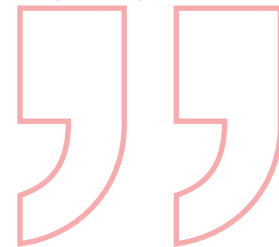


營運基金報告書  
Trading Fund Report



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2011年4月1日至2012年3月31日

For the period from 1 April 2011 to 31 March 2012

按照營運基金條例（香港法例第430章）第8條提交

Submitted pursuant to Section 8 of the Trading Funds Ordinance (Cap. 430)

## 抱負 VISION

電訊管理局的抱負清晰明確 — 要促使香港享有先進的電訊基建及一流的電訊服務，以面對資訊年代的挑戰，並致力增強香港作為亞太區電訊、廣播及互聯網樞紐的競爭力。電訊管理局的規管架構以開放市場、鼓勵競爭和保障消費者為基礎，以致力確保消費者能夠以合理的價格享用最多元化的優質電訊服務。

OFTA's VISION is clear and focused – to enable Hong Kong to have an advanced telecommunications infrastructure and the best telecommunications services to meet the challenges of the Information Age. We work to enhance the competitiveness of Hong Kong as the telecommunications, broadcasting and Internet hub in the Asia-Pacific region. Our regulatory regime is pro-liberalisation, pro-competition and pro-consumer, one which seeks to ensure that the widest range of quality telecommunications services are available to consumers at reasonable prices.

## 使命 MISSION

電訊管理局擁有一支服務忠誠的隊伍，肩負著共同的使命，致力提高香港社會的生活質素。作為電訊業的規管機構，電訊管理局強調要締造有利的環境，藉著採取有效措施確保公平競爭，既要保障消費者權益，也要維持商界對投資電訊基礎設施的意欲，從而保持香港作為電訊樞紐的優勢，推動商業發展。

OFTA's dedicated team is guided by a shared MISSION to improve the quality of life of our community. As the industry regulator, our focus is on cultivating a favourable environment where consumers' interest are protected, while commercial incentives to invest in the telecommunications infrastructure are preserved through measures to ensure fair competition, thereby maintaining our competitive edge as a pre-eminent telecommunications centre conducive to business development.

## 信念 VALUES

要達致上述目標，必須建立一支團結和靈活應變的隊伍。員工是我們最寶貴的資源。為實踐使命，電訊管理局人員均堅守正直忠誠、專業服務的信念，尊重客戶、員工以至整體社會，以積極進取的態度，採取迅速而有效的措施，以應付瞬息萬變的市場對規管架構所造成的衝擊。

None of the above is possible without a cohesive and versatile team. Our staff is our greatest asset. To achieve our mission, we uphold the VALUES of integrity, professionalism and respect for our clients, our staff and the community. We adopt a proactive attitude and react promptly and effectively to the rapidly changing market and the new demands on the regulatory framework.

# 1 總監報告 Message From the Director-General

## 電訊市場持續欣欣向榮

在剛過去一年，流動數據服務繼續推動本地電訊市場大幅增長。截至2012年3月，本港的每月數據用量已超逾5,000太字節，相當於2011年同期數據用量的2.1倍；流動服務普及率超逾210%，位居世界前列。在合共1,500萬個流動服務用戶中，3G或4G服務用戶有接近800萬個。4G服務的推出，令用戶在移動時所享用的數據速度可高達每秒100兆比特，而在固定位置時的數據速度更高達每秒一吉比特，大大提升用戶使用流動寬頻服務時的體驗。鑑於4G服務才剛於市面推出，我們預計這項服務會帶動本地流動通訊市場日後持續增長。

過去一年，不僅流動服務市場興旺，本地固網寬頻服務市場亦繼續蓬勃發展。截至2012年3月，香港有超過200萬個固定線路寬頻用戶，住宅寬頻普及率為87%，令本港在寬頻服務住戶比率方面，躋身全球領先大都會之列。事實上，就光纖到戶和光纖到樓網絡覆蓋而言，光纖到戶議會(Fiber-to-the-Home Council)於2012年2月公布，在最少有1%住戶獲光纖到樓服務供應商提供服務的30個經濟體系中，香港排行第三（僅次於韓國和阿拉伯聯合酋長國）。

## 確保實施保障消費者權益的有效措施

本地電訊市場生氣勃勃、變化多姿，競爭非常激烈，但我們決不可因而自滿，故步自封。我們一直密切監察市場的急速發展，確保適時實施有效措施，以配合市場發展和維護消費者權益。

在2011年，服務供應商實施公平使用政策時欠缺透明度受到公眾廣泛關注。在公平使用政策下，服務供應商可於客戶的數據用量超出某個上限時，通過減慢其數據接達速度以施



加服務限制。服務供應商普遍實施公平使用政策，以確保客戶可享有接達其服務的公平機會，以及防止小部分客戶濫用服務的可能。然而，消費者一般並不知道服務供應商實施公平使用政策。因應公眾的關注，我們在2011年11月公布《就提供流動及固網寬頻服務實施公平使用政策的指引》（《公平使用政策指引》），指引清楚列明服務供應商應如何實施公平使用政策的規管原則。《公平使用政策指引》在2012年2月起生效，服務供應商必須全面遵從。我們會密切監察服務供應商遵從指引的情況，並向不遵從指引營運商採取規管行動。

## Telecommunications Market Continues to Prosper

Continued to be driven by mobile data service, the growth of the local telecommunications market remained strong in the past year. As at March 2012, our monthly data usage exceeded 5,000 terabytes, representing a 2.1-fold increase over the volume in the same period in 2011. Our mobile penetration rate exceeded 210%, one of the highest in the world. Almost eight million of our mobile service users are 3G or 4G service subscribers, out of a total of 15 million. The launch of 4G service, which provides data speed of up to 100 megabits per second (Mbps) while the users are on the move, and up to 1 gigabit per second (Gbps) while stationary, has greatly enhanced user experience in deploying the mobile broadband services. As the 4G service has just made its debut, we anticipate that this will be the driving force for the future growth of the local mobile market.

Apart from the booming mobile market, the local fixed broadband service also continued to prosper in the past year. As at March 2012, there were over two million fixed-line broadband subscribers in Hong Kong, with a household broadband penetration rate of 87%, making us one of the leading metropolitans in the world in terms of the percentage of households subscribing to broadband services. Indeed, in terms of coverage of fibre-to-the-home (FTTH) and fibre-to-the-building (FTTB) network, Hong Kong was ranked number three (behind Korea and the United Arab Emirates) by the Fiber-to-the-Home Council in February 2012, among the 30 economies that have at least 1% of their households served by FTTB service providers.

## Ensuring Effective Measures to Protect Consumers' Interest

The local telecommunications market is dynamic, vibrant and highly competitive. We must not be complacent with our achievements, however. We have been monitoring closely the rapid market developments constantly, to ensure that effective measures are implemented in a timely manner so that we may keep abreast with these developments and uphold consumers' interest.

In 2011, there was widespread public concern on the lack of transparency of the Fair Usage Policy (FUP) implemented by service providers. Service restrictions imposed under the FUP can take the form of a reduced data access speed when data usage of a user exceeds a certain threshold. The FUP has been commonly applied by service providers to ensure that their customers could have a fair chance to access their services and to prevent possible abuses by a small number of customers. Consumers however were generally not aware of the FUP. In response to the public concern, we promulgated the "Guidelines for the Implementation of Fair Usage Policy for the Provision of Mobile and Fixed Broadband Services" (the FUP Guidelines) in November 2011, setting out clearly the principles governing how service providers should implement the FUP. The FUP Guidelines took effect from February 2012 and full compliance by service providers is mandatory. We will closely monitor the compliance status of service providers and take regulatory actions against any operator who fails to comply.

此外，在2011年10月，我們推出自願性質的《關於電訊服務帳單資料及收取帳款的實務守則》（《實務守則》），藉以提高電訊服務收費項目的透明度。大多數本地固定和流動網絡營辦商已承諾遵從該《實務守則》，而我們的網站亦會定期公布他們的遵從情況，讓公眾查閱。我們會密切監察實施《實務守則》的成效。

### 業界實施自行規管措施 以加強保障消費者

多年來，我們一直積極鼓勵業界採取自行規管措施，以加強保障消費者，而業界實施自願性質的《電訊服務合約業界實務守則》（《業界守則》）正標誌着一個新里程。《業界守則》由香港通訊業聯會於2010年年底發出。自2011年7月起，所有主要固定和流動網絡營辦商及一家主要對外電訊服務營辦商已遵從《業界守則》和實施所需措施，讓消費者在簽訂新服務合約或續訂合約時可享有更佳保障。《業界守則》反映服務供應商致力保障消費者權益和減少有關合約事宜的消費者投訴。我們會與業界保持緊密聯繫，以確保《業界守則》的有效實施。

自2011年6月開始，在香港通訊業聯會的協助和支持下，所有主要固定和流動網絡營辦商均已參與另一項有關人對人促銷電話的自行規管計劃。該計劃的目的是鼓勵電訊營辦商實施措施，以盡量減少促銷電話對市民造成的滋擾。為配合業界這項措施，我們亦已加強公眾教育活動，向市民講解該自行規管計劃的內容，並告知他們如何避免接收人對人促銷電話。

電訊服務營辦商與客戶之間的計帳爭議，是消費者投訴的其中一個主因。為解決有關問題，我們於2012年3月宣布將會設立自願性質的解決顧客投訴計劃，作為另類排解糾紛機制，以提供快捷、有效和具經濟效益的方法，解決陷於僵局的帳務糾紛。解決顧客投訴計劃獲得所有主要電訊服務供應商的響應。在香港通訊業聯會的支持下，一個代理機構將會成立，以管理和營運該計劃，而我們則會提供所需的經費及其他行政支援。我們預期於2012年下半年開展該計劃，先設兩年試驗期，隨後再決定未來路向。

對於業界予以支持和合作，為處理各類消費者事宜推出多項措施，我們感到欣慰。但我們沒有忽略消費者認知的重要



In October 2011, we launched another initiative by publishing a voluntary “Code of Practice in Relation to Billing Information and Payment Collection for Telecommunications Services” (the CoP), which aims to enhance the pricing transparency of chargeable telecommunications service items. Most of the local fixed and mobile network operators have pledged to comply and their compliance status will be published on our website regularly for public scrutiny. We will closely monitor the effectiveness of the CoP.

## **Self-Regulatory Measures Implemented by the Industry to Enhance Consumer Protection**

Over the years, we have been actively encouraging the industry to adopt self-regulatory measures to enhance consumer protection. The implementation of the voluntary “Industry Code of Practice for Telecommunications Service Contracts” (the Industry Code) represented a landmark development in this regard. The Industry Code was issued by the Communications Association of Hong Kong (CAHK) at the end of 2010. Effective since July 2011, all major fixed and mobile network operators and one major external telecommunications service operator have followed the Industry Code and implemented necessary measures to enhance consumer protection upon signing or renewal of service contracts. The Industry Code reflects the commitment of service operators to protecting consumers’ interest and reducing consumer complaints in relation to contractual matters. We will maintain a close dialogue with the industry to ensure the effective implementation of the Industry Code.

Beginning June 2011, with the assistance and support of CAHK, all major fixed and mobile operators participated in another self-regulatory scheme on person-to-person marketing calls. The objective of the scheme is to encourage telecommunications operators to implement measures to minimise nuisance caused by marketing calls to the public. Hand in hand with this industry initiative, we have also stepped up our public education campaigns to educate the public about the self-regulatory scheme and advise members of the public on how they may avoid receiving person-to-person marketing calls.

Billing disputes between telecommunications service operators and customers is one of the major causes for consumer complaints. To tackle this problem, we announced in March 2012 that a voluntary Customer Complaint Settlement Scheme (CCSS) would be set up as an alternative dispute resolution mechanism to provide a quick, effective and economical way to resolve deadlock billing disputes. The CCSS has gained support of all major telecommunications service providers. With the support of CAHK, an agent will be set up to manage and operate the CCSS, while we will provide the necessary funding and other administrative support. We expect the CCSS to commence operation in the second half of 2012. It will undergo a two-year trial period, before we decide on the way forward.

While we are grateful for the support and cooperation of the industry in introducing various measures to tackle a variety of consumer issues, we have not lost sight of the importance of keeping the consumers informed so that they may make judicious buying decisions and protect their own interests.

性，使他們可以作出明智而審慎的購買決定，並保障其權益。因此，我們在過去一年安排了多項消費者教育計劃及活動，包括播放電視宣傳短片、電台宣傳聲帶和一般短片，舉辦公眾講座、學校講座和巡迴展覽。為教導公眾如何精明使用電訊服務，我們日後會繼續這方面的工作。

## 因應市場轉變進行規管檢討

### 檢討本地接駁費

我們不時進行檢討，確保我們的規管架構能配合市場發展。在過去一年，我們完成對本地接駁費規管制度的檢討，當中考慮到自從於1999年開放對外服務市場以來，本地和對外電訊服務市場所經歷的重大轉變。我們在兩輪業界諮詢後，於2011年12月發出有關新的本地接駁費制度的電訊管理局局長聲明（電訊局長聲明）。

在新制度下，固定和流動網絡營辦商為最終用戶傳送撥出及撥入的對外通訊，均享有收取本地接駁費的權利，而本地接駁費的水平由互連雙方按商業協議釐定。新制度會在18個月過渡期後，於2013年7月1日起實施。

### 3G牌照的安排

四家流動網絡營辦商於2001年獲指配1.9至2.2吉赫頻帶內的無線電頻譜，以提供3G服務，指配期將於2016年10月屆滿。根據2008年1月發出的電訊局長聲明，若這些指配有所更改，這些營辦商應於頻率指配期屆滿前最少三年獲通知。就頻率指配期屆滿後的頻率指配安排，我們已於2012年3月進行第一輪諮詢。我們計劃在2013年10月前就未來路向作出決定，而在此之前會進行另一輪諮詢。

### 發放無線電頻譜以應付市場需求

有見及公眾對公共流動電訊服務的需求日增，我們會適時經拍賣發放無線電頻譜。我們於2012年2月舉行拍賣，發放2.3吉赫頻帶內的90兆赫無線電頻譜，兩家固有流動網絡營辦商和一家新營辦商成功投得有關頻譜，頻譜使用費總額為港幣4億7,000萬元。為了指配2.5／2.6吉赫頻帶內的50兆赫無線電頻譜以進一步發展4G服務，我們會於2013年第一季進行另一次拍賣。



In this connection, we organised a large number of consumer education programmes and activities in the past year, including the broadcast of TV and radio Announcements of Public Interests (APIs), short videos, arranging public seminars, school talks and roving exhibitions. We will continue our effort to educate the public on how to use telecommunications services smartly.

## Conducting Regulatory Reviews to Cope with Market Changes

### ***Review of Local Access Charge (LAC)***

We continue to conduct reviews to ensure that our regulatory framework keeps in pace with market developments. In the past year, we completed a review of the LAC regulatory regime, taking into account the significant changes in the local and external telecommunications market that had taken place since the liberalisation of the external service market in 1999. Following two rounds of industry consultation, we issued a Statement of the Telecommunications Authority (TA Statement) in December 2011 setting out a new regime for LAC.

Under the new regime, both fixed and mobile network operators are entitled to receive LAC for the conveyance of external telecommunications traffic to and from end users, and the level of LAC payment is subject to commercial negotiations by interconnecting parties. The new regime will take effect from 1 July 2013 after a transitional period of 18 months.

### ***Arrangements for 3G Licences***

The radio spectrum in the 1.9 – 2.2 GHz band was assigned in 2001 to four network operators for the provision of 3G services. These assignments will expire in October 2016. According to the TA Statement issued in January 2008, these operators should be notified, at least three years in advance, if their frequency assignments were to be varied upon expiry. In March 2012, we conducted the first round of consultation about the arrangements of these frequency assignments upon their expiry. We plan to conduct another round of consultation before a decision is to be made by October 2013 on way forward.

### ***Release of Radio Spectrum to Meet Market Demands***

In view of the increasing demand for public mobile services, we release radio spectrum on a timely basis through auctions. In February 2012, an auction was conducted for the release of 90 MHz of radio spectrum in the 2.3 GHz band. The spectrum was successfully acquired by two incumbent mobile network operators and a new entrant for a total spectrum utilisation fee of HK\$470 million. We will hold another auction on the assignment of 50 MHz of radio spectrum in the 2.5/2.6 GHz band for the further development of 4G services in the first quarter of 2013.

## 就調查反競爭和具誤導性或欺騙性行為 的程序進行修訂

自有關競爭（《電訊條例》第7K、7L和7N條）和具誤導性或欺騙性的行為（《電訊條例》第7M條）的條文於2000年制定後，我們累積了更多處理相關個案的經驗，因而對應如何處理關乎這些條文的投訴程序進行了檢討。諮詢工作在2012年1月進行。我們考慮過諮詢所得的意見後，於2012年3月公布經修訂的程序。

## 多項專才人員應付規管方面的挑戰

我們所有工作成果，實有賴全體專業和支援人員努力耕耘所致。由於科技與市場發展迅速，為有效應付由此帶來在規管方面的挑戰，擁有一支具備不同專長（如法律、經濟、會計、財務和資訊科技）的專業規管人員隊伍，實屬非常重要的。於2011年11月獲立法會批准後，我們在電訊管理局（電訊局）開設了新的規管事務經理公務員職系。招募工作現正進行中，我們預期第一批新聘人員會於2012年第四季上任。

## 邁進新的規管年代

因應廣播業與電訊業匯流的全球趨勢，新的規管機構通訊事務管理局（通訊局）將於2012年4月1日成立，作為整個電子通訊業的單一規管機構。通訊事務管理局辦公室（通訊辦）是通訊局的執行部門，會於同日設立，並由電訊局與影視及娛樂事務管理處（影視處）轄下有關科別合併而成。在通訊辦成立後，本人會擔任通訊事務總監一職。因此，這是電訊局最後一份營運基金報告，也是本人以電訊管理局總監的身分發表的最後一份報告。

在邁向新的規管時代之際，本人想藉此機會感謝電訊局的同事自電訊局於1993年成立以來的努力和貢獻。過去18年來，全體同事齊心協力，使本地電訊市場全面開放，並落實在規管方面的其他重要變革。本人亦感謝業界堅定地支持我們鼓勵競爭的政策和市場主導的方針。本港具競爭力的電訊市場發展確實取得驕人成就，令人嘖嘖稱奇，在其他先進的經濟體系中傲視同儕。展望未來，本人深信通訊辦定能繼往開來，得到各方支持。

### ***Updating Procedures on Investigating Anti-competitive and Misleading or Deceptive Conduct***

With more experience in handling cases related to competition (sections 7K, 7L and 7N of the Telecommunications Ordinance) and misleading and deceptive conduct (section 7M of the Telecommunications Ordinance) since the enactment of the relevant provisions in 2000, we carried out a review of the procedures as to how we should handle complaints related to these provisions. A consultation was conducted in January 2012. Having considered the views received from the consultation, we issued the revised procedures in March 2012.

### **Multi-disciplinary Staff to Meet Regulatory Challenges**

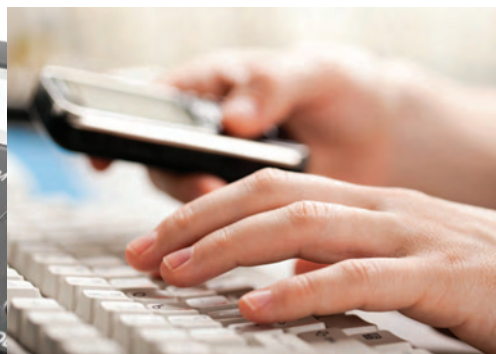
We could not have attained all our achievements without a dedicated team of professional colleagues and supporting staff. To cope effectively with the regulatory challenges which arise from the rapid technological and market developments, it is important to ensure that we are equipped with a team of multi-disciplinary regulatory staff with expertise in different areas, such as law, economics, accounting, finance and information technology. With the approval from the Legislative Council in November 2011, we created a new civil service grade of Regulatory Affairs Manager in the Office of the Telecommunications Authority (OFTA). The recruitment exercises are currently ongoing and we expect that the first batch of new recruits will report duty in the fourth quarter of 2012.

### **Embarking on a New Regulatory Age**

In view of the worldwide trend of broadcasting and telecommunications convergence, a new unified regulatory body, the Communications Authority (CA), will be established on 1 April 2012 as a unified regulator for the entire electronic communications sector. Its executive arm, the Office of the Communications Authority (OFCA), formed by merging OFTA and the relevant divisions of the Television and Entertainment Licensing Authority (TELA), will be set up on the same day. With the establishment of OFCA, I will assume the post of the Director-General of Communications. This is therefore the last OFTA Trading Fund Report, and this will also be the last report that I present in my capacity as the Director-General of Telecommunications.

As we embark on a new regulatory epoch, I wish to take this opportunity to thank my colleagues at OFTA for their dedication and hard work since 1993, when OFTA was first established. Over the past 18 years, their concerted effort has made the full liberalisation of the local telecommunications market and the implementation of other significant regulatory changes a reality. I also wish to thank the industry for their unfailing faith in our pro-competition policy and market-driven approach. The development of our competitive telecommunications market has indeed been phenomenal and successful, out of all expectation. Indeed, we are the envy of other advanced economies. I am confident that the future OFCA will continue to enjoy the support of all parties concerned in the years ahead.

## 2 自1993年電訊管理局成立以來 香港電訊業發展大事回顧 Major Developments in the HK Telecommunications Industry since OFTA's Establishment in 1993



### 1993

- 首家互聯網服務供應商獲發牌照，提供商業互聯網服務
- 環球流動通訊系統(GSM)公共流動服務在香港推出

### 1995

- 本地固網電話市場逐步開放
- 電話號碼由七位數字改為八位數字
- 全球首項碼分多址聯接制式(CDMA)公共流動電話服務在香港推出

### 1997

- 固網電話號碼可攜服務全面推行
- 全部六家個人通訊服務(PCS)牌照持牌商在香港推出服務

### 1998

- 寬頻互聯網服務在香港推出
- 隨着流動服務全面數碼化，流動服務市場的競爭更趨激烈
- 政府與香港國際電訊有限公司就提早終止其對外電訊服務的專營牌照達成協議

### 1999

- 開放對外電訊服務市場
- 推出流動電話號碼可攜服務

### 2000

- 開放對外電訊設施市場
- 《2000年電訊(修訂)條例》獲得通過，加入了保障電訊業競爭的條文

### 2001

- 跨網流動短訊服務在香港推出
- 在香港進行首次頻譜拍賣，四家營辦商獲發3G流動服務牌照

### 2003

- 電訊市場全面開放，固網牌照的發牌數目不設上限

### 2004

- 每秒100兆比特和每秒1,000兆比特住宅寬頻服務在香港推出
- 《電訊條例》作出修訂，加入規管電訊業合併和收購活動的條文

### 2005

- 發出新的固定傳送者牌照，撤銷香港電話有限公司價格須獲事先批准的規定，由「事先規管」轉為「事後規管」

### 2006

- 首個高速下傳分組接入(HSDPA)流動寬頻網絡在香港推出

### 2007

- 《非應邀電子訊息條例》全面實施

### 2008

- 全面撤銷電話機樓層面的強制性第二類互連
- 推出綜合傳送者牌照，讓設施營辦商可在單一和靈活的發牌架構下提供固網、流動或匯流服務

### 2009

- 放寬規管固定及流動互連費
- 推出經修訂的服務營辦商牌照，作為規管所有以服務為本的公共電訊服務的單一牌照
- 拍賣2.5至2.6吉赫頻帶內的無線電頻譜，以提供4G流動服務

### 2010

- 拍賣678至686兆赫頻帶內的無線電頻譜，以提供廣播類流動電視服務



### 1993

- The first Internet service provider licensed to provide commercial Internet services
- Global System for Mobile Communications (GSM) public mobile service launched in Hong Kong

### 1995

- Progressive liberalisation of the local fixed-line market
- Change of telephone numbers from seven to eight digits
- The world's first Code Division Multiple Access (CDMA) public mobile service launched in Hong Kong

### 1997

- Full portability of fixed telephone numbers implemented
- Services of all six Personal Communications Services (PCS) licensees launched in Hong Kong

### 1998

- Broadband Internet services launched in Hong Kong
- Full digitalisation of mobile services with the emergence of a highly competitive mobile service market
- Agreement reached between the Government and Hong Kong Telecom International on early termination of its exclusive licence for external telecommunications services

### 1999

- Liberalisation of the external telecommunications service market
- Implementation of mobile number portability

### 2000

- Liberalisation of the external telecommunications facilities market
- Telecommunications (Amendment) Ordinance 2000 passed with provisions to safeguard competition in the telecommunications industry

### 2001

- Inter-operator mobile short messaging service launched in Hong Kong
- Four operators awarded 3G licences through the first spectrum auction ever conducted in Hong Kong

### 2003

- Full liberalisation of the telecommunications market with no limit on the number of fixed-line licences granted

### 2004

- 100 Mbps and 1000 Mbps residential broadband services launched in Hong Kong
- Telecommunications Ordinance amended to include provisions to regulate mergers and acquisitions in the telecommunications industry

### 2005

- Lifting of the prior-approval requirement on PCCW-HKT Telephone Limited's prices via the issue of a new Fixed Carrier Licence to shift from the *ex ante* to the *ex post* regulatory approach

### 2006

- The first High Speed Downlink Packet Access (HSDPA) mobile broadband network launched in Hong Kong

### 2007

- Full implementation of the Unsolicited Electronic Messages Ordinance

### 2008

- Withdrawal of mandatory Type II interconnection at the telephone exchange level completed
- Implementation of a Unified Carrier Licence which enables facility-based operators to provide fixed, mobile or converged services under a single and flexible licensing framework

### 2009

- De-regulation of the Fixed Mobile Interconnection Charge
- Implementation of a modified Services-Based Operator Licence as a single licensing vehicle to regulate all kinds of service-based provision of public telecommunications services
- Auction of spectrum in the 2.5 – 2.6 GHz bands for 4G mobile services

### 2010

- Auction of spectrum in the 678 – 686 MHz band for the provision of broadcast-type mobile TV services



## 2 2011／12年度大事概覽 Highlights of the Year 2011/12

05/2011

電訊局委託顧問就下一代網絡對香港電訊規管架構的影響進行研究。

OFTA commissioned a consultancy study on the implications of Next Generation Network (NGN) on the telecommunications regulatory framework in Hong Kong.

07/2011

所有主要固定與流動網絡營辦商和一家主要對外電訊服務營辦商開始推行《電訊服務合約業界實務守則》。根據該守則，電訊用戶的權益獲更佳保障。

All major fixed and mobile network operators and one major external telecommunications services operator started to implement the “Industry Code of Practice for Telecommunications Service Contracts”. Under the code, the rights and interests of telecommunications users would be better safeguarded.

09/2011

商務及經濟發展局與電訊局聯合宣布，決定對以行政方法指配的非政府用途頻譜施加頻譜使用費。

The Commerce and Economic Development Bureau (CEDB) and OFTA jointly announced the decision to impose the Spectrum Utilisation Fee (SUF) on non-government uses of administratively assigned radio spectrum.

11/2011

電訊局向固網和流動寬頻服務供應商發出一套指引，指導他們如何實施公平使用政策，並提高服務資訊的透明度，以協助消費者作出選擇。服務供應商自2012年2月起必須遵循指引的規定。

OFTA issued a set of guidelines to provide guidance to fixed and mobile broadband services providers on how they may implement the FUP and to enhancing the transparency of service information to facilitate consumer choices. Service providers are required to comply with the guidelines on a mandatory basis starting from February 2012.



電訊管理局局長（電訊局長）發出一份聲明，闡述其就新本地接駁費規管制度的實施所作決定及有關安排。在新制度下，固定和流動網絡營辦商均享有收取本地接駁費的權利，而在訂定本地接駁費水平方面，則按市場主導模式，由互連雙方按商業協議釐定。待18個月過渡期結束後，新制度會於2013年6月30日實施。

The Telecommunications Authority (TA) issued a statement setting out his decisions and the arrangements regarding the implementation of the new LAC regulatory regime. Under the new regime, both fixed and mobile network operators are entitled to collect LAC, and a more market-oriented approach has also been adopted whereby the level of LAC will be set by commercial negotiations between the interconnecting parties. The new regime will come into effect on 30 June 2013 after an 18-month transitional period.

12/2011

電訊局拍賣2.3吉赫頻帶內合共90兆赫的無線電頻譜，頻譜使用費總額為港幣4億7,000萬元，以提供寬頻無線接達服務。

OFTA auctioned off a total of 90 MHz of radio spectrum in the 2.3 GHz band, fetching a total sum of SUF of HK\$470 million for the provision of broadband wireless access services.

02/2012

電訊局長於其聲明中支持業界推行自願性的解決顧客投訴計劃，試驗計劃為期兩年。該計劃旨在於司法制度以外，提供快捷、有效和具經濟效益的方法，解決電訊服務供應商與客戶之間陷於僵局的帳務糾紛。該計劃預期於2012年下半年開始運作。

The TA set out in his statement his support for the implementation of a voluntary CCSS by the industry with a two-year trial period. The voluntary scheme aims to provide a quick, effective and economical way to resolve deadlock cases of billing disputes between telecommunications service providers and customers outside the judicial system. The scheme is targeted to commence operation in the second half of 2012.

03/2012

# 3

## 迎接新興先進電訊服務的挑戰 Meeting the Challenges of Emerging Advanced Telecommunications Services

### 流動服務市場持續興旺 與4G技術的發展

本港流動服務持續蓬勃發展。截至2012年3月，流動服務用戶共有約1,530萬個，普及率達215.3%。本港每月流動數據使用量於2012年3月增加至5,045太字節，與2011年和2010年同期的流動數據使用量比較，分別增加2.1倍和5.8倍。每名2.5G/3G/4G流動服務用戶的平均每月數據使用量為588兆字節。

本港全部五家流動網絡營辦商均提供2G和3G服務，其中一家更於2011年5月推出在2.5/2.6吉赫頻帶內採用長期演進(LTE)技術的4G服務，讓流動服務用戶可享用速度高達每秒100兆比特的數據下傳服務。隨着市面上推出多種高速流動數據服務，用戶可透過互聯網下載和上傳大型檔案，並經由流動裝置享用更快和更高質素的視像串流和上網服務。我們於2012年2月成功拍賣在2.3吉赫頻帶內的無線電頻譜，讓流動網絡營辦商可繼續使用最先進的流動寬頻技術，並提供所需的網絡容量，以應付流動數據服務的持續增長。

### 固網寬頻服務與寬頻電視服務的 平穩發展

使用寬頻上網接達各項應用程式及內容服務，已成為本港市民日常生活的一部分。寬頻服務覆蓋全面，透過有線或無線技術傳送，消費者無論在家中、辦公室或戶外，幾乎隨處都能享用寬頻上網。截至2012年3月，本港約有230萬個住宅及商業固定線路寬頻用戶，住宅普及率為87%。寬頻服務的速度由每秒1.5兆比特至每秒1吉比特不等。根據光纖到戶議會於2012年2月公布的全球排名，在最少有1%住戶獲光纖到戶或光纖到樓服務供應商提供服務的30個經濟體系



夏勇權 先生  
副總監  
Mr Y K HA  
Deputy Director-General

中，香港有45%住戶連接光纖到戶或光纖到樓網絡，排行全球第三，僅次於韓國和阿拉伯聯合酋長國。目前寬頻電視(IPTV)服務持續增長，截至2011年年底，本港有接近130萬名用戶。

### 完成本地接駁費規管制度的檢討工作

經過兩輪業界諮詢後，本地接駁費安排的檢討工作已經完成。2011年12月23日，電訊局長發出有關新的本地接駁費制度的聲明。在新制度下，固定和流動網絡營辦商為最終用戶傳送撥出及撥入的對外電訊通訊時，均享有收取本地接駁費的權利，而本地接駁費的水平由互連雙方按商業協議釐定。新制度會在為期18個月的過渡期後，於2013年7月1日起實施。我們會在過渡期間密切監察互連雙方就本地接駁費進行商業協議的進展。

## Mobile Market Continues to Flourish and 4G Developments

Mobile services in Hong Kong have continued to flourish. By March 2012, the number of mobile service subscribers reached almost 15.3 million, representing a penetration rate of 215.3%. The monthly mobile data usage in Hong Kong surged to 5,045 terabytes in March 2012, which was 2.1 times and 5.8 times the mobile data usage recorded during the same period in 2011 and 2010 respectively. The average monthly data usage volume for each 2.5G/3G/4G mobile user stood at 588 megabytes.

All five mobile network operators in Hong Kong are providing 2G and 3G services, and one of them has also launched 4G services utilising Long Term Evolution (LTE) technology in the 2.5/2.6 GHz band in May 2011. This has enabled mobile service subscribers to enjoy data downlink speeds of up to 100 Mbps. With a wide range of high-speed mobile data services available in the market, subscribers are able to download and upload large files via the Internet and enjoy faster and better quality video-streaming and web-browsing on mobile devices. With the successful auction of the radio spectrum in the 2.3 GHz band in February 2012, mobile network operators will be able to continue to deploy state-of-the-art mobile broadband technologies and provide the necessary network capacities to maintain the growth momentum of this booming service.

## Steady Growth of Fixed Broadband and Internet Protocol Television Services

Broadband access to various applications and content services has become an integral part of the life of people in Hong Kong. With the ubiquitous availability of broadband services, whether delivered through wireline or wireless technologies, consumers are able to enjoy broadband access almost everywhere, at home, in the office or outdoors. As of March 2012, there were around 2.3 million residential and commercial fixed-line broadband subscribers, with a



household penetration rate of 87%. Broadband services are available at speeds that range from 1.5 Mbps to 1 Gbps. According to the worldwide ranking published by the Fiber-to-the-Home Council in February 2012, Hong Kong, with 45% of the household connected to FTTH or FTTB networks, ranks number three worldwide (behind Korea and United Arab Emirates) among the 30 economies that have at least 1% of their households served by FTTH or FTTB service providers. Meanwhile, Internet Protocol Television services continued to grow, with the number of subscribers reaching almost 1.3 million at the end of 2011.

## Review of the LAC Regulatory Regime Completed

The review of the LAC arrangement was completed following two rounds of industry consultation. On 23 December 2011, the TA issued a statement setting out his decision on a new regime for LAC, under which both fixed and mobile network operators are entitled to receive LAC for the conveyance of external telecommunications services traffic to and from end users, and the level of LAC payment would be subject to commercial negotiations by interconnecting parties. The new LAC regime will be effective from 1 July 2013 after a transitional period of 18 months. We will closely monitor the progress of commercial negotiations among the interconnecting parties on LAC during the transitional period.



### 3 迎接新興先進電訊服務的挑戰 Meeting the Challenges of Emerging Advanced Telecommunications Services

#### 就下一代網絡對香港電訊服務規管架構的影響的顧問研究

傳統的電訊網絡基本上為提供單一服務而設計，這種設計局限了電訊網絡的服務範圍，同時延長推出新服務所需的時間。隨着新科技的面世，我們可以建立單一的網絡，用以提供多元化服務，包括話音電話服務、數據服務、電視服務和其他多媒體服務等。這些新網絡通稱為下一代網絡，提供了一個開放式平台，讓服務供應商可開發嶄新服務及應用程式，並與客戶建立直接關係。下一代網絡與傳統電訊網絡的封閉式平台截然不同，因為傳統電訊網絡上的服務大多由網絡營辦商自行提供。

多年以來，香港電訊服務的規例都是基於傳統的單一服務網絡而制定。為了解下一代網絡對市場參與者和最終用戶的影響，並找出現行規管架構需要作出哪些改變以順應下一代網絡時代，我們於2011年5月委託顧問進行研究，全面檢視下一代網絡發展對香港電訊服務規管的影響。該項顧問研究已於2012年1月完成。

我們已要求相關工作小組和諮詢委員會討論顧問所建議的各項技術事宜。其中部分建議涉及檢討現行法例，或需時完成。我們會審慎考慮有關事宜，再制訂建議以諮詢持份者。

#### 香港用戶繳付最低廉的電訊服務費用

根據電訊局於2011年5月發表的收費基準比較的國際研究結果，香港的住戶與商業用戶整體上所繳付的電訊費用，與另外六個城市比較，最為低廉。這項研究由電訊局委託顧問進行，比較了香港與哥本哈根、倫敦、紐約、上海、新加坡和東京的固定及流動話音服務、固定及流動寬頻服務、專用線路和收費電視服務的價格。就某些服務而言，香港用戶所繳付的費用，低至其他城市用戶所付的十分之一而已。

電訊局曾於2003、2005和2008年委託顧問進行類似研究，連同是次研究，這些研究全都確認香港多年來一直是價格最相宜的電訊服務市場之一，證明我們鼓勵競爭的政策與市場主導的方針行之有效，為香港帶來價格相宜的優質電訊服務。

#### 成立通訊局及通訊辦的籌備工作

為應付電訊業與廣播業匯流對規管工作所帶來的挑戰，政府決定成立通訊局，作為兩個行業的單一規管機構。通訊局將會由政府部門通訊辦作為其執行部門提供支援，而通訊辦會由電訊局與影視處轄下有關科別合併而成。

通訊局作為單一規管機構，會為解決匯流環境下的規管問題提供一站式服務，並承擔和行使廣播事務管理局（廣管局）和電訊局長獲賦予的所有現有職能和權力。《通訊事務管理局條例草案》目的是要設立單一規管機構，於2011年6月獲得通過，並會於2012年4月1日實施，而通訊局及通訊辦會於同日投入運作。



## **Consultancy Study in relation to Implications of NGN on the Regulation of Telecommunications Services in Hong Kong**

Traditional telecommunications networks are primarily designed for the provision of a single service. This limits the service scope of a telecommunications network and prolongs the time required for introduction of new services. The advent of new technologies has made it possible to build a single network for the provision of a variety of services, including voice telephony, data, television and other multimedia services. Such new networks, commonly referred to as NGN, serve as an open platform through which service providers are able to develop innovative services and applications, and establish direct relationship with their customers. This contrasts with the closed platform of traditional telecommunications network upon which the bulk of services are normally provided by the network operator itself.

Throughout the years, regulations for telecommunications services in Hong Kong have been developed based on traditional single-service networks. With a view to identifying the implications of NGN on market players and end users and to ascertaining the changes that are necessary to keep the existing regulatory framework in pace with the NGN era, we commissioned a study in May 2011 to review in a holistic manner the implications of NGN development on the regulation of telecommunications services in Hong Kong. The consultancy study was completed in January 2012.

We have tasked the relevant working group and advisory committees to discuss the various technical issues as recommended by the consultant. Some recommendations relate to the review of the current legislation and may take time to complete. We will carefully consider the issues before we devise proposals for consultation with the stakeholders.

## **Hong Kong Users Pay the Lowest Telecommunications Service Charges**

According to the results of a study on international tariff benchmarking released by OFTA in May 2011, residential and business users in Hong Kong generally paid the lowest telecommunications charges compared with their counterparts in six other cities under comparison. Commissioned by OFTA, the study compared the tariffs of fixed and mobile voice services, fixed and mobile broadband services, leased lines and pay-TV services between Hong Kong and those in Copenhagen, London, New York, Shanghai, Singapore and Tokyo. For certain services, the charges paid by Hong Kong users were as low as one-tenth of those in the other cities.

Similar studies were commissioned in 2003, 2005 and 2008. All these studies, together with the latest one, have affirmed Hong Kong's consistent position over the years as one of the most affordable markets for telecommunications services. This demonstrates the success of our pro-competition policy and pro-market approach in encouraging the provision of quality telecommunications services at affordable prices.

## **Preparation for the Establishment of CA and OFCA**

To meet the regulatory challenges arising from the convergence of the telecommunications and broadcasting industries, the Government has decided to set up a unified regulator, the CA, for the two sectors. A Government department, viz OFCA, will provide support to the CA as its executive arm. OFCA will be formed by merging OFTA and the relevant divisions of TELA.

The CA, as a unified regulator, will serve as a one-stop-shop for resolving regulatory issues in a converging environment and will assume all the functions and powers currently conferred on the Broadcasting Authority (BA) and the TA. The Communications Authority Bill, which aims at establishing the unified regulator,

### 3 迎接新興先進電訊服務的挑戰 Meeting the Challenges of Emerging Advanced Telecommunications Services

通訊辦是通訊局的執行部門，以營運基金的方式運作。於通訊辦成立後，現有電訊局營運基金將會轉傳至通訊辦，並改稱為通訊辦營運基金。部門首長為通訊事務總監，由一名公務員出任。通訊局及其執行部門的運作模式，與廣管局和影視處轄下的廣播事務管理科的現有安排大致上相同。

在籌備通訊局及通訊辦成立的過程中，我們一直與商務及經濟發展局和影視處緊密協作。政府採取循序漸進方式成立單一規管機構。在首階段，通訊局會於2012年4月1日成立，《廣播條例》與《電訊條例》下有關廣播和電訊的現行規管及發牌安排不會即時有所改變。在次階段，商務及經濟發展局會與通訊局磋商（由通訊辦提供支援），全面檢討上述兩條條例和現行的規管制度。

#### 開設新的公務員職系 — 規管事務經理

科技與市場高度發展和日趨複雜，為應付由此帶來在規管方面的挑戰，我們需要一支具備多項專長包括法律、經濟、會計、財務、工商管理、資訊科技和電子工程範疇的規管隊伍。立法會財務委員會已於2011年11月批准開設新的公務員職系 — 規管事務經理。我們現正作出所需安排，以期在2012年第四季或之前聘用第一批規管事務經理。



通訊事務管理局會於2012年4月1日成立，成為電訊業與廣播業的單一規管機構。

On 1 April 2012, the Communications Authority will be established as a unified regulatory body overseeing the telecommunications and broadcasting sectors.



was passed in June 2011, to be brought into operation on 1 April 2012. The CA together with OFCA are to commence their operations on the same date.

Serving as the executive arm of the CA, OFCA will operate on a trading fund basis. The existing OFTA Trading Fund will be rolled over and renamed as OFCA Trading Fund upon the establishment of OFCA. The department will be headed by a civil servant, the Director-General of Communications. The mode of operation of the CA and its executive arm will be largely modelled on the existing arrangements of the BA and the Broadcasting Division of TELA.

We have been working in close collaboration with the CEDB and TELA to prepare for the establishment of CA and OFCA. A staged approach in building up the institution of the unified regulator is adopted. At the first stage, the CA will be established on 1 April 2012 with no immediate changes to the existing regulatory and licensing arrangements for broadcasting and telecommunications under the Broadcasting Ordinance and

Telecommunications Ordinance. In stage two, the CEDB will in consultation with CA (with the support of OFCA) carry out a holistic review of the two Ordinances and the existing regulatory regimes.

## **Creation of New Civil Service Grade of Regulatory Affairs Manager**

To cope with regulatory challenges arising from the increasing complexity and sophistication of technological and market developments, we require a dedicated team of multi-disciplinary regulatory staff with expertise in the fields of law, economics, accounting, finance, business administration, information technology and electronic engineering. The Finance Committee of the Legislative Council has given its approval in November 2011 for the creation of a new civil service grade of Regulatory Affairs Manager. We are making the necessary arrangements with a view to bringing in the first intake of Regulatory Affairs Manager by the fourth quarter of 2012.

# 4

## 回應用戶對電訊服務的需求 Meeting Users' Demands for Telecommunications Services

### 加強保障使用電訊服務的消費者

#### 持續實施避免流動通訊「帳單震撼」的措施

近年，隨着智能電話和先進流動裝置日趨普及，流動數據用戶和相關的數據用量大幅增加。與此同時，有關流動寬頻服務帳單爭議的消費者投訴數字自2009年年底開始上升，情況持續至2010年。這些投訴通稱為流動通訊「帳單震撼」，即用戶因收到的流動通訊服務帳單款額遠高於預期而感受到的震撼。一些消費者遇到流動通訊「帳單震撼」的主因，是他們在本地或海外使用漫遊服務時，不經意或不自覺地使用了數據服務。

為解決流動通訊「帳單震撼」投訴不斷增加的問題，我們與業界在2010年5月公布一系列預防措施，包括：容許用戶選擇取消個別服務、設立收費上限、為各類根據用量收費的流動服務設立用量上限，以及向用量達到預定水平或正啟動漫遊數據服務的用戶發出提示短訊。

除這些措施外，我們亦舉辦了一系列消費者教育活動，以加深消費者對流動數據服務的認識。於2011年12月，我們在電訊局網站推出數據用量計算機，讓消費者估算其數據用量。

由於流動網絡營辦商實施避免流動通訊「帳單震撼」的措施，加上我們推行的消費者教育工作，有關流動數據服務帳單爭議的投訴數字於2011年較2010年減少33%。



劉光祥 先生  
助理總監（規管事務）  
Mr Danny LAU  
Assistant Director (Regulatory Affairs)

#### 公平使用政策指引

流動及固網寬頻服務供應商向消費者提供各式各樣的服務計劃，包括「無限」用量計劃。然而，該些「無限」用量計劃通常受服務供應商以「公平使用政策」為名而施加的限制。舉例說，對於數據用量超出指定上限的客戶，服務供應商會通過減慢其接達速度以施加限制。服務供應商實施公平使用政策，主要是要確保整體客戶可享受使用和接達其服務的公平機會，以及防止小部分客戶濫用服務。

儘管如此，消費者一般並不知道公平使用政策的存在，亦不了解相關條款及條件。對於無限用量服務計劃的用戶來說，當他們的用量受公平使用政策限制時，尤其感到不忿。

## Strengthening Consumer Protection for Use of Telecommunications Services

### ***Ongoing Implementation of “Mobile Bill Shock” Preventive Measures***

In recent years, we have witnessed a significant surge in the number of mobile data users and corresponding data usage volume as smart phones and advanced mobile devices become increasingly popular. At the same time, the number of consumer complaints relating to mobile broadband billing disputes has also been on the rise since the end of 2009, and continued through to 2010. These complaints are commonly referred to as “mobile bill shock”, i.e. the shock consumers experience upon receiving unexpectedly high mobile bill charges. Some consumers also experienced “mobile bill shock” due mainly to unintentional or inadvertent usage of data service, locally or while roaming overseas.

To address the rising number of complaints related to “mobile bill shock”, we promulgated with the industry a series of preventive measures in May 2010, including: allowing customers to opt-out of individual services; setting a charge ceiling; setting a usage cap for all kinds of usage-based mobile services; and alerting customers through short messages when their pre-determined usage threshold is reached, or when their roaming data usage is being triggered.

Along with these measures, we also organised a series of consumer education activities to increase consumer awareness of mobile data services. In December 2011, a data usage calculator was introduced on our website to facilitate consumers to estimate their data usage consumption.

With the implementation of the “mobile bill shock” measures by mobile network operators and our consumer education efforts, the number of bill dispute complaints on mobile data services in 2011 has decreased by 33% when compared with that of 2010.



有關流動數據服務帳單爭議的投訴數字於2011年大幅回落，可見我們就流動通訊「帳單震撼」問題所實施的措施奏效。

*The significant drop of complaints relating to billing disputes over mobile data services in 2011 has proved the success of our measures in mitigating the “mobile bill shock” problem.*

### ***The FUP Guidelines***

Mobile and fixed broadband service providers offer a variety of service plans for consumers, including “unlimited” usage plans. However, these “unlimited” usage plans are often subject to limitations, in the name of FUP, imposed by service providers. For example, service providers may impose restrictions through reducing access speed for customers whose data usage has exceeded a specified threshold. Service providers apply FUP mainly to ensure their customers as a whole may have a fair opportunity to enjoy and access their services and to prevent possible abuses by a small number of customers.

Nevertheless, consumers in general are not aware of the existence of FUP, nor do they understand the respective terms and conditions. Users of unlimited service plans in particular feel aggrieved when their data usage is subject to restrictions due to the FUP.

## 4 回應用戶對電訊服務的需求 Meeting Users' Demands for Telecommunications Services

為了保障消費者權益和提高服務資訊的透明度，我們於2011年11月公布了《公平使用政策指引》，以規管服務供應商如何實施其公平使用政策。《公平使用政策指引》清楚列明公平使用政策實施的原則如下：

- 服務供應商不得向無限本地數據服務計劃的用戶施加任何限制，包括任何形式的公平使用政策；
- 服務供應商推廣名稱包含「無限」一詞的服務計劃時，如實施任何形式的公平使用政策，必須在宣傳及銷售資料中說明有關的條件規限；
- 服務供應商須在其網站、客戶服務協議和相關的宣傳及銷售資料載列其計劃是否須受公平使用政策約束、所實施的公平使用政策形式等；
- 在簽訂任何合約前，服務供應商須先向客戶清楚說明服務計劃會否受公平使用政策約束。如受約束，則須說明政策啟動機制和所實施的限制形式；
- 雖然服務供應商可對服務水平作出限制，但限制方式不得與一般客戶通常理解的何謂寬頻服務相違；
- 服務供應商單方面更改公平使用政策的主要條款前，須給予客戶充分通知；
- 公平使用政策不應夾雜其他不關乎該政策的條文；以及
- 服務供應商啟動公平使用政策前，須給予過高用量的客戶事先通知，並須應要求提供數據用量的詳細記錄。

這份強制性的《公平使用政策指引》在2012年2月13日生效。

### 關於電訊服務帳單資料及收取帳款的實務守則 (《實務守則》)

為提高電訊服務收費項目的透明度，我們於2011年10月發出《實務守則》，就帳單所需包括的資料類別和收取帳款安排提供指引，以供營辦商自願遵從。

截至2012年3月，大部分本地固定和流動網絡營辦商已承諾遵從《實務守則》。為了讓客戶作出明智選擇，各營辦商的遵從情況會在我們的網站上公布。我們會密切監察《實務守則》的實施情況和成效。



In order to protect consumers' interest and enhance the transparency of service information, we promulgated in November 2011 the FUP Guidelines governing how service providers should implement their FUP. The FUP Guidelines set out clearly the following principles governing the application of FUP:

- Service providers shall not impose any limitations, including any forms of FUP on subscribers of unlimited local data service plans;
- Service providers promoting service plans with the word "unlimited" included in the name thereof shall set out clearly in the advertising and sales materials the necessary qualifications if any form of FUP is applicable;
- Service providers shall set out in their websites, customer service agreements and related advertising and sales materials whether their plans are subject to FUP, the forms of FUP applicable etc;
- Service providers shall clearly advise customers before any contracts are concluded whether their service plans are subject to FUP, and if so, the triggering mechanism and the forms of restrictions applicable;
- Service providers may only restrict service levels in such a manner that commensurate with what an average customer would normally perceive as a broadband service;
- Service providers shall give customers sufficient notice before varying unilaterally the salient terms specified in the FUP;

- FUP shall not be intermixed with provisions unrelated to FUP; and
- Service providers shall provide advance notice to customers with excessive usage before triggering FUP, and provide detailed record of data usage upon request.

The mandatory FUP Guidelines have come into effect on 13 February 2012.

### ***Code of Practice in Relation to Billing Information and Payment Collection for Telecommunications Services (the CoP)***

With a view to enhancing the transparency of pricing of chargeable items in telecommunications services, we issued the CoP in October 2011. The CoP provides guidelines on the kind of information to be included in the bills as well as arrangements for payment collection, for compliance by operators on a voluntary basis.

As of March 2012, the majority of local fixed and mobile network operators have pledged compliance with the CoP. To enable customers to make informed choices, the compliance status of individual operators will be published on our website. We will closely monitor the implementation and effectiveness of the CoP.



## 4 回應用戶對電訊服務的需求 Meeting Users' Demands for Telecommunications Services

### 與業界協作實施自行規管措施的成果

#### 電訊服務合約業界實務守則（《業界守則》）

我們於2010年2月2日發出自願性的《有關通訊服務合約的實務守則》，以保障消費者權益和回應其就通訊服務合約事宜的投訴。該實務守則旨在向業界提供擬訂通訊服務合約的指引，屬自願遵守性質。業界組織香港通訊業聯會參考了我們的實務守則，於2010年12月公布業界自行規管的《業界守則》。

由2011年7月起，所有主要的固定和流動網絡營辦商及一家主要的對外電訊服務營辦商已實施所需措施，以遵從《業界守則》。推行《業界守則》是保障消費者權益的一項重要成果，個人或住宅用戶在簽訂新服務合約或續訂現有合約時可獲得更佳保障。《業界守則》亦反映了香港電訊業界重視消費者權益，努力減少有關合約事宜的消費者投訴和爭議。

我們會密切監察《業界守則》的實施情況，並與業界保持緊密聯繫。

#### 收費流動內容服務守則

我們與業界緊密合作，訂立了一份屬自願性質的《收費流動內容服務守則》，以保障消費者權益和增加流動內容服務收費資料的透明度。《收費流動內容服務守則》由香港通訊業聯會於2010年1月11日公布和實施，規管第三方內容服務供應商提供流動內容服務，並制定業界自行規管計劃。《收費流動內容服務守則》要求所有第三方內容供應商為客戶提供流動內容服務前，須向他們清楚表明該服務屬於收費服務；就所有收費提供清晰資料；要得到客戶明確同意訂用服務，以及訂出清晰和方便的終止訂用服務安排。



《電訊服務合約業界實務守則》於2011年7月起實施，令消費者在簽訂新服務合約或續訂現有合約時得到更佳保障。

The "Industry Code of Practice for Telecommunications Service Contracts" was implemented in July 2011 to afford consumers better protection when they enter into a new contract or renew their existing contracts.

為確保《收費流動內容服務守則》獲得遵從，該守則訂明成立行政機構，負責評估內容供應商在遵從該守則規定方面的能力，確保他們履行承諾，並藉着持續抽查及處理投訴，監察他們有否遵從該守則。內容供應商須從行政機構獲取有關提供流動內容服務及計帳服務的合格證明書，而流動網絡營辦商只會與獲取合格證明書的內容供應商簽訂商業合約。截至2012年3月底，行政機構共發出16份合格證明書。

自實施《收費流動內容服務守則》後，電訊局在2011年收到的相關投訴，較2010年減少50%以上，反映自願性質的《收費流動內容服務守則》能有效處理消費者關注的事宜。



## **Achievements of Collaboration with the Industry in Implementing Self-regulatory Measures**

### ***Industry Code of Practice for Telecommunications Service Contracts (the Industry Code)***

On 2 February 2010, we issued a voluntary “Code of Practice for Communications Service Contracts” to protect consumers’ interest and address consumer complaints on contractual matters for communications services. The code of practice aims to provide guidelines for the industry in drawing up communications service contracts on a voluntary compliance basis. Having made reference to our code of practice, CAHK, an industry body, promulgated a self-regulatory Industry Code in December 2010.

With effect from July 2011, all major fixed and mobile network operators and one major external telecommunications services operator have implemented the necessary measures for complying with the Industry Code. The implementation of the Industry Code is a major achievement in the protection of consumers’ interest. Personal or residential users are afforded with better protection when they enter into a new contract or renew their existing contracts. It also reflects that the Hong Kong telecommunications industry attaches a great deal of importance to protecting consumers’ interest and is making enormous efforts to reduce consumer complaints and disputes in relation to contractual matters.

We will closely monitor the implementation of the Industry Code and maintain a close dialogue with the industry.

### ***Code for the Provision of Chargeable Mobile Content Services (the MCS Code)***

Working closely with the industry, we have drawn up a voluntary MCS Code to protect consumers’ interest and increase the transparency of the charging information of Mobile Content Service (MCS). The MCS Code governs the practices of third party Content Service Providers (CSP) in providing the MCS and the setting up of an industry self-regulatory scheme. It was promulgated and put into effect by CAHK on 11 January 2010. The MCS Code requires all third-party CSPs to clearly indicate to customers the chargeable nature of the services, provide them with clear information on all charges, obtain clear consent from them for using the MCS, and set out clear and convenient unsubscription arrangements, before commencing the provision of MCS.

In order to ensure compliance, the MCS Code provides for the establishment of an Administrative Agency (AA), to be responsible for assessing the capability of CSPs and securing their pledges in complying with the requirements in the MCS Code, and monitoring their compliance through random checks and complaint handling on an ongoing basis. A mobile network operator may only enter into a commercial contract with a CSP which has obtained a Letter of Positive Assessment (LPA) from the AA, on the delivery and billing services in respect of MCS. As of the end March 2012, the AA has issued a total of 16 LPAs.

Since the adoption of the MCS Code, the number of related complaints received by OFTA in 2011 has decreased by more than 50% when compared with the number in 2010, reflecting that the voluntary MCS Code is working positively to address consumer concerns.

## 4 回應用戶對電訊服務的需求 Meeting Users' Demands for Telecommunications Services

### 電訊業人對人促銷電話自行規管計劃

在香港通訊業聯會的協助下，所有主要固定和流動網絡營辦商均已參與一項有關人對人促銷電話的自行規管計劃，並於2011年6月公布相關的實務守則。

我們已發出消費者注意事項，向公眾講解電訊業採納的自行規管計劃，讓他們知道如何避免接收人對人促銷電話。我們會監察電訊業實施該項計劃的成效。

### 新的海底電纜系統在香港登陸

年內，我們繼續向海底電纜系統營辦商提供綜合聯絡服務，並在兩個新的海底電纜系統，即Asia Submarine-Cable Express (ASE系統) 和Southeast Asia Japan Cable (SJC系統)，於香港登陸時所需的法定批准過程中向有關營辦商提供協助。由於獲得相關政府部門及有關方面積極配合，處理申請進展理想。ASE系統和SJC系統的安裝工程將於2012年稍後時候展開，預計兩個系統均會於2013年投入服務。

與此同時，一個新的海底電纜登陸站正在將軍澳興建，是香港第七個海底電纜登陸站，供ASE系統登陸。該新登陸站不但為香港的海底電纜登陸站增加整體容量，還可加強登陸站的整體分流能力。待該登陸站與兩個新海底電纜系統建成後，會進一步鞏固香港作為亞太區電訊和互聯網樞紐的地位。



### 流動電視服務

為了讓營辦商能使用廣播類點對多點技術，把視聽內容發送至更多消費者，我們於2010年6月拍賣678至686兆赫頻帶內的無線電頻譜，以提供廣播類流動電視服務。成功競投人於2012年2月推出服務。截至2012年3月，該項服務覆蓋本港超過65%的人口，並可使用各種支援中國移動多媒體廣播標準的流動裝置接收。

根據廣播類流動電視服務發展的相關規管框架，本地廣播類和串流類的流動電視服務內容只須受一般法例規管，而非受《廣播條例》規管。為實行自我規管，業界須制訂提供流動電視服務的業務守則。除其他條文外，業務守則會訂明限制接收的規定，以維護公眾道德和保護兒童。

業界已於2012年3月制訂業務守則，待流動電視服務供應商於2012年8月落實限制接收色情內容有關措施後，業務守則會隨之生效。

### ***Self-Regulatory Scheme for Person-to-person Marketing Calls for the Telecommunications Sector***

With the assistance of CAHK, all major fixed and mobile operators joined the self-regulatory scheme and published their codes of practice on person-to-person marketing calls in June 2011.

We have issued consumer tips to inform and educate the public about the self-regulatory scheme set up by the telecommunications sector so that members of the public may know how to avoid receiving person-to-person marketing calls. We will keep in view the implementation of the scheme in the telecommunications sector.

### **Landing of New Submarine Cable Systems in Hong Kong**

During the year, we continued to provide a single-point-of-contact service to the submarine cable system operators, assisting in particular two operators in their applications for necessary statutory approvals for the landing of two new submarine cable systems, namely the Asia Submarine-Cable Express (ASE) and the Southeast Asia Japan Cable (SJC), in Hong Kong. The processing of the applications is progressing well with active contribution from relevant Government departments and parties. The installation works for the ASE and SJC will commence later in 2012, and both systems are planned to be ready for service in 2013.

In parallel, a new submarine cable landing station, representing the seventh submarine cable landing station in Hong Kong, is being built in Tseung Kwan O for the landing of the ASE. This new station will not only increase Hong Kong's overall submarine cable landing station capacity, but will also enhance the overall diversity of the landing stations. This, coupled with the two new submarine cable systems, will further strengthen Hong Kong's position as the telecommunications and Internet hub for the Asia-Pacific region.

### **Mobile TV Services**

To enable the use of broadcast-type point-to-multipoint technologies which deliver audio-visual content to a much larger number of consumers, the radio spectrum in the 678 – 686 MHz band was auctioned in June 2010 for the provision of broadcast-type mobile TV services. The services were launched by the successful bidder in February 2012. As of March 2012, the services covered more than 65% of the Hong Kong population and can be received by a variety of mobile devices supporting the China Mobile Multimedia Broadcasting (CMMB) standard.

According to the relevant regulatory framework for the development of broadcast-type mobile TV services, the content of mobile TV, either local broadcast-type or streaming-type, should be subject to regulations by general laws but not the Broadcasting Ordinance. To enable self-regulation, the industry is required to develop a code of practice on the provision of mobile TV services. The code of practice would include inter-alia the requirement of access control with a view to protecting public morals and children.

The industry formulated the code of practice in March 2012, which will become effective when the mobile TV service provider puts in place the relevant access control measures for pornographic content in August 2012.

# 5

## 管理無線電頻譜 保持技術優勢

## Managing the Radio Spectrum and Sustaining Technical Excellence

### 對以行政方法指配的頻譜徵收使用費

政府於2007年4月公布的《無線電頻譜政策綱要》訂明，頻譜使用費原則上適用於所有非政府用途的無線電頻譜。對以行政方法指配的頻譜施加頻譜使用費，目的是以最具經濟和社會效益的方法運用頻譜，為社會帶來最大裨益。就建議收費計劃進行的公眾諮詢於2011年2月結束後，商務及經濟發展局局長與電訊局長於2011年9月就此事發表聯合聲明。供固定鏈路、電子新聞採訪／外勤廣播鏈路和衛星上傳鏈路使用的八條頻帶屬於擁擠頻帶，使用這些頻帶內的頻譜將須繳付頻譜使用費。為實施這項計劃，政府現正著手修訂《電訊條例》的有關附屬法例。

### 拍賣無線電頻譜以促進流動服務的發展

2011年11月11日，我們公布發放2.3吉赫頻帶內90兆赫無線電頻譜以供拍賣的詳情。拍賣於2012年2月完成，兩家固有流動網絡營辦商和一家新營辦商成功投得相關無線電頻譜，頻譜使用費總額為港幣4億7,000萬元。

2011年12月29日，我們就指配2.5／2.6吉赫頻帶內的50兆赫無線電頻譜，以進一步在香港發展4G公共流動通訊服務，諮詢業界及有興趣人士。經考慮諮詢所得的意見及建議後，我們會就指配無線電頻譜決定拍賣和發牌安排的詳情。如決定進行拍賣，預計可於2013年第一季進行。

### 有關3G頻譜的檢討

目前，流動數據服務主要通過1.9至2.2吉赫頻帶內的3G頻譜提供。於2001年10月，2 x 60兆赫的3G頻譜經拍賣指配予四家流動網絡營辦商，每家營辦商獲指配2 x 15兆赫頻譜，有效期為15年。該四家提供3G流動服務的流動網絡營辦商是香港移動通訊有限公司、Hong Kong Telecommunications (HKT) Limited、和記電話有限公司和數碼通電訊有限公司。所有3G頻率的指配將於2016年10月21日到期。

根據《無線電頻譜政策綱要》，在牌照或頻率指配期屆滿時，持牌人不應對牌照或指配期獲得續期，或對牌照或指配期獲得續期的優先權，抱有任何合理期望。此外，在2008年1月發出的電訊局長聲明規定，如更改或撤回指配予傳送者牌照的頻譜安排，在可能的情況下會給予最少三年的通知期，也即是說，就3G頻譜而言，最遲應於2013年10月給予有關通知。



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助理總監（執行）  
Mr T F SO  
Assistant Director (Operations)

為啟動檢討程序，商務及經濟發展局與電訊局於2012年3月聯合展開諮詢，就在3G流動服務現有頻率指配到期後有關1.9至2.2吉赫頻帶頻譜的安排，徵詢業界及其他相關各方的意見。諮詢文件建議三個方案，目的是在有效競爭的流動市場的背景下能夠確保善用頻譜和提供不間斷的客戶服務。我們計劃進行兩輪諮詢以決定未來路向。

### 繼續擴展數碼地面電視覆蓋

作為政府的技術顧問，我們負責向政府提供有關廣播事務的技術支援，並促進數碼地面電視服務的發展。截至2011年12月，位於鴨脷洲（香港仔）、照鏡環山、275號山（大嶼山）、297號山（元朗）、九華徑、薄扶林、深井、東涌和營盤的九個新數碼地面電視發射站投入運作，連同於2011年前設立的20個數碼地面電視發射站，於2012年3月，數碼地面電視服務已覆蓋全港超過96%人口。

各廣播機構會在2012年和2013年繼續提升其現有發射網絡，把服務覆蓋範圍進一步擴展。

## **SUF for the Administratively-assigned Spectrum**

Promulgated by the Government in April 2007, the Radio Spectrum Policy Framework stipulates that the SUF applies in principle to all non-government uses of spectrum. The objective of imposing the SUF on administratively-assigned radio spectrum is to facilitate the most economical and socially efficient use of radio spectrum in order to maximize benefits for the community. Following a public consultation on the proposed charging scheme that was completed in February 2011, the Secretary for Commerce and Economic Development and TA jointly issued a statement on the subject in September 2011. Eight frequency bands used for fixed links, electronic news gathering/outside broadcast links and satellite uplinks are identified as congested bands and the use of spectrum in these frequency bands will be subject to SUF payment. To implement the scheme, the Government is making arrangements for the necessary amendments to the subsidiary legislation under the Telecommunications Ordinance.

## **Auction of the Radio Spectrum to Enhance Development of Mobile Services**

On 11 November 2011, we published details of an auction for the release of 90 MHz of radio spectrum in the 2.3 GHz band. The auction was completed in February 2012 and the relevant radio spectrum was successfully acquired by two existing mobile network operators and a new entrant for a total SUF of HK\$470 million.

On 29 December 2011, we consulted the industry and interested parties on the assignment of 50 MHz of radio spectrum in the 2.5/2.6 GHz band for the further development of 4G public mobile communications services in Hong Kong. After considering the views and comments received from the consultation, we will decide the detailed auction and licensing arrangements for the assignment of the radio spectrum. If an auction is to be conducted, it is expected to take place in the first quarter of 2013.

## **3G Spectrum Review**

At present, mobile data services are primarily provided through 3G spectrum in the 1.9 – 2.2 GHz band. The 2 x 60 MHz of

3G spectrum was assigned through auction to four mobile network operators in October 2001, at 2 x 15 MHz each for a tenure of 15 years. The four mobile network operators providing 3G mobile services are CSL Limited, Hong Kong Telecommunications (HKT) Limited, Hutchison Telephone Company Limited and SmarTone Mobile Communications Limited. All the 3G frequency assignments will expire on 21 October 2016.

According to the Radio Spectrum Policy Framework, there is no legitimate expectation on the part of the operators that there will be any right of renewal or right of first refusal of any licence or frequency assignment upon its expiry. Furthermore, the TA Statement issued in January 2008 requires that, insofar as it is practicable in the circumstances, a notice period of not less than three years would be given for variation or withdrawal of spectrum assignment to carrier licences, i.e. in this case by October 2013 at the latest.

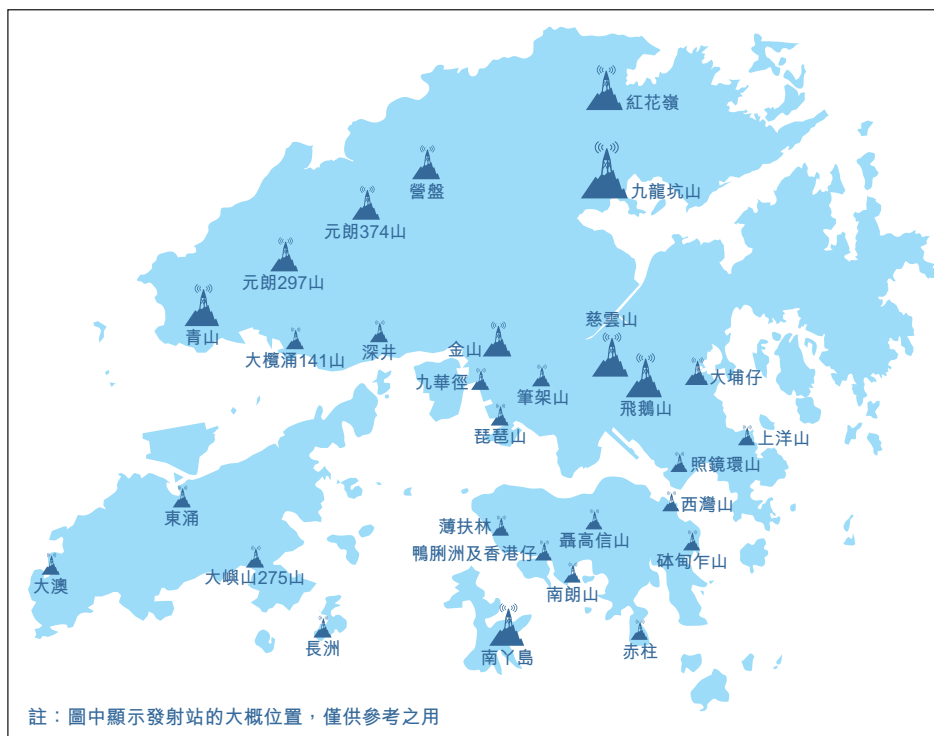
To kick off the review process, the CEDB and OFTA jointly launched a consultation in March 2012 to solicit views from the industry and other interested parties on arrangements for the frequency spectrum in the 1.9 – 2.2 GHz band upon the expiry of the existing frequency assignments for 3G mobile services. Three options were proposed in the consultation paper, with the aim to ensuring efficient spectrum utilisation and customer service continuity in an effectively competitive mobile market. We plan to conduct two rounds of consultation on the way forward.

## **Continuous Rollout of Digital Terrestrial Television (DTT) Services**

As its technical advisor, we provide technical assistance to the Government on broadcasting matters and facilitate the development of DTT services. As at December 2011, nine new DTT transmitting stations located at Ap Lei Chau (Aberdeen), Chiu Keng Wan Shan, Hill 275 (Lantau Island), Hill 297 (Yuen Long), Kau Wa Keng, Pok Fu Lam, Sham Tseng, Tung Chung and Ying Pun came into operation. Together with the other 20 DTT transmitting stations built before 2011, DTT service covered over 96% of Hong Kong's population in March 2012.

The broadcasters will continue to optimise their transmitting network during 2012 and 2013 for further extension of the service coverage.





截至2011年12月，本港共有29個數碼地面電視發射站，令數碼地面電視服務覆蓋本港超過96%的人口。

By December 2011, 29 DTT transmitting stations were established in Hong Kong, bringing DTT service coverage to over 96% of Hong Kong's population.

## 數碼聲音廣播發射站投入服務

於2011年3月，行政長官會同行政會議向香港數碼廣播有限公司、新城廣播有限公司和鳳凰優悅廣播有限公司發出聲音廣播牌照，讓其在香港提供數碼聲音廣播服務。這些持牌機構與香港電台共用一條頻帶III數碼頻道，以提供合共18條數碼聲音廣播節目頻道。2012年3月，位於筆架山、九龍坑山、金山、飛鵝山、南丫島和歌賦山的六個主要數碼聲音廣播發射站已投入運作，餘下位於青山的一個主要發射站將於2012年5月啟用。部分節目頻道已開始試播，而數碼聲音廣播營辦商現正計劃增設四個輔助發射站，以改善覆蓋和室內接收情況。

## 為處理新本地免費電視節目服務牌照的申請提供技術支援

廣管局已處理三項分別由城市電訊（香港）有限公司、奇妙電視有限公司和香港電視娛樂有限公司提交的本地免費電視節目服務牌照申請，並向行政長官會同行政會議提出建議。我們已向廣管局提供技術意見，以協助其處理有關申請。

## 本地認證機構獲認可提供電訊設備測試和驗證服務

為了配合國際最佳做法，由2009年10月1日開始，原先由我們負責的電訊設備測試和驗證服務已移交予合資格的本地測試實驗所。這些實驗所獲電訊局長認可為本地認證機構，可提供全面的電訊設備測試和驗證服務。截至2012年3月，我們已批准共五家本地認證機構在本港提供電訊設備測試和驗證服務。我們在2011年年初進行檢討後，於2011年10月撤銷對本地認證機構收費的價格管制，使這些機構能在更有效競爭的環境下提供測試和驗證服務。

為確保提供電訊設備測試和驗證服務的所有本地認證機構符合電訊局訂下的服務質素及表現標準，我們會繼續密切監察認證機構的表現，包括定期查核文件、視察實驗所和覆檢他們的工作。目前，所有本地認證機構的表現均符合電訊局的標準。

## 電訊設備的技術規格

我們一直監察電訊技術標準化的國際發展趨勢，並更新本地技術標準，以滿足業界和公眾的需要。於2011/12年度，我們發出了共30份有關技術標準化事宜的文件諮詢業界，電訊局長亦批准和發出了11項新訂或經修訂的技術標準。



## **Launch of Service of Digital Audio Broadcasting (DAB) Transmitting Stations**

In March 2011, the Chief Executive in Council granted sound broadcasting licences to Digital Broadcasting Hong Kong Limited, Metro Broadcast Corporation Limited and Phoenix U Radio Limited to provide DAB services in Hong Kong. These licensees share one Band III multiplex with Radio Television Hong Kong (RTHK) to provide a total of 18 DAB programme channels. In March 2012, six principal DAB transmitting stations located at Beacon Hill, Cloudy Hill, Golden Hill, Kowloon Peak, Lamma Island and Mount Gough came into operation. The remaining principal transmitting station at Castle Peak will begin operation in May 2012. Trial broadcast of some of the programme channels has already begun. The DAB operators are planning for the construction of four additional fill-in stations to improve the coverage and indoor reception.

## **Technical Support for Processing Applications for New Domestic Free TV Programme Service Licences**

The BA has processed three applications for domestic free television programme service licences from City Telecom (HK) Limited, Fantastic Television Limited and HK Television Entertainment Company Limited and submitted recommendations to the Chief Executive in Council. We assisted the BA in processing these applications by offering advice on technical aspects.

## **Accreditation of Local Certification Bodies for Testing and Certification of Telecommunications Equipment**

To keep in pace with international best practices, commencing 1 October 2009, the testing and certification services for telecommunications equipment, which were previously provided by us, were transferred to qualified local testing laboratories (LTLs). LTLs accredited by the TA as local certification bodies (LCBs) can offer a full range of telecommunications equipment testing and certification services. By March 2012, we have accredited a total of five LCBs to provide telecommunications equipment testing and certification services in Hong Kong. The price control on fee set by LCBs was lifted in October 2011 following a review in early 2011 in order to allow for more effective competition in the provision of testing and certification services.

To ensure that all LCBs providing telecommunications equipment testing and certification services meet the service quality and performance standards prescribed by OFTA, we will continue to closely monitor the performance of LCBs by conducting documentary checks, plant visits and reviews on a regular basis. So far all LCBs have been performing up to OFTA's standard.

## **Technical Specifications for Telecommunications Equipment**

We are constantly monitoring international developments in telecommunications standardisation and updating local technical standards in order to meet the needs of the industry and the public. In 2011/12, a total of 30 papers were issued to consult the industry on matters related to standardisation, and 11 new or revised technical standards were approved and issued by the TA.

# 6

## 維持市場有效競爭 加強保障消費者 Maintaining Effective Market Competition and Enhancing Consumer Protection

### 調查具誤導性或欺騙性的行為

《電訊條例》第7M條禁止電訊牌照持有人作出具誤導性或欺騙性行為，我們根據這項條文的規定，於2011年4月1日至2012年3月31日期間處理了49宗投訴個案。當中，有三宗個案證實違反《電訊條例》。我們已向違例者施加罰款，款額由港幣8萬元至12萬元不等。

### 調查反競爭行為

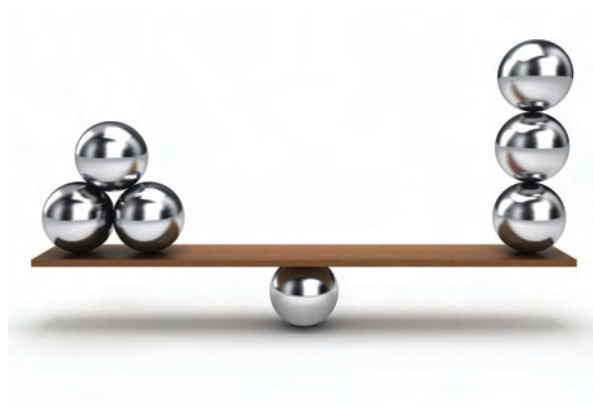
《電訊條例》第7K、7L和7N條禁止電訊牌照持有人作出反競爭行為，我們根據這些條文的規定，於2011年4月1日至2012年3月31日期間處理了一宗投訴個案。經詳細考慮後，我們沒有就這宗個案展開調查。同期，我們亦根據《電訊條例》第7P條考慮了一宗個案，該項條文規管傳送者牌照持有人的收購與合併活動，結論是根據第7P條該個案並不涉及規管關注。

### 調查反競爭和具誤導性或欺騙性行為的程序

我們在2012年1月進行諮詢，就《電訊條例》第7K、7L和7N條與第7M條的條文，檢討現有的投訴處理程序。我們考慮過諮詢所得的意見及建議後，於2012年3月公布經修訂的程序。

### 解決顧客投訴計劃

我們於2012年3月發出聲明，載列電訊局長就推出解決顧客投訴計劃的結論，而該計劃目的是在司法制度以外處理電訊服務糾紛的另類排解糾紛機制。因應於2010年進行的公眾諮詢，以及與電訊業進一步磋商的結果，我們支持推行由營辦商自願參與的解決顧客投訴計劃，試驗期為兩年。自願性質的解決顧客投訴計劃旨在提供快捷、有效和具經濟效益的方法，解決電訊服務供應商與其住宅／個人客戶之間陷於僵局的帳務糾紛，獲所有主要電訊服務供應商廣泛支持。



代表通訊業持份者的香港通訊業聯會，已表明願意擔任解決顧客投訴計劃的代理機構，負責管理和營運計劃。我們會贊助自願解決顧客投訴計劃，向計劃代理機構提供所需經費及行政支援，以確保計劃有效運作。我們的目標是於2012年下半年以試驗形式開展該項計劃，但須視乎與香港通訊業聯會就實施安排進一步磋商的結果而定。待兩年試驗期過後，我們會評估解決顧客投訴計劃的成效和公眾對該計劃的需求，以決定未來路向。

### 建議修訂《商品說明條例》

於2012年2月，政府向立法會提交《2012年商品說明（不良營商手法）（修訂）條例草案》，以打擊不良營商手法，加強保障消費者。該條例草案建議修訂《商品說明條例》（第362章），擴大禁止不良營商手法的範圍至服務範疇，並加強執法機制。執行現有《商品說明條例》的香港海關會負責就建議的增訂罪行進行執法工作，而電訊局長（以及將接掌電訊局長職能的通訊局）會根據經修訂的《商品說明條例》就關乎提供電訊服務的不良營商手法獲授予共享管轄權。條例草案亦建議，待經修訂的《商品說明條例》規管不良營

## **Investigating Misleading or Deceptive Conduct**

During the period of 1 April 2011 to 31 March 2012, we handled 49 complaint cases under section 7M of the Telecommunications Ordinance, which prohibits misleading or deceptive conduct by telecommunications licensees. Three of these complaint cases were confirmed as infringements of the Telecommunications Ordinance with financial penalties ranging from HK\$80,000 to HK\$120,000 imposed on the offenders.

## **Investigating Anti-competitive Conduct**

During the period of 1 April 2011 to 31 March 2012, we handled one complaint under sections 7K, 7L or 7N of the Telecommunications Ordinance, which prohibit anti-competitive conduct by telecommunications licensees. After due consideration, no investigation was opened on the case. During the same period, we also considered one case under section 7P of the Telecommunications Ordinance, which regulates merger and acquisition activities involving a carrier licensee, and concluded that no regulatory concern was raised under section 7P.

## **Procedures on Investigating Anti-competitive and Misleading or Deceptive Conduct**

We carried out a consultation in January 2012 on the review of the existing procedures for handling complaints under sections 7K, 7L and 7N of the Telecommunications Ordinance and the provisions under section 7M. Having considered the views and comments received from the consultation, the revised procedures were promulgated in March 2012.

## **CCSS**

We issued a statement in March 2012 setting out the TA's conclusion concerning the introduction of a CCSS as an alternative dispute resolution mechanism to handle

telecommunications service disputes outside the judicial system. Having conducted a public consultation in 2010 and as a result of further discussion with the telecommunications industry, we supported the implementation of a CCSS with voluntary participation by operators with a two-year trial period. The voluntary CCSS has received widespread support from all the major telecommunications service providers and it aims at providing a quick, effective and economical way to resolve deadlock cases of billing disputes between telecommunications service providers and their residential/personal customers.

CAHK, who represents the stakeholders in the communications industry, has indicated willingness to act as a CCSS agent to manage and operate the CCSS. We will sponsor the voluntary CCSS by providing the necessary funding and other administrative support to the CCSS agent to ensure the effective running of the scheme. Subject to further discussion with CAHK on the implementation arrangements, our target is to commence the trial of CCSS in the second half of 2012. After the two-year trial period, the effectiveness of the CCSS and the public demand for it will be assessed in deciding the way forward.

## **Proposed Amendments to the Trade Descriptions Ordinance (TDO)**

In February 2012, the Government introduced the Trade Descriptions (Unfair Trade Practices) (Amendment) Bill 2012 (the Bill) into the Legislative Council to further protect consumers against unfair trade practices. The Bill proposes amendment of the TDO (Cap. 362) by expanding the scope of prohibited unfair trade practices to cover services and enhancing the enforcement regime. While the Customs and Excise Department (C&ED), which currently enforces the TDO, will be tasked to enforce the proposed new offences, the TA (and the CA which will take over the powers of the TA) will be given concurrent jurisdiction under the amended

## 6 維持市場有效競爭 加強保障消費者 Maintaining Effective Market Competition and Enhancing Consumer Protection

商手法的新條文生效後，禁止電訊牌照持有人作出具誤導性或欺騙性行為的《電訊條例》第7M條，會在實行相關的過渡安排後予以廢除。

就我們將獲授予共享管轄權以執行新的消費者保障條文方面，我們一直與商務及經濟發展局和香港海關緊密協調和作出準備，待條例草案獲立法會通過後，執行新的條文。通訊辦會在通訊局成立後繼續負責有關工作。

### 協力引進跨行業競爭法

政府於2010年7月向立法會提交《競爭條例草案》，該條例草案建議推出跨行業的競爭法例，以禁止各行各業的反競爭行為，這些行為有妨礙、限制或扭曲競爭的目的或效果。根據有關建議，電訊局長（以及將接掌電訊局長職能的通訊局）會獲授予共享管轄權，以執行有關電訊持牌人（包括涉及傳送者牌照持有人的合併收購活動）的新競爭法，而目前《電訊條例》中適用於電訊方面的競爭條文，會在《競爭條例草案》制定成為法例和實行相關的過渡安排後予以廢除。

就我們將獲授予共享管轄權以執行新的跨行業競爭法方面，我們一直與商務及經濟發展局緊密協調，以籌備實施法例所需的各項工作。在通訊局成立後，通訊辦會繼續與負責的決策局和將根據新法例成立的競爭事務委員會合力處理有關工作。



消費者可使用我們製作的數據用量計算機，估算他們的數據用量。  
Consumers can use the data usage calculator developed by us to estimate the amount of their data usage.

### 光纖網絡接達樓宇登記計劃的進展

我們在2010年為連接光纖接達網絡的樓宇推出自願登記計劃。截至2012年3月，計劃的資料庫記錄了11,800幢住宅樓宇，已登記樓宇的業主有權使用由我們發出的光纖到樓或光纖到戶標籤。

### 推出數據用量計算機

香港的流動數據服務市場近年迅速增長。為協助消費者有效地管理其數據用量，我們在網站製作了數據用量計算機供公眾使用，流動服務用戶可利用計算機估算他們每月所需的數據用量。

TDO in respect of unfair trade practices relating to the provision of telecommunications services. It is also proposed in the Bill that upon commencement of the new unfair trade practices provisions in the amended TDO, section 7M of the Telecommunications Ordinance, which prohibits misleading or deceptive conduct of telecommunications licensees, will be repealed, subject to transitional arrangements.

In view of the concurrent jurisdiction to enforce the new consumer protection provisions, we have been closely coordinating with the CEDB and C&ED in preparation for the implementation of the new provisions upon passage by the Legislative Council. OFCA will continue with the work involved following the establishment of the CA.

## **Collaborative Action for the Introduction of the Cross-sector Competition Law**

In July 2010, the Government introduced the Competition Bill, which calls for a cross-sector competition law prohibiting anti-competitive conduct in all sectors which has the object or effect of preventing, restricting or distorting competition, into the Legislative Council. According to the proposal, the TA (and the CA which will take over the powers of the TA) would be given concurrent jurisdiction to enforce the new competition law in relation to telecommunications licensees, including merger and acquisition activities involving carrier licensees. Subject to transitional arrangements, the existing sector-specific competition provisions in the Telecommunications Ordinance will be repealed upon enactment of the Competition Bill.

In view of the concurrent jurisdiction to enforce the new cross-sector competition law, we have been coordinating closely with the CEDB in respect of all preparatory works required for its implementation. With the establishment of the CA, OFCA will continue the work with the responsible policy bureau and the Competition Commission to be set up under the new law.

## **Progress of Registration Scheme for Buildings with Optical Fibre Access Networks**

We launched a voluntary registration scheme for buildings with optical fibre access networks in 2010. As at March 2012, 11,800 residential buildings were recorded on the database of the scheme and the owners of the registered buildings are authorised to use the fibre-to-the-building or fibre-to-the-home labels issued by us.

## **Launch of Data Usage Calculator**

The mobile data service market in Hong Kong has been growing rapidly in recent years. In order to help consumers manage their data usage efficiently, we have developed a data usage calculator on our website for public access. The calculator serves as a tool for mobile service users to estimate the amount of data usage that they may require per month.



## 寬頻表現測試系統

我們於2010年12月推出寬頻表現測試系統，讓香港寬頻用戶測量其寬頻服務的連接表現，包括下載和上載速度、網絡時延、封包遺失和抖動。除桌面和手提電腦用戶外，該測試系統亦適用於使用蘋果的iOS作業系統和谷歌的Android作業系統的智能手機和平版電腦。自服務推出後至2012年3月為止，以這個系統進行的測試超過900萬次。

## 《非應邀電子訊息條例》的執行事宜

### 拒收訊息登記冊

《非應邀電子訊息條例》於2007年12月22日生效。我們根據該條例設立了適用於傳真訊息、短訊和預錄電話訊息的三份《拒收訊息登記冊》。除非發送人已取得號碼登記使用者的同意，否則發送人不可發送商業電子訊息到已登記在登記冊上的號碼。截至2012年3月，已有超過232萬個號碼登記在三份登記冊上。除了《拒收訊息登記冊》的有關規定外，商業電子訊息發送人還須遵守多項發送訊息規則，例如發送人必須在商業電子訊息內提供其聯絡資料和「取消接收選項」。

於2010／11年度和2011／12年度收到的懷疑違反《非應邀電子訊息條例》舉報總數分別下跌至3,025宗和2,613宗，反映全年的舉報宗數分別減少約40%和14%。此下降趨勢大概是由於電子促銷業對《非應邀電子訊息條例》的規定加深了認識，以及消費者加深了解到該條例所賦予他們的權利。我們會繼續密切監察發送人遵守有關規則的情況，並理順程序，以便更有效執法。

### 執行條例

在處理懷疑違反《非應邀電子訊息條例》的舉報方面，我們可發出勸諭信或警告信。我們如收到針對某發送人的舉報數目不超過某個數額，會向該發送人發出勸諭信，要求他遵守《非應邀電子訊息條例》的規定。如我們收到的舉報數目超過該數額，或在發出勸諭信後繼續收到針對同一發送人的舉報，便會進行正式調查，並且可能會發出警告信。

於2011／12年度，我們共發出364封勸諭或警告信，而在2010／11年度發出的勸諭或警告信總數則為528封。如發現商業電子訊息發送人持續違反該條例，我們會考慮發出執行通知，指示發送人採取措施糾正違例行為。任何人不遵從向其送達的執行通知，第一次定罪最高可處罰款港幣10萬元。於2011／12年度，我們發出了八份執行通知，而在2010／11年度則發出一份執行通知。

## Broadband Performance Test System

We have launched a broadband performance test system in December 2010 to enable broadband service users to measure the performance of their broadband connections including download and upload speeds, network latency, packet loss and jitter. Apart from users with desktop and notebook computers, users of smartphones and tablets of Apple's iOS and Google's Android operating systems may also make use of the test system. From service launch to March 2012, more than nine million tests were performed over this system.

## Enforcement of the Unsolicited Electronic Messages Ordinance (UEMO)

### ***Do-Not-Call (DNC) Registers***

The UEMO came into force on 22 December 2007. Under the UEMO, we have established three DNC Registers for facsimile messages, short messages and pre-recorded telephone messages. Commercial electronic messages must not be sent to these registered numbers, unless the senders have obtained consent from the registered users. By March 2012, more than 2.32 million numbers had been registered onto these three DNC Registers. In addition to the requirements related to the DNC Registers, senders of commercial electronic messages are also required to comply with a number of sending rules. For example, they must provide their contact information and an "unsubscribe facility" in their commercial electronic messages.

In 2010/11 and 2011/12, the total number of reports received in relation to suspected contraventions of UEMO dropped to 3,025 and 2,613 respectively. This represents a decrease in the number of reported cases by around 40% and 14% respectively on a year-on-year basis. This downward trend is probably due to a better understanding by the telemarketing industry of the requirements under the UEMO, and a growing awareness of consumers of their rights under the UEMO. We will continue to closely monitor the compliance of the senders with these rules and streamline the procedures for more effective enforcement.

### ***Enforcement***

In dealing with reports of suspected contraventions of the UEMO, we may issue advisory or warning letters. If the number of reports received against a sender is below a certain threshold, we will issue an advisory letter to the sender, requiring it to observe the requirements under the UEMO. If the reports received exceed the threshold or we continue to receive reports against the same sender after the issuance of an advisory letter, we will conduct a formal investigation and may issue a warning letter.

In 2011/12, a total of 364 advisory or warning letters were issued whereas in 2010/11, the total number of advisory or warning letters issued was 528. In the event of repeated contraventions by the senders of commercial electronic messages, we may consider issuing enforcement notices directing the sender to take steps to remedy the offences. Anyone who fails to comply with the enforcement notice may be liable to a fine of up to HK\$100,000 on the first conviction. In 2011/12, we have issued eight enforcement notices, whereas in 2010/11, there was one enforcement notice issued.

## 6 維持市場有效競爭 加強保障消費者 Maintaining Effective Market Competition and Enhancing Consumer Protection



### 消費者教育活動

2011年7月，為配合電訊服務合約的《業界守則》的實施，我們推出了一項宣傳計劃，旨在讓市民加深了解在《業界守則》下他們所享的更大保障。該計劃包括一系列活動：舉辦新聞簡報會，播放一分鐘電視短片、一般短片、電視宣傳短片和電台宣傳聲帶，舉辦公眾講座、學校講座和巡迴展覽，在報章刊登消費者提示專欄，以及印發海報。該計劃把信息傳遞至目標對象，包括學生、傳媒和公眾。

我們在2011年10月至2012年3月舉辦一系列名為「做個智醒電訊服務用家」的巡迴展覽，以加深市民對這方面的認識。八個巡迴展覽分別於樂富廣場、愉景新城購物商場、東涌和銅鑼灣港鐵站、灣仔稅務大樓、沙田和長沙灣政府合署，以

及九龍公園舉行。展覽所涵蓋的主題包括《業界守則》、流動通訊「帳單震撼」、光纖網絡接達樓宇登記計劃、《公平使用政策指引》、數據用量計算機和寬頻表現測試系統。除了展示資訊展板外，我們還在展覽中播放短片和電視宣傳短片，並舉行有趣的問答遊戲。

鑑於流動通訊「帳單震撼」問題繼續引起公眾的關注，我們於2011年下半年推出新一輪消費者教育活動，包括在不同媒體播放電視宣傳短片和教育短片，以及舉辦以公眾和中學生為對象的13場公眾講座。隨着我們推出宣傳活動和採取其他規管措施（請參閱第四章），有關流動通訊「帳單震撼」的投訴數字已逐漸下跌。

## Consumer Education Programmes

A publicity campaign was launched in July 2011 along with the implementation of the Industry Code for telecommunications service contracts. The campaign aims at raising the public awareness of the enhanced protection that they are entitled to under the Industry Code, and consists of a series of activities including press briefing, broadcast of one-minute mini TV series, short videos, TV and radio APIs, organisation of public seminars, school talks and roving exhibitions, publication of newspaper consumer advice columns and posters. The campaign reached all target groups including students, the media and the general public.

A series of roving exhibitions named “Be a Smart User of Telecommunications Services” was organised from October 2011 to March 2012 to further heighten public awareness in this regard. Eight roving exhibitions were held at Lok Fu Plaza, Discovery Park Shopping Arcade, Tung Chung and Causeway

Bay MTR stations, Wan Chai Revenue Tower, Shatin and Cheung Sha Wan Government Offices and Kowloon Park. Topics covered at the exhibitions included the Industry Code, “mobile bill shock”, registration scheme for buildings with optical fibre access network, the FUP Guidelines, data usage calculator and broadband performance test system. Apart from the display of informative exhibition panels, the exhibitions also featured the broadcast of short videos and TV APIs and interesting quiz games.

In view of the continued public concerns on “mobile bill shock”, a new round of consumer education campaign was launched in the second half of 2011. Activities included the broadcast of TV APIs and educational short videos at various media channels, and the organisation of 13 public talks targeting the general public and secondary school students. With the publicity efforts and other regulatory measures that we have undertaken (please refer to Chapter 4), we have witnessed the gradual decrease of the number of complaints on “mobile bill shock”.



我們舉辦一系列名為「做個智醒電訊服務用家」的消費者教育活動，以增加消費者對這方面的認識。

A series of consumer education programmes under the theme “Be a Smart User of Telecommunications Services” are launched to enhance consumer knowledge in this regard.



# 7 對外關係與社區關係 External and Community Relations

## 參與國際及地區會議

多年來，我們積極參與不同的國際及地區組織活動，與這些組織保持緊密聯繫，積極派員出席於世界各地舉行的電訊會議及論壇。

在2011/12年度，我們派員出席共27個會議。舉辦這些會議的地區及國際組織包括國際電信聯盟、亞太經濟合作組織（亞太經合組織）、亞太地區電信組織（APT）、經濟合作及發展組織和國際通信協會。

自肩負起APT國際流動漫遊事宜工作小組主席一職後，我們一直與APT成員緊密合作，深入研究有關流動漫遊的各項事宜。工作小組負責制訂指引，並於2012年年中就流動漫遊收費高昂的問題提出建議。

除了參與亞太經合組織電訊及資訊工作小組的活動，藉以改善亞太區內電訊及資訊基礎建設外，我們還於2010年5月至2011年9月期間擔任該工作小組轄下互認安排專責小組主席，以推動在亞太經合組織市場上實施電訊設備合格評定的現有互認安排，並制訂新的相關安排。

## APT會議

我們在2011年6月13日至15日於香港主辦了APT國際流動漫遊工作坊。工作坊的目的是讓APT成員和規管機構通過



超過70名來自APT、海外電訊規管機構和流動網絡營辦商的代表出席於2011年6月舉辦的APT國際流動漫遊工作坊。

*More than 70 representatives from the APT, overseas telecommunications regulators and mobile operators participated in the APT Workshop on International Mobile Roaming held in June 2011.*



梁仲賢 先生  
助理總監（支援）  
Mr **Chaucer LEUNG**  
Assistant Director (Support)

簡報、資訊分享和圓桌會議，討論有關國際流動漫遊的事宜，特別是降低亞太區內高昂的國際流動漫遊收費。工作坊共有超過70名來自APT、海外電訊規管機構和流動網絡營辦商的參加者出席。

## 與內地及海外政府機構交流

在過去一年，我們接待了五個來自世界各地的代表團，就有關電訊服務規管工作的各項事宜交流意見及經驗。訪港代表團包括沙特阿拉伯通訊及資訊技術委員會、新加坡資訊通信發展管理局、巴布亞新畿內亞國家資訊通訊技術管理局、泰國國家廣播及電訊委員會和泰國朱拉隆功大學。

年內，我們與新加坡資訊通信發展管理局、澳門電信管理局和廣東省通信管理局舉行年度雙邊會議，並禮節性拜訪中國工業和信息化部和英國通訊局。



## Participation in International and Regional Conferences

Over the years, we have taken an active part in the activities of, and maintained close contact with, various international and regional organisations, particularly by participating in relevant telecommunications conferences and fora around the world.

In 2011/12, we attended a total of 27 conferences hosted by regional and international organisations including the International Telecommunication Union (ITU), the Asia-Pacific Economic Cooperation (APEC), the Asia-Pacific Telecommunity (APT), the Organisation for Economic Co-operation and Development (OECD) and the International Institute of Communications (IIC).

Assuming the role of Chairman in the APT Working Group on International Mobile Roaming (IMR), we have been working closely with APT members to conduct in-depth studies on various aspects of mobile roaming. The working group is tasked to develop guidelines and to make recommendations relating to high mobile roaming charges in mid 2012.

In addition to participating in the activities of the APEC Telecommunications and Information Working Group (APEC TEL) which aim to improve the telecommunications and information infrastructure in the Asia-Pacific region, we have also taken up the chairmanship of the APEC TEL Mutual Recognition Arrangement Task Force from May 2010 to September 2011. The purpose of the task force is to foster the implementation of existing arrangements and develop new mutual recognition arrangements for conformity assessments of telecommunications equipment in the APEC markets.

## APT Conferences

We hosted the APT Workshop on IMR from 13 to 15 June 2011 in Hong Kong. The objective of the workshop was to engage APT members and regulators through presentations, information sharing and round-tables, in the discussion of the IMR issues, with a particular emphasis on reducing the high IMR costs in the region. Over 70 participants from the APT, overseas telecommunications regulators and mobile operators attended the workshop.

## Exchanges with Authorities in the Mainland and Overseas Administrations

In the past year, we received five delegations from different parts of the world to exchange views and experiences on various issues relating to regulations of telecommunications services. These included delegations from the Communications and Information Technology Commission of Saudi Arabia, the Infocomm Development Authority (IDA) of Singapore, the National ICT Authority of Papua New Guinea, the National Broadcasting and Telecommunications Commission and the Chulalongkorn University of Thailand.

During the year, we held annual bi-lateral meetings with the IDA of Singapore, Bureau of Telecommunication Regulations of Macao and the Guangdong Communications Administration. Courtesy visits were also paid to the Ministry of Industry and Information Technology of the Mainland and the Office of Communications in the United Kingdom.

## 7 對外關係與社區關係 External and Community Relations



我們於2012年3月舉行午宴，答謝五個諮詢委員會的委員所作貢獻。  
*A lunch reception was held in March 2012 for members of the five advisory committees to thank them for their contribution.*

### 與傳媒及社區保持聯繫

我們積極讓市民了解我們的工作。年內，我們就電訊局長的重大決定和電訊局的重要措施及活動，舉行了三次新聞簡報會和發出八份新聞稿。電訊管理局總監在本地主要報章發表了兩篇文章，闡述對電訊事宜的意見。此外，我們亦在網站登載她和電訊局其他高層人員在公開研討會和業界會議上發表的演辭和簡報。這有助我們把信息傳遞給業界和公眾。

### 山嶺活動安全推廣日

我們已連續第五年支持由民眾安全服務隊舉辦的「山嶺活動安全推廣日」，以推廣山嶺活動安全，這次活動於2011年10月進行。我們的攤位設有資訊展板、趣味遊戲、顯示郊野公園內遠足徑流動電話網絡覆蓋的數碼地圖，同時即場示範如何使用通訊器材，吸引數以千計的參觀者，並獲傳媒報道。

### 贊助各項電訊活動

年內，我們贊助由香港通訊業聯會舉辦的「2011香港世界電訊及資訊社會日」。該活動的目的，是加深本港年青人對資訊及通訊技術發展的認識。

我們亦連續四年贊助由香港無線科技商會主辦的「WiFi安全話咁易計劃」，該項計劃通過進行地區性WiFi保安調查、舉辦研討會和在報章刊登特約專輯，加深公眾對WiFi保安的認識。

### 諮詢委員會的工作

我們共成立了五個諮詢委員會，包括：

- 無線電頻譜諮詢委員會；
- 電訊服務號碼諮詢委員會；
- 技術標準諮詢委員會；
- 電訊服務用戶及消費者諮詢委員會；以及
- 規管事務諮詢委員會。

我們與上述五個諮詢委員會緊密合作，以確保電訊局的運作有效率及具成效。這些諮詢委員會由公眾人士、用戶團體、業界人士，以及商會、學術界和相關政府部門的代表組成；他們除提供意見和業界的綜合看法外，亦代表公眾利益。隨着新科技湧現和公眾期望日高，我們會繼續聽取從這些委員會收集到的建議及意見。

為確保諮詢委員會工作具透明度，我們把各諮詢委員會及其轄下工作小組的會議議程、會議記錄和討論文件上載於我們的網站，供公眾參閱。



我們已連續第五年支持「山嶺活動安全推廣日」，以推廣山嶺活動安全。  
*We have continued to support the Mountaineering Safety Promotion Day to promote hiking safety for the fifth consecutive year.*

## Media and Community Relations

We take an active role in keeping the public informed of our work. In the past year, we conducted three media briefings and issued eight press releases on subjects relating to the TA's major decisions and OFTA's major initiatives and events. The Director-General of Telecommunications published two articles in major local newspapers elaborating on our views on telecommunications issues. The speeches and presentations that she and other senior OFTA staff members made at public seminars and industry conferences were also published on our website. This has helped in disseminating our messages to the industry and the public.

## Mountaineering Safety Promotion Day

For the fifth consecutive year, we have continued to support the Mountaineering Safety Promotion Day organised by the Civil Aid Service to promote hiking safety in October 2011. Featuring informative exhibition panels, interesting games, digital maps showing the mobile network coverage of hiking trails in country parks, and onsite demonstrations on the use of communications devices, our booth has successfully attracted thousands of visitors and coverage from the media.

## Telecommunications Activities Sponsored by OFTA

In the year under review, we sponsored the World Telecommunication and Information Society Day 2011 organised by CAHK. The purpose of this campaign was to raise the awareness of information and communications technology development among young people in Hong Kong.

We have also sponsored the Safe WiFi Campaign organised by the Hong Kong Wireless Technology Industry Association for four consecutive years. The campaign aims to enhance public awareness of WiFi security through conducting district-wide WiFi security surveys, organising seminars and publishing special pages in the newspaper.

## The Work of Advisory Committees

We have established a total of five advisory committees, namely:

- the Radio Spectrum Advisory Committee;
- the Telecommunications Numbering Advisory Committee;
- the Technical Standards Advisory Committee;
- the Telecommunications Users and Consumers Advisory Committee; and
- the Regulatory Affairs Advisory Committee.

We work closely with these five advisory committees to ensure the efficient and effective operations of OFTA. These advisory committees, comprising members of the public, user groups, industry players, representatives of trade associations, academics and relevant Government departments, provide advice and a broader view of the industry while also representing community interests. In response to the advent of new technologies and higher expectations from the public, we will continue to take heed of the views and comments collected from these committees.

To ensure transparency, we post the agenda, minutes and discussion papers of all advisory committee meetings, as well as those of the working groups under their auspices, on our website for public viewing.

## 竭誠盡力 善於應變

為迎接迅速發展的電訊業所帶來的挑戰，我們在人力資源管理及策略性人力規劃方面，一直採取靈活而整合的方式。我們定期審視組織架構和員工編制，確保適當地運用資源，以應付不斷轉變的重點工作，為市民提供最佳服務。

截至2012年3月31日，我們的職員共有327人，人數較一年前的325人略增，當中包括202名公務員和125名以非公務員合約條件僱用的人員。

## 培訓與發展

我們致力向各級員工提供廣泛的培訓機會，以助他們改善專業技能，提升管理及領導能力，以及能配合新科技的發展。在2011/12年度，我們為員工提供不同的培訓項目，包括職業及技術訓練、管理及領導才能計劃，以及語言、溝通和國家事務研習課程。

除了本地培訓項目外，我們繼續資助員工前往中國內地和外地（包括北京、英國、美國、澳洲、馬來西亞和韓國）接受培訓，以提升員工的專業技能。我們亦提供多個本地課程和內部培訓項目，讓員工掌握不同專門課題（例如檢控、電腦資料鑑證、競爭法、統計學、資訊科技、誠信管理、個人資料管理、影響評估等）的最新知識。年內，接受培訓的員工有462人次，總培訓日數為615日。

## 獎勵與嘉許

年內，我們向一支工作隊伍頒發總監嘉許優良服務獎，以表揚該隊人員表現傑出、成就卓越。此外，八名員工獲頒發總監嘉許長期服務獎、23名獲得長期優良服務獎、兩名獲得長期優良服務公費旅行獎勵。年內，一名提出改善工作成效建議的員工獲得員工建議計劃優勝獎。

## 康樂活動與義工服務

為鼓勵作息均衡的生活，加強同事間的團結，我們定期籌辦員工康樂活動。年內，員工參加不同類型的活動，包括員工旅行、興趣班、午間講座、體育活動和周年聯歡晚宴。各同事亦參與多項義工服務和慈善活動，向社會上有需要人士表達愛護與關懷。為表揚我們所付出的努力，香港社會服務聯會連續第五年向我們頒發「同心展關懷」標誌。



員工康樂活動增進員工的團隊精神  
Staff recreational activities to reinforce team spirit

## **A Dedicated and Versatile Workforce**

To embrace challenges of the rapidly developing telecommunications sector, we have all along taken a dynamic and integrated approach to human resource management and strategic manpower planning. Regular reviews of the organisational structure and staffing levels are conducted to ensure optimum deployment of resources to cope with changing priorities and to provide the best possible services to the community.

As at 31 March 2012, we had an overall staff strength of 327, just slightly higher than 325 a year ago, comprising 202 civil servants and 125 employed on non-civil service contract terms.

## **Training and Development**

We are committed to providing our staff members at all levels with a wide range of training opportunities in order to enhance their professional skills, to strengthen their management and leadership capabilities, and to keep pace with the advent of new technologies. In 2011/12, a host of training programmes were provided for staff members, including vocational and technical training, management and leadership programmes, as well as language, communication and national studies courses.

In addition to local training programmes, we continued to sponsor staff members to attend training in the Mainland China and abroad, including Beijing, the United Kingdom, the United States, Australia, Malaysia and the Republic of Korea, to enhance their professional skills. A variety of local courses and in-house training programmes were also conducted to update staff members on specific subjects such as prosecution, computer forensics, competition law, statistics, information technology, integrity management, personal data management and impact assessment. The trainee count for the year was 462 and the count for training man-days was 615.

## **Awards and Commendations**

In recognition of staff members' meritorious achievements and exemplary performance, a work team was awarded the Director-General's Commendation for Meritorious Service. In addition, eight staff members received the Director-General's Commendation for Long and Valuable Service, 23 received the Long and Meritorious Service Award and two received the Long and Meritorious Service Travel Award. During the year, one suggestion to improve work efficiency also received award under the Staff Suggestion Scheme.

## **Recreational Activities and Volunteer Services**

To promote work-life balance and to cultivate stronger ties among colleagues, we organise staff recreational activities on a regular basis. During the year, staff members took part in a variety of activities including outings, recreational classes, luncheon talks, sports activities and an annual departmental dinner gathering. Colleagues also showed their care and concern for the needy by taking part in a number of volunteer and charity events. In recognition of our effort, the Hong Kong Council of Social Service continued to award us with the "Caring Organisation" logo for the fifth year in a row.



## 2011／12年度財務狀況

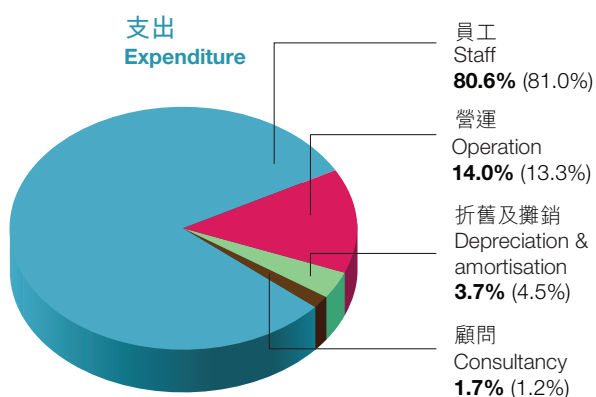
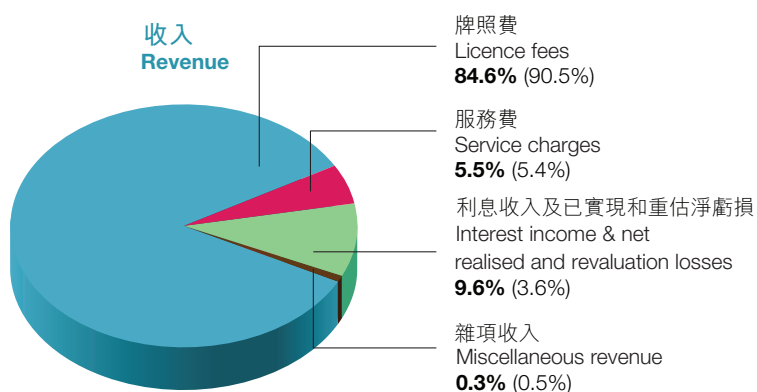
## Financial Results 2011/12

1. 電訊局營運基金於2011／12年度業績理想。隨着牌照費收入大幅增加，加上我們繼續努力控制營運成本，在2011／12年度我們取得堅實成果。稅前盈利由一年前的1.064億港元上升至1.374億港元，固定資產平均淨值回報率由2010／11年度的44.7%增加至48.8%。
  2. 全年總收入為4.116億港元，超出去年的3.558億港元，主要是由於牌照費收入和利息收入有所增加。
  3. 全年總支出由去年的2.494億港元增加至2.742億港元，主要是由於員工成本和法律開支有所上升。
  4. 其他收入（主要包括利息收入）在2011／12年度由去年的1,340萬港元增加至4,030萬港元。全年平均利息收益率為3.6%，而去年則為1.1%。利息收益率增加，主要是由於在該段期間把一筆資金存入外匯基金。
  5. 展望未來，由於財務狀況表顯示良好的財務狀況，加上一支敬業樂業的專業團隊，我們定有能力應付未來的種種挑戰。
1. 2011/12 was a good year for OFTA Trading Fund. With a significant growth in licence fee revenue and our continuous effort in containing operating costs, we were able to deliver solid results in 2011/12. The pre-tax profit rose to HK\$137.4 million from HK\$106.4 million a year ago and the rate of return on average net fixed assets increased to 48.8% from 44.7% in 2010/11.
  2. The total revenue at HK\$411.6 million surpassed last year's HK\$355.8 million primarily due to the higher licence fee revenue and interest income.
  3. The total expenditure increased to HK\$274.2 million from last year's HK\$249.4 million mainly due to higher staff costs and legal expenses.
  4. Other income (included mainly interest income) increased to HK\$40.3 million from HK\$13.4 million in 2011/12. The average interest yield was at 3.6% vis-à-vis last year's 1.1%. The increase in interest yield was primarily due to a placement with the Exchange Fund made during the period.
  5. Looking ahead, with a strong statement of financial position and a dedicated and professional team, we are well placed to face the coming challenges.

## 財務概要：

## Highlights of the financial performance:

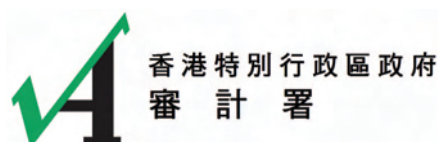
		2011/12 百萬港元 HK\$'m	2010/11 百萬港元 HK\$'m
收入	Revenue	<b>411.6</b>	355.8
支出	Expenditure	<b>274.2</b>	249.4
稅前盈利	Pre-tax profit	<b>137.4</b>	106.4
擬發股息	Proposed dividend	<b>115.2</b>	90.2
固定資產平均淨值回報	Return on ANFA	<b>48.8%</b>	44.7%



\* 括號內為2010／11年度數字  
In parentheses are 2010/11 figures

## 審計署署長報告

## Report of the Director of Audit



### 獨立審計報告 致立法會

茲證明我已審核及審計列載於第51至79頁通訊事務管理局辦公室營運基金（前稱電訊管理局營運基金）的財務報表，該等財務報表包括於2012年3月31日的財務狀況表與截至該日止年度的全面收益表、權益變動表和現金流量表，以及主要會計政策概要及其他附註解釋資料。

### 通訊事務管理局辦公室營運基金 總經理就財務報表須承擔的責任

通訊事務管理局辦公室營運基金總經理須負責按照《營運基金條例》（第430章）第7(4)條及香港財務報告準則製備真實而中肯的財務報表，及落實其認為必要的內部控制，以使財務報表不存有由於欺詐或錯誤而導致的重大錯誤陳述。

### 審計師的責任

我的責任是根據我的審計對該等財務報表作出意見。我已按照《營運基金條例》第7(5)條及審計署的審計準則進行審計。這些準則要求我遵守道德規範，並規劃和執行審計，以合理確定財務報表是否不存有任何重大錯誤陳述。

### Audit Commission

The Government of the Hong Kong Special Administrative Region

### Independent Audit Report To the Legislative Council

I certify that I have examined and audited the financial statements of the Office of the Communications Authority Trading Fund (formerly known as Office of the Telecommunications Authority Trading Fund) set out on pages 51 to 79, which comprise the statement of financial position as at 31 March 2012, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

### General Manager, Office of the Communications Authority Trading Fund's Responsibility for the Financial Statements

The General Manager, Office of the Communications Authority Trading Fund is responsible for the preparation of financial statements that give a true and fair view in accordance with section 7(4) of the Trading Funds Ordinance (Cap. 430) and Hong Kong Financial Reporting Standards, and for such internal control as the General Manager, Office of the Communications Authority Trading Fund determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with section 7(5) of the Trading Funds Ordinance and the Audit Commission auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

審計涉及執执行程序以獲取有關財務報表所載金額及披露資料的審計憑證。所選定的程序取決於審計師的判斷，包括評估由於欺詐或錯誤而導致財務報表存有重大錯誤陳述的風險。在評估該等風險時，審計師考慮與該基金製備真實而中肯的財務報表有關的內部控制，以設計適當的審計程序，但並非為對基金的內部控制的效能發表意見。審計亦包括評價通訊事務管理局辦公室營運基金總經理所採用的會計政策的合適性及所作出的會計估計的合理性，以及評價財務報表的整體列報方式。

我相信，我所獲得的審計憑證是充足和適當地為我的審計意見提供基礎。

### 意見

我認為，該等財務報表已按照香港財務報告準則真實而中肯地反映通訊事務管理局辦公室營運基金於2012年3月31日的狀況及截至該日止年度的運作成果及現金流量，並已按照《營運基金條例》第7(4)條所規定的方式妥為製備。

審計署署長  
(審計署助理署長劉新和代行)

審計署  
香港灣仔  
告士打道7號  
入境事務大樓26樓  
2012年9月26日

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the General Manager, Office of the Communications Authority Trading Fund, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

### Opinion

In my opinion, the financial statements give a true and fair view of the state of affairs of the Office of the Communications Authority Trading Fund as at 31 March 2012, and of its results of operations and cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards and have been properly prepared in accordance with the manner provided in section 7(4) of the Trading Funds Ordinance.



LAU Sun-wo  
Assistant Director of Audit  
for Director of Audit

Audit Commission  
26th Floor, Immigration Tower  
7 Gloucester Road  
Wanchai, Hong Kong  
26 September 2012

## 財務報表

通訊事務管理局辦公室營運基金  
(前稱電訊管理局營運基金)

### 全面收益表

截至2012年3月31日止年度  
(以港幣千元位列示)

## Financial Statements

Office of the Communications Authority Trading Fund  
(formerly known as Office of the Telecommunications Authority Trading Fund)

### Statement of Comprehensive Income

for the year ended 31 March 2012  
(Expressed in thousands of Hong Kong dollars)

		附註 Note	2012	2011
營業額	Turnover	3	371,362	342,364
運作成本	Operating costs	4	(274,169)	(249,440)
運作盈利	Profit from operations		97,193	92,924
其他收入	Other income	5	40,253	13,430
名義利得稅前盈利	Profit before notional profits tax		137,446	106,354
名義利得稅	Notional profits tax	6	(22,222)	(16,161)
年度盈利	Profit for the year		115,224	90,193
其他全面收益	Other comprehensive income		–	–
年度總全面收益	Total comprehensive income for the year		115,224	90,193
固定資產回報率	Rate of return on fixed assets	7	48.8%	44.7%

第55至79頁的附註為本財務報表的一部分。 The notes on pages 55 to 79 form part of these financial statements.



## 財務報表

通訊事務管理局辦公室營運基金  
(前稱電訊管理局營運基金)

## 財務狀況表

於2012年3月31日  
(以港幣千元位列示)

## Financial Statements

Office of the Communications Authority Trading Fund  
(formerly known as Office of the Telecommunications Authority Trading Fund)

## Statement of Financial Position

as at 31 March 2012  
(Expressed in thousands of Hong Kong dollars)

		附註 Note	2012	2011
<b>非流動資產</b>	<b>Non-current assets</b>			
物業、設備及器材	Property, plant and equipment	8	162,829	167,083
無形資產	Intangible assets	9	1,525	1,149
外匯基金存款	Placement with the Exchange Fund	10	722,241	–
			<b>886,595</b>	168,232
<b>流動資產</b>	<b>Current assets</b>			
應收帳款、按金及預付款項	Debtors, deposits and advance payments		5,559	2,638
應收關連人士帳款	Amounts due from related parties		–	1,285
應收利息	Interest receivable		11,669	8,258
銀行存款	Bank deposits		369,800	1,043,700
現金及銀行結餘	Cash and bank balances		12,122	125,353
			<b>399,150</b>	1,181,234
<b>流動負債</b>	<b>Current liabilities</b>			
應付帳款及應計費用	Creditors and accruals		10,359	156,306
僱員福利撥備	Provision for employee benefits	12	7,327	5,510
應付關連人士帳款	Amounts due to related parties	21	23,328	18,855
遞延收入	Deferred income	13	143,290	101,754
應付名義利得稅	Notional profits tax payable		12,376	6,824
			<b>196,680</b>	289,249
<b>流動資產淨值</b>	<b>Net current assets</b>		<b>202,470</b>	891,985
<b>總資產減去流動負債</b>	<b>Total assets less current liabilities</b>		<b>1,089,065</b>	1,060,217
<b>非流動負債</b>	<b>Non-current liabilities</b>			
遞延稅款	Deferred tax	11	1,239	1,096
僱員福利撥備	Provision for employee benefits	12	70,037	66,363
			<b>71,276</b>	67,459
<b>淨資產</b>	<b>NET ASSETS</b>		<b>1,017,789</b>	992,758
<b>資本與儲備</b>	<b>CAPITAL AND RESERVES</b>			
營運基金資本	Trading fund capital	14	212,400	212,400
發展儲備	Development reserve	15	690,165	690,165
保留盈利	Retained earnings	16	–	–
擬發股息	Proposed dividend	17	115,224	90,193
			<b>1,017,789</b>	992,758

第55至79頁的附註為本財務報表的一部分。

The notes on pages 55 to 79 form part of these financial statements.



利敏貞女士  
通訊事務管理局辦公室  
營運基金總經理

Miss Eliza Lee  
General Manager,  
Office of the Communications Authority Trading Fund

2012年9月26日

26 September 2012

## 財務報表

通訊事務管理局辦公室營運基金  
(前稱電訊管理局營運基金)

### 權益變動表

截至2012年3月31日止年度  
(以港幣千元位列示)

## Financial Statements

Office of the Communications Authority Trading Fund  
(formerly known as Office of the Telecommunications Authority Trading Fund)

### Statement of Changes in Equity

for the year ended 31 March 2012  
(Expressed in thousands of Hong Kong dollars)

		2012	2011
年初結餘	Balance at beginning of year	<b>992,758</b>	1,001,102
年度總全面收益	Total comprehensive income for the year	<b>115,224</b>	90,193
年內已付股息	Dividend paid during the year	<b>(90,193)</b>	(98,537)
年終結餘	Balance at end of year	<b>1,017,789</b>	992,758

第55至79頁的附註為本財務報表的一部分。

The notes on pages 55 to 79 form part of these financial statements.

## 財務報表

## Financial Statements

通訊事務管理局辦公室營運基金  
(前稱電訊管理局營運基金)

Office of the Communications Authority Trading Fund  
(formerly known as Office of the Telecommunications Authority Trading Fund)

### 現金流量表

### Statement of Cash Flows

截至2012年3月31日止年度  
(以港幣千元位列示)

for the year ended 31 March 2012  
(Expressed in thousands of Hong Kong dollars)

	附註 Note	2012	2011
<b>營運項目之現金流量</b>	<b>Cash flows from operating activities</b>		
運作盈利	Profit from operations	97,193	92,924
雜項收益	Sundry income	864	620
物業、設備及器材折舊	Depreciation of property, plant and equipment	9,756	10,147
無形資產攤銷	Amortisation of intangible assets	488	1,158
應收帳款、按金及預付款項(增加)/減少	(Increase)/Decrease in debtors, deposits and advance payments	(2,921)	3,434
應收關連人士帳款減少/(增加)	Decrease/(Increase) in amounts due from related parties	1,285	(1,229)
應付帳款及應計費用(減少)/增加	(Decrease)/Increase in creditors and accruals	(146,444)	137,434
應付關連人士帳款增加/(減少)	Increase/(Decrease) in amounts due to related parties	4,283	(219)
遞延收入增加/(減少)	Increase/(Decrease) in deferred income	41,536	(3,352)
僱員福利撥備增加	Increase in provision for employee benefits	5,491	4,726
已付名義利得稅	Notional profits tax paid	(16,528)	(18,883)
<b>營運項目(所用)/所得現金淨額</b>	<b>Net cash (used in)/from operating activities</b>	<b>(4,997)</b>	<b>226,760</b>
<b>投資項目之現金流量</b>	<b>Cash flows from investing activities</b>		
外匯基金存款增加	Increase in placement with the Exchange Fund	(722,241)	–
原有限為三個月以上的結構存款減少	Decrease in structured deposits with original maturity over three months	–	72,000
原有限為三個月以上的銀行存款減少	Decrease in bank deposits with original maturity over three months	319,600	257,800
購置物業、設備及器材及無形資產	Acquisition of property, plant and equipment and intangible assets	(5,692)	(1,422)
出售物業、設備及器材所得淨收益	Net proceeds from disposal of property, plant and equipment	51	25
已收利息	Interest received	35,941	23,327
<b>投資項目(所用)/所得現金淨額</b>	<b>Net cash (used in)/from investing activities</b>	<b>(372,341)</b>	<b>351,730</b>
<b>融資項目之現金流量</b>	<b>Cash flows from financing activities</b>		
已付股息	Dividend paid	(90,193)	(98,537)
<b>融資項目所用現金淨額</b>	<b>Net cash used in financing activities</b>	<b>(90,193)</b>	<b>(98,537)</b>
<b>現金及等同現金的(減少)/增加淨額</b>	<b>Net (decrease)/increase in cash and cash equivalents</b>	<b>(467,531)</b>	<b>479,953</b>
<b>年初的現金及等同現金</b>	<b>Cash and cash equivalents at beginning of year</b>	<b>486,653</b>	<b>6,700</b>
<b>年終的現金及等同現金</b>	<b>Cash and cash equivalents at end of year</b>	<b>18 19,122</b>	<b>486,653</b>

第55至79頁的附註為本財務報表的一部分。

The notes on pages 55 to 79 form part of these financial statements.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 1. 總論

前立法局在1995年5月10日根據《營運基金條例》(第430章)第3、4及6條通過決議，在1995年6月1日成立電訊管理局(電訊局)營運基金。電訊局營運基金是電訊管理局局長的行政機關，而電訊管理局局長則是根據《電訊條例》(第106章)獲委任為負責監管電訊業的法定人士。電訊局營運基金隸屬於香港特別行政區政府(政府)的商務及經濟發展局。電訊局營運基金的主要業務包括：

- (a) 監察公共電訊服務的規管和發牌；
- (b) 香港無線電頻譜的管理；
- (c) 向公營機構提供諮詢和策劃服務，並就廣播服務的規管提供技術支援；
- (d) 監督技術標準與國際事務；以及
- (e) 確保公平競爭，並向政府就有關廣播競爭的政策及立法提供諮詢服務。

《通訊事務管理局條例》(第616章)於2012年4月1日開始實施。根據該條例第25條的規定，電訊局營運基金於同日重新命名為「通訊事務管理局辦公室營運基金」(營運基金)。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 1. General

The Office of the Telecommunications Authority (OFTA) Trading Fund was established on 1 June 1995 under the Legislative Council Resolution passed on 10 May 1995 pursuant to sections 3, 4 and 6 of the Trading Funds Ordinance (Cap. 430). The OFTA Trading Fund served as the executive arm of the Telecommunications Authority who was appointed under the Telecommunications Ordinance (Cap.106) as the statutory body responsible for regulating the telecommunications industry. The OFTA Trading Fund was under the policy portfolio of the Commerce and Economic Development Bureau of the Government of the Hong Kong Special Administrative Region (the Government). The principal activities undertaken by the OFTA Trading Fund included:

- (a) overseeing the regulation and licensing of public telecommunications services;
- (b) managing Hong Kong's radio frequency spectrum;
- (c) providing advisory and planning services to the public sector, and rendering technical support in the regulation of broadcasting services;
- (d) overseeing technical standards and international affairs; and
- (e) ensuring the enforcement of fair competition and providing advisory services to the Government on broadcasting competition policy and legislation.

On 1 April 2012, the Communications Authority Ordinance (Cap. 616) came into operation. By virtue of section 25 of the ordinance, the OFTA Trading Fund was renamed as the Office of the Communications Authority Trading Fund (the Fund) on the same date.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

## 2. 主要會計政策

### (a) 符合準則聲明

本財務報表是按照香港公認的會計原則及所有適用的香港財務報告準則（此詞是統稱，當中包括香港會計師公會頒布的所有適用的個別香港財務報告準則、香港會計準則及詮釋）編製。營運基金採納的主要會計政策摘要如下。

### (b) 編製財務報表的基礎

除在以下會計政策所述交易用途的金融工具是以公平值列示外，本財務報表的編製基礎均以原值成本法計量。

編製符合香港財務報告準則的財務報表，需要管理層作出判斷、估計及假設。該等判斷、估計及假設會影響會計政策的實施，以及資產與負債和收入與支出的呈報款額。該等估計及相關的假設，均按以往經驗及其他在有關情況下被認為合適的因素而制訂。倘若沒有其他現成數據可供參考，則會採用該等估計及假設作為判斷有關資產及負債的帳面值的基礎。估計結果或會與實際價值有所不同。

該等估計及相關假設會被不斷檢討修訂。如修訂只影響本會計期，會在作出修訂的期內確認，但如影響本期及未來的會計期，有關修訂便會在該期及未來期間內確認。

營運基金在實施會計政策方面並不涉及任何關鍵的會計判斷。無論對未來作出的假設，或在報告期結束日估計過程中所存在的不明朗因素，皆不足以構成重大風險，導致資產和負債的帳面金額在來年大幅修訂。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

## 2. Significant accounting policies

### (a) Statement of compliance

These financial statements have been prepared in accordance with accounting principles generally accepted in Hong Kong and all applicable Hong Kong Financial Reporting Standards (HKFRSs), a collective term which includes all applicable individual HKFRSs, Hong Kong Accounting Standards (HKASs) and Interpretations issued by the Hong Kong Institute of Certified Public Accountants (HKICPA). A summary of the significant accounting policies adopted by the Fund is set out below.

### (b) Basis of preparation of the financial statements

The measurement basis used in the preparation of the financial statements is historical cost except that trading financial instruments are stated at their fair values as explained in the accounting policies set out below.

The preparation of financial statements in conformity with HKFRSs requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis for making judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

There are no critical accounting judgements involved in the application of the Fund's accounting policies. There are also no key assumptions concerning the future, or other key sources of estimation uncertainty at the end of the reporting period, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities in the next year.



## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

## 2. 主要會計政策 (續)

### (c) 固定資產

於1995年6月1日撥歸營運基金的固定資產，最初的成本值是按前立法局在1995年5月10日通過的決議中所列的估值入帳。自1995年6月1日起購置的固定資產，均按其購置或裝設的實際開支入帳。

#### (i) 物業、設備及器材

下列物業、設備及器材項目按成本值扣除累計折舊及任何減值虧損列帳(附註2(d))：

- 持有被列為融資租賃的土地及位於其上的自用物業；
- 設備及器材，包括電訊設備、電腦系統、傢具、裝置及車輛。

折舊是按照各物業、設備及器材的估計可使用年期，在減去其估計剩餘值，再以直線法攤銷其成本值。有關的可使用年期如下：

- 持有被列為融資租賃的土地按照租約剩餘年期計算折舊
- 位於租賃土地的房產是按剩餘租賃年期及可使用年期兩者中的較短者計算折舊
- 電訊設備 5至12年
- 電腦系統 5年
- 傢具及裝置 5年
- 車輛 5年

出售物業、設備及器材所產生的損益以出售所得淨額與資產的帳面值之間的差額來決定，並於出售當日在全面收益表內確認。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

## 2. Significant accounting policies (continued)

### (c) Fixed assets

The fixed assets appropriated to the Fund on 1 June 1995 were measured initially at deemed cost equal to the value contained in the Resolution of the Legislative Council passed on 10 May 1995. Fixed assets acquired since 1 June 1995 are capitalised at the actual costs of acquisition or installation.

#### (i) Property, plant and equipment

The following items of property, plant and equipment are stated at cost less accumulated depreciation and any impairment losses (note 2(d)):

- land classified as held under a finance lease and building held for own use situated thereon;
- plant and equipment, including telecommunications equipment, computer systems, furniture, fixtures and motor vehicles.

Depreciation is calculated to write off the cost of items of property, plant and equipment, less their estimated residual value, on a straight-line basis over their estimated useful lives as follows:

- Land classified as held under a finance lease depreciated over the unexpired term of lease
- Buildings situated on leasehold land depreciated over the shorter of the unexpired term of lease and their useful lives
- Telecommunications equipment 5 to 12 years
- Computer systems 5 years
- Furniture and fixtures 5 years
- Motor vehicles 5 years

Gains or losses arising from the disposal of property, plant and equipment are determined as the difference between the net disposal proceeds and the carrying amount of the asset and are recognised in the statement of comprehensive income on the date of disposal.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 2. 主要會計政策 (續)

##### (c) 固定資產 (續)

###### (ii) 無形資產

無形資產包括購入的電腦軟件牌照及已資本化的電腦軟件程式開發成本值。如電腦軟件程式在技術上可行，而營運基金有足夠資源及有意完成開發工作，有關的開發費用會被資本化。資本化費用包括直接工資及物料費用。無形資產按成本值扣除累計攤銷及任何減值虧損列帳（附註2(d)）。

無形資產的攤銷按5年至12年的資產估計可使用年期以直線法列入全面收益表。

##### (d) 固定資產的減值

固定資產（包括物業、設備及器材和無形資產）的帳面值在每個報告期結束日評估，以確定有否出現減值跡象。

如出現減值跡象，每當資產的帳面值高於可收回數額時，則有關減值虧損會在全面收益表內確認。資產的可收回數額為其公平值減出售成本與使用值兩者中的較高者。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 2. Significant accounting policies (continued)

##### (c) Fixed assets (continued)

###### (ii) Intangible assets

Intangible assets include acquired computer software licences and capitalised development costs of computer software programs. Expenditure on development of computer software programs is capitalised if the programs are technically feasible and the Fund has sufficient resources and intention to complete development. The expenditure capitalised includes direct labour and cost of materials. Intangible assets are stated at cost less accumulated amortisation and any impairment losses (note 2(d)).

Amortisation of intangible assets is charged to the statement of comprehensive income on a straight-line basis over the assets' estimated useful lives of 5 to 12 years.

##### (d) Impairment of fixed assets

The carrying amounts of fixed assets, including property, plant and equipment and intangible assets, are reviewed at the end of each reporting period to identify any indication of impairment.

If any such indication exists, an impairment loss is recognised in the statement of comprehensive income whenever the carrying amount of an asset exceeds its recoverable amount. The recoverable amount of an asset is the greater of its fair value less costs to sell and value in use.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 2. 主要會計政策 (續)

##### (e) 金融資產與金融負債

###### (i) 初始確認

營運基金按最初取得資產或引致負債時的用途將金融資產及金融負債分為以下類別：交易用途的金融工具、貸款及應收帳款，以及其他金融負債。

金融資產及金融負債最初按公平值計量，公平值通常相等於成交價，而就貸款及應收帳款，以及其他金融負債而言，則加上因購買金融資產或產生金融負債而直接引致的交易成本。交易用途的金融工具的交易成本會立即支銷。

營運基金在成為有關金融工具的合約其中一方之日確認有關金融資產及金融負債。至於購入及出售市場上具有既定交收期的金融資產，則在交收日入帳。

###### (ii) 分類

###### 交易用途的金融工具

營運基金並沒有購買金融工具作交易用途。然而，與主體合約分離的內置衍生工具（附註2(e)(iv)），則根據香港會計準則第39號「金融工具：確認及計量」歸入「交易用途」的分類。

交易用途的金融工具按公平值列帳。公平值的變動於產生的期間在全面收益表確認。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 2. Significant accounting policies (continued)

##### (e) Financial assets and financial liabilities

###### (i) Initial recognition

The Fund classifies its financial assets and financial liabilities into different categories at inception, depending on the purpose for which the assets were acquired or the liabilities were incurred. The categories are: trading financial instruments, loans and receivables, and other financial liabilities.

Financial assets and financial liabilities are measured initially at fair value, which normally equals to the transaction prices plus transaction costs for loans and receivables, and other financial liabilities that are directly attributable to the acquisition of the financial assets or issue of the financial liabilities. Transaction costs on trading financial instruments are expensed immediately.

The Fund recognises financial assets and financial liabilities on the date it becomes a party to the contractual provisions of the instrument. Regular way purchases and sales of financial assets are accounted for at settlement date.

###### (ii) Categorisation

###### Trading financial instruments

The Fund does not acquire financial instruments for the purpose of trading. However, embedded derivatives that are separated from the host contracts (note 2(e)(iv)) are categorised as “trading” under HKAS 39, “Financial Instruments: Recognition and Measurement”.

Trading financial instruments are carried at fair value. Changes in fair value are recognised in the statement of comprehensive income in the period in which they arise.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

## 2. 主要會計政策 (續)

### (e) 金融資產與金融負債 (續)

#### (ii) 分類 (續)

##### 貸款及應收帳款

貸款及應收帳款為有固定或可以確定支付金額，但在活躍市場沒有報價，且營運基金無意持有作交易用途的非衍生金融資產。此類項目包括應收帳款、應收關連人士帳款、應收利息、外匯基金存款、結構存款、銀行存款、現金及銀行結餘。

貸款及應收帳款採用實際利率法按攤銷成本值扣除減值虧損（如有）列帳（附註2(e)(v)）。

實際利率法是計算金融資產或金融負債的攤銷成本值，以及攤分在有關期間的利息收入或支出的方法。實際利率是指可將金融工具在預計有效期間（或適用的較短期間）內的預計現金收入及支出，折現成該金融資產或金融負債的帳面淨值所適用的貼現率。營運基金在計算實際利率時，會考慮金融工具的所有合約條款以估計現金流量，但不考慮日後的信貸虧損。有關計算包括與實際利率相關的所有收取自或支付予合約各方的費用、交易成本及所有其他溢價或折讓。

##### 其他金融負債

其他金融負債採用實際利率法按攤銷成本值列帳。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

## 2. Significant accounting policies (continued)

### (e) Financial assets and financial liabilities (continued)

#### (ii) Categorisation (continued)

##### Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and which the Fund has no intention of trading. This category includes debtors, amounts due from related parties, interest receivable, placement with the Exchange Fund, structured deposits, bank deposits and cash and bank balances.

Loans and receivables are carried at amortised cost using the effective interest method less impairment losses, if any (note 2(e)(v)).

The effective interest method is a method of calculating the amortised cost of a financial asset or a financial liability and of allocating the interest income or interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts or payments through the expected life of the financial instrument or, when appropriate, a shorter period to the net carrying amount of the financial asset or financial liability. When calculating the effective interest rate, the Fund estimates cash flows considering all contractual terms of the financial instruments but does not consider future credit losses. The calculation includes all fees received or paid between parties to the contract that are an integral part of the effective interest rate, transaction costs and all other premiums or discounts.

##### Other financial liabilities

Other financial liabilities are carried at amortised cost using the effective interest method.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 2. 主要會計政策 (續)

##### (e) 金融資產與金融負債 (續)

###### (iii) 註銷確認

當從金融資產收取現金流量的合約權利屆滿時，或當金融資產連同擁有權的所有主要風險及回報已被轉讓時，該金融資產會被註銷確認。

當合約指明的債務被解除、取消或到期時，該金融負債會被註銷確認。

###### (iv) 內置衍生工具

內置衍生工具是混合（合併）工具的組成項目。該合併工具同時包括衍生工具及主體合約，而其部分現金流量變動與獨立衍生工具相若。

當(a)內置衍生工具與主體合約的經濟特性和風險並無緊密關係；以及(b)混合（合併）工具並非按公平值計量及在全面收益表內確認公平值的變動，則其內置衍生工具與主體合約會分開，並列為一項衍生工具入帳。如內置衍生工具被分開處理，則主體合約按本身分類入帳（附註2(e)(ii)）。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 2. Significant accounting policies (continued)

##### (e) Financial assets and financial liabilities (continued)

###### (iii) Derecognition

A financial asset is derecognised when the contractual rights to receive the cash flows from the financial asset expire, or where the financial asset together with substantially all the risks and rewards of ownership have been transferred.

A financial liability is derecognised when the obligation specified in the contract is discharged or cancelled, or when it expires.

###### (iv) Embedded derivatives

An embedded derivative is a component of a hybrid (combined) instrument that includes both the derivative and a host contract with the effect that some of the cash flows of the combined instrument vary in a way similar to a stand-alone derivative.

An embedded derivative is separated from the host contract and accounted for as a derivative when (a) the economic characteristics and risks of the embedded derivative are not closely related to those of the host contract; and (b) the hybrid (combined) instrument is not measured at fair value with changes in fair value recognised in the statement of comprehensive income. Where the embedded derivative is separated, the host contract is accounted for according to its category (note 2(e)(ii)).



## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 2. 主要會計政策 (續)

##### (e) 金融資產與金融負債 (續)

###### (v) 金融資產的減值

貸款及應收帳款的帳面值於每個報告期結束日進行評估，以確定有否出現客觀的減值證據。如存在有關證據，減值虧損會按其資產的帳面值與原來實際利率用貼現方式計算其預計日後現金流量的現值之間的差額，在全面收益表內確認。若減值虧損於其後的期間減少，而客觀上與減值虧損確認後發生的事件相關，則在全面收益表作出轉回。

##### (f) 名義利得稅

- (i) 根據《稅務條例》(第112章)，營運基金並無稅務責任。但政府要求營運基金須向政府一般收入支付一筆款項以代替利得稅(即名義利得稅)，該款項是根據《稅務條例》的規定所計算。本年度名義利得稅支出包括本期稅款及遞延稅款資產及負債的變動。
- (ii) 本期稅款為本年度對應課稅收入按報告期結束日已生效或基本上已生效的稅率計算的預計應付稅款，並包括以往年度應付稅款的任何調整。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 2. Significant accounting policies (continued)

##### (e) Financial assets and financial liabilities (continued)

###### (v) Impairment of financial assets

The carrying amounts of loans and receivables are reviewed at the end of each reporting period to determine whether there is objective evidence of impairment. If any such evidence exists, an impairment loss is recognised in the statement of comprehensive income as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. If in a subsequent period, the amount of such impairment loss decreases and the decrease can be linked objectively to an event occurring after the impairment loss was recognised, the impairment loss is reversed through the statement of comprehensive income.

##### (f) Notional profits tax

- (i) The Fund has no tax liability under the Inland Revenue Ordinance (Cap.112). However, the Government requires the Fund to pay to the General Revenue an amount in lieu of profits tax (i.e. notional profits tax) calculated on the basis of the provisions of the Inland Revenue Ordinance. Notional profits tax expense for the year comprises current tax and movements in deferred tax assets and liabilities.
- (ii) Current tax is the expected tax payable on the taxable income for the year, using tax rates enacted or substantively enacted at the end of the reporting period, and any adjustment to tax payable in respect of previous years.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 2. 主要會計政策 (續)

##### (f) 名義利得稅 (續)

- (iii) 遞延稅款資產及負債分別由可扣稅及應課稅的暫時性差異產生。暫時性差異是指資產及負債的帳面值與其計稅基礎間的差異。遞延稅款資產亦可由未使用稅務虧損及稅項抵免而產生。

所有遞延稅款負債及所有未來可能會有應課稅盈利而使其能被用以抵銷有關盈利的遞延稅款資產，均予確認。

遞延稅款的確認數額乃根據資產及負債的帳面值的預期變現或清償方式，以報告期結束日已生效或基本上已生效的稅率計算。遞延稅款資產及負債均不作貼現計算。

遞延稅款資產的帳面值於每個報告期結束日進行檢討，倘若認為可能並無足夠應課稅盈利以實現該等稅務利益，則須將其帳面值相應削減。該削減數額可在有足夠應課稅盈利可能出現時轉回。

##### (g) 收入確認

- (i) 已收牌費記入遞延收入，並在牌照有效期內在損益中攤銷。服務費收入則在提供服務後被確認。利息收入採用實際利率法以應計方式確認。
- (ii) 金融工具的已實現損益在有關金融工具被註銷時在全面收益表內確認。交易用途的金融工具的公平值變動，於產生的期間內列為重估損益在全面收益表內確認。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 2. Significant accounting policies (continued)

##### (f) Notional profits tax (continued)

- (iii) Deferred tax assets and liabilities arise from deductible and taxable temporary differences respectively, being the differences between the carrying amounts of assets and liabilities for financial reporting purposes and their tax bases. Deferred tax assets also arise from unused tax losses and unused tax credits.

All deferred tax liabilities, and all deferred tax assets to the extent that it is probable that future taxable profits will be available against which the assets can be utilised, are recognised.

The amount of deferred tax recognised is measured based on the expected manner of realisation or settlement of the carrying amounts of the assets or liabilities, using tax rates enacted or substantively enacted at the end of the reporting period. Deferred tax assets and liabilities are not discounted.

The carrying amount of a deferred tax asset is reviewed at the end of each reporting period and is reduced to the extent that it is no longer probable that sufficient taxable profit will be available to allow the related tax benefit to be utilised. Any such deduction is reversed to the extent that it becomes probable that sufficient taxable profit will be available.

##### (g) Revenue recognition

- (i) Licence fees received are credited to deferred income and amortised to profit and loss over the validity period of the licences. Service income is recognised when services have been provided. Interest income is recognised as it accrues using the effective interest method.
- (ii) Realised gains or losses on financial instruments are recognised in the statement of comprehensive income when the financial instruments are derecognised. Changes in fair value of trading financial instruments are recognised as revaluation gains or losses in the statement of comprehensive income in the period in which they arise.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 2. 主要會計政策 (續)

##### (g) 收入確認 (續)

(iii) 其他收入按應計基礎確認。

##### (h) 僱員福利

營運基金的僱員包括公務員及合約僱員。薪金、約滿酬金及年假開支均在僱員提供有關服務的年度內以應計基準確認入帳。就公務員而言，僱員附帶福利開支包括由政府提供予僱員的退休金及房屋福利，均在僱員提供相關服務的年度支銷。

就按可享退休金條款受聘的公務員長俸負債已於付予政府有關附帶福利開支時支付。就其他僱員向強制性公積金計劃的供款在全面收益表中支銷。

##### (i) 關連人士

營運基金是根據《營運基金條例》成立，屬於政府轄下的一個獨立會計單位。本年內在營運基金的日常業務中曾與不同的關連人士進行交易，其中包括各決策局及政府部門、營運基金，以及受政府所控制或政府對其有重大影響力的財政自主機構。

##### (j) 外幣換算

年內以外幣為單位的交易按交易日的現貨匯率換算為港元。以港元以外的貨幣為單位的貨幣資產及負債均以報告期結束日的收市匯率換算為港元。所有外幣換算差額均在全面收益表內確認。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 2. Significant accounting policies (continued)

##### (g) Revenue recognition (continued)

(iii) Other income is recognised on an accrual basis.

##### (h) Employee benefits

The employees of the Fund comprise civil servants and contract staff. Salaries, staff gratuities, and annual leave entitlements are accrued and recognised as expenditure in the year in which the associated services are rendered by the staff. For civil servants, staff on-costs, including pensions and housing benefits provided to the staff by the Government, are charged as expenditure in the year in which the associated services are rendered.

For civil servants employed on pensionable terms, their pension liabilities are discharged by reimbursement of the staff on-cost charged by the Government. For other staff, contributions to the Mandatory Provident Fund (MPF) Scheme are charged to the statement of comprehensive income as incurred.

##### (i) Related parties

The Fund is a separate accounting entity within the Government established under the Trading Funds Ordinance. During the year, the Fund has entered into transactions with various related parties, including government bureaux and departments, trading funds and financially autonomous bodies controlled or significantly influenced by the Government, in the ordinary course of its business.

##### (j) Foreign currency translation

Foreign currency transactions during the year are translated into Hong Kong dollars using the spot exchange rates at the transaction dates. Monetary assets and liabilities denominated in currencies other than Hong Kong dollars are translated into Hong Kong dollars using the closing exchange rate at the end of the reporting period. All foreign currency translation differences are recognised in the statement of comprehensive income.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 2. 主要會計政策 (續)

##### (k) 現金及等同現金

現金及等同現金包括現金及銀行結餘，以及其他可隨時轉換為已知數額現金的短期及具高度流動性和價值變動風險不大的投資，且於存入或購入時距離到期日不超過三個月。

##### (l) 撥備及或有負債

如須就已發生的事件承擔法律或推定責任，而履行該責任預期會導致經濟效益外流，並可作出可靠的估計，將會就該時間或數額不定的負債作出撥備。如貨幣的時間價值重大，則按預計履行責任所需開支的現值作出撥備。

如經濟效益外流的可能性較低，或是無法對有關數額作出可靠的估計，便會將該責任披露為或有負債，但如經濟效益外流的可能性極低者則除外。須視乎某宗或多宗未來事件是否發生才能確定存在與否的潛在責任，亦會披露為或有負債，但如經濟效益外流的可能性極低者則除外。

##### (m) 新訂或經修訂的香港財務報告準則的影響

香港會計師公會在頒布了多項本會計年度生效的新訂或經修訂的香港財務報告準則。適用於本財務報表所呈報的年度的會計政策，並未因該等發展而出現改變。營運基金並沒有採納在本會計期尚未生效的任何新香港財務報告準則（附註25）。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 2. Significant accounting policies (continued)

##### (k) Cash and cash equivalents

Cash and cash equivalents include cash and bank balances, and other short-term, highly liquid investments that are readily convertible to known amounts of cash and subject to an insignificant risk of changes in value, having been within three months of maturity when placed or acquired.

##### (l) Provisions and contingent liabilities

Provisions are recognised for liabilities of uncertain timing or amount when there is a legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. Where the time value of money is material, provisions are stated at the present value of the expenditure expected to settle the obligation.

Where it is not probable that an outflow of economic benefits will be required, or the amount cannot be estimated reliably, the obligation is disclosed as a contingent liability, unless the probability of outflow of economic benefits is remote. Possible obligations, whose existence will only be confirmed by the occurrence or non-occurrence of one or more future events, are also disclosed as contingent liabilities unless the probability of outflow of economic benefits is remote.

##### (m) Impact of new and revised HKFRSs

The HKICPA has issued a number of new and revised HKFRSs that are first effective for the current accounting period. There have been no changes to the accounting policies applied in these financial statements for the years presented as a result of these developments. The Fund has not applied any new standard that is not yet effective for the current accounting period (note 25).

## 財務報表

## Financial Statements

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 3. 營業額

#### 3. Turnover

	2012	2011
電訊牌費		
牌照－專用		
牌照－公共		
向關連人士提供服務 (附註 21(a))		
雜項收入		
Telecommunications licence fees		
Licences – Private	36,744	35,383
Licences – Public	311,332	286,682
Services provided to related parties (Note 21(a))	22,858	19,133
Miscellaneous revenue	428	1,166
	371,362	342,364

#### 4. 運作成本

#### 4. Operating costs

	2012	2011
員工成本		
薪金與其他員工成本		
強積金供款		
辦公室地方成本		
運作開支		
行政開支		
顧問費		
物業、設備及 器材折舊		
無形資產攤銷		
審計費用		
Staff costs		
Salaries and other staff costs	219,557	200,830
MPF contributions	1,406	1,247
Accommodation costs	10,166	9,311
Operating expenses	19,155	19,145
Administrative expenses	8,454	4,208
Consultancy fees	4,771	3,024
Depreciation of property, plant and equipment	9,756	10,147
Amortisation of intangible assets	488	1,158
Audit fees	416	370
	274,169	249,440



## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 5. 其他收入

	2012	2011
非以公平值列帳的 金融資產的利息收入		
外匯基金存款		
結構存款		
銀行存款		
銀行結餘		
Interest income from financial assets not at fair value		
Placement with the Exchange Fund	32,297	–
Structured deposits	–	976
Bank deposits	7,052	12,809
Bank balances	3	4
	39,352	13,789
結構存款內置的衍生 工具的已實現和 重估淨虧損		
Net realised and revaluation losses on derivatives embedded in structured deposits	–	(980)
雜項收益	901	621
	40,253	13,430

#### 6. 名義利得稅

(a) 於全面收益表內扣除的名義利得稅如下：

	2012	2011
本期稅款		
本年度名義 利得稅的撥備		
Current tax		
Provision for notional profits tax for the year	22,079	16,693
遞延稅款		
暫時性差異的 產生及轉回		
Deferred tax		
Origination and reversal of temporary differences	143	(532)
名義利得稅	22,222	16,161
Notional profits tax		

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 5. Other income

#### 6. Notional profits tax

(a) The notional profits tax charged to the statement of comprehensive income is arrived at as follows:

## 財務報表

## Financial Statements

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 6. 名義利得稅 (續)

- (b) 稅項支出與會計盈利按適用稅率計算的對帳如下：

		2012	2011
利得稅前盈利	Profit before tax	137,446	106,354
按香港利得稅率 16.5% (2011 年：16.5%) 計算的稅項	Tax at Hong Kong profits tax rate of 16.5% (2011: 16.5%)	22,678	17,548
一次過寬減 2011/12 年度稅項	One-off tax reduction in 2011/12	(12)	–
不可扣減開支的稅項影響	Tax effect of non-deductible expenses	726	888
非應課稅收入的稅項影響	Tax effect of non-taxable revenue	(1,170)	(2,275)
實際稅項支出	Actual tax expense	22,222	16,161

#### 6. Notional profits tax (continued)

- (b) The reconciliation between tax expense and accounting profit at applicable tax rate is as follows:

#### 7. 固定資產回報率

固定資產回報率是以總全面收益（不包括利息收入、按外匯基金存款的利息收入須繳的名義利得稅、利息支出和結構存款內置的衍生工具的已實現和重估淨收益／虧損）除以固定資產平均淨值所得的百分率。固定資產包括物業、設備及器材，以及無形資產。由財政司司長釐定，預期營運基金可以達到的每年固定資產目標回報率為每年 8.5% (2011 年：8.5%)。

#### 7. Rate of return on fixed assets

The rate of return on fixed assets is calculated as total comprehensive income (excluding interest income, notional profits tax on interest income from placement with the Exchange Fund, interest expenses and net realised and revaluation gains/losses on derivatives embedded in structured deposits) divided by average net fixed assets, and expressed as a percentage. Fixed assets include property, plant and equipment and intangible assets. The Fund is expected to meet a target rate of return on fixed assets of 8.5% per year (2011: 8.5%) as determined by the Financial Secretary.

## 財務報表

## Financial Statements

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 8. 物業、設備及器材

#### 8. Property, plant and equipment

		土地及房產 Land and buildings	電訊設備 Telecom- munications equipment	電腦系統 Computer systems	傢具及裝置 Furniture and fixtures	車輛 Motor vehicles	總額 Total
<b>成本</b>	<b>Cost</b>						
於2010年4月1日	At 1 April 2010	220,243	49,677	35,470	32,059	3,281	340,730
添置	Additions	-	298	743	245	-	1,286
調整	Adjustments	-	-	1	-	15	16
出售／註銷	Disposals	-	(16)	(104)	(24)	-	(144)
於2011年3月31日	At 31 March 2011	220,243	49,959	36,110	32,280	3,296	341,888
於2011年4月1日	At 1 April 2011	<b>220,243</b>	<b>49,959</b>	<b>36,110</b>	<b>32,280</b>	<b>3,296</b>	<b>341,888</b>
添置	Additions	-	<b>1,066</b>	<b>1,717</b>	<b>1,857</b>	<b>867</b>	<b>5,507</b>
出售／註銷	Disposals	-	<b>(21)</b>	<b>(1,050)</b>	<b>(2)</b>	<b>(378)</b>	<b>(1,451)</b>
於2012年3月31日	At 31 March 2012	<b>220,243</b>	<b>51,004</b>	<b>36,777</b>	<b>34,135</b>	<b>3,785</b>	<b>345,944</b>
<b>累計折舊</b>	<b>Accumulated depreciation</b>						
於2010年4月1日	At 1 April 2010	59,977	39,442	31,445	31,171	2,751	164,786
年內折舊	Charge for the year	4,849	2,879	1,877	428	114	10,147
調整	Adjustments	-	-	1	-	15	16
出售／註銷回撥	Written back on disposals	-	(16)	(104)	(24)	-	(144)
於2011年3月31日	At 31 March 2011	64,826	42,305	33,219	31,575	2,880	174,805
於2011年4月1日	At 1 April 2011	<b>64,826</b>	<b>42,305</b>	<b>33,219</b>	<b>31,575</b>	<b>2,880</b>	<b>174,805</b>
年內折舊	Charge for the year	<b>4,849</b>	<b>2,914</b>	<b>1,368</b>	<b>465</b>	<b>160</b>	<b>9,756</b>
出售／註銷回撥	Written back on disposals	-	<b>(21)</b>	<b>(1,045)</b>	<b>(2)</b>	<b>(378)</b>	<b>(1,446)</b>
於2012年3月31日	At 31 March 2012	<b>69,675</b>	<b>45,198</b>	<b>33,542</b>	<b>32,038</b>	<b>2,662</b>	<b>183,115</b>
<b>帳面淨值</b>	<b>Net book value</b>						
於2012年3月31日	At 31 March 2012	<b>150,568</b>	<b>5,806</b>	<b>3,235</b>	<b>2,097</b>	<b>1,123</b>	<b>162,829</b>
於2011年3月31日	At 31 March 2011	155,417	7,654	2,891	705	416	167,083

## 財務報表

## Financial Statements

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 9. 無形資產

#### 9. Intangible assets

		電腦軟件牌照及系統開發費用 Computer software licences and system development costs	
		2012	2011
成本	Cost		
年初	At beginning of year	7,919	7,595
添置	Additions	864	324
年終	At end of year	8,783	7,919
累計攤銷	Accumulated amortisation		
年初	At beginning of year	6,770	5,612
年內攤銷	Charge for the year	488	1,158
年終	At end of year	7,258	6,770
帳面淨值	Net book value		
年終	At end of year	1,525	1,149

#### 10. 外匯基金存款

#### 10. Placement with the Exchange Fund

外匯基金存款結餘為7億2,224.1萬港元(2011年：無)，其中7億港元為原有存款，2,224.1萬港元為報告期結束日已入帳但尚未提取的利息。該存款為期6年(由存款日起計)，期內不能提取原有存款。

The balance of the placement with the Exchange Fund amounted to HK\$722,241,000 (2011:HK\$Nil), being the original placement of HK\$700,000,000 plus HK\$22,241,000 interest paid but not yet withdrawn at the end of the reporting period. The term of the placement is six years from the date of placement, during which the amount of original placement cannot be withdrawn.

外匯基金存款利息按每年1月釐定的固定息率計算。該息率為基金投資組合過往6年的平均年度投資回報，或3年期外匯基金債券在上一個年度的平均年度收益，以兩者中較高者為準，下限為0%。2012年的固定息率為每年5.6%，2011年為每年6.0%。

Interest on the placement is payable at a fixed rate determined every January. The rate is the average annual investment return of the Exchange Fund's Investment Portfolio for the past six years or the average annual yield of three-year Exchange Fund Notes for the previous year subject to a minimum of zero percent, whichever is the higher. The interest rate has been fixed at 5.6% per annum for the year 2012 and at 6.0% per annum for the year 2011.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 11. 遞延稅款

在財務狀況表內確認的遞延稅款來自多於有關折舊及攤銷的折舊免稅額。其年內變動呈列如下：

		2012	2011
年初結餘	Balance at beginning of year	1,096	1,628
於全面收益表內扣除 (撥回)	Charged/(Credited) to statement of comprehensive income	143	(532)
年終結餘	Balance at end of year	1,239	1,096

#### 12. 僱員福利撥備

此為在計至報告期結束日就所提供的服務給予僱員年假及合約僱員約滿酬金的估計負債。

#### 13. 遞延收入

此為將於牌照的餘下有效期攤銷的牌照費收入結餘。

#### 14. 營運基金資本

此為政府對營運基金的投資。

		2012	2011
年初及年終結餘	Balance at beginning and end of year	212,400	212,400

#### 15. 發展儲備

此儲備乃用作為達致目標回報的調節機制。

		2012	2011
年初及年終結餘	Balance at beginning and end of year	690,165	690,165

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 11. Deferred tax

Deferred tax recognised in the statement of financial position arises from depreciation allowances in excess of the related depreciation and amortisation. The movements during the year are as follows:

		2012	2011
Balance at beginning of year		1,096	1,628
Charged/(Credited) to statement of comprehensive income		143	(532)
Balance at end of year		1,239	1,096

#### 12. Provision for employee benefits

This represents the estimated liability for employees' annual leave and obligations on contract-end gratuities payable to contract staff for services rendered up to end of the reporting period.

#### 13. Deferred income

This represents the balance of licence fee income to be amortised over the remaining validity period of the licences.

#### 14. Trading fund capital

This represents the Government's investment in the Fund.

		2012	2011
Balance at beginning and end of year		212,400	212,400

#### 15. Development reserve

This is a reserve serving as a regulating mechanism to meet the target return.

		2012	2011
Balance at beginning and end of year		690,165	690,165



## 財務報表

## Financial Statements

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 16. 保留盈利

#### 16. Retained earnings

		2012	2011
年初結餘	Balance at beginning of year	–	–
年度總全面收益	Total comprehensive income for the year	115,224	90,193
擬發股息	Proposed dividend	(115,224)	(90,193)
年終結餘	Balance at end of year	–	–

#### 17. 擬發股息

#### 17. Proposed dividend

向政府擬派股息是根據年度總全面收益及經財經事務及庫務局局長核准的年度營運計劃裏列出的100%目標派息率（2011年：100%）作出。

The proposed dividend to the Government is based on the total comprehensive income for the year and the target dividend payout ratio of 100% (2011: 100%) stated in the annual business plan approved by the Secretary for Financial Services and the Treasury.

		2012	2011
年初結餘	Balance at beginning of year	90,193	98,537
已付股息	Dividend paid	(90,193)	(98,537)
擬發股息	Dividend proposed	115,224	90,193
年終結餘	Balance at end of year	115,224	90,193

#### 18. 現金及等同現金

#### 18. Cash and cash equivalents

		2012	2011
現金及銀行結餘	Cash and bank balances	12,122	125,353
銀行存款	Bank deposits	369,800	1,043,700
		381,922	1,169,053
減：原有效期為三個月以上的銀行存款	Less: Bank deposits with original maturity beyond three months	(362,800)	(682,400)
現金及等同現金	Cash and cash equivalents	19,122	486,653

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 19. 資本承擔

於2012年3月31日，營運基金尚未有在財務報表中作出準備的資本承擔如下：

		2012	2011
已簽約	Contracted for	611	481
已獲授權但尚未簽約	Authorised but not contracted for	3,271	–
		<b>3,882</b>	481

#### 20. 租賃承擔

於2012年3月31日，不能取消的租賃物業經營租賃的未來最低租賃費用總額如下：

		2012	2011
一年內	Not later than one year	4,498	1,317
一年後但不多於五年	Later than one year but not later than five years	1,500	–
		<b>5,998</b>	1,317

#### 21. 關連人士的交易

除已在財務報表內另作披露的交易外，與關連人士在本年度進行的其他重要交易摘要如下：

- (a) 向關連人士提供總值996.5萬港元(2011年：775.4萬港元)的諮詢和策劃服務，以及總值1,289.3萬港元(2011年：1,137.9萬港元)的頻率指配和保護服務；
- (b) 獲關連人士提供的服務包括辦公室地方開支、保養和維修、法律意見、中央管理和審計。營運基金就這些服務共支出1,839.5萬港元(2011年：1,164.1萬港元)；以及

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 19. Capital commitments

At 31 March 2012, the Fund had capital commitments, so far as not provided for in the financial statements, as stated below:

		2012	2011
Contracted for		611	481
Authorised but not contracted for		3,271	–
		<b>3,882</b>	481

#### 20. Lease commitments

At 31 March 2012, the total future minimum lease payments under non-cancellable operating leases for leased properties were payable as follows:

		2012	2011
Not later than one year		4,498	1,317
Later than one year but not later than five years		1,500	–
		<b>5,998</b>	1,317

#### 21. Related party transactions

Apart from those separately disclosed in the financial statements, the other material related party transactions for the year are summarised as follows:

- (a) advisory and project services provided to related parties amounted to HK\$9,965,000 (2011: HK\$7,754,000) while frequency assignment and protection services amounted to HK\$12,893,000 (2011: HK\$11,379,000);
- (b) services received from related parties included accommodation, repairs and maintenance, legal advice, central administration and auditing. In total, the Fund incurred HK\$18,395,000 on these services (2011: HK\$11,641,000); and

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 21. 關連人士的交易 (續)

- (c) 向關連人士購得的固定資產包括電腦系統、傢具及裝置和車輛。這些資產總值202.6萬港元(2011年：零港元)。

由關連人士提供或向關連人士提供的服務，如同時亦向公眾提供，則按公眾應支付的金額收費；如該服務只向關連人士提供，則按十足收回成本的原則收費。由關連人士供應的固定資產按十足成本收費。

於2012年3月31日與關連人士交易的結餘已載於財務狀況表內。

#### 22. 或有負債

於2012年3月31日沒有仍在審理中的針對電訊管理局局長的訴訟案件。

#### 23. 財務風險管理

##### (a) 投資政策

為提供額外收入來源，現金盈餘已投資於金融工具的投資組合。投資組合包括定期存款。營運基金政策規定，所有金融工具的投資應屬保本投資。

##### (b) 貨幣風險

貨幣風險指金融工具的公平值或未來現金流量會因貨幣匯率變動而波動的風險。

由於營運基金絕大部分金融工具均以港元計算，故基本上無須面對重大的貨幣風險。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 21. Related party transactions (continued)

- (c) fixed assets acquired from related parties included computer systems, furniture and fixtures and motor vehicles. The total amount for these assets amounted to HK\$2,026,000 (2011: HK\$ Nil).

Services provided by or to related parties were charged at the rates payable by the general public where such services were also available to members of the public, or on a full cost recovery basis where such services were only available to related parties. Fixed assets supplied by related parties were charged at full cost.

Balances with related parties as at 31 March 2012 are set out in the statement of financial position.

#### 22. Contingent liabilities

There were no outstanding litigation cases against the Telecommunications Authority as at 31 March 2012.

#### 23. Financial risk management

##### (a) Investment policy

To provide an ancillary source of income, surplus cash is invested in a portfolio of financial instruments. The portfolio includes fixed deposits. It is the Fund's policy that all investments in financial instruments should be principal-protected.

##### (b) Currency risk

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in currency exchange rates.

The Fund basically does not have significant exposure to currency risk as substantially all of its financial instruments are denominated in Hong Kong dollars.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 23. 財務風險管理 (續)

##### (c) 信貸風險

信貸風險指金融工具的一方持有者因未能履行責任而引致另一方蒙受財務損失的風險。

於報告期結束日的最高信貸風險（未計及持有的任何抵押品或其他提升信貸質素項目）如下：

	2012	2011
應收帳款及按金	3,920	996
應收關連人士帳款	–	1,285
應收利息	11,669	8,258
外匯基金存款	722,241	–
銀行存款	369,800	1,043,700
銀行結餘	12,121	125,350
<b>總額</b>	<b>Total</b>	<b>1,119,751</b>
		1,179,589

為盡量減低信貸風險，所有定期存款均存放於香港的持牌銀行。

至於外匯基金存款，其相關信貸風險為低。

##### (d) 流動資金風險

流動資金風險指機構在履行與金融負債相關的責任時遇到困難的風險。

營運基金透過預計所需的現金款額和監測營運基金的流動資金，來管理流動資金風險，確保可以償付所有到期負債和已知的資金需求。由於營運基金擁有充裕的流動資金，其流動資金風險水平甚低。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 23. Financial risk management (continued)

##### (c) Credit risk

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss.

The maximum exposure to credit risk at the end of the reporting period without taking account of any collateral held or other credit enhancements is shown below:

	2012	2011
Debtors and deposits	3,920	996
Amounts due from related parties	–	1,285
Interest receivable	11,669	8,258
Placement with the Exchange Fund	722,241	–
Bank deposits	369,800	1,043,700
Bank balances	12,121	125,350

To minimise credit risks, all fixed deposits are placed with licensed banks in Hong Kong.

For the placement with the Exchange Fund, the credit risk is considered to be low.

##### (d) Liquidity risk

Liquidity risk is the risk that an entity will encounter difficulty in meeting obligations associated with financial liabilities.

The Fund manages liquidity risk by forecasting the amount of cash required and monitoring the working capital of the Fund to ensure that all liabilities due and known funding requirements could be met. As the Fund has a strong liquidity position, it has a very low level of liquidity risk.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 23. 財務風險管理 (續)

##### (e) 利率風險

利率風險指因市場利率變動而引致虧損的風險。利率風險可進一步分為公平值利率風險及現金流量利率風險。

公平值利率風險是指金融工具的公平值會因市場利率變動而波動的風險。由於營運基金的所有銀行存款按固定利率計算利息，當市場利率上升時，這些存款的公平值將會下跌。然而，由於這些存款均按攤銷成本值列帳，市場利率變動並不會影響其帳面值和基金的盈利及儲備。

現金流量利率風險是指金融工具的未來現金流量會因市場利率變動而波動的風險。營運基金面對的現金流量利率風險很小，因其並無重大的浮息投資。

以主要計息資產在報告期結束日的帳面值，並按合約重定價日期或到期日分類（兩者中以較早的日期為準）列示營運基金面對的利率風險如下：

		重定價期 Repricing period		
		3個月或以下 3 months or less	超過3個月 但不超過1年 More than 3 months but not more than 1 year	總額 Total
<b>2012</b>	<b>2012</b>			
銀行存款	Bank deposits	123,100	246,700	369,800
<b>2011</b>	<b>2011</b>			
銀行存款	Bank deposits	664,700	379,000	1,043,700

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 23. Financial risk management (continued)

##### (e) Interest rate risk

Interest rate risk refers to the risk of loss arising from changes in market interest rates. This can be further classified into fair value interest rate risk and cash flow interest rate risk.

Fair value interest rate risk is the risk that the fair value of a financial instrument will fluctuate because of changes in market interest rates. Since all of the Fund's bank deposits bear interest at fixed rates, their fair values will fall when market interest rates increase. However, as they are all stated at amortised cost, changes in market interest rates will not affect their carrying amounts and the Fund's profit and reserves.

Cash flow interest rate risk is the risk that future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Fund's exposure to cash flow interest rate risk is small as it has no major floating-rate investments.

The Fund's exposure to interest rate risk, based on the major interest bearing assets stated at carrying amounts at the end of the reporting period and categorised by the earlier of contractual repricing dates or maturity dates, is set out below:



## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 23. 財務風險管理 (續)

##### (f) 其他財務風險

營運基金因於每年1月釐定外匯基金存款息率(附註10)的變動而須面對財務風險，於2012年3月31日，在息率增加／減少50個基點而其他因素不變的情況下，估計年度盈利和儲備將增加／減少275.1萬港元。

##### (g) 公平值

在活躍市場交易的金融工具的公平值，是根據其於報告期結束日的市場報價釐定。如沒有該等市場報價，則以現值或其他估值方法按報告期結束日的市況數據評估其公平值。

所有金融工具均以與其公平值相等或相差不大的金額在財務狀況表內列帳。

#### 24. 報告期後非調整事項

《通訊事務管理局條例》於2012年4月1日開始實施。通訊事務管理局辦公室是通訊事務管理局的執行部門，由電訊局與影視及娛樂事務管理處的有關科別合併而成。根據該條例第25條的規定，電訊局營運基金於同日重新命名為「通訊事務管理局辦公室營運基金」。

因應上述變動，估計於截至2013年3月31日止年度的營運基金收入會增加17.6%，而運作成本則增加26.4%。

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 23. Financial risk management (continued)

##### (f) Other financial risk

The Fund is exposed to financial risk arising from changes in the interest rate on the placement with the Exchange Fund which is determined every January (Note 10). It was estimated that, as at 31 March 2012, a 50 basis point increase/decrease in the interest rate for 2011 and 2012, with all other variables held constant, would increase/decrease the profit for the year and reserves by HK\$2,751,000.

##### (g) Fair values

The fair values of financial instruments quoted in active markets are based on their quoted prices at the end of the reporting period. In the absence of such quoted market prices, fair values are estimated using present value or other valuation techniques, using inputs based on market conditions existing at the end of the reporting period.

All financial instruments are stated in the statement of financial position at amounts equal to or not materially different from their fair values.

#### 24. Non-adjusting event after the reporting period

On 1 April 2012, the Communications Authority Ordinance came into operation. The Office of the Communications Authority (OFCA), the executive arm of the Communications Authority, was formed by merging the OFTA and the relevant divisions of the Television and Entertainment Licensing Authority. By virtue of section 25 of the ordinance, the OFTA Trading Fund was renamed as the OFCA Trading Fund on the same date.

It was estimated that as a result of the above change, in the year ending 31 March 2013 the revenue of the trading fund would increase by 17.6% while the operation costs would increase by 26.4%.

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 25. 已頒布但於截至2012年3月31日止年度尚未生效的修訂、新準則及詮釋的可能影響

直至本財務報表發出之日，香港會計師公會已頒布多項修訂、新準則及詮釋。其中包括於截至2012年3月31日止年度尚未生效，亦沒有提前在本財務報表中被採納的修訂、新準則及詮釋。

營運基金正就該等修訂、新準則及詮釋在首次採用期間預期會產生的影響進行評估。直至目前為止，營運基金得出的結論為採納該等修訂、新準則及詮釋不大可能會對營運基金的運作成果及財務狀況構成重大影響。

下列財務報告準則修訂及新準則可能會引致日後的財務報表須作出新的或經修訂的資料披露：

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 25. Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 March 2012

Up to the date of issue of these financial statements, the HKICPA has issued a number of amendments, new standards and interpretations which are not yet effective for the year ended 31 March 2012 and which have not been early adopted in these financial statements.

The Fund is in the process of making an assessment of what the impact of these amendments, new standards and interpretations is expected to be in the period of initial adoption. So far it has concluded that the adoption of them is unlikely to have a significant impact on the Fund's results of operations and financial position.

The following developments may result in new or amended disclosures in future financial statements:

## 財務報表

### 財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

#### 25. 已頒布但於截至2012年3月31日止年度尚未生效的修訂、新準則及詮釋的可能影響 (續)

## Financial Statements

### Notes to the Financial Statements

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

#### 25. Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 March 2012 (continued)

		於以下日期或之後開始的 會計期間生效 Effective for accounting periods beginning on or after
香港會計準則第1號(經修訂) 「財務報表的呈報」的修訂 — 其他全面收益項目的呈報	Amendments to HKAS 1 (Revised), Presentation of Financial Statements – Presentation of Items of Other Comprehensive Income	2012年7月1日 1 July 2012
香港會計準則第19號(2011)「僱員福利」	HKAS 19 (2011), Employee Benefits	2013年1月1日 1 January 2013
香港會計準則第32號「金融工具：呈報」 的修訂—金融資產與金融負債的對銷	Amendments to HKAS 32, Financial Instruments: Presentation – Offsetting Financial Assets and Financial Liabilities	2014年1月1日 1 January 2014
香港財務報告準則第7號 「金融工具：披露」的修訂 — 披露—金融資產的轉移	Amendments to HKFRS 7, Financial Instruments: Disclosures – Disclosures – Transfers of Financial Assets	2011年7月1日 1 July 2011
— 披露—金融資產與金融負債的對銷	– Disclosures – Offsetting Financial Assets and Financial Liabilities	2013年1月1日 1 January 2013
香港財務報告準則第9號「金融工具」	HKFRS 9, Financial Instruments	2015年1月1日 1 January 2015
香港財務報告準則第13號「公平值計量」	HKFRS 13, Fair Value Measurement	2013年1月1日 1 January 2013

## 附錄 A Appendix A

### 分部職責

電訊局在1993年7月1日成立為一個獨立政府部門，是電訊局長的行政機關。電訊局長根據《電訊條例》（第106章），獲委任為負責規管電訊市場的法定人士。

自1995年6月起，電訊局一直以營運基金的方式運作，經費主要來自牌照費的收入。

電訊局約有員工330人，主要負責規管和促進電訊業的發展，包括經濟及技術規管、執行公平競爭條款、協調電訊基礎建設的發展、調查有關涉嫌違反《電訊條例》及發牌條款的消費者和業界投訴、管理無線電頻譜、協調衛星軌道、就電訊事宜向政府提供意見、代表香港參加國際電聯與其他國際論壇，以及確保香港遵守相關的國際協議。

電訊局由三個分部以及三個組別而成：規管事務部、執行部、支援部、競爭組、經濟分析及研究組以及法律支援組，負責履行電訊局的職能。這些部門及組別的主要職責是：

### Branch Responsibilities

OFTA was established as an independent Government department on 1 July 1993 and is the executive arm of the TA. The TA is appointed under the Telecommunications Ordinance (Cap.106) as the statutory body responsible for regulating the telecommunications industry.

Since June 1995, OFTA has been operating on a trading fund basis, with its funding supported by income derived mainly from licence fees.

With about 330 staff members, OFTA's major role is to regulate, and facilitate the development of the telecommunications sector. Its responsibilities include economic and technical regulation, enforcing fair competition rules, coordinating the development of the telecommunications infrastructure, investigating consumer and industry complaints pertaining to suspected breach of provisions in the Telecommunications Ordinance and licence conditions, managing the radio frequency spectrum, coordinating satellite orbital positions, providing advice to the Government on telecommunications matters, representing Hong Kong in the ITU and other international fora, and ensuring Hong Kong's compliance with relevant international agreements.

OFTA's functions are performed by its three branches and three units: Regulatory Affairs Branch, Operations Branch, Support Branch, Competition Unit, Economic Analysis and Research Unit and Legal Support Unit. The main duties of these branches and units are:

## 附錄 A

### Appendix A

**規管事務部** 負責公共電訊服務的規管和發牌事宜、執行牌照條款及管理電訊號碼計劃。其他職責還包括就電訊規管計帳向電訊局長提供意見、監察公共電訊服務營辦商的表現、調查有關公共電訊服務的業界投訴、作出裁決及調解以解決業界在互連、共用設施和接駁問題上的爭議、協助公共流動網絡營辦商進入土地設置無線電通訊裝置、以及協調在公用道路敷設電訊電纜管道的工程。

**執行部** 負責管理香港的無線電頻譜、就電訊事宜向政府提供意見，並就規管廣播服務，以及推行數碼地面電視政策提供技術支援。職責包括與中國內地及澳門當局協調無線電通訊和廣播頻率的使用、專用電訊服務的發牌、調查廣播接收不佳的個案並提供技術解決方案、調查有關無線電干擾及輻射危險的投訴、檢控非法使用電訊設備、舉辦水上無線電操作人員的考試和發出證書，以及就營辦商進入樓宇公用部份敷設電訊／廣播設施及網絡進行協調。

**The Regulatory Affairs Branch** oversees the regulation and licensing of public telecommunications services, enforces licence conditions and administers the telecommunications numbering plan. The responsibilities of the Branch also include providing advice on regulatory accounting to the TA, monitoring the performance of public telecommunications operators, investigating industry complaints regarding public telecommunications services, handling determinations and mediations to resolve industry disputes related to interconnection, sharing of facilities and access, facilitating public mobile network operators' access to land to place radiocommunications installations and coordinating the laying of ducts for telecommunications in public roads.

**The Operations Branch** manages Hong Kong's radio frequency spectrum, provides advice to the Government on telecommunications matters and renders technical support in the regulation of broadcasting services and the implementation of the digital terrestrial television policy. Its responsibilities also include co-ordinating the use of radiocommunications and broadcasting frequencies with the Mainland and the Macao authorities, licensing private telecommunications services, investigating poor broadcast reception and recommending technical solutions, investigating radio interference and radiation hazard complaints, prosecuting illegal use of telecommunications equipment, administering examination and certification of maritime radio operation personnel and co-ordinating access to common parts of buildings by operators for the purpose of installing telecommunications / broadcasting equipment and wirings.



**支援部** 執行規管發送商業電子訊息的《非應邀電子訊息條例》（不包括與詐騙活動有關的條文），維持《拒收訊息登記冊》系統以供公眾人士和商界／機構使用，與國際及本地的反濫發訊息機構合作打擊濫發訊息行為，監察技術標準與國際事務，以及執行電訊局的公共關係和行政方面的工作。技術方面的職責，包括通訊衛星系統和服務的規管和發牌、確保各項國際協議備受遵守、訂定技術標準和批核有關的電訊設備。至於行政方面的職責，則包括與傳媒保持溝通，回應市民查詢，籌辦宣傳、公共關係和消費者教育活動、處理與涉嫌違反《電訊條例》和發牌條款有關的消費者投訴，以及擬訂資訊科技、人力資源及財務管理的策略。

**競爭組** 負責執行競爭規例，禁止反競爭行為及具誤導性的行為。

**經濟分析及研究組** 負責提供經濟評估，供考慮規管和競爭政策之用。

**法律支援組** 向電訊局長提供法律協助，以便電訊局長能夠根據《電訊條例》妥善履行職責。

**The Support Branch** enforces the UEMO (except the parts related to fraudulent activities) which regulates the sending of commercial electronic messages, maintains the “DNC Registers” system for the use of the general public and businesses / organisations, cooperate with international and local anti-spam organisations to combat spam, oversees technical standards and international affairs, and implements OFTA’s public relations and administrative functions. On the technical side, its portfolio covers the regulation and licensing of communications satellite systems and services, ensuring compliance with various international agreements, developing technical standards and approving related equipment. On the administrative side, it is responsible for communicating with the media, responding to public enquiries, organising publicity and public relations events, conducting consumer education programmes, handling consumer complaints pertaining to suspected breach of provisions in the Telecommunications Ordinance and licence conditions, and devising information technology, human resources and financial management strategies.

**The Competition Unit** is concerned with the enforcement of the competition rules prohibiting anti-competitive practices and misleading conduct.

**The Economic Analysis and Research Unit** is responsible for providing economic assessments in the consideration of regulatory and competition policies.

**The Legal Support Unit** provides legal assistance to the TA so that he may carry out his functions under the Telecommunications Ordinance in a satisfactory manner.

## 附錄 B Appendix B

### 電訊管理局組織架構

截至2012年3月31日

### OFTA Organisation Chart

As at 31 March 2012



## 諮詢及頻譜管理科

### Advisory & Spectrum Management Division

總電訊工程師

Chief Telecom Engineer

馬步豪先生

Mr P H Ma

葉偉文先生  
Mr Isaac W M Ip  
諮詢及支援組  
Advisory & Support  
Section

丁立興先生  
Mr L H Ting  
頻譜策劃組 (一)  
Spectrum Planning  
Section 1

李志成先生  
Mr Sammy C S Li  
頻譜策劃組 (二)  
Spectrum Planning  
Section 2

陸偉堅先生  
Mr W K Luk  
電訊標準組  
Standards Section

何貴深先生  
Mr Sam K S Ho  
貿易組  
Trade Section

鄧世光先生  
Mr Andrew S K Tang  
條例執行組  
Enforcement Section

## 規管科 1

### Regulatory Division 1

規管科主任 1

Head, Regulatory 1

陳子儀先生

Mr T Y Chan

郭榮興先生  
Mr Warren W H Kwok  
規管組 (11)  
Regulatory Section 11

賴婉珊女士  
Ms Helen Y S Lai  
規管組 (12)  
Regulatory Section 12

## 規管科 2

### Regulatory Division 2

規管科主任 2

Head, Regulatory 2

關順明先生

Mr Lawrence  
S M Kwan

湛兆仁先生  
Mr Sidney S Y Tsan  
規管組 (21)  
Regulatory Section 21

何焜先生  
Mr Raymond K Ho  
規管組 (22)  
Regulatory Section 22

姚紹強先生  
Mr S K Yiu  
規管組 (23)  
Regulatory Section 23

## 特別職務科

### Special Task Division

特別職務科主任

Head, Special Task

卓聖德先生

Mr Sanda  
S T Cheuk

黃國華先生  
Mr Danny K W Wong  
特別職務組 (1)  
Special Task Section 1

楊敬恆先生  
Mr Kingsley K H Young  
特別職務組 (2)  
Special Task Section 2

## 行政事務科

### Administrative Services Division

部門主任秘書

Departmental Secretary

張淑冰女士

Miss Stephanie  
S P Cheung

張宇詠女士  
Miss Anna Y W Cheung  
副部門秘書  
Deputy Departmental  
Secretary

司徒詠蘭女士  
Ms Dollen W L Sze-To  
翻譯組  
Translation Section

## 發展科

### Development Division

總電訊工程師

Chief Telecom Engineer

鄭志強先生

Mr C K Cheng

趙子勝先生  
Mr T S Chew  
廣播事務支援組  
Broadcasting  
Support Section

陳偉明先生  
Mr Francis W M Chan  
對外事務組  
External Affairs  
Section

陳家偉先生  
Mr Frank K H Chan  
資訊科技組  
Information  
Technology Section

李永康先生  
Mr Alvin W H Li  
非應邀電子訊息組  
Unsolicited Electronic  
Messages Section

## 財務科

### Finance Division

財務監督

Financial Controller

何炳裕先生

Mr Patrick P Y Ho

曾昭琦女士  
Miss Kaylina C K Tsang  
會計／物料供應組  
Accounts/Supplies  
Section

謝燕霞女士  
Ms Betty Y H Tse  
收入組  
Revenue Section

傅家敏女士  
Ms Diana K M Fu  
公共事務組  
Public Affairs Section

黃紫薇女士  
Ms Jamay T M Wong  
消費者事務組  
Consumer Affairs  
Section

詹建寧女士  
Ms Christine K N Chim  
專責事務組  
Special Duty Section

## 附錄 C Appendix C

### 諮詢委員會成員名單

#### 電訊服務號碼諮詢委員會

(截至2012年3月31日)

##### 主席

劉光祥先生

電訊管理局助理總監(規管)

##### 秘書

陳致樂先生

電訊管理局規管事務經理(規管)

##### 成員

熊天佑博士

消費者委員會代表

藍偉杰工程師、博士

香港工程師學會代表

張年生先生

工程及科技學會香港分會代表

劉景滔先生

香港電訊用戶協會代表

劉貴顯先生

香港通訊業聯會代表

趙善能先生

香港無線科技商會代表

陳傳明先生

香港電話有限公司及

Hong Kong Telecommunications (HKT) Limited 代表

陳傳明先生

Hong Kong Telecommunications (HKT) Limited 代表

馬婉華女士

和記環球電訊有限公司代表

馬婉華女士

和記電話有限公司代表

楊玉彪先生

香港有線電視有限公司代表

楊玉彪先生

九倉電訊有限公司代表

吳劍鴻先生

新世界電訊有限公司代表

姚家倫先生

香港寬頻網絡有限公司代表

張悅賓先生

信通電話(香港)有限公司代表

于錦輝先生

數碼通電訊有限公司代表

于錦輝先生

SmarTone Communications Limited 代表

劉筱娜女士

香港移動通訊有限公司代表

曹文先生

中國移動香港有限公司代表

陸國強先生

中國網絡有限公司代表

陳金榮先生

對外固網服務/固定傳送者/綜合傳送者  
(對外固定服務)持牌商界別代表

### Membership of Advisory Committees

#### Telecommunications Numbering Advisory Committee

(as at 31 March 2012)

##### Chairman

**Mr Danny LAU**

Assistant Director (Regulatory Affairs), OFTA

##### Secretary

**Mr Joe Chan**

Regulatory Affairs Manager (Regulatory Affairs), OFTA

##### Members

**Dr Victor HUNG**

Representative of Consumer Council

**Ir Dr Ringo LAM**

Representative of Hong Kong Institution of Engineers

**Mr Henry CHEUNG**

Representative of Institution of Engineering and Technology Hong Kong

**Mr James LAU**

Representative of Hong Kong Telecommunications Users Group

**Mr Kenneth LAU**

Representative of Communications Association of Hong Kong

**Mr Kenny CHIU**

Representative of Hong Kong Wireless Technology Industry Association

**Mr C M CHAN**

Representative of PCCW-HKT Telephone Limited and  
Hong Kong Telecommunications (HKT) Limited

**Mr C M CHAN**

Representative of Hong Kong Telecommunications (HKT) Limited

**Ms Winnie MA**

Representative of Hutchison Global Communications Limited

**Ms Winnie MA**

Representative of Hutchison Telephone Company Limited

**Mr Bill YEUNG**

Representative of Hong Kong Cable Television Limited

**Mr Bill YEUNG**

Representative of Wharf T & T Limited

**Mr Kenneth NG**

Representative of New World Telecommunications Limited

**Mr Ken YIU**

Representative of Hong Kong Broadband Network Limited

**Mr Sutton CHEUNG**

Representative of ComNet Telecom (HK) Limited

**Mr Kenny YU**

Representative of SmarTone Mobile Communications Limited

**Mr Kenny YU**

Representative of SmarTone Communications Limited

**Ms Paulina LAU**

Representative of CSL Limited

**Mr Almond TSO**

Representative of China Mobile Hong Kong Company Limited

**Mr K K LUK**

Representative of HKC Network Limited

**Mr K W CHAN**

Representative of external FTNS / fixed carrier licensees / unified carrier  
(external fixed services) licensees as a group

## 電訊服務號碼諮詢委員會 (續)

陳毓才先生  
對外電訊服務營辦商界別代表

黃卓豪先生  
流動虛擬網絡營辦商界別代表

陳新傑先生  
無線電傳呼服務營辦商界別代表

羅錦基先生  
服務營辦商牌照持牌商界別代表

文國豐工程師  
香港警務處代表

趙志威先生  
個別委任人士

陳鎮松博士  
個別委任人士

陳婉華女士  
個別委任人士

張綺雯女士  
個別委任人士

## Telecommunications Numbering Advisory Committee (continued)

**Mr Stephen CHAN**  
Representative of external telecommunications service (ETS) operators as a group

**Mr Tony WONG**  
Representative of mobile virtual network operators (MVNOs) as a group

**Mr Kit CHAN**  
Representative of radio paging operators as a group

**Mr Allen LAW**  
Representative of services-based operator (SBO) licensees as a group

**Ir K F MAN**  
Representative of Hong Kong Police Force

**Mr Frankie CHIU**  
Members appointed on an ad personam basis

**Dr Patrick CHAN**  
Members appointed on an ad personam basis

**Ms Eva CHAN**  
Members appointed on an ad personam basis

**Ms Fannie CHEUNG**  
Members appointed on an ad personam basis

## 規管事務諮詢委員會

(截至2012年3月31日)

## Regulatory Affairs Advisory Committee

(as at 31 March 2012)

主席  
夏勇權先生  
電訊管理局副總監

Chairman  
**Mr Y K HA**  
Deputy Director-General, OFTA

秘書  
劉光祥先生  
電訊管理局助理總監 (規管)

Secretary  
**Mr Danny LAU**  
Assistant Director (Regulatory Affairs), OFTA

成員  
陳永福工程師  
香港工程師學會代表

黃振球先生  
工程及科技學會 (香港分會) 代表

韋馬仕先生  
香港電訊用戶協會代表

陳錦成先生  
香港通訊業聯會代表

方健僑先生  
香港無線科技商會代表

林榮執先生  
香港電話有限公司代表

林榮執先生  
Hong Kong Telecommunications (HKT) Limited 代表

馬婉華女士  
和記環球電訊有限公司代表

馬婉華女士  
和記電話有限公司代表

馬婉華女士  
Genius Brand Limited 代表

陳國萍女士  
九倉電訊有限公司代表

陳國萍女士  
香港有線電視有限公司代表

梁榮佳先生  
新世界電訊有限公司代表

Members  
**Ir Raymond CHAN**  
Representative of Hong Kong Institution of Engineers

**Mr Jolly WONG**  
Representative of the Institution of Engineering and Technology Hong Kong

**Mr Marcus VASS**  
Representative of Hong Kong Telecommunications Users Group

**Mr Gilbert CHAN**  
Representative of Communications Association of Hong Kong

**Mr Ken FONG**  
Representative of HK Wireless Technology Industry Association

**Mr Peter LAM**  
Representative of PCCW-HKT Telephone Limited

**Mr Peter LAM**  
Representative of Hong Kong Telecommunications (HKT) Limited

**Ms Winnie MA**  
Representative of Hutchison Global Communications Limited

**Ms Winnie MA**  
Representative of Hutchison Telephone Company Limited

**Ms Winnie MA**  
Representative of Genius Brand Limited

**Ms Agnes TAN**  
Representative of Wharf T & T Limited

**Ms Agnes TAN**  
Representative of Hong Kong Cable Television Limited

**Mr Richard LEUNG**  
Representative of New World Telecommunications Limited



諮詢委員會成員名單	Membership of Advisory Committees
規管事務諮詢委員會 (續)	Regulatory Affairs Advisory Committee (continued)
姚家倫先生 香港寬頻網絡有限公司代表	<b>Mr Ken YIU</b> Representative of Hong Kong Broadband Network Limited
柯天倫先生 數碼通電訊有限公司代表	<b>Mr T L OR</b> Representative of SmarTone Mobile Communications Limited
柯天倫先生 SmarTone Communications Limited 代表	<b>Mr T L OR</b> Representative of SmarTone Communications Limited
高穎賢女士 香港移動通訊有限公司代表	<b>Ms Alison KO</b> Representative of CSL Limited
楊志宏先生 中國移動香港有限公司代表	<b>Mr Eric YEUNG</b> Representative of China Mobile Hong Kong Company Limited
何中成先生 名氣通電訊固網有限公司代表	<b>Mr Clifford HO</b> Representative of Towngas Telecommunications Fixed Network Limited
張悅賓先生 信通電話(香港)有限公司代表	<b>Mr Sutton CHEUNG</b> Representative of ComNet Telecom (HK) Limited
劉貴顯先生 TraxComm Limited 代表	<b>Mr Kenneth LAU</b> Representative of TraxComm Limited
陸國強先生 中港網絡有限公司代表	<b>Mr K K LUK</b> Representative of HKC Network Limited
<b>Ms Christy DITCHBURN</b> 對外固網服務／固定傳送者／綜合傳送者 (對外固定服務)持牌商界別代表	<b>Ms Christy DITCHBURN</b> Representative of external FTNS / fixed carrier / unified carrier (external fixed services) licensees as a group
廖啟民先生 對外電訊服務營辦商界別代表	<b>Mr Man LIU</b> Representative of external telecommunications service (ETS) operators as a group
邱斌博士 中小型企業代表	<b>Dr Oliver YAU</b> Representative of small and medium enterprises
莫兆華先生 個別委任人士	<b>Mr York MOK</b> Members appointed on an ad personam basis
徐岩博士 個別委任人士	<b>Dr Yan XU</b> Members appointed on an ad personam basis
<b>無線電頻譜諮詢委員會</b> (截至 2012 年 3 月 31 日)	<b>Radio Spectrum Advisory Committee</b> (as at 31 March 2012)
<b>主席</b> 蘇達寬先生 電訊管理局助理總監(執行)	<b>Chairman</b> <b>Mr T F SO</b> Assistant Director (Operations), OFTA
<b>秘書</b> 丁立興先生 電訊管理局高級電訊工程師(頻譜策劃)	<b>Secretary</b> <b>Mr L H TING</b> Senior Telecommunications Engineer (Spectrum Planning), OFTA
<b>成員</b> 熊天佑博士 消費者委員會代表	<b>Members</b> <b>Dr Victor HUNG</b> Representative of Consumer Council
李志光工程師、博士 香港工程師學會代表	<b>Ir Dr C K LI</b> Representative of Hong Kong Institution of Engineers
陳浩榮先生 工程及科技學會香港分會代表	<b>Mr H W CHAN</b> Representative of Institution of Engineering and Technology Hong Kong
林國誠先生 香港通訊業聯會代表	<b>Mr Bruce LAM</b> Representative of Communications Association of Hong Kong
楊德華先生 香港無線科技商會代表	<b>Mr Billy YEUNG</b> Representative of Hong Kong Wireless Technology Industry Association
蔡炎文先生 本地固定電訊網絡(固網)服務／固定傳送者持牌商界別代表	<b>Mr Alan CHOI</b> Representative of local FTNS / fixed carrier (wireline and wireless-based) licensees as a group

## 無線電頻譜諮詢委員會 (續)

## Radio Spectrum Advisory Committee

(continued)

潘小志先生 中國移動香港有限公司代表	<b>Mr Mike PAN</b> Representative of China Mobile Hong Kong Company Limited
蔡炎文先生 數碼通電訊有限公司代表	<b>Mr Alan CHOI</b> Representative of SmarTone Mobile Communications Limited
劉德民先生 和記電話有限公司代表	<b>Mr T M LAU</b> Representative of Hutchison Telephone Company Limited
劉德民先生 Genius Brand Limited 代表	<b>Mr T M LAU</b> Representative of Genius Brand Limited
趙映霞女士 香港移動通訊有限公司代表	<b>Ms Joanna CHIU</b> Representative of CSL Limited
黃旭安先生 香港電話有限公司及 Hong Kong Telecommunications (HKT) Limited 代表	<b>Mr Adam WONG</b> Representative of PCCW-HKT Telephone Limited and Hong Kong Telecommunications (HKT) Limited
孔慶柱先生 對外固網服務／固定傳送者／綜合傳送者 (對外固定服務) 持牌商別代表	<b>Mr H C HUNG</b> Representative of external FTNS / fixed carrier / unified carrier (external fixed services) licensees as a group
陳日鴻先生 亞洲衛星有限公司代表	<b>Mr Y H CHAN</b> Representative of Asia Satellite Telecommunications Company Limited
陳珣先生 亞太通信衛星有限公司代表	<b>Mr X CHEN</b> Representative of APT Satellite Company Limited
黃偉民先生 無線電傳呼服務營辦商別代表	<b>Mr Raymond WONG</b> Representative of radio paging operators as a group
陳耀洲先生 免費電視界別代表	<b>Mr Y C CHAN</b> Representative of broadcasters (free TV) as a group
朱嘉遜先生 收費電視界別代表	<b>Mr Carlson CHU</b> Representative of broadcasters (pay TV) as a group
郭謙先生 廣播電台界別代表	<b>Mr Francis KWOK</b> Representative of sound broadcasters as a group
蕭蔡底先生 業餘無線電會界別代表	<b>Mr Johnny SIU</b> Representative of amateur radio societies as a group
阮志敬先生 民航處代表	<b>Mr C K YUEN</b> Representative of Civil Aviation Department
張浩明先生 香港警務處代表	<b>Mr H M CHEUNG</b> Representative of Hong Kong Police Force
劉重明博士 個別委任人士	<b>Dr Francis LAU</b> Members appointed on an ad personam basis
姚尚樂女士 個別委任人士	<b>Ms Christine IU</b> Members appointed on an ad personam basis

## 技術標準諮詢委員會

(截至2012年3月31日)

## Technical Standards Advisory Committee

(as at 31 March 2012)

<b>主席</b> 梁仲賢先生 電訊管理局助理總監 (支援)	<b>Chairman</b> <b>Mr Chaucer LEUNG</b> Assistant Director (Support), OFTA
<b>秘書</b> 陸偉堅先生 電訊管理局高級電訊工程師 (電訊標準)	<b>Secretary</b> <b>Mr W K LUK</b> Senior Telecommunications Engineer (Standards), OFTA
<b>成員</b> 鄭耀年先生 消費者委員會代表	<b>Members</b> <b>Mr Brian CHENG</b> Representative of Consumer Council
陶榮工程師 香港工程師學會代表	<b>Ir Christopher TO</b> Representative of Hong Kong Institution of Engineers
曾劍鋒博士 工程及科技學會香港分會代表	<b>Dr K F TSANG</b> Representative of Institution of Engineering and Technology Hong Kong

諮詢委員會成員名單	Membership of Advisory Committees
技術標準諮詢委員會 (續)	Technical Standards Advisory Committee (continued)
馮良正先生 香港生產力促進局代表	<b>Mr Duncan FUNG</b> Representative of Hong Kong Productivity Council
何偉中先生 香港通訊業聯會代表	<b>Mr Stephen HO</b> Representative of Communications Association of Hong Kong
李健虎先生 香港無線科技商會代表	<b>Mr Keith LIE</b> Representative of Hong Kong Wireless Technology Industry Association
張泳健先生 香港電話有限公司及 Hong Kong Telecommunications (HKT) Limited 代表	<b>Mr W K CHEUNG</b> Representative of PCCW-HKT Telephone Limited and Hong Kong Telecommunications (HKT) Limited
張泳健先生 Hong Kong Telecommunications (HKT) Limited 代表	<b>Mr W K CHEUNG</b> Representative of Hong Kong Telecommunications (HKT) Limited
余偉交先生 和記環球電訊有限公司代表	<b>Mr Angus YU</b> Representative of Hutchison Global Communications Limited
余偉交先生 和記電話有限公司代表	<b>Mr Angus YU</b> Representative of Hutchison Telephone Company Limited
余偉交先生 Genius Brand Limited 代表	<b>Mr Angus YU</b> Representative of Genius Brand Limited
楊玉彪先生 香港有線電視有限公司代表	<b>Mr Bill YEUNG</b> Representative of Hong Kong Cable Television Limited
楊玉彪先生 九倉電訊有限公司代表	<b>Mr Bill YEUNG</b> Representative of Wharf T & T Limited
張展輝先生 新世界電訊有限公司代表	<b>Mr Johnny CHEUNG</b> Representative of New World Telecommunications Limited
姚家倫先生 香港寬頻網絡有限公司代表	<b>Mr Ken YIU</b> Representative of Hong Kong Broadband Network Limited
黃耀宗先生 名氣通電訊固網有限公司代表	<b>Mr Y C WONG</b> Representative of Towngas Telecommunications Fixed Network Limited
張悅賓先生 信通電話(香港)有限公司代表	<b>Mr Sutton CHEUNG</b> Representative of ComNet Telecom (HK) Limited
駱偉德先生 TraxComm Limited 代表	<b>Mr Peter LOK</b> Representative of TraxComm Limited
陸國強先生 中港網絡有限公司代表	<b>Mr K K LUK</b> Representative of HKC Network Limited
何志雄先生 數碼通電訊有限公司代表	<b>Mr C H HO</b> Representative of SmarTone Mobile Communications Limited
何志雄先生 SmarTone Communications Limited 代表	<b>Mr C H HO</b> Representative of SmarTone Communications Limited
王宏輝先生 香港移動通訊有限公司代表	<b>Mr Christopher WONG</b> Representative of CSL Limited
鄭啟良先生 中國移動香港有限公司代表	<b>Mr Alex CHENG</b> Representative of China Mobile Hong Kong Company Limited
伍于斌先生 對外電訊服務營辦商界別代表	<b>Mr Benny NG</b> Representative of external telecommunications service (ETS) operators as a group
何振強先生 流動虛擬網絡營辦商界別代表	<b>Mr Fergus HO</b> Representative of mobile virtual network operators (MVNOs) as a group
簡堅良先生 無線電傳呼服務營辦商界別代表	<b>Mr Leo KAN</b> Representative of radio paging operators as a group
張子堅先生 免費電視界別代表	<b>Mr C K CHEUNG</b> Representative of broadcasters (free TV) as a group
朱嘉遜先生 收費電視界別代表	<b>Mr Carlson CHU</b> Representative of broadcasters (pay TV) as a group
郭謙先生 廣播電台界別代表	<b>Mr Francis KWOK</b> Representative of sound broadcasters as a group
關利庭先生 個別委任人士	<b>Mr L T KWAN</b> Members appointed on an ad personam basis
趙炳權工程師、博士 個別委任人士	<b>Ir Dr Peter CHIU</b> Members appointed on an ad personam basis
魏佩儀女士 個別委任人士	<b>Ms Joe NGAI</b> Members appointed on an ad personam basis

## 電訊服務用戶及消費者 諮詢委員會

(截至2012年3月31日)

## Telecommunications Users and Consumers Advisory Committee

(as at 31 March 2012)

### 主席

夏勇權先生  
電訊管理局副總監

### Chairman

Mr Y K HA  
Deputy Director-General, OFTA

### 秘書

黃紫薇女士  
電訊管理局消費者事務主管

### Secretary

Ms Jamay WONG  
Head of Consumer Affairs, OFTA

### 成員

馮澤仁先生  
消費者委員會代表

林振輝先生  
香港通訊業聯會代表

于樹培先生  
香港電訊用戶協會代表

張永翔先生  
香港總商會代表

梁偉峰先生  
香港無線科技商會代表

譚世鴻先生  
弱能人士代表

俞斌先生  
弱能人士代表

馬錦華先生  
老人服務代表

蔡仰德先生  
中小型企业代表

陳俊美女士  
社會福利署代表\*

冼德華先生  
教育局代表

黃志光先生  
政府資訊科技總監辦公室代表

鄭嘉麗女士  
公眾人士

翁瑛玲女士  
公眾人士

陳偉倫先生  
公眾人士

梁秀清女士  
公眾人士

王家慈女士  
公眾人士

梁銘強先生  
公眾人士

鄭凱盈女士  
公眾人士

黃明慧女士  
公眾人士

王振邦先生  
公眾人士

魏華星先生  
公眾人士

文鳳玲女士  
個別委任人士

孫炯德先生  
個別委任人士

### Members

Mr Alfred FUNG  
Representative of Consumer Council

Mr Tiger LIN  
Representative of Communications Association of Hong Kong

Mr Alexander YU  
Representative of Hong Kong Telecommunications Users Group

Mr Adrian CHEUNG  
Representative of Hong Kong General Chamber of Commerce

Mr Joseph LEUNG  
Representative of Hong Kong Wireless Technology Industry Association

Mr S H TAM  
Representative of the disabled community

Mr B YU  
Representative of the disabled community

Mr Timothy MA  
Representative of the aged community

Mr Kenneth CHOY  
Representative of small and medium enterprises

Ms C M CHAN  
Representative of Social Welfare Department \*

Mr T W SIN  
Representative of Education Bureau

Mr Tony WONG  
Representative of Office of the Government Chief Information Officer

Ms Elsa CHENG  
Representative as a member of the public

Ms Pauline YUNG  
Representative as a member of the public

Mr Stanley CHEN  
Representative as a member of the public

Ms Martha LEUNG  
Representative as a member of the public

Ms K C WONG  
Representative as a member of the public

Mr M K LEUNG  
Representative as a member of the public

Ms Ivy CHENG  
Representative as a member of the public

Ms June WONG  
Representative as a member of the public

Mr C B WONG  
Representative as a member of the public

Mr Francis NGAI  
Representative as a member of the public

Ms Florence MAN  
Member appointed on an ad personam basis

Mr Thomas SUN  
Member appointed on an ad personam basis

\* 祇在有需要時出席會議

\* Attending meetings on need basis only.

## 附錄 D Appendix D

### 按 2011／12 服務承諾量度的 實際平均服務表現

在 2011／12 年度，我們在全部 29 項服務中均達至或超越服務表現目標。

### Actual Average Performance against the Performance Pledge 2011/12

In 2011/12, we achieved/surpassed our performance targets in all of 29 job areas.

	2011／12 年度 標準處理時間 Service Delivery Standard for 2011/12	2011／12 年度 服務表現目標 (達到服務標準的百分率) Performance Target (% meeting service standard) for 2011/12	2011／12 年度 實際平均 服務表現 Actual Average Performance in 2011/12
<b>處理牌照的申請 Processing of Licence Applications</b>			
移動無線電系統牌照 Mobile Radio System Licence			
設立新系統 Establishment of a new system	38 個工作天 working days	98%	100%
遷移／加設基地電台 Relocation / Addition of base station	32 個工作天 working days	98%	100%
加設移動電台 Addition of mobile station			
的士電台 For stations of taxis	5 個工作天 working days	99%	100%
其他電台 For other stations	8 個工作天 working days	99%	100%
更換移動電台器材 Replacement of mobile station equipment			
的士電台 For stations of taxis	5 個工作天 working days	99%	100%
其他電台 For other stations	8 個工作天 working days	99%	100%
更換基地電台器材 Replacement of base station equipment	8 個工作天 working days	99%	100%
簽發牌照 Issue of licence	8 個工作天 working days	99%	100%
無線電商牌照 Radio Dealers Licence	4 個工作天 working days	98%	100%
工業、科學及醫學電子機器牌照 Industrial, Scientific and Medical Electronic Machines Licence	5 個工作天 working days	99%	100%



	2011／12年度 標準處理時間 Service Delivery Standard for 2011/12	2011／12年度 服務表現目標 (達到服務標準的百分率) Performance Target (% meeting service standard) for 2011/12	2011／12年度 實際平均 服務表現 Actual Average Performance in 2011/12
<b>處理牌照的申請 (續)</b> Processing of Licence Applications (continued)			
無線電測定和指令、狀態及數據的傳達牌照 Radio Determination and Conveyance of Commands, Status and Data Licence	5 個工作天 working days	99%	100%
衛星電視公用天線牌照 Satellite Master Antenna Television Licence	11 個工作天 working days	98%	100%
船舶電台牌照 Ship Station Licence	9 個工作天 working days	98%	100%
業餘電台牌照 Amateur Station Licence	9 個工作天 working days	98%	100%
自設對外電訊系統牌照 Self-provided External Telecommunications System (SPETS) Licence	26 個工作天 working days	99%	100%
第一類及第二類服務營辦商牌照 Service-based Operators Licence – Class 1 and Class 2 Services	14 個工作天 working days	95%	100%
第三類服務營辦商牌照 Service-based Operators Licence – Class 3 Services	13 個工作天 working days	99%	100%
<b>根據《國際船員培訓、發證和值班標準公約》處理證書及簽註申請</b> Processing of Certificate and Endorsement Applications under STCW Convention			
全球海上遇險和安全系統證書及簽註 GMDSS Certificate and Endorsement	5 個工作天 working days	95%	100%
全球海上遇險和安全系統等值資格證明書及簽註 GMDSS Certificate of Equivalent Competency and Endorsement	5 個工作天 working days	95%	100%
<b>無線電干擾調查</b> Investigation of Radio Interference			
對商營服務的干擾 Interference on commercial services	6 個工作天 working days	96%	100%
對廣播服務的干擾 Interference on broadcasting services	9 個工作天 working days	96%	100%

	2011／12年度 標準處理時間 Service Delivery Standard for 2011/12	2011／12年度 服務表現目標 (達到服務標準的百分率) Performance Target (% meeting service standard) for 2011/12	2011／12年度 實際平均 服務表現 Actual Average Performance in 2011/12
<b>處理號碼／短碼申請</b> Processing of Applications for Numbers / Codes			
指配電訊號碼及短碼 Assignment of telecommunications numbers and codes	10 個工作天 working days	100%	100%
查核、處理和接收交回的電訊號碼 Checking, processing and acceptance of return of telecommunications numbers	10 個工作天 working days	100%	100%
<b>處理有關營辦商懷疑違反《電訊條例》或牌照條件的消費者投訴</b> Handling of Consumer Complaints against Telecommunications Operators involving Suspected Breach of the Telecommunications Ordinance or Licence Conditions			
詳細回覆投訴人（或如未能詳細回覆則給予初步 答覆） Full reply to complainant (or interim reply if full reply is not ready)	27 個工作天 working days	90%	100%
<b>處理針對營辦商且與《電訊條例》下的競爭條文有關，或與具誤導性或欺騙性的行為的條文有關的投訴</b> Handling of Complaints against Operators relating to Competition Provisions or Misleading or Deceptive Conduct Provisions of the Telecommunications Ordinance			
完成詳細調查（或如未完成詳細調查向投訴人 匯報進度） Completion of full investigation (or report of progress to the complainant if full investigation is not completed)	初步調查完成 之後4個月內 Within a further 4 months after preliminary investigation	80%	100%
<b>處理業界針對營辦商的投訴（與《電訊條例》下的競爭條文或具誤導性或欺騙性的行為的條文有關的除外）</b> Handling of Industry Complaints against Operators (except for complaints relating to Competition Provisions or Misleading or Deceptive Conduct Provisions of the Telecommunications Ordinance)			
完成詳細調查 Completion of full investigation	45 個工作天 Within 45 working days	90%	並無新個案 No new case
<b>處理有關懷疑違反《非應邀電子訊息條例》的舉報</b> Handling of Reports on Suspected Contravention of the Unsolicited Electronic Messages Ordinance			
完成詳細調查（或如未完成詳細調查向投訴人 匯報進度） Completion of full investigation (or report of progress to the complainant if full investigation is not completed)	10 個星期內 Within 10 weeks	90%	97%

	2011／12年度 標準處理時間 <b>Service Delivery Standard for 2011/12</b>	2011／12年度 服務表現目標 (達到服務標準的百分率) <b>Performance Target (% meeting service standard) for 2011/12</b>	2011／12年度 實際平均 服務表現 <b>Actual Average Performance in 2011/12</b>
<b>對有關電訊局服務的公眾查詢及投訴作出回覆</b> <b>Reply to Public Enquiries and Complaints of OFTA's Services</b>			
詳細回覆查詢（或如未能提供詳細回覆則給予初步答覆） Full reply for enquiries (or interim reply if full reply cannot be provided)	<b>7</b> 個工作天內 Within 7 working days	90%	100%
詳細回覆投訴人（或如未完成詳細調查則向投訴人匯報進度） Full reply for complaints (or report of progress to the complainant if full investigation is not completed)	<b>15</b> 個工作天內 Within 15 working days	90%	100%

## 附錄 E Appendix E

### 電訊牌照簽發及續牌

簽發／續牌的電訊牌照數目及  
徵收的牌費

截至2012年3月31日年度內

### Licences Issued and Renewed

Telecommunications Licences Issued/  
Renewed and Revenue Collected

For the year ended 31 March 2012

牌照種類	Type of Licences	發牌／續牌數目 No. of Licences Issued/Renewed	港元 HK\$
航空甚高頻率固定電台	Aeronautical VHF Fixed Station	34	51,000
航空器電台	Aircraft Station	291	43,012
業餘操作授權證明	Amateur ATO	547	87,520
業餘電台	Amateur Station	2,550	383,600
無線電廣播轉播電台	Broadcast Radio Relay Station	13	11,875
廣播轉播電台	Broadcast Relay Station	3	3,570
補發牌照	Duplicate Licence	56	3,080
考試和簽發證書	Examination & Issue of Certificate	370	136,160
實驗電台	Experimental Station	97	30,250
有限制固定傳送者	Fixed Carrier (Restricted)	1	640,400
固定傳送者牌照用作地面電視廣播及電訊服務	Fixed Carrier Licence for Terrestrial Television Broadcast & Telecommunications Service	2	19,402,322
固定電訊網絡服務或固定傳送者	Fixed Telecommunications Network Services or Fixed Carrier	20	22,169,042
酒店電視（發送）	Hotel Television (Transmission)	122	540,721
入口／出口許可證	Import / Export Permit	1,200	180,000
工業、科學及醫學電子器材	Industrial, Scientific & Medical Electronic Machine	684	62,087
移動傳送者	Mobile Carrier	1	834,408
有限制移動傳送者	Mobile Carrier (Restricted)	1	53,000
移動無線電系統或專用移動無線電系統	Mobile Radio System or Private Mobile Radio System	4,557	29,740,882
私用無線電傳呼系統	Private Radio Paging System	22	235,947
專用電報	Private Telegraph	3	4,934
公共無線電通訊服務	Public Radiocommunications Service	9	2,899,836
無線電商（放寬限制）	Radio Dealers (Unrestricted)	2,599	3,784,000
無線電通訊學校	Radiocommunications School	7	2,100
無線電測定以及指令、狀態及數據傳送	Radiodetermination and Conveyance of Commands, Status and Data	101	112,051
衛星電視共用天線	Satellite Master Antenna Television	73	5,233,075
自設對外電訊系統	Self-Provided External Telecommunications System	9	6,813
服務營辦商牌照 — 第一類或第二類服務	Services-Based Operator of Class 1 or 2 Service	14	1,258,700
服務營辦商牌照 — 第三類服務	Services-Based Operator of Class 3 Service	510	11,285,674
船舶電台	Ship Station	2,814	391,045
空間電台傳送者	Space Station Carrier	9	1,345,500
的士無線電通訊服務	Taxi Radiocommunications Service	27	632,529
綜合傳送者 — 流動服務	Unified Carrier - Mobile Services	10	163,957,106
綜合傳送者 — 對內／對外固定服務	Unified Carrier - Fixed Internal / External Services	28	82,409,676
闊頻帶鏈路中繼電台	Wide Band Link & Relay Station	62	143,875
<b>總數</b>	<b>Total</b>	<b>16,846</b>	<b>348,075,790</b>



**電訊管理局**  
**Office of the Telecommunications Authority**

地址 Address : 香港灣仔皇后大道東213號胡忠大廈29樓  
29/F, Wu Chung House, 213 Queen's Road East,  
Wan Chai, Hong Kong

查詢熱線 Enquiry Hotline : 2961 6333