

LEGISLATIVE COUNCIL BRIEF

Telecommunications Ordinance
(Chapter 106)

TELECOMMUNICATIONS (AMENDMENT) ORDINANCE 2003 (30 OF 2003) (COMMENCEMENT) NOTICE 2004

INTRODUCTION

This paper briefs Members on the Telecommunications (Amendment) Ordinance 2003 (30 of 2003) (Commencement) Notice 2004 (the Commencement Notice) at the Annex. The Commencement Notice aims to bring sections 5, 6, 7, 8, 9 and 12 of the Telecommunications (Amendment) Ordinance 2003 (the Ordinance) into force on 9 July 2004.

BACKGROUND

2. On 9 July 2003, the Ordinance was passed in the Legislative Council to provide a clear and comprehensive regime for the regulation of merger and acquisition activities in the telecommunications sector. Section 1(3) of the Ordinance provides that sections 5, 6, 7, 8, 9 and 12 of the Ordinance should come into force on a date to be appointed by the Secretary for Commerce, Industry and Technology. The Administration undertook during the passage of the Ordinance that the Telecommunications Authority (TA) would conduct consultation on the draft guidelines on how the Ordinance would be enforced and then publish the finalized guidelines, after which these sections of the Ordinance would be brought into force.

3. The Administration conducted two rounds of public consultation on the guidelines in August-October 2003 and December 2003-February 2004 respectively. It has also attended the meetings of the Legislative Council Panel on Information Technology and Broadcasting on 23 October 2003 and 19 April 2004 to listen to the views of the deputations and the Legislative Council. After considering all the views and

submissions, the TA published the guidelines on 3 May 2004. The Legislative Council Panel on Information Technology and Broadcasting was further briefed on 10 May 2004.

4. As the guidelines have been published, the Administration is in a position to commence operation of sections 5, 6, 7, 8, 9 and 12 of the Ordinance. The Secretary for Commerce, Industry and Technology has now appointed 9 July 2004 as the commencement date.

ENQUIRIES

5. For any enquiries relating to this paper, please contact:-

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May 2004

Commerce, Industry and Technology Bureau

ANNEX

**TELECOMMUNICATIONS (AMENDMENT) ORDINANCE
2003 (30 OF 2003)(COMMENCEMENT) NOTICE 2004**

Under section 1(3) of the Telecommunications (Amendment) Ordinance 2003, I appoint 9 July 2004 as the day on which sections 5, 6, 7, 8, 9 and 12 of the Ordinance shall come into operation.

Secretary for Commerce,
Industry and Technology

7 May 2004