Framework for Development of
Broadcast-type Mobile TV Services in Hong Kong

(A)   Spectrum Availability

The following frequency multiplex (i.e., a frequency channel for digital transmission) in the relevant band of frequency spectrum should be released for the introduction of broadcast-type mobile TV services in Hong Kong:

One frequency multiplex of 8MHz (678MHz – 686MHz, also known as Channel No. 47) in UHF Band.

(B)   Spectrum Allocation

The spectrum to be released in (A) above should be allocated primarily for development of broadcast-type mobile TV services. While at least 75% of the transmission capacity should be used to provide mobile TV services, the operator may harness the remaining capacity of the UHF Band multiplex allocated for delivery of other services such as datacasting. To allow further flexibility, the mandatory percentage of transmission capacity dedicated for mobile TV services will be subject to review by OFTA within five years from the assignment of the frequency multiplex to the successful bidders.

(C)   Spectrum Assignment

The spectrum to be released primarily for mobile TV services in (A) above should be assigned through auction with a pre-qualification process. The spectrum utilisation fee should be determined by auction. Subject to (F) below, bidders should propose obligations to roll out mobile TV services taking into account their deployment plan of the relevant mobile TV transmission technology. Such milestones will be tied with performance bond at an appropriate amount to be imposed on the successful bidder.

(D)   Licensing Arrangements

Under the Telecommunications Ordinance (TO) (Cap. 106), an operator of the network used to transmit mobile TV services via the assigned

spectrum is required to obtain a unified carrier licence[1]. In case that the successful bidder rents out its transmission capacity to another mobile TV service provider, the latter is required to obtain a services-based operator licence for the provision of mobile TV services and other permitted telecommunications services to the public.

Regarding the regulation of mobile TV programming, the content of mobile TV, either local broadcast-type or streaming-type, should be subject to regulation by general laws but not the Broadcasting Ordinance (Cap. 562)[2]. To enable self-regulation, the industry will be required to develop codes of practice on provision of mobile TV services before service commencement. The codes should include, among others, the requirement of conditional access with a view to protecting public morals and children.

(E)   Access to Hilltop Broadcasting Sites

Sharing of existing hilltop broadcasting site facilities is supported and will be subject to commercial agreement while the TA could intervene and adjudicate if mutual agreement cannot be reached.

(F)   Geographical Coverage

As prospective mobile TV service operators will be able to set up transmitting stations by sharing the hilltop broadcasting sites and facilities of terrestrial television broadcasters, provision of coverage for 50% of the population within 18 months from the grant of the unified carrier licence should be set out as a licence obligation for the operators.

Coverage in tunnels as well as the mass transit railway network will not be mandatory. Mobile TV service operator may negotiate with the railway company and tunnel operators for coverage based on commercial consideration.

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[1]   For an incumbent carrier, it may opt to merge its existing carrier licence(s) with the new unified carrier licence.

[2]   A provider of mobile TV services that are not primarily targeting Hong Kong will need a non-domestic television programme service licence under the BO.

**(G)	Technical Standards**

We should adopt a market-led and technology-neutral approach by leaving the market to select the technical standards for broadcast-type mobile TV services.

**(H)	Timetable**

We aim to auction the frequency spectrum and license local broadcast-type mobile TV services within 2010.

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