

**Telecommunications Ordinance  
(Chapter 106)**

**DIRECTION  
(Section 36B)**

To: Hong Kong Mobile Television Network Limited  
Date: 5 March 2018

**Interpretation**

In this Direction, unless the context otherwise requires,

“Authority” means the Communications Authority;

“Licence” means the Unified Carrier Licence No. 041 granted by the Authority to the Licensee;

“Licensee” means Hong Kong Mobile Television Network Limited, holding the Unified Carrier Licence No. 041 issued under the Ordinance;

“Mobile TV Service” means the broadcast-type mobile television service as defined in the Licence;

“Ordinance” means the Telecommunications Ordinance (Cap. 106);

“SC” means Special Condition of the Licence; and

“Technical Proposal” means the technical proposal submitted by the Licensee, specified in SC 40.4 of the Licence and incorporated as Schedule 10 to the Licence.

**Background**

2. On 13 July 2017, the Authority approved the application by the Licensee to change its transmission standard to the T2 Lite profile under Digital Video Broadcasting – Terrestrial 2 (“DVB-T2”) for the provision

of its Mobile TV Service. The Authority amended the Licence on the same date, stipulating the additional licence conditions to be complied with by the Licensee.

3. Pursuant to SC 40.2, the Licensee is obliged to conform at all times throughout the validity period of the Licence to the Technical Proposal. Under the Technical Proposal, the Licensee has committed to complete the change of transmission standard to DVB-T2 within 12 months once the Authority's approval was granted, i.e. on or before 12 July 2018. In addition, pursuant to SC 42.1, the Licensee is required to conduct such demonstrations, trials and tests as and when required and in the manner stipulated by the Authority to demonstrate to the satisfaction of the Authority or its authorized representative its compliance with SCs 40 and 41 and any other applicable condition of the Licence.

4. In order to ensure the Licensee's compliance with the above-mentioned licence conditions, the Authority wrote to the Licensee on 13 July 2017, the same date of granting the approval for it to change the transmission standard to DVB-T2, requiring it to inter alia (a) provide within a month, i.e. by 12 August 2017, a detailed plan and timetable for the demonstrations which the Licensee had committed to conduct in its Technical Proposal, and (b) conduct the said demonstrations in such manner and at such time agreeable to the Authority, in accordance with both SC 42.1 and the Technical Proposal.

5. On 2 August 2017, the Licensee sought the Authority's agreement to extend the date for submitting the required plan and timetable to 2 October 2017, citing the need for time to engage external consultants and device suppliers. Having considered the reason given by the Licensee, the Authority agreed to extend the deadline to 2 October 2017 and re-iterated the Licensee's obligation to comply with its commitment in the Technical Proposal to complete the change of transmission standard to DVB-T2 by 12 July 2018.

6. By its letter of 28 September 2017, the Licensee requested that the submission of the plan and timetable of the demonstrations be held in abeyance or otherwise rescheduled after the clearance of the issues submitted in that letter. In response, the Authority advised the Licensee on 16 October 2017 that it must comply with the relevant conditions of the Licence to complete the change of the transmission standard to DVB-T2 by 12 July 2018 and requested the Licensee to submit the detailed plan and timetable of the demonstrations as required under SC 42.1 as soon as possible.

7. Having received no reply from the Licensee to the Authority's letter of 16 October 2017, the Authority wrote to the Licensee again on 16 November 2017 requiring it to provide the detailed plan and timetable of the demonstrations by 30 November 2017. On 29 November 2017, the Licensee requested a further extension of time for submitting the detailed plan and timetable of the demonstrations of two months to 29 January 2018. The Authority acceded to its request on condition that no further extension of the deadline would be granted. Nevertheless, the Licensee informed the Authority on 26 January 2018 that the detailed plan and timetable for the demonstrations which are required to be submitted to the Authority would unlikely be available by 29 January 2018, and that it would aim to provide a progress update on or before 27 March 2018. As of today, the Licensee has not yet submitted any detailed plan and timetable for the demonstrations as required by the Authority under the Licence.

## **Direction**

8. The Authority, in exercise of its power under section 36B(1)(a) of the Ordinance,

*having considered* that pursuant to SC 42.1, the Licensee shall conduct such demonstrations, trials and tests as and when required and in the manner stipulated by the Authority to demonstrate to the satisfaction of the Authority its compliance with SCs 40 and 41 and any other applicable licence condition;

*having considered* that pursuant to SC 40.2, the Licensee shall comply with its Technical Proposal to complete the change of transmission standard to DVB-T2 by 12 July 2018;

*having considered* that pursuant to SC 40.1, the Licensee shall give written notification to the Authority at least one month in advance in respect of the commencement date of using the DVB-T2 transmission standard, i.e. on or before 12 June 2018;

*having considered* that the Licensee should complete such demonstrations, trials and tests required under SC 42.1 before it commences using the DVB-T2 transmission standard;

*having considered* that the Authority or its authorized representative would need sufficient time to consider the results of any demonstrations, trials and tests to verify the Licence's compliance with SCs 40 and 41 and any other applicable licence condition;

*having considered* that despite the Authority having granted several extensions of deadline, the Licensee has failed to submit to the Authority its detailed plan and timetable for conducting the demonstrations, trials and tests as required under SC 42.1;

*having been satisfied* that the Licensee has been afforded reasonable opportunity to make representations; and

*having considered* all representations made and information furnished by the Licensee,

hereby directs the Licensee to take the following actions:

- (a) to submit to the Authority on or before **27 March 2018** its detailed plan and timetable for conducting the demonstrations, trials and tests required under SC 42.1; and
- (b) to complete the demonstrations, trials and tests as required pursuant to SC 42.1 no later than **12 June 2018**.

9. This Direction will be made public.

( Agnes Wong )  
for Communications Authority  
5 March 2018