

**SmarTone Mobile Communications Limited
SmarTone Communications Limited**

**Submission to
OFCA's Consultation Paper**

**Review of Licence Conditions in Carrier Licences Issued under the
Telecommunications Ordinance (Cap. 106) ("Review")**

1. SmarTone Mobile Communications Limited and SmarTone Communications Limited ("SmarTone") welcome the opportunity to respond to the above consultation paper issued on 5 September 2014. We are pleased to submit our views as follows:
2. The Secretary for Commerce and Economic Development ("SCED") and the Communications Authority ("CA") has taken the initiative to review the licence conditions in various carrier licences. We have no objection to remove those licence conditions of which the imposing requirements duplicate with or have been superseded by cross-sectoral legislations or regulations, namely those on Road Opening Works (Special Conditions 14.1, 14.3, 14.4, 17, 18, 19 & 20) and on Restrictions on Attachment to Public Buildings and Trees (General Condition 10).
3. We also note that the CA will continue its role in coordinating road opening works among telecommunications licensees as stipulated in paragraph 22 of the consultation paper.
4. However, we hold the view that the current scope of the review is rather limited. In addition to the licence conditions as stated in the consultation paper, we submit that there are also other licence conditions overlapping with other sectoral or cross-sectoral legislations or regulations, such as the Personal Data Privacy Ordinance, the Trade Descriptions Ordinance, and the new Competition Ordinance.
5. In view of the above and the latest development in the industry, we would urge the SCED and the CA to conduct a further round of consultation for a comprehensive review of the licence conditions.

SmarTone Mobile Communications Limited
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20th October 2014