

**Review of Licence Conditions in Carrier Licences Issued under the  
Telecommunication Ordinance (Cap.106) (“Consultation Paper”) issued on 5<sup>th</sup>  
September 2014**

1. Hong Kong Broadband Network Limited (“HKBN”) welcomes the opportunity to provide its comments on captioned Consultation Paper.
  
2. Pursuant to section 14(1)(a) of the Telecommunications Ordinance (Cap. 106) (the “Ordinance”), it is to the consent in writing of the Director of Lands or an officer of the Lands Department appointed by him for any licensee to place and maintain a telecommunications line in, over or upon any unleased Government land or seabed. Communications Authority (“CA”) is apparently not the responsible regulatory or enforcement authority. HKBN hereby agrees that the Identified Licence Conditions on road opening works should be removed from the Carrier Licences.
  
3. Similarly, HKBN agrees with CA’s view that the protection of forest, trees and government buildings from possible damages due to attachment of telecommunications equipment falls outside and extends beyond the telecommunications perspectives. Relevant restrictions are well covered by other Ordinances in force. Prescribing these restrictions in either general conditions or special conditions in the Carrier Licences can be considered as redundant and unnecessary. Therefore, HKBN is agreeable to this amendment.
  
4. As a matter of fact, a number of new Ordinances, like Trade Description Ordinance, Personal Data (Privacy) Ordinance and the Competition Ordinance, have or will come into force, some of the Licence Conditions set out in existing Carrier Licence may become redundant and unnecessary. It is recommended that CA shall conduct another thorough review on relevant Licence Conditions to reflect the latest developments of the telecommunications regulatory regime.

20 October 2014