

Code of Practice on Verification of the Addresses of Potential Customers for Mobile Telecommunications Services

Preamble

Pursuant to Special Conditions (“SC”s) 1.2(a) and 1.2(c) of the Unified Carrier Licence (“UCL”), SCs 12.1(a) and 12.1(c) of the Services-Based Operator Licence (“SBO Licence”) and Conditions 15.1(a) and 15.1(c) of the Class Licence for Offer of Telecommunications Services (“Class Licence”) under section 8(1)(aa) of the Telecommunications Ordinance (Cap. 106) (“TO”), the Communications Authority (“CA”) may issue a Code of Practice for the purpose of providing practical guidance to the licensees in respect of the provision of satisfactory service and the protection and promotion of the interests of consumers of telecommunications goods and services.

2. This Code of Practice (“CoP”) issued by the CA shall be observed and complied with by all providers of mobile telecommunications services including holders of UCL for the provision of mobile telecommunications services, SBO Licence for the provision of mobile virtual network operator services and Class Licence offering in the course of business mobile telecommunications services (collectively referred to as “Mobile Service Providers” hereinafter). The purposes of this CoP are –

- (a) to ensure the integrity and validity of the address information of customers maintained by Mobile Service Providers;
- (b) to prevent the use of incorrect address information by Mobile Service Providers for purposes related to their provision and/or offer of services including billing and debt collection; and
- (c) to prevent the misuse of other parties’ address information for subscription to mobile telecommunications services.

3. For the avoidance of doubt, nothing in this CoP absolves any Mobile Service Providers from operating in accordance with the terms of their licences and legislation, for example the TO and the Personal Data (Privacy) Ordinance (Cap. 486) (“PDPO”), currently in force in Hong Kong.

Basic Guiding Principles

4. The basic guiding principles for the verification of the addresses of customers are –

- (a) Mobile Service Providers shall request all applicants for their services, including individual and corporate customers, to provide proof of address whenever customer's address is collected or retained in the course of or in connection with the provision and/or offer of their services. This requirement can only be waived in circumstances (i) when the Mobile Service Provider has full knowledge of the address of the applicant at the time of service application, for example, when an existing customer applies for value-added services under his account, or (ii) when the Mobile Service Provider does not collect or retain the address information for the purpose of provision and/or offer of service to the customer, for example, pre-paid services.
- (b) Acceptable proof of address shall be in the form of any document, bill or correspondence issued by any reliable third-party source within the last three months from the application date. Correspondences from personal friends or relatives shall not be accepted.
- (c) The addressee of the proof of address shall be the same person as the applicant for the mobile telecommunications services, otherwise the addressee shall accompany with the applicant to apply for the mobile telecommunications services and confirm that the applicant can be contacted at the address shown in the document.
- (d) The document of the proof of address shall be the original or a copy (such as printed copy or digital copy (including e-statement or e-bill)) of the document, provided that the document bears legible information for verification purpose (such as name and address of the applicant, and issuing date and name of the issuing party).
- (e) In case no document of the proof of address referred to in (b) above can be provided by an applicant for mobile telecommunications services, Mobile Service Providers may accept other form of proof of address from the applicant,

provided that they implement proper and effective measure(s) to reasonably verify the address concerned¹.

- (f) Mobile Service Providers should complete verification of the address of the applicant for their services as soon as possible, and in any case no later than one month from the service application date, otherwise, their services to the applicant shall not be activated or shall be suspended, as the case may be, until address verification has been completed.
- (g) In handling the information obtained for the verification of the address of customer, Mobile Service Providers shall ensure that proper procedures have been taken at all times to comply with the requirements as stipulated in the PDPO.

Acceptable Proof of Address

5. The following are common examples of documents which are considered to be acceptable proofs of address from applicants for mobile telecommunications services. The list below is by no means exhaustive.

- (a) Correspondence with Government Departments
Examples : Tax return
Student loan statement
Voter registration
Business Registration Certificate
- (b) Correspondence with banks or financial institutions
Examples : Bank statement
Loan statement
Credit card account statement
- (c) Correspondence with Public Utilities
Examples : Electricity bill
Water bill
Gas bill

¹ For example, Mobile Service Providers may send a letter by post to the address provided by the applicant for their services and request the applicant, upon receiving the letter, to (a) provide them with the original of the letter at retail shop; (b) upload a copy of the letter via online system / mobile app / email to them; or (c) input a unique passcode given in the letter via customer service hotline / online system / mobile app / email to them so as to demonstrate receipt of the letter.

- (d) Correspondence with operators of Public Telecommunications Services

Examples : Mobile telecommunications service bill
Fixed telephone service bill
Internet access service bill
Pay TV service bill

- (e) Correspondence with public organisations

Examples : Letter from a university
Letter from the Hospital Authority

Application and Update of the CoP

6. The CA may review and update this CoP from time to time in respect of developments in telecommunications policy, market and technology, as appropriate. If the CA considers that relevant amendments are necessary, it will take into account the views of the industry and other interested parties before effecting the amendments.

Communications Authority
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