

## **Office of the Communications Authority Major Tasks and Projects for 2022-23**

Major tasks and projects are categorised into “priority” and “normal” ones to indicate their relative importance.

### **(I) Priority Tasks/Projects**

#### **(1) Support to the Communications Authority (CA)**

1. We will continue to support the CA to enable it to assume the full spectrum of its regulatory functions.

#### **(2) Continued Support to the Fifth Generation (5G) Development**

2. In 2019, a total of about 4 500 MHz of spectrum suitable for deployment of 5G services in various frequency bands (i.e. 4 100 MHz of spectrum in the 26/28 GHz bands, 200 MHz in the 3.5 GHz band, 100 MHz in the 3.3 GHz band and 80 MHz in the 4.9 GHz band) was made available to the market. With 380 MHz of mid-band spectrum in the 3.3 GHz, 3.5 GHz and 4.9 GHz bands and 1 200 MHz of high-band spectrum in the 26/28 GHz bands assigned to the mobile network operators (MNOs), 5G services were commercially launched in April 2020. Since then, rollout of 5G networks and take up of 5G services by consumers have continued to progress. As at March 2022, 5G coverage in Hong Kong has reached over 90% of the population, covering major business areas and all mass transit railway (MTR) stations.

3. In order to meet the needs of various 5G applications in terms of speed, capacity and coverage, there is a need to release more spectrum in different frequency bands to the market. For this, we identified 70 MHz of new spectrum in each of the 600 MHz and 700 MHz bands, as well as 80 MHz of additional spectrum in the 4.9 GHz band for the provision of public mobile services including 5G services. Taking into account the views received from the relevant public consultations completed in 2020, the CA and Secretary for Commerce and Economic Development announced in March 2021 their respective decisions on the arrangements for assignment of the new low- and mid-band spectrum by auction and the related spectrum utilisation fee (SUF). Following the successful conclusion of the auction in October 2021, 80 MHz of the new spectrum in the 4.9 GHz band was assigned in December 2021. The 70 MHz of spectrum in the 700 MHz band

is expected to be assigned to the successful bidders in June 2022 upon completion of the relocation of the digital terrestrial television (DTT) channels out of the band in both Hong Kong and the Guangdong Province. 70 MHz of spectrum in the 600 MHz band has been put back to reserve to cater for future demands. Apart from the assignment of the above new spectrum in the low and mid frequency bands, we will support the CA to assign the remaining 2 500 MHz of spectrum in the 26/28 GHz bands in the future taking into account market developments.

4. The International Telecommunication Union (ITU) decided on the harmonised regional and global spectrum allocation for 5G services at its World Radiocommunication Conference (WRC) held from 28 October to 22 November 2019 (WRC-19). Office of the Communications Authority (OFCA) attended the Conference and undertook follow-up actions to ensure compliance with the decisions and recommendations made by ITU as applicable to Hong Kong. In particular, WRC-19 identified the 40 GHz and 70 GHz bands for 5G service on a global basis. We have sought the CA's approval to allocate, among others, the 39.5 – 43.5 GHz and 66 – 71 GHz bands to mobile service on a co-primary basis with effect from 1 January 2021 with a view to paving the way forward for assignment to 5G services in future subject to technology development and market demand. The next WRC to be held in 2023 will deliberate the identification of additional spectrum for 5G services, among others. We will continue to identify and make available other suitable spectrum for the development of 5G and other innovative services in Hong Kong.

### **(3) Encouraging the Early Deployment of 5G**

5. On 5 May 2020, we launched the Subsidy Scheme for Encouraging Early Deployment of 5G under the second round of Anti-epidemic Fund. The scheme aims to encourage various sectors to deploy 5G technology early to foster innovation and smart city applications, thereby improving their operation efficiency and service quality as well as enhancing Hong Kong's overall competitiveness. The scheme has been well received and with additional funding earmarked by the Government in July 2021, its application deadline has been extended to 31 December 2022. OFCA will continue to administer the scheme and monitor implementation of the approved projects, and arrange a sharing session in 2022 to showcase the successful projects.

#### **(4) Facilitating Infrastructure Rollout**

6. With the support of relevant Government departments, we launched a pilot scheme in March 2019 to facilitate the MNOs' use of over 1 000 suitable Government venues for installation of radio base stations (RBSes) under streamlined application and vetting procedures. The scheme was well received by the industry. In January 2022, the pilot scheme was expanded under a "demand-led" approach to make available about 500 additional Government premises for use by MNOs to extend 5G network coverage. OFCA will continue to provide support to the operators, relevant Government departments and site managers of selected Government venues to help expedite the approval process and installation work.

7. Furthermore, in support of the Government's policy initiative to open up suitable public facilities like sheltered bus stops and public payphone kiosks for extending 5G network coverage, OFCA has, in consultation with the operators and relevant Government departments, formulated the relevant procedures and requirements for applications by MNOs to use such public facilities for installing RBSes.

8. A satellite operator has been allocated with a land lot in Chung Hom Kok Teleport for relocation of its existing satellite facilities operating in the 3.5 GHz band for telemetry, tracking and control of satellites in orbits from Tai Po to Chung Hom Kok Teleport. It is anticipated that the problems of using the 3.5 GHz band for 5G services in the restriction zone in Tai Po could be completely resolved before the end of 2024. In addition, Lands Department issued a tender invitation for a land lot at Chung Hom Kok in December 2021 and the tender result was announced in March 2022. We will continue to work with relevant Government departments to provide additional land lots in Chung Hom Kok Teleport in 2022 for external telecommunications infrastructure with a view to further enhancing the overall capacity and diversion capability of Hong Kong's external telecommunications network.

#### **(5) Rollout of High Speed Broadband Services to Rural and Remote Areas**

9. In support of the Government's policy initiative, we implemented a subsidy scheme with a funding of \$770 million to provide financial incentives for fixed network operators (FNOs) to extend their fibre-based networks to 235 villages in remote areas. Following the award of all six tender projects under the scheme between November 2019 and May 2020, the selected FNOs have commenced their construction works and are extending their fibre-based networks to the villages concerned in phases

from 2021 onwards. Network extensions to 39 villages have been completed as of 31 March 2022. OFCA will continue to monitor the implementation for the six projects which should all be completed by 2026.

#### **(6) Protection of Underground Telecommunications Infrastructure**

10. The telecommunications sector has strongly demanded enhanced legal protection of underground telecommunications facilities on par with other public utilities. To address these concerns, and drawing reference from the existing statutory safeguards for other public utilities, the Government has amended the Telecommunications Ordinance (TO) to create criminal offences against any person who does not take reasonable steps and measures to protect or prevent damage to an underground telecommunications line when carrying out any underground work near the line. As a follow up to the passage of the Telecommunications (Amendment) Bill 2021 in October 2021, we have consulted relevant stakeholders and issued guidelines in February 2022 to provide clear guidance on work near underground telecommunications lines and set out appropriate precautionary steps and measures for compliance with the new requirements with a view to enhancing protection of underground telecommunications lines. Upon the commencement of operation of the amendments to the TO, we will enforce the relevant provisions and the guidelines for enhancing protection of underground telecommunications lines.

#### **(7) Review of the Use of Telephone Exchange Sites**

11. The Chief Executive in Council (CE in C) decided in April 2019 in principle not to extend or renew the existing land grants for use as telephone exchanges and other telecommunications-related facilities upon expiry of their respective terms. For the 42 sites where land grants will expire in June 2025 (the Sites), OFCA has reviewed the representations submitted by relevant lessees in light of technical information and findings obtained from the consultancy study and site inspections, and put forward relevant recommendations to the Government for consideration from telecommunications angle. We will continue to provide technical advice to the Government on the handling of the Sites after expiry of the land grants.

#### **(8) Re-assignment of Spectrum for Mobile Services**

12. Re-assignment of 50 MHz of spectrum in the 900 MHz band and 150 MHz of spectrum in the 1 800 MHz band took place in January and September 2021 respectively. While second generation mobile (2G) services are primarily using spectrum in these two frequency bands, MNOs

may also refarm part or all of the assigned frequency spectrum in these two bands to provide more advanced mobile services, and some of them may consider shutting down their 2G networks for more efficient use of the spectrum. In this regard, in July 2021, the CA granted its prior consent to one of the MNOs to cease its provision of 2G services starting from 30 September 2021. In assessing the application for the service cessation, the CA took into account the need to protect consumer interests pursuant to relevant Special Condition under the unified carrier licence (UCL). The service cessation of the MNO concerned was completed in end-September as scheduled. We will keep monitoring the use of the 900 MHz and 1 800 MHz bands by the other MNOs for provision of 2G services and ensure that MNOs comply with their licence obligation in phasing out any generation of mobile services to safeguard consumer interest.

13. The existing frequency assignment of 90 MHz of spectrum in the 2.5/2.6 GHz band will expire in March 2024. Separately, the assignee of 15 MHz of spectrum in the 850 MHz band, the assignment of which was due to expire in November 2023 originally, returned the spectrum early in June 2021 after obtaining the CA's approval. Following the successful conclusion of the auction for assignment of the spectrum in October 2021 after public consultation, the returned spectrum in the 850 MHz band was assigned in December 2021. OFCA will coordinate with the existing and new assignees of the spectrum in the 2.5/2.6 GHz band to ensure smooth handover of the spectrum concerned in March 2024.

#### **(9) Implementing the Real-name Registration Requirements for Subscriber Identification Module (SIM) Cards**

14. The Telecommunications (Registration of SIM Cards) Regulation (the SIM Regulation) came into operation on 1 September 2021. The SIM Regulation stipulates that all SIM cards issued by telecommunications service providers of Hong Kong for local person-to-person communications shall comply with real-name registration requirements and complete registration of all relevant SIM cards within the specified timeline. The CA has issued guidelines to telecommunications service providers for implementation of the registration programme (SIM Guidelines) in accordance with the SIM Regulation. We have been closely monitoring the implementation progress of telecommunications service providers to ensure their compliance with the SIM Regulation and SIM Guidelines. In collaboration with the Commerce and Economic Development Bureau (CEDB), we are also mapping out the relevant publicity strategy and efforts to draw the attention of the users to the need of registering their SIM cards within the specified timeframe. Relevant assistance measures will also be

provided to the needy groups to complete real-name registration for their SIM cards.

#### **(10) Review of Telecommunications Legislation**

15. With OFCA's support, the Government completed the review of the telecommunications regulatory framework under the TO with a view to facilitating further developments of 5G and Internet of Things (IoT) technologies and facilitating the trade. The Telecommunications (Amendment) Bill 2021 (Amendment Bill), which sought to amend relevant provisions of the TO to implement measures proposed in the review, was passed in the Legislative Council in October 2021. We will continue to support the CA in the implementation of the new provisions after the passage of the above Amendment Bill.

16. The Government will explore proposals on regulating person-to-person telemarketing calls. With the experience gained over the years in regulating commercial electronic messages under the UEMO, we will support the Government in the exercise.

#### **(11) Regulation of Telecommunications Services and Equipment**

17. To facilitate the entry of a wide range of service providers and the development of various innovative 5G services and applications, the Localised Wireless Broadband Service (LWBS) Licence, which is subject to less stringent requirements as compared with conventional public mobile services licensed under the UCL, was created in July 2019 for the assignment of the Shared Spectrum in the 26/28 GHz bands. The Shared Spectrum is intended to be assigned for use in different specified locations such as university campuses, industrial estates, the airport and technology parks on a geographically sharing basis, subject to the restriction that the total network coverage of each assignee shall not exceed 50 square kilometres. The first LWBS Licence was issued to the Airport Authority in October 2019 for implementation of the smart airport initiatives. In order to facilitate the use of the Shared Spectrum for the establishment of 5G systems for private use by different entities in the community, including in particular the small and medium-sized enterprises, educational institutions, research and technology institutes, etc., the Localised Wireless Broadband System (Private) Licence was introduced in December 2021. OFCA will continue to encourage the wide and early adoption of 5G and other advanced wireless technologies for innovative applications.

18. The revised Class Licence for Offer of Telecommunications Services (CLOTS) pursuant to section 8(1)(aa) of the TO which regulates any person who offers telecommunications services to the general public without establishment, operation or maintenance of any means of telecommunications equipment, has taken effect since 26 October 2019. A key feature of the revised CLOTS is the introduction of a registration requirement for those CLOTS licensees with a customer base of 10 000 subscriptions or more. Following the phased implementation of the real-name registration programme for SIM cards starting from September 2021, all CLOTS licensees offering relevant SIM services during the course of business are required to register with the CA, irrespective of the size of their customer base. As of March 2022, 56 CLOTS licensees have made registration, of which 24 offer relevant SIM services in the course of business. OFCA will continue to monitor developments in the market and ensure compliance by the industry with all the regulatory requirements under the revised CLOTS for enhancing consumer protection.

19. In June 2016, the CA decided to implement five measures in three phases with a view to achieving a more efficient use of the existing 8-digit numbering plan and making available additional number resources for mobile services. While the first and the second phases of the measures have been implemented since 1 January 2017 and 1 July 2017 respectively, the third and final phase of the measures have also been successfully implemented from 1 July 2021, with an additional 15.72 million numbers made available for allocation to mobile services after implementation of all the measures. We will continue to monitor the on-going demand for telecommunications numbers as the market develops, especially with the growth of new IoT services and 5G services in the future, and manage the number resources effectively.

20. Public payphone service is a basic telephone service which the universal service provider (USP) is required to provide under its universal service obligation (USO). The cost of providing public payphone service subject to the USO is shared by the fixed and mobile services operators. In view of the diminishing demand for public payphone service in recent years, we completed a review and decided in 2019 to exclude about 35% and 50% of the total number of in-building type public payphones and kiosk type public payphones respectively from the USO. The USP had already removed all the excluded in-building type public payphones, whereas 96% of the excluded kiosk type public payphones had been removed as at 31 March 2022. We will continue to monitor the removal progress of the excluded kiosk type public payphones by the USP.

21. We will also continue to provide support to the USP and the relevant Government departments to facilitate the proposed use of public payphone kiosks for the provision of other services and functions, including installation of RBSes and smart kiosks.

22. On an on-going basis, OFCA continues to assist the CA in streamlining the regulatory measures to ensure that they remain effective and business-friendly under the prevailing market environment. Having regard to the feedback from the industry including submissions received during the aforementioned consultation on review of the telecommunications regulatory framework conducted by the Government, we have conducted review and implemented streamlined arrangements in regard to the regulatory measures for filing and publication of tariffs and interconnection agreements, and will review the regulatory measures on submission of regulatory accounting information in 2022.

### **(12) Regulation of Broadcasting Services and Equipment**

23. The domestic free television programme service (free TV) licences of Fantastic Television Limited (Fantastic TV), HK Television Entertainment Company Limited and Television Broadcasts Limited and the sound broadcasting licences of Hong Kong Commercial Broadcasting Company Limited and Metro Broadcast Corporation Limited with validity periods of 12 years are subject to mid-term reviews. Given the proximity of the review periods of these licences and to more efficiently manage these mid-term reviews, we assisted the CA in conducting a consolidated exercise for all the free TV and sound broadcasting licences. We supported the CA in assessing the performance of these licensees in the first six years of their licences, their commitments in the remaining six years as well as the views collected in the public consultation, to enable the CA to finalise recommendations for submission to the CE in C in the second half of 2022, regarding ways to improve the services provided by the licensees in the remaining duration of their licences.

24. Since the launch of DTT services in late 2007, a total of 29 transmitting stations have been constructed by the free TV licensees, bringing the overall DTT coverage to at least 99% of the population. We will continue to work with the relevant free TV licensees to improve the reception in the few areas in Hong Kong where DTT reception problems are identified.



25. Following the switch-off of analogue television services on 30 November 2020, the DTT channels in the 600/700 MHz bands have been migrated to the 500 MHz band since 1 December 2021, thus making available spectrum in the 600/700 MHz bands for public mobile services. We will continue to coordinate with the Mainland authorities on the use of spectrum in the 470 – 614 MHz band for DTT services in Hong Kong.

26. In February 2022, the CA granted a formal approval to Fantastic TV in respect of its application for using spectrum, on top of fixed network, as an additional means of transmission for the delivery of its free TV service. This approval followed Fantastic TV's satisfying all the requirements set out in the CA's approval-in-principle given to Fantastic TV in April 2021. Fantastic TV would commence using spectrum to transmit its two existing integrated TV programme channels and launch a new TV programme channel within 2022-23. We will assist the CA in monitoring Fantastic TV's spectrum-based service and launch of the new TV programme channel.

## **(II) Normal Tasks/Projects**

### **(1) Regulation of Telecommunications Services and Equipment**

27. In 2021-22, one new UCL was issued for the transmission of television programme service. We will continue to provide support to the CA in handling UCL applications and licence administration matters.

28. FNOs with manholes installed in public streets are required to follow the guidelines issued in June 2010 and revised in July 2016 in conducting inspections and implementing mitigation measures against the risk of gas explosion on their manholes in public streets. We will continue to monitor the implementation work of the operators in accordance with the requirements set out in the guidelines.

29. IoT enables the provision of communications platforms and services for interconnected devices to generate, exchange and consume data with minimal human intervention. Since the creation of the Wireless Internet of Things (WIoT) Licence by the CA in December 2017 for the provision of WIoT platforms and services using the shared frequency band of 920 – 925 MHz, three WIoT licences have been issued. Moreover, MNOs may also provide WIoT services using the spectrum assigned to them under their UCLs. With the introduction of a new WIoT device fee component under the UCL and Services-based Operator (SBO) Licence effective from 31 January 2019 and 1 August 2020 respectively, any WIoT device

operated under the UCL or SBO Licence is subject to a fee of \$2 for each WIoT device, which is on a par with the fee level under the WIoT Licence. We will continue to support the CA to facilitate the development of WIoT services in the 5G era.

30. The CA reviewed and enhanced the licensing framework for SBO licensees in 2020, through extending the period of validity of the SBO licence from one year to two years to enhance regulatory certainty, streamlining the categories of services authorised under the SBO Licence, and adopting a new licence fee structure to ensure regulatory symmetry between the SBO Licence and other licences. The enhanced framework has taken effect since 1 August 2020. OFCA will continue to monitor the effectiveness of the enhanced licensing framework for SBO.

31. Mandatory Type II Interconnection at exchange level and at buildings with more than one self-built customer access networks was withdrawn in full on 30 June 2008. We will continue to monitor the network rollout of the alternative self-built customer access networks of fixed operators.

32. To stimulate and promote further development of our broadband infrastructure, we launched a voluntary registration scheme for residential buildings connected with fibre-based access networks in November 2010. The scheme was extended to cover non-residential buildings in April 2013. Under the scheme, fibre-connected buildings are categorised into two classes, i.e. the fibre-to-the-home buildings and the fibre-to-the-building buildings. As of 31 March 2022, 25 763 residential buildings were registered with the scheme, representing about 84% of the total number of households in Hong Kong. 1 692 non-residential buildings were also registered with the scheme. We will continue to encourage participation of industry players.

33. We will continue to combat unauthorised telecommunications activities, including the sale, establishing, maintaining, possessing and/or using unauthorised telecommunications systems and devices, which are in breach of the TO, the relevant regulations and the conditions of the various telecommunications licences.

34. As at 31 March 2022, a total of 33 base stations serving country parks and the Hong Kong Geopark have been set up by mobile operators. We will continue to facilitate the installation of more base stations by these operators for improving mobile network coverage in country parks, the Hong Kong Geopark and rural areas.

35. In order to provide hikers with the necessary information on mobile network coverage in country parks and the Hong Kong Geopark, we have prepared 171 digital maps which show such coverage in those areas and posted them on our website for public information. We will continue to update the maps when new base stations are installed.

36. Since the implementation of the number fee framework in August 2008, as at 31 March 2022, a net amount of 7.72 million numbers had been returned by the operators. We will continue to facilitate the operators' return of numbers and review the usage of the numbering resources in a timely manner to promote the effective and efficient use of telecommunications numbers and codes.

37. Telecommunications licensees holding telephone numbers for the provision of fixed and mobile telephone services are required to pay universal service contribution (USC) to the USP for the net cost of meeting the USO. The last review of the level of USC for the year 2020 was completed with the results promulgated in December 2021. We will continue to calculate the USC in a fair, reasonable and efficient manner, and promulgate the calculated USC levels on a regular basis.

38. Following the implementation of a new computerised system for processing applications for and renewals of private mobile radio systems licences (the Electronic Licensing System), we extended the system to cover all private telecommunications licences in 2021.

39. The system which enables and facilitates end users of fixed and mobile broadband services to test the performance of their broadband services was launched in December 2010 and upgraded over the years to enhance its performance and functionalities. As of 31 March 2022, an accumulated total of more than 112 million tests were performed with an average daily hit rate of 27 210. We will continue to monitor the system performance and improve it taking into account technology and market developments.

## **(2) Facilitating Infrastructure Rollout**

40. Since 2010, we have been offering a single point-of-contact service to assist operators in application for the necessary statutory approvals for landing new submarine cables in Hong Kong. The overall response of the industry is positive. Further to four regional and transcontinental submarine cable systems and two domestic submarine cable system that had come into

operation in Hong Kong since 2013, one new submarine cable system has commenced operation since September 2021. Four new regional submarine cable systems are under planning or construction and will be put into service in Hong Kong between 2022 and 2023. In addition, four new domestic submarine cables are also under planning. We will continue to provide the service to facilitate the landing of new submarine cables in Hong Kong.

41. In tandem, we will continue to facilitate MNOs to roll out their mobile broadband services by deployment of RBSes at the hill-top sites and Government buildings in remote areas.

42. We have coordinated with the operators and liaised with the relevant Government departments and Mainland authorities on the operators' proposals of utilising new cross-boundary infrastructures, such as the Hong Kong-Zhuhai-Macao Bridge (HZMB) for installation of cross-boundary optical fibre cables to increase the capacity and enhance the diversity of their cross-boundary facilities. Some FNOs have commenced provision of cross-boundary telecommunications services via the optical fibre cables installed along HZMB since October 2020. We will continue to coordinate the matter with the relevant parties.

### **(3) Facilitating Access**

43. We will continue to facilitate access to buildings by fixed operators for installation of in-building telecommunications facilities for the conveyance of telecommunications and broadcasting services, including the use of the In-building Coaxial Cable Distribution Systems of Hong Kong Cable Television Limited to deliver Fantastic TV's free TV service.

### **(4) Spectrum Management**

44. We will conduct frequency planning studies for a horizon of five years with a view to timely making available supply of spectrum for different wireless services and applications.

45. To ensure the orderly development of new services and to minimise interference, we will continue to coordinate with neighbouring authorities on the use of radio spectrum for broadcasting and telecommunications services.

46. Spectrum to be used by or on behalf of the Government is managed administratively by OFCA. We completed in 2019-20 the fourth review of the efficiency of the spectrum used by the Government and posted our findings on our website. We will continue to promote adherence with the Guidelines for Spectrum Assignment for Land Mobile Systems and Fixed Links Deployed by Government Users in Hong Kong by users of Government spectrum.

47. The radio monitoring and direction finding system for our Radio Monitoring Unit commissioned in 2001 was replaced in June 2019. We have been making use of the new system for more efficient radio monitoring and assistance in identification of interfering sources.

48. OFCA has appointed a consultant to carry out a consultancy study through technical analysis and field tests to assess the non-ionising radiation from RBSes, in particular those using 5G technology, and advise OFCA on issues in relation to radiation safety of RBSes. The study has commenced in April 2021 and will be completed in the second quarter of 2022. OFCA will take into account the findings and recommendations of the consultant in assessment and approval of RBSes under different scenarios.

#### **(5) Regulation of Broadcasting Services and Equipment**

49. We will continue to monitor the performance of the broadcasting licensees and ensure their compliance with the relevant legislation and licence conditions. All broadcasting licensees are required to observe the relevant codes of practice issued by the CA. We will assist the CA in revising the codes of practice as necessary.

50. By virtue of the Charter of Radio Television Hong Kong (RTHK) promulgated in August 2010, RTHK should also ensure that all its TV and radio services comply with the relevant codes of practice of the CA. To ensure the compliance with the codes of practice by broadcasting licensees and RTHK, we will continue to act on complaints lodged by the public in a rigorous and transparent manner.

51. We will continue to regulate the technical performance of the licensed broadcasters.

52. We will continue to improve the reception of the existing free terrestrial television and sound broadcasting in the territory, especially in areas where reception is not satisfactory.

## **(6) Competition Affairs**

53. The CA is conferred concurrent jurisdiction with the Competition Commission (the Commission) to enforce the Competition Ordinance (CO) in respect of the conduct of undertakings in the telecommunications and broadcasting sectors. The CA and the Commission have signed a Memorandum of Understanding to coordinate the performance of their functions on which they have concurrent jurisdiction under the CO. We will continue to assist the CA in enforcing the CO in the telecommunications and broadcasting sectors.

## **(7) Regulation of Unsolicited Commercial Electronic Messages**

54. The Unsolicited Electronic Messages Ordinance (UEMO) has been in operation since December 2007. We will continue to maintain the Do-not-call Registers for fax, short message and pre-recorded telephone message respectively for use by the general public, and for businesses/organisations as senders of commercial electronic messages. We will continue to handle and investigate reports of suspected contravention of the UEMO and take appropriate actions following the technology neutral principle. We will also provide support and advisory services to CEDB on spam-related issues.

55. We will continue to liaise with local, Mainland and overseas anti-spam organisations and enforcement agencies to facilitate cooperation in spam control and sharing of experience and intelligence of anti-spam issues.

## **(8) Advisory and Support Services**

56. We will continue to provide support to satellite operators registered in Hong Kong by attending satellite co-ordination meetings and issuing licences for the launching and operation of new or replacement satellites.

57. We will continue our coordination with local, Mainland and overseas satellite operators and administrations on satellite launching, coordination and interference matters.

58. We will continue to provide support to CEDB in overseeing the operation of the Emergency Alert System (EAS), which the Government engaged the MNOs to set up their network for dissemination of time-critical emergency messages to the public. The EAS was established with government funding and launched in November 2020. To ensure continued operation of the EAS in the long run, a new Special Condition will be

incorporated in the new UCLs to be granted for the provision of public mobile services, requiring the licensees to establish, maintain and operate the EAS. We will assist relevant bureau/department in disseminating emergency messages via the EAS, and monitor MNOs' operation and maintenance of the EAS.

59. We will continue to strengthen Hong Kong's participation, by both the Government and the private sectors, in international and regional telecommunications fora, and to provide support to regional/international telecommunications projects.

60. We will continue to provide support to CEDB and Trade and Industry Department (TID) on the implementation and further expansion of the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) and the closer co-ordination with the Mainland authorities with respect to further liberalisation measures to facilitate the Hong Kong operators to extend their provision of telecommunications services on the Mainland.

61. We will also continue to support CEDB and TID in establishing free trade agreements with other economies with a view to facilitating market access and the provision of telecommunications services.

### **(9) Technical Standards**

62. We will continue to monitor the process and performance of Local Certifications Bodies in the provision of testing and certification services under the accreditation scheme administered by the OFCA.

63. We will continue to implement the Mutual Recognition Arrangement for conformity assessment of telecommunications equipment led by the Asia-Pacific Economic Cooperation Telecommunications and Information Working Group.

64. We will continue to monitor the radiation exposure limit of uncertified mobile phones supplied in the market. In 2019-20, we commissioned a laboratory to conduct measurement of the Specific Absorption Rate for 10 models of uncertified mobile phones. The tests indicated that the Specific Absorption Rate values of all the 10 models of mobile phones were below the 2W/kg limit as recommended by the International Commission on Non-Ionizing Radiation Protection.

### **(10) Corporate Affairs and Handling of Consumer Complaints**

65. We will continue to promote the smart use of communications services through the launch of the annual consumer education campaign, which offers various activities and programmes for public participation such as roving exhibitions and community talks etc. Consumer messages will also be publicised on different mass media channels, including the OFCA's website, the "Communications Master – OFCA" Facebook Fan Page and Instagram platform, the CA's Youtube channel and other online platforms, as well as through our joint efforts with various user groups and industry organisations.

66. On the handling of consumer complaints, we will ensure that complaints involving possible contraventions of the provisions of the TO, the Broadcasting Ordinance (BO), the UEMO, the Trade Descriptions Ordinance (TDO) and the CO or licence conditions are attended to promptly. For complaints which fall outside the scope of the legislative provisions and relevant licence conditions, we will ensure that they will be promptly referred to the operators concerned.

67. To help the industry, the media and the public understand the new developments in the communications market and the OFCA's new initiatives, we will continue to organise industry and media activities as necessary for effective communication.

### **(11) Consumer Protection**

68. To safeguard consumer interests in the use of telecommunications services, we take proactive actions to implement various consumer protection measures and work with the industry to draw up and implement self-regulatory measures to address new consumer issues that may arise from time to time. These measures include the voluntary Customer Complaint Settlement Scheme (CCSS) administered by the Communications Association of Hong Kong, an industry association. The CCSS aims to help resolve billing disputes in deadlock between telecommunications service providers and their customers by means of mediation.

69. Other self-regulatory measures voluntarily implemented by the industry include the promulgation of the Code for the Provision of Chargeable Mobile Content Services to govern the practices of third party content service providers, and the Code of Practice for Telecommunications Service Contracts to improve the clarity of provisions in the



telecommunications service contracts. Mobile operators have also adopted a series of preventive measures promulgated by OFCA to tackle the problem of mobile bill shock. The measures implemented by individual mobile operators are published on OFCA's website.

70. In order to enhance transparency of the service level of the mobile broadband service market, mobile operators publish their performance pledges and the actual performance statistics of their mobile broadband services. The pledges and statistics are updated quarterly, and are available on the respective websites of the mobile operators and on our website via hyperlinks. Regarding service termination of residential broadband services, we publish and periodically update on our website details of the arrangements adopted by major residential broadband service providers to handle service termination requests from service subscribers.

71. The CA has issued a voluntary Code of Practice in relation to Billing Information and Payment Collection for Telecommunications Services to enhance the transparency of the pricing of chargeable items in the provision of telecommunications services by local fixed and mobile operators. To provide guidance to fixed and mobile broadband service providers on how they may implement Fair Usage Policy, the CA has promulgated a set of mandatory guidelines setting out the relevant guiding principles for compliance by service providers.

72. We will continue to monitor the effectiveness of various regulatory guidance given to the industry on the provision of service to end customers, including the Code of Practice on the Cessation Arrangements for MVNO Services which took effect in October 2017 and the Code of Practice on the Verification of the Addresses of Potential Customers for Mobile Telecommunications Services and issued a revised Code of Practice which was revised in December 2018.

73. We will continue to monitor the effectiveness of the various consumer protection measures adopted, and engage the industry where necessary to seek further improvement of the existing measures or introduction of new measures. The CA is conferred concurrent jurisdiction to enforce the fair trading sections of the TDO in respect of the commercial practices of the telecommunications and broadcasting licensees which are directly connected with the provision of a telecommunications or broadcasting service under the TO or the BO. For cases involving unfair trade practices, we will take enforcement actions where warranted in accordance with the powers conferred on the CA under the TDO.

## **(12) Human Resources Management**

74. A Training and Development Committee has been established to oversee the implementation of OFCA's training and development policies to meet the training needs of staff and to strengthen arrangements for grooming officers with strong potentials. We will continue to promote a learning culture in the office and provide training opportunities for staff at all levels to enhance their professional and managerial competencies, ensure healthy succession, and keep pace with the advent of new technologies. We will also arrange local/overseas leadership and management programmes and explore opportunities for staff attachment to policy bureaux, overseas regulatory authorities and relevant authorities in the Mainland to broaden the horizon of our staff and prepare them for greater challenges.

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