



15/03/2013 19:25

To <guidelinescon@customs.gov.hk>

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Subject Consultation Paper - Draft Enforcement Guidelines for TDO 2012

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Dear Sir,

We refer to the captioned Consultation Paper issued by the Commissioner of Customs and Excise and the Communications Authority in Dec 2012.

The Communications Association of Hong Kong ("CAHK"), representing the industry members including SmarTone, has made a submission on the Consultation Paper. We therefore do not repeat here the views as stated in the CAHK's submission. Besides the recommendations and comments contained in CAHK's submission, we would like to reiterate below a few points:

1. We believe the Guidelines should provide practical guidance and certainty to the industry on the framework and method of enforcement, as well as the interpretation of the provisions, given that criminal liability may be imposed under the Ordinance. Many more examples and guidance as to how the Ordinance would apply in everyday situations is required.
2. We would like to emphasize the importance of allowing sufficient time for the industry to familiarize with the amended Ordinance and the Guidelines before they become effective. It is because the Ordinance would have a wide impact on business practices and extensive training and internal briefing would need to be arranged for all frontline staff after the finalization of the Guidelines.

For and on behalf of
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