

L.N. 68 of 2025

**Telecommunications (Method for Determining Spectrum
Utilization Fee) (Spectrum for Auction) (Amendment)
Regulation 2025**

(Made by the Secretary for Commerce and Economic Development
under section 32I of the Telecommunications Ordinance (Cap. 106))

1. Commencement

This Regulation comes into operation on 27 June 2025.

**2. Telecommunications (Method for Determining Spectrum
Utilization Fee) (Spectrum for Auction) Regulation amended**

The Telecommunications (Method for Determining Spectrum
Utilization Fee) (Spectrum for Auction) Regulation (Cap. 106
sub. leg. AG) is amended as set out in sections 3 and 4.

3. Section 9 amended (payment of spectrum utilization fee)

(1) Section 9(1)(b)—

Repeal

everything after “annually in”

Substitute

“instalments in accordance with subsections (1A) and
(2).”.

(2) After section 9(1)—

Add

- “(1A) For subsection (1)(b), the number of instalments is to be equal to the number of years that the spectrum utilization fee covers for the use of the spectrum concerned (*specified number of years*).
- (1B) For determining the specified number of years, part of a year is to be regarded as a year.”.
- (3) Section 9(2)(a)—
- Repeal**
- “15”
- Substitute**
- “the specified number of years”.
- (4) Section 9(2)(b)(iii)—
- Repeal**
- “or”.
- (5) Section 9(2)(b)(iv)—
- Repeal**
- “Schedule—2.5%.”
- Substitute**
- “Schedule—2.5%; or”.
- (6) After section 9(2)(b)(iv)—
- Add**
- “(v) for a spectrum that falls within a frequency band set out in Part 5 of the Schedule—2.5%.”.

4. Schedule amended (frequency bands)

The Schedule, after Part 4—

Add

“Part 5

MHz

2515–2540
2635–2660”.

Algernon YAU Ying-wah
Secretary for Commerce and
Economic Development

28 April 2025

Explanatory Note

This Regulation amends the Telecommunications (Method for Determining Spectrum Utilization Fee) (Spectrum for Auction) Regulation (Cap. 106 sub. leg. AG) (*principal Regulation*)—

- (a) to add certain frequency bands to the Schedule to the principal Regulation; and
 - (b) to provide for the payment of spectrum utilization fee for using a spectrum that falls within those frequency bands.
- 2. This Regulation also revises the general arrangement for the payment of spectrum utilization fee. Currently, the fee has to be paid either in a lump sum or annually in 15 instalments. After the revision, the number of such instalments is no longer 15, but a number equal to the number of years that the fee covers for the use of the spectrum concerned.