmarsat Standard-C ship earth station for direct-printing 	HKCA 1258	
	HKCA 1259	
	HKCA 1260	
	HKCA 1261	
	HKCA 1262	
	HKCA 1263	
	HKCA 1264	
	HKCA 1265	
	HKCA 1266	
	HKCA 1277	
	HKCA 1281	
	HKCA 1282	

Type of Radio Equipment	Relevant Technical Specification	Evaluation Fee³ (HK\$)
<p>Land Mobile Radio Equipment</p> <ul style="list-style-type: none"> • Angle modulated VHF and UHF land mobile radio equipment • Public paging transmitter • Angle modulated VHF and UHF land mobile radio transceiver intended primarily for data application • Angle modulated 800 MHz trunked radio equipment • TETRA trunked radio equipment • Base station and repeater equipment for use in the public mobile radiotelephone service including GSM, PCS, GSM/PCS dual-mode, CDMA direct Spread (UTRA FDD), cdma2000 Spread Spectrum and LTE (evolved UTRA FDD) 	<p>HKCA 1002</p> <p>HKCA 1004 HKCA 1010</p> <p>HKCA 1016</p> <p>HKCA 1047 HKCA 1020 HKCA 1043 HKCA 1053 HKCA 1056</p>	<p>4,620</p>
<p>Fixed Link Equipment</p> <ul style="list-style-type: none"> • 1429-1530 MHz fixed link transceiver • 38 GHz digital fixed link equipment • 23 GHz digital fixed link equipment • 5 GHz wireless access equipment 	<p>HKCA 1003</p> <p>HKCA 1036 HKCA 1037 HKCA 1042</p>	<p>4,620</p>
<p>Other Radio equipment</p> <ul style="list-style-type: none"> • Single Side Band equipment for voluntary fitting in small craft in the 1.605-27.5 MHz frequency band • Angle modulated VHF maritime for voluntary fitting in small craft • Industrial, scientific & medical (ISM) equipment 	<p>HKCA 1001</p> <p>HKCA 1005</p> <p>HKCA 1007</p>	<p>4,620</p>
<p>Equipment type not covered by any HKCA Specification but approved for use in Hong Kong, subject to compliance with specific technical standard stipulated by the CA for that type of equipment</p>	<p>specific technical standard stipulated by the CA</p>	<p>4,620</p>
<p>Certification for each equipment variant</p>		<p>950</p>

Type of Radio Equipment	Relevant Technical Specification	Evaluation Fee³ (HK\$)
Issue of replacement certificate, subject to declaration made by the applicant that the original certificate is defaced, destroyed or lost		530

Type of Customer Premises Equipment for Connection to Public Telecommunication Network	Relevant Technical Specification	Evaluation Fee³ (HK\$)
Single-line equipment: <ul style="list-style-type: none"> • analogue telephone • fax machine • dial-up modem • Telex machine • ISDN terminal equipment using BRA • data line equipment • ADSL equipment • X.25 equipment 	HKCA 2005 HKCA 2011 HKCA 2012 HKCA 2014 HKCA 2016 HKCA 2019 HKCA 2021 HKCA 2022 HKCA 2023 HKCA 2026 HKCA 2028 HKCA 2029 HKCA 2030 HKCA 2031 HKCA 2032 HKCA 2033 HKCA 2040 HKCA 2041	1,890
Multi-line equipment: <ul style="list-style-type: none"> • dual-line telephone • PABX • Keyline system • Call distribution system • IVRS • Voice mail system • ISDN terminal equipment using BRA • Cable modem 	HKCA 2011 HKCA 2012 HKCA 2014 HKCA 2019 HKCA 2021 HKCA 2022 HKCA 2023 HKCA 2026 HKCA 2034 HKCA 2036	3,680

Type of Customer Premises Equipment for Connection to Public Telecommunication Network	Relevant Technical Specification	Evaluation Fee³ (HK\$)
Optical Leased Circuit Equipment <ul style="list-style-type: none"> • SDH • SONET 	HKCA 2038 HKCA 2039	3,680
Equipment using trunk interface <ul style="list-style-type: none"> • PABX • IVRS • Call distribution system • ISDN Primary Rate Access 	HKCA 2013 HKCA 2015 HKCA 2017 HKCA 2018 HKCA 2027	4,620
Payphone	HKCA 2020 HKCA 2024	4,620
Certification for each equipment variant		950
Issue of replacement certificate, subject to declaration made by the applicant that the original certificate is defaced, destroyed or lost		530

PART 2 Sample testing/evaluation for the purpose of Certification

Type of Radio Equipment	Relevant Technical Specification	Evaluation Fee³ (HK\$)
Single-sideband (SSB) equipment for voluntary fitting in small craft in 1.6 - 27.5 MHz frequency band	HKCA 1001	24,570
Angle modulated VHF and UHF land mobile transceiver	HKCA 1002	14,910
Angle modulated VHF and UHF land mobile radio transceiver (transmitter only)	HKCA 1002	6,410
Angle modulated VHF and UHF land mobile radio transceiver (receiver only)	HKCA 1002	9,450
Wideband land mobile radio transceiver ⁴	HKCA 1002	24,570
Wideband land mobile radio transceiver ⁴ (transmitter only)	HKCA 1002	10,190
Wideband land mobile radio transceiver ⁴ (receiver only)	HKCA 1002	15,650
Angle modulated VHF and UHF land mobile repeater	HKCA 1002	10,820
1429-1530 MHz fixed link transceiver	HKCA 1003	10,190
Public paging transmitter	HKCA 1004	7,770
Public paging receiver	HKCA 1004	7,770
Angle modulated VHF maritime for voluntary fitting in small craft	HKCA 1005	13,550
1.7/47 MHz cordless telephone	HKCA 1006	10,820
Industrial, Scientific and Medical (ISM) equipment	HKCA 1007	17,120
Wireless microphone equipment	HKCA 1008	8,400
Angle modulated VHF and UHF land mobile transceiver intended primarily for data applications	HKCA 1010	14,910

⁴ The wideband land mobile radio transceiver has a nominal operating frequency band exceeding the following spectrum widths:

- 20 MHz for highest operating frequency < 500 MHz;
- 40 MHz for highest operating frequency ≥ 500 MHz

Type of Radio Equipment	Relevant Technical Specification	Evaluation Fee³ (HK\$)
Angle modulated VHF and UHF land mobile data radio transceiver (transmitter only)	HKCA 1010	6,410
Angle modulated VHF and UHF land mobile data radio transceiver (receiver only)	HKCA 1010	9,450
Wideband land mobile radio transceiver ⁴ intended primarily for data applications	HKCA 1010	24,570
Wideband land mobile radio transceiver ⁴ intended primarily for data applications (transmitter only)	HKCA 1010	10,190
Wideband land mobile radio transceiver ⁴ intended primarily for data applications (receiver only)	HKCA 1010	15,650
864.1/868 MHz cordless telephone	HKCA 1015	12,180
Angle modulated 800 MHz trunked radio transceiver	HKCA 1016	13,550
Angle modulated 800 MHz trunked radio transceiver with “Talk-around” channel	HKCA 1016	19,110
Angle modulated 800 MHz trunked radio repeater	HKCA 1016	10,820
TV antenna amplifier	HKCA 1019	5,360
GSM / PCS repeater	HKCA 1020	10,820
CB radio transceiver for use on-board craft and vessels	HKCA 1022	4,940
46/49 MHz cordless telephone	HKCA 1026	12,180
Radio equipment exempted from licensing	HKCA 1035	4,940
Model control and radio equipment operating in the 27 MHz band	HKCA 1041	4,940
409 MHz short-range portable radio	HKCA 1044	9,350
254/380 MHz cordless telephone	HKCA 1045	12,180
CB radio transceiver operating in the 27 MHz band	HKCA 1050	4,940

Type of Radio Equipment	Relevant Technical Specification	Evaluation Fee³ (HK\$)
Equipment type not specified above but approved for use in Hong Kong, subject to compliance with specific technical standard stipulated or approved by the CA for that type of equipment	specific technical standard stipulated or approved by the CA	No more than 24,570

SCHEDULE 5 – ADDITIONAL UNDERTAKING

[Unless otherwise directed by OFCA, the Organisation shall provide to the satisfaction of OFCA an appropriate financial support letter from its holding company annually from the date of this undertaking.]