

**RADIO SPECTRUM AND TECHNICAL STANDARDS
ADVISORY COMMITTEE**

Proposed Revision to HKCA 1001, HKCA 1052 and HKCA 2001

Introduction

This paper proposes the adoption of the following revised HKCA specifications:

HKCA 2001 Issue 14	Compliance Test Specification for Safety and Electrical Protection Requirements for Subscriber Telecommunications Equipment
HKCA 1001 Issue 6	Performance Specification for Single-Sideband Radiotelephone Transmitting and Receiving Equipment Operating in the Frequency Band 1.605 MHz to 27.5 MHz for Voluntary Fitting in Small Craft
HKCA 1052 Issue 4	Performance Specification for Medical Implant Communication Systems

Background

2. In February 2019, the Commerce and Economic Development Bureau (“CEDB”) completed a three-month public consultation¹ on the Telecommunications Ordinance (Cap. 106) (“the TO”) Review which proposed, among others, the implementation of measures that would encourage the adoption of innovative services such as 5G and Internet of Things (IoT) technologies. The submissions received and the relevant stakeholders were generally supportive of the direction of the proposed measures. In July 2021, CEDB submitted the Telecommunications (Amendment) Bill 2021 (“the Bill”)² to the Legislative Council (“LegCo”) for consideration.

¹ See <https://www.gov.hk/en/residents/government/publication/consultation/docs/2019/BOTORReview.pdf>

² See <https://www.legco.gov.hk/yr20-21/english/bills/b202107094.pdf>

3. In the light of the rapid development of smart household and personal electronic devices equipped with internet connection functions in the 5G and IoT era, regulation of these devices will become increasingly complicated. To ensure a clearer division of work among various government departments in regulating these smart devices and products, the Bill, among others, amends section 32D of the TO to clearly stipulate that the powers and duties of the Communications Authority (“CA”) will focus on regulating the telecommunications functions of telecommunications equipment and devices (including relevant telecommunications technical standards and specifications)³. Non-telecommunications functions (e.g. electrical and other safety specifications and standards) will be regulated by other dedicated legislation as appropriate.

4. Specifically, the original provision of section 32D(1) paragraph (iii) of the TO –

“to ensure safety and health of users and personnel affected by electrical voltages or non-ionising electromagnetic radiation from telecommunications apparatus;”

will be repealed and substituted by –

“to control the level of non-ionizing electromagnetic radiation that is allowed to be emitted by telecommunications apparatus;”

This removes the objective of ensuring electrical safety of telecommunications apparatus in the standards and specifications prescribed by the CA. Nonetheless, electrical safety of telecommunications apparatus will be taken care of by the relevant departments⁴ and the Office of the Communications Authority (“OFCA”) will continue to assist the CA to enforce non-ionising radiation safety of telecommunications apparatus.

5. In October 2021, the LegCo passed the Bill and, following that, the Chief Executive signed the Telecommunications (Amendment) Ordinance 2021 (“the Amendment Ordinance”) with the proposed amendments of the Bill incorporated. The Amendment Ordinance will come into operation on a day

³ The telecommunications functions include integrity of and compatibility with telecommunications networks and control of the level of non-ionising electromagnetic radiation.

⁴ The Electrical and Mechanical Services Department will regulate the safety of electrical products which are designed for household use, operating at voltage more than 50 Volts alternating current or 120 Volts direct current, and are supplied in Hong Kong under the Electrical Products (Safety) Regulation (Cap. 406G). The Customs and Excise Department will ensure that consumer goods which are ordinarily supplied for private use or consumption in Hong Kong meet the general safety requirement in accordance with the Consumer Goods Safety Ordinance (Cap. 456).

(“the Commencement Date”) to be appointed by the Secretary for Commerce and Economic Development by notice published in the Gazette.

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6. To align with the amendment of section 32D of the TO, OFCA proposes to revise HKCA 2001 by removing paragraph 2.1 on the electrical safety requirements. The proposed revised HKCA 2001 is given at **Annex 1**. At present, there are many other HKCA specifications referring to HKCA 2001 for the electrical safety requirements. These HKCA specifications mainly cover subscriber telecommunications equipment, including HKCA 10xx specifications covering cordless phones, mobile phones, Wi-Fi routers, etc. and all HKCA 20xx specifications covering wireline customer premises equipment. In order to avoid the need to revise all HKCA specifications concerned which are large in quantity, it is proposed that only the heading of HKCA 2001 paragraph 2.1 (i.e. “Electrical Protection”) be retained, but its content would be replaced by “Void”, giving rise to the effect that all HKCA specifications referring to HKCA 2001 for the electrical safety requirements will have such requirements removed.

7. There are two HKCA specifications, namely HKCA 1001 and HKCA 1052, which have electrical safety requirements specified without referring to HKCA 2001. Such requirements, as specified in HKCA 1001 paragraph 1.4 and HKCA 1052 paragraph 2, are proposed to be deleted accordingly. For HKCA 1001, some editorial amendments (mainly in the foreword) are also made to reflect the changes since the establishment of OFCA in April 2012. The proposed revised HKCA 1001 and HKCA 1052 are given at **Annex 2** and **Annex 3** respectively.

8. OFCA will follow up for the revised HKCA 1001, HKCA 1052 and HKCA 2001 specifications to take effect on the Commencement Date.

WTO Notification

9. As the revision to HKCA 1001, HKCA 1052 and HKCA 2001 concerns only the removal of the existing control on electrical safety, notification to the World Trade Organisation (“WTO”) is not necessary.

Recommendation

10. It is recommended that HKCA 1001 Issue 6, HKCA 1052 Issue 4 and HKCA 2001 Issue 14 be submitted to the CA for adoption.

Advice Sought

11. Members are invited to offer comments on the recommendation above.

**Office of the Communications Authority
December 2021**