

# Telecommunications (Amendment) Ordinance 2024 gazetted

The Government published in the Gazette today (March 1) the Telecommunications (Amendment) Ordinance 2024 (the Amendment Ordinance) 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 (including new and redeveloped commercial, industrial, residential and hotel buildings). The above Amendment Ordinance was passed in the Legislative Council on third reading on February 21 this year.

"We are grateful to the Legislative Council for promptly scrutinising and passing the relevant bill, enabling the successful implementation of the initiative proposed in the 2022 Policy Address to enhance the fifth generation (5G) mobile services infrastructure, which helps institutionalising the arrangement for installing MCFs in specified buildings and streamlining the approval process, with a view to further expanding Hong Kong's 5G network coverage and facilitating Hong Kong's development into a smart city," a spokesman for the Commerce and Economic Development Bureau said.

To implement the Amendment Ordinance, 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 implement the relevant proposal.

Upon completion of the relevant work, the Secretary for Commerce and Economic Development will specify the commencement date of the relevant provisions by notice published in the Gazette to allow sufficient time for relevant stakeholders to prepare and adapt to the new requirements.

The Amendment Ordinance also adapts the Telecommunications Ordinance (Cap. 106) and its regulations to bring them into conformity with the Basic Law and with Hong Kong's status as a Special Administrative Region of the People's Republic of China. The relevant adaptation amendments commence with immediate effect.