Statement of the Communications Authority

Assignment of Spectrum to Hong Kong Commercial Broadcasting Company Limited and Metro Broadcast Corporation Limited for the Provision of their Licensed Analogue Sound Broadcasting Services From 26 August 2016 to 25 August 2028

22 March 2016

PURPOSE

Having regard to the recommendations of the Communications Authority ("CA") submitted under section 13E(1)of the Telecommunications Ordinance (Cap. 106) ("TO"), the Chief Executive in Council ("CE in C") decided on 22 March 2016 that the sound broadcasting licences of Hong Kong Commercial Broadcasting Company Limited ("CRHK") and Metro Broadcast Corporation Limited ("Metro") authorising them to provide analogue sound broadcasting services in Hong Kong ("analogue sound broadcasting licences") should be renewed under section 13E(2)(a) of the TO for another 12 years from 26 August 2016 to 25 August 2028 (both dates inclusive).

2. Following the decision of the CE in C to renew the analogue sound broadcasting licences of CRHK and Metro, the CA intends to address the assignment of the spectrum currently held by CRHK and Metro for the provision of their analogue sound broadcasting services ("analogue sound broadcasting spectrum"). This Statement promulgates the decision of the CA to adopt an administrative approach to re-assign to CRHK and Metro the analogue sound broadcasting spectrum each currently holds, comprising, for CRHK, a group of 14 frequencies in 87 – 108 MHz of the Very High Frequency band (commonly called "FM" band, viz. frequency modulation band) and a single frequency in 526.5 – 1606.5 kHz of the Very High Frequency band and a single frequencies in 87 – 108 MHz of the Very High Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band (Appendix I), for the

provision of their licensed FM and AM analogue sound broadcasting services respectively during the validity of their renewed licences from 26 August 2016 to 25 August 2028 (both dates inclusive).

ASSIGNMENT ARRANGEMENTS FOR ANALOGUE SOUND BRAODCASTING SPECTRUM

3. In considering the assignment arrangements for the analogue sound broadcasting spectrum currently assigned to CRHK and Metro, the CA must give due regard to all relevant factors including the provisions of the TO, its statutory duties, the prevailing analogue sound broadcasting landscape, the Radio Spectrum Policy Framework ("SPF") promulgated by the Government in 2007 and the observations of the Commerce and Economic Development Bureau ("CEDB's Observations") at **Appendix II**.

Legislative and Policy Framework

4 On the legislative framework, section 13D(1)(b) of the TO provides that a sound broadcasting licence shall be subject to renewal within the period of validity on such dates as may be specified in the licence or as may be determined by the CE in C. Under section 13B of the TO, any corporation complying with section 13F may apply to the CA for a licence to establish and maintain a sound broadcasting service in Under section 13B(2) of the TO enacted in 2010, an Hong Kong. application for a sound broadcasting licence may be entertained only if the CA is satisfied that (a) the frequency in the radio spectrum that the applicant proposes to use is available as at the date of application; and (b) that frequency is suitable for use in providing the proposed broadcasting service. Under section 13E(1) of the TO, the CA shall submit recommendations to the CE in C not less than 15 months before the date for any renewal of a licence or such shorter period as the CE in C may permit concerning the renewal of the sound broadcasting licence and the terms and conditions to be imposed. In accordance with section 13E(2) of the TO, the CE in C may, having considered the recommendations submitted by the CA, renew or refuse to renew the sound broadcasting licence.

5. Under section 32G(1) of the TO, the CA has the statutory duty to promote the efficient allocation and use of the radio spectrum as a public resource of Hong Kong. Section 32H(2)(c) of the TO empowers the CA to assign radio frequencies. The TO does not stipulate any procedure or statutory timeline concerning applications for the use of spectrum, or consideration thereof by the CA. As a standard condition in an analogue sound broadcasting licence, the licensee is required to transmit its programmes in accordance with the transmission plan specified by the CA.

6. According to the above legislative framework, while the CA is the spectrum assignment authority under the TO, the authority for granting or renewing sound broadcasting licences under the TO rests with the CE in C. This division of statutory authority, whereby the CE in C decides whether or not to grant or renew sound broadcasting licences and the CA decides the spectrum assignment has meant that the process for sound broadcasting service licensing has always been broadcasting licence led, with spectrum assignment being an enabling and supplementary function. Indeed, since the introduction of commercial sound broadcasting services has consistently been administratively assigned to licence holders upon the grant of sound broadcasting licences by the CE in C.

7. Turning to the policy framework, in April 2007, the Government promulgated the SPF, which identifies the Government's policy considerations in relation to spectrum management. The SPF states that Hong Kong's spectrum policy and management aims to, inter-alia, facilitate the most economically and socially efficient use of spectrum with a view to attaining maximum benefit for the community. The SPF also sets out, as a guiding principle of spectrum management, that the Government's policy inclination is to use a market-based approach wherever the CA (or the former Telecommunications Authority ("TA") before the establishment of the CA) considers that there are likely to be competing demands from providers of non-Government services, unless there are overriding public policy reasons to do otherwise, in which case the CA should publish such public policy reasons. Through a statement

issued in April 2007, the former TA undertook that, in exercising his statutory powers under the TO, the TA would give due regard to the SPF to the extent that there were no inconsistencies with the objectives and provisions of the TO.

8. CEDB sets out its observations at **Appendix II** on the application of the SPF in the context of the renewal of sound broadcasting licences under the TO. CEDB's view is that while the SPF is applicable to analogue sound broadcasting spectrum, the SPF must be read in the light of the TO provisions amended in 2010. Specifically, CEDB points out that under the TO (as amended in 2010), a "sound broadcasting licence" is referred to as a "licence to establish and maintain a broadcasting service"¹ while "broadcasting" is defined as "transmitting sound (otherwise than as part of a television broadcast) for general reception by means of radio waves"². Therefore, in CEDB's view, sound broadcasting licences and the relevant spectrum allocation/assignment go hand in hand and it would not be possible for one to broadcast pursuant to a sound broadcasting licence granted but without relevant spectrum assigned.

The CA's Statutory Duty to Promote Efficient Allocation and Use of Spectrum and the Eligibility/Assignment Criteria for Analogue Sound Broadcasting Spectrum Assignment

9. Given its statutory duty under section 32G(1) of the TO to promote the efficient allocation and use of the radio spectrum as a public resource of Hong Kong, the CA considers that the following criteria should be applied when assigning analogue sound broadcasting spectrum.

Analogue Sound Broadcasting Spectrum Eligibility Criterion

10. First, the CA considers that only analogue sound broadcasting licensees under the TO should be eligible for assignment of the analogue sound broadcasting spectrum as only they are in a ready position to effectively and efficiently use that spectrum for the

¹ Section 13B of the TO.

² Section 13A(1) of the TO.

benefit of the listening audience in Hong Kong. Given that analogue sound broadcasting spectrum is a scarce public resource, this eligibility criterion is of fundamental importance as otherwise it could lead to idleness of analogue sound broadcasting spectrum or its wasteful hoarding.

Analogue Sound Broadcasting Spectrum Assignment Criterion

11. While the CA would need to determine, on a case by case basis, the quantum of analogue sound broadcasting spectrum to be assigned to individual licensees, the CA considers that, as a general principle, subject to the availability of spectrum, individual licensees should be assigned such amount of spectrum as is commensurate with, and no more than what is required to meet, the licensed analogue sound broadcasting service needs of licensees, measured in terms of their licensed programme channel line-up.

The Prevailing Analogue Sound Broadcasting Landscape

12. At present, there are three analogue sound broadcasters in Hong Kong – one public broadcaster (Radio Television Hong Kong ("RTHK")) and two analogue sound broadcasting licensees under the TO (CRHK and Metro). Together, they operate 13 radio channels in analogue format in either the AM or FM band. CRHK and Metro each operates two FM radio channels and one AM radio channel under their analogue sound broadcasting licences which will expire on 25 August 2016.

13. CRHK and Metro submitted applications for the renewal of their analogue sound broadcasting licences on 31 July 2014 and 25 August 2014 respectively in accordance with Condition 7 of their licences, and on the basis of inter-alia their existing analogue sound broadcasting programme channel line-up as set out above. In accordance with the TO and the established procedures, the CA completed a comprehensive assessment of the performance of CRHK and Metro and pursuant to section 13E(1) of the TO submitted to the CE in C on 15 May 2015 its recommendations for the renewal of the analogue sound broadcasting licences of CRHK and Metro for a term of another 12 years. On 22 March 2016, the CE in C decided to renew the analogue sound broadcasting licences of CRHK and Metro having regard to the CA's

recommendations including inter-alia maintaining their existing programme channel line-up.

14. As at the date of this Statement, two operators are licensed under the TO to provide analogue sound broadcasting services in Hong Kong – CRHK and Metro, and both have applied for licence renewal under the TO. No other applications for the provision of analogue sound broadcasting services have been received, or are under processing by the CA, whether under section 13B or section 13C/13E of the TO respectively.

Spectrum Policy Framework

Supply of Analogue Sound Broadcasting Spectrum

15. The AM and FM bands are recommended by the International Telecommunication Union ("ITU")³. The ITU's recommendation is adopted by Hong Kong and promulgated in the Hong Kong Table of Frequency Allocations for the provision of sound broadcasting services in Hong Kong.

16. It should be noted that frequency coordination with neighbouring regulatory authorities for sound broadcasting is essential and has been carried out to prevent possible interference among the sound broadcasting services, aeronautical services and navigational facilities in Hong Kong, Macao and Guangdong Province. The former TA had carried out technical analysis and frequency coordination with neighbouring regulatory authorities when considering assignment of sound broadcasting spectrum, including the specification of locations and radio transmitting powers of the transmitting stations.

17. As a result of previous technical analysis and frequency coordination efforts, a frequency plan primarily comprising seven AM frequencies and 49 FM frequencies for the provision of territory-wide analogue sound broadcasting services in Hong Kong has been drawn up.

³ ITU is a United Nations specialised agency for information and communication technologies which is responsible for inter-alia allocating global radio spectrum.

CRHK is assigned a group of 14 FM frequencies and one AM frequency for broadcasting its two FM radio channels and one AM radio channel. Metro is assigned a group of 16 FM frequencies⁴ and one AM frequency for broadcasting its two FM radio channels and one AM radio channel (**Appendix I**), while RTHK is assigned a group of 21 FM frequencies and four AM frequencies for broadcasting its three FM radio channels and four AM radio channels.

18. In sum, while there is one vacant frequency in the AM band for territory-wide AM analogue sound broadcasting services⁵, all the 49 available FM frequencies are currently fully utilised for territory-wide FM analogue sound broadcasting services. These assigned FM frequencies could not be released to a new potential FM service broadcaster without adversely affecting the coverage of existing FM services.

19. The CA will continue to monitor technological developments in the sound broadcasting services and assess whether it would be possible in future for more analogue sound broadcasting spectrum to become available to provide additional territory-wide FM sound broadcasting services in Hong Kong. However, prior agreement with neighbouring regulatory authorities has to be reached before any increase in the supply of analogue sound broadcasting spectrum in the FM band can materialise⁶.

⁴ Including two FM frequencies used by a fill-in station to improve local network coverage.

⁵ One AM channel (810 kHz) was assigned to Wave Media Limited (now Digital Broadcasting Corporation Hong Kong Limited) for providing an analogue sound broadcasting service in 2008. The said AM channel has been registered with the ITU for territory-wide coverage of Hong Kong for transmitting at Peng Chau. As Wave Media Limited encountered difficulties in seeking the support from local residents for establishing the AM transmitting station at Peng Chau, it surrendered the analogue sound broadcasting licence to the Government and the associated channel to the former TA in 2011 upon being granted a sound broadcasting licence for digital audio broadcasting services by the CE in C.

⁶ The former TA had undertaken a review of the available analogue sound broadcasting spectrum in the FM band, taking into account the study commissioned by an independent consultant in the early 1980s and concluded that the unassigned spectrum in the FM band could not be used by Hong Kong to increase the provision of FM analogue sound broadcasting services due to the need to avoid interference among the FM sound broadcasting services, aeronautical services and navigational facilities in Hong Kong, Macao and Guangdong Province.

Demand for Analogue Sound Broadcasting Spectrum

20. Applying the criterion set out in paragraph 10 above, only the two analogue sound broadcasting licensees (CRHK and Metro) would currently be eligible to be assigned analogue sound broadcasting spectrum.

21. CRHK and Metro submitted their licence renewal applications on the basis of inter-alia the continued use of the analogue sound broadcasting spectrum currently assigned to them for the provision of their existing analogue sound broadcasting programme channel line-up under the new licence term. The two licensees have not requested additional frequencies. There is also no known demand for the vacant AM frequency.

22. As at the date of this Statement, no other applications for the provision of analogue sound broadcasting services in Hong Kong have been received, or are under processing by the CA under section 13B, or section 13C/13E of the TO respectively. Nor has the CA received any indication of interest in the assignment of the analogue sound broadcasting spectrum currently assigned to CRHK and Metro from any corporation complying with section 13F of the TO.

Little or No Likelihood of Competing Demands for Analogue Sound Broadcasting Spectrum

23. Given the prevailing analogue sound broadcasting landscape set out in paragraphs 12 to 14 above, and the demand and supply situation with respect to analogue sound broadcasting spectrum, the CA concluded that there is little or no likelihood of competing demands for the analogue sound broadcasting spectrum currently assigned to CRHK and Metro, whether now or in the near future.

Approach to Assignment of Analogue Sound Broadcasting Spectrum

24. Given the CA's assessment that there is little or no likelihood of competing demands, in accordance with the SPF, there is no need for the CA to adopt a market-based mechanism for the assignment of analogue sound broadcasting spectrum currently held by CRHK and Metro.

25. Taking into account CEDB's observations on the interpretation of the SPF as set out in paragraph 8 above, the CA considers it appropriate to continue to adopt an administrative approach in the reassignment to CRHK and Metro of the analogue sound broadcasting spectrum they currently hold, to ensure that their licensed analogue sound broadcasting services could be provided through radio spectrum during the validity of their renewed analogue sound broadcasting licences.

THE CA'S DECISIONS

The Approach to the Assignment of Analogue Sound Broadcasting Spectrum

26. The CA has given due consideration to all the relevant factors, including the provisions of the TO, the CA's statutory duties, the prevailing analogue sound broadcasting landscape at the date of this Statement, CEDB's Observations, and the SPF in deciding the approach to assign analogue sound broadcasting spectrum. Given –

- (a) the facilitative role of spectrum assignment which has always dovetailed with licensing decisions;
- (b) the CA's statutory duty to ensure efficient allocation and use of spectrum;
- (c) the fact that there are no other applications to provide analogue sound broadcasting services; and
- (d) the fact that each of the current analogue sound broadcasting licensees' spectrum needs can be met from the analogue sound broadcasting spectrum each currently holds,

the CA has <u>decided</u> to adopt an administrative approach to the reassignment of analogue sound broadcasting spectrum to CRHK and Metro upon the renewal of their analogue sound broadcasting licences by the CE in C.

Assignment of Analogue Sound Broadcasting Spectrum to CRHK and Metro

27. The Government announced today that the analogue sound broadcasting licences of CRHK and Metro would be renewed for another 12 years from 26 August 2016 to 25 August 2028 (both dates inclusive). The CA has today informed CRHK and Metro that the CA has <u>decided</u> to re-assign to them the analogue sound broadcasting spectrum each of them currently holds (**Appendix I**), comprising, for CRHK, a group of 14 frequencies in 87 - 108 MHz of the Very High Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band; and for Metro, a group of 16 frequencies in 87 - 108 MHz of the Very High Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band and a single frequency band and a single frequency in 526.5 – 1606.5 kHz of the Very High Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Very High Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Very High Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Medium Frequency band and a single frequency in 526.5 – 1606.5 kHz of the Icensed analogue sound broadcasting services respectively, comprising two FM radio channels and one AM radio channel each, until the expiry of their renewed licences, i.e. 25 August 2028.

28. For the avoidance of doubt, nothing in this Statement will in any way fetter the CA's discretion to manage analogue sound broadcasting spectrum and to decide how it should be assigned in the future. In exercising that discretion and making such decisions the CA will have regard to all relevant factors, including the TO, its statutory duties, the prevailing analogue sound broadcasting landscape, the SPF and the relevant policy considerations. The CA will consider future assignments or re-assignments of analogue sound broadcasting spectrum on a case by case basis.

Communications Authority 22 March 2016

Appendix I

Analogue Sound Broadcasting Spectrum Currently Held By CRHK and Metro for the Provision of their Analogue Sound Broadcasting Services in Hong Kong

Analogue Sound Broadcasting Spectrum Held by CRHK

		AM Frequency (kHz)						
Channel Name	Mount	Cloudy	Castle	Golden	Lamma	Beacon	Kowloon	Peng Chau
	Gough	Hill	Peak	Hill	Island	Hill	Peak	
CR1	88.1	88.3	88.6	88.9	89.1	89.2	89.5	-
CR2	90.3	90.7	91.2	90.9	91.6	91.1	92.1	-
AM 864	-	-	-	-	-	-	-	864

Analogue Sound Broadcasting Spectrum Held by Metro

		AM Frequency (kHz)							
Channel Name	Mount	Cloudy	Castle	Golden	Lamma	Beacon	Kowloon	Stanley	Peng Chau
	Gough	Hill	Peak	Hill	Island	Hill	Peak	(Note)	
Metro Info	99.7	100.0	100.4	101.6	102.1	100.5	101.8	101.0	-
Metro Finance	104.0	104.7	102.5	105.5	104.5	102.4	106.3	102.6	-
Metro Plus	-	-	-	-	-	-	-	-	1044

Note: The frequency at Stanley is used by a fill-in station to improve local network coverage. All other frequencies are used to provide territory-wide coverage.

Observations of the Commerce and Economic Development Bureau ("CEDB") on the Application of the Radio Spectrum Policy Framework ("RSPF") in the Context of the Renewal of Sound Broadcasting Licenses under the Telecommunications Ordinance

PURPOSE

In response to the request of the Office of the Communications Authority ("OFCA"), this document sets out the observations of the Commerce and Economic Development Bureau ("CEDB") that may, subject to the Communications Authority ("CA")'s views, be relevant in considering the application of the Radio Spectrum Policy Framework ("RSPF") in the context of the CA's consideration of whether to recommend renewal of the sound broadcasting licenses in accordance with Part 3A of the Telecommunications Ordinance (Cap. 106) ("TO"). The radio spectrum for sound broadcasting purposes assigned to Hong Kong Commercial Broadcasting Company Limited and Metro Broadcast Corporation Limited (collectively as "Incumbents") is hereinafter referred to as "SB Spectrum".

2. For the avoidance of doubt, this document is without prejudice to any provisions of the TO and nothing herein shall be construed as limiting or restricting in any way the independence of and the powers vested in the CA under the TO for the management of radio spectrum and formulating its recommendations on the Incumbents' applications for renewal of the sound broadcasting licences ("Renewal Applications") or any possible new applications for sound broadcasting licences ("New Applications"). It is also without prejudice to the Chief Executive ("CE") in Council's powers and discretion under the TO in deciding the Renewal Applications or any New Applications.

BACKGROUND

3. The licensing regime for sound broadcasting is governed by Part 3A of the TO. The CE in Council is the licensing authority. The CA is vested with the power to assign radio spectrum under section 32H(2)(c) of the

TO. CA also carries the statutory responsibility to promote the efficient allocation and use of the radio spectrum as a public resource of Hong Kong.

4. The analogue sound broadcasting licences (collectively as the "Licences") of the Incumbents will expire on 25 August 2016. The Incumbents have in July and August 2014 submitted their applications to renew their Licences. For Renewal Applications, the CA has a statutory obligation under the TO to submit recommendations to the CE in Council on whether the Licences should be renewed.¹ The CE in Council must make a decision on the Renewal Applications within the period of validity of the Licences.

SOUND BROADCASTING SERVICES AND PROVISIONS UNDER TELECOMMUNICATIONS ORDINANCE

5. Radio spectrum is required for the transmission of radio waves and is essential for a sound broadcasting licence to deliver its licenced service. Hitherto, the assignment of SB Spectrum by the CA (or the former Telecommunications Authority ("TA") before the establishment of the CA) to the Incumbents are coterminous with their respective Licences.

6. Under the TO (as amended in 2010), a "sound broadcasting licence" is referred to as a "licence to establish and maintain a broadcasting service"² while "broadcasting" is defined as "transmitting sound (otherwise than as part of a television broadcast) for general reception by means of radio waves"³. Therefore, it is observed that sound broadcasting licences and the relevant spectrum allocation/ assignment go hand in hand.

7. The regime for Renewal Applications is set out in sections 13D and 13E of the TO. Although there are no explicit provisions in respect of the relevant considerations in the context of licence renewal, the factors stated in section 13C(4) in respect of New Applications appear to be potentially relevant.

¹ TO section 13E(1).

² TO section 13B.

³ TO section 13A(1).

8. Pending any new supply of spectrum, there is currently no spare frequency spectrum for territory-wide analogue sound broadcasting unless and until the Incumbents release their SB Spectrum.

RADIO SPECTRUM POLICY FRAMEWORK

9. According to the Radio Spectrum Policy Framework ("RSPF") promulgated by the Government in April 2007, the policy inclination is that a market-based approach⁴ will be adopted for the assignment of the spectrum wherever the CA (or the former TA) considers that there are likely to be competing demands from providers of non-Government services, unless there are overriding public policy reasons not to do so. Such inclination is applicable to both Renewal and New Applications.

10. Following the promulgation of the RSPF, the former TA issued a statement in April 2007 (at <u>Annex</u>) indicating that in exercising its statutory powers under the TO, the TA should, in addition to all relevant considerations as required by law, give due regard to the RSPF to the extent that there is no inconsistency with the objectives and provisions laid down in the TO.

APPLICATION OF RSPF TO SOUND BROADCASTING SPECTRUM

11. The RSPF is applicable to SB Spectrum. The RSPF however must be read in the light of the TO provisions amended in 2010. In relation to the Renewal Applications, as observed in paragraph 6 above, sound broadcasting licences and the relevant spectrum allocation/ assignment go hand in hand and it is not possible for one to broadcast with a sound broadcasting licence granted but without relevant radio spectrum assigned. Furthermore, since there is no other sound broadcasting spectrum available, New Applications may only be made when any of Incumbents' Licence(s) is/are not renewed and after the expiry of such Licence(s) when the spectrum currently occupied by the Incumbents is made available⁵. In other words, in the present

⁴ The RSPF provides that "market-based approach" for spectrum management means methods relying on market forces to ensure the efficient use of spectrum as a public resource.

⁵ Section 13B of the TO provides that New Applications may be entertained only if the CA is satisfied that (a) the frequency in the radio spectrum that the

circumstances during the validity period of the Incumbents' Licences, no competing demand for spectrum could arise.

12. It must be emphasised that the observations above in this document have only set out the observations of the CEDB on the application of the RSPF in the context of sound broadcasting. The observations set out above are subject to the CA's assessment and are provided as one of the possible considerations that the CA may take into account in discharging its spectrum assignment responsibilities under the TO. The actual decision to be taken as regards spectrum assignment will be subject to the views of the CA, which may form a different view based on the advice it may obtain from its legal advisor.

Commerce and Economic Development Bureau

applicant proposes to use is available as at the date of the application; and (b) that frequency is suitable for use in providing the proposed broadcasting service.

RADIO SPECTRUM POLICY FRAMEWORK

Statement of the Telecommunications Authority 24 April 2007

Government's Decision on Spectrum Policy

The Government announces today the conclusion on the review of government's spectrum policy and promulgates the "Radio Spectrum Policy Framework" ("the Framework")¹.

2. While the Framework is without prejudice to the powers vested in the Telecommunications Authority under the Telecommunications Ordinance for the management of radio spectrum, it provides additional policy considerations to the Telecommunications Authority in discharging his spectrum management responsibilities.

3. In exercising his statutory powers under the Telecommunications Ordinance, the Telecommunications Authority shall, in addition to all relevant considerations as required by law, give due regard to the Framework to the extent that there are no inconsistencies with the objectives and provisions laid down in the Telecommunications Ordinance.

Office of the Telecommunications Authority 24 April 2007

¹ The document may be retrieved from the official web sites of the Commerce, Industry and Technology Bureau / Communications and Technology Branch (<u>http://www.citb.gov.hk/ctb/</u>) and the Office of the Telecommunications Authority (<u>http://www.ofta.gov.hk</u>).