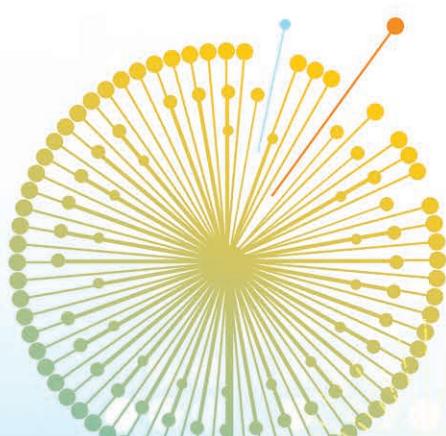




通訊事務管理局
COMMUNICATIONS
AUTHORITY



Annual Report 2014/15 年報



VISION

Our vision is that Hong Kong has the world-class communications services to meet the challenges of the information age.

MISSION

- fostering an environment that supports a vibrant communications sector to enhance Hong Kong's position as a communications hub in the region;
- encouraging innovation and investment in the communications market;
- promoting competition and adoption of best practices in the communications market for the benefit of the industry and consumers; and
- acting in a manner consistent with the provisions of the Hong Kong Bill of Rights Ordinance (Cap. 383).

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THE COMMUNICATIONS AUTHORITY

The Communications Authority serves the people of Hong Kong in its capacity as an independent regulator of broadcasting and telecommunications services.

Chapter 2: Chairman's Message



It is a pleasure for me to present the third annual report of the Communications Authority (the Authority) covering the period from April 2014 to March 2015. The year under review has been a busy and challenging year for the Authority, with new developments in both the rapidly changing broadcasting and telecommunications sectors. This report presents the tasks undertaken by the Authority and the challenges that lie ahead.

A Thriving Broadcasting Market

Domestic Free Television Programme Services

During the period under review, the Authority devoted considerable attention to the licence renewal exercise of the two domestic free television programme service licensees, Asia Television Limited (ATV) and Television Broadcasts Limited

(TVB). Having regard to the overall assessment of the performance of the two licensees and the public views received, the Authority submitted its recommendations on the licence renewal applications to the Chief Executive in Council (CE in C) in November 2014. In April 2015, having regard to inter-alia the Authority's recommendations, the CE in C decided not to renew ATV's domestic free television programme service licence and extended the term of its existing licence to 1 April 2016 to comply with the requirement of the Broadcasting Ordinance (Cap. 562)(BO). In May 2015, the CE in C decided to renew TVB's licence for a term of 12 years with effect from 1 December 2015.

Since the CE in C approved in principle the applications for domestic free television programme service licence of Fantastic Television Limited (Fantastic TV) and HK Television Entertainment Company Limited (HKTVE), the Authority proceeded with the follow-up work and submitted to the CE in

C its recommendations on the licence applications in January 2015. Having regard to the Authority's recommendations, the CE in C formally granted a domestic free television programme service licence to HKTVE in April 2015, under which HKTVE is required to launch a Chinese channel and an English channel by March 2016 and March 2017 respectively. We are confident that HKTVE's entry into the domestic free television programme service market will benefit the viewing public by providing diversified programme choices.

In April 2014, Hong Kong Television Network Limited (HKTV) submitted to the Authority an application for a domestic free television programme service licence. The Authority has been examining various aspects of the licence application and has conducted a public consultation exercise to collect public views on the application. The Authority has been processing the application prudently in accordance with the statutory requirements and will submit its recommendations to the CE in C as soon as practicable.

Domestic Pay Television Programme Services

On the pay television front, Hong Kong viewers continued to enjoy a diversity of local and overseas programmes. The three domestic pay television programme service licensees provided a total of 395 domestic pay television programme service channels, of which 83 were high definition television (HDTV) channels. At the same time, the aggregate number of subscribers of licensed pay television services stood at over 2.4 million, representing a market penetration of 99%.

During the period under review, the Authority conducted a licence renewal exercise in respect of the domestic pay television programme service licence of PCCW Media Limited (PCCW Media). The Authority carried out a comprehensive assessment of the performance of the licensee, and conducted a public consultation exercise to collect public views

on its licence renewal application. The Authority submitted its recommendations on the licence renewal application of PCCW Media to the CE in C in September 2014. The CE in C accepted the Authority's recommendations and decided that PCCW Media's domestic pay television programme service licence be renewed for a term of 12 years with effect from September 2015.

Analogue Sound Broadcasting Services

The analogue sound broadcasting licences of Hong Kong Commercial Broadcasting Company Limited (CRHK) and Metro Broadcast Corporation Limited (Metro) will expire after 25 August 2016. CRHK and Metro submitted applications for renewal of their licences in July and August 2014 respectively. The Authority conducted a two-month public consultation exercise to collect public views on the licence renewal applications in September 2014 and completed a comprehensive assessment of the performance of the two licensees. Having regard to the overall assessment of the performance of the two licensees and the public views received, the Authority submitted its recommendations on the licence renewal applications to the CE in C in May 2015.

Rapid Growth of the Telecommunications Market

Availability of Fourth Generation (4G) Services Has Given a Further Boost to Mobile Data Usage

Thanks to the promising growth of 4G mobile services, Hong Kong's telecommunications market continued to flourish during the year under review. By March 2015, the number of mobile subscribers was 17 million, among which over 12.2 million were users of third generation (3G)/4G services. Mobile network operators and mobile virtual network operators are offering 4G services at affordable prices. Mobile data services are available at

downlink speeds of up to 300 megabits per second (Mbps) using Long Term Evolution (LTE) technology. In March 2015, the monthly mobile data usage further surged to 17 472 Terabytes, representing 1.3 times and 1.9 times the monthly usage over the same period in 2014 and 2013 respectively. The average mobile data usage of each mobile user rose to 1 418 Megabytes per month in March 2015, compared with 1 046 Megabytes in March 2014 and 818 Megabytes in March 2013. The increasing popularity of 4G mobile services has further boosted mobile data usage. The Authority will continue to take necessary measures to facilitate the robust development of the mobile services market.

Consumer Related Initiative

Long Term Implementation of the Customer Complaint Settlement Scheme

The two-year trial scheme of the voluntary Customer Complaint Settlement Scheme (CCSS) ended in October 2014. An assessment of the effectiveness of the trial was also completed. Having regard to the encouraging outcome of the CCSS trial, the proven demand from customers and the positive feedback from the telecommunications industry, the Office of the Communications Authority (OFCA) funded the long term implementation of the CCSS from 1 May 2015 on the basis of the framework adopted in the trial scheme.

Major Tasks and Challenges in the Coming Year

On the broadcasting side, processing of applications for grant and renewal of licences continue to be major activities in 2015-2016. The Authority will continue to process the domestic free television programme service licence application of HKTV, and take follow-up actions relating to the application for a domestic free television programme service licence by Fantastic TV. In April 2015, Forever Top (Asia) Limited (Forever Top) submitted an application for a domestic free television programme service licence. The Authority will similarly process Forever Top's application in accordance with the BO and the established procedures. The Authority will also process the licence renewal application in respect of the domestic pay television programme service of Hong Kong Cable Television Limited (HKCTV), the licence of which will expire in the first half of 2017. It plans to complete an assessment of the performance of HKCTV and conduct a public consultation exercise to collect public views on the licence renewal application with a view to making recommendations to the CE in C in the second quarter of 2016.

The existing assignments for 49.8 MHz of spectrum in the 900 MHz band and 148.8 MHz of spectrum in the 1800 MHz band will expire within the period between November 2020 and September 2021. The Authority is now making the relevant preparation and will launch a public consultation on the proposed way forward in the first quarter of 2016.

In Hong Kong, the 8-digit telecommunications numbering plan has been adopted since 1995. With the robust developments of the telecommunications industry and the popularity of mobile communications services over the last two decades, numbers available for allocation to mobile services would be exhausted in three years' time. The Authority proposed to make available more numbers for mobile services through maximizing utilization of the existing 8-digit numbering plan. A public consultation was launched in October 2015 to seek views about the various proposed measures.

The Authority is conferred concurrent jurisdiction with the Competition Commission (CC) to enforce the cross sectoral competition law, the Competition Ordinance (Cap. 619) (CO), in respect of the conduct of telecommunications and broadcasting licensees. The Authority will continue its close liaison with the CC on the preparatory work required before the full commencement of the CO on 14 December 2015, including finalisation of the guidelines on the enforcement of the CO after consultation, and preparation of the memorandum of understanding to be signed between the Authority and the CC to co-ordinate the performance of their functions under the concurrent jurisdiction arrangement.

Chapter 3: Members of the Communications Authority (April 2014 – March 2015)



Mr Ambrose HO
Chairman,
Communications Authority



Miss Susie HO Shuk-yee, JP
Vice-Chairman, Communications Authority
Permanent Secretary for Commerce and
Economic Development
(Communications and Technology)¹



Dr AU Man-ho, SBS
Member



Mr Felix FONG Wo, BBS, JP
Member



Mrs Lucia LI LI Ka-lai, SBS
Member



Mr Alan LUI Siu-lun
Member



Mr Hubert NG Ching-wah
Member



Dr Anthony William SEETO Yiu-wai **Dr Carlye TSUI Wai-ling, BBS, MBE, JP**
Member



Member



Mr Adrian WONG Koon-man, BBS, JP
Member



Mr Raymond Roy WONG, SBS
Member



Miss Eliza LEE Man-ching, JP
Member
Director-General of Communications

¹ With effect from 20 November 2015, Permanent Secretary for Commerce and Economic Development (Communications and Technology) was renamed as Permanent Secretary for Commerce and Economic Development (Communications and Creative Industries).

Chapter 4: Role and Functions of the Communications Authority

The Communications Authority

To meet the regulatory challenges brought about by rapid technological advancements and media convergence, the Authority was established on 1 April 2012 as an independent statutory body under the Communications Authority Ordinance (Cap. 616) (CAO), taking over fully the functions and powers of the former Telecommunications Authority (TA) and the Broadcasting Authority (BA). Its role is to regulate the broadcasting and telecommunications industries in Hong Kong in accordance with the BO, the Telecommunications Ordinance (Cap. 106) (TO), the CAO, and the Broadcasting (Miscellaneous Provisions) Ordinance (Cap. 391) (B(MPO)). It also enforces the Unsolicited Electronic Messages Ordinance (Cap. 593) (UEMO).

The Authority has the following functions:

- to grant and renew telecommunications licences;
 - to prepare and revise codes of practice setting programme, advertising and technical standards for television and radio;
 - to deal with complaints about broadcasting and telecommunications services and impose sanctions on the broadcasters and telecommunications operators for contravening the various provisions and requirements;
 - to handle the licensing, financial monitoring and regulation of telecommunications and broadcasting licensees in Hong Kong;
 - to manage and administer the radio frequency spectrum and the telecommunications numbers;
 - to develop technical standards and conduct equipment testing in line with international best practices, and ensure satisfactory performance of the certification bodies in carrying out certification and test against the prescribed technical standards;
 - to facilitate fixed operators to access buildings to install in-building telecommunications facilities for the conveyance of telecommunications and broadcasting services;
- to tender advice to the Secretary for Commerce and Economic Development (SCED) on any legislation, legislative proposals and regulatory policies relating to telecommunications, broadcasting, anti-spamming or activities connected with the telecommunications or broadcasting sectors;
 - to make recommendations to the CE in C on applications for and renewal of domestic free television programme service licences, domestic pay television programme service licences and sound broadcasting licences;
 - to grant and renew non-domestic television programme service licences and other licensable television programme service licences;

- to conduct examination and issue certificates for the operating personnel of radio-communications systems;
- to enforce the prohibition of misleading or deceptive provisions in the TO;
- to enforce the competition provisions under the BO and TO;
- to enforce the fair-trading sections of the Trade Descriptions Ordinance (Cap. 362) (TDO) in relation to the commercial practices of licensees for the provision of telecommunications services and broadcasting services under the TO and BO; and
- to enforce the UEMO.

Organisation

Members of the Authority (except the Director-General of Communications (DG Com) who is an ex-officio member) are appointed by the Chief Executive of the Hong Kong Special Administrative Region. During the period from April 2014 to March 2015, there were a total of 12 members comprising 10 non-official members, including the Chairman, and two public officers, viz. the Permanent Secretary for Commerce and Economic Development (Communications and Technology)² and the DG Com.

The Authority has appointed three committees to assist it in discharging part of its major duties:

- the *Broadcast Complaints Committee*;
- the *Broadcast Codes of Practice Committee*; and
- the *Telecommunications Affairs Committee*.

The ***Broadcast Complaints Committee (BCC)*** is responsible for considering complaints about broadcasting issues and making recommendations to the Authority regarding such complaints. It comprises four Authority members and four co-opted non-official members.

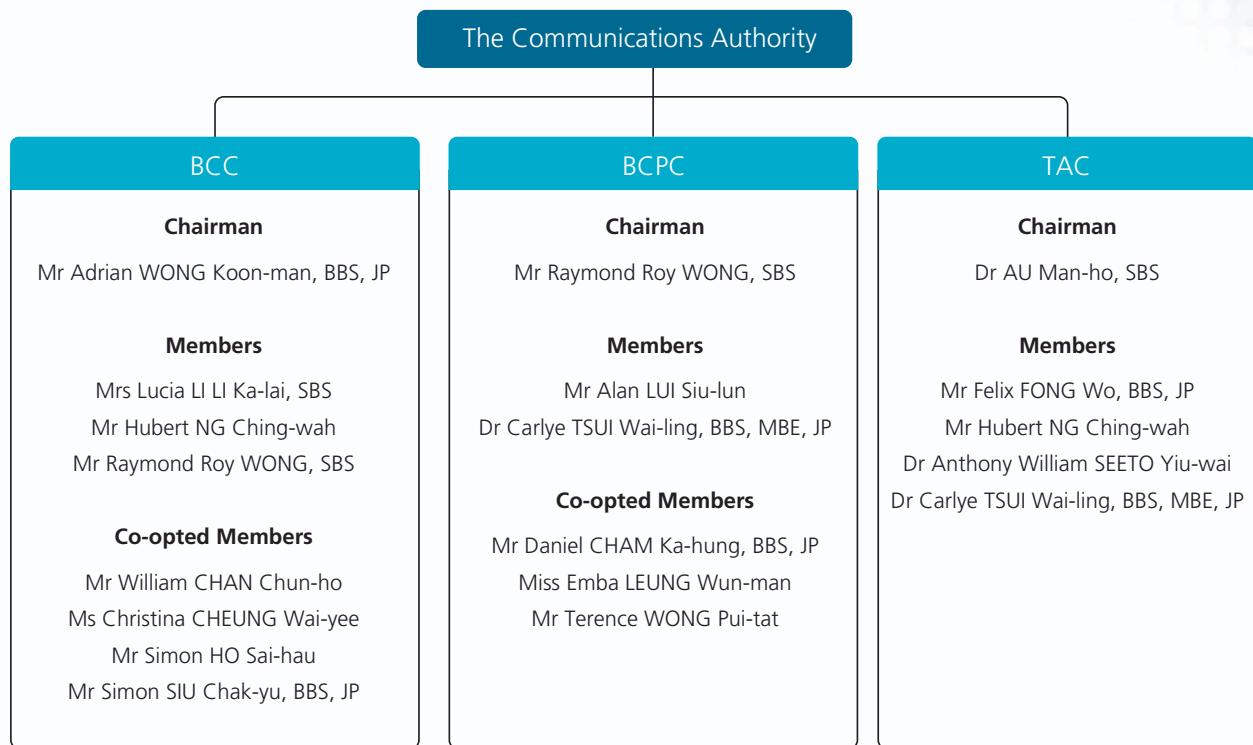
The ***Broadcast Codes of Practice Committee (BCPC)*** is responsible for keeping the television and radio broadcasting standards under regular review and amending the codes of practice when necessary. It comprises three Authority members and three co-opted members.

The ***Telecommunications Affairs Committee (TAC)*** is responsible for offering advice and reporting to the Authority on telecommunications matters. It comprises five Authority members.

OFCA serves as the executive arm and secretariat of the Authority.

² With effect from 20 November 2015, Permanent Secretary for Commerce and Economic Development (Communications and Technology) was renamed as Permanent Secretary for Commerce and Economic Development (Communications and Creative Industries).

Organisation Chart



Chapter 5: Overview of Major Developments in the Communications Market

Broadcasting

5.1 An Overview of Developments in the Broadcasting Market

5.1.1 Number of Licensees and Channels

Television Programme Services

As at March 2015, the total number of domestic free, domestic pay and non-domestic television programme service licensees was 23. They provided 675 television channels³, of which 454 were receivable in Hong Kong, representing a slight decrease of 1.5% since March 2014. An overview of the channels provided by the television programme service licensees is shown in Figure 1.

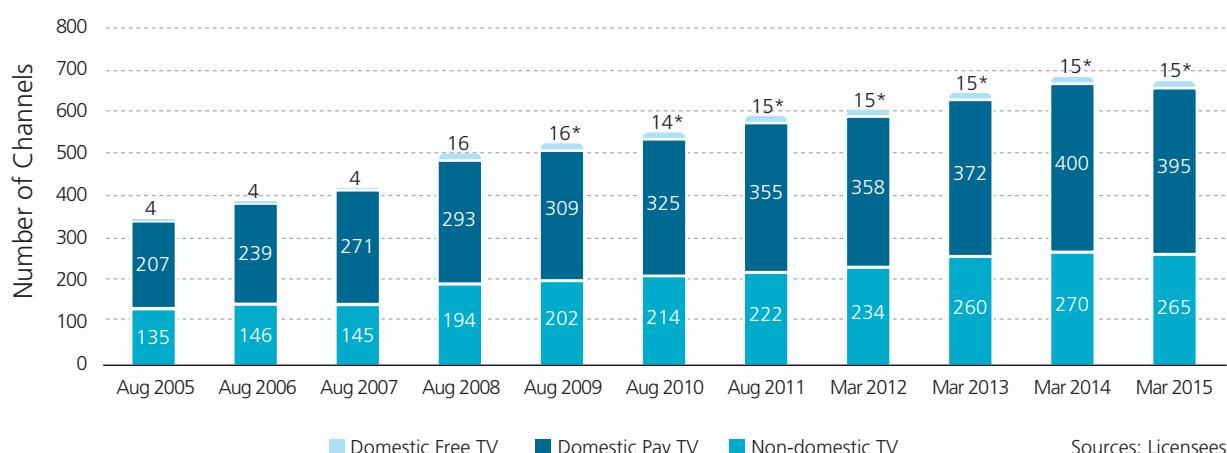
As at March 2015, there were two **domestic free television programme service licensees**, viz. ATV and TVB. They provided a total of 15 channels. Four channels (ATV Home, ATV World, TVB Jade⁴ and TVB Pearl⁴) were simulcast in both analogue

and digital formats and seven were digital channels. ATV's digital channels comprised one HDTV channel "Asia" and three standard definition television (SDTV) channels, namely "ATV Classic", "CCTV 1" and "Shenzhen Satellite". TVB's digital channels comprised three HDTV channels, namely "HD Jade", "iNews" and "J2".

As at March 2015, there were three **domestic pay television programme service licensees**, viz. HKCTV, PCCW Media and TVB Network Vision Limited (TVBNV), providing a total of 395 pay television channels, offering a diversity of local and overseas productions. There has been an increase (28%) in the total number of HDTV channels (from 65 to 83) offered by the licensees within the same period.

From April 2014 to March 2015, the number of **non-domestic television programme service licensees** decreased by one to 18, providing a total of 265 television channels, representing a slight decrease of 1.9% since March 2014. Of them, 44 channels were available to Hong Kong viewers.

Figure 1: Television Channels Provided by Television Programme Service Licensees in Hong Kong



Sources: Licensees

* The four simulcast channels of ATV and TVB are counted for both the analogue and digital platforms.

³ Some channels were provided by more than one licensee at the same time.

⁴ The digital simulcast of TVB Jade and Pearl channels are broadcast in HDTV format.



During the period under review, the number of **other licensable television programme service licensees** providing television programme services in hotels in Hong Kong decreased by one to 26. Together they provided services to 88 hotels.

In addition to the television channels provided by television programme service licensees, Hong Kong viewers can receive free unencrypted satellite television programme channels uplinked from Hong Kong and elsewhere. As at March 2015, there were more than 400 such free-to-air satellite television channels available for reception via the Satellite Master Antenna Television (SMATV) systems in Hong Kong. The list of channels currently available can be downloaded at – http://www.ofca.gov.hk/filemanager/ofca/en/content_295/st_smav.pdf.

Sound Broadcasting Services

The number of **sound broadcasting licensees** remained at four during the period under review, namely CRHK, DBC, Metro⁵ and Phoenix U Radio⁶. RTHK is the public service broadcaster in Hong Kong.

As at March 2015, the number of analogue radio channels remained at 13 (three by CRHK, three by Metro and seven by RTHK). On DAB services, DBC, Metro and Phoenix U Radio formally launched

their DAB services in 2012 in accordance with the licence requirements. As at March 2015, the three DAB licensees and RTHK provided a total of 17 DAB channels (seven by DBC, three by Metro, two by Phoenix U Radio and five by RTHK). All analogue and DAB channels provided by the four licensees and RTHK were broadcast round-the-clock.

5.1.2 Transmission Modes

Television

The regulatory regime for television programme services in Hong Kong as enshrined in the BO is technology-neutral.⁷ Licensees are free to choose their transmission arrangements for delivery of television services. Broadcasters can build their own transmission networks to deliver their services and, in such cases, they need to apply for a carrier licence from the Authority to cover the transmission network. Alternatively, they can engage any of the existing carrier licensees to provide the transmission service. Licensees can also provide their television programme services via multiple transmission platforms so as to maximise the coverage.

The transmission modes employed by the television programme service licensees are set out in Figure 2.

⁵ Metro held two sound broadcasting licences, one for providing AM and FM services and one for providing DAB service.

⁶ The CE in C approved the termination of the sound broadcasting licence of Phoenix U Radio with effect from 7 November 2015.

⁷ An exception is that a service consists only of a service provided on the Internet is exempted from the regulatory regime under the BO.

Figure 2: Transmission Modes Employed by the Television Licensees

Licensee	Transmission Mode	Network Coverage as at March 2015
<i>Domestic Free Television</i>		
ATV and TVB	Terrestrial UHF ⁸ , including (a) Analogue PAL-I format; and (b) Digital National Standard format	99% of population
<i>Domestic Pay Television</i>		
HKCTV	HFC ⁹ , MMDS ¹⁰ and satellite (Digital)	Around 97% of total households
PCCW Media	PON and DSL ¹¹ Broadband network (Digital)	Around 99% of total households
TVBNV	Satellite and broadband network (Digital)	Around 99% of total households
<i>Non-domestic Television</i>		
All the 18 licensees	Satellite (Digital)	34% of total households (828 241 households)



⁸ Terrestrial Ultra High Frequency.

⁹ Hybrid Fibre Coaxial Cable.

¹⁰ Microwave Multipoint Distribution System.

¹¹ Passive Optical Network and Digital Subscriber Line.

Penetration of Different Broadcasting Services

In March 2015, out of a total of 2.45 million households in Hong Kong,¹² 2.41 million television households¹³ or 6.47 million viewers (aged 4 or above)¹⁴ were receiving analogue broadcasting of free-to-air television, representing a penetration rate of about 99%. As regards DTT services, the take-up rate was over 80% of all households in December 2014.¹⁵

The penetration of licensed domestic pay television services was nearly 100%¹⁶ of the total households as at end of March 2015. The total number of subscribers to licensed pay television services stood at over 2 400 000 in March 2015.¹⁷ The changes in total number of subscribers from 2005 to 2015 are shown in Figure 3.

Sound Broadcasting

During the period under review, the analogue radio broadcasters provided their services in FM and AM modes. Seven FM programme channels were provided through seven hilltop sites and supplemented by two low-power FM gap-filters. In addition, six AM programme channels were broadcast from two island and hilltop sites, supplemented by six low-power AM/FM gap-filters to improve the AM programme services. The services practically covered the whole territory of Hong Kong.

The DAB broadcasters adopted DAB+ standard for transmission of DAB services. The DAB transmission network comprising seven principal transmitting¹⁸ stations was officially launched in June 2012. A new DAB gap-filler was established in early 2015. As at March 2015, the coverage of the DAB service exceeded 80%.

Figure 3: Subscribers to Licensed Pay Television Services in Hong Kong



¹² Source: Census and Statistics Department.

¹³ "Television households" means households with at least one television set currently in working order; or with one not in working order but will repair or renew in near future. Data Source: Nielsen Hong Kong.

¹⁴ Data Source: Nielsen Hong Kong.

¹⁵ According to a public survey conducted in December 2014, over 80% of households in Hong Kong were receiving DTT services.

¹⁶ Penetration of licensed domestic pay television services is calculated by dividing the total number of subscribers of licensed domestic pay television services by the total number of households. Some subscribers were counted more than once if they subscribed to more than one pay television service.

¹⁷ Some subscribers were counted more than once if they subscribed to more than one service.

¹⁸ Beacon Hill, Castle Peak, Cloudy Hill, Golden Hill, Kowloon Peak, Lamma Island and Mount Gough.

5.1.3 Broadcasting Revenues and Investment

Licensed broadcasting services contributed an estimated \$7.9 billion¹⁹ to the Hong Kong economy, which represented about 0.35% of the gross domestic product (GDP) in 2014. There are two main sources of revenues for the provision of broadcasting services, viz. advertising and subscription. The income of domestic free television programme service licensees and sound broadcasting licensees mainly come from sales of advertising spots within programme breaks. Domestic pay television programme service licensees, on the other hand, derive their incomes mainly from subscription fees while sales of advertising spots remains a secondary income source.



Advertising Revenue

According to the report of AdmanGo Limited, the advertising expenditures on television and radio accounted for 32% (about \$14.37 billion) and 4% (about \$1.8 billion) respectively of the accumulated \$44.9 billion advertising expenditures in the media in 2014²⁰.



In 2014, the actual advertising revenue of TVB was around \$3.4 billion.²¹ The actual advertising revenues of the other licensees were not publicly available.

Subscription Revenue

According to the annual report of i-Cable Communications Limited (i-Cable), the parent company of HKCTV, HKCTV's turnover (including mainly subscription revenue and also some advertising revenue) was \$1.27 billion in 2014, representing a decrease of 18% over the figure in 2013. The decrease was mainly due to lower subscription and advertising revenue.

According to the annual report of PCCW Limited (PCCW), the holding company of PCCW Media, the turnover of its media business segment was \$3.23 billion in 2014, representing an increase of 7% over the figure in 2013. The increase was mainly attributable to growth of subscribers and advertising revenue.

The subscription revenue of TVBNV is not publicly available.

¹⁹ Source: Company reports of major broadcasting licensees.

²⁰ Source: Adspend Report for 2014 of AdmanGo Limited. All the advertising expenditures presented in the report have taken into consideration the discount factor based on an assumption of 60% off rate card rate.

²¹ According to TVB's annual report 2014, the turnover from the Hong Kong television broadcasting business segment was \$3,421 million, which comprised advertising revenue from the Group's free and pay television channels.

Investment in Broadcasting Industry

Key investment projects in the television industry in recent years include digitisation of the terrestrial broadcasting network, HDTV content and production technology, interactive television services, and regular network maintenance and upgrades that are required to maintain or expand the ever-advancing scope of services. In addition, with the increasingly competitive television industry, the exclusive rights to broadcast premium contents such as sports events become a major attraction to viewers.

During the mid-term review of their licences in 2010, the two domestic free television programme service licensees, ATV and TVB, have committed to investing a total of \$2.4 billion and \$6.3 billion respectively for the six-year period from 2010 to 2015. Specifically, TVB has upgraded its digital production and broadcasting equipment to cater for HDTV productions. ATV would focus on installation of HDTV production equipment. As at March 2015, ATV and TVB provided a total of 71 hours and 783 hours respectively of HDTV programmes per week.

As regards the pay television market, i-Cable, the parent company of HKCTV, reported in its 2014 Final Results Announcement that the capital expenditure of the group for the year had increased from \$149 million in 2013 to \$188 million in 2014. Its major items of investment included HDTV set-top-boxes, cable modems and television production and broadcast facilities for HDTV channels. i-Cable also invested in in-house production of news, entertainment and variety programmes. According to the 2014 Annual Results of PCCW, the parent company of PCCW Media, the capital expenditure for the year on its media business was \$160 million, representing a decrease of 20% over the figure in previous year. Its major items of investment included acquisition of premium programming and content production.



TVBNV has committed to investing a total of \$2.003 billion for the six-year period from 2013 to 2019. The investment commitment of TVBNV covers HDTV programming, set-top-boxes and broadcast facilities upgrading for employing the fixed hybrid optical fibre network provided by Hutchison Global Communications Limited to deliver its domestic pay television programme service.

CRHK and Metro have committed to investing a total of \$827 million and \$677 million respectively for the period from 2010 to 2016 for the provision of analogue sound broadcasting services. The investment commitment of CRHK and Metro covers staff development, facilities upgrading, programming improvement and other development brought by technological advancement to further enhance their service quality. The three DAB licensees, namely DBC, Metro and Phoenix U Radio, have committed to investing a total of \$391 million, \$96.1 million and \$107.3 million respectively for the period from 2011 to 2017. Their investment commitment mainly covers construction of DAB network and studio facilities and production of DAB programmes.



5.1.4 Programme Variety and Positive Programme Requirements

(a) *Programme Variety and Diversity*

Number of Broadcast Hours and Hours of Station Productions

As at March 2015, the licensees broadcast about 68 960 hours of television programmes a week.²² Among them, ATV and TVB provided a total of 671 broadcast hours per week on the four analogue channels and 1 845 broadcast hours per week on the 11 digital channels, while the 395 channels of domestic pay television programme service licensees provided a total of 59 052 broadcast hours per week. As at 31 March 2015, the 44 channels of non-domestic television programme service licensees receivable in Hong Kong provided a total of 7 392 hours per week.

With the launch of 17 DAB channels, the weekly number of broadcast hours for sound broadcasting services (including RTHK) as at March 2015 was 5 040. The 13 analogue channels of sound broadcasting operators provided a total of 2 184 broadcast hours per week while the 17 digital channels provided a total of 2 856 broadcast hours per week.

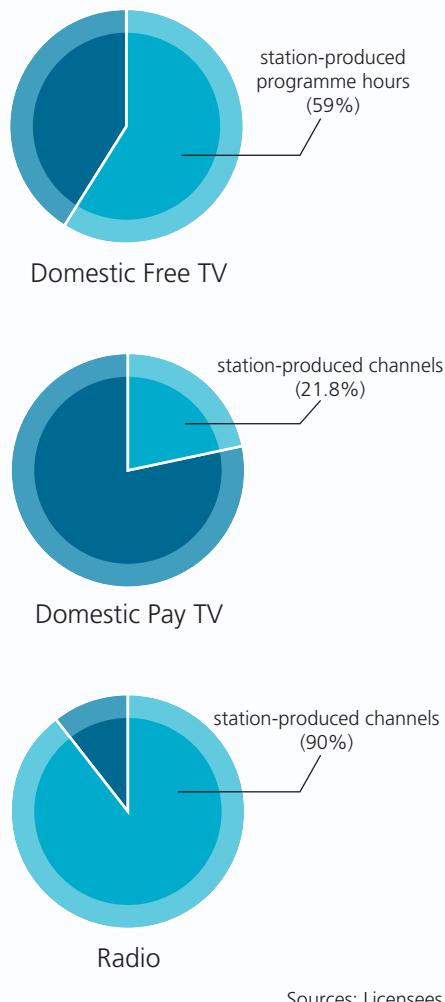
For the period under review, there were a total of 69 319 hours of station productions broadcast on ATV and TVB, of which 19 417 hours were on analogue channels and 49 902 on digital channels.²³ Of the 395 channels provided by the domestic pay television programme service licensees, 86 channels (21.8%) were produced by the licensees themselves.

As for sound broadcasting services, with the exception of RTHK's relay of BBC World Service on Radio 6 and its digital radio services, and programmes of "China National Radio" on its digital radio services, the other 12 analogue radio channels and 15 digital radio channels (90% of all relevant channels) were mainly produced by the broadcasters themselves.

²² The weekly number is based on a sample week in March 2015.

²³ This excludes ATV's CCTV 1 and Shenzhen Satellite SDTV channels which were direct re-transmission channels.

Figure 4: Proportion of Station Production in March 2015



Domestic Free Television Programme Services

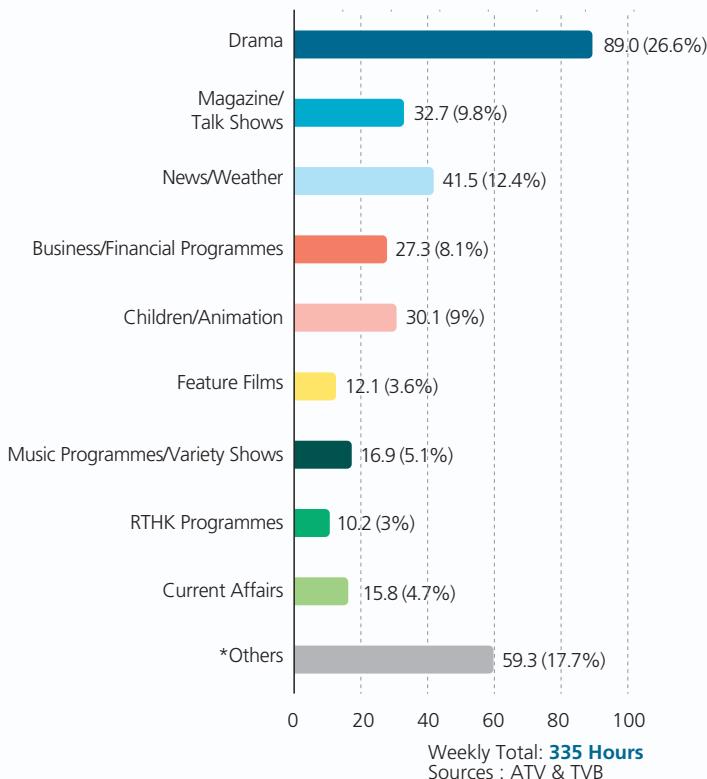
Analogue Channels and Digital Simulcast Channels

During the period under review, drama series and magazine/talk shows were the dominating programme genre during prime time on the Cantonese channels. Generally speaking, drama series on ATV were mainly imported from the Mainland and Korea, while those on TVB were mostly in-house productions. Both licensees broadcast Mainland, Korean and Japanese drama series. Apart from drama series and magazine/talk shows, news/weather programmes, business/financial programmes, feature films and variety shows, etc. were also broadcast during prime time on the Cantonese channels.





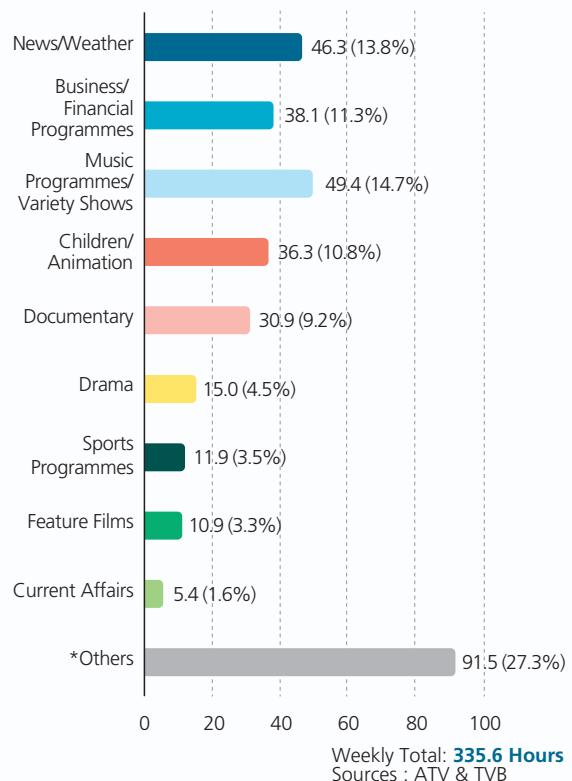
Figure 5: Weekly Hours of Different Programme Types Broadcast on ATV Home and TVB Jade as at March 2015



* Other programmes include horse-racing, documentary and cooking programmes

The two English channels broadcast a wide range of programmes, including business/financial programmes, news/weather programmes, music programmes/variety shows, children's animations, imported popular drama series, documentaries, sports programmes, feature films and current affairs programmes.

Figure 6: Weekly Hours of Different Programme Types Broadcast on ATV World and TVB Pearl as at March 2015



* Other programmes include arts & culture programmes, travelogues and talk shows, etc.



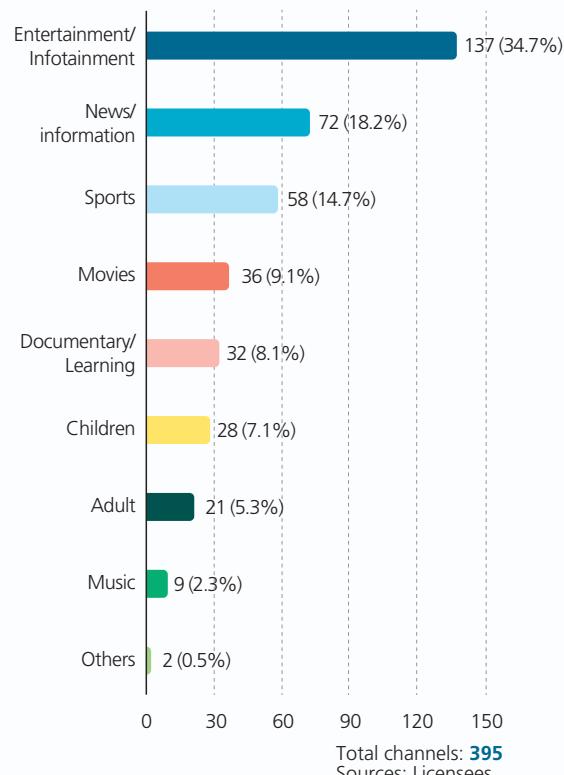
Digital Channels

Since the launch of DTT services, ATV and TVB have been providing more service channels to Hong Kong viewers. As at March 2015, ATV provided HDTV Asia channel, ATV Classic, CCTV 1 and Shenzhen Satellite, all of which were general entertainment channels providing different programme genres such as news, documentaries, current affairs, dramas and infotainment programmes, etc. On the other hand, TVB provided dramas, variety shows, news, talk shows and game shows, etc. via HD Jade, i-News and J2.

Domestic Pay Television Programme Services

During the period under review, a wide variety of channels were offered on domestic pay television programme services, including entertainment and infotainment channels (34.7%), news and information channels (18.2%), sports channels (14.7%), movie channels (9.1%), and documentaries/learning channels (8.1%).

Figure 7: Nature of Domestic Pay Television Channels as at March 2015



As at March 2015, HKCTV offered a basic package consisting of 76 basic channels and 36 other premium channels (including 13 HDTV channels). PCCW Media's "now TV" service offered 174 channels (including 49 HDTV channels) and 45 video-on-demand services, while TVBNV's service comprised 64 channels (including 21 HDTV channels), of which 18 were also carried on PCCW Media's platform.

Sound Broadcasting

Analogue Channels

As at March 2015, CRHK operated two FM Cantonese language services, viz. CR1 and CR2, and one AM English language service, AM 864. CR1 provided mainly news, current affairs, financial and personal view programmes. CR2 was mainly an entertainment channel featuring pop culture and music targeting young listeners. AM864 was primarily a music channel.

Metro operated two FM Cantonese language services, viz. Metro Finance and Metro Info, and one AM English language service, viz. Metro Plus. Metro Finance provided real-time, market-moving news and information about financial markets around the world. Metro Info provided music and entertainment programmes as well as programmes on lifestyle, health, market news and other information of interest to the public. Metro Plus was a music channel which also provided programmes for ethnic groups including the Filipino, Indian, Indonesian, Pakistani and Thai communities in Hong Kong.

RTHK operated seven radio channels, providing Cantonese, English and Putonghua services. It offered a variety of thematic channels ranging from information to general entertainment and culture. A list of channels of RTHK is in Figure 8.

Figure 8: RTHK's Radio Services

Radio 1	Chinese news, information and general programming
Radio 2	Chinese youth, entertainment and popular music programmes
Radio 3	English news, information and general programming
Radio 4	Bilingual programmes on classical music and fine arts
Radio 5	Chinese elderly, cultural and education programmes
Radio 6	BBC World Service relay
Radio 7	Putonghua general programming, news and finance

Digital Channels

DBC formally launched DAB service in September 2012. As at end March 2015, it operated seven channels comprising "Radio Prime", "Radio News", "Radio Business", "Radio Campus", "Radio Smiles", "Radio Music" and "Radio Opera". The seven channels offered programmes of different varieties, including current affairs and commentary, news, talk shows, financial information, entertainment, education, art and culture, music and programmes for ethnic minorities in different languages including Filipino, Hindi, Indonesian, Nepali, Thai and Urdu.

Metro commenced DAB service in September 2012. As at end March 2015, Metro operated three DAB channels, namely "Metro Finance Digital", "Metro Music Digital" and "Metro Life Digital". The channels primarily offered finance programmes, talk shows, music shows and lifestyle programmes mainly in Cantonese.

Phoenix U Radio²⁴ formally commenced DAB service in January 2012. As at end March 2015, it operated two channels called "U Radio 22" and "U Radio 26", offering a variety of programmes, including news, current affairs programmes, financial programmes, music programmes, health programmes and cultural programmes, mainly in Putonghua.

RTHK formally launched DAB service in September 2012. As at end March 2015, it operated five channels, four of which principally simulcast existing AM channels and the remaining one was a dedicated channel produced by "China National Radio" for RTHK.

(b) Positive Programme Requirements

During the period under review, domestic free television programme service licensees were required to broadcast at least 41.5 hours of positive programmes²⁵ per week. Both ATV and TVB met the requirements. In aggregate, ATV and TVB each broadcast a weekly average of 123 hours of positive programmes.

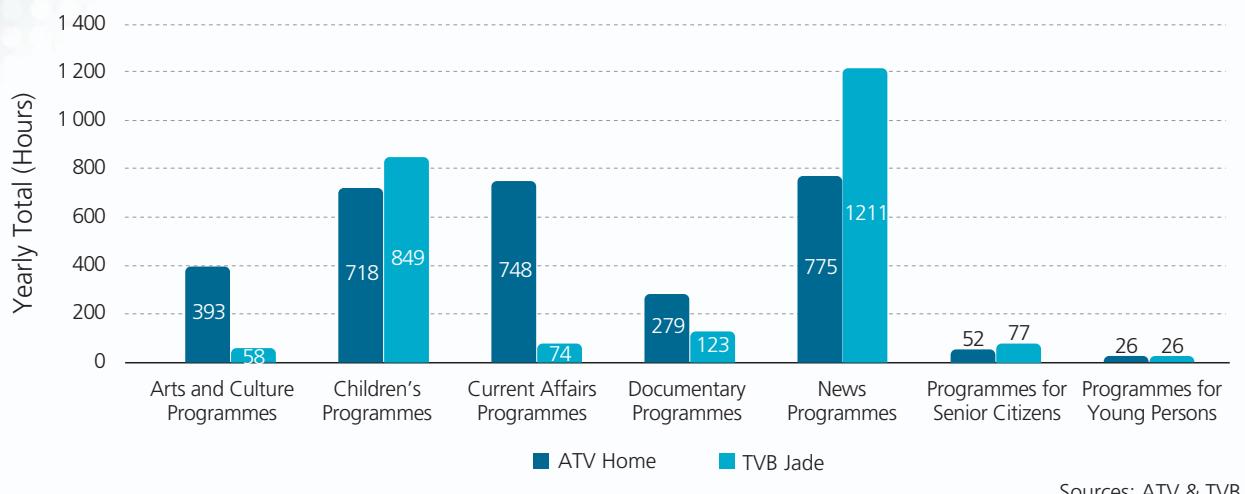
The reports of the licensees submitted to the Authority on the four types of positive programmes, i.e. children's programmes, programmes for young persons, programmes for senior citizens and arts and culture programmes, are available at http://www.ofca.gov.hk/en/pub_report/compliance_reports/index.html.

ATV and TVB were required to provide Chinese subtitles for all news, current affairs, weather reports and emergency announcements as well as programmes during prime time (7:00 p.m. – 11:00 p.m.) on Cantonese channels, and English subtitles for all news, current affairs, weather programmes, emergency announcements and educational programmes for teenagers (two hours per week) on English channels. ATV and TVB were also required to provide Chinese subtitling for all drama programmes on Cantonese channels and English subtitling for all programmes broadcast on English channels between 8:00 p.m. and 11:30 p.m. starting 31 December 2010 and 31 December 2012 respectively. Overall, both ATV and TVB complied with the requirements on provision of subtitles.

²⁴ The CE in C approved the termination of the sound broadcasting licence of Phoenix U Radio with effect from 7 November 2015.

²⁵ The "positive programmes" that ATV and TVB are required to broadcast are news, current affairs programmes, documentary, art and culture programmes, children's programmes and programmes for senior citizens and young persons.

Figure 9: Broadcast of Positive Programmes on Cantonese Television Channels as at March 2015



Sources: ATV & TVB

Pursuant to licence requirements, both licensees were required to broadcast one minute of Announcements in Public Interest (APIs) in each hour for each channel. Also, they are required to broadcast on a weekly basis, not more than five minutes in aggregate of publicity material for the Authority for each analogue/simulcast digital channel²⁶. During the period under review, the licensees broadcast a total of 2 693 hours of the two types of materials.

Following the mid-term review of their licences in 2010, ATV and TVB were required to provide an additional 120 minutes per week of programmes for senior citizens and programmes on arts and culture, or an additional 90 minutes of government (RTHK) programmes per week. In addition, ATV and TVB were required to broadcast at least an additional 60 minutes of RTHK programmes during weekends.

As regards sound broadcasting services, analogue sound broadcasting licensees were required to broadcast at least 28.5 hours of positive programmes²⁷ per week. CRHK and Metro reported that they had complied with the licence conditions on broadcast of positive programmes.

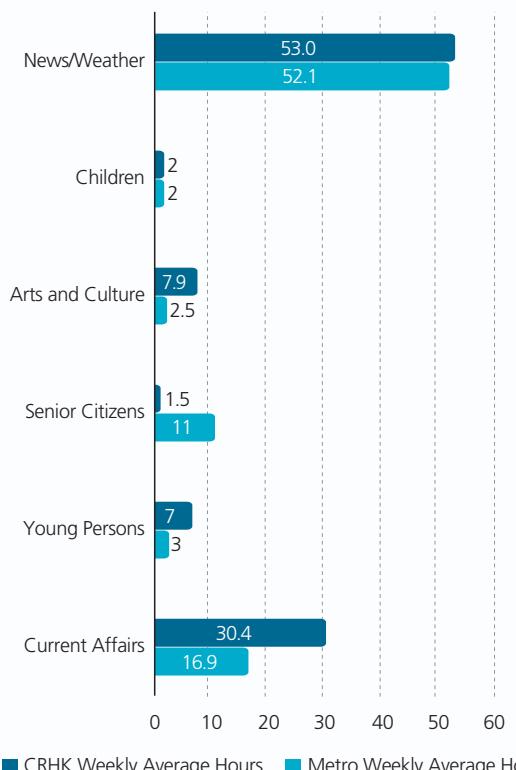
All sound broadcasting licensees (including DAB licensees) were required to broadcast one minute of APIs in each hour and not more than five minutes of publicity material for the Authority each week in each service channel. All licensees reported that they had complied with the requirements.

²⁶ Both licensees are also required to broadcast two minutes of such material on other digital channels per week.

²⁷ The “positive programmes” that CRHK and Metro were required to broadcast were news and weather programmes, current affairs programmes, art and culture programmes and advisory programmes, viz. programmes for young persons, senior citizens and children.



Figure 10: Provision of Positive Programmes on Sound Broadcasting Services as at March 2015



5.1.5 Hong Kong as a Regional Broadcasting Hub

Hong Kong is a broadcasting hub in the Asia-Pacific region with 18 non-domestic television programme service licensees operating in and broadcasting from Hong Kong. Altogether they offered a total of 265 satellite television channels serving over 300 million viewers in the Asia-Pacific region, Europe and Africa, of which 44 channels were receivable in Hong Kong. A summary of non-domestic television programme services as at March 2015 is at **Annex 1**.

Telecommunications

5.2 An Overview of the Telecommunications Market

Hong Kong has one of the most sophisticated and successful telecommunications market in the world. This has been an important factor in Hong Kong's development as a leading business and financial centre. In 2013, the gross output of the telecommunications sector amounted to \$78 billion and it employed around 19 100 persons.

All sectors of Hong Kong's telecommunications market have been liberalised with no foreign ownership restrictions. The Authority's objectives are to maintain a level playing field in the open and competitive telecommunications market and ensure that consumers get the best services available in terms of capacity, quality and price.

5.2.1 The Telecommunications Regulatory Regime

Carrier Licences

The Authority issues carrier licences to facility-based operators, authorising them to establish and maintain telecommunications networks and facilities, which may cross unleased Government land and public streets, for the provision of public telecommunications services.

The unified carrier licensing regime has been implemented since 1 August 2008 as the single licensing vehicle for the provision of facility-based fixed, mobile and/or converged telecommunications services in Hong Kong.

A Unified Carrier Licence (UCL) for the provision of local fixed service authorises the licensee to establish and maintain fixed network, wireline-based or wireless-based or a combination of both where applicable, to provide local telecommunications services between fixed points within Hong Kong. A UCL for the provision of external fixed service



authorises the licensee to provide external facilities as well as external services operated over external facilities. A UCL for the provision of mobile service enables the licensee to provide two-way communications between moving locations or between a moving location and a fixed location in Hong Kong. The issue of new UCL for the provision of mobile service is subject to the availability of radio spectrum for assignment. An operator may apply for a single UCL to provide all the above services.

Fixed Carrier Licences (FCLs) and Mobile Carrier Licences (MCLs) which were issued before the introduction of the UCL remain valid until their expiry dates. The holders of FCL and MCL may apply to the Authority for UCL to replace their licences before or upon expiry.

As at March 2015, there were a total of 59 carrier licensees, providing local fixed services, cable-based external fixed services, non cable-based external fixed services and/or mobile services. The Authority issued 11 UCLs in the first quarter of 2015 in replacement of a number of licences upon their expiry, as they were granted 15 years ago in 2000 upon liberalisation of the market for external telecommunications facilities and wireless fixed telecommunications network services.

Public Radiocommunications Service Licences

Services which may be authorised under the Public Radiocommunications Service (PRS) Licence include radio paging, community repeater (trunked radio) services, vehicle location information services,

one-way data message services and public mobile radio data services.

As the provision of radiocommunications services requires the assignment of suitable operating frequencies, PRS Licences are granted only when the required radio spectrum is available.

As at March 2015, there were a total of 9 PRS licensees.

Services-based Operator Licences

Services-based Operators (SBO) are not authorised to establish or maintain any telecommunications means which cross public streets or unleased Government lands, and therefore have to make use of the networks and facilities of other licensed facility-based operators for the provision of public telecommunications services.

SBO licence covers three types of services, namely, Class 1 and Class 2 local voice telephony service, and Class 3 service which may include external telecommunications service, Internet access service, international value-added network service, mobile virtual network operator service, private payphone service, public radio communications relay service, security and fire alarm signals transmission service, teleconferencing service and mobile communications service on board an aircraft.

As at March 2015, there were a total of 530 SBO licensees.

Class Licences

The class licensing regime does not require any licence application. Parties meeting the specified eligibility criteria and conditions would automatically become the class licensees, and are required to comply with the conditions set out in the relevant Class Licence as well as the TO. Currently there are seven types of Class Licences:

- Class Licence for Citizens Band Radio Station
- Class Licence for In-building Telecommunications Systems
- Class Licence for Medical Implant Communication System Device
- Class Licence for Short Range Device
- Class Licence for Taxi Mobile Station
- Class Licence for Offer of Telecommunications Services
- Class Licence for Provision of Public Wireless Local Area Network Services

Other Licences

Apart from the licences mentioned above, there are a number of miscellaneous licences under the purview of the Authority.

A breakdown of the type and number of all telecommunications licences are at **Annex 2**.

5.2.2 Developments in the Telecommunications Market and Technology Trends

Mobile Communications Services

Competition in public mobile services is keen. As at March 2015, there were four mobile network operators, namely, China Mobile Hong Kong Company Limited (CMHK), Hong Kong Telecommunications (HKT) Limited, Hutchison Telephone Company Limited (HTCL) and SmarTone Mobile Communications Limited (SmarTone), providing a wide range of public mobile services. The availability of mobile number portability since March 1999 has contributed to promoting effective competition among the mobile network operators as it allows customers to retain their telephone numbers when they switch to another mobile network operator.

The four mobile network operators provide 2G, 3G and 4G services in Hong Kong with affordable prices. As at March 2015, there were about 17 million subscribers to mobile communications services. This represents a population penetration of 233.3%, one of the highest in the world. The number of 3G/4G users reached 12.25 million in March 2015, representing a population penetration of 168.6%. Through spectrum refarming, more spectrum is now used for provision of 4G services with the downlink speed up to 300 Mbps.

With the increasing popularity of smart phones, particularly 4G mobile handsets, which were readily available in the market, the monthly mobile data usage surged to 17 472 Terabytes in March 2015, representing 1.3 times and 1.9 times the monthly usage over the same period in 2014 and 2013 respectively. On average, each mobile user used 1 418 Megabytes per month, compared with 1 046 Megabytes in March 2014 and 818 Megabytes in March 2013. The continued development of 4G mobile services is expected to further boost the mobile data usage in the future.

Figure 11: Number of Mobile Subscribers (2005 to 2014)

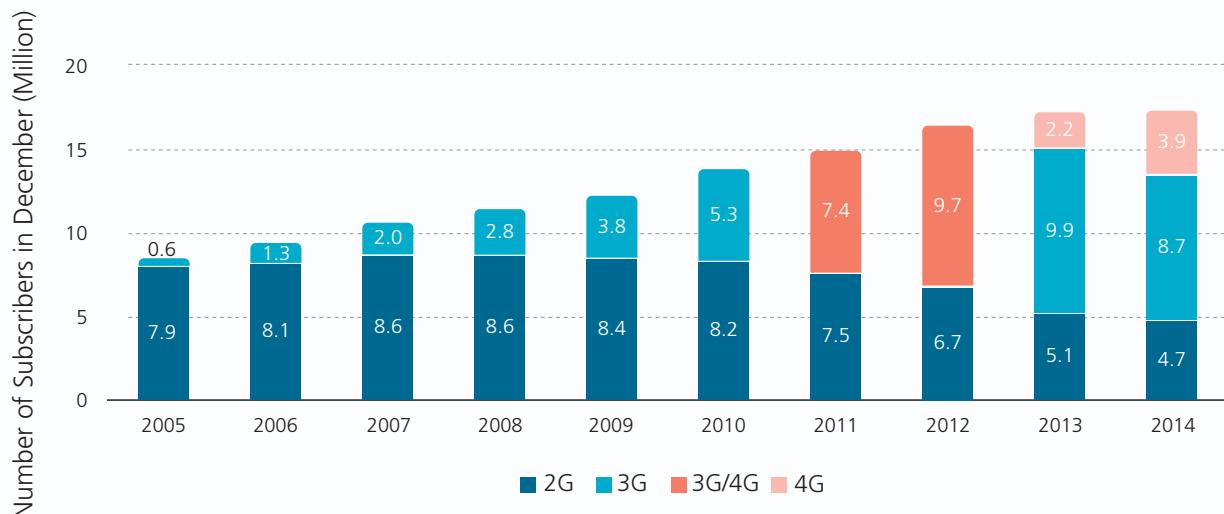
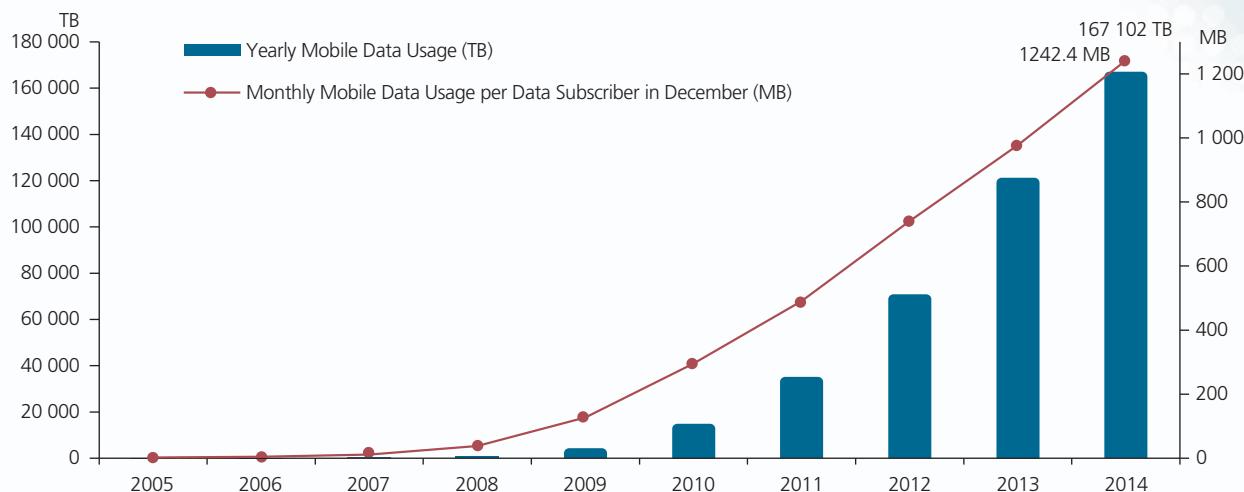


Figure 12: Mobile Customers using Postpaid and Prepaid SIM (2005 to 2014)



Figure 13: Mobile Data Usage (2005 to 2014)

Fixed Communications Services

The local fixed communications services market was fully liberalised in 2003. There is no preset limit on the number of licences to be issued for fixed services, or any deadline for the submission of licence applications. Furthermore, there is no specific requirement on network rollout and investment and licensees may provide their services according to their proposals.

As of March 2015, there were 23 local fixed carriers, providing around 101 fixed lines per 100 households, one of the highest in the world. They are:

- PCCW-HKT Telephone Limited and Hong Kong Telecommunications (HKT) Limited
- New World Telecommunications Limited
- Wharf T&T Limited
- Hutchison Global Communications Limited
- Hong Kong Broadband Network Limited
- Towngas Telecommunications Fixed Network Limited
- ComNet Telecom (HK) Limited
- TraxComm Limited
- HKC Network Limited
- Hong Kong Cable Television Limited

- Reach Networks Hong Kong Limited and Reach Cable Networks Limited
- Telstra International HK Limited and Telstra International Limited
- Verizon Hong Kong Limited
- SmarTone Communications Limited
- Vodafone Enterprise Global Network HK Limited
- Hong Kong Telecommunications (HKT) Limited
- China Mobile Hong Kong Company Limited
- 21 ViaNet Group Limited
- China Telecom Global Limited
- NTT Com Asia Limited
- Equinix Hong Kong Limited
- TVB Network Vision Limited
- PCCW Global (HK) Limited

As a result of the active network rollout by fixed carriers and the former Telecommunications Authority's initiative to encourage further network rollout by the withdrawal of mandatory Type II interconnection policy in mid-2008, 86.7% and 78.9% of households were able to enjoy a choice of at least two and three self-built customer access networks respectively as at March 2015. It is expected that the figure will keep growing as the operators continue to roll out their networks.

Local fixed carriers are required to facilitate fixed number portability which enables consumers to switch to another local fixed operator without having to change their telephone numbers.

Fixed Broadband Services

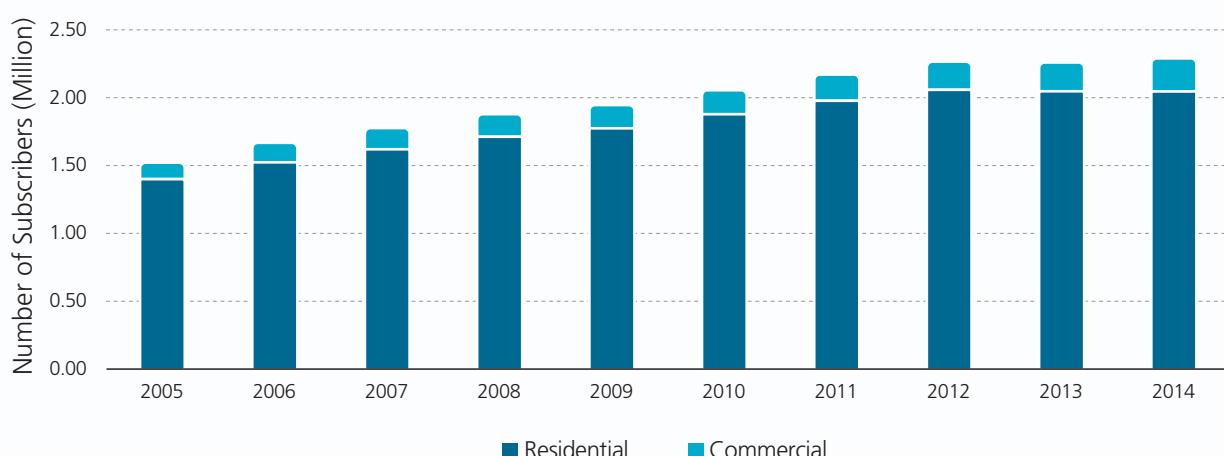
As at March 2015, 23 facility-based operators and 184 services-based operators were authorised to provide broadband Internet access services in Hong Kong. With the continuous network rollout of facility-based operators, the Hong Kong community is able to enjoy the nearly ubiquitous coverage of broadband networks through the deployment of various technologies

including asymmetric digital subscriber line, hybrid fibre coaxial cable, fibre-to-the-building, fibre-to-the-home, etc. Broadband access to various applications and content services has become an integral part of the life of people in Hong Kong. As at March 2015, there were around 2.3 million residential and commercial fixed broadband subscribers, with a household penetration rate of 83%. Broadband services are available at speeds up to 1 gigabit per second (Gbps). Over 84% of the broadband subscribers are using service plans with speeds at 10Mbps or above. The statistics of fixed broadband subscribers as at March 2015 and the statistics for the past 10 years are shown in [Figure 14](#) and [Figure 15](#) respectively.

Figure 14: Statistics of fixed broadband subscribers as at March 2015

	No. of subscribers	% share
Total No. of broadband subscribers	2 281 275	
Broadband speed of 10Mbps or above	1 925 479	84.4%
Broadband speed below 10Mbps	355 796	15.6%
Residential	2 041 742	89.5%
Commercial	239 533	10.5%

Figure 15: Fixed Broadband Subscribers (2005 to 2014)



Development of Next Generation Networks (NGN)

Traditional telecommunications networks are built around circuit-switched technologies and are primarily designed for the conveyance and provision of dedicated telecommunications services. With the advent of new technologies, it is now possible to build a single network for the conveyance and provision of a variety of services, including fixed voice telephony service, data service, mobile service and television service. Such new networks, commonly referred to as NGNs, serve as an open platform through which service providers are able to develop innovative services and applications, and establish direct relationship with their customers.

In Hong Kong, the development of NGNs has always been driven by technical and commercial considerations of carriers. Some network operators have already launched their NGNs, while others are in the process of migrating their existing networks to NGNs. With the advent of NGN, it is necessary for the Authority to remain vigilant about the challenges to be brought about by NGN and ensure that the regulatory framework remains updated and appropriate in the NGN era. After the completion of a consultancy study commissioned to examine the implication of NGN development on the regulatory framework in Hong Kong, the NGN working group set up under OFCA, with members coming from the industry as well as various professional associations, has been deliberating on various issues pertinent to NGN, including arrangement of NGN interconnection trial among operators, collection of NGN related statistics, etc.

Public Wi-Fi Services

Operators have been actively rolling out Wi-Fi networks. There are five fixed network operators and 40 class licensees providing public Wi-Fi services. As at March 2015, there were 31 879 public Wi-Fi hotspots in the city and the number continued to grow. Free Wi-Fi services were available to the public in 486 government premises.

External Telecommunications Services

The external telecommunications facilities market was fully liberalised in 2000. As of March 2015, 42 fixed carriers were authorised to provide cable-based and/or non-cable-based external telecommunications facilities.

As at March 2015, Hong Kong had a total of seven cable landing stations: two in Tong Fuk, two in Tseung Kwan O and one each in Deep Water Bay, Chung Hom Kok and Cape D'Aguilar, making it a major telecommunications and Internet hub in the region.

In March 2015, Hong Kong was connected to nine regional and trans-Pacific submarine cable systems. They are Asia-America Gateway Cable System (AAG), Asia Pacific Cable Network 2 (APCN-2), Asia Submarine-Cable Express (ASE), EAC – C2C, FLAG Europe Asia (FEA), FLAG North Asia Loop (FNAL)/REACH North Asia Loop (RNAL), Sea-Me-We 3 (SMW3), South-East Asia Japan Cable System (SJC) and TGN-Intra Asia Cable System (TGN-IA). As at March 2015, the total equipped external capacity exceeded 24 402 Gbps. Total external telephone traffic was 10 479 259 000 minutes for the period from 1 April 2014 to 31 March 2015.



Satellite Services

Hong Kong adopts the open sky policy in regulating the provision of satellite services. Satellite-based telecommunications and television broadcasting services are provided via a multitude of satellites in the region with more than 200 satellite earth station antennas operated by a number of fixed carriers and broadcasters.

Licences are required for the operation of satellites and associated facilities. As at March 2015, two Hong Kong companies were licensed to operate and provide satellite communication services, namely Asia Satellite Telecommunications Company Limited (AsiaSat) and APT Satellite Holdings Limited (APT). AsiaSat and APT were established in 1988 and 1992 respectively.

AsiaSat and APT now operate nine satellites some of which will soon reach the end of their designed operation lives. The two companies have entered a new investment cycle of launching new satellites for replacement and provision of new business. Two new satellites were launched in the second half of 2014. Another new satellite is scheduled to be launched by the end of 2015.



Broadcasting

6.1 Renewal of Domestic Free and Domestic Pay Television Programme Service Licences

Renewal of the Domestic Free Television Programme Service Licences of ATV and TVB

During the year, the Authority discharged its statutory duty in making recommendations to the CE in C on the applications for renewal of the domestic free television programme service licences of ATV and TVB, which would expire in November 2015. In accordance with the BO and established practice for processing the licence renewal applications, the Authority conducted a comprehensive assessment of the performance of the two licensees in relation to their compliance with the statutory requirements, licence conditions and the codes of practice. The Authority also conducted an extensive public consultation exercise in 2014, including a territory-wide household survey, three public hearings and four focus-group discussion sessions to collect public views on the services provided by the two licensees. In relation to the licence renewal application of ATV, there were strong adverse public opinions on the programming of ATV and on its poor performance

in various other aspects. In particular, about 45% of the respondents in the survey considered the service of ATV not satisfactory. As for the licence renewal application of TVB, the public was generally satisfied with the performance of TVB though there was room for improvement in its programming variety and quality. Having carefully considered the overall performance of the two licensees and the public views received, the Authority submitted its recommendations on the licence renewal applications to the CE in C on 4 November 2014.

In relation to the licence renewal application of ATV, having regard to inter alia the recommendations of the Authority, the CE in C decided on 1 April 2015 not to renew ATV's domestic free television programme service licence and to extend its existing licence to 1 April 2016.

As for the licence renewal application of TVB, the CE in C accepted the Authority's recommendations and decided on 12 May 2015 to renew TVB's domestic free television programme service licence for a new term of 12 years, with effect from 1 December 2015. Having regard to the public's views on the service of TVB, new licence conditions have been imposed on TVB's renewed licence to ensure that its domestic free television programme service would continue to meet the public's



expectation. These include new commitments on local productions and independent local productions; requirements for additional current affairs programmes, arts and culture programmes, documentaries and programmes for young persons on its digital channels; provision of first-run positive programmes; and the commitment to enhance provision of subtitling to its digital channels.

Renewal of the Domestic Pay Television Programme Service Licence of PCCW Media

The domestic pay television programme service licence of PCCW Media would expire in September 2015. In processing the licence renewal application of PCCW Media, the Authority carried out a comprehensive assessment of its performance and conducted a public consultation exercise in 2013 to gauge public views on PCCW Media's service. The Authority submitted its recommendations on the licence renewal application of PCCW Media to the CE in C in September 2014. The recommendations were accepted by the CE in C in December 2014 and PCCW Media's domestic pay television programme service licence was renewed for a term of 12 years with effect from 26 September 2015.



6.2 Follow-up to Applications for Domestic Free Television Programme Service Licences

Licence Applications of Fantastic TV and HKTVE

Since the grant by the CE in C of approval-in-principle (AIP) to the applications of Fantastic TV and HKTVE for domestic free television programme service licences in October 2013, the Authority proceeded with the follow-up work, including further review of the applications, seeking further information and clarifications as necessary from the two AIP grantees and discussing with them the proposed licence conditions. The Authority submitted to the CE in C its recommendations on the two licence applications in January 2015.

Having regard to the Authority's recommendations on HKTVE's application, the CE in C decided in April 2015 to grant HKTVE a domestic free television programme service licence by using fixed network as its transmission mode. HKTVE is required to provide a 24-hour Chinese channel and a 16-hour English channel within 12 months and 24 months from licence grant respectively, viz, by 31 March 2016 and 31 March 2017.

As regard Fantastic TV's application, in May and October 2015, the CE in C, having taken into account the request of Fantastic TV, invited the Authority to further consider any relevant supplementary information and confirmation that Fantastic TV was required to provide and to submit further recommendations to the CE in C on Fantastic TV's domestic free television programme service licence application. The Authority will follow up with Fantastic TV and process the additional information to be provided by Fantastic TV with a view to submitting to the CE in C further recommendations on Fantastic TV's application.



Licence Application of HKT

The Authority was processing the application for a domestic free television programme service licence submitted by HKT in April 2014 in accordance with the BO and established procedures, including examining the views received in the public consultation exercise on the application and seeking further information from HKT as required. Moreover, the Authority has commissioned an independent consultant to conduct a market analysis and prepare a consultancy report for assessing the possible impacts of the application on the local television market and overall broadcasting landscape. The Authority will examine the application prudently and submit its recommendations to the CE in C as soon as practicable.

6.3 Renewal of Analogue Sound Broadcasting Licences

The analogue sound broadcasting licences of CRHK and Metro granted under the TO will expire after 25 August 2016. The two licensees submitted applications for renewal of their licences in July and August 2014 respectively. In accordance with the TO and established practice for processing the licence renewal applications, the Authority completed a comprehensive assessment of the

performance of the two licensees in relation to their compliance with the statutory requirements, licence conditions and codes of practice promulgated by the Authority, and their operational, financial and technical capability, programming arrangements and future commitments. The Authority also conducted a public consultation exercise from September to November 2014 to collect public views on the licence renewal applications. Having regard to the overall assessment of the performance of the two licensees and the public views received, the Authority submitted its recommendations on the licence renewal applications to the CE in C in May 2015.

6.4 Renewal of Other Licensable Television Programme Service Licences

During the period under review, the Authority approved the applications for renewal of the following other licensable television programme service licences for the provision of television programme service in hotel rooms in Hong Kong:

- DOCOMO InterTouch Company Limited
- Showers of Blessing Evangelistic Ministry (Hong Kong) Limited

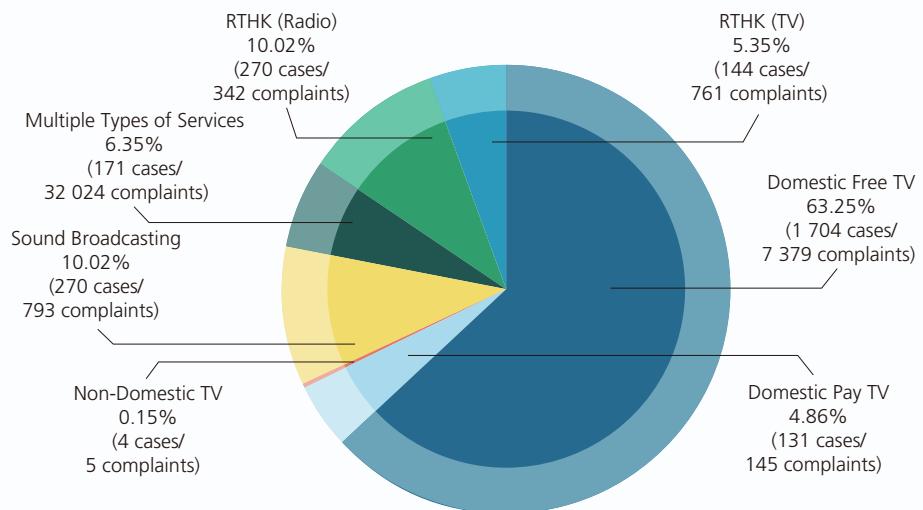
6.5 Processing Complaints relating to Broadcasting Services

Overview of the Complaints Processed

During the period from April 2014 to March 2015, the Authority processed a total of 2 694 cases (41 449 complaints)²⁸ about the materials broadcast by broadcasters, which represented a decrease of 11% in the number of cases and an increase of 219% in the number of complaints processed²⁹, as compared with the numbers recorded during the same period in the previous year (3 029 cases, 12 998 complaints). Breakdown of all the complaint cases by broadcasting service and broadcaster processed during the period is shown in Figure 16 and Figure 17 respectively.



Figure 16: Distribution of All Complaint Cases by Broadcasting Service Processed in 2014-2015



²⁸ To ensure operational efficiency, complaints with similar allegations against the same issue or broadcast material are handled together and counted as a single case.

²⁹ The significant increase in the number of complaints was attributed to a complaint case against a television programme broadcast on TVB and TVBNV which gave rise to over 27 000 complaints.

Figure 17: Distribution of All Complaint Cases by Broadcaster Processed in 2014-2015

Broadcasters Involved	No. of Complaint Cases	No. of Complaints Involved
ATV	437	872
TVB	1 260	6 499
HKCTV	56	61
PCCW Media	47	52
TVBNV	25	27
One TV Media Global ³⁰	1	1
Phoenix Satellite TV ³⁰	2	3
STAR ³⁰	1	1
CRHK	211	730
Metro	48	50
DBC	10	12
Phoenix U	1	1
RTHK (TV)	144	761
RTHK (Radio)	270	342
Multiple Broadcasters	181	32 037
Total	2 694	41 449

Among all the complaint cases processed, the DG Com handled 2 671 cases (12 010 complaints) under delegated power of the Authority. These complaints were related to breaches of a minor nature, or allegations which did not constitute any breach or were outside the remit of section 11(1) of

the B(MP)O, i.e. the substance of the complaint did not involve a contravention of the legislation, licence conditions or codes of practice. The Authority dealt with 23 cases (29 439 complaints). Details of the outcomes of all the complaints processed during this period are at Figure 18.

³⁰ A non-domestic television programme service licensee.

Figure 18: Outcomes of all the Complaints Dealt With by the Authority and DG Com

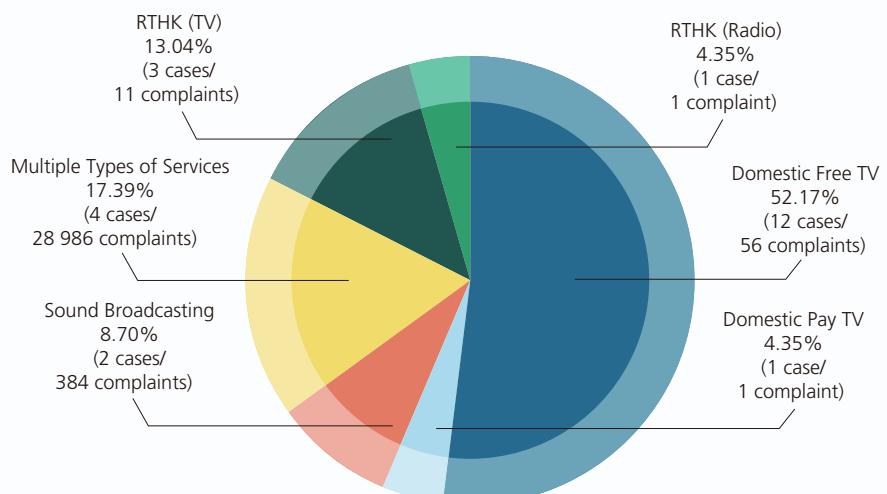
	Within Section (11)1 of B(MP)O				Outside Section (11)1 of B(MP)O	
	Substantiated		Unsubstantiated		DG Com	Total
	The Authority	DG Com	The Authority	DG Com		
No. of Cases	17	172	6	1 816	683	2 694
No. of Complaints	27 278	228	2 161	10 587	1 195	41 449

Complaints Dealt with by the Authority

Among the 23 complaint cases dealt with by the Authority, 52% were related to domestic free television programme services. Breakdown of these complaint cases by broadcasting service is at Figure 19.

Regarding the nature of the broadcast materials under complaint, 21 out of the 23 complaint cases dealt with by the Authority were related to programmes and two about advertisements. 17 complaint cases were substantiated. Among

the substantiated cases, the main substance of complaints of four cases was related to the mingling of programme and advertising material or the embedding of advertising material within programme contents. Seven cases were related to inaccurate factual contents, misleading and partial presentations, or unfairness in news programme, current affairs programme, documentary, personal view programme or financial programme. Two cases were related to programme materials sponsored by liquor product, or depictions of dangerous acts without warning broadcast within

Figure 19: Breakdown of Complaint Cases Dealt With by the Authority by Broadcasting Service

the family viewing hours. One case was related to overly realistic depictions of violence or perverted practices in a programme, while another was related to indecent and denigrating remarks about religion in a personal view programme. Two substantiated cases were related to advertisements, among which one was related to a liquor advertisement involving children in its presentation, and the other one was

related to a misleading claim in an advertisement.

The Authority imposed a financial penalty of \$50 000, issued one serious warning, two warnings, three pieces of strong advice and 12 pieces of advice. A breakdown of the decisions of the Authority on complaints dealt with in 2014-2015 is at [Figure 20](#).

Figure 20: Decision of the Authority on Complaint Cases during 2014-2015

Decision of the Authority	ATV	TVB	HKCTV	PCCW Media	TVBNV	CRHK	RTHK	Total
No Further Action	0	3	0	0	2	1	2	8^{note 1}
Advice	4	5	0	1	1	0	1	12^{note 2}
Strong Advice	1	1	0	0	0	0	1	3
Warning	0	0	0	0	1	1	0	2^{note 3}
Serious Warning	0	1	0	0	0	0	0	1
Financial Penalty	0	1	0	0	0	0	0	1^{note 3}
Total	5	11	0	1	4	2	4	27^{notes 1, 2 & 3}

Note 1: Two unsubstantiated complaint cases involved broadcasts by two licensees and no further action was taken against the two concerned licensees.

Note 2: One substantiated complaint case involved broadcasts by two licensees and an advice was issued to each of the concerned licensees.

Note 3: One substantiated complaint case involved broadcasts by two licensees and two sanctions were imposed on the two concerned licensees.

Telecommunications

6.6 Re-assignment of Frequency Spectrum in the 1.9 – 2.2 GHz Frequency Bands

The Authority announced in November 2013 its decision to adopt the hybrid administratively-assigned cum market-based approach to re-assign the 118.4 MHz of spectrum in the 1.9 – 2.2 GHz band (3G Spectrum) upon expiry of the existing assignments on 21 October 2016.

The hybrid approach is considered to best meet the multiple objectives of spectrum re-assignment, viz. ensuring customer service continuity, efficient spectrum utilisation, promotion of effective competition, and encouragement of investment and promotion of innovative services.

Under the hybrid approach, the three incumbent 3G operators have been re-assigned through right of first refusal 69.2 MHz of the 3G Spectrum, and the remaining 49.2 MHz was put to auction in December 2014. Two incumbent 3G operators and the existing mobile network operator not assigned with any 3G Spectrum successfully bid for the spectrum. They are required to pay the spectrum utilisation fee for both the administratively-assigned and auction-acquired spectrum by August 2016. The spectrum will be assigned for a new term of 15 years, starting from 22 October 2016 to 21 October 2031.

In sum, 29.6 MHz out of the 118.4 MHz of the 3G Spectrum will change hands with effect from October 2016. The incumbent and the new spectrum assignees would have about two years from completion of the auction to prepare for the necessary network reconfiguration and the roll out of their networks respectively. OFCA will coordinate with the operators with a view to facilitating a smooth handover arrangement on the above-mentioned spectrum among the spectrum assignees so as to minimise the impact on service to mobile customers.

6.7 Preparation for Re-assignment of Frequency Spectrum in the 900 MHz and 1800 MHz Frequency Bands

Among the 572 MHz of spectrum currently assigned for the provision of mobile telecommunications services, the existing assignments for 49.8 MHz of spectrum in the 900 MHz band and 148.8 MHz of spectrum in the 1800 MHz band will expire within the period between November 2020 and September 2021. In order to allow sufficient time for the industry to prepare for the spectrum re-assignment, the Authority plans to announce its decision on the arrangements for spectrum re-assignment by end 2017. The related preparatory work began in 2015.

6.8 Reduction of Telecommunications Licence Fees

In November 2012, the Authority and SCED issued a joint statement to promulgate their decision to reduce the customer connection fee level of UCLs from \$800 to \$700 for each 100 customer connections, and to reduce the mobile station fee level of PRS Licences (Paging) and SBO Licences (Class 3) from \$800 to \$700 for each 100 mobile stations. Following completion of the legislative procedure, the new licence fees took effect on 1 March 2013. In February 2013, PCCW-HKT Telephone Limited and Hong Kong Telecommunications (HKT) Limited (PCCW and HKT) applied for leave to lodge a judicial review (JR) application against the Authority and SCED on their decisions on the licence fees reduction. Court of First Instance granted leave to PCCW and HKT's application for the JR in July 2013. The substantive hearing was conducted from 17 to 19 June 2015. Court of First Instance handed down its judgment on 11 August 2015 dismissing the JR application. PCCW and HKT lodged an appeal to the Court of Appeal on 4 September 2015.



6.9 Update on the Withdrawal of Regulatory Guidance on the Charging Principles for Narrowband Interconnection between Fixed Carriers

After an 18-month transitional period, the regulatory guidance on the charging principles for narrowband interconnection between fixed carriers ceased to be effective starting from 16 October 2014. With the withdrawal of the regulatory guidance, fixed carriers are free to negotiate with each other commercially on the terms and conditions for narrowband interconnection, including whether interconnection charges are required for the exchange of traffic, and if so, the level of the interconnection charges. Most of the fixed carriers have concluded new interconnection agreements among themselves after the withdrawal of the regulatory guidance, without the need for the Authority to intervene.

6.10 Regulation of Broadcast-type Mobile Television Services (Mobile TV Service)

Since the launch of Mobile TV Service in February 2012, the China Mobile Multimedia Broadcasting (CMMB) standard has been used as the transmission standard. HKT announced on 20 December 2013 the completion of its acquisition of all shares of the original licensee holding the UCL which authorised it to provide Mobile TV Service (the Mobile TV Licence) and subsequently renamed the licensee as Hong Kong Mobile Television Network Limited (HKMTV). In January 2014, HKMTV indicated to OFCA its proposal to switch from the original CMMB standard to the Digital Terrestrial Multimedia Broadcast (DTMB) standard for the transmission of its Mobile TV Service.

Given that DTMB standard is the transmission standard adopted for the provision of free-to-air DTT services in Hong Kong, the Authority considers that if HKMTV switches to the DTMB standard without implementation of effective technical measures, its Mobile TV Service will be available for reception by an audience of more than 5000 specified premises in Hong Kong and will thereby trigger the licensing requirement under the BO in relation to a domestic free television programme service licence and/or domestic pay television programme service licence. Furthermore, the reception of Mobile TV Service by household television sets via fixed installations, such as in-building coaxial cable distribution systems and rooftop antennas, will constitute the provision of a fixed service, in breach of Schedule 1 to the Mobile TV Licence, which stipulates that nothing in the licence authorises the licensee to provide any fixed services using the frequencies specified in the Mobile TV Licence, or to provide any service subject to licensing under any other ordinance.

HKTV and HKMTV disagreed that Mobile TV Service using the DTMB standard should be subject to the regulation by the BO. On 11 April 2014, HKTV and HKMTV filed an application to the court for leave to apply for JR against the view expressed by the OFCA. Leave was granted and the substantive hearing was conducted on 26 and 27 November 2014. The Court handed down its judgment in September 2015 in favour of OFCA and dismissed the JR.

6.11 Review of Licence Conditions in the Carrier Licences

With a view to removing the anomaly of subjecting telecommunications licensees to both the sectoral and cross-sectoral regulatory controls when the two duplicate, the Authority and SCED reviewed all the licence conditions in carrier licences issued under the TO. Taking into account also the views and comments received from a joint public consultation on the matter, the Authority announced on 10 March 2015 the decision to remove five special conditions (SCs) governing road opening works from the new UCLs issued thereafter. It has also invited the existing carrier licensees to return their licences for effecting the removal of the corresponding SCs. Meanwhile, SCED decided to remove a general condition concerning restrictions on attachment to public buildings and trees from the carrier licences, and will introduce the necessary legislative amendments with a view to effecting the removal.

6.12 Processing Complaints relating to Telecommunications Services

As the telecommunications market is fully liberalised and highly competitive, the Authority has adopted a light-handed regulatory approach. The Authority investigates consumer complaints against

telecommunications operators if there is sufficient evidence to establish a *prima facie* case on possible breaches of any provisions under the TO or licence conditions. For other consumer complaints not involving any breach of the TO, relevant regulations or licence conditions, it is the responsibility of the telecommunications operators to resolve the matters under complaint with their customers. The Authority will take note of and monitor all consumer complaints received. Appropriate actions would be taken if any systemic issues are identified.

During the year under review, the Authority received a total of 3 034 consumer complaints relating to telecommunications services. Among them, 1 810 cases (59.7%) were related to mobile services, 676 cases (22.3%) were related to Internet services, 467 cases (15.4%) were related to fixed-line services and 57 cases (1.9%) were related to external telecommunications and other services. On the nature of complaint, the Authority received the highest number of complaints relating to bill disputes (862 cases or 28.4%), while complaints about customer service quality (559 cases or 18.4%) and service quality (495 cases or 16.3%) ranked second and third respectively.

Breakdown of complaint cases by types of telecommunications services and complaint natures received by the Authority during the period are shown in [Figure 21](#) and [Figure 22](#) respectively.

Figure 21: Distribution of Complaint Cases by Types of Telecommunications Service Received by the Authority in 2014-2015

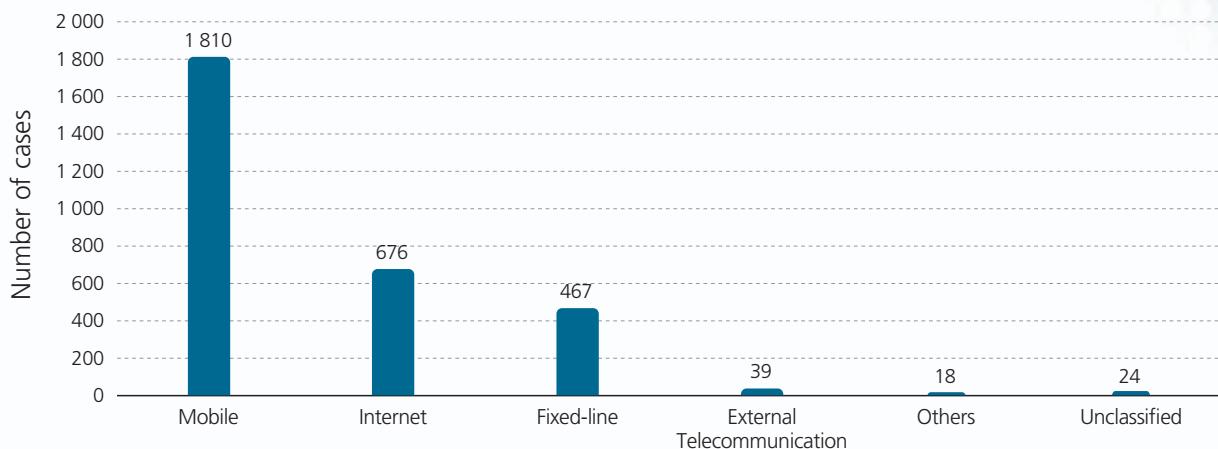
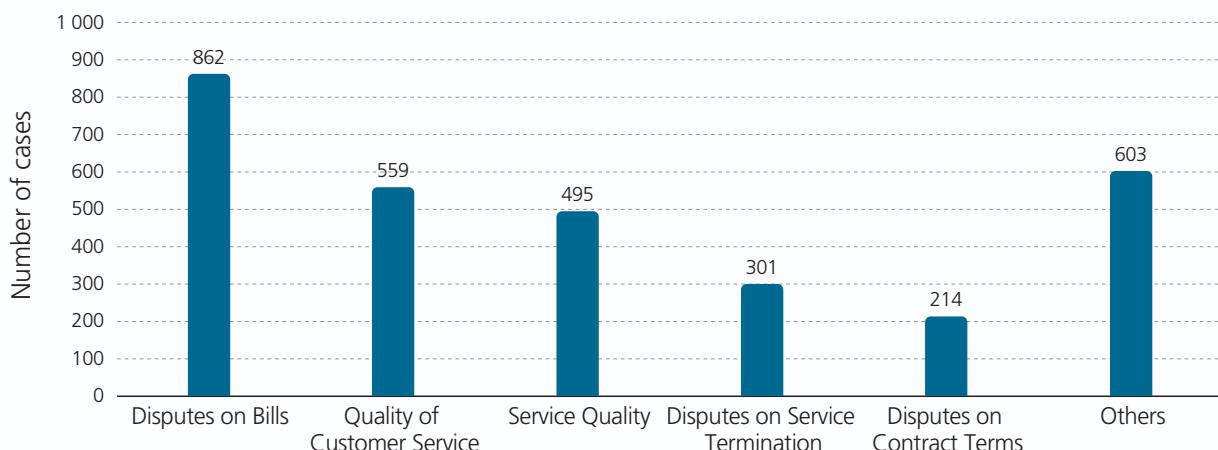


Figure 22: Distribution of Complaint Cases by Complaint Nature Received by the Authority in 2014-2015



Among the 3 034 complaint cases received, 2 954 cases (97.4%) were found to be outside the Authority's jurisdiction. For the remaining 80 cases (2.6%), they might have breached the TO or licence conditions. The majority of these cases were related to sales conduct, difficulties in accessing buildings to provide services, suspected anti-competitive behavior and abuse of market power. Regulatory actions will be taken against

the telecommunications operators concerned if the complaints are found to be substantiated after investigations.

Breakdown of complaint cases that might involve possible breach of the TO or licence conditions by types and natures received by the Authority during the year under review are at [Figure 23](#) and [Figure 24](#) respectively.

Figure 23: Distribution of Complaint Cases by Types of Telecommunications Service Received by the Authority in 2014-2015

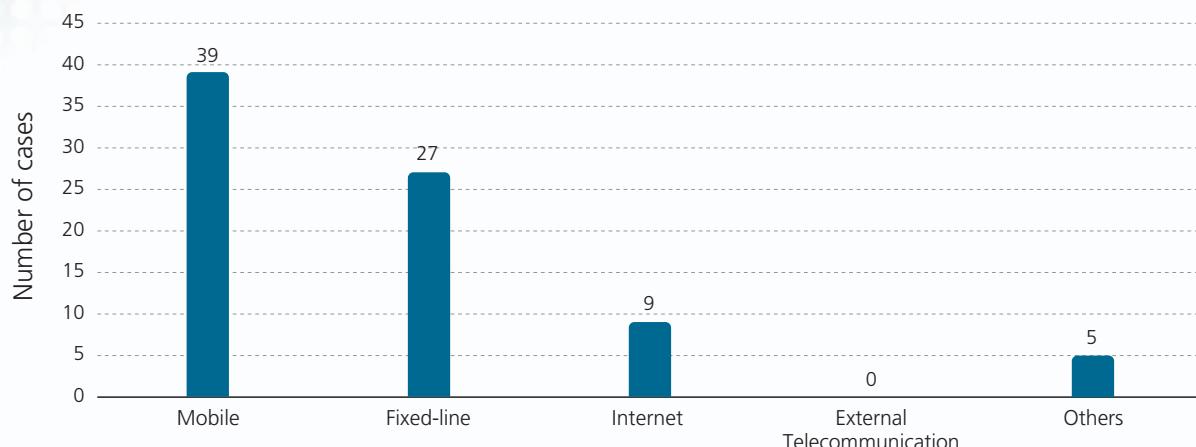
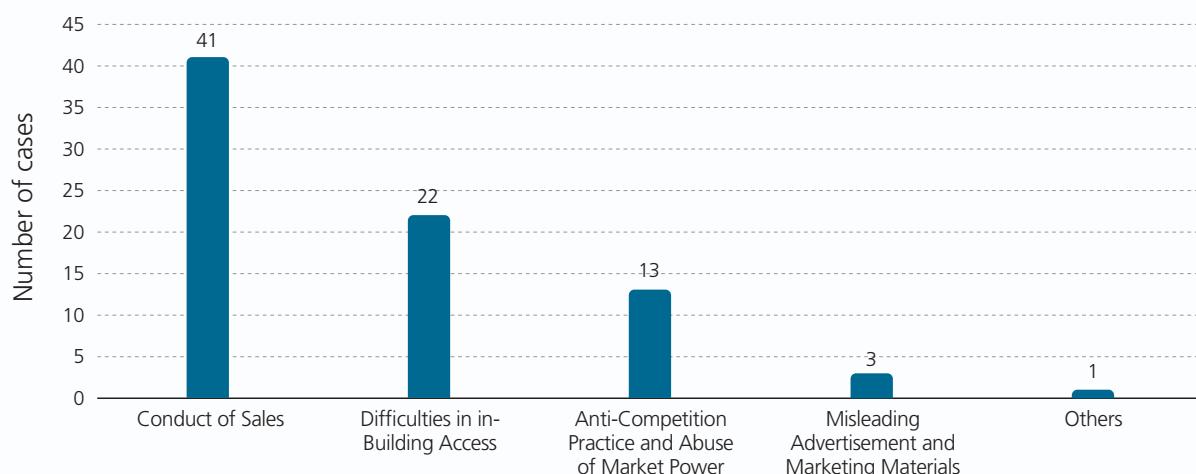


Figure 24: Distribution of Complaint Cases by Complaint Nature Received by the Authority in 2014-2015



In the past few years, the Authority noted that consumer complaints were mainly on telecommunications service contractual disputes, mobile bill shock, chargeable mobile content services and Fair Usage Policy. In collaboration with the telecommunications industry, various measures have already been implemented to address these complaints. These include the issue of an industry code of practice for voluntary compliance by telecommunications licensees on service contracts, implementation of mobile bill

shock preventive measures, the setting up of an Administrative Agency by the Communications Association of Hong Kong (CAHK), an industry association, to govern the service delivery by mobile content services providers, and the promulgation of a set of mandatory guidelines governing the implementation of Fair Usage Policy by telecommunications services providers. The numbers of complaint cases of the types mentioned above received during the year under review is at Figure 25.

Figure 25: Number of Consumer Complaint Cases Received by the Authority in 2014-2015

Types of Consumer Complaint	No. of Complaint Cases
Contractual disputes	515
Mobile bill shock	487
Fair Usage Policy	20
Chargeable mobile content services	18

6.13 Long Term Implementation of Customer Complaint Settlement Scheme

In November 2012, OFCA worked with the CAHK to launch the CCSS for a trial period of two years. The CCSS is an alternative dispute resolution scheme which aims at resolving billing disputes in deadlock between telecommunications service providers and their residential/personal customers by means of mediation. The mediation service is provided by an independent mediation service centre (CCSS Centre) set up under the CAHK with voluntary participation of all major telecommunications service providers in Hong Kong. OFCA supported the CCSS by contributing the necessary funding, screening the CCSS applications against the acceptance criteria, and monitoring the performance and the governance of the scheme.

During the two-year trial period from 1 November 2012 to 31 October 2014, OFCA received 357 applications (with 106 and 251 applications in the first and the second trial years respectively) that met CCSS's acceptance criteria. Among them, 159 cases were resolved before referral to the CCSS Centre, and 197 cases were satisfactorily settled after being followed up by the CCSS Centre. For the remaining one case, verbal agreement had been

reached between the parties to settle the case, but the customer failed to turn up to sign the written settlement agreement.

Following the end of the trial period, OFCA conducted a review of the effectiveness of the CCSS and its usage by the public. Having regard to the encouraging outcome of the CCSS trial, the proven demand from customers and the positive feedback from the industry, OFCA decided to support the long term implementation of the CCSS on the basis of the framework adopted in the trial scheme. The long term CCSS as administered by the CAHK commenced operation on 1 May 2015. OFCA will continue to provide funding, screen the CCSS applications, and monitor closely the operation and effectiveness of the scheme.

6.14 Measures to Ensure Better Utilisation of the 8-digit Numbering Plan

In Hong Kong, the 8-digit telecommunications numbering plan has been adopted since 1995. With the robust developments of the telecommunications industry and the popularity of mobile communications services over the last two decades, numbers available for allocation to mobile services would be exhausted in three years' time. The Authority proposed to make available more numbers for mobile services through maximizing utilization of the existing 8-digit numbering plan. A public consultation was launched in October 2015 to seek views about the various proposed measures.

6.15 Implementation of the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012

The Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012 came into full implementation on 19 July 2013. It extends the coverage of the TDO from goods to services, prohibits specified unfair trade practices, and introduces an enhanced enforcement mechanism (collectively "fair trading sections"). The Authority is conferred jurisdiction concurrent with the Customs and Excise Department to enforce the fair trading sections of the TDO in relation to commercial practices of licensees under the TO and the BO directly connected with the provision of telecommunications and broadcasting services. The two enforcement agencies have issued the enforcement guidelines to provide guidance for traders and consumers as to the operation of the fair trading sections and have entered into a memorandum of understanding to co-ordinate the performance of their functions under the amended TDO.

During the period from 1 April 2014 to 31 March 2015, the Authority received and handled a total of 1 321 complaints under the TDO. Among these complaints, 995 were closed for there being insufficient evidence to suspect/establish a contravention or falling outside the scope of the TDO, 100 complaints were closed after advisory letters were issued to the licensees concerned to draw their attention to the need to improve the relevant commercial practices in relation to the sale, supply or promotion of telecommunications or broadcasting services to consumers, and 226 complaints were under process at various stages.

Section 7M of the TO was repealed upon the implementation of the amended TDO. As a transitional arrangement, if misleading or deceptive conduct of the licensees was engaged prior to the implementation of the amended TDO, such conduct is still regulated and dealt with under section 7M of the TO.

6.16 Preparation for the Implementation of the Competition Ordinance

The CO was passed by the Legislative Council on 14 June 2012. It provides for a cross-sectoral competition law prohibiting anti-competitive conduct in all sectors which has the object or effect of preventing, restricting or distorting competition. Under the CO, the Authority is conferred jurisdiction concurrent with the CC to enforce the CO in respect of the conduct of telecommunications and broadcasting licensees, including merger and acquisition activities involving carrier licensees in the telecommunications sector. Upon full commencement of the CO, the competition provisions in the BO and TO will be repealed, subject to transitional arrangements.

The Authority has been working closely with the CC on the preparatory work required before the full commencement of the CO. In October 2014, the Authority and the CC jointly issued a set of six draft guidelines on the enforcement and interpretation of the CO and solicited views and comments from the business sectors and the general public. Having considered the comments received from the consultation exercise, in March 2015, the Authority and the CC jointly issued revised draft guidelines for comments. The Legislative Council was also consulted on the revised draft guidelines on 27 April 2015. The Authority and CC will continue to work together to finalise the guidelines, and prepare and enter into a memorandum of understanding to co-ordinate the performance of their functions under the concurrent jurisdiction arrangement, in preparation for the full implementation of the CO.

6.17 Enforcement of the Unsolicited Electronic Messages Ordinance

The UEMO came into full force on 22 December 2007. The UEMO sets out the rules about sending commercial electronic messages (CEMs), including the requirements to provide accurate sender information and honour unsubscribe requests. Under the UEMO, the Authority has established three Do-Not-Call (DNC) registers to allow members of the public to register their numbers to indicate their choice of not receiving commercial facsimile messages, short messages and/or pre-recorded telephone messages unless they have given consent. By the end of March 2015, more than 2.7 million numbers had been registered under these DNC registers.

To provide more channels for serving specified notices under the UEMO, the Legislative Council passed amendments to section 44 of the UEMO to permit specified notices to be served by ordinary post or by hand, in addition to serving by registered post. The amendments came into effect on 5 December 2014.

The Authority will continue to monitor the compliance with the UEMO by CEM senders and streamline the procedures for more effective enforcement.

Major Regulatory Actions

6.18 Sanctions against Broadcasting Licensees

ATV's Failure to Pay Licence Fees

ATV failed to pay the fixed fee and provisional variable fee of its domestic free television programme service licence, as well as the annual fee of its FCL for the licence year 2014-2015, in accordance with the stipulated deadlines under the Broadcasting (Licence Fees) Regulation (Cap. 562A) and the Telecommunications (Carrier Licences) Regulation (Cap. 106V). The Authority imposed financial penalties of \$300,000 in total on ATV for its non-compliance with the relevant statutory and licence requirements, and directed ATV to settle the outstanding licence fees by specified deadlines. ATV settled the outstanding licence fees as directed.

Contravention of Disqualified Person Restriction by TVB

In January 2015, the Authority decided to impose a financial penalty of \$80,000 on TVB for contravening section 3(2)(b) of Schedule 1 to the BO and Condition 12 of its domestic free television programme service licence, by allowing three former or current directors of TVB, as disqualified persons (DPs) by virtue of their association with the holder of an other licensable television programme service licensee, viz. Swire Properties Hotel Management Limited, to exercise control of TVB without the requisite approval of the CE in C since October 2009 for periods ranging from two and a half years to five years. Apart from imposing financial penalty, the Authority also required TVB to enhance compliance with the statutory provision on DP restriction to prevent recurrence of similar incidents in the future.

6.19 Sanctions against Telecommunications Licensees

Misleading or Deceptive Conducts of Telecommunications Operators

During the period of 1 April 2014 to 31 March 2015, OFCA handled 81 complaint cases under section 7M of the TO. The Authority found one of these complaint cases (detailed below) as infringements of the TO.

In April 2014, the Authority considered a complaint against SmarTone. The complainant alleged that various representations made by SmarTone on a dedicated webpage of its company website from July 2012 in relation to the network comparison tests between its 3G network and other 3G and 4G networks in Hong Kong were misleading or deceptive. Having considered the investigation findings of OFCA, the Authority was of the view that SmarTone had engaged in misleading or deceptive conduct in breach of section 7M of the TO. The Authority imposed a financial penalty of \$150,000 on SmarTone in relation to the breach concerned.

Illegal Bypass of Local Access Charge by External Telecommunications Services Licensees

The Authority completed the investigation into a case regarding illegal bypass of local access charge, and imposed a financial penalty of \$130,000 on the licensee concerned for breaching the conditions of its external telecommunications services licence.

Breach by Fixed Network Operators of the Conditions under Their Carrier Licences Concerning Minimum Depth Requirement

In March 2015, the Authority considered a referral from the Highways Department concerning 126 cases of the determination of the Director of

Highways on failure of six fixed network operators to comply with the minimum depth requirement stipulated under the Land (Miscellaneous Provisions) Ordinance. Having considered the investigation findings, the Authority concluded that in these 126 cases, the six operators had failed to comply with the relevant licence condition under their respective carrier licences in respect of the minimum depth requirement. The Authority decided to issue advice to all the operators for them to comply with the minimum depth requirement as determined by the Director of Highways.

6.20 Sanctions against Senders of Commercial Electronic Messages

From April 2014 to March 2015, the Authority received 2 068 reports on suspected contraventions of the UEMO, broadly comparable to the 1 998 reports of the previous year. In dealing with these reports, OFCA would, depending on the circumstances, issue advisory letters to first time offenders explaining the requirements of the UEMO or issue warning letters to other CEM senders in more serious cases. During the period under review, 319 advisory or warning letters were issued. In the event of repeated contraventions by a particular sender, the Authority would issue an enforcement notice pursuant to the UEMO directing the concerned sender to take steps to remedy the offences. Any person who fails to comply with the enforcement notice may be liable to a fine of up to \$100,000 on the first conviction. In 2014-2015, one enforcement notice was issued.

Chapter 7: Acknowledgement

The Communications Authority would like to express its appreciation for the cooperation and support given by the following organisations in preparing the Report:

Asia Television Limited

Television Broadcasts Limited

HK Television Entertainment Company Limited

Hong Kong Cable Television Limited

PCCW Media Limited

TVB Network Vision Limited

Starvision Hong Kong Limited

APT Satellite TV Development Limited

Starbucks (HK) Limited

China Entertainment Television Broadcast Limited

Turner International Asia Pacific Limited

Sun Television Cybersnetworks Enterprise Limited

GLOBECAST HONG KONG LIMITED

Auspicious Colour Limited

Phoenix Satellite Television Company Limited

Times International Media Group Limited

China Satellite TV Group Company Limited

Power Star Limited

Hong Kong TV International Media Group Limited

Health TV Company Limited

One TV Media Global Limited

Star China Media Limited

Hong Kong Commercial Broadcasting Company Limited

Metro Broadcast Corporation Limited

Digital Broadcasting Corporation Hong Kong Limited

Phoenix U Radio Limited

AdmanGo Limited

Commerce and Economic Development Bureau
(Communications and Technology Branch)³¹

Office of the Communications Authority

Information Services Department

Radio Television Hong Kong

³¹ With effect from 20 November 2015, the Commerce and Economic Development Bureau (Communications and Technology Branch) was renamed as the Commerce and Economic Development Bureau (Communications and Creative Industries Branch).

Annex 1: Summary of Non-Domestic Television Programme Services

Summary of Non-Domestic Television Programme Services

Licensee	Date of Launch of Service	No. of Channels (no. receivable in HK)	Nature of Channels	Target Markets	Satellite
1. Starvision Hong Kong Limited	4.1991	48 (0)	General entertainment, movie, music, sports & news etc.	Asian region including the Mainland, India & Middle East	AsiaSat 5 AsiaSat 7 Measat 3
2. TVB Network Vision Limited	8.1998	22 (2)	Drama, general entertainment, movie & news etc.	Asian region, Australia & Europe	AsiaSat 7 Intelsat 19
3. APT Satellite TV Development Limited	8.2000	53 (1)	General entertainment, news, movies & sports	Indo-China, Taiwan & Macau	Apstar V Apstar VI Apstar VII
4. Starbucks (HK) Limited	6.2000	1 (0)	Weather, sports, music and finance etc.	Asia-Pacific region	Apstar 7
5. China Entertainment Television Broadcast Limited	3.1995	1 (1)	General entertainment	Mainland, Southeast Asia & Asia-Pacific region	AsiaSat 7
6. Turner International Asia Pacific Limited	1989	14 (11)	News, finance, movie, children & family programmes	Asia-Pacific region & South Asia	AsiaSat 7 Intelsat 19 Intelsat 20 Measat 3A
7. Sun Television Cybernetworks Enterprise Limited	8.2000	1 (1)	History & culture-related documentaries	Asia-Pacific region	AsiaSat 7
8. GLOBECAST HONG KONG LIMITED	11.2001	32 (13)	General entertainment, sports, finance & news	Asia-Pacific region	AsiaSat 7 MeaSat3
9. Asia Television Limited	1.2005	1 (0)	General entertainment & infotainment	Mainland	Apstar V
10. Auspicious Colour Limited	1.2006	15 (8)	General entertainment, infotainment & music	Asia-Pacific region	AsiaSat 5 AsiaSat 7
11. Phoenix Satellite Television Company Limited	5.2006	4 (3)	General entertainment, news and movie	Asia-Pacific region	AsiaSat 7
12. Times International Media Group Limited	6.2014	1 (1)	News, sports, travel & infotainment	Asia-Pacific region	Chinasat 10

Licensee	Date of Launch of Service	No. of Channels (no. receivable in HK)	Nature of Channels	Target Markets	Satellite
13. China Satellite TV Group Company Limited	11.2009	0 (0) ^{Note}	Infotainment	Asia-Pacific region	N.A
14. Power Star Limited	6.2010	65 (0)	News, movie, infotainment & children's programmes	Taiwan, Macau and South China	AsiaSat 4
15. Hong Kong TV International Media Group Limited	3.2011	2 (2)	Infotainment	Asia-Pacific region	Apstar VI
16. Health TV Company Limited	2.2013	1 (0)	Health information programmes, documentaries and general entertainment	Asia-Pacific region	Apstar V
17. One TV Media Global Limited	5.2013	1 (1)	News, finance, entertainment and sports	Asia-Pacific region	Apstar V
18. Star China Media Limited	1.2014	3 (0)	Music programmes, entertainment news and general entertainment	Asia-Pacific region	AsiaSat 7

Note: China Satellite TV Group Company Limited suspended its service between 15.7.2014 to 27.6.2015.

Annex 2: Type and Number of Telecommunications Licences

As at 31 March 2015

Type of Licences	No. of Licences
Academic Institution Self-provided Telecommunications Installation	2
Aeronautical VHF Fixed Station	32
Aircraft Station	320
Amateur Station	2 673
Broadcast Radio Relay Station & Broadcast Relay Station	15
Experimental Station	98
Fixed Carrier, Fixed Carrier (Restricted) and Fixed Telecommunications Network Services	12
Hotel Television (Transmission)	152
Industrial, Scientific & Medical Electronic Machine	818
Maritime Radio (Local Vessel)	810
Mobile Carrier	1
Mobile Carrier (Restricted)	1
Mobile Radio System Fixed Station	19
Mobile Radio System Mobile Station	2 190
Private Mobile Radio System	2 133
Private Radio Paging System	13
Public Radiocommunications Service	9
Radio Dealers (Unrestricted)	3 264
Radiocommunications School	7
Radiodetermination and Conveyance of Commands, Status and Data	158
Satellite Master Antenna Television	76
Self-Provided External Telecommunications System	9
Services-Based Operator of Class 1 Service, Class 2 Service and Services Other Than Class 1, Class 2 or Class 3 Services <small>Note A</small>	15
Services-Based Operator of Class 3 Service	515

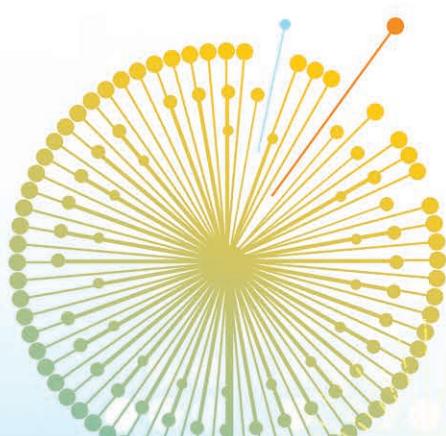
Type of Licences	No. of Licences
Ship Station	2 286
Space Station Carrier	13
Taxi Radiocommunications Service	26
Unified Carrier – Mobile Services ^{Note B}	8
Unified Carrier – Local/External Fixed Services ^{Note B}	39
Wide Band Link & Relay Station	56
Total	15 770

Note A: This figure includes four licences which are authorized for SBO Class 3 services

Note B: This figure includes two licences which are authorized to provide both fixed and mobile services



通訊事務管理局
COMMUNICATIONS
AUTHORITY



Annual Report 2014/15 年報



抱負

我們的抱負是使香港擁有世界級通訊服務，以迎接資訊時代的挑戰。

使命

- 營造有利通訊業蓬勃發展的環境，以提升香港作為區域通訊樞紐的地位；
- 鼓勵通訊市場的創新與投資；
- 推動通訊市場內的競爭並推動通訊市場採納最佳做法，以令通訊業界和消費者受惠；及
- 以符合《香港人權法案條例》(第383章)條文的方式行事。

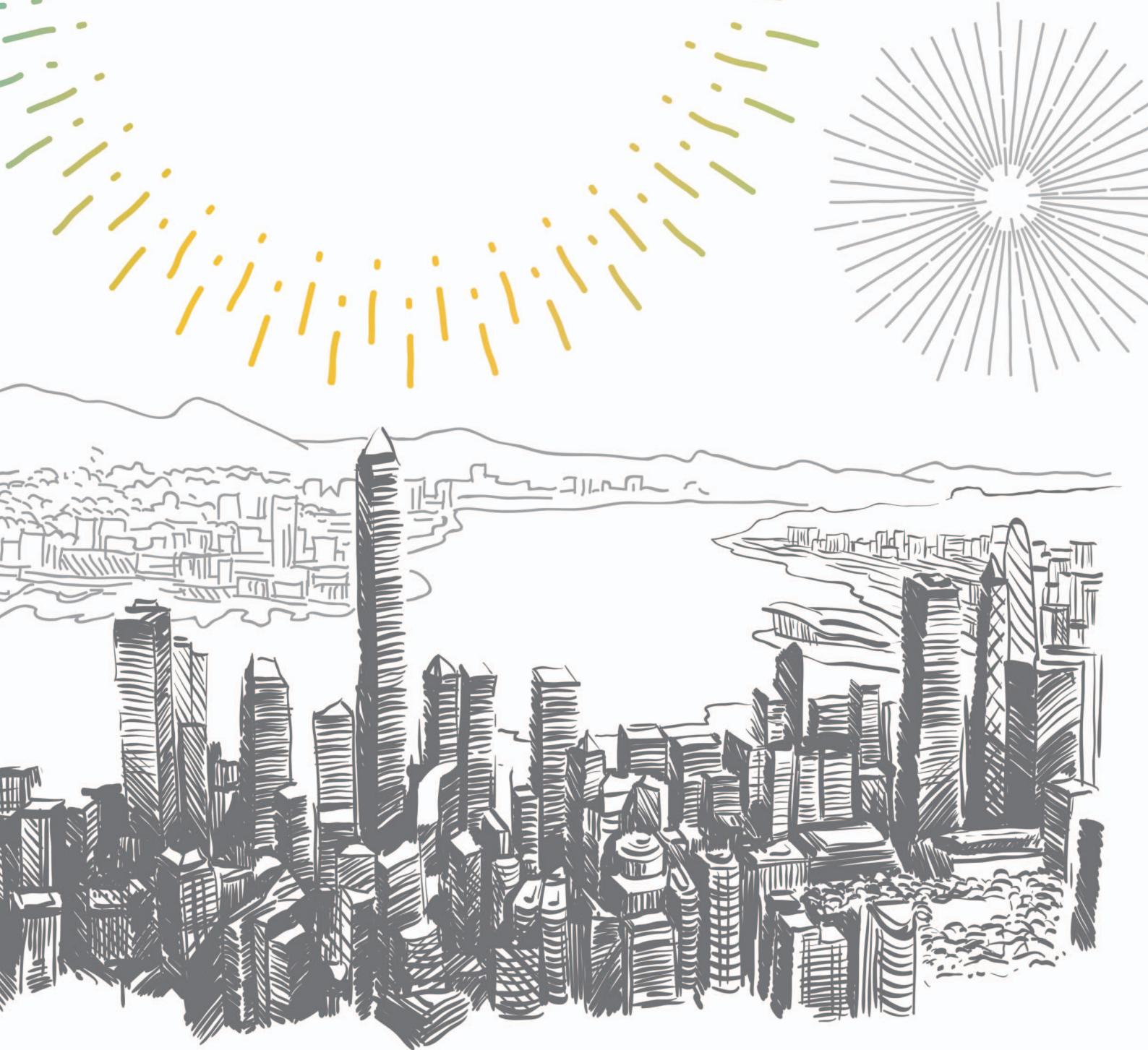
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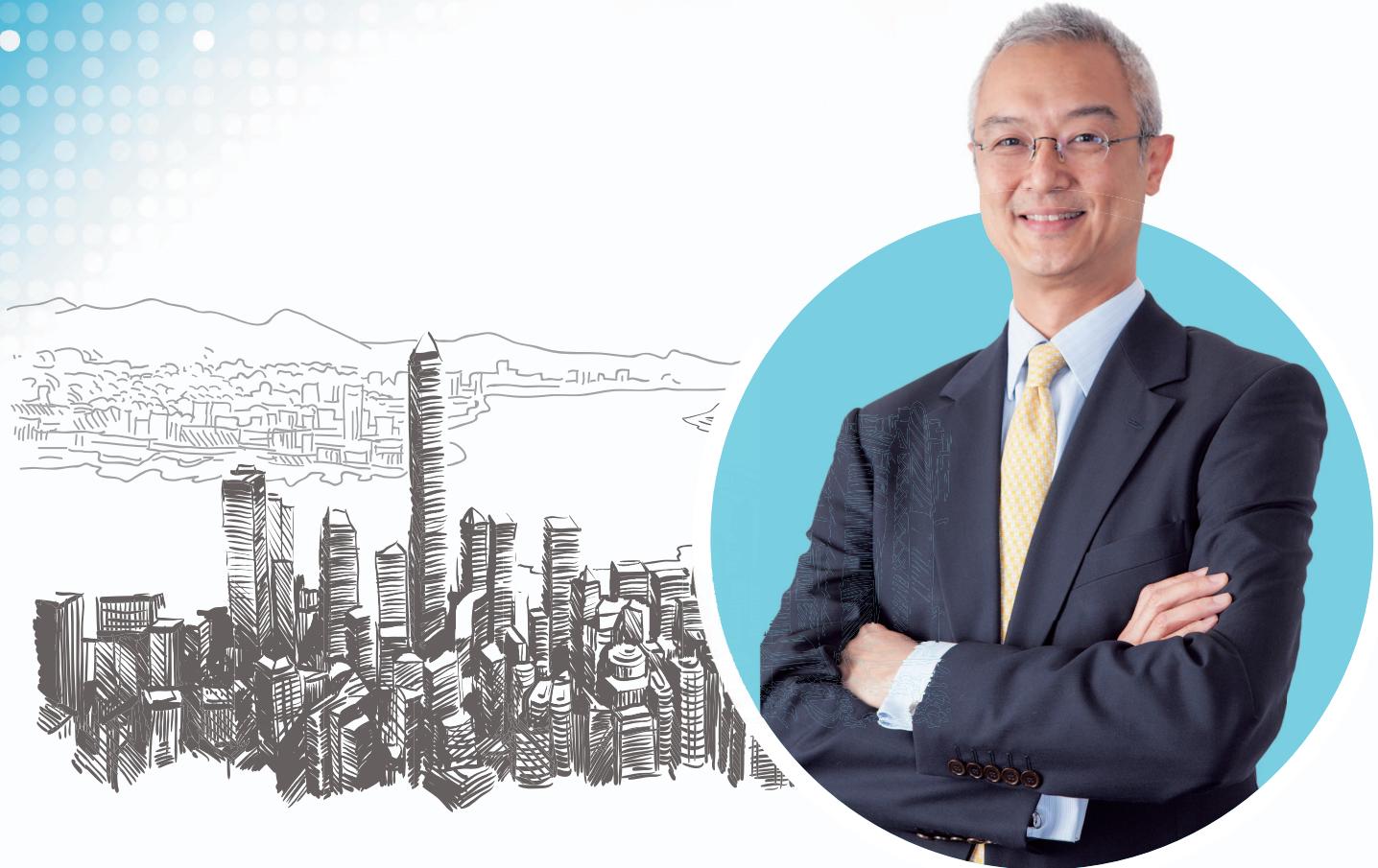
1	第一章：抱負及使命
3	第二章：主席序言
6	第三章：通訊事務管理局成員
7	第四章：通訊事務管理局的角色及職能
9	第五章：通訊市場主要發展概覽
30	第六章：通訊事務管理局的主要工作回顧
45	第七章：鳴謝
47	附件一：非本地電視節目服務一覽表
49	附件二：電訊牌照種類及數目

通訊事務管理局

通訊事務管理局

為獨立的廣播和電訊服務監管機構，
為香港市民服務。





我很榮幸呈上通訊事務管理局（通訊局）第三份年報，匯報由2014年4月至2015年3月（報告期）的主要工作。本年度本港的廣播業及電訊業急速變化，帶來了種種新發展，對通訊局而言是繁忙且充滿挑戰的一年。本報告闡述通訊局的工作和未來的各項挑戰。

廣播業蓬勃發展

本地免費電視節目服務

在報告期內，通訊局致力處理兩家本地免費電視節目服務持牌機構—即亞洲電視有限公司（亞視）和電視廣播有限公司（無綫）—的牌照續期工作。經全面評核兩家

持牌機構的表現和蒐集到的公眾意見後，通訊局於2014年11月就有關牌照續期申請向行政長官會同行政會議（行會）呈交建議。2015年4月，在考慮包括通訊局的建議後，行會決定亞視的本地免費電視節目服務牌照不予續期。為符合《廣播條例》（第562章）的規定，亞視現有牌照的有效期將延至2016年4月1日。2015年5月，行會決定無線的牌照由2015年12月1日起續期12年。

自行會原則上批准奇妙電視有限公司（奇妙電視）和香港電視娛樂有限公司（香港電視娛樂）的本地免費電視節目服務牌照申請後，通訊局隨即展開後續工作，並於2015年1月就兩宗牌照申請向行會呈交建議。經

考慮通訊局的建議後，行會於2015年4月向香港電視娛樂正式批出本地免費電視節目服務牌照。根據牌照規定，香港電視娛樂須在2016年3月及2017年3月或之前分別開設一條粵語頻道及一條英語頻道。我們相信，香港電視娛樂加入本地免費電視節目服務市場後，可提供更多元化的節目選擇，令廣大觀眾受惠。

2014年4月，香港電視網絡有限公司(香港電視)向通訊局提出本地免費電視節目服務牌照申請。通訊局正審核該牌照申請的各項事宜，並已就申請進行公眾諮詢，以蒐集公眾意見。通訊局會按照法例規定審慎地處理有關申請，並會盡快向行會呈交建議。

本地收費電視節目服務

在收費電視方面，香港觀眾可享受多元化的本地和海外節目。三家本地收費電視節目服務持牌機構合共提供395條本地收費電視節目服務頻道，其中83條為高清電視頻道。同時，持牌收費電視服務的用戶總數超過240萬，市場滲透率為99%。

在報告期內，通訊局就電訊盈科媒體有限公司(電盈媒體)的本地收費電視節目服務牌照進行牌照續期工作。通訊局全面評核其表現，並進行公眾諮詢，以蒐集公眾對其收費電視服務的意見。通訊局於2014年9月就牌照續期申請向行會呈交建議。行會接納通訊局的建議，並批准電盈媒體的本地收費電視節目服務牌照由2015年9月起續期12年。

模擬聲音廣播服務

香港商業廣播有限公司(商台)和新城廣播有限公司(新城)的模擬聲音廣播牌照將於2016年8月25日屆滿。商台和新城已分別於2014年7月及8月提交牌照續期申請。通訊局於2014年9月進行為期兩個月的公眾諮詢，以蒐集公眾對牌照續期申請的意見，並全面評核兩家持牌機構的表現。通訊局經考慮兩家持牌機構表現的整體評核結果和收集到的公眾意見後，於2015年5月就有關牌照續期申請向行會呈交建議。

電訊市場迅速增長

第四代(4G)服務刺激流動數據用量進一步上升

由於4G流動服務穩健增長，香港的電訊市場在報告期內持續蓬勃發展。截至2015年3月，流動用戶數目為1 700萬，當中逾1 220萬為第三代(3G)或4G服務用戶。流動網絡營辦商及流動虛擬網絡營辦商以相宜價格提供4G服務。流動數據服務使用長期演進(LTE)技術，提供高達每秒300兆比特的下傳速度。在2015年3月，流動數據每月用量進一步激增至17 472太字節，相當於2014年和2013年同期每月用量的1.3倍和1.9倍。在2015年3月，每名流動服務用戶的平均流動數據用量上升至每月1 418兆字節，較2014年3月的1 046兆字節和2013年3月的818兆字節為高。4G流動服務日益普及，刺激流動數據用量進一步上升。通訊局將繼續採取所需措施，促進流動服務市場的穩健發展。

與消費者相關的措施

長期實施「解決顧客投訴計劃」

屬自願性質的「解決顧客投訴計劃」(計劃)的兩年試驗期於2014年10月結束，而就試驗計劃成效進行的評估亦已完成。鑑於試驗計劃的成績令人鼓舞，加上顧客對計劃有確實的需求，以及電訊業界的正面回應，通訊事務管理局辦公室(通訊辦)決定以試驗計劃採用的機制為基礎，由2015年5月1日起資助該計劃的長期實施。

來年的主要工作及挑戰

在廣播方面，發牌和牌照續期申請仍然是2015–2016年度的主要工作。通訊局會繼續處理由香港電視提交的本地免費電視節目服務牌照申請，以及跟進奇妙電視的本地免費電視節目服務牌照申請的後續工作。2015年4月，永升(亞洲)有限公司(永升)也提出了本地免費電視節目服務牌照申請，通訊局亦會按照《廣播條例》和既定程序處理有關申請。此外，香港有線電視有限公司(有線電視)的本地收費電視節目服務牌照將於2017年上半年屆滿，通訊局將處理有關的牌照續期工作。通訊局計劃完成關於有線電視表現的評核，並進行公眾諮詢以蒐集公眾對有關服務的意見，以期於2016年第二季向行會提交建議。

在900兆赫頻帶內49.8兆赫的頻譜及在1 800兆赫頻帶內148.8兆赫的頻譜的現有指配期，將於2020年11月至2021年9月期間屆滿。通訊局現正進行有關的準備工作，並將於2016年第一季就未來路向展開公眾諮詢。

香港自1995年起一直採用八位數字電訊號碼計劃。由於過去20年，電訊業蓬勃發展，加上流動通訊服務越趨普及，現時可供編配作流動服務用途的號碼估計會於未來三年用罄。通訊局建議透過善用現行的八位數字號碼計劃，騰出更多號碼供編配予流動服務之用。公眾諮詢已於2015年10月展開，就各項建議的措施徵求意見。

除競爭事務委員會(競委會)負責執行跨行業競爭法的《競爭條例》(第619章)外，通訊局同時獲賦予共享管轄權，就電訊和廣播牌照持牌人的行為按《競爭條例》執法。通訊局將繼續與競委會保持緊密聯繫，進行《競爭條例》在2015年12月14日全面生效前所需的籌備工作，包括在諮詢結束後制訂《競爭條例》執法指引的定稿，以及擬備通訊局與競委會之間的諒解備忘錄，以協調雙方在共享管轄權安排下履行各自的職能。

第三章：通訊事務管理局成員 (2014年4月至2015年3月)



何沛謙先生
通訊事務管理局主席



何淑兒女士, JP
通訊事務管理局副主席
商務及經濟發展局常任秘書長
(通訊及科技)¹



區文浩博士, SBS
成員



方和先生, BBS, JP
成員



李李嘉麗女士, SBS
成員



雷紹麟先生
成員



伍清華先生
成員



司徒耀輝博士
成員



徐尉玲博士, BBS, MBE, JP
成員



黃冠文先生, BBS, JP
成員



黃應士先生, SBS
成員



利敏貞女士, JP
成員
通訊事務總監

¹ 由2015年11月20日起，商務及經濟發展局常任秘書長(通訊及科技)改名為商務及經濟發展局常任秘書長(通訊及創意產業)。

通訊事務管理局

為迎接科技高速發展和媒體匯流帶來的規管挑戰，通訊局於2012年4月1日根據《通訊事務管理局條例》(第616章)成立，成為獨立的法定機構，全面接管前電訊管理局局長和廣播事務管理局(廣管局)的職能及權力。其角色是根據《廣播條例》、《電訊條例》(第106章)、《通訊事務管理局條例》和《廣播(雜項條文)條例》(第391章)規管香港的廣播業和電訊業。通訊局亦負責執行《非應邀電子訊息條例》(第593章)。

通訊局的職能如下：

- 就關乎電訊、廣播、反濫發電子訊息或與電訊界或廣播界有關連的活動的任何法例、立法建議及規管政策，向商務及經濟發展局局長提供意見；
- 就本地免費電視節目服務牌照、本地收費電視節目服務牌照和聲音廣播牌照的申請及續期事宜，向行會作出建議；
- 批出非本地電視節目服務牌照及其他須領牌電視節目服務牌照，並為該等牌照續期；
- 批出電訊牌照，並為該等牌照續期；
- 擬備和修訂業務守則，為電視及電台制定節目、廣告和技術標準；
- 處理有關廣播和電訊服務的投訴，並懲處違反各項條文及規定的廣播機構和電訊營辦商；
- 處理香港的電訊和廣播牌照持有人的牌照、財務監察和規管事宜；
- 管理和編配無線電頻譜及電訊號碼；
- 制訂技術標準和進行設備測試以符合國際最佳做法，並確保認證機構表現令人滿意，能按照訂明的技術標準進行驗證和測試；
- 利便固網營辦商進入樓宇以安裝樓宇內置電訊設施，以傳送電訊和廣播服務；
- 為無線電通訊系統的操作人員進行考試，並簽發證書；
- 執行《電訊條例》中禁止誤導或欺騙行為的條文；
- 執行《廣播條例》和《電訊條例》中的競爭條文；
- 就《電訊條例》和《廣播條例》下的持牌人根據該兩條條例提供電訊服務或廣播服務的相關營業行為，按《商品說明條例》(第362章)的公平營商條文執法；以及
- 執行《非應邀電子訊息條例》。

架構

通訊局成員（屬當然成員的通訊事務總監除外）由香港特別行政區行政長官委任。在2014年4月至2015年3月期間，通訊局共有12名成員，其中十名（包括主席）是非公職人員，其餘兩名為公職人員，即商務及經濟發展局常任秘書長（通訊及科技）²與通訊事務總監。

通訊局委任三個委員會以協助執行其部分主要職務：

- 廣播投訴委員會；
- 廣播業務守則委員會；以及

- 電訊事務委員會。

廣播投訴委員會負責考慮與廣播事務有關的投訴，並就該等投訴向通訊局作出建議。該委員會由四名通訊局成員和四名增選委員組成。

廣播業務守則委員會負責定期檢討電視和電台廣播標準，並在必要時修訂業務守則。該委員會由三名通訊局成員和三名增選委員組成。

電訊事務委員會負責就電訊事宜向通訊局提供意見和報告。該委員會由五名通訊局成員組成。

通訊辦為通訊局的執行部門及秘書處。

組織架構



² 由2015年11月20日起，商務及經濟發展局常任秘書長（通訊及科技）改名為商務及經濟發展局常任秘書長（通訊及創意產業）。

廣播

5.1 廣播市場發展概覽

5.1.1 持牌機構和頻道的數目

電視節目服務

截至2015年3月，香港共有23家本地免費、本地收費和非本地電視節目服務持牌機構，共提供675條電視頻道³，其中454條頻道可在香港接收，較2014年3月輕微下跌1.5%。圖1列出電視節目服務持牌機構提供的頻道。

截至2015年3月，香港有兩家**本地免費電視節目服務持牌機構**，即亞視和無綫，共提供15條頻道。四條頻道(亞視本港台、亞視國際台、無綫翡翠台⁴和無綫明珠台⁴)以模擬制式和數碼制式同步廣播，另有七條

頻道為數碼頻道。亞視的數碼頻道包括一條高清電視頻道「亞洲台」和三條標清電視頻道，即「歲月留聲」、「中央電視台綜合頻道」和「深圳衛視」。無綫的數碼頻道包括三條高清電視頻道，即「高清翡翠台」、「互動新聞台」和「J2台」。

截至2015年3月，香港有三家**本地收費電視節目服務持牌機構**，分別是有線電視、電盈媒體和無綫網絡電視有限公司(無綫網絡電視)，合共提供395條收費電視頻道，播放各類本地和海外製作的節目。該等持牌機構提供的高清電視頻道總數由65條增至83條，增幅達28%。

由2014年4月至2015年3月，**非本地電視節目服務持牌機構**的數目減少一個至18個，共提供265條電視頻道，較2014年3月輕微下跌1.9%。香港觀眾可接收其中的44條頻道。

圖1：香港電視節目服務持牌機構提供的頻道



* 亞視和無綫的四條同步廣播頻道已分別計入模擬頻道和數碼頻道內。

³ 部分頻道由超過一家持牌機構同時提供。

⁴ 無綫翡翠台和明珠台均以高清電視制式作數碼同步廣播。



在報告期內，為香港酒店提供電視節目服務的**其他須領牌電視節目服務持牌機構**的數目減少一個至 26 個。這些機構為香港 88 間酒店提供電視節目服務。

除了本港的電視節目服務持牌機構提供的電視頻道之外，香港觀眾也可免費接收從香港或其他地區上傳的無鎖碼衛星電視節目頻道。截至 2015 年 3 月，香港觀眾可透過衛星電視公共天線系統接收超過 400 條從外地上傳的免費衛星電視頻道。現有頻道的名單可從下列網址下載：http://www.ofca.gov.hk/filemanager/ofca/tc/content_295/st_smatv.pdf。

聲音廣播服務

在報告期內，**聲音廣播持牌機構**的數目維持四個，即商台、DBC、新城⁵和鳳凰優悅⁶。港台是香港的公營廣播機構。

截至 2015 年 3 月，模擬電台頻道的數目維持 13 條（商台三條、新城三條和港台七條）。至於數碼聲音廣播服務方面，DBC、新城和鳳凰優悅根據牌照規定於 2012 年正式推出數碼聲音廣播服務。截至 2015 年 3



月，該三家數碼聲音廣播持牌機構和港台合共提供 17 條數碼聲音廣播頻道（七條由 DBC 提供、三條由新城提供、兩條由鳳凰優悅提供和五條由港台提供）。該四家持牌機構和港台提供的所有模擬和數碼聲音廣播頻道都是 24 小時播放。

5.1.2 傳送模式

電視

香港的電視節目服務規管架構是按照《廣播條例》訂立，並且奉行技術中立⁷的宗旨。持牌機構可自由選擇傳送模式以提供電視服務。廣播機構可自行建立傳送網絡提供服務，惟須就有關的傳送網絡向通訊局申請傳送者牌照。持牌機構亦可租用現有傳送者牌照持牌機構所提供的網絡以傳送其服務。持牌機構亦可透過多個傳送平台提供電視節目服務，以擴大其服務的覆蓋範圍。

電視節目服務持牌機構所採用的傳送模式列於圖 2。

⁵ 新城持有兩個聲音廣播牌照，分別用以提供調幅(AM)和調頻(FM)服務及數碼聲音廣播服務。

⁶ 行會批准由 2015 年 11 月 7 日起，終止鳳凰優悅的聲音廣播牌照。

⁷ 例外的情況是若某項服務只包含在互聯網提供的服務，則不受《廣播條例》的規管架構所規管。

圖 2：電視服務持牌機構所採用的傳送模式

持牌機構	傳送模式	截至 2015 年 3 月的網絡覆蓋範圍
本地免費電視		
亞視和無綫	地面超高頻 ⁸ ，包括 (a) 模擬 PAL-I 制式；以及 (b) 數碼國家制式	人口的 99%
本地收費電視		
有線電視	混合光纖同軸電纜 ⁹ 、 微波多點傳輸系統 ¹⁰ 及衛星（數碼）	住戶總數的 97%
電盈媒體	無源光纖網絡及數碼用戶線路 ¹¹ 寬頻網絡（數碼）	住戶總數的 99%
無線網絡電視	衛星及寬頻網絡（數碼）	住戶總數的 99%
非本地電視		
所有 18 家持牌機構	衛星（數碼）	住戶總數的 34% (828 241 住戶)



⁸ 地面超高頻(Terrestrial Ultra High Frequency)。

⁹ 混合光纖同軸電纜(Hybrid Fibre Coaxial Cable)。

¹⁰ 微波多點傳輸系統(Microwave Multipoint Distribution System)。

¹¹ 無源光纖網絡(Passive Optical Network)及數碼用戶線路(Digital Subscriber Line)。
11 通訊事務管理局 2014/15 年報

不同廣播服務的滲透率

在2015年3月，全港245萬住戶中¹²，共有241萬個電視家庭¹³或647萬名觀眾(4歲或以上)¹⁴收看模擬制式的免費電視，滲透率約為99%。數碼地面電視服務方面，截至2014年12月，滲透率超過所有住戶的80%¹⁵。

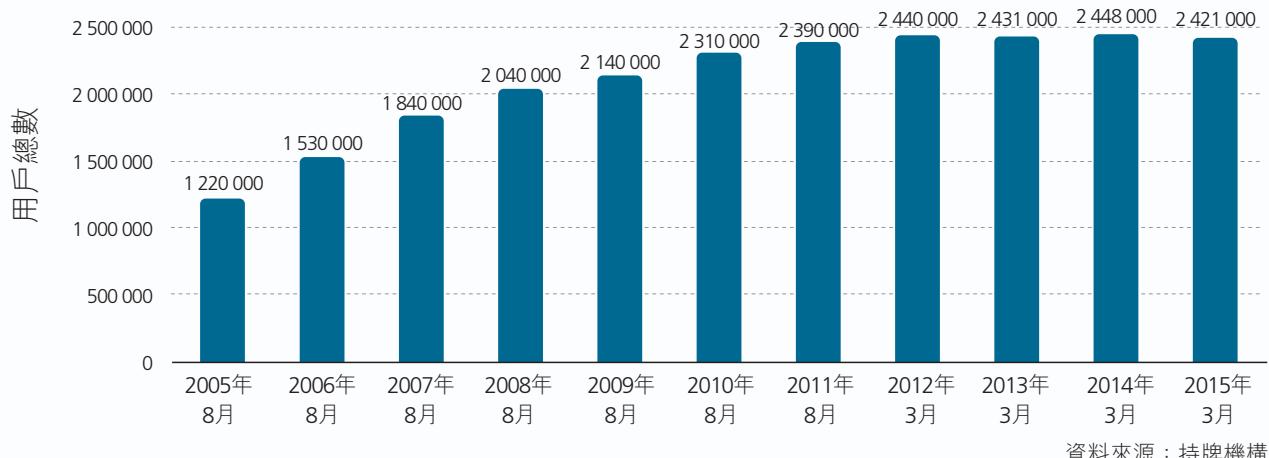
截至2015年3月底，持牌本地收費電視服務的滲透率接近住戶總數的100%¹⁶。在2015年3月，持牌收費電視服務的用戶總數超過240萬¹⁷。2005年至2015年間用戶總數的變化列於圖3。

聲音廣播

在報告期內，模擬電台廣播機構以調頻(FM)和調幅(AM)制式進行廣播。他們透過七個設於山頂位置的FM發射站，輔以兩個低功率FM補點站，提供七條FM節目頻道，並利用兩個設於離島和山頂位置的AM發射站，輔以六個改善AM節目廣播的低功率AM/FM補點站，提供六條AM節目頻道。這些服務大致覆蓋全香港。

數碼聲音廣播持牌機構採用DAB+標準傳送數碼聲音廣播服務。由七個主要發射站¹⁸組成的數碼聲音廣播傳送網絡於2012年6月正式啟用。一個新的數碼聲音廣播補點站於2015年年初設立。截至2015年3月，數碼聲音廣播服務的覆蓋範圍超過80%。

圖3：香港持牌收費電視服務的用戶



¹² 資料來源：政府統計處。

¹³ 「電視家庭」指擁有至少一部目前能正常操作的電視機，或未能正常操作但將於短期內維修或更換的電視機的家庭。資料來源：尼爾森(香港)。

¹⁴ 資料來源：尼爾森(香港)。

¹⁵ 根據2014年12月的公眾意見調查，數碼地面電視服務的滲透率超過全港住戶的80%。

¹⁶ 持牌本地收費電視服務的滲透率，是以持牌本地收費電視服務用戶總數除以住戶總數。如用戶訂用超過一項本地收費電視服務，他們會被計算多於一次。

¹⁷ 如用戶訂用超過一項服務，他們會被計算多於一次。

¹⁸ 筆架山、青山、九龍坑山、金山、飛鵝山、南丫島及歌賦山。

5.1.3 廣播收益及投資

在2014年，持牌廣播服務行業為香港經濟帶來大約79億元¹⁹的收益，佔本地生產總值約0.35%。廣播服務的收益主要來自廣告費和收看費。本地免費電視節目服務持牌機構和聲音廣播持牌機構的收入，主要來自出售節目之間的廣告時段。另一方面，本地收費電視節目服務持牌機構的收入，主要來自收看費，而出售廣告時段則是其次要收入來源。



廣告收益

根據艾曼高有限公司(AdmanGo Limited)的報告，投放於電視和電台的廣告開支²⁰，分別佔2014年傳媒廣告累計開支總額449億元的32%(約143.7億元)和4%(約18億元)。



無線在2014年賺得的實際廣告收益約為34億元²¹。其他持牌機構的實際廣告收益則未有公布。

收看費收益

根據有線電視母公司有線寬頻通訊有限公司(有線寬頻)的年報，有線電視於2014年的營業額(主要為收看費及一些廣告收益)為12.7億元，較2013年的數字下降18%。營業額下降，主要是由於用戶數目及廣告收益減少。

根據電盈媒體母公司電訊盈科有限公司(電訊盈科)的年報，電盈媒體於2014年的媒體業務的營業額為32.3億元，較2013年的數字上升7%。營業額上升，主要是由於用戶數目及廣告收益均錄得增長。

無線網絡電視的用戶收看費收益則未有公布。

¹⁹ 資料來源：各主要廣播機構的公司報告。

²⁰ 資料來源：艾曼高有限公司(AdmanGo Limited)2014年廣告支出報告(Adspend Report for 2014)。報告引述的所有廣告開支均依據價目表所列價格的四折作為估算基礎。

²¹ 根據無線2014年年報，香港電視廣播業務方面的營業額為34.21億元，包括該集團的免費及收費電視頻道的廣告收益。

對廣播業的投資

電視業近年的主要投資項目包括地面廣播網絡數碼化、高清電視內容及製作技術、互動電視服務，以及定期保養及提升網絡以維持或擴充各項不斷優化的服務。此外，由於電視業的競爭日趨激烈，體育賽事等優質節目的獨家播映權成為吸引觀眾的賣點。

2010年牌照中期檢討時，兩家本地免費電視節目服務持牌機構（亞視和無綫）就2010至2015年度的六年投資計劃，分別承諾投放共24億元和63億元。具體來說，無綫已提升其數碼製作及廣播設備，以配合高清電視節目製作的需要，而亞視則集中購置高清電視的製作設備。截至2015年3月，亞視和無綫每星期分別播放總共71小時和783小時的高清電視節目。

至於收費電視市場，有線電視的母公司有線寬頻在其2014年年度業績公布中指出，該集團的資本投資額由2013年的1.49億元，增加至2014年的1.88億元。其主要投資項目包括高清電視機頂盒、寬頻數據機，以及高清電視頻道的製作和廣播設備。有線寬頻亦投資自製節目，包括新聞、娛樂及綜藝節目。此外，根據電盈媒體母公司電訊盈科2014年的年度業績報告，該年度的媒體業務的資本投資額為1.6億元，較去年減少20%；其主要投資項目包括購買優質節目和內容製作。



無綫網絡電視承諾在2013至2019年度的六年內合共投資20.03億元，用於高清電視節目、機頂盒等，並會提升廣播設備，透過由和記環球電訊有限公司營運的固定混合光纖網絡提供本地收費電視節目服務。

商台和新城就2010至2016年度的投資計劃分別承諾投放8.27億元及6.77億元於模擬聲音廣播服務，用於培訓員工、改善設施及節目質素，以及因科技進步而帶來的其他發展，以期進一步改善服務質素。至於三家數碼聲音廣播持牌機構，即DBC、新城和鳳凰優悅，已承諾於2011至2017年度分別投資3.91億元、9,610萬元和1.073億元，主要用於建設數碼聲音廣播網絡和錄音室設備，以及製作數碼聲音廣播節目。



5.1.4 節目種類及指定播放節目的規定

(a) 節目種類及多元化

播放時數及持牌機構的自製節目時數

截至2015年3月，持牌機構每周播放的電視節目總時數²²約為68 960小時。亞視和無線的四條模擬制式頻道每周共提供671小時節目，而其11條數碼頻道每周共提供1 845小時節目。本地收費電視節目服務持牌機構提供的395條頻道，則每周共播放59 052小時節目。截至2015年3月31日，可在香港接收的44條由非本地電視節目服務持牌機構所提供的頻道，每周共提供7 392小時節目。

在17條數碼聲音廣播頻道推出後，截至2015年3月，每周播放的聲音廣播服務(包括港台)總時數為5 040小時。其中13條模擬制式頻道的每周播放總時數為2 184小時，而17條數碼頻道的每周播放總時數則為2 856小時。

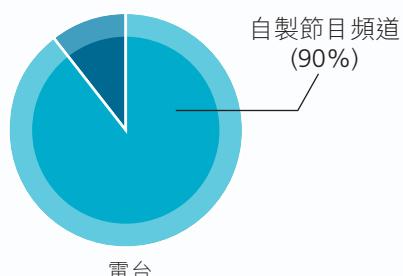
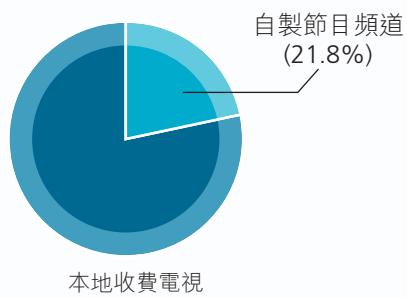
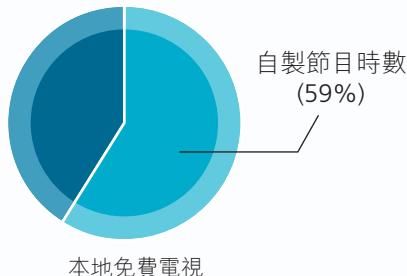
在報告期內，亞視和無綫合計播放了69 319小時自製電視節目，其中19 417小時節目在模擬制式頻道播放，49 902小時節目在數碼頻道播放²³。在本地收費電視節目服務持牌機構提供的395條頻道中，86條頻道(21.8%)的節目是由持牌機構自行製作。

至於聲音廣播服務方面，除港台在第六台及其數碼頻道轉播英國廣播公司世界廣播電台節目(BBC World Service)，以及在其數碼頻道轉播「中央人民廣播電台」的節目外，其餘12條模擬電台頻道和15條數碼電台頻道的節目(佔所有相關頻道的90%)都是主要由廣播機構自行製作。

²² 每周時數是以2015年3月一個抽樣統計的星期為基準而計算的。

²³ 上述時數不包括由亞視作直接轉播的標清頻道，即中央電視台綜合頻道和深圳衛視。

圖4：2015年3月電視台／電台自製節目的比例



資料來源：持牌機構



本地免費電視節目服務

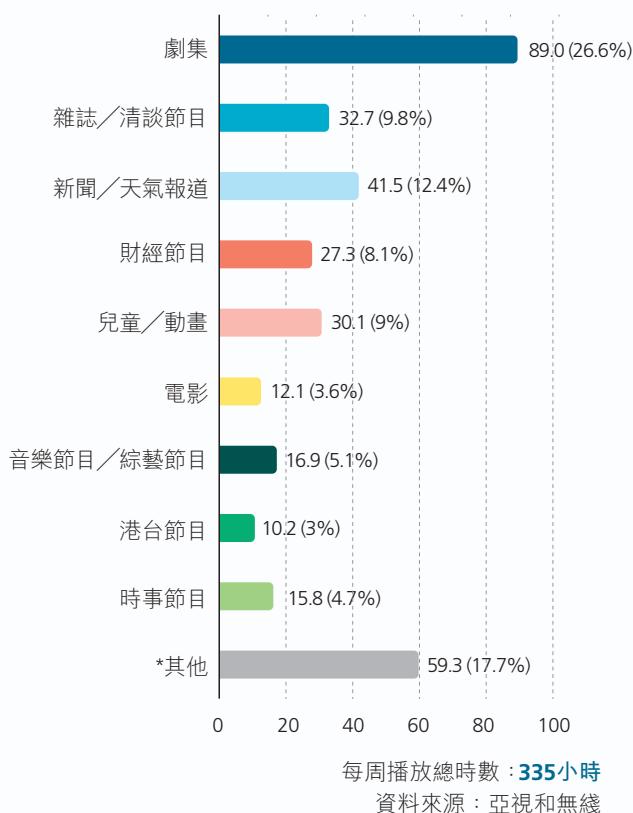
模擬頻道和同步數碼頻道

在報告期內，中文台的黃金時段主要是播放劇集和雜誌／清談節目。大致來說，亞視的劇集主要購自內地和韓國，而無綫的劇集則大部分是自行製作。兩家持牌機構亦播放內地、韓國和日本劇集。除此以外，中文台在黃金時段亦播放新聞／天氣節目、財經節目、電影和綜藝節目等。





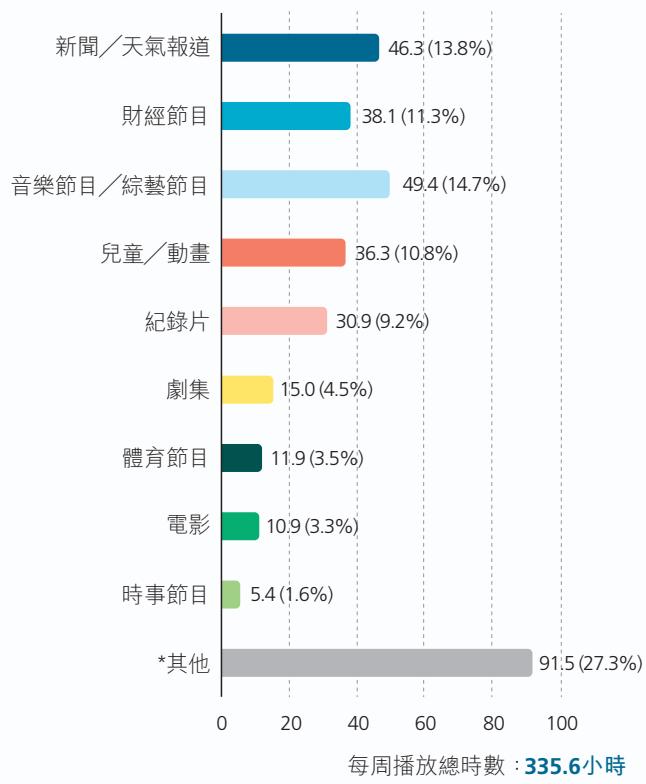
**圖 5：截至 2015 年 3 月
亞視本港台和無綫翡翠台每周
播放不同類型節目的時數**



* 其他節目包括賽馬節目、紀錄片和烹飪節目等

兩個英文台播放多種類型節目，包括財經節目、新聞／天氣節目、音樂節目／綜藝節目、兒童動畫、外購流行劇集、紀錄片、體育節目、電影和時事節目等。

**圖 6：截至 2015 年 3 月
亞視國際台和無綫明珠台每周
播放不同類型節目的時數**



* 其他節目包括文化藝術節目、旅遊節目和清談節目等



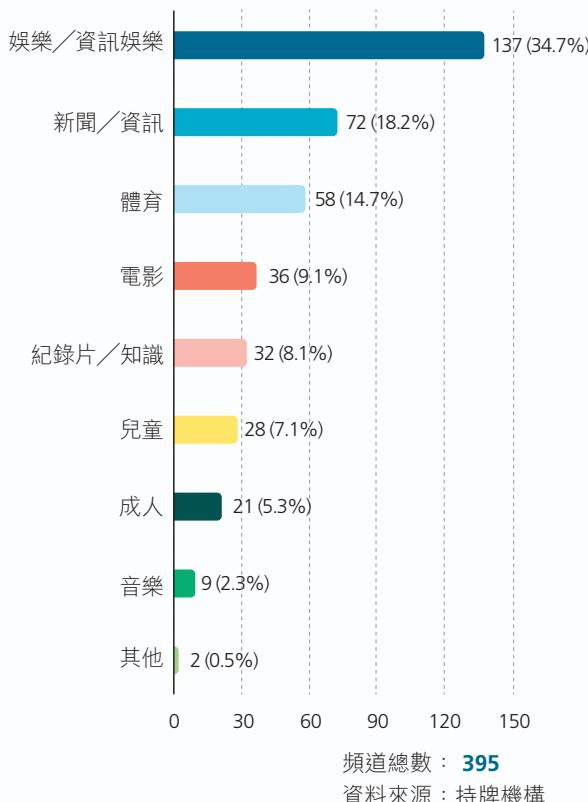
數碼頻道

自數碼地面電視服務啟播以來，亞視和無綫為香港觀眾提供更多節目頻道。截至2015年3月，亞視提供高清亞洲台、歲月留聲、中央電視台綜合頻道和深圳衛視。這些頻道均為綜合娛樂頻道，提供不同類型的節目，例如新聞、紀錄片、時事、劇集、資訊娛樂節目等。另一方面，無綫透過高清翡翠台、互動新聞台和J2台，提供劇集、綜藝節目、新聞、清談和遊戲節目等。

本地收費電視節目服務

在報告期內，本地收費電視節目服務提供多種類型頻道，包括娛樂及資訊娛樂頻道(34.7%)、新聞及資訊頻道(18.2%)、體育頻道(14.7%)、電影頻道(9.1%)和紀錄片／知識頻道(8.1%)。

**圖7：截至2015年3月
本地收費電視頻道的性質**



截至2015年3月，有線電視提供有76條基本頻道的基本服務套餐，以及36條精選頻道（包括13條高清頻道）。電盈媒體的「now TV」服務提供174條頻道（包括49條高清頻道）及45條自選影像服務頻道。無綫網絡電視則提供64條頻道（包括21條高清頻道），其中18條同時經電盈媒體的平台傳送。

聲音廣播

模擬頻道

截至2015年3月，商台提供兩條以FM廣播的粵語頻道（雷霆881商業一台和叱咤903商業二台），以及一條以AM廣播的英語頻道（AM864台）。商業一台主要提供新聞、時事、財經及個人意見節目。商業二台主要是娛樂頻道，為年輕聽眾提供流行文化和音樂節目，而AM864台則主要是音樂頻道。

新城提供兩條以FM廣播的粵語頻道（新城財經台和新城知訊台），以及一條以AM廣播的英語頻道（新城采訊台）。新城財經台主要提供全球各地金融市場動向的即時新聞和資訊。新城知訊台主要提供音樂、娛樂、生活品味、健康、市場資訊及其他公眾有興趣的資訊節目。新城采訊台提供音樂節目，並為香港的少數族羣如菲律賓、印度、印尼、巴基斯坦和泰裔社羣提供節目。

港台設有七條電台頻道，提供粵語、英語和普通話廣播服務，各頻道環繞不同主題，包括資訊、綜合娛樂及文化等。港台的頻道載列於圖8。

圖8：香港電台的電台服務

第一台	粵語新聞、資訊及一般節目
第二台	以粵語播放的青少年、娛樂及流行音樂節目
第三台	英語新聞、資訊及一般節目
第四台	中英雙語的古典音樂及藝術節目
第五台	以粵語播放的長者、文化及教育節目
第六台	轉播英國廣播公司BBC World Service
第七台	以普通話播放的一般節目、新聞及財經節目

數碼頻道

DBC 於 2012 年 9 月正式推出數碼聲音廣播服務。截至 2015 年 3 月底，DBC 設有七條頻道，包括旗艦台、新聞台、財經台、校園台、笑融合台、音樂台和戲曲台。該七條頻道提供不同類型節目，包括時事和評論、新聞報道、清談、財經資訊、娛樂、教育、文化藝術、音樂節目，以及為少數族羣提供菲律賓語、印地語、印尼語、尼泊爾語、泰語和烏爾都語等不同語言的節目。

新城於 2012 年 9 月開始數碼聲音廣播服務。截至 2015 年 3 月底，新城設有三條數碼聲音廣播頻道，即新城數碼財經台、新城數碼音樂台和新城數碼生活台，主要提供以粵語為主的財經、清談、音樂和生活品味節目。

鳳凰優悅²⁴ 的數碼聲音廣播服務於 2012 年 1 月正式啟播。截至 2015 年 3 月底，鳳凰優悅設有 U Radio 綜合台和 U Radio 音樂台兩條頻道，提供主要以普通話播放的多類型節目，包括新聞報道、時事、財經、音樂、健康和文化節目。

港台於 2012 年 9 月正式推出數碼聲音廣播服務。截至 2015 年 3 月底，港台共設有五條頻道，其中四條主要與現時的 AM 頻道同步廣播，餘下的一條頻道則是中央人民廣播電台為港台製作的專用頻道。

(b) 指定播放節目的規定

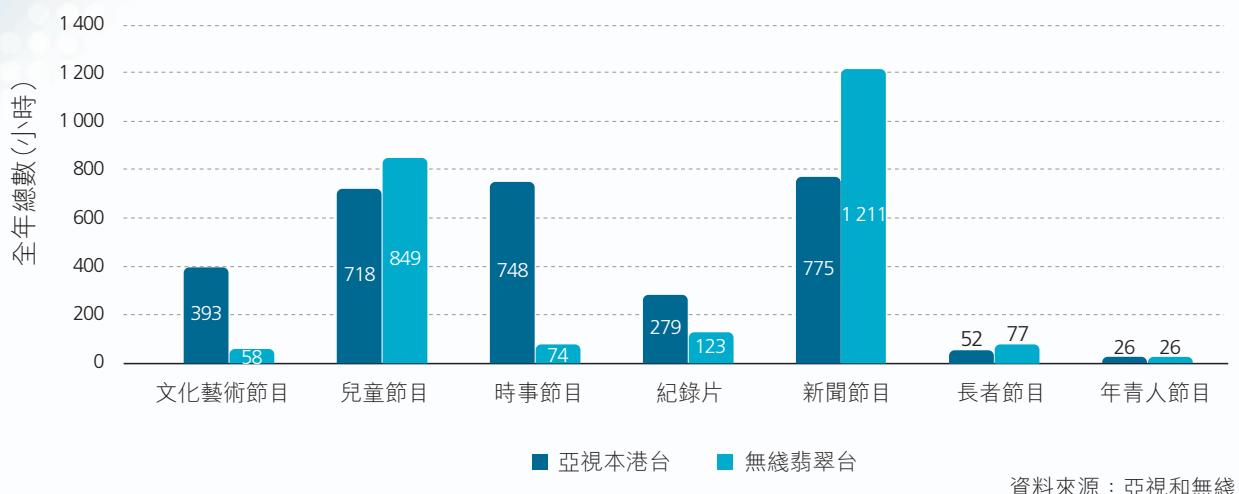
在報告期內，本地免費電視節目服務持牌機構每星期均須播放至少 41.5 小時的指定播放節目²⁵。亞視和無綫均遵守該項規定。整體而言，亞視和無綫每星期各播出平均 123 小時的指定播放節目。

持牌機構就四類指定播放節目（即兒童、年青人、長者和文化藝術節目）向通訊局提交的報告，已上載於下列網址：http://www.ofca.gov.hk/tc/pub_report/compliance_reports/index.html。

根據規定，亞視和無綫須在粵語頻道播出的所有新聞報道、時事節目、天氣報告、緊急宣布，以及在黃金時段（晚上 7 時至 11 時）播出的節目提供中文字幕，亦須在英語頻道播出的所有新聞報道、時事節目、天氣節目、緊急宣布，以及青少年的教育節目（每星期兩小時）提供英文字幕。此外，亞視和無綫須由 2010 年 12 月 31 日起，在粵語頻道播出的所有劇集提供中文字幕；並由 2012 年 12 月 31 起，在英語頻道晚上 8 時至 11 時 30 分播放的所有節目提供英文字幕。亞視和無綫大致上均能遵守提供字幕的規定。

²⁴ 行會批准由 2015 年 11 月 7 起，終止鳳凰優悅的聲音廣播牌照。

²⁵ 按照規定，亞視和無綫須播放的指定播放節目為新聞報道、時事、紀錄片、文化藝術、兒童、長者及年青人節目。

圖 9：截至 2015 年 3 月在粵語電視頻道播出的指定播放節目

根據牌照規定，兩家持牌機構均須在每條頻道每小時播出一分鐘政府宣傳短片，並且須在其模擬／數碼同步廣播頻道每星期播放不多於五分鐘的通訊局宣傳短片²⁶。在報告期內，兩家持牌機構播出這兩類宣傳短片的時數合計為 2 693 小時。

於 2010 年完成牌照中期檢討後，亞視和無綫均須每星期增加播放 120 分鐘長者及文化藝術節目，或每星期增加播放 90 分鐘政府節目（即港台節目），又須各自在每個周末增加播放最少 60 分鐘港台節目。

至於聲音廣播服務，模擬聲音廣播持牌機構每星期須播出最少 28.5 小時的指定播放節目²⁷。商台和新城均表示已遵守播出指定播放節目的牌照條件。

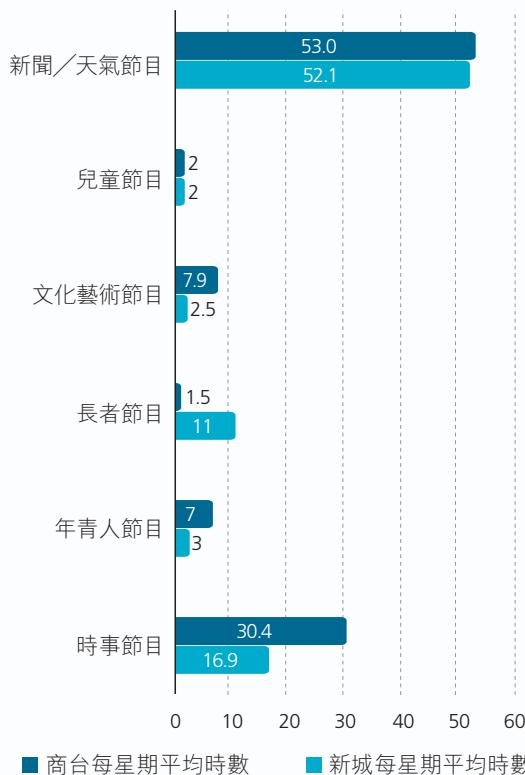
所有聲音廣播持牌機構（包括數碼聲音廣播持牌機構）均須在每條頻道每小時播出一分鐘政府宣傳聲帶，以及每星期播放不多於五分鐘的通訊局宣傳聲帶。所有持牌機構均表示已遵守有關規定。

²⁶ 兩家持牌機構亦須在其他數碼頻道每星期播放兩分鐘通訊局宣傳片。

²⁷ 按照規定，商台和新城須播放的指定播放節目為新聞及天氣、時事、文化藝術，以及輔導性質的節目，即年青人、長者及兒童節目。



**圖 10：截至 2015 年 3 月
聲音廣播服務的指定播放節目**



5.1.5 香港作為亞太區的廣播樞紐

香港是亞太區的廣播樞紐，18家非本地電視節目服務持牌機構在港經營廣播業務，共提供265條衛星電視頻道，為亞洲太平洋地區、歐洲及非洲超過三億觀眾播放節目，其中44條頻道可在香港接收。截至2015年3月的非本地電視節目服務一覽表載列於附件一。

電訊

5.2 電訊市場概況

香港擁有全球其中一個最先進、最蓬勃的電訊市場，此乃香港能夠發展成為領先的商業及金融中心的重要因素。電訊業在2013年的總產值為780億元，僱員約19 100人。

香港各類電訊服務的市場均已開放，並無外資擁有權的限制。通訊局的目標是在開放和具競爭力的電訊市場維持公平競爭的環境，確保消費者獲得市場上最具效率、優質和物有所值的服務。

5.2.1 電訊規管理制度

傳送者牌照

通訊局向設施為本的營辦商發出傳送者牌照，授權持牌人在未批租政府土地及公共街道設置和維持電訊網絡及設施，以提供公共電訊服務。

綜合傳送者發牌制度自2008年8月1日起實施，是一個為本港提供設施為本的固定、流動及／或匯流電訊服務的單一發牌工具。

為提供本地固定服務而發出的綜合傳送者牌照(綜合牌照)，授權持牌人設置和維持有線、無線或兩者兼備(如適用)的固定網絡，以在香港境內固定地點之間提供本地電訊服務。為提供對外固定服務而發出的綜合牌照，授權持牌人提供對外設施，以及以對外設施營運的對外服務。為提供流動服務而發出的綜合牌照，允許持牌人在香港的移動位置之間，或一個移動點與一個固定點之間提供雙向通訊。至於會否發出新的綜合牌照以提供流動服務，則視乎是否有無線電頻譜可供指配而定。營辦商可申請單一綜合牌照以提供上述所有服務。



在推出綜合牌照前發出的固定傳送者牌照和移動傳送者牌照將繼續有效，直至其有效期結束。這些牌照的持有人可向通訊局申請綜合牌照，以在原有牌照屆滿時或之前取代有關牌照。

截至2015年3月，本港共有59個傳送者牌照持牌人，提供本地固定服務、以電纜操作的對外固定服務、非電纜操作的對外固定服務及／或流動服務。通訊局於2015年第一季發出11個綜合牌照，以取代屆滿的牌照，該批牌照是在15年前(即2000年)，當對外電訊設施及無線固定電訊網絡服務市場開放時批出的。

公共無線電通訊服務牌照

公共無線電通訊服務(PRS)牌照可獲授權提供的服務包括公共無線電傳呼服務、無線電共用中繼站(集羣無線電)服務、車輛定位資訊服務、單向數據信息服務，以及公共流動無線電數據服務。

由於提供無線電通訊服務須獲指配適當的操作頻率，因此只在所需無線電頻譜可供發放時，才會批出PRS牌照。

截至2015年3月，本港共有九家PRS牌照持牌商。

服務營辦商牌照

服務營辦商不獲授權在公共街道或未批租政府土地設置或維持電訊設施，因此須使用其他設施為本持牌營辦商的網絡和設施，以提供公共電訊服務。

服務營辦商牌照涵蓋三類服務，即第一類及第二類本地語音電話服務，以及第三類服務，當中可包括對外電訊服務、互聯網接達服務、國際增值網絡服務、流動虛擬網絡營辦商服務、私人收費電話機服務、公共無線電通訊轉播服務、保安及火警警報訊號傳送服務、顯像傳真會議服務，以及航空器上流動通訊服務。

截至2015年3月，本港共有530個服務營辦商牌照持牌人。

類別牌照

在類別牌照發牌制度下，符合訂明資格準則及條件的人士將自動成為類別牌照持有人，而無須提出申請。有關人士須遵照相關類別牌照和《電訊條例》所載列的條件。目前共有七種類別牌照：

- 市民波段無線電台類別牌照
- 樓宇內置電訊系統類別牌照
- 醫療植入通訊系統器件類別牌照
- 短程器件類別牌照
- 的士移動電台類別牌照

- 要約提供電訊服務類別牌照
- 提供公共無線區域網絡服務類別牌照

其他牌照

除上述牌照外，還有一些雜項牌照屬通訊局的管轄範圍。

所有電訊牌照的類別和數目分項見**附件二**。

5.2.2 電訊市場發展與科技趨勢

流動通訊服務

公共流動通訊服務的競爭十分激烈。截至2015年3月，本港共有四家流動網絡營辦商，即中國移動香港有限公司（中國移動香港）、Hong Kong Telecommunications (HKT) Limited、和記電話有限公司（和記電話），以及數碼通電訊有限公司（數碼通），提供各式各樣的公共流動通訊服務。1999年3月推出的流動電話號碼可攜服務，容許客戶在轉換流動網絡營辦商時保留原有的電話號碼，有助促進流動網絡營辦商之間的有效競爭。

該四家流動網絡營辦商在本港以相宜的價格提供2G、3G和4G流動通訊服務。截至2015年3月，流動通訊服務用戶數目約為1 700萬，人口普及率為233.3%，屬全球最高比率之一。3G或4G用戶數目在2015年3月達1 225萬，人口普及率為168.6%。通過重整頻譜，使現時有更多頻譜來提供4G服務，而最高數據下傳速度可達每秒300兆比特。

隨着智能手機日益普及，尤其是市場上已有4G手機可供選擇，在2015年3月，流動數據每月用量已激增至17 472太字節，相當於2014年和2013年同期每月用量的1.3倍和1.9倍。每名流動用戶的平均每月用量

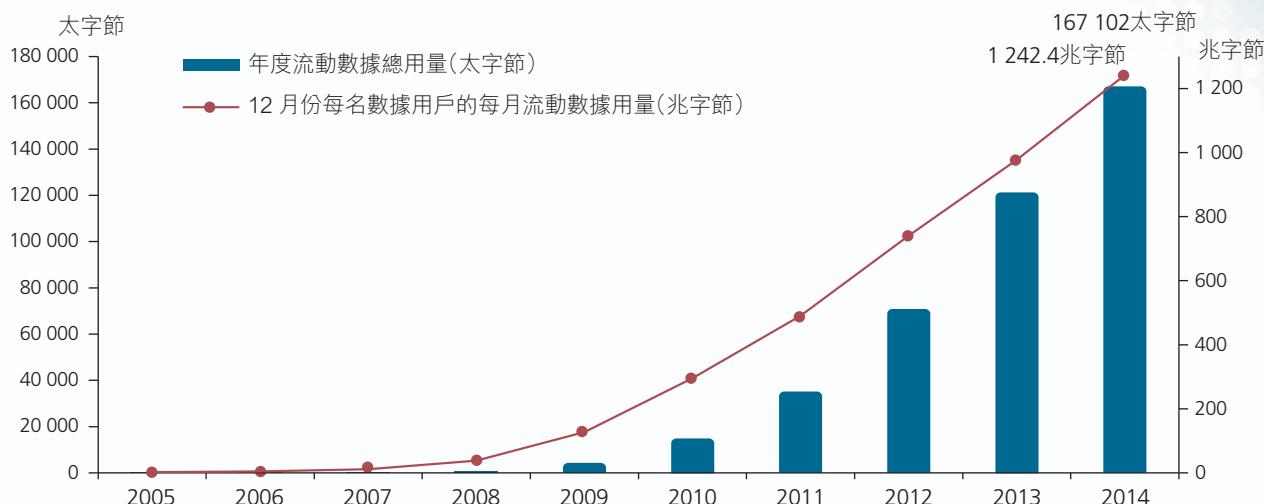
為1 418兆字節，較2014年3月的1 046兆字節和2013年3月的818兆字節為高。預計未來4G流動服務的持續發展將進一步提高流動數據用量。

圖 11：流動服務用戶數目（2005年至2014年）



圖 12：使用後付與預付智能卡的流動服務客戶（2005年至2014年）



圖 13：流動數據用量（2005年至2014年）

固定通訊服務

本地固網通訊服務市場於 2003 年全面開放。固網服務的發牌數目沒有預設限制，提交牌照申請也沒有期限。此外，在網絡鋪設和投資方面，也沒有特別規定，持牌人可按其建議書提供服務。

截至 2015 年 3 月，本港共有 23 個本地固定傳送者，為每 100 個住戶提供約 101 條固定電話線，屬全球電話線密度最高地區之一。該 23 個傳送者包括：

- 香港電話有限公司及 Hong Kong Telecommunications (HKT) Limited
- 新世界電訊有限公司
- 九倉電訊有限公司
- 和記環球電訊有限公司
- 香港寬頻網絡有限公司
- 名氣通電訊固網有限公司
- 信通電話（香港）有限公司
- TraxComm Limited
- 中港網絡有限公司
- 香港有線電視有限公司

- 國際環球通訊網絡（香港）有限公司及香港國際電訊有限公司
- Telstra International HK Limited 及澳大利亞國際有限公司
- Verizon Hong Kong Limited
- SmarTone Communications Limited
- Vodafone Enterprise Global Network HK Limited
- Hong Kong Telecommunications (HKT) Limited
- 中國移動香港有限公司
- 世紀互聯集團有限公司
- 中國電信國際有限公司
- NTT Com Asia Limited
- Equinix Hong Kong Limited
- 無綫網絡電視有限公司
- 電訊盈科環球業務（香港）有限公司

由於固定傳送者積極鋪設網絡，加上前電訊管理局局長在 2008 年年中撤銷強制性第二類互連政策以鼓勵營辦商進一步鋪設網絡，截至 2015 年 3 月，86.7% 和 78.9% 的住戶已經分別有至少兩個和三個自建客戶接達網絡可供選擇。隨着營辦商繼續鋪設各自的網絡，預計上述比率將持續上升。

本地固定傳送者必須提供固定電話號碼轉攜服務，讓消費者在轉換本地固網營辦商時無須更改電話號碼。

固定寬頻服務

截至2015年3月，共有23家設施為本營辦商和184家服務營辦商獲准於本港提供寬頻互聯網接達服務。隨着設施為本營辦商持續鋪設網絡，通過使用非對稱數碼用戶線路、混合光纖同軸電纜、光纖到樓、光纖到戶等

各項技術，本港市民幾乎隨處都能享用寬頻網絡服務。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。截至2015年3月，本港約有230萬名住宅及商業固網寬頻用戶，住宅普及率為83%。寬頻服務速度可達每秒1吉比特。超過84%的寬頻用戶正使用速度達每秒10兆比特或以上的服務計劃。截至2015年3月的固網寬頻用戶統計數字及過去10年的統計數字分別見圖14和圖15。

圖14：截至2015年3月的固網寬頻用戶統計數字

	用戶數目	所佔百分比
寬頻用戶總數	2 281 275	
寬頻速度每秒10兆比特或以上	1 925 479	84.4%
寬頻速度每秒10兆比特以下	355 796	15.6%
住宅	2 041 742	89.5%
商業	239 533	10.5%

圖15：固網寬頻用戶（2005年至2014年）



下一代網絡發展

傳統的電訊網絡建基於電路交換技術，主要是為傳送和提供專用電訊服務而設計。隨着科技推陳出新，今天我們已可建立單一的網絡，用以傳送和提供多元化服務，包括固定話音電話服務、數據服務、流動服務及電視服務。這些通稱為下一代網絡的新網絡，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。

在香港，下一代網絡的發展一直是由傳送者所作出的技術和商業考慮推動。部分網絡營辦商已推出下一代網絡，另一些網絡營辦商亦正把現有網絡轉移至下一代網絡。面對下一代網絡的面世及帶來的挑戰，通訊局必須保持警覺，確保規管架構與時並進並適用於下一代網絡時代。在顧問完成就下一代網絡發展對香港電訊服務規管架構的影響的研究後，通訊局成立了由業界人士和各專業團體組成的下一代網絡工作小組，審議各項與下一代網絡相關的事宜，包括安排營辦商之間的下一代網絡互連試驗、收集與下一代網絡有關的數據等。

公共 Wi-Fi 服務

營辦商一直積極鋪設 Wi-Fi 網絡。現時，有五家固網營辦商和 40 個類別牌照持有人提供公共 Wi-Fi 服務。截至 2015 年 3 月，本港共有 31 879 個公共 Wi-Fi 熱點，而且數目不斷增加，另有 486 個政府場地免費向市民提供 Wi-Fi 服務。

對外電訊服務

香港的對外電訊設施市場已於 2000 年全面開放。截至 2015 年 3 月，42 個固定傳送者獲准提供以電纜操作及／或非電纜操作的對外電訊設施。

截至 2015 年 3 月，本港共有七個電纜登陸站：兩個位於塘福，兩個位於將軍澳，另有三個分別位於深水灣、舂坎角和鶴咀，使香港成為區內主要的電訊及互聯網樞紐。

在 2015 年 3 月，香港已連接至九個區域和橫跨太平洋的海底電纜系統，包括亞美海底光纜系統(Asia-America Gateway Cable System/AAG)、亞太二號海纜(Asia Pacific Cable Network 2/APCN-2)、亞洲快線海底光纜系統(Asia Submarine-Cable Express/ASE)、EAC-C2C 光纜系統、FLAG 光纜亞歐段(FLAG Europe Asia/FEA)、FLAG 北亞光纜環系統(FLAG North Asia Loop/FNAL)/REACH 北亞光纜環系統(REACH North Asia Loop/RNAL)、亞歐三號海纜(Sea-Me-We 3/SMW3)、東南亞日本海底光纜系統(South-East Asia Japan Cable System/SJC)和 TGN 亞洲區內海底光纜系統(TGN-Intra Asia Cable System/TGN-IA)。截至 2015 年 3 月，對外的已裝備總容量超過每秒 24 402 吉比特。在 2014 年 4 月 1 日至 2015 年 3 月 31 日期間，對外總通話量達 10 479 259 000 分鐘。



衛星通訊服務

在規管衛星通訊服務方面，香港採取「開放天空政策」，通過區內多枚通訊衛星及超過200座衛星地球站收發天線，由多個固定傳送者與廣播機構提供衛星電訊和電視廣播服務。

操作衛星及相關設施必須申領牌照。截至2015年3月，本港有兩家機構獲發牌照操作和提供衛星通訊服務，分別是1988年成立的亞洲衛星有限公司(AsiaSat)和1992年成立的亞太衛星控股有限公司(APT)。

AsiaSat和APT現操作九枚衛星，當中部分衛星的設計操作壽命快將完結。兩家公司已就推出新衛星作替代和提供新業務，進入新的投資周期。兩枚新衛星已於2014年下半年啟用，另一枚新衛星亦計劃於2015年年底前啟用。



廣播

6.1 本地免費和本地收費電視節目服務牌照續期事宜

亞視和無綫的本地免費電視節目服務牌照續期事宜

年內，通訊局執行其法定職務，就亞視和無綫將於2015年11月屆滿的本地免費電視節目服務牌照的續期申請，向行會呈交建議。通訊局按照《廣播條例》和處理牌照續期申請的既定程序，全面評核了兩家持牌機構在遵守法定要求、牌照條件及業務守則方面的表現。通訊局亦於2014年進行廣泛的公眾諮詢，包括進行全港住戶統計調查、舉辦三場公聽會及四場小組討論，以蒐集公眾對兩家持牌機構所提供之服務的意見。關於亞視的牌照續期申請，公眾對亞視在節目製作及其他多個方面差強人意的表現表示強烈不滿，尤其在住戶調查中，有45%的受訪者表示不滿意亞視的服務。就無綫的牌照續期申請，通訊局收集到的意見顯示市民大致滿意無綫的表現，不過無綫須在節目種類和質素這兩方面作出改

善。經審慎考慮兩家持牌機構的整體表現和所蒐集到的公眾意見後，通訊局於2014年11月4日就兩宗牌照續期申請向行會呈交建議。

關於亞視的牌照續期申請，行會經考慮包括通訊局的建議後，於2015年4月1日決定亞視的本地免費電視節目服務牌照不獲續期，並將亞視牌照的有效期延至2016年4月1日。

至於無綵的牌照續期申請，行會接納通訊局的建議，於2015年5月12日批准無綵的本地免費電視節目服務牌照由2015年12月1日起續期12年。行會考慮了公眾對無綵服務的意見，決定在無綵的續期牌照新增一些牌照條款，以確保無綵未來的服務繼續達到觀眾的要求。新增的牌照條款要求持牌機構就本地製作及本地獨立製作節目履行承諾；規定持牌機構必須在數碼頻道額外播放時事節目、文化藝術節目、紀錄片及年青人節目；規定指定播放節目必須為首播節目；以及要求持牌機構在數碼頻道增加字幕服務等。



電盈媒體的本地收費電視節目服務牌照續期事宜

電盈媒體的本地收費電視節目服務牌照將於2015年9月屆滿。通訊局在處理電盈媒體的牌照續期申請時，全面評核了電盈媒體的表現，並在2013年進行公眾諮詢，以蒐集公眾對其服務的意見。通訊局其後於2014年9月就電盈媒體的牌照續期申請向行會呈交建議。2014年12月，行會接納通訊局的建議，批准電盈媒體的本地收費電視節目服務牌照由2015年9月26日起續期12年。



6.2 跟進本地免費電視節目服務牌照申請事宜

奇妙電視和香港電視娛樂的牌照申請事宜

自行會於2013年10月原則上批准奇妙電視和香港電視娛樂的本地免費電視節目服務牌照申請後，通訊局隨即展開後續工作，包括進一步檢視申請，要求該兩家原則上獲批牌照的機構提交所需的補充資料和說明，以及與該兩家機構商討擬議牌照條件。通訊局於2015年1月就兩宗牌照申請向行會呈交建議。

行會經考慮通訊局就香港電視娛樂申請呈交的建議後，於2015年4月決定向香港電視娛樂批出本地免費電視節目服務牌照，以固定網絡作為傳送模式提供免費電視服務。香港電視娛樂須在獲發牌照後的12個月內(即2016年3月31日或之前)及24個月內(即2017年3月31日或之前)分別開設一條24小時粵語頻道及一條16小時英語頻道。

至於奇妙電視的申請，行會於2015年5月及10月因應奇妙電視的要求，邀請通訊局審視奇妙電視所須提交的補充資料及相關確認文件，並因應有關資料就奇妙電視的本地免費電視節目服務牌照申請向行會提交進一步建議。通訊局會繼續跟進奇妙電視牌照申請的後續工作，並就奇妙電視提供的進一步資料，向行會提交進一步建議。



香港電視的牌照申請事宜

通訊局正按照《廣播條例》和既定程序審核香港電視於2014年4月提交的本地免費電視節目服務牌照申請，包括分析整理公眾對有關申請的意見，以及要求香港電視提交所需的補充資料。此外，通訊局亦聘請了一間獨立顧問公司進行市場分析和撰寫顧問報告，協助評估有關申請對本地電視市場和整體廣播業可能帶來的影響。通訊局會審慎地處理有關申請，並盡快向行會呈交建議。

6.3 模擬聲音廣播牌照續期事宜

商台和新城根據《電訊條例》獲發的模擬聲音廣播牌照將於2016年8月25日屆滿。兩家持牌機構已分別於2014年7月及8月提交牌照續期申請。通訊局按照《電訊條例》和處理牌照續期申請的既定程序，全面評核了兩家持牌機構在遵守法定要求、牌照條件及通訊局頒布的業務守則方面的表現；兩家機構的營運、財政和技術能力；節目安排，以及對未來的承諾。通訊局亦於2014年9月至11月進行公眾諮詢，以蒐集公眾對牌照續期申請的意見。通訊局經考慮兩家持牌機構表現的整體評核結果和收集到的公眾意見後，已於2015年5月就牌照續期申請向行會呈交建議。

照條件及通訊局頒布的業務守則方面的表現；兩家機構的營運、財政和技術能力；節目安排，以及對未來的承諾。通訊局亦於2014年9月至11月進行公眾諮詢，以蒐集公眾對牌照續期申請的意見。通訊局經考慮兩家持牌機構表現的整體評核結果和收集到的公眾意見後，已於2015年5月就牌照續期申請向行會呈交建議。

6.4 其他須領牌電視節目服務牌照續期事宜

在報告期內，通訊局批准以下為香港的酒店房間提供電視節目服務的其他須領牌電視節目服務牌照的續期申請：

- DOCOMO InterTouch Company Limited
- 恩雨之聲有限公司

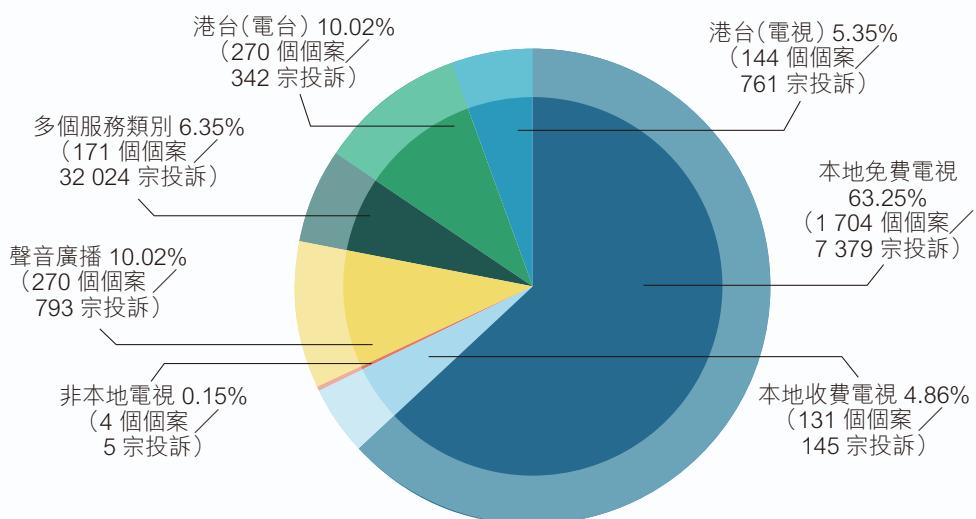
6.5 處理有關廣播服務的投訴

投訴處理概覽

在2014年4月至2015年3月期間，通訊局共處理了2 694個關於廣播機構播出的材料的投訴個案(涉及41 449宗投訴)²⁸，與上年度同期的投訴數目比較(3 029個個案，12 998宗投訴)，個案數目減少11%，但投訴宗數則增加了219%²⁹。在報告期內按廣播服務和廣播機構分類的已獲處理投訴個案數字見圖16和圖17。



圖16：在2014–2015年度按廣播服務分類的已獲處理投訴個案分布圖



²⁸ 為確保運作效率，針對同一事宜或廣播內容的類似投訴會歸納為一個個案，以一併處理。

²⁹ 投訴宗數顯著增加是由於一個涉及在無線和無綫網絡電視播出的電視節目的投訴個案接獲超過27 000宗投訴。

圖 17：在 2014–2015 年度按廣播機構分類的已獲處理投訴個案分布圖

廣播機構	投訴個案數目	投訴宗數
亞視	437	872
無綫	1 260	6 499
有線電視	56	61
電盈媒體	47	52
無綫網絡電視	25	27
亞太第一衛視傳媒集團 ³⁰	1	1
鳳凰衛視 ³⁰	2	3
星空華文 ³⁰	1	1
商台	211	730
新城	48	50
DBC	10	12
鳳凰優悅	1	1
港台（電視）	144	761
港台（電台）	270	342
多家廣播機構	181	32 037
總計	2 694	41 449

在所有已獲處理的投訴個案中，通訊事務總監根據通訊局所授予的權力，處理了 2 671 個個案（涉及 12 010 宗投訴）。該等投訴屬輕微違規，或其指控的事宜並不構成違例情況，或不屬《廣播（雜項條文）條

例》第 11(1) 條的適用範圍，即投訴內容並不涉及違反法例、牌照條件或業務守則。通訊局則處理了 23 個個案（涉及 29 439 宗投訴）。在報告期內處理的投訴詳情見圖 18。

³⁰ 非本地電視節目服務牌照持牌機構

圖 18：通訊局與通訊事務總監處理的投訴的結果

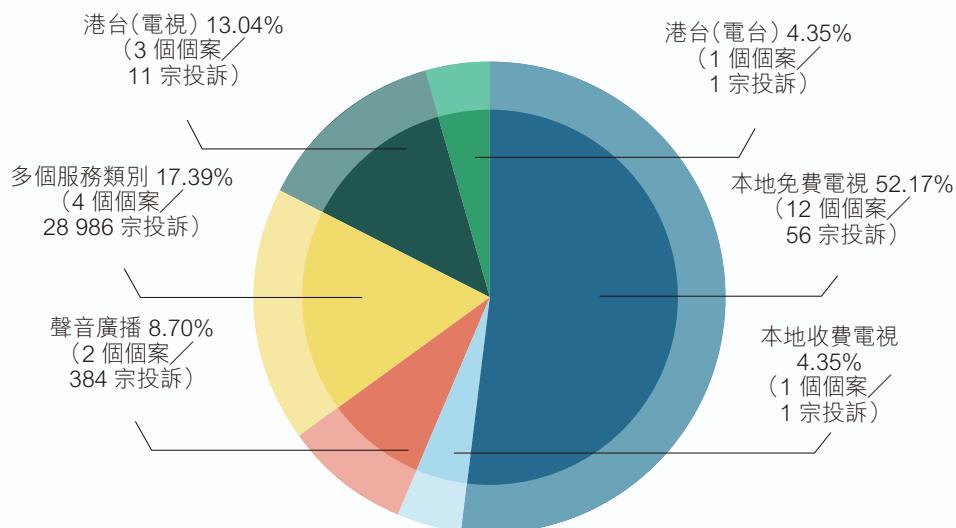
		屬於《廣播（雜項條文）條例》 第 11(1) 條範圍			不屬《廣播 (雜項條文) 條例》第 11(1) 條範 圍		
		成立		不成立			
		通訊 事務總監	通訊局	通訊 事務總監	通訊局	通訊 事務總監	總計
個案數目		17	172	6	1 816	683	2 694
投訴宗數		27 278	228	2 161	10 587	1 195	41 449

通訊局處理的投訴

在通訊局處理的 23 個投訴個案中，52% 的個案與本地免費電視節目服務有關，按廣播服務分類的投訴個案數字見圖 19。

有關被投訴的廣播材料的性質，在通訊局處理的 23 個投訴個案中，21 個與節目有關，而兩個則與廣告有關。當中 17 個投訴

個案成立。在投訴成立的個案中，四個個案主要涉及把節目內容與廣告材料混合或在節目內加插廣告材料；七個個案涉及新聞節目、時事節目、紀錄片、個人意見節目或財經節目內的真實資料有不準確的內容，表達手法有誤導成分和偏頗，或有不公平的情況；兩個個案涉及在合家欣賞時間內播放酒類產品贊助的節目材料，或播放危險行為的片段而沒有給予警告；一個

圖 19：通訊局處理的各類廣播服務投訴個案分布圖

個案涉及在節目內過度真實地描繪暴力或變態行為，另一個個案則涉及在個人意見節目內對宗教作出不雅和污蔑的言論。另外兩個成立的個案與廣告有關，其中一個個案涉及酒類廣告有兒童參與演出，而另一個個案則涉及廣告內有誤導觀眾的聲稱。

通訊局就成立的投訴個案向有關的持牌機構施加罰款 50,000 元，另外發出一次「嚴重警告」、兩次「警告」、三次「強烈勸諭」及 12 次「勸諭」。通訊局在 2014 年至 2015 年度內就投訴個案所作出的裁決載列於圖 20。

圖 20：通訊局在 2014–2015 年度就投訴個案作出的裁決

通訊局的裁決	無線								總計
	亞視	無綫	有線電視	電盈媒體	網絡電視	商台	港台		
無須跟進	0	3	0	0	2	1	2		8 ^{註1}
勸諭	4	5	0	1	1	0	1		12 ^{註2}
強烈勸諭	1	1	0	0	0	0	1		3
警告	0	0	0	0	1	1	0		2 ^{註3}
嚴重警告	0	1	0	0	0	0	0		1
罰款	0	1	0	0	0	0	0		1 ^{註3}
總計	5	11	0	1	4	2	4		27^{註1、2及3}

註 1：兩個不成立的投訴個案涉及兩家持牌機構的廣播事宜，通訊局沒有向兩家有關持牌機構採取跟進行動。

註 2：一個成立的投訴個案涉及兩家持牌機構的廣播事宜，通訊局分別向兩家有關持牌機構發出勸諭。

註 3：一個成立的投訴個案涉及兩家持牌機構的廣播事宜，通訊局分別向兩家有關持牌機構施加懲處。

電訊

6.6 重新指配在 1.9 – 2.2 吉赫頻帶內的頻譜

通訊局於2013年11月公布其就1.9 – 2.2吉赫頻帶內118.4兆赫頻譜(3G頻譜)在2016年10月21日現有指配期屆滿時，採用行政指配兼市場主導的混合方案重新指配有關頻譜的決定。

混合方案最能達至重新指配頻譜的多重目標，即確保客戶服務得以延續、善用頻譜、促進有效競爭，鼓勵投資和推廣創新服務。

在混合方案下，三家現有3G營辦商已透過優先權獲重新指配69.2兆赫3G頻譜，而餘下的49.2兆赫頻譜在2014年12月推出拍賣。兩家現有3G營辦商及一家未獲指配任何3G頻譜的現有流動網絡營辦商成功投得頻譜。有關營辦商須在2016年8月或之前，就通過行政指配和拍賣所獲得的頻譜繳付頻譜使用費。頻譜新指配期為期15年，由2016年10月22日起至2031年10月21日止。

總括而言，在118.4兆赫的3G頻譜中，有29.6兆赫頻譜會由2016年10月起易手。自頻譜拍賣完成後起計，現有及新頻譜受配人將有約兩年時間，分別準備所需的網絡重新配置及網絡鋪設工作。通訊辦將與營辦商協調，以協助頻譜受配人安排順利交接上述頻譜，盡量減低對流動客戶服務的影響。

6.7 重新指配在900兆赫及1800兆赫頻帶內的頻譜的準備工作

現時指配作流動電訊服務用途的572兆赫頻譜中，在900兆赫頻帶內49.8兆赫的頻譜及在1800兆赫頻帶內148.8兆赫的頻譜的現有指配期，將於2020年11月至2021年9月期間屆滿。為了讓業界有充足時間就頻譜的重新指配作準備，通訊局計劃於2017年年底或之前就重新指配頻譜的安排作出決定。相關準備工作已於2015年展開。

6.8 電訊牌照費下調

2012年11月，通訊局與商務及經濟發展局局長發表聯合聲明，公布決定把綜合牌照下每100個顧客接駁點的年費由800元調低至700元，以及把公共無線電通訊服務牌照(傳呼服務)和服務營辦商牌照(第三類服務)客戶使用每100個移動電台須繳付的費用由800元減至700元。新牌照費在完成立法程序後，已於2013年3月1日起生效。2013年2月，香港電話有限公司及Hong Kong Telecommunications (HKT) Limited (HKT)就通訊局與商務及經濟發展局局長調低牌照費的決定提出司法覆核許可申請。原訟法庭於2013年7月向香港電話有限公司及HKT批出司法覆核申請的許可。聆訊於2015年6月17至19日進行。原訟法庭於2015年8月11日作出裁決，駁回該宗司法覆核申請。香港電話有限公司及HKT於2015年9月4日向上訴庭提出上訴。



6.9 有關撤銷固網商窄頻互連收費原則規管指引的最新情況

在18個月過渡期結束後，固網商之間的窄頻互連收費原則規管指引由2014年10月16日起停止生效。在規管指引撤銷後，固網商可自由地進行商業洽談，商訂窄頻互連的條款及條件，包括須否就交換通訊量收取互連費用，及其收費水平。在規管指引撤銷後，大多數固網商已互相簽訂新互連協議，無需通訊局介入。

6.10 廣播類流動電視服務（流動電視服務）的規管

流動電視服務自2012年2月推出以來，一直採用中國移動多媒體廣播(CMMB)制式作為傳送制式。2013年12月20日，香港電視宣布完成收購原本持有流動電視服務綜合牌照(流動電視牌照)的持牌人之全部股權。其後，香港電視把該持牌人的名稱改為香港流動電視網絡有限公司(香港流動電視網絡)。2014年1月，香港流動電視網絡向通訊辦表示擬將原本採用的CMMB制式轉換為數碼地面多媒體廣播(DTMB)制式，以傳送其流動電視服務。

鑑於本港採用DTMB制式提供免費數碼地面電視服務，通訊局認為，如香港流動電視網絡轉用DTMB制式而沒有實施有效的技術措施，本港超過5 000個指明處所的觀眾將接收到其流動電視服務，因而須根據《廣播條例》的發牌規定，領有本地免費電視節目服務牌照及／或本地收費電視節目服務牌照。此外，住戶電視機通過大廈內同軸電纜分配系統及屋頂天線等固定裝置接收流動電視服務，會構成提供固定服務，違反流動電視牌照附表1的牌照條件。流動電視牌照附表1訂明，有關牌照未有批准持牌人利用流動電視牌照指明的頻率提供任何固定服務，或提供任何須根據其他條例領有牌照的服務。

香港電視和香港流動電視網絡不同意採用DTMB制式提供流動電視服務須受《廣播條例》規管，並於2014年4月11日向法庭申請許可，就通訊辦的意見提出司法覆核准許申請。法庭准許該申請，而聆訊亦已於2014年11月26及27日進行。法庭於2015年9月裁定通訊辦勝訴，並駁回該司法覆核。

6.11 檢討傳送者牌照的牌照條件

為消除電訊牌照持有人須受重複的行業特定及跨行業規例所約束這種特別的情況，通訊局和商務及經濟發展局局長檢討根據《電訊條例》發出的傳送者牌照的所有牌照條件。經考慮聯合公眾諮詢所收到的看法及意見後，通訊局在2015年3月10日公布，決定把五項規管道路開掘工程的特別條件從日後新發出的綜合牌照中刪除。通訊局已邀請現有傳送者牌照持有人交回牌照，以刪除該等特別條件。同時，商務及經濟發展局局長決定刪除傳送者牌照內有關公共建築物及樹木附加裝置的限制的一般條件，並會進行所須的法例修訂，以刪除該條件。

6.12 處理與電訊服務有關的投訴

由於電訊市場已全面開放且競爭激烈，通訊局採取較為寬鬆的規管模式。若消費者提出的投訴個案具充分表面證據證明某電訊營辦商可能違反《電訊條例》或牌照條

件，通訊局會進行調查。至於其他不涉及違反《電訊條例》、相關規例或牌照條件的消費者投訴，電訊營辦商有責任與客戶解決其投訴的事宜。通訊局關注並監察所有接獲的消費者投訴，如察覺有任何系統性的問題，會採取適當行動。

在報告期內，通訊局共接獲3 034宗關於電訊服務的消費者投訴，當中1 810宗(59.7%)與流動通訊服務有關、676宗(22.3%)與互聯網服務有關、467宗(15.4%)與固網服務有關，以及57宗(1.9%)與對外電訊及其他服務有關。就投訴性質而言，在通訊局所接獲的投訴中，關於帳單爭議的投訴佔最多(862宗或28.4%)，而關於客戶服務質素(559宗或18.4%)和網絡服務質素(495宗或16.3%)的投訴分別佔第二和第三位。

通訊局在報告期內接獲按電訊服務類別和投訴性質分類的投訴個案數字詳見圖21和圖22。

圖21：通訊局在2014–2015年接獲各類電訊服務投訴個案的分布圖

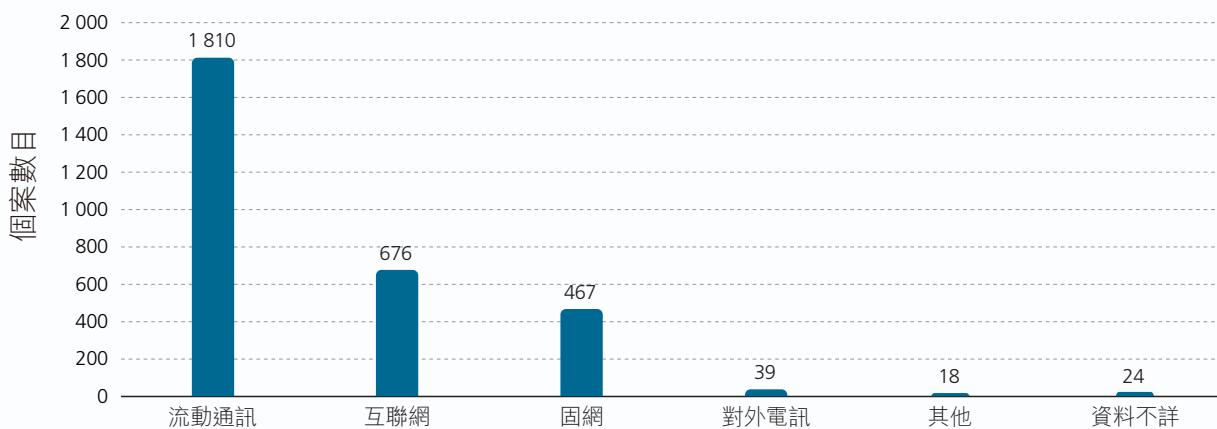
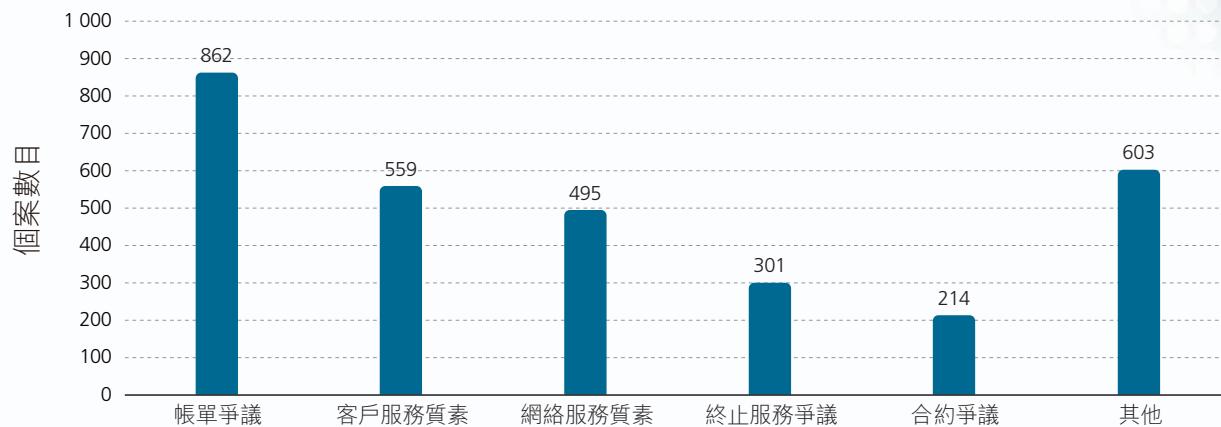


圖 22：通訊局在 2014–2015 年接獲各種性質投訴個案的分布圖

在接獲的 3 034 宗投訴個案中，2 954 宗 (97.4%) 不屬通訊局的管轄範圍，餘下的 80 宗 (2.6%) 個案則可能違反《電訊條例》或牌照條件；屬後者的個案大多數與銷售行為、電訊營辦商難以進入樓宇提供服務、懷疑反競爭行為，以及濫用市場力量有

關。經調查後如發現投訴成立，便會對有關電訊營辦商採取規管行動。

通訊局在報告期內接獲可能違反《電訊條例》或牌照條件按類別和性質分類的投訴個案數字詳見 [圖 23](#) 和 [圖 24](#)。

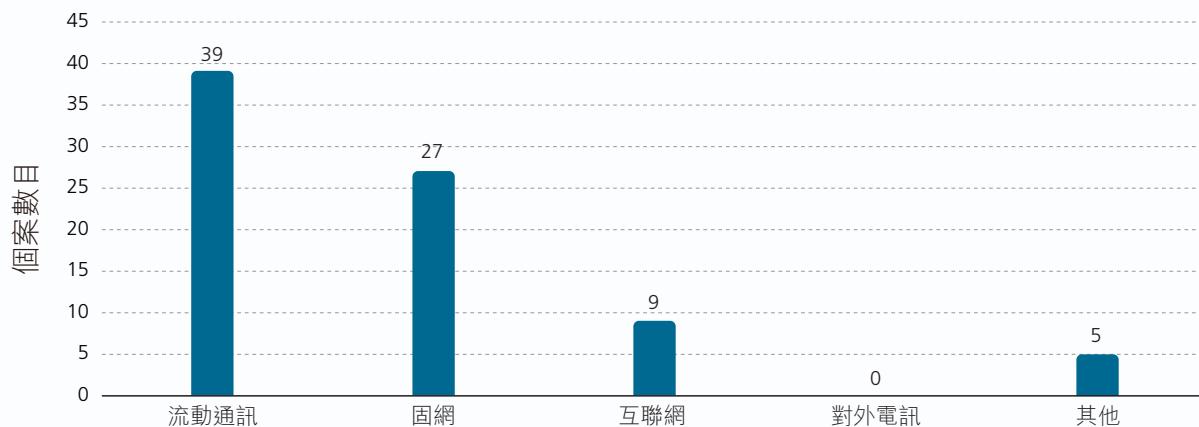
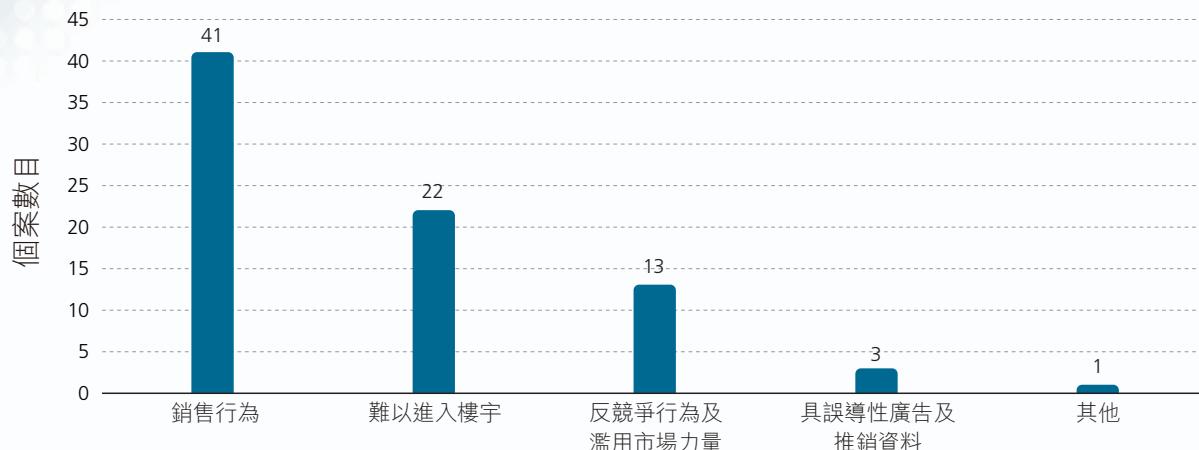
圖 23：通訊局在 2014–2015 年接獲各類電訊服務投訴個案的分布圖

圖 24：通訊局在 2014–2015 年接獲各種性質投訴個案的分布圖



通訊局注意到過去數年的消費者投訴主要關乎電訊服務合約爭議、流動通訊帳單震撼、收費流動內容服務和公平使用政策。通訊局與電訊業界協調，採取不同措施處理該等投訴，包括發出自願性質的電訊服務合約業界實務守則、實施預防流動通訊帳單震撼的措施、由業界組織香港通訊業聯會成立行政機構規管流動內容服務供應商提供服務的情況，以及公布一套規管電訊服務供應商實施公平使用政策的強制性指引。**圖 25**顯示在報告期內通訊局接獲的上述各類投訴個案的數目。

圖 25：通訊局在 2014–2015 年接獲的消費者投訴個案數目

消費者投訴類別	投訴個案數目
合約爭議	515
流動通訊帳單震撼	487
公平使用政策	20
收費流動內容服務	18

6.13 長期實施「解決顧客投訴計劃」

通訊辦與香港通訊業聯會在 2012 年 11 月合作推出以兩年為試驗期的「解決顧客投訴計劃」(計劃)。計劃屬另類排解糾紛機制，旨在以調解方式解決電訊服務供應商與其住宅／個人顧客之間陷入僵局的計帳爭議。調解服務由香港通訊業聯會成立的獨立調解服務中心(調解服務中心)負責提供，而香港所有主要的電訊服務供應商均自願參與計劃。通訊辦對計劃的支持包括贊助所需經費、按有關受理準則審核申請，以及監察計劃的表現和管治工作。

由 2012 年 11 月 1 日 至 2014 年 10 月 31 日的兩年試驗期間，通訊辦共接獲 357 宗符合計劃受理準則的申請(首年及次年分別接獲 106 宗及 251 宗申請)，當中 159 宗在轉介予調解服務中心跟進前已獲得解決，197 宗經調解服務中心處理後亦獲得圓滿解決。至於餘下的一宗個案，所涉雙方雖已達成口頭協議解決爭議，但有關顧客其後未有現身簽署書面解決協議。

在試驗期結束後，通訊辦就計劃的成效和市民使用計劃的情況進行檢討。鑑於試驗計劃的成績令人鼓舞，加上顧客對計劃有確實的需求，以及業界的正面回應，通訊辦決定支持以試驗計劃採用的機制為基礎，長期實施該計劃。由香港通訊業聯會負責管理此計劃，已於2015年5月1日長期實施。通訊辦會繼續贊助所需經費、審核計劃的申請個案，以及密切監察計劃的運作和成效。

6.14 確保善用八位數字號碼計劃的措施

香港自1995年起一直採用八位數字電訊號碼計劃。由於過去20年，電訊業蓬勃發展，加上流動通訊服務越趨普及，現時可供編配作流動服務用途的號碼估計會於未來三年用罄。通訊局建議透過善用現行的八位數字號碼計劃，騰出更多號碼供編配予流動服務之用。公眾諮詢已於2015年10月展開，就各項建議的措施徵求意見。

6.15 實施《2012年商品說明(不良營商手法)(修訂)條例》

《2012年商品說明(不良營商手法)(修訂)條例》於2013年7月19日起全面實施，涵蓋範圍由商品擴大至服務，禁止訂明的不良營商手法，並引入加強的執法機制(統稱為「公平營商條文」)。除香港海關負責執法外，通訊局同時獲賦予共享管轄權，就《電訊條例》和《廣播條例》下的持牌人作出與提供電訊或廣播服務有直接關連的營業行為，按公平營商條文執法。兩個執法機關

已發出執法指引，就公平營商條文的實施向商戶和消費者提供指引，並已簽訂諒解備忘錄，以協調雙方在經修訂《商品說明條例》下履行各自的職能。

在2014年4月1日至2015年3月31日期間，通訊局共接獲1 321宗根據《商品說明條例》提出的投訴，其中995宗個案因證據不足以懷疑／證實違反《商品說明條例》或不屬《商品說明條例》的規管範圍而結案。有100宗個案在發出勸諭信促請該等持牌人注意需要改善向消費者銷售、供應或推廣電訊或廣播服務的相關營業行為後亦已結案，及226宗投訴在不同階段的處理中。

經修訂的《商品說明條例》實施後，《電訊條例》第7M條同時被廢除。在過渡安排下，如果牌照持有人的誤導性或欺騙性的行為是在經修訂的《商品說明條例》實施前作出，該等行為仍然受《電訊條例》第7M條所規管，並按該條例處理。

6.16 實施《競爭條例》的籌備工作

立法會已在2012年6月14日通過《競爭條例》。該條例為跨行業的競爭法例，訂明禁止各行業從事具妨礙、限制或扭曲競爭的目的或效果的反競爭行為。根據《競爭條例》，除競委會負責執法外，通訊局同時獲賦予共享管轄權，就電訊和廣播牌照持牌人的行為，包括涉及電訊業傳送者牌照持牌人的合併與收購活動，按《競爭條例》執法。《競爭條例》全面生效後，《廣播條例》和《電訊條例》內的競爭條文將在實施過渡安排下予以廢除。

通訊局一直與競委會緊密合作，進行《競爭條例》全面生效前所需的籌備工作。2014年10月，通訊局與競委會共同發出六份關於執行和詮釋《競爭條例》的草擬指引，收集業界和公眾的看法和意見。通訊局與競委會經考慮該等意見後，在2015年3月共同發出修訂草擬指引，邀請各界提出意見，並於2015年4月27日諮詢立法會。通訊局與競委會將繼續合作制訂指引定稿，並擬備和簽訂諒解備忘錄，以協調雙方在共享管轄權安排下履行各自的職能，為全面實施《競爭條例》作好準備。

6.17 執行《非應邀電子訊息條例》

《非應邀電子訊息條例》（該條例）於2007年12月22日全面生效。該條例訂明發送商業電子訊息的規則，包括規定須提供準確的發送人資料和遵守取消接收要求。通訊局根據該條例設立了三份《拒收訊息登記冊》，供市民登記其號碼，以表明除非經其同意，否則拒收商業傳真訊息、短訊及／或預錄電話訊息。截至2015年3月底，已有超過270萬個號碼登記在三份登記冊上。

為提供更多渠道以送達該條例的指明通知，立法會通過修訂該條例第44條，准許除掛號郵件外，亦可以普通郵遞方式或由專人送達指明通知。有關修訂已於2014年12月5日生效。

通訊局會繼續監察商業電子訊息發送人遵守該條例的情況，並理順程序，以便更有效執法。

主要規管行動

6.18 懲處廣播持牌機構

亞視未能繳付牌照費

亞視未能按《廣播（牌照費）規例》（第562A章）及《電訊（傳送者牌照）規例》（第106V章）訂明的限期，繳付2014–2015牌照年度本地免費電視節目服務牌照的固定費用與可變動費用的暫定款額，以及固定傳送者牌照周年牌照費。通訊局就亞視違反相關法例和牌照規定，向亞視施加合共300,000元罰款，並指示亞視須在指定限期或之前繳付欠交的牌照費。亞視已按指示清繳欠交的牌照費。

無綫違反「不符合持牌資格人士」的限制

由於無綫在未經行會批准前，容許三名前任或現任董事以「不符合持牌資格人士」身分（作為其他須領牌電視節目服務牌照的持牌機構（即Swire Properties Hotel Management Limited）的相聯人士），由2009年10月起，在不同期間（兩年半至五年不等）對無綫行使控制，違反了《廣播條例》附表1第3(2)(b)條及其本地免費電視節目服務牌照第12條的規定，通訊局因此在2015年1月決定向無綫施加80,000元罰款。除了施加罰款外，通訊局亦要求無綫就遵守「不符合持牌資格人士」的相關法例條文加強內部措施，以避免日後再次違反有關規定。

6.19 懲處電訊持牌機構

電訊營辦商具誤導性或欺騙性的行為

在2014年4月1日至2015年3月31日期間，通訊辦根據《電訊條例》第7M條的規定，處理了81宗投訴個案。在這些投訴個案中，通訊局裁定有一宗違反《電訊條例》(詳見下文)。

2014年4月，通訊局審議了一宗有關數碼通的投訴。投訴人指稱數碼通由2012年7月起，在該公司網站的專題網頁，就其3G網絡與香港其他3G及4G網絡之間的網絡比較測試作出多項具誤導性或欺騙性的陳述。通訊局經考慮通訊辦的調查結果後，認為數碼通確曾作出具誤導性或欺騙性的行為，違反《電訊條例》第7M條的規定。通訊局就有關違規事項向數碼通施加150,000元罰款。

對外電訊服務持牌人非法逃避繳付本地接駁費

通訊局完成調查一宗有關非法逃避繳付本地接駁費的個案，並就有關持牌人違反其對外電訊服務牌照的相關條件，向其施加130,000元罰款。

固網營辦商違反其傳送者牌照內有關最少深度規定的牌照條件

2015年3月，通訊局審議了126宗路政署轉介的個案，內容有關路政署長對六家固網營辦商沒有遵守《土地(雜項條文)條例》內的最少深度規定所作出的裁決。通訊局經考慮調查結果後，認為六家營辦商在該126宗個案中沒有遵從其傳送者牌照內有關最少深度規定的牌照條件。通訊局決定向全部有關營辦商發出勸諭，促請他們遵從路政署長所訂定的最少深度規定。

6.20 懲處商業電子訊息發送人

在2014年4月至2015年3月期間，通訊局收到2 068宗懷疑違反《非應邀電子訊息條例》的舉報，與上年度收到的1 998宗舉報數目大致相若。通訊辦在處理該等舉報時，會視乎情況，向初犯者發出勸諭信解釋《非應邀電子訊息條例》的規定，或向涉及較嚴重個案的商業電子訊息發送人發出警告信。在報告期內，通訊辦合共發出319封勸諭或警告信。如有個別發送人持續違反《非應邀電子訊息條例》，通訊局會依據該條例發出執行通知，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100,000元。於2014–2015年度，通訊局發出一份執行通知。

第七章：鳴謝

通訊局在籌備本報告時得蒙以下機構支持合作，謹致謝意：

亞洲電視有限公司

電視廣播有限公司

香港電視娛樂有限公司

香港有線電視有限公司

電訊盈科媒體有限公司

無綫網絡電視有限公司

Starvision Hong Kong Limited

亞太衛視發展有限公司

Starbucks (HK) Limited

華娛衛視廣播有限公司

特納國際亞太有限公司

陽光文化網絡電視企業有限公司

GLOBECAST HONG KONG LIMITED

Auspicious Colour Limited

鳳凰衛視有限公司

時代衛視國際傳媒集團有限公司

中華衛星電視集團股份有限公司

栢兆有限公司

香港衛視國際傳媒集團有限公司

健康衛視有限公司

亞太第一衛視傳媒集團有限公司

星空華文中國傳媒有限公司

香港商業廣播有限公司

新城廣播有限公司

香港數碼廣播有限公司

鳳凰優悅廣播有限公司

艾曼高有限公司

商務及經濟發展局
(通訊及科技科)³¹

通訊事務管理局辦公室

政府新聞處

香港電台

³¹ 由2015年11月20日起，商務及經濟發展局(通訊及科技科)改名為商務及經濟發展局(通訊及創意產業科)。

附件一：非本地電視節目服務一覽表

非本地電視節目服務一覽表

持牌機構	推出服務日期	頻道數目 (在香港可接收的數目)	頻道性質	目標市場	衛星
1. Starvision Hong Kong Limited	4.1991	48 (0)	綜合娛樂、電影、音樂、體育及新聞等	亞洲區，包括內地、印度和中東	亞衛5號 亞衛7號 Measat 3
2. 無綫網絡電視有限公司	8.1998	22 (2)	戲劇、綜合娛樂、電影及新聞等	亞洲區、澳洲和歐洲	亞衛7號 國際19 衛星
3. 亞太衛視發展有限公司	8.2000	53 (1)	綜合娛樂、新聞、電影及體育	印度支那半島、台灣及澳門	亞太V號 亞太VI號 亞太VII號
4. Starbucks (HK) Limited	6.2000	1 (0)	天氣、體育、音樂及財經等	亞太區	亞太7號
5. 華娛衛視廣播有限公司	3.1995	1 (1)	綜合娛樂	內地、東南亞及亞太區	亞衛7號
6. 特納國際亞太有限公司	1989	14 (11)	新聞、財經、電影、兒童及家庭節目	亞太區及南亞	亞衛7號 國際19 衛星 國際20 衛星 Measat 3A
7. 陽光文化網絡電視企業有限公司	8.2000	1 (1)	歷史及與文化有關的紀錄片	亞太區	亞衛7號
8. GLOBECAST HONG KONG LIMITED	11.2001	32 (13)	綜合娛樂、體育、財經及新聞	亞太區	亞衛7號 Measat3
9. 亞洲電視有限公司	1.2005	1 (0)	綜合娛樂及資訊娛樂	內地	亞太V號
10. Auspicious Colour Limited	1.2006	15 (8)	綜合娛樂、資訊娛樂及音樂	亞太區	亞衛5號 亞衛7號
11. 凤凰卫视有限公司	5.2006	4 (3)	綜合娛樂、新聞及電影	亞太區	亞衛7號
12. 時代衛視國際傳媒集團有限公司	6.2014	1 (1)	新聞、體育、旅遊及資訊娛樂	亞太區	中星10號

附件一：非本地電視節目服務一覽表

持牌機構	推出服務日期	頻道數目 (在香港可接收的數目)	頻道性質	目標市場	衛星
13. 中華衛星電視集團股份有限公司	11.2009	0 (0) ^註	資訊娛樂	亞太區	不適用
14. 柏兆有限公司	6.2010	65 (0)	新聞、電影、資訊娛樂及兒童節目	台灣、澳門及南中國	亞衛4號
15. 香港衛視國際傳媒集團有限公司	3.2011	2 (2)	資訊娛樂	亞太區	亞太VI號
16. 健康衛視有限公司	2.2013	1 (0)	健康資訊節目、紀錄片及綜合娛樂	亞太區	亞太V號
17. 亞太第一衛視傳媒集團有限公司	5.2013	1 (1)	新聞、財經、娛樂及體育	亞太區	亞太V號
18. 星空華文中國傳媒有限公司	1.2014	3 (0)	音樂節目、娛樂新聞及綜合娛樂	亞太區	亞衛7號

註： 中華衛星電視集團股份有限公司在 2014 年 7 月 15 日至 2015 年 6 月 27 日期間停播。

附件二：電訊牌照種類及數目

截至 2015 年 3 月 31 日

牌照種類	數目
學術機構自設電訊裝置	2
航空甚高頻率固定電台	32
航空器電台	320
業餘電台	2 673
無線電廣播轉播電台及廣播轉播電台	15
實驗電台	98
固定傳送者，有限制固定傳送者及固定電訊網絡服務	12
酒店電視（發送）	152
工業、科學及醫學電子器材	818
海上無線電（本地船隻）	810
移動傳送者	1
有限制移動傳送者	1
移動無線電系統固定電台	19
移動無線電系統移動電台	2 190
專用無線電傳呼系統牌照	2 133
私用無線電傳呼系統	13
公共無線電通訊服務	9
無線電商（放寬限制）	3 264
無線電通訊學校	7
無線電測定以及指令、狀態及數據傳送	158
衛星電視共用天線	76
自設對外電訊系統	9
服務營辦商牌照—第一類服務、第二類服務及非第一類、第二類或第三類服務 <small>註一</small>	15
服務營辦商牌照—第三類服務	515

牌照種類	數目
船舶電台	2 286
空間電台傳送者	13
的士無線電通訊服務	26
綜合傳送者－流動服務 ^{註一}	8
綜合傳送者－對內/對外固定服務 ^{註二}	39
闊頻帶鏈路中繼電台	56
總數	15 770

註一： 這項數字包括亦獲授權提供服務營辦商牌照－第三類服務的四個牌照。

註二： 這項數字包括獲授權同時提供固定和流動服務的兩個牌照。