

For Information

**Legislative Council
Panel on Information Technology and Broadcasting**

**Review of Certain Licence Conditions in Carrier Licences Issued
under the Telecommunications Ordinance (Cap. 106)**

At the Panel meeting on 9 November 2015, Members requested for information on provisions or licence conditions requiring telecommunications network operators to assist in the construction of public facilities, such as covers for bus stops, by moving their network facilities related to road opening works. This note provides Members with the relevant information.

2. According to section 14 of the Telecommunications Ordinance (Cap. 106) (TO), any licensee under the TO authorised by the Communications Authority (CA) may place and maintain a telecommunications line, and such posts as may be necessary, in, over or upon any land or seabed and may enter upon the land or seabed for the purpose of site inspection, or other activities for or incidental to placement and maintenance of a telecommunications line, subject to the consent in writing of the Director of Lands (D of Lands) in the case of unleased government land or seabed.

3. In practice, the written consent of the D of Lands, when given, takes the form of a block licence granted under the Land (Miscellaneous Provisions) Ordinance (Cap. 28) (LMPO) for installation of telecommunications facilities on or under unallocated or unleased government land including public streets. Under the block licence, the licensee may be required by the D of Lands to remove or divert the telecommunications infrastructure at no cost to the Government to make way for the construction of other public facilities. Hence, the D of Lands has the power under the block licence to require the telecommunications network operators to move their network facilities on unleased government land to facilitate public facilities construction.

**Communications and Creative Industries Branch
Commerce and Economic Development Bureau
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