

**Information Note on the
Application for Permit for Import and Export of
Radiocommunications Transmitting Apparatus**

Introduction

1. This information note provides information concerning the application of the necessary permit for import and export of radiocommunications transmitting apparatus (“RTA”). Under section 9 of the Telecommunications Ordinance (Cap. 106) (the “Ordinance”), any person who wishes to import to or export from Hong Kong any RTA will need to obtain a permit granted by the Communications Authority (“CA”) unless he is the holder of a Radio Dealer Licence (Unrestricted).

Exemptions

Article in Transit and Air Transhipment Cargo

2. RTA which is article in transit¹ or air transhipment cargo² is exempted from the import/export permit requirement under sections 9A and 9B of the Ordinance.

Transhipment Cargo

3. In the case of other types of transhipment cargo³, the licensing/permit requirement for import and export of RTA is replaced by a transhipment notification

¹ Article in transit means any article which –

(a) is brought into Hong Kong solely for the purpose of taking it out of Hong Kong; and

(b) remains at all times in or on the vessel or aircraft in or on which it is brought into Hong Kong

² Air transhipment cargo means transhipment cargo that is both imported and consigned for export in an aircraft and which, during the period between its import and export, remains within the cargo transhipment area of Hong Kong International Airport.

³ Transhipment cargo means cargo that is imported into Hong Kong solely for re-export to territories outside of Hong Kong. The cargo may be imported and re-exported with different means of transportation, e.g. the cargo is brought into Hong Kong in an aircraft and re-exported in a vehicle.

arrangement as provided for under section 9C of the Ordinance. This notification arrangement provides a set of simplified procedures for obtaining permission to import/re-export with a view to facilitating the importer/exporter or cargo forwarder in the transportation of RTA which is brought into Hong Kong solely for re-export out of Hong Kong.

Radiocommunications Apparatus for Personal Use

4. Under section 7 of the Telecommunications (Telecommunications Apparatus)(Exemption from Licensing) Order⁴ (the “Exemption Order”), a person who imports into or exports from Hong Kong any radiocommunications apparatus exempted from licensing is also exempted from section 9 of the Ordinance if the apparatus is imported or exported for the person’s reasonable personal use and the relevant quantity commensurates with such use. Some general examples are mobile phones, satellite phones, notebooks and tablets with Wi-Fi facility, wireless Local Area Network and Bluetooth equipment, etc.

Prohibition

5. The import or export of the following radiocommunications transmitting apparatuses is prohibited unless in the course of manufacture for export or in the course of import for subsequent re-export or the written consent of the CA has been obtained:

- a) Any cordless phone that is not exempted from the Exemption Order, e.g. Personal Handy Phone System (“PHS”) radiocommunications apparatus, Digital Enhanced Cordless Telecommunications (“DECT”) cordless telephone operating not within 1880-1900 MHz, etc.,
- b) Any Citizen Band radio apparatus which is not type approved by the CA; and
- c) Any radio jammer.

How to Apply

⁴ <https://www.elegislation.gov.hk/hk/cap106Z>

6. Applications for the Import Permit and Export Permit should be submitted to Office of the Communications Authority (“OFCA”) prior to import or export of the RTA. The application forms are available at OFCA and can be downloaded from CA website at www.coms-auth.hk.

Fees and Payment

7. The fee for issuance of an Import Permit is HK\$150 and the fee for issuance of an Export Permit is also HK\$150. Each permit is good for one shipment of RTA only.

8. Payment can be made by cash, EPS, cheque or PPS (Payment by Phone Service). If pay by cheque, please made the cheque payable to "Office of the Communications Authority" and crossed. A permit will be issued immediately upon acceptance of fee payment by cash or EPS. For payment by cheque or PPS, the permit will be issued on the third working day after fee payment. Payment methods:

- (a) In person to Licensing office of OFCA, you may pay by cash, EPS or crossed cheque.
- (b) If application is submitted by post, fax or e-mail, you may send a crossed cheque by post to Licensing office of OFCA.
- (c) If application is submitted online via our Online Licensing Services at OFCA web site, you may send a crossed cheque by post to Licensing office of OFCA or pay by PPS using the given bill number. The bill number (application reference number) will be displayed and emailed to you upon online submission.
- (d) For overseas applicant, payment can also be made by remittance through telegraph transfer. In addition to the permit issuance fees, any additional charge incurred in the remittance should be borne by the applicant. Please contact us for further details.

Offences in Law

9. It is an offence for any person to import/export radiocommunications transmitting apparatus without an appropriate licence or a permit in accordance with section 9 of the Ordinance. Under section 21 of the Ordinance, any person who

contravenes section 9 shall be liable, on summary conviction, to a fine of \$25,000 and to imprisonment for 12 months.

Enquiries

10. Please contact us if you have any enquiries.

E-mail : license.rdd@ofca.gov.hk

Fax : (852) 3155 0936

Telephone : (852) 2961 6724

Address : OFCA Licensing Unit, 26/F, Wu Chung House, 213 Queen's Road East, Wanchai, Hong Kong.

Communications Authority