

Guidance Notes for Submission of Applications under the Pilot Scheme for Installation of Radio Base Stations at Selected Government Venues

1. GENERAL

- 1.1 This document sets out the requirements and procedures for submission of applications for installation of radio base stations (“RBSs”) at suitable government premises and venues (hereinafter collectively referred to as “venues”) selected for inclusion under a pilot scheme (“Pilot Scheme”) of the Government to facilitate mobile network operators (“MNOs”) to roll out the fifth generation (“5G”) networks.
- 1.2 For the avoidance of doubt, this document is only applicable to venues under the Pilot Scheme. MNOs should follow the prevailing procedures and requirements to submit applications to relevant government departments for installation of RBSs at other government venues. If an MNO has submitted an application before the launch of the Pilot Scheme for installation of RBS at a venue which is included in the scheme, it should ensure that it will not make duplicate applications again under the Pilot Scheme.
- 1.3 While the Pilot Scheme aims primarily to facilitate the rollout of 5G networks, MNOs may also make applications for using the venues to install non-5G RBSs to enhance their network coverage and capacity for provision of mobile telecommunications services to the general public.
- 1.4 Nothing in this document should be taken to bind the Office of the Communications Authority (“OFCA”) or other relevant government departments on the granting of approval to the applications received under the Pilot Scheme. OFCA and relevant government departments reserve the right not to accept any applications received at their own discretion.

2. THE PILOT SCHEME

Venues Covered

- 2.1 Under the Pilot Scheme, about 1 000 venues managed by the Food and Environmental Hygiene Department (“FEHD”), the Leisure and Cultural

Services Department (“LCSD”) and the Government Property Agency (“GPA”) are open for application by MNOs to install RBSs.

Facilitating Measures and Streamlined Procedures

2.2 The following facilitating measures will be adopted to expedite the application and approval processes under the Pilot Scheme –

- (a) venues under the Pilot Scheme have been preliminarily assessed by relevant government departments to be suitable in general for the installation of RBSs;
- (b) certain venues (as marked in the list of venues to be provided to MNOs) require planning permission from the Town Planning Board (“TPB”). Their suitability for installation of RBSs should be demonstrated and is subject to the decision of the TPB. Apart from these venues, MNOs are not required to submit formal applications to the Planning Department (“PlanD”) for installation of RBSs at other venues under the Pilot Scheme provided that the dimensions of the proposed RBSs (and their cabinets and equipment) and antennae are within those specified in the Definition of Terms (“DoT”) in relation to ‘Telecommunications Radio Base Station’¹;
- (c) except for those venues as marked in the list of venues, MNOs are not required to submit formal applications to the Lands Department (“LandsD”) for installation of RBSs at the venues under the Pilot Scheme;
- (d) MNOs are not required to submit technical proposals or applications to Electrical and Mechanical Services Department (“EMSD”) for installation of RBSs at the venues under the Pilot Scheme if they do not share the use of the existing electrical installation of the Government venues;
- (e) a standard list of information and supporting documents (including the format and level of details of each of the items) required by relevant government departments are set out in the application form (copy at **Annex**) to facilitate the preparation and submission of information and documents by MNOs;
- (f) contact information of relevant government departments for handling the

1 ‘Telecommunications Radio Base Station’ means ‘any installation including an equipment cabinet not bigger than 5 metres x 4.5 metres x 3.5 metres (LxWxH) and antenna(e) not bigger than 0.6 metre x 0.6 metre x 2.5 metres (LxWxH), excluding pole, for planar shape or 0.8 metre in diameter for circular shape within, attached to or on the roof top of a building or structure for the provision of public telecommunications services to serve the local district.’

applications under the Pilot Scheme will be provided to MNOs by OFCA;

- (g) unlike the general practice for RBS installations where the MNOs are required to approach GPA before submitting applications to departments concerned, they can submit their applications to all relevant departments direct for concurrent handling for venues under the Pilot Scheme;
- (h) OFCA will provide MNOs and relevant government departments with one-stop assistance to facilitate the processing of applications. GPA will continue to be responsible for administering tenancy agreements for RBS installations at the venues, if required²; and
- (i) upon request from MNOs, OFCA may coordinate site visits for interested MNOs to individual venues to facilitate their assessments before submission of relevant applications to use the venues.

2.3 MNOs should submit applications together with the necessary information in accordance with the relevant requirements and procedures set out in paragraphs 4.2 to 4.6 below to the relevant **technical departments** (including Architectural Services Department (“ArchSD”), EMSD, LandsD, PlanD and OFCA as the case may be) as well as the **relevant department which manages the venues** (FEHD, LCSD or GPA as the case may be) for processing the applications. Applicants may be requested to provide additional information to the relevant government departments in respect of their applications. All applications received shall be determined subject to the final assessments of the relevant government departments.

3. GENERAL REQUIREMENTS

Eligibility of Applicants

3.1 Eligible applicants under the Pilot Scheme are those who (a) hold valid Unified Carrier Licences (“UCLs”) granted by the Communications Authority (“CA”) and are duly authorised under their respective UCLs to provide large scale public mobile services; or (b) have submitted applications to the CA for UCLs for the provision of large scale public

² For venues with existing tenancy agreement for 2/3/4G RBS installation or already covered by Office of the Government Chief Information Officer’s Public and Private Collaboration Arrangement, whether a new tenancy agreement or a supplementary tenancy agreement is required will be considered by GPA on a case by case basis.

mobile services and are successful applicants which will be assigned with radio spectrum for the purpose. Subject to being granted the UCLs, RBSs will be brought into operation.

Compliance with Relevant Requirements and Procedures

- 3.2 MNOs should comply with the requirements and procedures set out in this document to enable efficient and timely handling of their applications by the relevant government departments. The MNOs shall also strictly comply with the relevant requirements set out by the respective government departments in respect of the installation, operation and maintenance of their RBSs.
- 3.3 It remains the responsibility of the MNOs to refer to the Notes of the relevant Outline Zoning Plan to ascertain whether planning permission from the TPB is required for RBS installation. For those venues where planning permission from the TPB is required for the installation of RBSs, MNOs should obtain TPB's approval before submission of applications to PlanD for installation of RBSs.
- 3.4 For those RBSs which will exceed the dimensions specified in the revised DOT as mentioned in paragraph 2.2(b) above, even if planning permission from the TPB is not required, MNOs should seek the approval of PlanD for the proposed installation of RBS including cabinets, equipment and antenna(e).

Resolution of Competing Demands

- 3.5 Each venue has its unique constraints such as available space and electricity supply capacity for the installation of RBSs. Due to such constraints, demands from MNOs for the use of individual venues may not be fully satisfied. Where competing demands for a particular venue exist and cannot be resolved by agreement among the MNOs concerned, OFCA will endeavour to resolve the matter as appropriate (including selection of successful applicants by way of ballot or other appropriate mechanism). MNOs shall comply with OFCA's final decision on resolution of competing demands among them.

4. APPLICATION PROCEDURES AND REQUIREMENTS

- 4.1 Venues under the Pilot Scheme where most MNOs have indicated interest

and where MNOs are willing to use the venues on a shared basis will be accorded higher priority in terms of processing. Applicants are therefore strongly advised to coordinate among themselves to enable efficient shared use of those commonly interested venues and to nominate a site coordinator among themselves for each of the venues concerned to enable handling of matters related to their applications and installation works in an expeditious, effective and orderly manner. Venues with the same address but at different locations (such as indoor and outdoor venues at the same building) should be handled by one site coordinator as far as possible.

- 4.2 The role of a site coordinator includes (a) coordinating with other MNOs on arrangements for site visit as well as preparation and submission of a joint application to the relevant government departments for the installation of their RBSs at the venue concerned; (b) coordinating the MNOs' installation works and carrying out the works with the same or harmonized schedule for minimising disruptions to the venue and more efficient handling by the relevant government departments; (c) entering into a tenancy agreement with GPA, if required, as the Tenant; and (d) following up other matters related to the joint application as well as installation works.
- 4.3 To facilitate the process, OFCA will provide each eligible MNO with a list of venues under the Pilot Scheme for indication of interested venues at which it plans to install RBSs within the next six months.
- 4.4 After consolidation of the information gathered from the MNOs under paragraph 4.3 above, OFCA will inform the MNOs of the number of interested MNOs for each venue to facilitate coordination among themselves on nomination of a site coordinator, conducting site visits and submission of joint applications for shared use of those commonly interested venues (paragraphs 4.5 to 4.6 below refer).
- 4.5 As mentioned in paragraph 3.5 above, each venue has its unique constraints. MNOs are hence advised to assess whether the venues which they are interested in can accommodate all their RBS equipment and facilities prior to submitting applications. Upon request, OFCA may arrange site visits for interested MNOs to individual venues to facilitate their assessments.
- 4.6 A duly completed application form (copy at **Annex**) together with the technical proposal(s) and supporting documents for each of the venues

under application should be submitted by a site coordinator (in the case of joint applications) or an MNO by post and/or email to relevant government departments including EMSD, ArchSD, PlanD, LandsD and OFCA as the case may be as well as the relevant department (GPA³, FEHD or LCSD as the case may be) which manages the venue to facilitate coordinated and orderly handling of the applications.

5. PROCESSING OF APPLICATIONS

Vetting of Applications

- 5.1 To encourage efficient and effective shared use of the venues and submission of joint applications by site coordinators, relevant government departments will accord higher priority to joint applications involving more MNOs in processing the applications received.
- 5.2 For each application, relevant government departments will inform the applicant or site coordinator (as the case may be) of their comments or vetting results on the aspects under their purview in writing with a copy to OFCA. The applicant/site coordinator should follow up the matters raised by relevant government departments until all matters are settled to the satisfaction of the government departments concerned. Under normal circumstances, relevant government departments will endeavour to provide their comments or vetting results to the applicant/site coordinator within two months upon receipt of the application and all required information, failing which the government departments concerned will provide an update on the progress of the case to the applicant/site coordinator.

Tenancy Agreement

- 5.3 After all relevant government departments agree / indicate no objection to an application for the installation of RBS(s) at a venue, the applicant may then arrange with GPA for tenancy agreement of the venue concerned which may include, among others, payment of a one-off access fee and signing of tenancy agreement for the venue. MNOs should also refer to **Appendix 1 to the Annex** for the necessary information and documents to be submitted to GPA for processing of the tenancy agreement.

³ For the venues managed by GPA, MNOs shall submit the application directly to the Building Management Committee (“BMC”) of the building concerned for consideration with a copy to GPA for information.

Application for the CA's Approval

- 5.4 With the tenancy agreement signed and returned by MNOs to GPA for execution, MNOs should follow the prevailing procedures and requirements prescribed by the CA to submit a separate application for each of the RBSs to be installed at the venues to the CA for approval.
- 5.5 Each successful applicant should complete the installation of its RBS(s) and bring the RBS(s) into operation at each of the venues concerned within six months after it has been offered with the tenancy agreement or supplementary tenancy agreement (as the case may be) by GPA for the venue, whichever is later. Failing to do so without valid justification may lead to withdrawal of the approval for the installation of the RBS(s) at the venue and/or suspension of further processing of the tenancy agreement by GPA.
- 5.6 Each successful applicant should notify OFCA of the Installation Completion Date⁴ and the Launch Date⁵ of each of its RBSs within 10 working days after the RBS has been brought into operation at the venue concerned.

6. ENQUIRIES

- 6.1 Enquiries on matters related to the Pilot Scheme may be made to –

Office of the Communications Authority
29/F Wu Chung House
213 Queen's Road East
Wanchai, Hong Kong
(Attention: Senior Telecommunications Engineer (R12))
Telephone No. : 2961 6683
Email : 5grbs@ofca.gov.hk

Office of the Communications Authority March 2019

⁴ "Installation Completion Date" refers to the date on which the installation works for the RBS of the MNO at the venue was completed.

⁵ "Launch Date" refers to the date since which the RBS of the MNO at the venue has been brought into operation.