

Reception of Satellite Television Programmes

Frequently Asked Questions

If you are a VIEWER,

Q1 How can I receive satellite TV signals?

You can receive satellite TV signals either by installing a TV receive only (TVRO) system or by installing a satellite master antenna TV (SMATV) system. Please refer to Q2 for the types of satellite TV programmes receivable in Hong Kong.

A TVRO system consists of a satellite dish and the corresponding electronic equipment for receiving satellite TV signals in a single premises. You can purchase and install a TVRO system through any one of the reputable electronics retailers in Hong Kong.

A SMATV system distributes the received satellite TV signals to multiple premises within a multi-storey building through a satellite dish typically installed on the rooftop. If you want to purchase and install a SMATV system, you can only hire the service from operators licensed under the Telecommunications Ordinance. A list of SMATV licensees can be obtained from Office of the Telecommunications Authority (OFTA) (Tel: 8102 4387) or through its website at "<http://www.ofta.gov.hk/en/tele-lic/operator-licensees/smatv-lic.html>".

Q2 What kinds of satellite TV programmes can I receive?

Under Hong Kong's "open sky" policy, you can freely receive free-to-air satellite TV programmes via either a TVRO or SMATV system in Hong Kong. Currently, there are more than 200 free-to-air satellite TV programmes receivable in Hong Kong. The identity of these programmes together with the technical parameters for reception are listed on the website of OFTA at "http://www.ofta.gov.hk/en/datastat/st_smatv.pdf".

In the meantime, you can also receive pay satellite TV services provided that they are offered by operators licensed under the Broadcasting Ordinance. These services can be received via a TVRO system or a SMATV system, through subscription agreements with the corresponding operators and installation of add-on decoding devices. You should contact the operators for making the subscription arrangements.

Q3 Can I receive unlicensed pay satellite TV services in Hong Kong?

According to the Broadcasting Ordinance, a person shall not, in the course of trade or business, import, export, manufacture, sell, offer for sale or let for hire any decoder to receive the unlicensed pay satellite TV services in Hong Kong. Although viewers are not in violation of the law, they are subject to a number of risks as described in Q6. Viewers should refrain from dealing with any party offering such decoding devices for receiving unlicensed pay satellite TV services.

Q4 I have heard about the satellite TV receiving systems for “Thai Satellite TV” and “DREAM Satellite TV”. Are these satellite TV services licensed in Hong Kong?

“Thai Satellite TV” and “DREAM Satellite TV” are being provided by the foreign pay satellite TV service providers known as UBC of Thailand and Philippine Multi-Media System Inc. respectively. These services are not intended to be received in Hong Kong and are not licensed in Hong Kong.

Some vendors have illegally imported the decoding device (set-top box and smart card) for reception of the unlicensed service in Hong Kong. Those who import and sell the decoding device for unlicensed service in Hong Kong breach section 7 of the Broadcasting Ordinance.

Q5 **Some vendors claim that the satellite TV receiving systems they sold are able to receive a large number of satellite TV programmes. How can I tell whether these receiving systems are legal?**

Judging from the programme content only, we are aware that it may be quite difficult for consumers to tell whether a pay satellite TV service is licensed in Hong Kong or not. However, as the reception of the service usually requires a smart card for decoding the satellite TV signals, any vendors providing a reception system for pay satellite TV service together with a smart card which requires no monthly subscription payments to the service would be quite suspicious. A cautious consumer should avoid purchasing from these vendors and instead try to visit some of the more reputable electronics vendors.

Q6 **What is the harm if I receive unlicensed pay satellite TV services?**

Although the present legislation only prohibits the trading of decoders for the unlicensed pay satellite TV services, you should not risk buying or installing such receiving systems enabling the reception of unlicensed pay satellite TV services. Also, the pay satellite TV service providers usually change the coding and re-issue smart cards to authorised customers at regular intervals, say, every year. It means that you may have your pay satellite TV service terminated when the smart card expires anytime. Since the import, sale and rental etc. of such decoders are illegal activities, there is totally no guarantee that you will receive a reliable service and may consequently suffer financial loss.

Q7 What should I do if I already own a satellite TV receiving system for unlicensed pay satellite TV services?

Possession of the system is not illegal. It can be used to receive free-to-air satellite TV programmes. However, consumers are advised not to patronise the illegal vendors selling decoding device for reception of unlicensed services.

Q8 Where can I find further information?

A list of free-to-air satellite TV channels receivable in Hong Kong can be found at OFTA's website at "http://www.ofta.gov.hk/en/datastat/st_smatv.pdf".

A list of licensed TV programme service providers can be found at the website of the Communications and Technology Branch of the Commerce, Industry and Technology Bureau at "<http://www.citb.gov.hk/ctb/eng/broad/licences.htm>".

If you are a TRADER, RETAILER or MANUFACTURER,

Q9 What kinds of satellite TV programmes can viewers receive in Hong Kong?

Please refer to answers to Q2 and Q3.

Q10 I would like to import, export, manufacture or sell satellite TV receiving systems into Hong Kong. Is it legal?

It is legal for any person to import, export, manufacture or sell any satellite TV receiving systems as long as they are not decoding devices for receiving unlicensed pay satellite TV services in Hong Kong.

Q11 What licence do I need to apply for me to sell and install satellite TV receiving systems in Hong Kong?

The import, export, manufacture or sale of any satellite TV receiving systems for the purpose of receiving free-to-air satellite TV programmes and licensed pay satellite TV services in Hong Kong does not require any licence. However, you should ensure that the products should also satisfy other statutory requirements like electrical safety, prevention of interference, etc. as applicable to other telecommunications equipment as well.

The installation of TVRO systems in Hong Kong does not require any licence. However, if you want to conduct business to install SMATV systems in Hong Kong, you should apply to the Telecommunications Authority for a licence. The guidelines for the application of the SMATV licence can be downloaded from the website of OFTA at "http://www.ofta.gov.hk/en/legislation/guideline_6d_2a/Guideline/smatv-guideline-e.pdf".

Q12 What are the penalties if I import, export, manufacture or sell satellite TV receiving systems or decoding devices for unlicensed pay satellite TV services into Hong Kong?

According to section 7(1) of the Broadcasting Ordinance (Chapter 562), a person shall not, in the course of trade or business, import, export, manufacture, sell, offer for sale or let for hire any decoder for use by a TVRO system to receive a broadcasting service which is not licensed on a subscription basis. A person who contravenes this provision is liable to a maximum fine of \$1,000,000 and imprisonment for 5 years.

Q13 How can I tell if the satellite TV receiving systems provided by my overseas suppliers are legal or not?

If a satellite TV receiving system can receive and decode any unlicensed pay satellite TV service, it is indisputably illegal in the course of trade or business to import and sell such system. You can easily identify such system as the decoding device for this system will usually involve the use of some anonymous smart card (e.g. pirated, hacked, illegally imported, etc.), not requiring any subscription or payment to the corresponding operator.

You are advised to visit the website of the Communications and Technology Branch of the Commerce, Industry and Technology Bureau at “<http://www.citb.gov.hk/ctb/eng/broad/licences.htm>” to ascertain whether a pay satellite TV service is licensed in Hong Kong under the Broadcasting Ordinance.

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