

Telecommunications (Amendment) Bill 2023 gazetted

The Government published in the Gazette today (December 1) the Telecommunications (Amendment) Bill 2023 (the Bill) to amend the Telecommunications Ordinance (Cap. 106) (TO) to provide legal basis for the Communications Authority (CA) to grant authorised access for mobile network operators to install and maintain mobile communications facilities (MCFs) in reserved space in specified new buildings.

"The amendment is to implement the initiative in the 2022 Policy Address to enhance the fifth generation (5G) mobile services infrastructure. The mobile communications network has become a basic necessity and is fundamental to further innovation and technological development. Given the nature of 5G, mobile network operators need to install more MCFs to achieve the construction of a comprehensive mobile network. The Bill would be crucial to the expansion of 5G network coverage in Hong Kong and the facilitation of Hong Kong's development into a smart city," a spokesman for the Commerce and Economic Development Bureau said.

The Government proposes that specified new buildings (including new commercial, industrial, residential and hotel buildings, as well as redeveloped buildings) under the Bill should reserve designated space where mobile network operators under authorisation can access, install and maintain MCFs at those areas. As far as the access to the specified new buildings for installation and maintenance of telecommunications facilities is concerned, the Bill will standardise the relevant arrangements which are applicable to mobile network operators and fixed network operators. Such designated space in specified new buildings will be exempted from the calculation of gross floor area.

To implement the proposal, apart from amending the TO, the CA will issue a code of practice to provide detailed information and guidance for mobile network operators, building developers, construction professionals, etc on the minimum standards and requirements of the infrastructure for the installation of MCFs in specified new buildings. Relevant government departments including the Buildings Department and the Lands Department will also revise administrative guidelines/codes of practice/practice notes under their respective purview to dovetail with the CA's promulgation of the code of practice.

In the course of implementing the related work, the Government conducted consultations from February to April this year and consulted the Legislative Council (LegCo) Panel on Information Technology and Broadcasting on the proposal on March 20, and received general support from the industry and LegCo members.

The Bill will be introduced into the LegCo for first reading on December

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