

**TELECOMMUNICATIONS ORDINANCE
(Chapter 106)**

CLASS LICENCE

MEDICAL IMPLANT COMMUNICATION SYSTEM DEVICE

The Communications Authority, in exercise of the powers conferred on it by sections 7(5) and 7B(2) of the Telecommunications Ordinance (Chapter 106), issues this Licence on this 27th day of September, 2019.

1. Interpretation

1.1 In this Licence –

“Authority” means the Communications Authority established by section 3 of the Communications Authority Ordinance (Chapter 616);

“Licensee” means a person licensed under Condition 2 of this Licence;

“Medical Implant Communication System device” or “MICS device” means a radio station falling within the description of the Schedule to this Licence;

“Ordinance” means the Telecommunications Ordinance (Chapter 106);
and

“Telecommunication Convention” means any Constitution and Convention of the International Telecommunication Union and the Radio Regulations annexed thereto, which have from time to time or at any time been acceded to by or applied to Hong Kong.

1.2 Any word or expression used in this Licence shall, unless otherwise provided, have the same meaning as it has in the Ordinance or regulations made under the Ordinance.

1.3 For the purposes of interpreting this Licence, headings and titles shall be disregarded.

2. Grant of Licence

- 2.1 Subject to the terms and conditions of this Licence, a person is licensed to establish, maintain, possess, use, deal in the course of trade or business in and demonstrate, with a view to sale in the course of trade or business, the MICS device.

3. General

- 3.1 This Licence shall not be construed as granting an exclusive right to the Licensee.
- 3.2 This Licence replaces any licence or any exemption from licensing for the establishment, maintenance, possession and use of, dealing in the course of trade or business in and demonstration, with a view to sale in the course of trade or business, of MICS device, however described, which the Authority may have granted to the Licensee.
- 3.3 This Licence shall remain in full force unless expressly revoked by the Authority.

4. Compliance Generally

- 4.1 The Licensee shall comply with the Ordinance, regulations made under the Ordinance, licence conditions or any other instruments which may be issued by the Authority under the Ordinance and such guidelines or codes of practice which may be issued by the Authority as in its opinion are suitable for the purpose of providing practical guidance on any particular aspect of any conditions of this Licence.
- 4.2 The Licensee shall observe and comply with all provisions of the Telecommunication Convention relevant to MICS device.
- 4.3 The Licensee shall not use the MICS device to provide a public telecommunications service, except under and in accordance with an appropriate licence granted by the Authority.
- 4.4 Implanted MICS device shall transmit data when it is under the control of an external peripheral or under condition that immediate data transmission is required to protect the life of the person implanted with MICS device.

5. Interference

- 5.1 Where the Licensee establishes, operates, maintains or uses the MICS device, the Licensee shall take reasonable measures to do so in such a way not to cause any direct or indirect harmful interference with any lawful telecommunications service or any telecommunications apparatus licensed or authorised under the Ordinance.
- 5.2 The Authority may give such reasonable directions as it thinks fit to prevent any direct or indirect harmful interference referred to in Condition 5.1. The Licensee shall comply with the directions.
- 5.3 The Licensee shall make the MICS device, except when the same has already been implanted into a human body, available for inspection and testing, if so required, by any person authorised for the purpose by the Authority.
- 5.4 The Licensee should be aware that the frequencies allocated to the MICS device are shared with other applications in an uncoordinated manner and not protected from harmful interference caused by other telecommunications installations or radio equipment operating in accordance with the provisions of the Ordinance, or regulations or orders made under the Ordinance.

6. Technical Criteria

- 6.1 The Licensee shall ensure that any MICS device that it establishes, maintains, operates, uses, deals in the course of trade or business in, and demonstrates, with a view to sale in the course of trade or business, shall at all times fully comply with the technical criteria and technical specification specified in the Schedule.

SCHEDULE

Medical Implant Communication System Device

Medical Implant Communication System device or MICS device under this Licence refers to (a) a medical transceiver placed inside or worn on human body for providing bi-directional wireless data communications between itself and an external peripheral, or (b) an external peripheral for providing bi-directional wireless data communications between itself and a medical transceiver placed inside or worn on human body.

MICS device shall comply with the technical criteria and technical specification (issued by the Authority pursuant to section 32D of the Ordinance) as listed below:

Technical Criteria and Technical Specification

Frequency band: 401 – 406 MHz

Maximum Power: 25 μ W effective radiated power

Technical specification: HKCA 1052 “Performance Specification for Medical Implant Communication Systems”