

# 1

## 總監報告

### Message From the Director-General



本人欣然呈上通訊事務管理局辦公室（通訊辦）的首份年報。通訊事務管理局（通訊局）於2012年4月1日成立，為規管廣播業與電訊業的新單一規管機構；通訊辦於同日投入服務。本報告的發表正好印證通訊辦作為通訊局的執行部門在首年取得的工作成果。通訊辦由前電訊管理局（電訊局）與影視及娛樂事務管理處（影視處）的有關科別合併而成，是以營運基金運作的政府部門。我們所肩負的使命是支持和協助通訊局履行其規管職能，並迎接現今資訊年代和匯流時代所帶來的挑戰，確保香港保持其作為亞太區通訊樞紐的領導地位。

在檢視首年工作之前，讓我們先回顧過去一年通訊市場的整體發展。

#### 蓬勃的通訊市場

香港的通訊市場靈活多變，發展蓬勃。本人很高興在此報告，通訊市場在過去一年保持興旺，幾個主要範疇均繼續有長足發展。

#### 廣播業

在廣播方面，三家持牌機構於2012年正式推出數碼聲音廣播服務，標誌着香港的廣播服務邁進新時代。除了七條調頻（FM）頻道和六條調幅（AM）頻道播出的節目外，市民現可選擇收聽由數碼聲音廣播持牌機構和香港電台（港台）提供的16條數碼聲音廣播頻道播放的多元化節目，全部音色極佳。至於電視服務，在2012年也持續有新發展。香港兩家本地免費電視節目服務持牌機構繼續鋪設數碼地面電視網絡。截至2012年年底，數碼地面電視覆蓋範圍已擴展至本港約98%人口。通訊辦亦協助通訊局檢討和修訂《電視通用業務守則——技術標準》，讓上述兩家本地免費電視節目服務持牌機構把數碼同步廣播頻道的編碼標準由MPEG-2改為H.264，以進一步提高畫像質素，以備日後提供更多節目選擇和更先進的服務。

同樣地，通訊辦根據既定程序協助通訊局處理廣播投訴，並採取所需的跟進行動。年內，通訊局處理了超過49 000宗關於廣播內容的投訴（涉及1 625個個案），為歷來處理過最多的投訴數目；當中約有3 400宗投訴（涉及1 584個個案）由通訊辦根據通訊局授予的權力直接處

It gives me great pleasure to present the first annual report of the Office of the Communications Authority (OFCA). The publication of this report is a testament to OFCA's successful first year as the executive arm of the Communications Authority (CA), the new unified regulator for the broadcasting and telecommunications sectors, which was established on 1 April 2012, the same date that OFCA itself came into operation. Created by merging the former Office of the Telecommunications Authority (OFTA) and relevant divisions of the Television and Entertainment Licensing Authority (TELA), OFCA is a government department that operates on a trading fund basis. Our mission is to support and assist the CA to perform its regulatory functions and meet the challenges that arise from today's information age and era of convergence, ensuring that Hong Kong maintains its leading position as the communications hub of the Asia-Pacific region.

Before reviewing our work in this inaugural year, I would like to take a moment to guide you through the overall development of the communications market in the past year.

## A Vibrant Communications Market

Hong Kong enjoys a vibrant and versatile communications market. I am pleased to report that in the past year the market has remained prosperous and continued to develop in a number of key sectors.

### *Broadcasting Sector*

On the broadcasting front, 2012 saw the official launch of digital audio broadcasting (DAB) services by three licensees, heralding a new era for broadcasting services in Hong Kong. In addition to the programmes broadcast on the seven FM and six AM channels, members of the public can now choose from a wide variety of programmes, all of which are available with superb sound quality via the 16 DAB channels being provided by the DAB licensees and Radio Television Hong Kong (RTHK). For television services, too, 2012 saw continuous new developments. Hong Kong's two domestic

free television programme service licensees continued to roll out their Digital Terrestrial Television (DTT) networks. By the end of 2012, DTT coverage has been extended to around 98% of the population. OFCA has assisted the CA to review and revise the Generic Code of Practice on Television Technical Standards to enable these two free domestic television programme service licensees to switch their coding standard from MPEG-2 to H.264 for the digital simulcast channels, thus further enhancing their picture quality and creating the potential to provide even more programme choices and enhanced services in the future.

OFCA likewise assists the CA in processing broadcast complaints and taking the necessary follow-up actions in accordance with established procedures. During the year under review, the CA processed more than 49 000 complaints (1 625 cases involved) about broadcast materials, the largest number of complaints we have ever processed. Around 3 400 (1 584 cases involved) of these were handled directly by OFCA, using powers delegated by the CA to deal with complaints which are related to breaches of a minor nature, or those that do not involve any breach of legislation, licence conditions or codes of practice, or which otherwise fall outside the CA's remit.

### *Telecommunications Sector*

On the telecommunications front, mobile data services continue to be the principal engine of market growth. The provision of 4G LTE (Long Term Evolution) services has greatly enhanced the user experience and enabled a variety of innovative and high-speed mobile data services for selection by consumers. Let me share with you some key figures to help you understand the scale of this dynamic and fast-growing market. There are now more than 11 million 3G and 4G subscribers in Hong Kong. The volume of monthly data usage by July 2013 was 10 629 terabytes, which was 1.7 times the amount recorded over the same period in 2012. In the general mobile market, Hong Kong has a total of 16.8 million mobile subscribers. This represents a penetration rate of 233%, which puts us in the leading position globally. With mobile network operators dedicating

理，這些投訴涉及輕微違規，或不涉及違反有關法例、牌照條件或業務守則，又或不屬通訊局的管轄範圍。

## 電訊業

在電訊方面，流動數據服務依然是市場增長的主要推動力。市面上的4G LTE（長期演進技術）服務大大豐富了用戶體驗，帶來五花八門的創新和高速流動數據服務供消費者選用。讓我們看看一些重要數字，從而了解這個充滿動力、發展迅速的市場之規模。目前，本港3G和4G用戶數目超過1 100萬。截至2013年7月，每月數據用量為10 629太字節，相當於2012年同期所錄得用量的1.7倍。在整體流動服務市場中，香港共有1 680萬流動服務用戶，普及率為233%，使香港在全球處於領導地位。流動網絡營辦商投放了大量資源鋪設4G網絡，我們可以預期本地流動數據服務市場會持續興旺。

繼於2009年1月和2012年2月分別成功拍賣2.5/2.6吉赫頻帶內的90兆赫無線電頻譜和2.3吉赫頻帶內的90兆赫無線電頻譜後，通訊辦於2013年3月成功拍賣2.5/2.6吉赫頻帶內的另外50兆赫無線電頻譜，以進一步發展香港的4G服務。該次拍賣的頻譜由四家固有流動網絡營辦商投得，頻譜使用費總額為港幣15億4千萬元，收入將惠及社會大眾。

在固網寬頻服務市場方面，由於科技進步和各營辦商相繼鋪設新的光纖網絡，香港消費者現可享用速度高達每秒1吉比特的寬頻服務，對此本人亦感自豪。截至2013年7月，本港約有224萬名住宅及商業固網寬頻服務用戶，住宅普及率為84%。本人欣然報告，根據互聯網內容傳輸商Akamai於2013年7月發布的《2013年第一季互聯網發展狀況報告》，香港擁有全球最快速的寬頻服務，平均最高連接速度為每秒63.6兆比特，這進一步引證香港在通訊科技方面居於全球領先地位。

香港除了擁有發展蓬勃的寬頻市場外，對有意登陸海底電纜系統的亞太區營辦商來說也是一個非常吸引的地點。為了支援這個重要市場，通訊辦繼續為營辦商提供綜合聯絡服務，協助他們符合一切所需的法定要求。到目前為止，通訊辦已成功協助兩個電纜系統在香港登陸，分別是Asia Submarine-Cable Express（ASE系統）及Southeast Asia Japan Cable（SJC系統）。另一個海底電纜系統預計於2014年登陸。這些新的海底電纜系統將進一步鞏固本港作為地區電訊樞紐的地位。

## 加強保障消費者

香港市民能夠以甚具競爭力的價格享受各式各樣世界級通訊服務，本人對此深感滿意。佳績當前，通訊辦的其中一項主要職責是加強保障消費者，從而確保消費者亦可享用高質素的服務。隨着流動數據服務於2010年開始蓬勃增長，我們推出了各項強制及自行規管措施以保障消費者，成效甚彰。

通過前電訊局的協調工作，所有流動網絡營辦商已推出防止流動通訊服務「帳單震撼」的措施，幫助消費者避免因不經意或不自覺地使用了本地及漫遊數據服務，而要繳付高昂的流動服務費用。我們舉辦了一系列宣傳活動以教育市民怎樣適當使用流動數據服務後，現可欣然報告，過去兩年流動通訊服務「帳單震撼」的消費者投訴數字持續下跌。

在2012年，通訊局亦就服務供應商實施公平使用政策發出一份強制性質的指引，所有固網與流動寬頻服務供應商必須遵循這份於2012年2月生效的指引，確保以具透明度的方式實施公平使用政策，使顧客能公平享用網絡資源，並有合理機會接達其供應商的服務。

通訊辦亦一直鼓勵業界採用自行規管措施以進一步保障消費者；香港通訊業聯會於2011年公布《電訊服務合約業

significant resources to the roll out of their 4G networks, we can expect to see the local mobile data service market continues to prosper.

Following the successful auction of 90 MHz of radio spectrum in the 2.5/2.6 GHz band in January 2009 and another 90 MHz of radio spectrum in the 2.3 GHz band in February 2012, OFCA auctioned off an additional 50 MHz of radio spectrum in the 2.5/2.6 GHz band in March 2013 for the further development of 4G data services in Hong Kong. The auction fetched for the benefit of the general community a total of HK\$1.54 billion in Spectrum Utilisation Fees (SUF), with the spectrum going to four incumbent mobile network operators.

In the fixed broadband service market, I am similarly proud to report that consumers in Hong Kong can now enjoy broadband services of up to 1 Gbps, thanks to technology advancements and the continuous roll out of new optical fibre networks by various operators. As at July 2013, Hong Kong had around 2.24 million residential and commercial fixed broadband service subscribers, with a household penetration rate of 84%. I am especially pleased to report that according to the "State of the Internet 1st Quarter, 2013 Report" published by Internet content delivery provider Akamai in July 2013, Hong Kong has the fastest broadband in the world, with an average peak connection speed of 63.6 Mbps. This further underscores our status as a global leader in communications technology.

In addition to this thriving broadband market, Hong Kong has also established itself as an attractive location for operators in the Asia-Pacific Region to land their submarine cable systems. To support this important market, OFCA continues to provide a single-point-of-contact service to help operators meet all the necessary statutory requirements. To date, OFCA's coordination has successfully helped two cable systems to land in Hong Kong, namely Asia Submarine-Cable Express (ASE) and Southeast Asia Japan Cable (SJC). Another new system is expected to land in 2014. These new submarine cable systems will further strengthen Hong Kong's position as a regional telecommunications hub.



## Enhancing Consumer Protection

It brings me great satisfaction to see that the people of Hong Kong enjoy an extensive range of world-class communications services at very competitive prices. To build on this success, one of OFCA's key responsibilities is to enhance consumer protection, thus ensuring that consumers also enjoy the high quality service. This has been achieved through the introduction of various mandatory and self-regulatory measures dating back to 2010, when mobile data services first began to flourish.

Through the coordination of the former OFTA, all mobile network operators implemented preventive measures against "mobile bill shock". These measures help consumers avoid exorbitantly high mobile service charges, which are usually caused by unintentional or inadvertent usage of local and roaming data services. Following a series of publicity programmes to educate the public on how to properly use mobile data services, we are glad to report that there has been a continuous decline in the number of "mobile bill shock" consumer complaints in the past two years.

In 2012 the CA also issued a set of mandatory guidelines for the implementation by service providers of Fair Usage Policy (FUP). These guidelines, which took effect in February 2012 for all fixed and mobile broadband service providers to follow on a mandatory basis, ensure that FUP is implemented by service providers in a transparent manner





界實務守則》（《業界守則》），正是這方面工作的顯著成果。藉着香港通訊業聯會與通訊辦的緊密合作，《業界守則》為營辦商在擬訂服務合約方面提供清晰的指導原則，並在消費者與服務供應商簽訂新合約或續訂現有合約時，為消費者提供更佳保障。我們現正就《業界守則》內增加保障消費者的新措施，與香港通訊業聯會進行磋商。

另一些自行規管措施也處理了消費者所關注的其他事項，包括於2010年發布屬自願性質的《收費流動內容服務守則》，以及於2011年公布關於電訊服務帳單資料及收取帳款的實務守則。在流動內容服務守則方面，香港通訊業聯會轄下設立了行政機構，以規管第三方內容服務供應商提供流動內容服務的做法。本人很高興在此報告，這個自行規管計劃有效減少了消費者投訴。

通訊辦不時收到有關電訊服務供應商與其住宅／個人顧客之間計帳爭議的投訴，部分爭議經過一段時間仍未獲得解決而陷入僵局。為了提供另一渠道以調解方式解決這些爭議，由2012年11月起，通訊辦與業界攜手推出屬自願性質以兩年為試驗期的「解決顧客投訴計劃」。「解決顧客投訴計劃」由香港通訊業聯會負責運作，通訊辦贊助所需經費和提供行政支援。通訊辦會密切監察計劃的運作，並待試驗期結束後考慮最佳的未來路向。

《2012年商品說明（不良營商手法）（修訂）條例》（《修訂條例》）已於2013年7月19日起生效。《修訂條例》把原有的《商品說明條例》（第362章）的涵蓋範圍由貨品擴展至服務，並禁止商戶作出訂明的不良營商手法。除香港海關負責執法外，通訊局同時獲賦予共同管轄權，負責就《電訊條例》（第106章）和《廣播條例》（第562章）下的持牌人作出與根據相關條例提供電訊服務或廣播服務有直接關連的營業行為，根據公平營商條文執法。通訊局與香港海關已聯合發出一套執法指引，並通過不同宣傳活動協助商戶和消費者了解新法例規定，讓他們作好準備符合法例要求。

## 進行諮詢和檢討以確保規管制度與時並進

### 廣播業

通訊局定期檢討業務守則，以確保向持牌人提供適切的指引，並確保有關標準符合社會期望和配合廣播業的持續發展。在過去一年，通訊辦除了檢討數碼地面電視的技術守則外，亦協助通訊局檢討電視的業務守則，包括處理本地免費電視節目服務在外購作直接轉播的節目中，出現在節目內的廣告材料的規定，以及要求清楚識別以節目形式拍

so that customers can enjoy fair use of network resources and reasonable access to their providers' services.

OFCA has also been encouraging the industry to adopt self-regulatory measures to further protect consumers. A notable achievement in this respect was the promulgation of the Code of Practice for Telecommunications Service Contracts (Industry Code) by the Communications Association of Hong Kong (CAHK) in 2011. Through close collaboration between the CAHK and OFCA, the Industry Code sets out clear guiding principles for operators to draw up their service contracts, and affords consumers better protection when they enter into new contracts or renew existing contracts with their service providers. We are now liaising with the CAHK for inclusion of additional measures in the Industry Code to further enhance consumer protection.

Other self-regulatory measures, namely the publication of a voluntary Code for the Provision of Chargeable Mobile Content Services (MCS) in 2010 and a code of practice in 2011 for the billing and payment collection of telecommunications services, have likewise addressed other consumer concerns. For the code on MCS, an Administrative Agency was also established under the CAHK to govern the practices of third-party Content Service Providers in their provision of MCS. I am very pleased to report that this self-regulatory scheme has effectively reduced the number of consumer complaints.

From time to time, OFCA receives complaints about billing disputes between telecommunications service providers and their residential/personal customers and some of them are left unresolved after a period of time and remain in deadlock. To provide a channel for the resolution of these disputes through mediation, OFCA has collaborated with the industry to launch a voluntary Customer Complaint Settlement Scheme (CCSS) for a two-year trial period since November 2012. CCSS is operated by the CAHK and sponsored by OFCA through the contribution of necessary funding and the provision of administrative support. OFCA will closely monitor the operation of the scheme and

consider the best way forward when the trial period is completed.

The Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012 came into effect on 19 July 2013. It has extended the coverage of the Trade Descriptions Ordinance (Cap. 362) (TDO) from goods to services and it prohibits specified unfair trade practices of traders. The CA has been conferred concurrent jurisdiction with the Customs and Excise Department (C&ED) for enforcing the fair trading sections of the TDO in relation to the commercial practices of licensees that are directly connected with the provision of a telecommunications service or broadcasting service under the Telecommunications Ordinance (Cap. 106) (TO) and the Broadcasting Ordinance (Cap. 562) (BO). The two enforcement agencies have jointly issued a set of enforcement guidelines, and various publicity activities have been launched to help both traders and consumers understand the new statutory requirements and better prepare themselves for compliance with the law.

## Conducting Consultations and Reviews to Ensure an Up-to-date Regulatory Regime

### *Broadcasting Sector*

The CA conducts regular reviews of codes of practice to ensure that proper guidance is given to licensees, and also to ensure that the standards keep track with community expectations and the ongoing development of the broadcasting industry. During the last year, in addition to revising the technical code on DTT, OFCA also assisted the CA in revising the codes of practice for television regarding the placement of commercial references within programmes that have been acquired for direct re-transmission on domestic free television programme services, as well as the provision of clear identifications in television advertisements presented in a programme style. The codes of practice for television and radio have also been revised to make clear the applicability of advertising time limits to promos for television and radio advertisements.

攝的電視廣告等。電視及電台的業務守則亦經修訂，以釐清電視和電台宣傳廣告的宣傳片是否計算在廣告時限內。

於2010年就兩家本地免費電視節目服務持牌機構，即亞洲電視有限公司（亞洲電視）和電視廣播有限公司（無線電視）的牌照進行中期檢討後，通訊局決定舉辦公眾參與活動，藉以定期收集市民對持牌機構所提供的節目質素和種類的意見。首次公眾參與活動於2010年年底／2011年年初舉行，而第二次活動則於本年年初進行。通訊辦協助通訊局把所收集到的意見，以及持牌機構作出的回應和跟進行動彙編成報告。有關報告已於2013年8月發表。

我們亦協助通訊局處理無線網絡電視有限公司（前稱無線收費電視有限公司）的本地收費電視節目服務牌照的續期申請，以及健康衛視有限公司和亞太第一衛視傳媒集團有限公司的非本地電視節目服務牌照的申請。年內，我們亦協助通訊局處理另一宗續領其他須領牌電視節目服務牌照的申請。

## 電訊業

在電訊業中，儘管所有流動網絡營辦商現已推出4G服務，3G頻譜在提供流動數據服務方面仍然舉足輕重。鑑

於所有現有3G牌照將於2016年10月期滿，我們於2012年3月和12月協助商務及經濟發展局局長和通訊局進行兩次公眾諮詢，目的是蒐集業界及其他持份者對重新指配3G頻譜安排及相關事宜的意見。經首次諮詢後，第二次公眾諮詢中提出混合方案的建議作進一步諮詢，即給予現有3G營辦商優先權以保留三分之二的3G頻譜和重新拍賣餘下三分之一的3G頻譜。重新拍賣的頻譜的頻譜使用費將由拍賣結果釐定，至於如何釐定優先權頻譜的頻譜使用費，第二次諮詢中建議兩個市場主導方法。我們共收到43份就第二份諮詢文件所提交的意見書。此外，我們代表政府委聘獨立顧問，就採用建議的混合方案重新指配3G頻譜對服務質素和顧客的影響進行研究。

2013年4月，我們亦協助通訊局就固網商之間的窄頻互連收費原則規管指引完成檢討，通訊局決定在18個月過渡期後撤銷規管指引。撤銷規管指引後，網絡商之間所有各種本地互連費用，包括固網之間的窄頻及寬頻互連費用、流動網絡之間的互連費用，以及固定與流動網絡之間的互連費用均不受任何規管指引管制，純粹由電訊營辦商通過商業協議釐定。

為了回應公眾訴求並經公眾諮詢後，我們已調低綜合傳送者牌照、公共無線電通訊服務牌照（傳呼服務）和服務營辦商牌照（第三類服務）的牌照費。自2013年3月1日起，綜合傳送者牌照的每100個顧客接駁點的顧客接駁費用，以及公共無線電通訊服務牌照／服務營辦商牌照的每100個移動電台的移動電台費用，已由港幣800元調低至港幣700元。

## 未來的主要挑戰

本港的通訊服務市場競爭非常劇烈，要穩守佳績，通訊辦在面對市民訴求日增、創新通訊服務盛行、先進新技術不斷湧現時，會對這一切發展保持敏銳觸覺。我們會繼續採取適時措施，確保香港的規管制度與時並進。



In the context of the 2010 mid-term review of the licences of the two domestic free television programme service licensees, viz Asia Television Limited (ATV) and the Television Broadcasts Limited (TVB), the CA decided to conduct public engagement exercises to regularly collect public views on both the quality and variety of programmes provided by the licensees. The first engagement exercise took place in late 2010/early 2011, and the second was conducted earlier this year. OFCA assisted the CA in compiling a report on the views received, as well as licensees' responses and follow-up actions. The report was published in August 2013.

We also assisted the CA in processing the licence renewal application of TVB Network Vision Limited (formerly known as TVB Pay Vision Limited) for its domestic pay television programme service licence, and the applications from Health TV Company Limited and One TV Media Global Limited for non-domestic television programme service licences. During the year, we also assisted the CA in handling one application for renewal of an other licensable television programme service licence.

### *Telecommunications Sector*

In the telecommunications sector, although all incumbent mobile network operators have now launched 4G services, the 3G spectrum still plays an important role in the provision of mobile data services. In light of the fact that all current 3G licences will expire in October 2016, we assisted the Secretary for Commerce and Economic Development and the CA in conducting two rounds of public consultation in March and December 2012 respectively, with the aim of collecting views from the industry and other stakeholders regarding re-assignment arrangements of the 3G spectrum and related issues. After the first consultation, a hybrid option, which offers incumbent 3G operators the right of first refusal for two-thirds of the 3G spectrum and re-auctioning the remaining one-third, was proposed for further consultation in the second consultation. While the SUF of the re-auctioned spectrum would be determined by the auction outcome, two market-based methods have been proposed in the second consultation for setting the SUF of

the right-of-first-refusal spectrum. A total of 43 submissions were received in response to the second consultation paper. In addition, on behalf of the Government, we commissioned an independent consultant to conduct a study in relation to the impacts on both service quality and customers of adopting the proposed hybrid option when re-assigning the 3G spectrum.

In April 2013, we have also assisted the CA to complete a review and to take the decision to withdraw the regulatory guidance on the charging principles of narrowband interconnection between fixed carriers subject to a transitional period of 18 months. After the withdrawal of such regulatory guidance, all types of carrier-to-carrier local interconnection charges, namely fixed-fixed narrowband and broadband interconnection charges, mobile-mobile interconnection charges and fixed-mobile interconnection charges, are not subject to any regulatory guidance and are solely determined through commercial negotiations between the telecommunications operators.

In response to public demands, and following a public consultation, the licence fees for the Unified Carrier Licences (UCLs) and Public Radiocommunications Service (PRS) Licences (Paging) and Services-based Operator (SBO) Licences (Class 3) have been reduced. Both the customer connection fee of UCLs for each 100 customer connections and the mobile station fee of PRS/SBO Licences for each 100 mobile stations have been reduced from HK\$800 to HK\$700 with effect from 1 March 2013.

### **Major Challenges Ahead**

Our communications service market is highly competitive. To maintain this success — particularly in view of increasing public aspirations, the prevalence of innovative communications services, and the continuous emergence of advanced new technologies — OFCA will remain vigilant to all these developments. We will continue to implement timely measures that ensure Hong Kong's regulatory regime is up-to-date.





來年，通訊辦會繼續協助通訊局處理多個廣播牌照（包括亞洲電視、無綫電視和電訊盈科媒體有限公司等牌照）的續牌事宜。通訊局會舉行廣泛的公眾諮詢活動，包括公聽會和廣播服務調查，以蒐集公眾對該等持牌機構表現的意見。

就持牌機構以「個人意見節目」形式在廣播節目中發表一面倒的意見或維護自身利益等公眾關注事項，通訊辦會協助通訊局檢討電視和電台業務守則的相關條文。

通訊辦來年另一項具挑戰性的重要任務，是協助通訊局決定如何安排重新指配3G頻譜。通訊局和政府現正研究就第二份諮詢文件所收到的意見和建議，以期於2013年10月或之前公布3G頻譜重新指配安排的未來路向，讓現有3G營辦商有三年時間為可能出現的3G頻譜指配變動作好準備。

就《商品說明條例》的公平交易條文，通訊辦在執法上會與香港海關保持緊密合作，也會繼續與消費者委員會合作

舉辦宣傳及教育活動，幫助市民和商戶了解有關法例。

《競爭條例》（第619章）於2012年6月制定，成為香港跨行業的競爭法例。競爭事務委員會隨之成立，負責執行《競爭條例》，而通訊局亦獲賦予共同管轄權，就電訊和廣播持牌人的行為執行《競爭條例》。未來數月，通訊辦會協助通訊局與競爭事務委員會就實施《競爭條例》所需的籌備工作緊密合作，包括擬備執行該條例的相關指引，以及根據《競爭條例》擬備諒解備忘錄，以協調競爭事務委員會與通訊局所履行的職能。

## 結語

本人謹對全體同事過去一年辛勤工作表示衷心謝意，讓我們能順利由前電訊局過渡至通訊辦。本人保證，通訊辦定當悉力以赴，支援通訊局履行其規管職能。我們的團隊具備專業知識與技能，克盡己職，本人深信，不論未來出現任何規管方面的挑戰，我們都能安然處理，並努力不懈維持香港作為全球卓越通訊中心的領導地位。

In the coming year, OFCA will continue to assist the CA in the renewal of various broadcasting licences, including those of ATV, TVB and PCCW Media Limited. An extensive public consultation exercise, including public hearings and broadcasting service surveys, will be conducted to collect the public's views on the performances of these licensees.

OFCA will also assist the CA in reviewing the relevant provisions of the television and radio codes of practice in response to public concerns about licensees expressing one-sided views or safeguarding their own interests in broadcasts identified as "personal view programmes".

Assisting the CA in the decision making on the re-assignment arrangements of the 3G spectrum will be another challenging milestone for OFCA in the coming year. The CA and the Government are studying the views and comments received in the submissions in response to the second consultation paper. The aim is to announce the way forward on the 3G spectrum re-assignment arrangements by October 2013, so that the incumbent 3G operators will have three years to prepare for possible changes to their 3G spectrum assignment.

On the fair trading sections of the TDO, OFCA will continue to work closely with the C&ED on the law enforcement aspects and to collaborate with the Consumer Council in conducting publicity and education programmes that equip both members of the public and traders with an understanding of the law.

Hong Kong's cross-sector competition law, the Competition Ordinance (Cap. 619) (CO), was enacted in June 2012. The Competition Commission has since been established to enforce the CO, and concurrent jurisdiction has been conferred on the CA to enforce the CO in respect of the conduct of telecommunications and broadcasting licensees. In the coming months, OFCA will assist the CA and work closely with the Competition Commission regarding the preparatory work required for the implementation of the CO, including drafting the relevant guidelines on enforcement, as well as a memorandum of understanding to coordinate the performance of the functions of the Competition Commission and the CA under the CO.

## Closing Remarks

I would like to thank all my colleagues for their hard work in the past year, which has made it possible for us to transition so smoothly from the former OFTA to OFCA. I offer you my assurance that OFCA remains committed to fully supporting the CA in the performance of its regulatory functions. With the expertise and professionalism of OFCA's team, I am confident that we will successfully face whatever regulatory challenges that may come our way in the future, always working tirelessly and diligently to maintain Hong Kong's leading position as a centre of global communications excellence.