

## **Information Note on the Voluntary Labelling Scheme for Digital Terrestrial Television Receivers**

### **Background and Objective of the Scheme**

The digital terrestrial television (“DTT”) service has been launched since December 2007. The former Telecommunications Authority (“TA”) (now the Communications Authority (“CA”)) announced on 4 June 2007 the adoption of the National Standard<sup>1</sup> for DTT. Following this, the former TA has published the technical specification entitled “HKCA 1108 – the Technical Specification for DTT Baseline Receiver Requirements” for DTT receiver requirements (“HKCA 1108”) to facilitate the supply of the products in the local market. With the support of the two terrestrial television broadcasters, trade associations of consumer electronics suppliers and the Consumer Council, the former Office of the Telecommunications Authority (“OFTA”) (now the Office of the Communications Authority (“OFCA”)) has decided to introduce a Voluntary Labelling Scheme for Digital Terrestrial Television Receivers (“the Scheme”).

2. The Scheme, to be administered by OFCA, aims to provide consumers with the necessary information about the audio and video decoding capability of the DTT receivers (hereinafter called “DTT receivers”)<sup>2</sup>. The Scheme also aims to help consumers to distinguish between conventional analogue television receivers for receiving analogue television transmissions and DTT receivers for receiving DTT transmissions. The Scheme will be applicable to manufacturers and their dealers of DTT receivers (collectively referred to as “Suppliers” hereafter) who have participated in the Scheme on a voluntary basis.

### **DTT Receiver Label**

3. Under the Scheme, a label (“Label”) has been designed to inform consumers of the audio and video decoding capability of DTT receivers. The

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<sup>1</sup> National Standard refers to the national DTT standard entitled GB20600-2006: framing structure, channel coding and modulation for digital television terrestrial broadcasting system announced by the Standardization Administration of the People’s Republic of China (中國國家標準化管理委員會) in August 2006.

<sup>2</sup> These include set-top boxes and integrated digital television sets.

Label denotes that the DTT receivers are capable of receiving all DTT services in Hong Kong, including both Standard Definition Television (“SDTV”) programmes and High Definition Television (“HDTV”) programmes. The Label shall be in the form set out in Schedule 1 to the Annex.

4. Subject to the conditions prescribed under the Scheme, Suppliers may affix the Label on their DTT receivers on display or for sale, or use the Label in the relevant advertisements or promotional materials.

5. Copyright subsists in the Label. No person shall use the Label without registering their DTT receivers under the Scheme.

### **How to Participate**

6. All Suppliers are welcome and encouraged to participate in the Scheme. Under the Scheme, the Supplier may use the Label subject to, inter alia, the following conditions:-

- (i) Before reproducing and using the Label, the Supplier must inform OFCA of its intention to use the Label on its DTT receiver and provide OFCA with the product information about the DTT receiver on which it wishes to use the Label, by completing the Request Form (Schedule 2 to the Annex) and sending the completed form to OFCA by post, facsimile or electronic mail. In the Request Form, the Supplier is required to provide the necessary information, such as the brand name and the model number of the relevant DTT receiver. Within 10 working days after receipt of the Request Form and all the necessary information, OFCA will arrange to list the DTT receiver(s) of the Supplier in the register, unless it appears to OFCA that any requirement under the Conditions of Use is not complied with. (DTT receivers which are listed in the register are referred to as the “registered DTT receiver” hereunder.) The Supplier may reproduce and use the Label for 2 years from the date of such listing.
- (ii) The DTT receiver must comply with the channel demodulation and decoding capability specified in Item 2.3, the video decoding capability specified in Items 5.1 and 5.2 as well as the audio decoding capability specified in Items 6.1 and 6.2 under HKCA 1108 issued by the CA.

- (iii) The Supplier shall provide, free of charge, the pertinent information or sample DTT receivers<sup>3</sup> that OFCA may reasonably require for the purpose of verifying whether the relevant DTT receivers have the audio and video decoding capability as specified under item (ii) above.

## **The Register**

7. Based on the information provided by the Suppliers in the Request Form, OFCA will maintain a register of all the registered DTT receivers on which the Label is used. The register will be published and regularly updated in the digital television website (<http://www.digitaltv.gov.hk>) of the Government of Hong Kong Special Administrative Region (“HKSAR”).

## **Hyperlink to Detailed Product Information**

8. Detailed product information about the registered DTT receivers will not be provided in the register. In order that consumers may have ready access to more product information about the registered DTT receivers, OFCA may, at the request and under the authorisation of the Supplier, include in the register a hyperlink (“Hyperlink”) to the Supplier’s own webpage. The Supplier may provide more product information (such as the audio and video capability of the registered DTT receiver) in its own webpage. To facilitate consumers to make informed choice in purchasing DTT receivers, Suppliers are strongly encouraged to authorise OFCA to include in the register the Hyperlink to their webpage.

9. The Supplier may indicate in the Request Form that it wishes to provide a Hyperlink in the register. The Supplier shall arrange with the copyright owner<sup>4</sup> of the Hyperlink to (i) provide the Government of HKSAR, the CA and OFCA with a copyright licence free of any charge to use the Hyperlink, (ii) to warrant that the content accessed through the Hyperlink does not contain any copyright infringing material and (iii) to undertake to indemnify the Government of HKSAR, the CA and OFCA from any loss or

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<sup>3</sup> Whilst the sample receivers will be returned, it may or may not be of its original state.

<sup>4</sup> The copyright owner of the Hyperlink may or may not be the Supplier.

liability directly or indirectly arising or resulting from the inclusion of the Hyperlink in the register.<sup>5</sup>

### **Validity Period of the Licence to Use the Label**

10. The Supplier may use the Label for two years from the date on which OFCA lists the DTT receiver concerned in the register. The Supplier may affix the Label on their registered DTT receivers on display or for sale and/or use the Label in the relevant advertisements or promotional materials. The product information of the registered DTT receiver and the Hyperlink will be listed in the register during the 2-year period.

11. On expiry of the 2-year period, the licence to use the Label will cease and OFCA will remove the relevant DTT receiver and the Hyperlink from the register unless the Supplier re-submits a Request Form to OFCA at least 10 working days before the expiry date.

### **Compliance Monitoring and Inspection**

12. To ensure compliance of the registered DTT receivers with the requirements of the Scheme and to prevent unauthorised use of the Label, OFCA will conduct random inspections at retail shops and showrooms, etc.

13. The Suppliers shall commit to submit such information, carry out such test, or conduct such investigation as OFCA may reasonably require, in order to demonstrate their compliance with the conditions of use of the Label. The Suppliers shall also commit to allow and assist OFCA in conducting test or inspection on its DTT receivers. OFCA will also carry out or request the Supplier to carry out tests in response to complaints. OFCA may de-register a DTT receiver if the Supplier fails to submit such information or carry out such tests as required by OFCA. Furthermore, Suppliers shall supply sample DTT receivers free of charge to OFCA for testing as and when required by OFCA.

14. If a registered DTT receiver is found not meeting the technical requirements stipulated under the Scheme, OFCA may remove that DTT

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<sup>5</sup> For the avoidance of doubt, the Government of HKSAR, the CA and OFCA have the right to refuse posting the Hyperlink in the register or to remove the Hyperlink from the register, for any reason, including without limitation, where it appears that any content assessed through the Hyperlink is objectionable.

receiver from the register and may terminate the licence for the Supplier to use the Label on that DTT receiver. OFCA may make public announcement about any removal of DTT receivers from the register.

15. In the event that the consumer products, which are affixed with the Label, are not DTT receivers or do not have the relevant decoding capabilities (as specified in Condition 2.1 of the Conditions of Use), it may constitute a false trade description under Trade Description Ordinance (Cap.362). OFCA may refer the case to the relevant authorities for investigation and follow-up enforcement actions.

16. No one may take advantage of the scheme by using the Label without the authorization of OFCA as this may constitute an infringement of copyright under the Copyright Ordinance (Cap. 528).

### **Printing of Label**

17. Whilst the non-exclusive copyright licence to use the Label is free of charge, Suppliers will have to bear the cost of printing and affixing the Label on the registered DTT receivers.

### **Important Notice**

18. OFCA initiates the Scheme in order to provide guidance for consumers shopping for DTT receivers. The register contains a list of the models of DTT receivers on which the Suppliers use the Label. The information contained in the register is provided by the Suppliers and is for reference only. By granting Suppliers the licence to use the Label and by publishing the register, no warranty or guarantee, express or implied, is given from the Government of HKSAR, the CA and OFCA as to the accuracy of the information about the registered DTT receivers or as to the audio and video decoding capabilities of the registered DTT receivers. Provision of the Hyperlink to the Supplier's webpage in the register does not imply that the Government of HKSAR, the CA and OFCA endorse the content of any such webpage, or the Government of HKSAR, the CA and OFCA have any responsibilities for that content.

19. The Government of HKSAR, the CA and OFCA make no representations, warranties or endorsements whatsoever about the suitability of the DTT receivers in the register for individual uses/applications, safety of products, fitness for purposes and merchantable quality.

20. Participation in the Scheme is entirely on a voluntary basis. Where a product does not bear the Label or is not listed in the register, it does not mean that the product does not satisfy the relevant requirements or that the product is not capable of receiving SDTV and/or HDTV programmes transmitted based on the National Standard.

21. Since the CA has not included middleware<sup>6</sup> in HKCA 1108, the Scheme and the Label are not intended to indicate whether a DTT receiver is equipped with middleware or not.

## **Enquiries**

22. Further information regarding the Scheme can be addressed to:

Office of the Communications Authority  
29/F, Wu Chung House, 213 Queen's Road East  
Wanchai, Hong Kong  
(Attn.: Telecommunications Engineer (Broadcasting Support)4)  
Fax: +852 2803 5113  
Tel: +852 2961 6333  
E-mail: [dtv@ofca.gov.hk](mailto:dtv@ofca.gov.hk))

Office of the Communications Authority  
June 2013

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<sup>6</sup> A middleware, which is a piece of software resident in DTT receiver, is required to enable proper running of new service applications, such as datacasting and interactive services, on different kinds of DTT receivers.

**Voluntary Labelling Scheme  
for Digital Terrestrial Television (DTT) Receivers**

**Conditions of Use**

For the purpose of providing guidance to consumers shopping for digital terrestrial television (“DTT”) receivers, the Office of the Communications Authority (“OFCA”) introduces a Voluntary Labelling Scheme for Digital Terrestrial Television Receivers (“the Scheme”). Under the Scheme, the Label for DTT receivers set out in Schedule 1 (hereafter referred to as “the Label”) may be reproduced and used on a DTT receiver by a manufacturer and his dealer(s) (a “Supplier”) of the DTT receiver free of charge, subject to the following conditions (hereafter referred to as “Conditions of Use”). By reproducing and/or using the Label, the Supplier agrees to be bound by these Conditions of Use.

**1. Submission of Request Form**

- 1.1 Before reproducing and using the Label, the Supplier shall inform OFCA of its intention to reproduce and use the Label on its DTT receivers and provide OFCA with the product information about the DTT receiver on which it intends to use the Label, by completing the Request Form prescribed in Schedule 2 and submitting the completed Request Form to OFCA by post, facsimile or electronic mail.
- 1.2 The Supplier shall provide such information as required in the Request Form. The Supplier shall warrant that the information given in the Request Form is true, accurate and complete to its best knowledge and belief.
- 1.3 Within 10 working days after receipt of the Request Form and all the necessary information, OFCA will arrange to list the DTT receiver(s) of the Supplier in the register of the Scheme unless it appears to OFCA that any requirement under these Conditions of Use is not complied with. The Supplier may reproduce and use the Label on the DTT receivers for 2 years from the date of such listing.

1.4 The Supplier shall immediately inform OFCA if there is any change in the information given in the Request Form.

## **2. Warranties as to the Capabilities of the DTT Receiver**

2.1 Where the Supplier reproduces and uses the Label, the Supplier shall warrant that the DTT receiver on which the Label is used complies with the channel demodulation and decoding capability specified in Item 2.3, the video decoding capability specified in Items 5.1 and 5.2 as well as the audio decoding capability specified in Items 6.1 and 6.2 under the technical specification entitled “HKCA 1108 – the Technical Specification for DTT Baseline Receiver Requirements” (“HKCA 1108”) issued by the Communications Authority (“CA”).

## **3. Publication of Information**

3.1 The Supplier shall agree that OFCA may disclose or publish any information provided by the Supplier.

## **4. Use of the Label**

4.1 The Supplier shall reproduce and affix the Label at its own costs.

4.2 The Label shall be used in the following manner:-

- (a) The Label must be placed horizontally on the DTT receivers.
- (b) The Label must be in the form prescribed in Schedule 1. In reproducing and using the Label, Suppliers must not alter, edit or otherwise make changes to the form of the Label, including without limitation outlining, rotating, skewing, stretching or scaling the Label in a disproportional manner.
- (c) Suppliers shall print the Label in such a size that the characters on the Label are legible at a reasonable distance.

4.3 The Supplier shall take all reasonable measures to ensure that its distributors and retailers observe and follow this Condition 4 in using the Label.

**5. Information and Tests, etc.**

5.1 The Supplier shall, in such manner and at such times as specified by OFCA:

- (a) submit to OFCA the pertinent information or sample DTT receivers; or
- (b) carry out such test; or
- (c) allow and assist OFCA in conducting such test; or
- (d) conduct such investigation;

as OFCA may reasonably require for the purpose of verifying the Supplier's compliance with these Conditions of Use. The Supplier acknowledges and agrees that OFCA may disclose such information or result of such test or such investigation for the purpose of handling any complaint against the Supplier in relation to its use of the Label.

**6. Hyperlink to Information about the Supplier's DTT Receiver**

6.1 The Supplier may request OFCA to publish the hyperlink to the Supplier's webpage ("Hyperlink") for the purpose of supplying more product information about the Supplier's DTT receiver(s) to the public.

6.2 By requesting OFCA to publish the Hyperlink, the Supplier shall arrange with the copyright owner of the Hyperlink to:

- (a) grant a non-exclusive licence to the Government of HKSAR, the CA and OFCA to use the Hyperlink;
- (b) warrant that the content accessed through the Hyperlink does not contain any copyright infringing materials; and

- (c) undertake to indemnify the Government of HKSAR, the CA and OFCA from any loss or liability directly or indirectly arising or resulting from using the Hyperlink.

## **7. Miscellaneous**

- 7.1 The Supplier shall not behave in any manner which may jeopardise or damage, or in the opinion of OFCA likely to jeopardise or damage, the reputation of the Scheme.

## **8. Validity, Suspension and Termination**

- 8.1 The licence for the Supplier to use the Label shall be non-exclusive and non-transferable.
- 8.2 The licence for the Supplier to use the Label shall be valid for a period of two years from the date on which OFCA lists the DTT receiver onto the register of the Scheme unless the licence to use the Label is suspended or terminated or the Scheme is suspended or terminated by OFCA before the expiry date.
- 8.3 The licence to use the Label shall cease upon expiry of two years, unless the Supplier re-submits a Request Form prescribed in Schedule 2 to OFCA at least 10 working days before the expiry date. The request form will be processed in accordance with this Condition 1.3.
- 8.4 OFCA may, at its sole and absolute discretion, decide to suspend or terminate the licence for the Supplier to use the Label where the Supplier has failed to comply with these Conditions of Use.
- 8.5 OFCA may, at its sole and absolute discretion, suspend or terminate the Scheme.
- 8.6 Upon expiry, suspension or termination of the licence for the Supplier to use the Label, or suspension or termination of the Scheme (as the case may be), OFCA may remove the information of the DTT receiver from the register and may make such publication or announcement as it may deem appropriate regarding

the expiry, suspension or termination of the licence for the Supplier to use the Label, or the suspension or termination of the Scheme.

8.7 Upon expiry, suspension or termination of the licence for the Supplier to use the Label, or suspension or termination of the Scheme (as the case may be), the Supplier shall immediately and unconditionally:

- (a) cease to use the Label on the DTT receiver;
- (b) cease to hold itself out in any way as a participant of the Scheme; and
- (c) allow OFCA to make such publication or announcement as it may deem appropriate regarding the expiry, suspension or termination of the DTT receiver, or the suspension or termination of the Scheme.

## **9. Waiver and Indemnity**

9.1 The Supplier hereby expressly unconditionally and absolutely waive all its rights of any claims against the Government of HKSAR, the CA, OFCA and their respective officers, directors, employees, agents, subsidiaries, affiliates, successors and assigns, in relation to suspension or termination of the registration of its DTT receiver, or in relation to suspension or termination of the Scheme.

9.2 The Supplier agrees to keep the Government of HKSAR, the CA and OFCA fully and effectively indemnified against any loss, damage, claim or liability of whatsoever nature (whether or not resulting from the negligence of the Government of HKSAR, the CA and OFCA or their agents) which they or any one or more of them may incur or suffer directly or indirectly arising from, in connection with or as a result of:

- (a) any of the representations, warranties or declarations made by the Supplier being untrue, inaccurate, incomplete or misleading; or
- (b) any default or negligence by the Supplier in having the DTT receivers complying with the requirements as specified in Condition 2.1; or

- (c) suspension or termination of the licence for the Supplier to use the Label by OFCA; or
  - (d) suspension or termination of the Scheme by OFCA; or
  - (e) any dispute between the Supplier and their consumers; or
  - (f) any claim or complaint made by a consumer against the Supplier, or otherwise as a result of the Supplier being a participant of the Scheme or as a result of the publication or announcement made by OFCA under the Scheme in relation to the Supplier and its DTT Receiver.
- 9.3 This Condition 9 shall survive suspension or termination of the licence for the Supplier to use the Label and suspension or termination of the Scheme.

## **10. Interpretation**

10.1 In these Conditions of Use,

- (a) “Working day” means any day other than Saturdays, Sundays and public holidays in Hong Kong; and
- (b) the singular includes the plural and vice versa.

## Schedule 1 to the Conditions of Use

### Design of the Label

Label for DTT Receiver:



Note: English text in Helvetical Light  
Chinese text in MYuen – Medium (中圓體)  
Relative Scale of width-to-height – 25 : 8

	Colour (Pantone Code)
升級版接收器 Higher-tier Receiver	294C
用以接收數碼廣播的所有高清及標清電視頻道 For receiving all HDTV and SDTV programme channels broadcast in digital format	339C
Outermost rectangle (1 <sup>st</sup> rectangle)	294C
2 <sup>nd</sup> rectangle	3015C
3 <sup>rd</sup> rectangle	292C
Innermost rectangle (4 <sup>th</sup> rectangle)	291C

## **Schedule 2 to the Conditions of Use**

### **Request Form<sup>1</sup>**

We wish to participate in the Voluntary Labelling Scheme for Digital Terrestrial Television (“DTT”) Receivers and use the Label set out in Schedule 1 (“the Label”).

We understand that, by reproducing and/or using the Label, we are bound by the Conditions of Use. Pursuant to the Conditions of Use, we submit this Request Form to inform Office of the Communications Authority (“OFCA”) of our intention to use the Label and provide the information about the DTT receiver(s) on which we intend to use the Label.

We warrant that all information in this Request Form as provided by us is, to our best knowledge and belief, true, accurate and complete. We agree that such information may be disclosed or published by OFCA in relation to the Scheme.

#### **Part One – General Information**

Name of company: \_\_\_\_\_

Full name of company representative: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Fax number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

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<sup>1</sup> This Request Form shall also be used for renewal applications.

**Part Two – Information about DTT Receiver(s) on which the Label will be used**

Type	<u>Integrated digital television set / set-top box<sup>2</sup></u>
Brand	_____
Model	_____
Product description	_____
Hyperlink <sup>3</sup>	_____
Type	<u>Integrated digital television set / set-top box<sup>2</sup></u>
Brand	_____
Model	_____
Product description	_____
Hyperlink <sup>3</sup>	_____

Product brochure should be enclosed with the Request Form. If necessary, applicants may provide additional product information on separate sheets attached to this application.

**Part Three -- Hyperlink to Information about the Supplier’s DTT Receiver**

Please ✓ where appropriate.

- We **do not request** the Government of HKSAR, the Communications Authority (CA) or OFCA to publish the hyperlink(s) to our webpage(s) (“Hyperlink”) for the purpose of supplying to the public more product information about our DTT receiver(s) listed in Part Two.
  
- We **request** the Government of HKSAR, the CA or OFCA to publish the hyperlink(s) to our webpage(s) (“Hyperlink”) for the purpose of supplying to the public more product information about our DTT receiver(s) listed in Part Two.

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<sup>2</sup> Delete where appropriate.

<sup>3</sup> Please see Part Three.

(PLEASE COMPLETE THE FOLLOWING TABLE.)

(THIS TABLE MUST BE COMPLETED BY THE COPYRIGHT OWNER OF THE HYPERLINK)

We are the owner of the copyright in the Hyperlink(s) and in the content accessed through the Hyperlink(s). We grant a non-exclusive licence to the Government of HKSAR, the CA and OFCA to use the Hyperlink(s) free of royalty, licence fee or other charge, warrant that the content accessed through the Hyperlink(s) does not contain any copyright infringing materials and undertake to indemnify the Government of HKSAR, the CA and OFCA from any loss or liability directly or indirectly arising or resulting from using the Hyperlink(s)

Name of company:

\_\_\_\_\_

Name of responsible person<sup>4</sup>: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Signature: \_\_\_\_\_ Company chop: \_\_\_\_\_

Date: \_\_\_\_\_

<sup>4</sup> The responsible person should be a director of the company or an authorized staff.

**Part Four – Declaration and Warranty as to the Capability of the DTT Receiver(s)**

Where we reproduce and use the Label, we warrant that the DTT receiver complies with the channel demodulation and decoding capability specified in Item 2.3, the video decoding capability specified in Items 5.1 and 5.2 as well as the audio decoding capability specified in Items 6.1 and 6.2 under the technical specification entitled “HKCA 1108 – the Technical Specification for DTT Baseline Receiver Requirements” (“HKCA 1108”) issued by the CA.

Name of company:

\_\_\_\_\_

Name of responsible person<sup>4</sup>: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Signature: \_\_\_\_\_ Company chop: \_\_\_\_\_

Date: \_\_\_\_\_

This Request Form should be submitted to:

Office of the Communications Authority  
29/F, Wu Chung House  
213 Queen’s Road East  
Wanchai, Hong Kong  
(Attn.: Senior Telecommunications Engineer (Broadcasting Support))  
Fax: +852 2803 5113  
E-mail address: dtv@ofca.gov.hk)

<sup>4</sup> The responsible person should be a director of the company or an authorized staff.