

7 May 2024

By email and web-posting

**Circular letter to:**

- **All Unified Carrier Licensees authorised to provide mobile services**
- **All Services-Based Operator Licensees authorised to provide mobile virtual network operator services**
- **All Class Licensees for Offer of Telecommunications Services under section 8(1)(aa) of the Telecommunications Ordinance (Cap. 106) registered for the offer of mobile services**

Dear Sir/Madam,

**Licensing Requirement for the Offer of the  
Mobile Satellite Communications Services without  
Establishment, Operation or Maintenance of any Means of Telecommunications**

In response to the enquiries of some mobile service providers on the offer of mobile satellite communications services (“MSCS”) following the advent of smartphones supporting both conventional public mobile services and MSCS, the Office of the Communications Authority (“OFCA”) would like to clarify the licensing requirement for the offer of MSCS in Hong Kong.

Any person who intends to offer MSCS in Hong Kong through SIM cards but **without** establishment, maintenance and/or operation of any means of telecommunications (for example, satellite networks and systems, earth stations, etc.) shall be regulated under the licensing regime of the Class Licence for Offer of Telecommunications Services (“CLOTS”) under section 8(1)(aa) of the Telecommunications Ordinance (Cap. 106) (“TO”)<sup>1</sup> on the conditions that –

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<sup>1</sup> The CLOTS is available at:  
[https://www.coms-auth.hk/filemanager/common/licensing/Offer\\_of\\_Tele\\_Services\\_\(Eng\).pdf](https://www.coms-auth.hk/filemanager/common/licensing/Offer_of_Tele_Services_(Eng).pdf).

- (a) the person concerned is currently providing licensed public mobile services in Hong Kong and the MSCS is to be offered as a supplementary service in addition to the public mobile services being provided; and
- (b) the MSCS is to be offered by making use of frequencies with the relevant technical criteria specified under Schedule 1 to the Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order (Cap. 106Z)<sup>2</sup>.

Any person who intends to offer the MSCS through SIM cards under the CLOTS regime shall be required to –

- (a) register with OFCA as a CLOTS licensee before commencing such offer of the MSCS; and
- (b) ensure their compliance with the Telecommunications (Registration of SIM cards) Regulation (Cap. 106AI)<sup>3</sup> and the Guidelines on Implementation of Real-name Registration for SIM Cards<sup>4</sup> before commencement of the MSCS.

For further information on the offer of the MSCS under the CLOTS regime, please refer to the Guidelines for Administration of the Class Licence for Offer of Telecommunications Services available at <https://www.coms-auth.hk/filemanager/statement/en/upload/651/gn112024.pdf>.

For the avoidance of doubt, the offer of any telecommunications services which involves the establishment, maintenance and/or operation of any means of telecommunications is **not** authorised under the CLOTS and should be subject to an appropriate licence granted by the Communications Authority (“CA”) under the TO.

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<sup>2</sup> The Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order (Cap. 106Z) is available at: <https://www.elegislation.gov.hk/hk/cap106Z>.

<sup>3</sup> The Telecommunications (Registration of SIM cards) Regulation (Cap. 106AI) is available at: <https://www.elegislation.gov.hk/hk/cap106AI>.

<sup>4</sup> The Guidelines on Implementation of Real-name Registration for SIM Cards is available at: <https://www.coms-auth.hk/filemanager/statement/en/upload/569/gn152021.pdf>.

Please be reminded that failure to comply with applicable regulatory requirements under the TO, licence conditions and/or regulatory instruments issued thereunder may be subject to appropriate regulatory action(s) by the CA.

Should there be any enquiry on the above, please contact the Regulatory Section 21 at 2961 6653.

Yours faithfully,

(Desmond Young)  
for Director-General of Communications