

L.N. 67 of 2025

Telecommunications (Determining Spectrum Utilization Fees by Auction) (Amendment) Regulation 2025

(Made by the Secretary for Commerce and Economic Development under section 32I of the Telecommunications Ordinance (Cap. 106))

1. Commencement

This Regulation comes into operation on 27 June 2025.

2. Telecommunications (Determining Spectrum Utilization Fees by Auction) Regulation amended

The Telecommunications (Determining Spectrum Utilization Fees by Auction) Regulation (Cap. 106 sub. leg. AC) is amended as set out in section 3.

3. Section 3 amended (method for determining spectrum utilization fee)

(1) Section 3(1)—

Repeal

“(1AAH) and (1AAI)”

Substitute

“(1AAH), (1AAI), (1AAK) and (1AAL)”.

(2) After section 3(1AAJ)—

Add

“(1AAK) If the spectrum falls within the frequency bands 2515–2535 MHz and 2635–2655 MHz, subsection (1) only applies in relation to the use of the spectrum on or before 31 May 2028.

Telecommunications (Determining Spectrum Utilization Fees by Auction)
(Amendment) Regulation 2025

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Section 3

B1053

- (1AAL) If the spectrum falls within the frequency bands 2535–2540 MHz and 2655–2660 MHz—
- (a) subsection (1) only applies in relation to the use of the spectrum on or before 20 May 2028; and
 - (b) despite section 3 of the Telecommunications (Method for Determining Spectrum Utilization Fee) (Spectrum for Auction) Regulation (Cap. 106 sub. leg. AG), the spectrum utilization fee for the use of the spectrum during the period from 21 May 2028 to 31 May 2028 (both dates inclusive) is \$622,376.”.

Algernon YAU Ying-wah
Secretary for Commerce and
Economic Development

28 April 2025

Explanatory Note

Section 3 of the Telecommunications (Determining Spectrum Utilization Fees by Auction) Regulation (Cap. 106 sub. leg. AC) (*principal Regulation*) provides for the method for determining the spectrum utilization fees for the use of a spectrum that falls within certain frequency bands.

2. This Regulation amends section 3 of the principal Regulation so that—
 - (a) for a spectrum that falls within certain frequency bands (*specified frequency bands*), section 3(1) of the principal Regulation only applies in relation to the use of the spectrum on or before certain dates; and
 - (b) as a transitional arrangement, a fixed fee applies to the use of a spectrum that falls within certain specified frequency bands during a certain period.