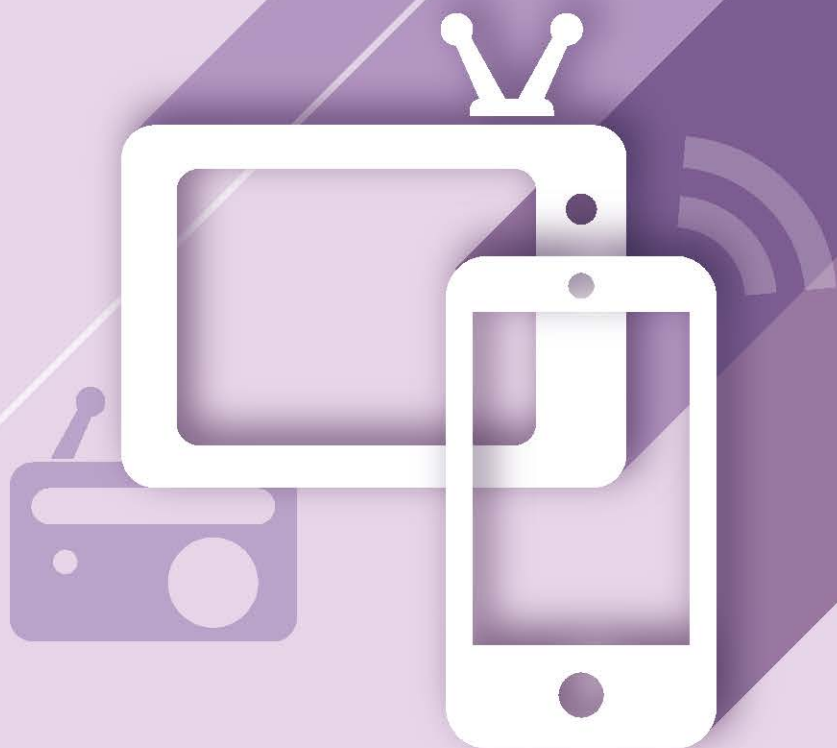




通訊事務管理局辦公室
OFFICE OF THE
COMMUNICATIONS AUTHORITY



營運基金報告書
Trading Fund Report
2013/14

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2013年4月1日至2014年3月31日
For the period from 1 April 2013 to 31 March 2014

按照營運基金條例（香港法例第430章）第8條提交
Submitted pursuant to Section 8 of the Trading Funds Ordinance (Cap.430)

* 本報告主要涵蓋2013年4月1日至2014年3月31日期間內的統計數字（包括財務報表內的統計數字）。但部分統計數字已更新至2014年9月（如適用），以反映最新情況。
Statistics in this report, including those in the financial statements, mainly cover the period from 1 April 2013 to 31 March 2014. Some of the statistics have been updated to September 2014, where appropriate, to reflect the updated situation.

抱負 VISION

我們全力支持通訊事務管理局實踐其抱負，使香港擁有世界級通訊服務，以迎接資訊時代的挑戰。

To provide full support to the Communications Authority in fulfilling its vision that Hong Kong has the world-class communications services to meet the challenges of the information age.

使命 MISSION

我們致力 —

- 公眾 — 滿足社會的需要及期望
- 業界 — 營造有利於創新和投資的公平規管環境
- 經濟 — 維持香港作為區域通訊樞紐的卓越地位，以支援經濟發展
- 員工 — 維持一支團結、靈活應變的專業隊伍，締造一個表揚和獎賞傑出員工的工作環境
- 公務 — 成為具高效率、高成效的模範部門

We are committed to -

- Public - Fulfilling the needs and expectations of the community
- Industry - Providing a fair regulatory environment conducive to innovation and business investment
- Economy - Maintaining Hong Kong's position as a pre-eminent communications centre in the region to support economic development
- Staff - Maintaining a cohesive, versatile and professional team and nurturing a working environment that recognises and rewards results
- Civil Service - Being a model department that performs effectively and efficiently

信念 VALUES

- 正直忠誠 — 保持中立、公正無私、高度透明、承擔問責、開明處事
- 專業精神 — 善用知識、處事嚴謹、確立信譽、嚴遵操守、竭盡所能
- 尊重市民、顧客及員工 — 言論自由、積極回應、關懷溝通、講求效率、重視成效
- 高瞻遠矚 — 主動進取、精益求精、與時並進
- Integrity - Neutrality, impartiality, transparency, accountability, openness
- Professionalism - Expertise, discipline, credibility, ethics, commitment
- Respect for the Community, Clients and Staff - Freedom of expression, responsiveness, understanding, efficiency, effectiveness
- Foresight - A proactive attitude, anticipation, awareness

高級管理層 Senior Management



利敏貞女士
通訊事務總監

Miss Eliza LEE

Director-General of Communications



劉光祥先生
通訊事務副總監（電訊）

Mr Danny LAU

Deputy Director-General
(Telecommunications)



劉明光先生
通訊事務副總監（廣播）¹

Mr Vincent LIU

Deputy Director-General
(Broadcasting)¹

¹ 劉明光先生於2014年3月6日調離本部門，戴家珮女士於2014年3月19日起出任通訊事務副總監（廣播）一職。
Mr Vincent LIU was transferred out of department on 6 March 2014 and Ms Elizabeth TAI assumed the post of Deputy Director-General (Broadcasting) on 19 March 2014.



蘇達寬先生

助理總監（執行）

Mr T F SO

Assistant Director (Operations)



梁仲賢先生

助理總監（規管）

Mr Chaucer LEUNG

Assistant Director (Regulatory)



卓聖德先生

助理總監（市場及競爭）

Mr Sanda CHEUK

Assistant Director
(Market & Competition)



李若愚先生

助理總監（支援）

Mr Tony LI

Assistant Director (Support)



方菊女士

助理總監（廣播事務）

Miss Katy FONG

Assistant Director (Broadcasting)



陳瑞緯先生

助理總監（電影、報刊及物品管理）

Mr Eric CHAN

Assistant Director (Film, Newspaper &
Article Administration)

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總監報告

Message from the Director-General



利敏貞 女士
通訊事務總監
Miss Eliza LEE
Director-General of Communications

引言

本人欣然呈上通訊事務管理局辦公室（通訊辦）的第二份年報。通訊辦在2013／14年度繼續全力為通訊事務管理局（通訊局）提供支援，協助通訊局履行作為本港通訊業規管機構的法定職責。

在2013／14年度，本港的通訊市場保持興旺，生氣勃勃。流動電訊市場競爭仍然十分激烈，且不斷擴展，2014年3月錄得的普及率超越236%。市場蓬勃發展，促使網絡營辦商持续提升本身的網絡。本人很高興在此報告，根據世界經濟論壇發表的《2014年全球資訊科技報告》，香港的流動網絡覆蓋在148個經濟體系中高踞首位，每名用戶的國際互聯網帶寬亦排名第二。

固網電訊市場在國際上亦表現卓著。歐洲光纖到戶議會（Fibre to the Home (FTTH) Council Europe）於2014年2月公布，香港住戶連接光纖到戶／到樓的普及率為56.6%，全球排行第三。互聯網內容傳輸商Akamai亦在《2014年第一季互聯網發展狀況報告》公布，香港平均

最高連線速度為每秒66兆比特，全球排行第二。設施為本的競爭進一步推動固網營辦商致力鋪設網絡，令87%的住戶有至少兩個自建固定網絡可供選擇。

廣播市場在2013／14年度同樣持續發展，電台和地面電視的數碼廣播網絡覆蓋範圍均逐步擴大。亞洲電視有限公司（亞洲電視）和電視廣播有限公司（無綫電視）的數碼地面電視服務更覆蓋本港至少99%的人口，實質上與模擬電視廣播服務的覆蓋率相若。

廣播服務

電視服務持續有新發展。自行政長官會同行政會議原則上批准兩家機構的本地免費電視牌照申請後，通訊辦一直協助通訊局跟進牌照申請的後續工作。同時，兩家現有本地免費電視牌照持牌機構（亞洲電視和無綫電視），以及一家本地收費電視牌照持牌機構（電訊盈科媒體有限公司（電盈媒體））已向通訊局提交牌照續期申請。我們一直協助通訊局全面評核有關持牌機構的表現，以期在2014年第4季或之前就其續牌申請向行政長

Introduction

I am pleased to present the second annual report of the Office of the Communications Authority (“OFCA”). In 2013/2014, OFCA continued to provide the Communications Authority (“CA”) with full support in discharging its statutory responsibilities as the regulator of the communications sector in Hong Kong.

The communications market in Hong Kong continued to be vibrant and dynamic in 2013/14. The mobile telecommunications market remained very competitive and continued to expand, with a penetration rate exceeding 236% as at March 2014. This vibrancy has driven network operators to continually upgrade their networks. I am pleased to report that the World Economic Forum’s Global Information Technology Report 2014 ranked Hong Kong the first among 148 economies in mobile network coverage and the second in international Internet bandwidth per user.

The fixed telecommunications market also fared very well internationally, with the Fibre to the Home (“FTTH”) Council Europe in February 2014 ranking Hong Kong the third in the world with a fibre to the home/building household penetration of 56.6%, and Internet content delivery provider Akamai ranking Hong Kong the second in the world with an average peak connection speed of 66 megabits per second (“Mbps”) in its State of the Internet 1st Quarter, 2014 report. Facilities-based competition further encouraged network rollout by the fixed network operators, enabling 87% of residential households to have a choice of at least two self-built fixed networks.

Similarly, the broadcasting market continued to develop in 2013/14 with the progressive expansion in the coverage of digital broadcasting networks for both radio and terrestrial television. Specifically, the coverage of the Digital Terrestrial Television (“DTT”) services of Asia Television Limited (“ATV”) and Television Broadcasts Limited (“TVB”) reached at least 99% of the population, essentially on a par with that of analogue television services.

Broadcasting Services

There are continuous new developments for television services. Following the approval in principle of the Chief Executive in Council (“CE in C”) to two applicants for domestic free TV licences, OFCA has been assisting the CA to take follow-up actions on the licence applications. In parallel, ATV and TVB, the two incumbent domestic free TV licensees, and PCCW Media Limited (“PCCW Media”), a domestic pay TV licensee, submitted applications for the renewal of their licences to the CA. We have been assisting the CA in conducting comprehensive assessments of their performance, with a view to submitting the recommendations to the CE in C on their applications by the fourth quarter of 2014. We also assisted the CA in processing a total of eight applications for new and renewal of non-domestic television programme service licences and other licensable television programme service licences.

The CA conducts regular reviews of codes of practice to provide proper guidance to licensees, and to ensure that the standards stipulated therein are in line with community expectations and the ongoing development of the broadcasting industry. In 2013/14, OFCA assisted the CA in conducting a review of the regulation of editorial programmes and personal view programmes on television and radio services, and in amending the related codes of practice, to require that a suitable announcement be made at the start of such programmes to identify clearly that the views expressed in the programmes were or included those of the person providing the service and that a suitable opportunity for response should be provided. The revisions aimed to strike a proper balance between licensees’ right to freedom of expression on the one hand, and a more responsible use of their broadcast rights on the other.

In 2013/14, OFCA assisted the CA in completing two major investigations. One involved the exercise of control of an incumbent free TV licensee by a person who did not meet the fit and proper person requirement and the other concerned the violation of the competition provisions of the Broadcasting Ordinance (Cap. 562) (“BO”) by the

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官會同行政會議提交建議。我們亦協助通訊局處理了八宗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的新牌照及續期申請。

通訊局定期檢討業務守則，向持牌人提供適切的指引，並確保當中訂明的標準符合社會期望和配合廣播業的持續發展。在2013／14年度，通訊辦協助通訊局進行有關規管電視及電台社論形式節目和個人意見節目的檢討，並修訂相關業務守則，規定在該類節目開始時作出適當宣布，以清楚表明節目內發表的意見屬於或包括服務提供者的意見，並且應提供適當的回應機會。這些修訂的目的是在持牌人的言論自由與其更負責任地行使廣播權利兩者之間求取適當的平衡。

在2013／14年度，通訊辦協助通訊局完成了兩宗重要調查。一宗涉及一名不符合適當人選規定的人士對一家現有本地免費電視牌照持牌機構行使控制，另一宗則關乎另一家現有免費電視牌照持牌機構違反《廣播條例》(第562章)的競爭條文。兩宗皆構成違規，有關持牌機構除被施加罰款作為懲處外，還須按通訊局要求，分別採取糾正行動，以改善企業管治水平，及停止相關的反競爭行為。

同時，通訊辦繼續接獲大量關於廣播材料的投訴。在2013／14年度，通訊辦處理了近13 000宗投訴（涉及3 000多個個案），當中大多數投訴因涉及輕微違規、或有關指控並不構成違例情況，或不屬有關條例的管轄範圍，由通訊辦行使通訊局授予的權力處理。另有43個個案則由通訊局按照既定做法處理。

電訊服務

固網寬頻網絡在2013／14年度持續擴展，年內，固網寬頻服務的住宅普及率為83%，超過92%的用戶選擇使用速度達每秒至少10兆比特的寬頻服務。我們亦積極協助新海底電纜系統登陸香港，以增加對外通訊容量。隨着一個新系統於2013年投入運作，海底電纜系統的數目增至9個。另有兩個系統預定於未來兩年內登陸香港。

我們協助通訊局因應市場及技術發展，檢討是否仍需施行某些電訊規管措施。經公眾諮詢後，通訊局決定，最初於1995年公布的固網商窄頻互連規管指引將於18個月過渡期後停止實施。由2014年10月16日起，固網商之間的各種本地互連收費將不再受任何指引規管，純粹由固網商透過商業洽談釐訂。

在流動電訊服務方面，鑑於1.9-2.2吉赫頻帶內的3G頻譜指配期將於2016年10月屆滿，我們協助通訊局在進行兩輪公眾諮詢後制定未來路向。通訊局於2013年11月決定採用行政指配兼市場主導的混合方案，在現有指配期於2016年10月21日屆滿後重新指配有關頻譜。根據該方案，現有營辦商將獲賦予優先權，獲重新指配三分之一現時所持有的3G頻譜，至於其餘三分之一的3G頻譜將會透過拍賣重新指配。我們正密鑼緊鼓，準備在2014年年底舉行拍賣。





other incumbent free TV licensee. Contraventions were established in both cases. Apart from the imposition of financial penalties as sanction, the two licensees were required by the CA to take rectification actions to respectively improve its corporate governance standards and to end the anti-competitive practices.

Meanwhile, OFCA continued to receive a large number of complaints about broadcast materials. In 2013/14, OFCA handled nearly 13 000 complaints relating to some 3 000 cases. Using powers delegated by the CA, OFCA handled most of those cases which involved breaches of a minor nature, or allegations which do not constitute any breach or fall outside the remit of the ordinances. The CA dealt with 43 cases in accordance with the established practices.

Telecommunications Services

Fixed broadband networks continued to develop in 2013/14. During the year, the household penetration rate for fixed broadband services stood at 83%, with over 92% of subscribers choosing services with a speed of at least 10 Mbps. We also actively facilitated new submarine cable systems to land in Hong Kong, so as to increase our external connection capacity. One new system came into operation in 2013, taking the number of submarine cable systems to 9. Two more are scheduled to land in Hong Kong in the coming two years.

We assisted the CA in reviewing whether some of the telecommunications regulatory measures were still

necessary taking into account market and technology developments. After public consultation, the CA decided that the regulatory guidance for narrowband interconnection between fixed carriers, first promulgated in 1995, should be phased out after an 18-month transitional period. Starting from 16 October 2014, all types of carrier-to-carrier local interconnection charges are no longer subject to any regulatory guidance, and are solely determined through commercial negotiations between the carriers.

In terms of mobile telecommunications services, with the 3G spectrum assignments in the 1.9 – 2.2 GHz band due to expire in October 2016, we assisted the CA in mapping out the way forward following the conduct of two rounds of public consultation. The CA decided in November 2013 to adopt a hybrid administratively-assigned cum market-based approach to re-assign the spectrum upon expiry of their existing term of assignments on 21 October 2016, under which the incumbents would be offered a right of first refusal for two-thirds of their current spectrum holdings, while the remaining one-third would be re-assigned through an auction. We are working towards conducting the auction towards end-2014.

Competition and Consumer Protection

Ensuring effective competition in the communications market is an important means to facilitate consumers' access to advanced services at reasonable prices. To this end, OFCA continued to assist the CA to enforce the competition provisions in the Telecommunications Ordinance (Cap. 106) ("TO") and the BO. From April 2013 to March 2014, we considered altogether 61 complaints cases. One case was found to be in breach of the BO and the CA imposed inter alia a financial penalty on the broadcasting licensee concerned.

During the same period, OFCA considered two merger and acquisition cases involving telecommunications carrier licensees. One was an application for the CA's prior consent to a proposed transaction involving the acquisition of a carrier licensee by another carrier licensee. Having

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促進競爭與保障消費者

確保通訊市場有效競爭，是讓消費者能以合理價格獲取先進通訊服務的重要措施。為此，通訊辦繼續協助通訊局執行《電訊條例》（第106章）和《廣播條例》的競爭條文。在2013年4月至2014年3月期間，我們共考慮61宗投訴個案，通訊局認為其中一宗違反《廣播條例》，已向有關廣播牌照持有人施加包括罰款等懲處。

同期，通訊辦考慮了兩宗涉及電訊傳送者牌照持有人合併與收購的個案。其中一宗個案關乎一家傳送者牌照持有人收購另一家傳送者牌照持有人的建議交易，向通訊局申請事先同意。通訊局經考慮通訊辦的評估及其經濟顧問的研究結果，於2014年4月決定就建議交易給予同意，惟有關傳送者牌照持有人須按通訊局的指示採取所需行動，以消除或避免該交易對市場所產生的大幅減少競爭的效果。

新訂的《競爭條例》（第619章）即將實施。通訊局獲賦予共同管轄權，與競爭事務委員會共同執行《競爭條例》。通訊局一直在通訊辦協助下，與競爭事務委員會緊密合作，擬備《競爭條例》的執法指引。通訊局及競爭事務委員會亦將擬備諒解備忘錄，以協調雙方履行其各自在《競爭條例》下的職能。

經修訂的《商品說明條例》（第362章）已於2013年7月19日生效。通訊局根據該條例獲賦予共同管轄權，與香港海關（「海關」）就廣播及電訊業界的營業行為根據新的公平營商條文執法。通訊辦在2013年7月至2014年3月期間共接獲359宗屬經修訂的《商品說明條例》刑事檢控制度管轄範圍的投訴。當中有160宗個案因證據不足以懷疑／證實違反《商品說明條例》或因不屬《商品說明條例》的規管範圍而結案；另外5宗投訴在通訊辦向有關持牌人發出勸諭信指示注意

《商品說明條例》的規定後結案；尚有194宗投訴則仍在不同階段的處理中。另一方面，電訊牌照持有人在經修訂《商品說明條例》實施前作出的具誤導性或欺騙性行為，仍受《電訊條例》規管。就此而言，在2013年4月至2014年3月期間，通訊辦處理了92宗投訴個案，通訊局認為當中6宗個案違反《電訊條例》，並已向有關牌照持有人施加罰款作為懲處。

服務合約爭議是消費者投訴的主要範疇。儘管通訊局並無法定權力處理該等爭議，經通訊辦與香港通訊業聯會（一個業界聯會）積極商討後，香港通訊業聯會於2010年12月制定了自行規管性質的《電訊服務合約業界實務守則》（《業界守則》），而業界亦於2011年7月開始實施該《業界守則》。經參考實施該《業界守則》的經驗及消費者的回應後，通訊辦在2013年5月提出了多項改善建議供該會與會員討論，以修訂《業界守則》。

年內，通訊辦繼續支持「解決顧客投訴計劃」的試驗運作。該計劃於2012年11月推出，旨在以調解方式協助電訊服務供應商與其顧客解決雙方陷入僵局的計帳爭議。迄今，試驗運作的成績令人鼓舞，所有轉介予調解服務中心的個案均獲圓滿解決。

《非應邀電子訊息條例》的執行事宜

通訊辦一直協助通訊局執行《非應邀電子訊息條例》（第593章）。懷疑違反《非應邀電子訊息條例》的舉報宗數近年呈下降趨勢。在2013／14年度接獲的舉報宗數為1 998宗，較上年度的數字減少17%。期間，通訊辦亦協助通訊局修訂《實務守則》，以就發送商業電子訊息提供既實用又切合時宜的指引。此外，通訊辦在調查個案後，發出了共155封勸諭信、83封警告信和6份執行通知。我們將繼續監察發送人遵守有關規定的情況，並理順程序，以便更有效地執法。

considered OFCA's assessment and the findings of its economic consultant, the CA decided to give consent in April 2014 to the proposed transaction, subject to the carrier licensees taking actions directed by the CA as necessary to eliminate or avoid the substantially lessening competition effects of the transaction on the market.

The newly enacted Competition Ordinance (Cap. 619) ("CO") will come into operation shortly. With the CA conferred concurrent jurisdiction with the Competition Commission to enforce the CO, OFCA has been supporting the CA in working closely with the Competition Commission to prepare the guidelines on the enforcement of the CO. A memorandum of understanding between the CA and the Competition Commission will also be prepared to coordinate the performance of their respective functions under the CO.

The amended Trade Descriptions Ordinance (Cap. 362) ("TDO") came into effect on 19 July 2013, under which the CA is conferred concurrent jurisdiction with the Customs & Excise Department ("C&ED") to enforce the new fair trading provisions in the broadcasting and telecommunications sectors. OFCA received 359 complaints under the jurisdiction of the criminal regime of the amended TDO from July 2013 to March 2014. 160 were closed for insufficient evidence to suspect / establish a contravention or for falling outside the scope of the TDO, five complaints were closed after advisory letters were issued to the concerned licensees to draw their attention to the need to observe more closely the requirements in the TDO, and 194 complaints were under process at various stages. Meanwhile, misleading and deceptive conduct by telecommunications licensees prior to the implementation of the amended TDO are still regulated under the TO. In this regard, OFCA handled 92 complaint cases from April 2013 to March 2014, with the CA confirming six of them as infringements of the TO and imposing financial penalties on the licensees as sanction.

Service contract disputes are a major area of consumer complaints. While the CA has no statutory power to investigate such disputes, after active discussions



between OFCA and the Communications Association of Hong Kong ("CAHK", an industry association), the CAHK drew up a self-regulatory Code of Practice for Telecommunications Service Contracts ("Industry Code") in December 2010. The industry started implementing the Industry Code in July 2011. Drawing reference to the implementation experience of the Industry Code and consumers' feedback, OFCA has recommended a number of improvement proposals in May 2013 for CAHK to consider taking forward with its members through revision of the Industry Code.

OFCA also continued to sponsor during the year the operation of the trial Consumer Complaint Settlement Scheme ("CCSS"), which was set up in November 2012 to help resolve, through mediation, billing disputes in deadlock between telecommunications service providers and their customers. So far, the trial outcome has been encouraging with all cases referred to the CCSS mediation service centre satisfactorily settled.

UEMO Enforcement

OFCA has been assisting the CA in the enforcement of the Unsolicited Electronic Messages Ordinance (Cap. 593) ("UEMO"). The number of reports in relation to suspected contraventions of UEMO has shown a downward trend in recent years. In 2013/14, there were 1 998 reports, representing a decrease of 17% over the figure in the previous year. During the period, OFCA assisted the CA

1

消費者教育

在2013／14年度，通訊辦以「做個精明通訊服務用家」為主題，舉辦一年一度的消費者教育活動，藉以向消費者提供實用的貼士，提醒他們如何明智地使用智能電話，以及保護儲存於電話內的個人資料。鑑於這項計劃下的活動均取得良好反應，我們將在2014／15年度繼續舉辦有關的消費者教育活動。

通訊辦亦在2013／14年度為學生及一項電台節目製作社區計劃的參加者舉辦了十個講座，專題講解觀眾可如何明智地選看電視節目；對電視及聲音廣播服務的規管；以及規管電台服務的節目標準。

對外關係

通訊辦積極參與國際及地區組織舉辦的會議，以掌握全球規管工作的最新發展，並分享我們的規管經驗。年內，通訊辦亦與英國、新加坡和廣東等不同地區的規管機構會面，以交流意見和分享經驗。



未來的主要挑戰

2014／15年度對通訊辦來說將是繁忙的一年。我們會繼續協助通訊局處理免費和收費電視持牌機構及模擬聲音廣播持牌機構的續牌申請；與獲行政長官會同行政會議原則上批准發牌的兩家免費電視牌照申請機構跟進正式發牌的事宜；以及處理一宗新的免費電視牌照申請。我們將在2014年年底就重新指配3G頻譜舉行拍賣，尤其讓新加入市場的營辦商有足夠時間鋪設網絡，以在2016年10月推出服務。我們亦會與競爭事務委員會緊密合作，為全面實施《競爭條例》作好準備。

本人十分慶幸擁有一支專業幹練、敬業盡責的員工團隊，他們在2013／14年度努力不懈，處理了無數棘手的工作。本人深信在他們齊心支持下，通訊辦在2014／15年度定能再接再厲，克服各項規管方面的挑戰，全力支援通訊局履行作為通訊業規管機構的法定職責。

in revising the Code of Practice to provide practical and update-to-date guidance on the sending of commercial electronic messages. OFCA also issued a total of 155 advisory letters, 83 warning letters and six enforcement notices to the senders of UEM after investigation. We will continue to monitor the compliance situation and streamline the procedures for more effective enforcement.

Consumer Education

In 2013/14, OFCA launched an annual consumer education campaign under the theme “Smart Use of Communications Services”, with a view to providing useful consumer tips on how to use smartphones wisely and protect personal data stored on the phones. The response to the various activities under the campaign was encouraging, and we will continue with our consumer education efforts in 2014/15.

OFCA also gave ten talks to students and participants in a community project on radio programme production in 2013/14, specifically on how the viewing public can make informed viewing choices regarding television programme services, how television and sound broadcasting services are regulated, and the programme standards governing radio services.

External Relations

OFCA participated actively in the conferences organised by international and regional organisations to keep track of the latest global regulatory developments and to share our regulatory experience. During the year, OFCA also met with its counterparts from different regions, including the United Kingdom, Singapore and Guangdong, to exchange views and share its experience.

Major Challenges Ahead

2014/15 will be a busy year for OFCA. We will continue to assist the CA in processing the licence renewal applications from free and pay TV licensees as well as analogue sound broadcasting licensees, following up with two free TV applicants with approval-in-principle from CE in C for the formal grant of their licences, and in handling a new free TV licence application. We will conduct an auction for the re-assignment of the 3G spectrum towards end 2014 so that inter alia new entrants, if any, will have sufficient time to roll out their networks for the service launch in October 2016. We will also work closely with the Competition Commission to prepare for the full implementation of the CO.

I am most thankful to a very professional and dedicated team of colleagues in OFCA who have been working professionally and tirelessly on numerous challenging tasks in 2013/14. With their unreserved support, I am confident that OFCA will continue to overcome various regulatory challenges in 2014/15 and provide full support to the CA in discharging its statutory regulatory responsibilities.

2

廣播業的持續發展 Sustaining the Development of the Broadcasting Industry

數碼地面電視服務的發展

擴大數碼地面電視的覆蓋範圍

自數碼地面電視服務於2007年底在本港推出後，兩家本地免費電視節目服務持牌機構——亞洲電視和無線電視已逐步完成了共29個發射站的建設工程。截至2013年9月，數碼地面電視服務至少覆蓋本港99%的人口，與模擬電視廣播服務的覆蓋率相若。數碼地面電視不僅讓更多市民能享用更佳畫面和功能（包括高清電視），更提供更多的電視節目頻道¹，從而為市民帶來更多的節目選擇和增值服務（例如隱閉式字幕、電子節目指南和互動服務）。



截至2013年9月，本港共建有29個數碼地面電視發射站，令數碼地面電視服務覆蓋全港總人口99%。
A total of 29 DTT transmitting stations have been established by September 2013, bringing DTT service coverage to 99% of the total population.

推出數碼聲音廣播服務

三家數碼聲音廣播持牌機構——香港數碼廣播有限公司（DBC）、新城廣播有限公司（新城）和鳳凰優悅廣播有限公司（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。香港電台（港台）也於2012年9月正式推出數碼聲音廣播服務。截至2014年9月底，上述持牌機構與港台合共提供17條數碼聲音廣播頻道（DBC七條、新城三條、鳳凰優悅兩條和港台五條）。數碼聲音廣播頻道會逐步增至18條。

數碼聲音廣播傳送網絡由七個主要發射站組成，分別位於筆架山、青山、九龍坑山、金山、飛鵝山、南丫島和歌賦山，並於2012年6月正式投入服務。

處理廣播投訴

通訊局不會就廣播內容作預先審查，而是採取投訴主導的方式，確保廣播內容符合有關法例、牌照條件和通訊局所發出的業務守則等規定。作為通訊局的執行部門，我們協助通訊局根據《廣播（雜項條文）條例》（第391章）的規定和通訊局的廣播投訴處理程序處理有關廣播內容的投訴。

在2013 / 14年度，我們處理了3 029個個案（涉及12 998宗投訴）²，與2012 / 13年度的數字（1 625個個案，涉及49 184宗投訴³）比較，本年度所處理的個案數目增加了86%，而投訴宗數則減少了74%。當中，有43個個案（涉及5 867宗投訴）提交通訊局轄下廣播投訴委員會處理，然後由通訊局審議和裁決。經由通訊

1 亞洲電視和無線電視目前提供共 11 條數碼地面電視節目頻道，包括高清電視和標清電視頻道。
2 為確保運作效率，針對同一廣播內容的類似投訴或相關指控會歸納為一個個案，以一併處理。
3 包括一個涉及超過 42 000 宗投訴的個案。

The Development of Digital Terrestrial Television Services

Extending Digital Terrestrial Television Coverage

Since the launch of DTT services in late 2007, the two domestic free television programme service licensees, namely ATV and TVB, have constructed by phases a total of 29 transmitting stations. By September 2013, this has brought the overall DTT coverage to at least 99% of the population, which is on a par with that of analogue television. More people can now enjoy better quality pictures and enhanced features, including high-definition television (“HDTV”) with more programming choices available from additional television programme channels¹ and value-added services (such as closed captioning, electronic programme guides and interactive services).

Roll-out of Digital Audio Broadcasting Services

The three Digital Audio Broadcasting (“DAB”) licensees, namely Digital Broadcasting Corporation Hong Kong Limited (“DBC”), Metro Broadcast Corporation Limited (“Metro”) and Phoenix U Radio Limited (“Phoenix U Radio”), formally launched DAB services in 2012 in accordance with their licence requirements. The Radio Television Hong Kong (“RTHK”) also formally launched its DAB service in September 2012. As of the end of September 2014, the licensees and RTHK provided a total of 17 DAB channels (7 by DBC, 3 by Metro, 2 by Phoenix U

Radio and 5 by RTHK). The number of DAB channels will gradually increase to 18.

The DAB transmission network, comprising seven principal transmitting stations located at Beacon Hill, Castle Peak, Cloudy Hill, Golden Hill, Kowloon Peak, Lamma Island and Mount Gough, was officially launched in June 2012.

Handling of Broadcast Complaints

The CA does not pre-censor broadcast content, but adopts a complaint-driven approach to ensure that broadcast content is in compliance with legislation, licence conditions and the codes of practice issued by the CA. As the executive arm of the CA, we assist the CA in handling complaints about broadcast materials in accordance with the provisions stipulated in the Broadcasting (Miscellaneous Provisions) Ordinance (Cap 391) (“B(MP)O”) and the CA broadcast complaint handling procedures.

In 2013/14, we dealt with 3 029 cases (12 998 complaints)², which represented an increase of 86% in the number of cases, and a decrease of 74% in the number of complaints processed, as compared with the figures recorded in 2012/13 (1 625 cases and 49 184 complaints³). Among these, 43 cases (5 867 complaints) were referred to the Broadcast Complaints Committee (“BCC”) under the CA and then to the CA for consideration and determination. Details of the complaint cases considered by the CA are published on the CA website. The Director-General of Communications handled the remaining 2 986 cases (7 131 complaints) under the power delegated by the CA. 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, that is, the substance of the complaints did not involve a contravention of legislation, licence conditions or codes of practice.



- 1 ATV and TVB are currently broadcasting 11 DTT programme channels, including both HDTV and standard definition television channels.
- 2 To ensure operational efficiency, complaints with similar or related allegations against the same broadcast material are handled together and counted as a single case.
- 3 Including one case involving over 42 000 complaints.

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局審議的投訴個案的詳情，已在通訊局網站公布。通訊事務總監根據通訊局授予的權力處理餘下的2 986個個案（涉及7 131宗投訴）。這些投訴涉及輕微違規，或其指控並不構成違例情況，或不屬《廣播（雜項條文）條例》第11（1）條的管轄範圍，即投訴內容並不涉及違反有關法例、牌照條件或業務守則的情況。

牌照管理

電視節目服務牌照續期的申請

亞洲電視和無綫電視的本地免費電視節目服務牌照將於2015年11月30日屆滿。無綫電視和亞洲電視已分別於2013年11月19日和29日向通訊局提交牌照續期申請。我們協助通訊局於2014年2月至4月期間，就兩家電視台的牌照續期事宜進行了為期兩個月的公眾諮詢。我們亦協助通訊局全面評核亞洲電視和無綫電視自2003年12月以來的表現，以期於2014年11月或之前就牌照續期的申請向行政長官會同行政會議提交建議。

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將於2015年9月25日屆滿。電盈媒體已於2013年9月25日向通訊局提交牌照續期申請。我們協助通訊局於2013年11月就電盈媒體的牌照續期事宜進行

了為期一個月的公眾諮詢。我們亦協助通訊局全面評核電盈媒體自2003年9月以來的表現，以期於2014年9月或之前就牌照續期的申請向行政長官會同行政會議提交建議。

我們亦處理了八宗非本地電視節目服務牌照及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新牌照及續期申請，詳情如下：

- (a) 星空華文中國傳媒有限公司的非本地電視節目服務牌照申請；
- (b) Swisscom Hospitality Hong Kong Limited的其他須領牌電視節目服務牌照申請；
- (c) 華娛衛視廣播有限公司、GLOBECAST HONG KONG LIMITED（前稱GlobeCast Hong Kong Limited）、陽光文化網絡電視企業有限公司及特納國際亞太有限公司的非本地電視節目服務牌照續期申請；以及
- (d) 真証傳播有限公司和Greenroll Limited的其他須領牌電視節目服務牌照續期申請。

本地免費電視節目服務牌照的申請

2013年10月，行政長官會同行政會議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。我們協助通訊局跟進兩家機構牌照申請的後續工作。通訊局在完成評核兩家申請機構所提交的進一步資料及牌照條款的商討工作後，會就應否向其正式批出免費電視節目服務牌照，向行政長官會同行政會議提交建議。

Licence Administration

Applications for Renewal of Television Programme Service Licences

The domestic free television programme service licences of ATV and TVB will expire on 30 November 2015. TVB and ATV submitted their applications for licence renewal to the CA on 19 and 29 November 2013 respectively. From February to April 2014, we assisted the CA in conducting a two-month public consultation exercise on the renewal of these licences. We also assisted the CA in carrying out a comprehensive assessment of the performance of ATV and TVB since December 2003, with a view to making recommendations to the CE in C on the licence renewal applications by November 2014.

The domestic pay television programme service licence of PCCW Media Limited (“PCCW Media”) will expire on 25 September 2015. PCCW Media submitted an application for licence renewal to the CA on 25 September 2013. In November 2013, we assisted the CA in conducting a one-month public consultation exercise on the renewal of PCCW Media’s licence. We also assisted the CA in carrying out a comprehensive assessment of the

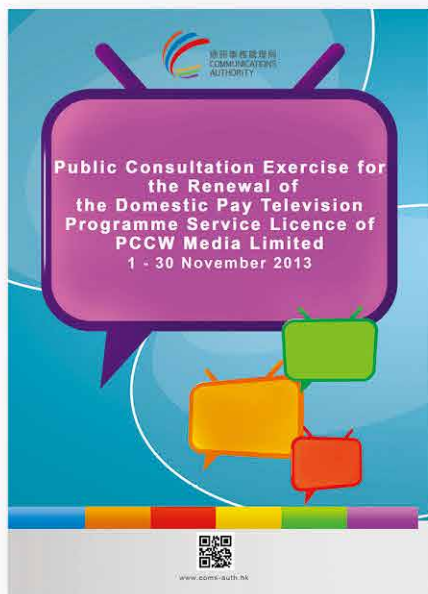
performance of PCCW Media since September 2003, with a view to making recommendations to the CE in C on the licence renewal application by September 2014.

We also processed a total of eight applications for new and renewal of non-domestic television programme service licences and other licensable television programme service licences for the provision of television programme services in hotel rooms in Hong Kong, as follows:

- (a) application for a non-domestic television programme service licence from Star China Media Limited;
- (b) application for an other licensable television programme service licence from Swisscom Hospitality Hong Kong Limited;
- (c) applications for the renewal of non-domestic television programme service licences from China Entertainment Television Broadcast Limited, GLOBECAST HONG KONG LIMITED (formerly GlobeCast Hong Kong Limited), Sun Television Cybernetworks Enterprise Limited, and Turner International Asia Pacific Limited; and
- (d) applications for the renewal of other licensable television programme service licences from Goodnews Communication International Limited and Greenroll Limited.

Applications for Domestic Free Television Programme Service Licences

In October 2013, the CE in C approved in principle the applications for domestic free television programme service licences of Fantastic Television Limited (“Fantastic TV”) and HK Television Entertainment Company Limited (“HKTVE”). We assist the CA in taking the necessary follow-up action on the licence applications. Upon completion of the assessment of further information submitted by the two applicants and conclusion of the licence negotiations, the CA will submit to the CE in C recommendations on whether free television programme service licences should be formally granted to Fantastic TV and HKTVE.



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有關控制及管理亞洲電視的調查

2013年8月，我們協助通訊局完成有關一名不符合適當人選規定的人士對亞洲電視行使控制的調查。亞洲電視除因違反有關控制持牌機構的牌照條件而被施加港幣100萬元罰款外，亦須遵守多項要求，包括立即採取糾正行動，確保除了亞洲電視董事、主要人員，以及獲適當授權的人士外，不可讓其他人士管理亞洲電視，以及須採取有效措施，改善其企業管治水平。

有關無綫電視違反《廣播條例》的競爭條文的調查

我們協助通訊局完成有關無綫電視涉嫌違反《廣播條例》的競爭條文的調查，並於2013年9月公布了通訊局的調查報告。通訊局裁定無綫電視違反《廣播條例》第13及14條，向無綫電視施加港幣90萬元罰款，以及指示無綫電視停止相關的反競爭行為和採取多項糾正措施。無綫電視於2013年10月就通訊局調查所作的裁決向行政長官會同行政會議提出法定上訴，並於2013年12月就《廣播條例》的上訴機制和通訊局調查所作的裁決提出司法覆核。我們會協助通訊局按照既定程序處理有關上訴和司法覆核。



檢討業務守則

我們協助通訊局定期檢討業務守則，以期向廣播機構提供有關節目、廣告和技術標準的適當指引。在本年度，通訊局完成了有關規管社論形式節目和個人意見節目的檢討，並通過對電視和電台業務守則相關的修訂。主要修訂包括：規定包含持牌機構和對持牌人行使控制的人（「服務提供者」）就有關香港公共政策或備受香港公眾關注而又具爭議的議題表達意見的社論形式節目，應被視為個人意見節目的一種，亦應遵守現時適用於個人意見節目的基本規定；在社論形式節目開始時應作出適當宣布，以清楚表明節目內發表的意見屬於或包括服務提供者的意見；以及個人意見節目須在同一個平台提供適當的回應機會。新規定於2014年7月1日生效。

Investigation into Control and Management of ATV

In August 2013, we assisted the CA in completing its investigation into the exercise of control of ATV by a person who did not meet the fit and proper person requirement. Apart from the imposition of a financial penalty of HK\$1 million on ATV for breaching the licensing conditions regarding the control of a licensee, ATV was required, inter alia, to take immediate rectification action to ensure that its management should not be performed by any persons other than its directors and principal officers and duly authorised persons, and to take effective steps to improve its corporate governance standards.

Investigation into TVB's Violation of the Competition Provisions of the Broadcasting Ordinance

We assisted the CA in completing its investigation into the alleged violation of the competition provisions of the BO by TVB, and published the CA's investigation report in September 2013. The CA found TVB in breach of sections 13 and 14 of the BO. It imposed on TVB a financial penalty of HK\$900,000 and directed TVB to end the anti-competitive practices concerned and to take a number of remedial actions. TVB lodged a statutory appeal against the CA's decision on the investigation with the CE in C in October 2013 and filed an application for judicial review on the appeal mechanism under the BO and the CA's decision on the investigation in December 2013. We will assist the CA in responding to the statutory appeal and judicial review according to the established procedures.

Review of Codes of Practice

We assist the CA in conducting regular reviews of the codes of practice to provide proper guidance to broadcasters on programme, advertising and technical standards. During the year under review, the CA completed a review of the regulation of editorial programmes and personal view programmes ("PVPs"), and approved amendments to the television and radio programme codes of practice. The major amendments included that editorial programmes which contained the views of the licensee and persons exercising control of it ("persons providing the service") on matters of public policy or controversial issues of public importance in Hong Kong should be regarded as a type of PVPs and be subject to existing ground rules on PVPs; a suitable announcement should be made at the start of the programme to identify clearly that the views expressed in the editorial programme were or included those of the persons providing the service; and that a suitable opportunity for response to a PVP should be provided on the same platform. The new rules took effect on 1 July 2014.

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迎接電訊市場的新挑戰 Meeting the New Challenges of the Telecommunications Market

重新指配3G頻譜及頻譜使用費

在香港1 700萬名流動服務用戶中，約四分之三或超過1 200萬人使用流動數據服務。儘管所有流動網絡營辦商均已鋪設4G網絡，擁有一千萬用戶的3G網絡仍是提供流動數據服務的主幹網絡。3G網絡主要由在1.9至2.2吉赫頻帶內的2 x 60兆赫頻譜（「3G頻譜」）支援，該等頻譜於2001年10月通過拍賣指配予四家流動網絡營辦商。

通訊局於2013年11月公布決定在2016年10月21日3G頻譜現有指配期屆滿時，採用行政指配兼市場主導的混合方案重新指配該等頻譜。商務及經濟發展局局長亦決定就為期15年的新指配期（2016年10月22日至2031年10月21日），建議於《電訊條例》下制定規例訂明相關3G頻譜的頻譜使用費釐定方法。

在混合方案下，四家現有3G營辦商會獲賦予優先權重新獲指配其三分之二的3G頻譜，即每家2 x 10兆赫。如當中有任何營辦商決定不就全部有關頻譜行使優先權，剩下的頻譜將與其餘三分之一3G頻譜集中起來，一併透過拍賣重新指配。有關安排最能達至重新指配3G頻譜工作的多重目標，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。

2014年5月，四家現有3G營辦商中，有一家被另一現有營辦商收購。通訊局指示有關合併實體須採取補救措施，在現有指配期屆滿時，交回2 x 15兆赫的3G頻譜，以解決因該項收購而引致頻譜集中的問題。因而將有合共2 x 35兆赫的3G頻譜可透過優先權，重新指配予現有3G營辦商（「優先權頻譜」），若所有營辦商均就全部有關頻譜行使該項權利，則2 x 25兆赫的3G頻譜將經拍賣重新指配（「重新拍賣頻譜」）。

「重新拍賣頻譜」的頻譜使用費將經拍賣釐定。政府修訂《電訊條例》下的附屬法例，以訂明「優先權頻譜」的頻譜使用費釐定方法。「優先權頻譜」的頻譜使用費定為每兆赫港幣6,600萬元（這是按現有3G營辦商在現有指配期最後一年就使用3G頻譜所須繳付的頻譜使用費乘以15，以計及15年的指配期），或經拍賣釐定「重新拍賣頻譜」的平均頻譜使用費，兩者中以金額較高者為準，上限為每兆赫港幣8,600萬元。3G頻譜拍賣計劃於2014年年底舉行。



廣播類流動電視服務的規管

自流動電視服務於2012年2月推出以來，中國移動多媒體廣播（「CMMB」）制式一直被採用作為傳送制式。2013年12月20日，香港電視網絡有限公司（「港視」）宣布完成收購原本持有獲授權提供流動電視服務的綜合傳送者牌照（「流動電視牌照」）的持牌人之全部股權。其後，港視把該持牌人的名稱改為香港流動電

Reassignment of the 3G Spectrum and Spectrum Utilisation Fee

Among the 17 million mobile service subscribers in Hong Kong, about three-quarters, or over 12 million, of them subscribe to mobile data services. The 3G network, hosting 10 million customers, remains the backbone network for the provision of mobile data services, notwithstanding the rollout of the 4G network by all the mobile network operators. The 3G network is supported primarily by the 2 x 60 MHz of spectrum in the 1.9 to 2.2 GHz band ("3G Spectrum"), which was assigned through auction to four mobile network operators in October 2001.

The CA announced in November 2013 the decision to adopt a hybrid administratively-assigned cum market-based approach to re-assign the 3G Spectrum upon expiry of the existing term of assignments on 21 October 2016. The Secretary for Commerce and Economic Development ("SCED") has also decided to propose a regulation under the TO to determine the spectrum utilisation fee ("SUF") of the related 3G Spectrum under the new 15-year term of assignments from 22 October 2016 to 21 October 2031.

Under the hybrid approach, the four incumbent 3G operators will be offered a right of first refusal for re-assignment of two-thirds of the 3G Spectrum holding, viz 2 x 10 MHz each. Should any of them decide not to exercise the right of first refusal in respect of the whole of such spectrum, the spectrum thus becoming available will be pooled together with the remaining one-third of the 3G Spectrum for re-assignment through auction. This arrangement is considered best able to meet the multiple objectives in the 3G Spectrum re-assignment exercise, viz. ensuring customer service continuity, efficient spectrum utilisation, promotion of effective competition, encouragement of investment and promotion of innovative services.

In May 2014, one of the four incumbent 3G operators was acquired by another incumbent. The merged entity was directed to divest 2 x 15 MHz of the 3G Spectrum upon expiry of the existing term of assignment, as a remedy to address the concern about spectrum concentration

arising from the acquisition. A total of 2 x 35 MHz of the 3G Spectrum will therefore be offered to the incumbent 3G operators for re-assignment through right of first refusal ("RFR Spectrum"), and if all of them exercise the right in respect of all such spectrum, 2 x 25 MHz of the 3G Spectrum will be re-assigned through auction ("Re-auctioned Spectrum").

The SUF of the Re-auctioned Spectrum will be determined by auction. Amendments to subsidiary legislation under the TO are made to prescribe the method for setting the SUF of the RFR Spectrum. The SUF per MHz of the RFR Spectrum is set at HK\$66 million, which is the level of SUF payable by the incumbent 3G operators for the use of the 3G Spectrum in the last year of the existing term of assignments multiplied by 15 to take into account the 15-year assignment period, or the average of the SUF of the Re-auctioned Spectrum as determined by auction, whichever is higher, subject to a cap at HK\$86 million per MHz. The auction of the 3G Spectrum is planned to take place towards the end of 2014.

Regulation of Broadcast-type Mobile TV Services

Since the launch of Mobile TV Services in February 2012, the China Mobile Multimedia Broadcasting ("CMMB") standard has been used as the transmission standard. Hong Kong Television Network Limited ("HKTV") announced on 20 December 2013 the completion of its acquisition of all shares of the original licensee holding the Unified Carrier Licence ("UCL") that authorised it to provide Mobile TV Services ("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.

Since the DTMB standard is the transmission standard adopted for the provision of DTT services by the incumbent free television licensees in Hong Kong, as the executive arm of the CA, OFCA considers that HKMTV's switch to the DTMB standard without implementing effective technical measures to ensure its Mobile TV Service would not be

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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。

由於本港現有免費電視節目服務持牌人均採用DTMB制式以提供數碼地面電視服務，作為通訊局的執行部門，通訊辦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，以確保其流動電視服務不會被本港超過5 000個指明處所的觀眾接收到，便須根據《廣播條例》的牌照規定，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，通訊辦認為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到流動電視服務，會構成由香港流動電視網絡提供固定服務，違反流動電視牌照附表1。香港流動電視網絡的流動電視牌照附表1訂明，該流動電視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。

港視和香港流動電視網絡質疑流動電視服務須受《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立場提出司法覆核。通訊辦會繼續支援和協助通訊局按法定程序處理有關事宜。



繼續加強保障電訊服務消費者

持續實施防止流動通訊「帳單震撼」的措施

近年，智能電話和先進流動裝置日趨普及，刺激了流動數據服務的增長和需求，但同時，關於流動寬頻服務帳單爭議的消費者投訴數字亦隨之而上升，情況備受消費者關注。這些投訴大多涉及流動通訊「帳單震撼」，即用戶因收到的流動通訊服務帳單款額遠高於預期而感受到的震撼。出現流動通訊「帳單震撼」的主因，是消費者在本地或海外使用漫遊服務時，不經意或不自覺地使用了流動數據服務。

為解決這個問題，通訊辦自2010年5月起向業界公布一系列供其採用的預防措施，包括容許用戶選擇取消個別服務、設立收費上限、為各類根據用量收費的流動服務設立用量上限，以及向用量達到預定水平或正啟動漫遊數據服務的用戶發出提示短訊。

為了增加相關服務資訊的透明度，我們已在通訊辦網站公布個別營辦商所採取的措施，並定期更新資料。除此之外，我們舉辦了一系列消費者教育活動，以加深消費者對流動數據服務的認識和了解。我們亦在通訊辦網站提供了數據用量計算機，消費者可使用此工具估算自己的數據用量。

隨着流動網絡營辦商實施這些防止流動通訊「帳單震撼」的措施，加上我們推行消費者教育工作，有關的投訴數字由2012年的475宗減少至2013年的422宗。

公平使用政策指引的實施進度

為了滿足各類客戶的需求，固網及流動寬頻服務供應商或會為消費者提供「無限用量」服務計劃。然而，某些

available for reception by an audience of more than 5 000 specified premises in Hong Kong would 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. Also, the reception of Mobile TV Services by household television sets via fixed installations, such as in-building coaxial cable distribution systems and rooftop antennas, would, in OFCA's views, constitute the provision by HKMTV of a fixed service, in breach of Schedule 1 of the Mobile TV Licence. Schedule 1 of HKMTV's Mobile TV Licence stipulates that nothing in the Mobile TV 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.

HKT and HKMTV disputed that Mobile TV Services should be subject to regulation by the BO. On 11 April 2014, HKT and HKMTV applied to the court for leave to apply for a judicial review of OFCA's positions. OFCA, will continue to support and assist the CA in handling the issues concerned in accordance with the legal procedures.

Continued Efforts to Strengthen Consumer Protection in the Use of Telecommunications Services

Ongoing Implementation of "Mobile Bill Shock" Preventive Measures

The emergence and increasing popularity of smart phones and advanced mobile devices have driven the growth and demand for mobile data services in recent years. In tandem, the ensuing increase of the number of consumer complaints relating to mobile broadband billing disputes has become a common concern among consumers. Many of these complaints involve "mobile bill shock", i.e. the shock consumers experience upon receiving unexpectedly high mobile bill charges. "Mobile bill shock" is mainly caused by unintentional or inadvertent usage of mobile data services, locally or while roaming overseas.

To cope with this problem, OFCA has promulgated since May 2010 a series of preventive measures for the industry

to adopt, which include allowing customers to opt out of individual services; setting a charge ceiling; setting a usage cap for all kinds of usage-based mobile services; and alerting customers through short messages when their predetermined usage threshold is reached, or when their roaming data usage is triggered.

To increase the transparency of the relevant service information, we have published the measures implemented by individual operators on our website and provided updates regularly. Along with these measures, we have organised a series of consumer education programmes to enhance consumer awareness and knowledge of mobile data services. We have also posted a data usage calculator on our website, which serves as a tool for consumers to estimate their data usage consumption.

With the implementation of these "mobile bill shock" measures by mobile network operators and our consumer education efforts, the number of related complaints decreased from 475 cases in 2012 to 422 cases in 2013.

Progress of the Implementation of Fair Usage Policy Guidelines

In order to meet the needs of a broad spectrum of customers, both fixed and mobile broadband service providers may offer service plans with "unlimited usage" for consumers. However, certain unlimited usage plans are in fact subject to usage restrictions imposed by service providers in the name of Fair Usage Policy ("FUP"). The FUP is intended to prevent excessive usage of network resources by individual customers, which may adversely affect the network performance and hamper other customers' use of the service. For example, service providers may impose restrictions by lowering the network service priority or reducing the access speed for customers whose data usage has exceeded a specified threshold. Nevertheless, consumers may not be aware of the existence of the FUP or understand the relevant terms and conditions. Customers of unlimited service plans in particular feel aggrieved when their data usage is subject to restriction because of FUP.

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無限用量計劃其實受限於服務供應商所實施名為「公平使用政策」的使用限制。公平使用政策旨在防止個別用戶過度使用網絡資源，以免對網絡表現構成不良影響，妨礙其他用戶使用服務。舉例來說，對於數據用量已超出指定上限的客戶，服務供應商可能會實施限制，例如調低其使用網絡服務優先次序或減慢其數據接達速度等。可是，消費者未必會留意到公平使用政策的實施或了解相關的條款及條件。對於使用無限用量服務計劃的客戶，當遇到數據用量因公平使用政策而受到限制時，更會感到不滿。

為保障消費者權益和增加服務資訊的透明度，通訊局於2011年11月公布《公平使用政策指引》，以規管服務供應商應如何實施其公平使用政策。這份強制指引自2012年2月起已經生效。

2013年，我們協助通訊局處理了38宗與公平使用政策相關的投訴個案。通訊局向一名違反《公平使用政策指引》的流動寬頻服務供應商發出警告信。

繼續促進業界實施自行規管措施

電訊服務合約業界實務守則

為向業界提供擬訂電訊服務合約的指引，藉以提升合約制訂過程的透明度和客戶滿意度，香港通訊業聯會（一個業界聯會）於2010年12月公布自行規管性質的《業界守則》。

由2011年7月起，所有主要的固定和流動網絡營辦商及一家主要的對外電訊服務營辦商已實施所需措施，以遵從《業界守則》，使電訊服務的個人及住宅用戶在簽訂或續訂服務合約時獲得更佳保障。《業界守則》旨在保障消費者權益。《業界守則》亦顯示出電訊業界積極處理有關合約事宜的消費者投訴及爭議。

有關服務合約爭議的投訴數字由2012年的1 116宗減少至2013年的894宗。經參考實施守則的經驗及消費者的回應，通訊辦在2013年5月提出了多項改善《業界守則》的建議，以供香港通訊業聯會考慮。香港通訊業聯會與各會員緊密合作，以落實進一步改良《業界守則》的建議。

收費流動內容服務守則

為保障消費者權益和增加有關流動內容服務價格資料的透明度，通訊辦與業界緊密合作，訂立了一份屬自願性質的《收費流動內容服務守則》。該守則由香港通訊業聯會於2010年1月公布和實施，規管第三方內容服務供應商所提供的流動內容服務，並設立業界自行規管計劃。守則要求所有第三方內容服務供應商為客戶提供流動內容服務前，須向他們清楚表明該服務屬於收費服務；提供所有收費清晰資料；要得到客戶明確同意才提供服務，以及清楚訂明簡易方便的終止訂用服務機制。

With a view to protecting consumer interests and enhancing the transparency of service information, the CA issued a set of FUP guidelines in November 2011, governing how service providers should implement their FUP. The mandatory guidelines have been in effect since February 2012.

In 2013, we assisted the CA in handling 38 FUP-related complaint cases. The CA issued a warning letter to a mobile broadband service provider who had contravened the FUP guidelines.

Continuing to Facilitate the Implementation of Self-regulatory Measures

Industry Code of Practice for Telecommunications Service Contracts

In order to provide guidelines for the industry on drawing up telecommunications service contracts so as to improve transparency in the contracting process and increase customer satisfaction, the CAHK, an industry association, promulgated a self-regulatory Industry Code in December 2010.

With effect from July 2011, all major fixed and mobile network operators and one major external telecommunications services operator have implemented the necessary measures for complying with the Industry Code to provide personal and residential users of telecommunications services with better protection upon signing or renewal of service contracts. The objective of the Industry Code is to protect consumer rights and interests. The Industry Code also represents the proactive efforts of the telecommunications industry to address consumer complaints and disputes in relation to contractual matters.

The number of complaints related to service contract disputes decreased from 1 116 cases in 2012 to 894 cases in 2013. With reference to the implementation experience and the responses from consumers, OFCA made several

recommendations to improve the Industry Code for CAHK's consideration in May 2013. CAHK has been working closely with its members regarding the implementation of further improvements to the Industry Code.

Code for the Provision of Chargeable Mobile Content Services

To safeguard consumer interests and increase the transparency of the pricing information related to Mobile Content Services ("MCS"), OFCA has worked closely with the industry to draw up the voluntary "Code for the Provision of Chargeable Mobile Content Services". The code governs the practices of third-party Content Service Providers ("CSPs") in providing MCS and the establishment of an industry self-regulatory scheme. This was promulgated and put into effect by CAHK in January 2010. The code requires all third-party CSPs, before initiating delivery of MCS to customers, to indicate to them clearly the chargeable nature of the services, provide them with clear information on all charges, obtain clear consent from them for the provision of MCS, and also to set out clearly the unsubscribing mechanisms, which should be simple and convenient.

The code also provides for the establishment of an Administrative Agency ("AA"), which is responsible for assessing the capability of CSPs and securing their pledges in



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守則亦訂明成立行政機構，負責評估內容服務供應商遵從該守則規定的能力，確保他們履行承諾，並藉着定期抽查和處理投訴，監察他們有否遵從該守則。內容服務供應商須從行政機構獲取有關提供流動內容服務及計帳服務的合格證明書，而流動網絡營辦商只可與獲取合格證明書的內容供應商簽訂商業合約。截至2014年3月底，已有十家內容服務供應商從行政機構獲取合格證明書。2013年，行政機構向三家沒有遵從該守則的內容服務供應商發出共五封警告信。

通訊辦一直密切監察《收費流動內容服務守則》的成效。自2010年1月實施該守則後，通訊辦收到的相關投訴數目有所減少並維持於低水平。過去一年，平均每月的投訴數目少於三宗，反映自願性質的守則持續有效地處理消費者關注的事宜。

關於電訊服務帳單資料及收取帳款的實務守則

通訊辦於2011年10月發出《關於電訊服務帳單資料及收取帳款的實務守則》，就電訊服務帳單上所需包括的收費項目和收取帳款安排為電訊營辦商提供指引，讓營辦商自願遵從。

截至2014年9月，七家本地固定網絡營辦商和四家流動網絡營辦商已承諾遵從上述實務守則。我們已在通訊辦網站刊載消費者注意事項和所有營辦商遵從守則的情況摘要，供消費者參考。我們會繼續密切監察此實務守則的實施情況及成效。

提供流動電視服務的業界守則

根據政府在2008年12月公布並在2010年2月修訂的《香港廣播類流動電視服務發展框架》，業界須就提供

本地廣播類和串流類的流動電視服務制訂業界守則，以實施自我規管。香港通訊業聯會於2012年8月發出有關流動電視服務的業界守則。為保護兒童和維護公眾道德，該守則要求流動電視服務供應商就色情及淫褻內容實施限制收看的措施。流動電視服務供應商亦應考慮社會現時普遍接受的道德標準，並格外留意其播出的電視內容可能對兒童造成的影響。

解決顧客投訴計劃的實施進度

通訊辦促使電訊業界設立屬自願性質的「解決顧客投訴計劃」，以協助電訊服務供應商與其住宅／個人顧客透過調解方式解決雙方陷入僵局的計帳爭議。計劃由2012年11月1日開始運作，以兩年為試驗期。由香港通訊業聯會成立的一個獨立調解服務中心負責提供相關的調解服務，而香港所有主要的電訊服務供應商均有參與計劃。通訊辦支持有關的運作，並擔當積極角色以監察計劃的表現和管治工作。



在計劃試驗期內的首17個月（即由2012年11月1日至2014年3月31日），通訊辦共收到190宗符合計劃受理準則的申請，當中102宗在轉介予調解服務中心跟進前已獲得妥善解決，而餘下的88宗經調解服務中心跟進後亦獲得圓滿解決。

complying with the requirements of the code, and monitoring their compliance through random checks and complaint handling on a regular basis. A mobile network operator may only enter into a commercial contract with a CSP that has obtained a Letter of Positive Assessment (“LPA”) from the AA regarding MCS delivery and billing. As at end March 2014, 10 CSPs had successfully obtained LPAs from the AA. In 2013, the AA issued a total of five warnings to three CSPs who had not complied with the code.

OFCA has been closely monitoring the effectiveness of the code. Since the adoption of the code in January 2010, the number of related complaints received by OFCA has decreased and remained low. During the year under review, there was a monthly average of fewer than three cases, reflecting that the voluntary code has been working positively to address consumer concerns.

Code of Practice in Relation to Billing Information and Payment Collection for Telecommunications Services

In October 2011, OFCA issued a code of practice entitled “Code of Practice in Relation to Billing and Payment Collection for Telecommunications Services” to provide guidance to telecommunications operators on the chargeable items to be included in their bills and the arrangements for payment collection. Operators were invited to comply with this code on a voluntary basis.

As at September 2014, seven local fixed and four mobile network operators had pledged compliance with the code of practice. For the information of consumers, we have published on our website a consumer alert as well as a summary of the compliance status of all operators. We will continue to closely monitor the implementation and effectiveness of this code of practice.

Industry Code of Practice for Provision of Mobile TV Services

According to the Framework for Development of Broadcast-Type Mobile TV Services in Hong Kong, which

was promulgated by the Government in December 2008 and revised in February 2010, the industry is required to develop a code of practice on the provision of mobile TV services, both local broadcast-type and streaming-type, for the purpose of self-regulation. In August 2012, CAHK issued a code of practice for mobile TV services. With a view to protecting children and public morals, the code requires mobile TV service providers to implement access controls for pornographic and obscene contents. Mobile TV service providers should also have regard to the prevailing standards of morality generally accepted by society, and in particular be vigilant about the likely effects of their television content on children.

Progress of the Implementation of Customer Complaint Settlement Scheme

To help resolve, by means of mediation, billing disputes in deadlock between telecommunications service providers and their residential/personal customers, OFCA has facilitated the setting up by the telecommunications industry of a voluntary CCSS for a trial period of two years starting from 1 November 2012. The mediation service is provided by an independent mediation service centre set up under CAHK with the participation of all major telecommunications service providers in Hong Kong. OFCA sponsors the CCSS operation and plays an active role in monitoring the performance and the governance of the scheme.

In the first 17 months of the trial operation of CCSS from 1 November 2012 to 31 March 2014, OFCA received 190 applications that met CCSS’s acceptance criteria. Among them, 102 were resolved before referral to the CCSS mediation service centre, and the remaining 88 cases were satisfactorily settled after being followed up by the CCSS mediation service centre.

Following the trial period, OFCA and the industry will assess the effectiveness of the CCSS and its usage by the public in considering the way forward.

3

待試驗期過後，通訊辦與業界會評估計劃的成效和市民使用計劃的情況，以考慮未來發展路向。

協助新的海底電纜系統在香港登陸

新的海底電纜系統 —— 東南亞日本海底光纜系統於2013年6月投入運作。另有兩個新的海底電纜系統 —— Asia-Pacific Gateway及Asia Africa Europe-1亦預定於未來兩年在香港登陸。通訊辦會繼續向營辦商提供綜合聯絡服務，協助他們為新電纜系統登陸申請所需的法定批准。

固網寬頻服務發展

透過寬頻上網使用各項應用程式及瀏覽內容，已成為本港市民日常生活的一部分。隨着固網營辦商持續鋪設網絡，市民大眾得以通過各種技術，享用覆蓋差不多全港的寬頻服務。截至2014年3月，本港約有224萬個住宅及商業固網寬頻用戶，住宅普及率為83%。目前寬頻服務的速度可高達每秒1吉比特。超過92%的固網寬頻用戶，使用速度達每秒10兆比特或以上的寬頻服務。

根據歐洲光纖到戶議會（Fiber-to-the-Home Council Europe）於2014年2月發出的新聞公報，香港有56.6%住戶連接光纖到戶或光纖到樓網絡，與全球35個經濟體系比較，排行第三。根據互聯網內容傳輸商Akamai於2014年6月發布的《2014年第一季互聯網發展狀況報告》，香港擁有快速的寬頻服務，平均最高連線速度為每秒66兆比特，是全球速度最快的地區之一。



有關固網商窄頻互連收費原則規管指引的檢討的最新情況

固網商之間的窄頻互連收費原則規管指引，於1995年本地固網電訊市場開放時首次公布。鑑於在過去20年電訊市場及技術均出現重大改變和發展，同時寬頻互連並不受制於類似的規管指引，適用於固網商之間的窄頻互連規管指引便顯得越來越不合時宜。經公眾諮詢後，通訊局於2013年4月決定，有關規管指引將於18個月過渡期後，即由2014年10月16日起停止生效。固網商應致力就互連安排達成商業協議。與此同時，通訊辦會繼續監察在過渡期內的市場發展，並協助業界解決撤銷有關規管指引可能引起的問題。

Facilitation of the Landing of New Submarine Cable Systems in Hong Kong

In June 2013, a new submarine cable system, namely the South-East Asia Japan Cable System, came into operation. Another two new submarine cable systems, the Asia-Pacific Gateway and the Asia Africa Europe-1, are scheduled to land in Hong Kong in the coming two years. OFCA will continue to provide a single-point-of-contact service to assist the operators in applying for the necessary statutory approvals to land new cable systems.

Development of Fixed Broadband Services

Broadband access to various applications and content services has become an integral part of people's lives in Hong Kong. With the continuous network rollout of fixed network operators, the Hong Kong community is able to enjoy the nearly ubiquitous coverage of broadband networks deploying various technologies. As of March 2014, there were around 2.24 million residential and commercial fixed broadband subscribers, with a household penetration rate of 83%. Broadband services are now available at speeds up to 1 Gbps. Over 92% of fixed broadband subscribers are using broadband services with a speed of 10Mbps or above.

According to a press release issued by the FTTH Council Europe in February 2014, Hong Kong, with 56.6% of households connected to FTTH or Fibre to the Building

networks, ranked number three worldwide among the 35 economies under comparison. According to the "State of the Internet 1st Quarter, 2014 Report" published by Internet content delivery provider Akamai in June 2014, Hong Kong has a fast broadband with an average peak connection speed of 66 Mbps, which is among the highest in the world.

Update on the Review of Regulatory Guidance on the Charging Principles for Narrowband Interconnection Between Fixed Carriers

Regulatory guidance on the charging principles for narrowband interconnection between fixed carriers was first promulgated in 1995, when the local fixed telecommunications market was liberalised. Taking into account the significant changes and developments in the market and technologies over the past two decades, the regulatory guidance that applies to narrowband interconnection between fixed carriers is increasingly out of place when broadband interconnection is not subject to similar regulatory guidance. After a public consultation, the CA decided in April 2013 that the regulatory guidance would cease to be effective starting from 16 October 2014, after an 18-month transitional period. Fixed carriers are encouraged to make their best endeavours to conclude commercial agreements on interconnection. In the meantime, OFCA will continue to monitor the market developments during the transitional period and assist the industry in resolving problems, if any, arising from the withdrawal of the regulatory guidance.

4

管理無線電頻譜 保持技術優勢 Managing the Radio Spectrum and Sustaining Technical Excellence

對以行政方法指配的擁擠頻帶頻譜徵收使用費

政府於2007年4月公布的《無線電頻譜政策綱要》訂明，頻譜使用費原則上適用於所有非政府用途的無線電頻譜。對以行政方法指配的頻譜施加頻譜使用費，目的是以最具經濟和社會效益的方法運用頻譜，為社會帶來最大裨益。就建議收費計劃進行的公眾諮詢於2011年2月結束後，商務及經濟發展局局長與前電訊管理局局長於2011年9月就未來路向發表聯合聲明，公布由於供固定鏈路、電子新聞採訪／外勤廣播鏈路和衛星上傳鏈路使用的八條頻帶屬於擁擠頻帶，因此使用這些頻帶內的頻譜將須繳付頻譜使用費。為實施這項計劃，政府現正準備修訂《電訊條例》的有關附屬法例。

本地認證機構獲認可提供電訊設備測試和驗證服務

為了配合國際最佳做法，由2009年10月1日開始，原先由前電訊局負責的電訊設備測試和驗證服務已移交予合資格的本地測試實驗室。這些實驗室獲通訊局認可為本地認證機構，可提供全面的電訊設備測試和驗證服務。在2013／14年度，本地認證機構簽發了444份設備認證，以應付電訊設備市場的需求。

為確保提供電訊設備測試和驗證服務的所有本地認證機構符合通訊辦訂下的服務質素及表現標準，我們會繼續密切監察認證機構的表現，包括定期查核文件、視察實驗室場所和檢查他們的工作。目前，所有本地認證機構的表現均符合通訊辦的標準。

電訊設備的技術規格

我們一直監察着電訊技術標準化的國際發展趨勢，並更新本地技術標準，以滿足業界和公眾的需要。在2013／14年度，我們共發出九份有關技術標準化事宜的文件諮詢業界，通訊局亦批准和發出了十項新訂或經修訂的技術標準。

加強推廣使用大廈內同軸電纜分配系統頻道

大廈內同軸電纜分配系統頻道屬珍貴的私人資源，因此系統擁有人應視乎大廈住戶的喜好，審慎決定使用多少和哪些大廈內同軸電纜分配系統頻道，以傳送廣播和電訊服務。我們於2013年9月，在我們的網站刊載了消費者須知，以期令公眾更了解如何適當使用大廈內同軸電纜分配系統頻道，以及他們選擇所喜愛的節目頻道的權利。



通訊辦於網站登載有關使用公共天線的消費者須知。 A consumer advice on the proper use of IBCCDS channels is posted on OFCA's website.

Imposition of SUF on Administratively-assigned Spectrum in Congested Bands

Promulgated by the Government in April 2007, the Radio Spectrum Policy Framework stipulates that SUF applies in principle to all non-government use of the radio spectrum. The objective of imposing SUF on administratively-assigned spectrum is to facilitate the most economical and socially efficient use of the radio spectrum in order to maximise the benefit to the community. Following the completion of the public consultation on the proposed charging scheme in February 2011, SCED and the then Telecommunications Authority issued a joint statement on the way forward in September 2011. It announced that eight frequency bands used for fixed links, electronic news gathering/outside-broadcast links and satellite uplinks had been identified as congested bands, and the use of spectrum in these frequency bands would be subject to SUF payment. To implement the scheme, the Government is preparing the necessary amendments to the subsidiary legislation under the TO.

Accreditation of Local Certification Bodies for Testing and Certification of Telecommunications Equipment

To keep pace with international best practices, commencing 1 October 2009, the testing and certification services for telecommunications equipment, which were previously provided by the then OFTA, were transferred to qualified local testing laboratories. Laboratories accredited by the CA as local certification bodies ("LCBs") can offer a full range of telecommunications equipment testing and certification services. In 2013/14, the LCBs issued 444 equipment certificates to meet the needs of the telecommunications equipment market.

To ensure that all LCBs providing telecommunications equipment testing and certification services meet the service quality and performance standards prescribed by OFCA, we will continue to closely monitor their performance by conducting documentary checks, plant visits and reviews on a regular basis. So far, all LCBs have been performing up to OFCA standards.

Technical Specifications for Telecommunications Equipment

We are constantly monitoring international developments in telecommunications standardisation, and updating local technical standards in order to meet the needs of the industry and the public. In 2013/14, a total of nine papers were issued to consult the industry on matters related to standardisation, and 10 new or revised technical standards were approved and issued by the CA.

Enhanced Publicity on the Use of In-building Co-axial Cable Distribution System Channels

In-building Co-axial Cable Distribution System ("IBCCDS") channels are scarce private resources, hence the owners of IBCCDS should carefully decide on the number and the exact IBCCDS channels to be used for delivery of broadcasting and telecommunications services, in accordance with the preferences of the building's residents. In September 2013, we issued consumer advice on our website to enhance public awareness about the proper use of IBCCDS channels and the public's right to choose the programme channels they favour.

5

促進市場競爭 加強保障消費者 Facilitating Market Competition and Strengthening Consumer Protection

處理和調查有關具誤導性或欺騙性行為的電訊服務投訴

《2012年商品說明（不良營商手法）（修訂）條例》於2013年7月19日生效後，禁止電訊牌照持有人作出具誤導性或欺騙性行為的《電訊條例》第7M條同時被廢除。在過渡安排下，如果牌照持有人所作出具誤導性或欺騙性的行為是於經修訂的《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。在2013年4月1日至2014年3月31日期間，通訊辦根據《電訊條例》第7M條的規定，協助通訊局處理了92宗投訴個案，當中有6宗個案證實違例。通訊局向牌照持有人施加罰款，款額由港幣5萬元至9萬元不等。

處理和調查電訊與廣播業的競爭投訴及電訊業的合併與收購個案

《電訊條例》第7K、7L和7N條禁止電訊持牌人作出反競爭行為，我們根據這些條文，在2013年4月1日至2014年3月31日期間協助通訊局考慮了56宗投訴個案。經詳細考慮後，通訊局決定結束所有個案而不展開調查。同期，我們根據《廣播條例》第13條或14條協助通訊局考慮了5宗投訴個案，該兩項條文禁止廣播持牌人作出反競爭行為。通訊局決定結束4宗個案而不展開調查。至於餘下一宗個案，通訊局認為有關的持牌人違反《廣播條例》第13條和14條，並向其施加包括港幣90萬元罰款的懲處⁴。

同期，我們亦根據《電訊條例》第7P條有關規管傳送者牌照持牌人的收購與合併活動的規定，協助通訊局考慮了兩宗個案。一宗個案關於港視在2013年12月20日收購China Mobile Hong Kong Corporation Limited

（「CMHKC」）100%股權。CMHKC是根據《電訊條例》發出的傳送者牌照持牌人，提供流動電視服務。2014年1月，通訊局決定不會就該收購按《電訊條例》第7P條展開調查，因為根據通訊辦的評估，該收購不會引起具有或相當可能具有大幅減少在相關電訊市場中的競爭的效果的憂慮。另一宗個案關於香港電訊有限公司（「香港電訊」）建議收購CSL New World Mobility Limited（「CSLNWM」）。香港電訊全資擁有Hong Kong Telecommunications (HKT) Limited（「HKT」），而HKT是根據《電訊條例》發出的若干傳送者牌照的持牌人，提供固定和流動電訊網絡服務；CSLNWM則全資擁有香港移動通訊有限公司（「香港移動通訊」），而香港移動通訊是根據《電訊條例》發出的傳送者牌照持牌人，提供流動電訊網絡服務。因應香港電訊就建議收購CSLNWM 提出的事先同意申請，通訊局根據《電訊條例》第7P條，於2013年12月23日至2014年2月4日進行公眾諮詢，邀請傳送者牌照持牌人和有利害關係的人提出申述。經考慮相關各方作出的申述、外聘經濟顧問進行的競爭分析及通訊辦的評估，通訊局於2014年4月決定就建議收購給予同意，惟HKT和香港移動通訊作為傳送者牌照持牌人，須按指示採取通訊局認為必需的行動，以消除或防止出現任何大幅減少競爭的效果。

經修訂的《商品說明條例》的執行事宜

經修訂的《商品說明條例》於2013年7月19日起全面實施，其涵蓋範圍由商品擴大至包含服務，禁止訂明的不良營商手法，並加強執法機制（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同管轄權，就《電訊條例》和《廣播條例》下的持牌人作出與根據相關條例提供電訊服務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

⁴ 詳情見第二章「有關無線電視違反《廣播條例》的競爭條文的調查」。

Handling of and Investigations into Telecom Complaints About Misleading or Deceptive Conduct

Section 7M of the TO, which prohibits misleading and deceptive conduct by telecommunications licensees, was repealed upon the commencement of the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012 on 19 July 2013. As a transitional arrangement, if the misleading or deceptive conduct of a licensee was engaged at a time prior to the implementation of the amended TDO, such conduct is still regulated and dealt with under section 7M of the TO. During the period of 1 April 2013 to 31 March 2014, OFCA assisted the CA in handling 92 complaint cases under section 7M of the TO. Six of these complaint cases were confirmed as infringements of the TO and the financial penalties imposed by the CA ranged from HK\$50,000 to HK\$90,000.

Handling of and Investigations into Competition Complaints in the Telecommunications and Broadcasting Sectors, and Merger & Acquisition Cases in the Telecommunications Sector

During the period of 1 April 2013 to 31 March 2014, we assisted the CA in considering 56 complaint cases under section 7K, 7L or 7N of the TO, which prohibits anti-competitive conduct by telecommunications licensees. After due consideration, all the cases were closed with no investigation opened. During the same period, we assisted the CA in considering five complaint cases under section 13 or 14 of the BO, which prohibits anti-competitive conduct by broadcasting licensees. Four of these cases were closed with no investigation opened. As regards the remaining case, the licensee concerned was found in breach of sections 13 and 14 of the BO, and the CA imposed on it inter-alia a financial penalty of HK\$900,000 as sanction⁴.

During the same period, we assisted the CA in considering two cases under section 7P of the TO, which oversees merger and acquisition activities involving carrier licensees. One case was the acquisition on 20 December 2013 by HKT of 100% equity interest of China Mobile Hong Kong Corporation Limited ("CMHKC"), which was the holder of a carrier licence issued under the TO to provide mobile television services. In January 2014, the CA decided not to commence an investigation under section 7P of the TO on the basis of OFCA's assessment that the acquisition did not give rise to a concern that it may have, or was likely to have, the effect of substantially lessening competition ("SLC") in the relevant telecommunications markets. Another case was the proposed acquisition of CSL New World Mobility Limited ("CSLNWM"), which fully owned CSL Limited ("CSL"), the holder of a carrier licence issued under the TO for the provision of mobile telecommunications network services, by HKT Limited, which fully owned Hong Kong Telecommunications (HKT) Limited ("HKT"), the holder of a number of carrier licences issued under the TO to provide fixed and mobile telecommunications network services. In relation to HKT Limited's application for prior consent to its proposed acquisition of CSLNWM, the CA conducted a public consultation from 23 December 2013 to 4 February 2014, as required under section 7P of the TO, to invite representations from carrier licensees and interested persons. Having considered the representations made by the concerned parties, the competition analysis performed by an external economic consultant and the assessment of OFCA, the CA decided to give consent in April 2014 to the proposed acquisition, subject to the direction that HKT and CSL, as the carrier licensees concerned, should take such remedial actions specified by the CA as necessary to eliminate or avoid any identified effect of SLC.

Enforcement of the Amended Trade Descriptions Ordinance

The amended TDO came into full implementation on 19 July 2013. It has extended the coverage of the TDO from goods to services, prohibiting specified unfair trade practices, and providing for an enhanced enforcement mechanism (collectively known as "fair trading sections").

⁴ See Chapter 2 "Investigation into TVB's Violation of the Competition Provisions of the Broadcasting Ordinance" for details.

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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2013年7月19日至2014年3月31日期間，通訊辦共接獲359宗根據《商品說明條例》提出的投訴。在這些投訴中，有160宗因沒有足夠證據懷疑／確立出現違反《商品說明條例》的情況或因不屬《商品說明條例》的規管範圍而結束，有5宗投訴在通訊局向有關持牌人發出了勸諭信促請該等持牌人注意有關事宜，並改善向消費者銷售、供應或推廣電訊服務或廣播服務相關的營業行為後，亦已結束。至於餘下的194宗投訴則仍在不同階段的處理中。

《非應邀電子訊息條例》的執行事宜

拒收訊息登記冊

我們根據《非應邀電子訊息條例》設立了適用於傳真訊息、短訊和預錄電話訊息的三份《拒收訊息登記冊》。除非發送人已取得號碼登記使用者的同意，否則發送人不可發送商業電子訊息到已登記在登記冊上的號碼。截至2014年9月，已有超過260萬個號碼登記在三份登記冊上。除須尊重已在登記冊上登記的使用者的意願外，商業電子訊息發送人還須遵從《非應邀電子訊息條例》所訂明的多項發送訊息規則，例如發送人必須在商業電子訊息內提供其聯絡資料和「取消接收選項」，讓收件人可以聯絡有關發送人，表明不欲再接收該發送人所發送的商業電子訊息的意願。

在2011/12、2012/13和2013/14年度收到的懷疑違反《非應邀電子訊息條例》舉報總數分別為2 613宗、2 410宗和1 998宗，這些數字代表舉報宗數逐年分別減少約14%、8%和17%。此下降趨勢反映電子促銷業對《非應邀電子訊息條例》的規定加深了認識，以致



遵守有關規定的紀錄得以持續改善。我們會繼續監察發送人遵守有關規定的情況，並理順程序，以便更有效執法。

執行條例

我們如收到針對某發送人的舉報數目不超過某個數額，會發出勸諭信，要求發送人遵守《非應邀電子訊息條例》的規定。如我們收到針對某發送人的舉報數目超過該數額，或在發出勸諭信後繼續收到針對同一發送人的舉報，便會進行正式調查，並可能向有關發送人發出警告信。在2013/14年度，我們共發出155封勸諭信和83封警告信。

如發現商業電子訊息發送人持續違反該條例，我們會根據《非應邀電子訊息條例》第38條發出執行通知，指示發送人採取措施糾正違例行為。任何人不服從向其送達的執行通知，第一次定罪最高可處罰款港幣十萬元。在2013/14年度，我們向六名發送人發出六份執行通知，並首次因發送人違反執行通知而根據《非應邀電子訊息條例》提出檢控。

The CA is conferred concurrent jurisdiction with the Customs and Excise Department to enforce the fair trading sections of the TDO in relation to the 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 enforcement guidelines to provide guidance to traders and consumers as to the operation of the fair trading sections, and entered into a memorandum of understanding to co-ordinate the performance of their functions under the amended TDO.

During the period of 19 July 2013 to 31 March 2014, OFCA received a total of 359 complaints under the TDO. Amongst these complaints, 160 were closed for there being insufficient evidence to suspect / establish a contravention or falling outside the scope of the TDO, five complaints were closed after the CA issued advisory letters to the licensees concerned, with a view to bringing the subject matter to their attention and improving their relevant commercial practices in relation to the sale or supply or promotion of telecommunications or broadcasting services to consumers, and the remaining 194 complaints were under process at various stages.

Enforcement of the Unsolicited Electronic Messages Ordinance

Do-Not-Call Registers

Under the UEMO, we have established three Do-Not-Call (“DNC”) Registers for facsimile messages, short messages and pre-recorded telephone messages. Commercial electronic messages must not be sent to registered numbers unless the senders have obtained consent from the registered users. By September 2014, more than 2.6 million numbers have been registered with these three DNC Registers. Apart from the need to respect the wishes of the registered users of the DNC Registers, senders of commercial electronic messages are also required under the UEMO to comply with a number of sending rules. For example, they must provide their contact information and an “unsubscribe facility” in their commercial electronic messages so that the recipients could approach the sender concerned and indicate their wish not to receive

further commercial electronic messages from that particular sender.

In 2011/12, 2012/13 and 2013/14, the total numbers of reports received in relation to suspected contraventions of UEMO were 2 613, 2 410 and 1 998 respectively. They represent a decrease in the number of reported cases by around 14%, 8%, and 17% respectively on a year-on-year basis. This downward trend reflects that the telemarketing industry has gained a better understanding of, and can therefore achieve an improving compliance record with the requirements under the UEMO. We will continue to monitor the compliance situation and streamline the procedures for more effective enforcement.

Enforcement

If the number of reports received against a sender is below a certain threshold, we will issue an advisory letter reminding the sender to observe the requirements under the UEMO. If the number of reports received against a sender exceeds the threshold or we continue to receive reports against the same sender after the issuance of an advisory letter, we will conduct a formal investigation and may issue a warning letter to that sender. In 2013/14, a total of 155 advisory letters and 83 warning letters were issued.

In the event of repeated contraventions by the senders of commercial electronic messages, we may issue enforcement notices under section 38 of the UEMO directing the sender to take steps to remedy the offences. Anyone who fails to comply with the enforcement notice may be liable to a fine of up to HK\$100,000 on the first conviction. In 2013/14, we issued a total of six enforcement notices to six senders and instituted the first case of prosecution under the UEMO for contravening an enforcement notice.

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

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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》，作為跨行業的競爭法例，以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》，除競爭事務委員會負責執法外，通訊局同時獲賦予共同管轄權，就電訊和廣播牌照持有人的行為，包括涉及電訊業傳送者牌照持有人的合併與收購活動，執行《競爭條例》的相關條文。《競爭條例》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。

在《競爭條例》生效前，通訊辦一直協助通訊局與競爭事務委員會保持緊密聯繫，以進行所需的籌備工作，包括擬備《競爭條例》的執法指引，以作公眾諮詢，以及擬備通訊局與競爭事務委員會之間簽訂的諒解備忘錄，以協調雙方在共同管轄權安排下履行各自的職能。

消費者教育活動

為繼續提升市民對明智地使用通訊服務的認識，我們在2013年8月至2014年2月期間舉辦了一年一度的消費者教育活動。活動以「做個精明通訊服務用家」為主題，所推出的多項活動和節目均採用創新互動的元素，務求有效地向市民傳達有關訊息。活動的重點之一，是在全港不同地點舉行六場名為「通訊達人智FUN嘉年華」的巡迴展覽，透過現場互動劇場、內容豐富的展板、短片和有趣的遊戲，向參觀者提供實用的消費者貼士。有見及學生使用智能電話愈趨普及，我們在20所中小學巡迴演出名為「擊退帳單大王」的話劇，以教育學生如何明智地使用智能電話和保護儲存於電話內的個人資料。我們亦舉辦了多項其他活動，包括四場公眾講座、網上遊戲暨幸運抽獎和海報設計比賽，透過互動形式鼓勵公眾踴躍參與，並在不同媒體播放一系列短片，介紹如何避免流動通訊「帳單震撼」和簽訂電訊服務合約應注意的事項。鑑於反應良好，我們將在2014/15年度，繼續以同一主題舉辦消費者教育活動。



「做個精明通訊服務用家」消費者教育活動舉辦多場巡迴展覽、公眾講座、學校話劇表演及網上遊戲，推廣如何適當使用各款通訊服務。
 “Smart Use of Communications Services” Consumer Education Campaign organised a series of roving exhibitions, public seminars, school drama performances and online game, to promote proper use of various communications services.

when it has the object or effect of preventing, restricting or distorting competition. Under the CO, the CA is granted concurrent jurisdiction with the Competition Commission 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 commencement of the CO, the competition provisions in the BO and TO will be repealed, subject to transitional arrangements.

OFCA has been assisting the CA in close liaison with the Competition Commission on the preparatory work required before the commencement of the CO, including preparation of the guidelines on the enforcement of the CO for public consultation, and preparation of the memorandum of understanding to be signed between the CA and the Competition Commission to coordinate the performance of their functions under the concurrent jurisdiction arrangement.

Consumer Education Programmes

To sustain our efforts to enhance public awareness of using communications services wisely, we launched an annual consumer education campaign from August 2013 to February 2014. Under the theme “Smart Use of Communications Services”, the campaign embodied creative and interactive elements in various activities and programmes to effectively disseminate the message to the public. One of the highlights of the campaign was a series of six roving exhibitions held in a variety of districts under the title “Smart Communications Service Users Carnival”.



今年，通訊辦首以互動劇場形式，教育公眾善用流動數據服務。OFCA first used interactive drama performance this year to educate the public on the proper use of mobile data services.

The exhibitions provided useful consumer tips to visitors through onsite interactive theatre, informative display panels and short videos, as well as interesting games. With the widespread use of smartphones by students, we also staged a roving drama named “Defeating the King of Bills” at 20 primary and secondary schools to educate the students on how to use smartphones wisely and protect their personal data stored in the phones. Other activities, including four public seminars, an online game cum lucky draw and a poster design competition, were also held to encourage interactive participation by the community. A series of short videos on how to prevent “mobile bill shock” and matters to take note of when entering into telecommunications service contracts were broadcast on different media channels. In view of the good response, we will continue to run a consumer education campaign in 2014/15 under the same theme.

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對外關係與社區關係 External and Community Relations

參與國際及地區會議

通訊辦以獨立成員或中國代表團成員身分積極參與多個國際及地區組織的活動，並與這些組織保持緊密聯繫。

在2013/14年度，我們共出席20個論壇/會議。舉辦這些論壇/會議的地區及國際組織包括國際電信聯盟（「國際電聯」）、亞太經濟合作組織（「亞太經合組織」）、亞太地區電信組織（「APT」）、國際通信協會和倫敦行動計劃。年內較大型的活動包括國際電聯第13屆全球監管機構專題研討會、就國際電聯2015年世界無線電通訊大會籌備工作舉行的跨地區工作坊、第11



通訊辦積極參與不同會議及研討會，與海外通訊規管機構保持緊密聯繫。

OFCA maintains close contact with overseas counterparts by active participation in various conferences and symposia.

屆國際電聯世界電信/信息通信技術指標專題研討會、國際電聯2013年世界電信展、國際規管機構論壇及國際通信協會年會。我們將繼續參與亞太經合組織電訊及資訊工作小組和APT的活動，以改善亞太區內電訊及資訊基礎建設為目標。

與中國內地及海外政府機構交流

在2013/14年度，我們在香港接待了五個中國內地及海外的代表團，就有關通訊服務的各項事宜交流意見及經驗。訪港代表團包括瑞士聯邦委員會、英國通訊局、泰國國家廣播及電訊委員會、中國工業和信息化部及新加坡資訊通信發展管理局。

年內，我們在廣州與廣東省通信管理局舉行年度雙邊會議，並禮節性拜訪北京的國家新聞出版廣電總局，以及工業和信息化部。

與傳媒及社區保持聯繫

我們主動向市民及傳媒介紹通訊辦的工作。在2013/14年度，我們舉行了七次傳媒簡介會和兩次背景簡介會，以協助傳媒更了解通訊局的職責及職能。我們亦發出了33份新聞稿，其中11份關於通訊局在舉行例會後所作出的主要決定，其餘則屬通訊局及通訊辦對傳媒查詢和有關主要措施及活動的回應。我們亦在通訊辦網站登載通訊事務總監在公開研討會、活動和業界會議上發表的所有演辭和簡報，這些措施有助我們把信息傳遞給業界和公眾，令他們更了解我們的工作。



通訊辦經常接待內地與海外的規管機構，就規管事宜交換意見及經驗。

OFCA often receives regulatory authorities from the Mainland and overseas to exchange views and experiences on regulatory issues.

Participation in International and Regional Conferences

OFCA participates actively in the activities of, and maintains close contact with, a number of international and regional organisations, either as an independent member of those organisations or as part of the Chinese delegation.

In 2013/14, we attended a total of 20 conferences/meetings organised by regional and international organisations, including the International Telecommunication Union (“ITU”), Asia-Pacific Economic Cooperation (“APEC”), Asia-Pacific Telecommunity (“APT”), the International Institute of Communications (“IIC”) and the London Action Plan. The more significant events of the year were the 13th Global Symposium for Regulators of the ITU, the ITU Inter-regional Workshop on World Radiocommunication Conference 2015 Preparation, the 11th ITU World Telecommunication/ ICT Indicators Symposium, the ITU Telecom World 2013, the International Regulators Forum, and the Annual Conference of the IIC. We will continue to participate in the activities of the APEC Telecommunications and Information Working Group and APT with the aim of improving the telecommunications and information infrastructure in the Asia-Pacific region.

Exchanges with Authorities of the Mainland of China and Overseas Administrations

In 2013/14, we received in Hong Kong five delegations from the Mainland and overseas and exchanged views and experiences on various issues relating to communications services. These delegations were from the Federal Council of Switzerland, the Office of Communications of the United Kingdom, National Broadcasting and Telecommunications Commission of Thailand, Ministry of Industry and Information Technology of the Mainland and the Infocomm Development Authority of Singapore.

During the year, we attended an annual bilateral meeting in Guangzhou with the Guangdong Communications Administration. We also paid a courtesy visit to the State General Administration of Press, Publication, Radio, Film and Television, and the Ministry of Industry and Information Technology in Beijing.

Media and Community Relations

We proactively keep the public and the media informed of our work. In 2013/14, we conducted seven media briefings and two background briefings, to help the media better understand the roles and functions of the CA. We also issued 33 press releases, 11 of which concerned major decisions made after CA meetings, while the others were

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公眾教育

在報告期內，我們為四所小學和三所大學的學生舉辦了七次有關香港廣播服務的學校講座，以及為「社區參與廣播服務」⁵的參加者舉辦了三次講座。我們向小學學生講解香港不同類別的電視節目服務，以及觀眾可如何選看電視節目，向大學學生講解電視及聲音廣播服務的規管事宜，並向「社區參與廣播服務」的參加者講解規管電台服務的節目標準。

參與有關通訊的社區活動

2013年11月，通訊辦聯同其他16個政府部門和遠足組織，參與一年一度由民眾安全服務隊舉辦的「山嶺活動安全推廣日」，以推廣遠足安全。通訊辦以「郊遊前準備好 聯繫方法要知道」為主題設立攤位，推廣顯示各條遠足徑流動電話網絡覆蓋情況的數碼地圖，並通過示



通訊辦每年均參與「山嶺活動安全推廣日」，推廣在郊野公園內的有效通訊方法。

Every year, OFCA participates in the "Mountaineering Safety Promotion Day" to promote effective communications means in country parks.

⁵ 「社區參與廣播服務」由政府設立，為有意製作電台節目的團體或人士提供撥款。在該計劃下製作的節目，會由香港電台數碼聲音廣播服務播放。



通訊辦贊助「2013香港世界電訊及資訊社會日」，並安排學生參觀無線電監察中心。

OFCA sponsored the WTISD 2013 and arranged a visit to the Radio Monitoring Unit for students.

範遠足時使用的有效通訊器材、互動問答遊戲和資訊展板，提供實用資訊。

通訊辦一直積極支持業界活動。除了擔任多項業界活動的支持機構外，通訊辦在2013/14年度還贊助了兩項大型業界活動：「香港世界電訊及資訊社會日」及「WiFi安全話咁易計劃」。「香港世界電訊及資訊社會日」是香港通訊業聯會舉辦的周年活動，旨在令青年人更深入認識資訊及通訊技術在日常生活和本港經濟發展所扮演的角色。「WiFi安全話咁易計劃」則由香港無線科技商會舉辦，通過在全港各區進行WiFi訊號偵測調查，提升公眾對WiFi保安的意識。相關的教育訊息和調查結果已在活動的專設網站和公眾講座發布。

諮詢委員會的工作

電訊諮詢委員會

通訊辦於2012年6月成立了三個諮詢委員會——電訊規管事務諮詢委員會、無線電頻譜及技術標準諮詢委員會、電訊服務用戶及消費者諮詢委員會。這些委員會為

on the CA's and OFCA's responses to media enquiries and subjects relating to major initiatives or events. The speeches and presentations made by the Director-General of Communications at public seminars, events and industry conferences have all been published on our website. These measures help disseminate our messages to both the industry and the public, and enable them to gain a better understanding of our work.

Public Education

During the reporting period, we gave seven talks concerning broadcasting services in Hong Kong to students at four primary schools and three universities, and three talks to participants of the Community Involvement Broadcasting Service ("CIBS")⁵. The primary students were briefed on the different categories of television programme services in Hong Kong and how audience could make informed viewing choices. The university students were briefed on the regulation of television and sound broadcasting services. CIBS participants were briefed on the programme standards governing radio services.

Participation in Communications Activities

In November 2013, OFCA joined hands with 16 other government departments and hiking organisations to participate in the annual campaign "Mountaineering Safety Promotion Day" organised by the Civil Aid Service to promote hiking safety. Taking on the theme "Be Prepared for Your Outing: Know More About Communications in Country Areas", OFCA set up a booth to promote digital maps showing mobile network coverage along individual hiking trails. Useful tips were also provided through the demonstration of effective communications devices for hiking, interactive quiz games and informative display panels.

⁵ CIBS was established by the Government to provide funding for groups or individuals interested in producing radio programmes. Programmes produced under the CIBS are broadcast on the digital audio broadcasting service of RTHK.

OFCA has always been keen to support the industry's activities. In addition to taking part in various industry campaigns as a supporting organisation, in 2013/14 OFCA sponsored two industry campaigns: the World Telecommunications and Information Society Day ("WTISD") and the SafeWiFi Campaign. WTISD is an annual campaign organised by CAHK to promote youth awareness of the role that information and communications technologies play in our daily lives and in Hong Kong's economic development. On the other hand, the SafeWiFi Campaign was organised by the Hong Kong Wireless Technology Industry Association to enhance public awareness of WiFi security by conducting a territory-wide war-driving survey. Educational messages and the results of the survey were disseminated through the event website and at a public seminar.



通訊辦亦贊助了另一項業界活動——「WiFi安全話咁易2013」，旨在提高大眾對WiFi無線保安的意識。

OFCA also sponsored another industry activity "SafeWiFi Campaign 2013", which aims to enhance public awareness of WiFi security.

The Work of Advisory Committees

Telecommunications Advisory Committees

Three advisory committees — the Telecommunications Regulatory Affairs Advisory Committee, the Radio Spectrum and Technical Standards Advisory Committee, and the Telecommunications Users and Consumers Advisory Committee — were established under OFCA in June 2012. These committees provide a regular and formal channel

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業界、電訊服務用家及有興趣人士提供固定和正式途徑，讓他們就各項電訊規管措施及政策的制訂和實施事宜向通訊辦提供意見。

諮詢委員會的委員來自電訊業界的不同界別、相關政府部門及非政府組織，以及社會大眾，這有助就不時出現的高技術性和複雜事宜，提供平衡的意見。委員任期為兩年。

三個諮詢委員會於2014年3月31日的委員名單見附錄B。

電視及電台廣播諮詢計劃

設立電視及電台廣播諮詢計劃的目的，是就電視及電台節目事宜向通訊局進行的公眾諮詢提供意見，獲委任的組員來自全港18區。在2013／14年度，通訊辦邀請組員就業務守則規管電視及電台社論形式節目和個人意見節目的檢討提出意見。組員亦獲邀請在與電訊盈科媒體有限公司的本地收費電視節目服務牌照續期及亞洲電視和無綫電視的本地免費電視節目服務牌照續期有關的公眾諮詢中發表意見。

for the industry, the telecommunications service users and interested parties to advise OFCA on the formulation and implementation of various telecommunications regulatory measures and policies.

Members of the advisory committees are drawn from different parts of the telecommunications industry, relevant government departments and non-governmental organisations, as well as from the general public. This helps provide a balanced representation of views on sometimes highly technical and complex issues. The term of appointment is two years.

The membership lists of the three advisory committees as at 31 March 2014 can be found in Appendix B.

Television and Radio Consultative Scheme

The role of the Television and Radio Consultative Scheme is to provide qualitative input on television and radio programming to the CA's public consultation process. Members are appointed from the territory's 18 districts. In 2013/14, OFCA invited members' views on the review of codes of practice regarding the regulation of editorial programmes and personal view programmes on television and radio. Members were also invited to give their views during the public consultation exercises for the renewal of the domestic pay television programme service licence of PCCW Media Limited and the domestic free television programme service licences of ATV and TVB.

7

人力資源管理 Human Resource Management



通訊辦透過各項員工活動，凝聚同事間的感情及推廣作息均衡的重要性。

OFCA organises a variety of staff activities to cultivate stronger ties among colleagues and promote the importance of work-life balance.

幹勁十足、善於應變的團隊

為了在瞬息萬變、日新月異的通訊業環境為通訊局提供專業支援，我們採取前瞻而整合的方式，進行人力資源管理及策略性人力規劃。我們定期檢視組織架構，以確保人力資源得到最佳運用，力求令我們為通訊局提供的支援和為社會提供的服務能時刻切合需要和期望。

截至2014年3月31日，我們的員工共有415人，當中包括315名公務員和100名以非公務員合約條件僱用的人員。

培訓與發展

我們非常重視員工的培訓和發展，致力提升他們的能力，讓他們為應付社會急速發展所帶來的各種挑戰作好準備，例如新興技術、日益殷切的市民需求，以及各項營商措施所衍生的內在推動力。

在2013/14年度，我們為員工提供多元的業務及管理課程和內部培訓項目，包括關於競爭法、檢控及調查技巧的基礎法律培訓課程、管理及領導才能課程，以及語言、溝通、資訊科技、誠信管理和國家事務研習課程。我們亦安排管理人員參加團隊建立工作坊，務求在通訊

辦建立一支團結齊心的團隊，以應付新挑戰。我們又繼續資助員工參加由國際組織及海外機構（如國際電聯）舉辦的課程，以提升他們的技術和專業技能。年內，接受培訓的員工有810人次，總培訓日數為1 115日。

獎勵與嘉許

在2013/14年度，通訊辦有9名員工獲頒發總監嘉許長期服務獎、17名獲得長期優良服務獎、3名獲得長期優良服務公費旅行獎勵。為鼓勵員工繼續提升服務質素，我們在年內的員工建議計劃下向一名提出改善建議的員工頒發優勝獎，以資表揚。

康樂活動與義工服務

為幫助員工建立健康的生活方式，以及加強同事間的凝聚力，我們定期舉辦員工康樂活動，包括員工旅行、午間講座、體育活動和周年聯歡晚宴；員工亦參與了由康樂及文化事務署舉辦的「工商機構運動會2014」。此外，我們也定期參與多項義工服務和慈善活動，展示部門樂於承擔社會責任，並向社區表達關懷。自2007年起，我們每年均獲香港社會服務聯會頒發「同心展關懷」標誌。



An Energetic and Versatile Workforce

To provide professional support to the CA in the fast-changing and ever-advancing environment of the communications industry, we adopt a forward-looking and integrated approach to human resource management and strategic manpower planning. Organisational reviews are conducted regularly to ensure the best use of available manpower resources, and to ensure that our support to the CA and our services to the community are always able to meet their needs and expectations.

As at 31 March 2014, we had an overall staff strength of 415, comprising 315 civil servants and 100 employed on non-civil service contract terms.

Training and Development

We attach great importance to the training and development of our staff members and strive to enhance their capabilities to deal with the challenges posed by the rapidly evolving environment, such as emerging new technologies, increasing public demands and the internal driving forces arising from various business initiatives.

A variety of vocational and managerial courses and in-house training programmes were conducted in 2013/14, including basic legal training and courses on competition law, prosecution and investigation skills, management and leadership, languages, communications, information

technology, integrity management and national studies. We also arranged Team Building Workshops for managers to equip OFCA with a cohesive team that can meet new challenges. We continued to sponsor staff members on courses organised by international organisations and overseas institutions, such as those provided by the ITU, to enhance their technical and professional skills. The trainee count for the year was 810 and the training man-days count was 1 115.

Awards and Commendations

In 2013/14, nine OFCA staff members received the Director-General's Commendation for Long and Valuable Service, 17 received the Long and Meritorious Service Award, and three received the Long and Meritorious Service Travel Award. To encourage staff members to make continuous improvements to our services, we recognised one suggestion during the year with an award under the Staff Suggestion Scheme.

Recreational Activities and Volunteer Services

To help our staff members develop a healthy lifestyle and foster a greater sense of belonging with their co-workers, we regularly organise staff recreational activities, including outings, luncheon talks, sports activities and an annual departmental dinner gathering. Our staff members also participated in the Corporate Games 2014 organised by the Leisure and Cultural Services Department. To demonstrate our corporate social responsibility and our care for the community, we regularly participate in a number of volunteer and charity events. We have been awarded the "Caring Organisation" logo by the Hong Kong Council of Social Service every year since 2007.

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財務狀況 Financial Results

2013 / 14 年度財務狀況

1. 對通訊辦營運基金而言，2013 / 14 年度是充滿挑戰的一年。稅前盈利由 2012 / 13 年度的 1.109 億港元下跌至 9,510 萬港元。固定資產平均淨值回報率亦由一年前的 31.4% 減少至 26.0%。這主要是由於收入較去年為低。
2. 全年總收入為 4.734 億港元，較去年的 4.858 億港元為低。收入下跌主要是因為自 2013 年 3 月 1 日起調低綜合傳送者牌照、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）的牌照費用；以及外匯基金存款利息下跌。
3. 全年總支出由去年的 3.749 億港元輕微增加至 3.783 億港元，是因為我們在員工成本和行政費用增加的情況下，不斷努力控制營運成本。
4. 展望未來，在通訊業持續發展的情況下，基於通訊辦具有良好的財務狀況，加上專業團隊克盡厥職，我們定有能力應付來年的種種挑戰。

Financial Results 2013/14

1. 2013/14 was a challenging year for the OFCA Trading Fund. The profit before tax fell to HK\$95.1 million from HK\$110.9 million in 2012/13. The rate of return on average net fixed assets decreased to 26.0% from 31.4% a year before. This was primarily the result of lower revenue as compared with that of last year.
2. The total revenue at HK\$473.4 million was lower than last year's HK\$485.8 million. The decrease was mainly attributable to the full year effect of reduction in the licence fees for the Unified Carrier Licences and Public Radiocommunications Service Licences (Paging) and Services-based Operator Licences (Class 3) that come into effect on 1 March 2013, as well as lower interest on the placement with the Exchange Fund.
3. The total expenditure increased slightly to HK\$378.3 million from last year's HK\$374.9 million as a result of our continued efforts to contain operating costs amidst increase in staff costs and administrative expenses.
4. Looking ahead, with the continued growth of the communications sector, a strong statement of financial position and a dedicated and professional team in OFCA, we are well placed to face the challenges in the coming year.

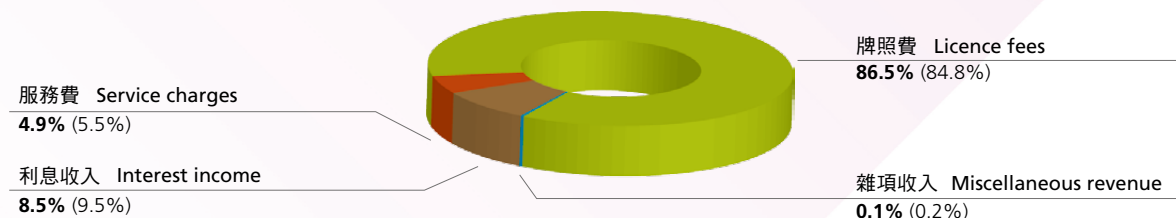
2013 / 14 年度財務狀況 Financial Results 2013/14

財務概要：

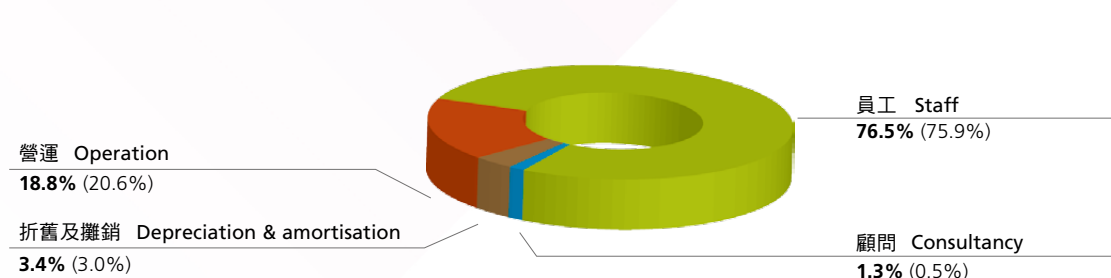
Highlights of the financial performance:

		2013/14 百萬港元 HK\$m	2012/13 百萬港元 HK\$m
收入	Revenue	473.4	485.8
支出	Expenditure	378.3	374.9
稅前盈利	Pre-tax profit	95.1	110.9
擬發股息	Proposed dividend	79.4	92.9
固定資產平均淨值回報	Return on ANFA	26.0%	31.4%

收入 Revenue



支出 Expenditure



* 括號內為2012/13年度數字
In parentheses are 2012/13 figures

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審計署署長報告



香港特別行政區政府
審計署

獨立審計報告 致立法會

茲證明我已審核及審計列載於第49至82頁通訊事務管理局辦公室營運基金的財務報表，該等財務報表包括於2014年3月31日的財務狀況表與截至該日止年度的全面收益表、權益變動表和現金流量表，以及主要會計政策概要及其他附註解釋資料。

通訊事務管理局辦公室營運基金總經理就財務報表須承擔的責任

通訊事務管理局辦公室營運基金總經理須負責按照《營運基金條例》（第430章）第7(4)條及香港財務報告準則製備真實而中肯的財務報表，及落實其認為必要的內部控制，以使財務報表不存有由於欺詐或錯誤而導致的重大錯誤陳述。

審計師的責任

我的責任是根據我的審計對該等財務報表作出意見。我已按照《營運基金條例》第7(5)條及審計署的審計準則進行審計。這些準則要求我遵守道德規範，並規劃和執行審計，以合理確定財務報表是否不存有任何重大錯誤陳述。

Report of the Director of Audit

Audit Commission

The Government of the Hong Kong Special Administrative Region

Independent Audit Report To the Legislative Council

I certify that I have examined and audited the financial statements of the Office of the Communications Authority Trading Fund set out on pages 49 to 82, which comprise the statement of financial position as at 31 March 2014, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

General Manager, Office of the Communications Authority Trading Fund's Responsibility for the Financial Statements

The General Manager, Office of the Communications Authority Trading Fund is responsible for the preparation of financial statements that give a true and fair view in accordance with section 7(4) of the Trading Funds Ordinance (Cap. 430) and Hong Kong Financial Reporting Standards, and for such internal control as the General Manager, Office of the Communications Authority Trading Fund determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with section 7(5) of the Trading Funds Ordinance and the Audit Commission auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

審計署署長報告

審計涉及執行程序以獲取有關財務報表所載金額及披露資料的審計憑證。所選定的程序取決於審計師的判斷，包括評估由於欺詐或錯誤而導致財務報表存有重大錯誤陳述的風險。在評估該等風險時，審計師考慮與該基金製備真實而中肯的財務報表有關的內部控制，以設計適當的審計程序，但並非為對基金的內部控制的效能發表意見。審計亦包括評價通訊事務管理局辦公室營運基金總經理所採用的會計政策的合適性及所作出的會計估計的合理性，以及評價財務報表的整體列報方式。

我相信，我所獲得的審計憑證是充足和適當地為我的審計意見提供基礎。

意見

我認為，該等財務報表已按照香港財務報告準則真實而中肯地反映通訊事務管理局辦公室營運基金於2014年3月31日的狀況及截至該日止年度的運作成果及現金流量，並已按照《營運基金條例》第7(4)條所規定的方式妥為製備。

審計署署長
(審計署助理署長劉新和代行)

審計署
香港灣仔告士打道7號
入境事務大樓26樓
2014年9月26日

Report of the Director of Audit

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the General Manager, Office of the Communications Authority Trading Fund, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements give a true and fair view of the state of affairs of the Office of the Communications Authority Trading Fund as at 31 March 2014, and of its results of operations and cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards and have been properly prepared in accordance with the manner provided in section 7(4) of the Trading Funds Ordinance.



LAU Sun-wo
Assistant Director of Audit
for Director of Audit

Audit Commission
26th Floor, Immigration Tower
7 Gloucester Road, Wanchai, Hong Kong
26 September 2014

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財務報表

Financial Statements

全面收益表

截至2014年3月31日止年度
(以港幣千元位列示)

Statement of Comprehensive Income

for the year ended 31 March 2014
(Expressed in thousands of Hong Kong dollars)

		附註 Note	2014	2013
營業額	Turnover	3	433,335	439,251
運作成本	Operating costs	4	(378,313)	(374,862)
運作盈利	Profit from operations		55,022	64,389
其他收入	Other income	5	40,112	46,508
名義利得稅前盈利	Profit before notional profits tax		95,134	110,897
名義利得稅	Notional profits tax	6	(15,717)	(17,988)
年度盈利	Profit for the year		79,417	92,909
其他全面收益	Other comprehensive income		-	-
年度總全面收益	Total comprehensive income for the year		79,417	92,909
固定資產回報率	Rate of return on fixed assets	7	26.0%	31.4%

第53至82頁的附註為本財務報表的一部分。 The notes on pages 53 to 82 form part of these financial statements.

財務報表

Financial Statements

財務狀況表

於2014年3月31日
(以港幣千元位列示)

Statement of Financial Position

as at 31 March 2014
(Expressed in thousands of Hong Kong dollars)

	附註 Note	2014	2013
非流動資產			
物業、設備及器材	8	168,997	173,727
無形資產	9	2,994	2,316
外匯基金存款	10	800,821	762,687
		<u>972,812</u>	<u>938,730</u>
流動資產			
應收帳款、按金及預付款項		2,519	2,761
應收關連人士帳款	21	-	369
應收外匯基金存款利息		7,109	9,403
其他應收利息		1,117	1,923
銀行存款		321,100	383,700
現金及銀行結餘		6,975	904,966
		<u>338,820</u>	<u>1,303,122</u>
流動負債			
應付帳款及應計費用		32,249	916,838
僱員福利撥備	12	3,018	8,636
應付關連人士帳款	21	30,238	68,485
遞延收入	13	162,995	163,377
應付名義利得稅		10,907	4,875
		<u>239,407</u>	<u>1,162,211</u>
流動資產淨值		99,413	140,911
總資產減去流動負債		1,072,225	1,079,641
非流動負債			
遞延稅款	11	1,773	1,751
僱員福利撥備	12	88,470	82,416
		<u>90,243</u>	<u>84,167</u>
淨資產		981,982	995,474
資本與儲備			
營運基金資本	14	212,400	212,400
發展儲備	15	690,165	690,165
保留盈利	16	-	-
擬發股息	17	79,417	92,909
		<u>981,982</u>	<u>995,474</u>

第53至82頁的附註為本財務報表的一部分。

The notes on pages 53 to 82 form part of these financial statements.



利敏貞女士
通訊事務管理局辦公室
營運基金總經理

Miss Eliza Lee
General Manager,
Office of the Communications Authority Trading Fund

2014年9月26日

26 September 2014

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財務報表

Financial Statements

權益變動表

截至2014年3月31日止年度
(以港幣千元位列示)

Statement of Changes in Equity

for the year ended 31 March 2014
(Expressed in thousands of Hong Kong dollars)

		2014	2013
年初結餘	Balance at beginning of year	995,474	1,017,789
年度總全面收益	Total comprehensive income for the year	79,417	92,909
年內已付股息	Dividend paid during the year	(92,909)	(115,224)
年終結餘	Balance at end of year	981,982	995,474

第53至82頁的附註為本財務報表的一部分。 The notes on pages 53 to 82 form part of these financial statements.

財務報表

Financial Statements

現金流量表

截至2014年3月31日止年度
(以港幣千元位列示)

Statement of Cash Flows

for the year ended 31 March 2014
(Expressed in thousands of Hong Kong dollars)

	附註 Note	2014	2013
營運項目之現金流量			
運作盈利		55,022	64,389
雜項收益		53	497
物業、設備及器材折舊		12,275	10,743
無形資產攤銷		617	442
應收帳款、按金及預付款項 減少		230	2,811
應收關連人士帳款減少／ (增加)		369	(369)
應付帳款及應計費用 (減少)／增加		(882,116)	903,359
應付關連人士帳款 (減少)／增加		(28,383)	32,177
遞延收入(減少)／增加		(382)	20,087
僱員福利撥備增加		436	13,688
已付名義利得稅		(9,663)	(24,977)
營運項目(所用)／ 所得現金淨額		(851,542)	1,022,847
投資項目之現金流量			
外匯基金存款增加		(38,134)	(40,446)
原有期限為三個月以上的 銀行存款減少		79,800	33,400
購置物業、設備及器材及 無形資產		(21,177)	(6,767)
出售物業、設備及器材 所得淨收益		25	32
已收利息		43,146	46,302
投資項目所得現金淨額		63,660	32,521
融資項目之現金流量			
已付股息		(92,909)	(115,224)
融資項目所用現金淨額		(92,909)	(115,224)
現金及等同現金的(減少)／ 增加淨額		(880,791)	940,144
年初的現金及等同現金		959,266	19,122
年終的現金及等同現金	18	78,475	959,266

第53至82頁的附註為本財務報表的一部分。

The notes on pages 53 to 82 form part of these financial statements.

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財務報表

財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

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(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

1. 總論

前立法局在1995年5月10日依據《營運基金條例》(第430章)第3、4及6條通過決議，於1995年6月1日成立電訊管理局(電訊局)營運基金。電訊局營運基金根據在2012年4月1日開始實施的《通訊事務管理局條例》(第616章)第25條的規定，於同日重新命名為「通訊事務管理局辦公室營運基金」(營運基金)。通訊事務管理局(通訊局)是根據《通訊事務管理局條例》成立的法定機構，營運基金則是通訊局的執行部門。通訊局負責實施和執行《廣播條例》(第562章)、《電訊條例》(第106章)與《非應邀電子訊息條例》(第593章)。營運基金隸屬於香港特別行政區政府(政府)的商務及經濟發展局。營運基金的主要業務包括：

- (a) 電訊服務與廣播服務的發牌和規管；
- (b) 香港無線電頻譜的管理；
- (c) 就電訊、廣播及反濫發訊息事宜向政府提供諮詢、策劃和支援服務；
- (d) 監督技術標準和在國際事務上擔任政府代表；
- (e) 執行《非應邀電子訊息條例》；以及
- (f) 確保電訊業與廣播業的公平競爭。

1. General

The Office of the Telecommunications Authority (OFTA) Trading Fund was established on 1 June 1995 under the Legislative Council Resolution passed on 10 May 1995 pursuant to sections 3, 4 and 6 of the Trading Funds Ordinance (Cap. 430). By virtue of section 25 of the Communications Authority Ordinance (CAO) (Cap. 616) which came into operation on 1 April 2012, the OFTA Trading Fund was renamed as the Office of the Communications Authority Trading Fund (the Fund) on the same date. The Fund serves as the executive arm of the Communications Authority (CA), which is a statutory body set up under the CAO to administer and enforce the Broadcasting Ordinance (Cap. 562), the Telecommunications Ordinance (Cap. 106) and the Unsolicited Electronic Messages Ordinance (UEMO) (Cap. 593). The Fund is under the policy portfolio of the Commerce and Economic Development Bureau of the Government of the Hong Kong Special Administrative Region (the Government). The principal activities undertaken by the Fund include:

- (a) licensing and regulating telecommunications services and broadcasting services;
- (b) managing Hong Kong's radio frequency spectrum;
- (c) providing advisory, planning and support services on telecommunications, broadcasting, anti-spamming matters to the Government;
- (d) overseeing technical standards and representing the Government on international affairs;
- (e) enforcing the UEMO; and
- (f) ensuring the enforcement of fair competition in relation to telecommunications and broadcasting sectors.

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財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

2. 主要會計政策

(a) 符合準則聲明

本財務報表是按照香港公認的會計原則及所有適用的香港財務報告準則（此詞是統稱，當中包括香港會計師公會頒布的所有適用的個別香港財務報告準則、香港會計準則及詮釋）編製。營運基金採納的主要會計政策摘要如下。

(b) 編製財務報表的基礎

本財務報表的編製基礎均以原值成本法計量。

編製符合香港財務報告準則的財務報表，需要管理層作出判斷、估計及假設。該等判斷、估計及假設會影響會計政策的實施，以及資產與負債和收入與支出的呈報款額。該等估計及相關的假設，均按以往經驗及其他在有關情況下被認為合適的因素而制訂。倘若沒有其他現成數據可供參考，則會採用該等估計及假設作為判斷有關資產及負債的帳面值的基礎。估計結果或會與實際價值有所不同。

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NOTES TO THE FINANCIAL STATEMENTS

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

2. Significant accounting policies

(a) Statement of compliance

These financial statements have been prepared in accordance with accounting principles generally accepted in Hong Kong and all applicable Hong Kong Financial Reporting Standards (HKFRSs), a collective term which includes all applicable individual HKFRSs, Hong Kong Accounting Standards (HKASs) and Interpretations issued by the Hong Kong Institute of Certified Public Accountants (HKICPA). A summary of the significant accounting policies adopted by the Fund is set out below.

(b) Basis of preparation of the financial statements

The measurement basis used in the preparation of the financial statements is historical cost.

The preparation of financial statements in conformity with HKFRSs requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis for making judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

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2. 主要會計政策 (續)

(b) 編製財務報表的基礎 (續)

該等估計及相關假設會被不斷檢討修訂。如修訂只影響本會計期，會在作出修訂的期內確認，但如影響本期及未來的會計期，有關修訂便會在該期及未來期間內確認。

營運基金在實施會計政策方面並不涉及任何關鍵的會計判斷。無論對未來作出的假設，或在報告期結束日估計過程中所存在的不明朗因素，皆不足以構成重大風險，導致資產和負債的帳面金額在來年大幅修訂。

(c) 固定資產

於1995年6月1日撥歸營運基金的固定資產，最初的成本值是按前立法局在1995年5月10日通過的決議中所列的估值入帳。自1995年6月1日起購置的固定資產，均按其購置或裝設的實際開支入帳。

(i) 物業、設備及器材

下列物業、設備及器材項目按成本值扣除累計折舊及任何減值虧損列帳（附註2(d)）：

2. Significant accounting policies (continued)

(b) Basis of preparation of the financial statements (continued)

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

There are no critical accounting judgements involved in the application of the Fund's accounting policies. There are also no key assumptions concerning the future, or other key sources of estimation uncertainty at the end of the reporting period, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities in the next year.

(c) Fixed assets

The fixed assets appropriated to the Fund on 1 June 1995 were measured initially at deemed cost equal to the value contained in the Resolution of the Legislative Council passed on 10 May 1995. Fixed assets acquired since 1 June 1995 are capitalised at the actual costs of acquisition or installation.

(i) Property, plant and equipment

The following items of property, plant and equipment are stated at cost less accumulated depreciation and any impairment losses (note 2(d)):

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NOTES TO THE FINANCIAL STATEMENTS

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

2. 主要會計政策 (續)

2. Significant accounting policies (continued)

(c) 固定資產 (續)

(c) Fixed assets (continued)

(i) 物業、設備及器材 (續)

- 持有被列為融資租賃的土地及位於其上的自用物業；
- 設備及器材，包括電訊與廣播設備、電腦系統、傢具、裝置及車輛。

(i) Property, plant and equipment (continued)

- land classified as held under a finance lease and building held for own use situated thereon;
- plant and equipment, including telecommunications and broadcasting equipment, computer systems, furniture, fixtures and motor vehicles.

折舊是按照各物業、設備及器材的估計可使用年期，在減去其估計剩餘值，再以直線法攤銷其成本值。有關的可使用年期如下：

Depreciation is calculated to write off the cost of items of property, plant and equipment, less their estimated residual value, on a straight-line basis over their estimated useful lives as follows:

- | | |
|--------------|------------------------|
| • 被列為融資租賃的土地 | 按租約剩餘年期計算 |
| • 位於租賃土地的房產 | 按剩餘租賃年期及可使用年期兩者中的較短者計算 |
| • 設備 | 5至12年 |
| • 電腦系統 | 5年 |
| • 傢具及裝置 | 5年 |
| • 車輛 | 5年 |

- | | |
|---|--|
| • Land classified as held under a finance lease | over the unexpired term of lease |
| • Buildings situated on leasehold land | over the shorter of the unexpired term of lease and their useful lives |
| • Equipment | 5 to 12 years |
| • Computer systems | 5 years |
| • Furniture and fixtures | 5 years |
| • Motor vehicles | 5 years |

出售物業、設備及器材所產生的損益以出售所得淨額與資產的帳面值之間的差額來決定，並於出售當日在全面收益表內確認。

Gains or losses arising from the disposal of property, plant and equipment are determined as the difference between the net disposal proceeds and the carrying amount of the asset and are recognised in the statement of comprehensive income on the date of disposal.

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2. 主要會計政策 (續)

(c) 固定資產 (續)

(ii) 無形資產

無形資產包括購入的電腦軟件牌照及已資本化的電腦軟件程式開發成本值。如電腦軟件程式在技術上可行，而營運基金有足夠資源及有意完成開發工作，有關的開發費用會被資本化。資本化費用包括直接工資及物料費用。無形資產按成本值扣除累計攤銷及任何減值虧損列帳（附註2(d)）。

無形資產的攤銷按5年至12年的資產估計可使用年期以直線法列入全面收益表。

(d) 固定資產的減值

固定資產（包括物業、設備及器材和無形資產）的帳面值在每個報告期結束日評估，以確定有否出現減值跡象。

如出現減值跡象，每當資產的帳面值高於可收回數額時，則有關減值虧損會在全面收益表內確認。資產的可收回數額為其公平值減出售成本與使用值兩者中的較高者。

2. Significant accounting policies (continued)

(c) Fixed assets (continued)

(ii) Intangible assets

Intangible assets include acquired computer software licences and capitalised development costs of computer software programs. Expenditure on development of computer software programs is capitalised if the programs are technically feasible and the Fund has sufficient resources and intention to complete development. The expenditure capitalised includes direct labour and cost of materials. Intangible assets are stated at cost less accumulated amortisation and any impairment losses (note 2(d)).

Amortisation of intangible assets is charged to the statement of comprehensive income on a straight-line basis over the assets' estimated useful lives of 5 to 12 years.

(d) Impairment of fixed assets

The carrying amounts of fixed assets, including property, plant and equipment and intangible assets, are reviewed at the end of each reporting period to identify any indication of impairment.

If any such indication exists, an impairment loss is recognised in the statement of comprehensive income whenever the carrying amount of an asset exceeds its recoverable amount. The recoverable amount of an asset is the greater of its fair value less costs to sell and value in use.

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2. 主要會計政策 (續)

2. Significant accounting policies (continued)

(e) 金融資產與金融負債

(e) Financial assets and financial liabilities

(i) 初始確認

(i) Initial recognition

營運基金按最初取得資產或引致負債時的用途將金融資產及金融負債分為貸款及應收帳款，以及其他金融負債。

The Fund classifies its financial assets and financial liabilities into different categories at inception, depending on the purpose for which the assets were acquired or the liabilities were incurred. The categories are loans and receivables, and other financial liabilities.

金融資產及金融負債最初按公平值計量，公平值通常相等於成交價，加上因購買金融資產或產生金融負債而直接引致的交易成本。

Financial assets and financial liabilities are measured initially at fair value, which normally equals to the transaction prices plus transaction costs that are directly attributable to the acquisition of the financial assets or issue of the financial liabilities.

營運基金在成為有關金融工具的合約其中一方之日確認有關金融資產及金融負債。

The Fund recognises financial assets and financial liabilities on the date it becomes a party to the contractual provisions of the instrument.

(ii) 分類

(ii) Categorisation

貸款及應收帳款

Loans and receivables

貸款及應收帳款為有固定或可以確定支付金額，但在活躍市場沒有報價，且營運基金無意持有作交易用途的非衍生金融資產。此類項目包括應收帳款、應收關連人士帳款、應收利息、外匯基金存款、銀行存款、現金及銀行結餘。

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and which the Fund has no intention of trading. This category includes debtors, amounts due from related parties, interest receivable, placement with the Exchange Fund, bank deposits and cash and bank balances.

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2. 主要會計政策 (續)

(e) 金融資產與金融負債 (續)

(ii) 分類 (續)

貸款及應收帳款 (續)

貸款及應收帳款採用實際利率法按攤銷成本值扣除減值虧損 (如有) 列帳 (附註2(e)(iv))。

實際利率法是計算金融資產或金融負債的攤銷成本值，以及攤分在有關期間的利息收入或支出的方法。實際利率是指可將金融工具在預計有效期間 (或適用的較短期間) 內的預計現金收入及支出，折現成該金融資產或金融負債的帳面淨值所適用的貼現率。營運基金在計算實際利率時，會考慮金融工具的所有合約條款以估計現金流量，但不考慮日後的信貸虧損。有關計算包括與實際利率相關的所有收取自或支付予合約各方的費用、交易成本及所有其他溢價或折讓。

其他金融負債

其他金融負債採用實際利率法按攤銷成本值列帳。

2. Significant accounting policies (continued)

(e) Financial assets and financial liabilities (continued)

(ii) Categorisation (continued)

Loans and receivables (continued)

Loans and receivables are carried at amortised cost using the effective interest method less impairment losses, if any (note 2(e)(iv)).

The effective interest method is a method of calculating the amortised cost of a financial asset or a financial liability and of allocating the interest income or interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts or payments through the expected life of the financial instrument or, when appropriate, a shorter period to the net carrying amount of the financial asset or financial liability. When calculating the effective interest rate, the Fund estimates cash flows considering all contractual terms of the financial instruments but does not consider future credit losses. The calculation includes all fees received or paid between parties to the contract that are an integral part of the effective interest rate, transaction costs and all other premiums or discounts.

Other financial liabilities

Other financial liabilities are carried at amortised cost using the effective interest method.

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2. 主要會計政策 (續)

2. Significant accounting policies (continued)

(e) 金融資產與金融負債 (續)

(e) Financial assets and financial liabilities (continued)

(iii) 註銷確認

(iii) Derecognition

當從金融資產收取現金流量的合約權利屆滿時，或當金融資產連同擁有權的所有主要風險及回報已被轉讓時，該金融資產會被註銷確認。

A financial asset is derecognised when the contractual rights to receive the cash flows from the financial asset expire, or where the financial asset together with substantially all the risks and rewards of ownership have been transferred.

當合約指明的債務被解除、取消或到期時，該金融負債會被註銷確認。

A financial liability is derecognised when the obligation specified in the contract is discharged or cancelled, or when it expires.

(iv) 金融資產的減值

(iv) Impairment of financial assets

貸款及應收帳款的帳面值於每個報告期結束日進行評估，以確定有否出現客觀的減值證據。如存在有關證據，減值虧損會按其資產的帳面值與原來實際利率用貼現方式計算其預計日後現金流量的現值之間的差額，在全面收益表內確認。若減值虧損於其後的期間減少，而客觀上與減值虧損確認後發生的事件相關，則在全面收益表作出轉回。

The carrying amounts of loans and receivables are reviewed at the end of each reporting period to determine whether there is objective evidence of impairment. If any such evidence exists, an impairment loss is recognised in the statement of comprehensive income as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. If in a subsequent period, the amount of such impairment loss decreases and the decrease can be linked objectively to an event occurring after the impairment loss was recognised, the impairment loss is reversed through the statement of comprehensive income.

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財務報表

財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

2. 主要會計政策 (續)

(f) 名義利得稅

- (i) 根據《稅務條例》(第112章)，營運基金並無稅務責任。但政府要求營運基金須向政府一般收入支付一筆款項以代替利得稅(即名義利得稅)，該款項是根據《稅務條例》的規定所計算。本年度名義利得稅支出包括本期稅款及遞延稅款資產及負債的變動。
- (ii) 本期稅款為本年度對應課稅收入按報告期結束日已生效或基本上已生效的稅率計算的預計應付稅款，並包括以往年度應付稅款的任何調整。
- (iii) 遞延稅款資產及負債分別由可扣稅及應課稅的暫時性差異產生。暫時性差異是指資產及負債的帳面值與其計稅基礎間的差異。遞延稅款資產亦可由未使用稅務虧損及稅項抵免而產生。

所有遞延稅款負債及所有未來可能會有應課稅盈利而使其能被用以抵銷有關盈利的遞延稅款資產，均予確認。

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2. Significant accounting policies (continued)

(f) Notional profits tax

- (i) The Fund has no tax liability under the Inland Revenue Ordinance (Cap.112). However, the Government requires the Fund to pay to the General Revenue an amount in lieu of profits tax (i.e. notional profits tax) calculated on the basis of the provisions of the Inland Revenue Ordinance. Notional profits tax expense for the year comprises current tax and movements in deferred tax assets and liabilities.
- (ii) Current tax is the expected tax payable on the taxable income for the year, using tax rates enacted or substantively enacted at the end of the reporting period, and any adjustment to tax payable in respect of previous years.
- (iii) Deferred tax assets and liabilities arise from deductible and taxable temporary differences respectively, being the differences between the carrying amounts of assets and liabilities for financial reporting purposes and their tax bases. Deferred tax assets also arise from unused tax losses and unused tax credits.

All deferred tax liabilities, and all deferred tax assets to the extent that it is probable that future taxable profits will be available against which the assets can be utilised, are recognised.

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2. 主要會計政策 (續)

2. Significant accounting policies (continued)

(f) 名義利得稅 (續)

(f) Notional profits tax (continued)

- (iii) 遞延稅款的確認數額乃根據資產及負債的帳面值的預期變現或清償方式，以報告期結束日已生效或基本上已生效的稅率計算。遞延稅款資產及負債均不作貼現計算。

- (iii) The amount of deferred tax recognised is measured based on the expected manner of realisation or settlement of the carrying amounts of the assets or liabilities, using tax rates enacted or substantively enacted at the end of the reporting period. Deferred tax assets and liabilities are not discounted.

遞延稅款資產的帳面值於每個報告期結束日進行檢討，倘若認為可能並無足夠應課稅盈利以實現該等稅務利益，則須將其帳面值相應削減。該削減數額可在有足夠應課稅盈利可能出現時轉回。

The carrying amount of a deferred tax asset is reviewed at the end of each reporting period and is reduced to the extent that it is no longer probable that sufficient taxable profit will be available to allow the related tax benefit to be utilised. Any such deduction is reversed to the extent that it becomes probable that sufficient taxable profit will be available.

(g) 收入確認

(g) Revenue recognition

- (i) 已收牌費記入遞延收入，並在牌照有效期內在損益中攤銷。服務費收入則在提供服務後被確認。利息收入採用實際利率法以應計方式確認。
- (ii) 金融工具的已實現損益在有關金融工具被註銷時在全面收益表內確認。交易用途的金融工具的公平值變動，於產生的期間內列為重估損益在全面收益表內確認。

- (i) Licence fees received are credited to deferred income and amortised to profit and loss over the validity period of the licences. Service income is recognised when services have been provided. Interest income is recognised as it accrues using the effective interest method.
- (ii) Realised gains or losses on financial instruments are recognised in the statement of comprehensive income when the financial instruments are derecognised. Changes in fair value of trading financial instruments are recognised as revaluation gains or losses in the statement of comprehensive income in the period in which they arise.

- (iii) 其他收入按應計基礎確認。

- (iii) Other income is recognised on an accrual basis.

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2. 主要會計政策 (續)

(h) 僱員福利

營運基金的僱員包括公務員及合約僱員。薪金、約滿酬金及年假開支均在僱員提供有關服務的年度內以應計基準確認入帳。就公務員而言，僱員附帶福利開支包括由政府提供予僱員的退休金及房屋福利，均在僱員提供相關服務的年度支銷。

就按可享退休金條款受聘的公務員長俸負債已於付予政府有關附帶福利開支時支付。就其他僱員向強制性公積金計劃的供款在全面收益表中支銷。

(i) 關連人士

營運基金是根據《營運基金條例》成立，屬於政府轄下的一個獨立會計單位。本年內在營運基金的日常業務中曾與不同的關連人士進行交易，其中包括各決策局及政府部門、營運基金，以及受政府所控制或政府對其有重大影響力的財政自主機構。

2. Significant accounting policies (continued)

(h) Employee benefits

The employees of the Fund comprise civil servants and contract staff. Salaries, staff gratuities, and annual leave entitlements are accrued and recognised as expenditure in the year in which the associated services are rendered by the staff. For civil servants, staff on-costs, including pensions and housing benefits provided to the staff by the Government, are charged as expenditure in the year in which the associated services are rendered.

For civil servants employed on pensionable terms, their pension liabilities are discharged by reimbursement of the staff on-cost charged by the Government. For other staff, contributions to the Mandatory Provident Fund (MPF) Scheme are charged to the statement of comprehensive income as incurred.

(i) Related parties

The Fund is a separate accounting entity within the Government established under the Trading Funds Ordinance. During the year, the Fund has entered into transactions with various related parties, including government bureaux and departments, trading funds and financially autonomous bodies controlled or significantly influenced by the Government, in the ordinary course of its business.

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2. 主要會計政策 (續)

(j) 外幣換算

年內以外幣為單位的交易按交易日的現貨匯率換算為港元。以港元以外的貨幣為單位的貨幣資產及負債均以報告期結束日的收市匯率換算為港元。所有外幣換算差額均在全面收益表內確認。

(k) 現金及等同現金

現金及等同現金包括現金及銀行結餘，以及其他可隨時轉換為已知數額現金的短期及具高度流動性和價值變動風險不大的投資，且於存入或購入時距離到期日不超過三個月。

(l) 撥備及或有負債

如須就已發生的事件承擔法律或推定責任，而履行該責任預期會導致經濟效益外流，並可作出可靠的估計，將會就該時間或數額不定的負債作出撥備。如貨幣的時間價值重大，則按預計履行責任所需開支的現值作出撥備。

2. Significant accounting policies (continued)

(j) Foreign currency translation

Foreign currency transactions during the year are translated into Hong Kong dollars using the spot exchange rates at the transaction dates. Monetary assets and liabilities denominated in currencies other than Hong Kong dollars are translated into Hong Kong dollars using the closing exchange rate at the end of the reporting period. All foreign currency translation differences are recognised in the statement of comprehensive income.

(k) Cash and cash equivalents

Cash and cash equivalents include cash and bank balances, and other short-term, highly liquid investments that are readily convertible to known amounts of cash and subject to an insignificant risk of changes in value, having been within three months of maturity when placed or acquired.

(l) Provisions and contingent liabilities

Provisions are recognised for liabilities of uncertain timing or amount when there is a legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. Where the time value of money is material, provisions are stated at the present value of the expenditure expected to settle the obligation.

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2. 主要會計政策 (續)

(l) 撥備及或有負債 (續)

如經濟效益外流的可能性較低，或是無法對有關數額作出可靠的估計，便會將該責任披露為或有負債，但如經濟效益外流的可能性極低者則除外。須視乎某宗或多宗未來事件是否發生才能確定存在與否的潛在責任，亦會披露為或有負債，但如經濟效益外流的可能性極低者則除外。

(m) 新訂或經修訂的香港財務報告準則的影響

香港會計師公會已頒布若干新訂或經修訂的香港財務報告準則，於本會計期生效或供提前採納。當中適用於營運基金財務報表的一項，開列如下：

香港會計準則第1號「財務報表的呈報－其他全面收益項目的呈報」的修訂

香港會計準則第1號的修訂規定，日後在符合若干條件時會被重新分類為損益的其他全面收益項目，與永不會被重新分類為損益的其他全面收益項目，須分別作出呈報。由於營運基金並無其他全面收益項目，此項修訂對基金的財務報表沒有影響。

2. Significant accounting policies (continued)

(l) Provisions and contingent liabilities (continued)

Where it is not probable that an outflow of economic benefits will be required, or the amount cannot be estimated reliably, the obligation is disclosed as a contingent liability, unless the probability of outflow of economic benefits is remote. Possible obligations, whose existence will only be confirmed by the occurrence or non-occurrence of one or more future events, are also disclosed as contingent liabilities unless the probability of outflow of economic benefits is remote.

(m) Impact of new and revised HKFRSs

The HKICPA has issued certain new and revised HKFRSs that are first effective or available for early adoption for the current accounting period. Of these, the following is relevant to the Fund's financial statements:

Amendments to HKAS 1, Presentation of Financial Statements – Presentation of Items of Other Comprehensive Income

The amendments to HKAS 1 require entities to present separately the items of other comprehensive income that would be reclassified to profit or loss in the future if certain conditions are met from those that would never be reclassified to profit or loss. There is no impact on the Fund's financial statements as the Fund does not have items of other comprehensive income.

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2. 主要會計政策 (續)

(m) 新訂或經修訂的香港財務報告準則的影響 (續)

修訂內容亦包括建議把「全面收益表」改稱為「損益及其他全面收益表」。使用新名稱與否，並非強制，營運基金已選擇沿用舊稱「全面收益表」。

營運基金並沒有採納任何在本會計期尚未生效的新準則或詮釋 (註釋 23)。

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2. Significant accounting policies (continued)

(m) Impact of new and revised HKFRSs (continued)

The amendments also introduce a new terminology for the “Statement of Comprehensive Income” to be renamed as the “Statement of Profit or Loss and Other Comprehensive Income”. The use of this new terminology is not mandatory. The Fund has chosen to retain the title of “Statement of Comprehensive Income”.

The Fund has not applied any new HKFRSs that are not yet effective for the current accounting period (note 23).

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3. 營業額

3. Turnover

		2014	2013
電訊牌照費	Telecommunications licence fees		
牌照－專用	Licences – Private	40,026	38,818
牌照－公共	Licences – Public	323,328	327,629
廣播牌照費	Broadcasting licence fees	46,291	45,766
向關連人士提供服務 (附註 21(a))	Services provided to related parties (note 21(a))	23,288	26,622
雜項收入	Miscellaneous revenue	402	416
		433,335	439,251

4. 運作成本

4. Operating costs

		2014	2013
員工成本	Staff costs	289,340	284,494
辦公室地方成本	Accommodation costs	17,725	32,198
運作開支	Operating expenses	26,692	31,873
行政開支	Administrative expenses	26,270	12,667
顧問費	Consultancy fees	4,924	1,982
物業、設備及器材折舊	Depreciation of property, plant and equipment	12,275	10,743
無形資產攤銷	Amortisation of intangible assets	617	442
審計費用	Audit fees	470	463
		378,313	374,862

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5. 其他收入

5. Other income

		2014	2013
非以公平值列帳的金融資產的利息收入	Interest income from financial assets not at fair value		
外匯基金存款	Placement with the Exchange Fund	35,840	39,792
銀行存款	Bank deposits	4,205	6,164
銀行結餘	Bank balances	1	2
		<u>40,046</u>	<u>45,958</u>
雜項收益	Sundry income	66	550
		<u>40,112</u>	<u>46,508</u>

6. 名義利得稅

6. Notional profits tax

(a) 於全面收益表內扣除的名義利得稅如下：

(a) The notional profits tax charged to the statement of comprehensive income is arrived at as follows:

		2014	2013
本期稅款	Current tax		
本年度名義利得稅的撥備	Provision for notional profits tax for the year	15,695	17,476
遞延稅款	Deferred tax		
暫時性差異的產生及轉回	Origination and reversal of temporary differences	22	512
名義利得稅	Notional profits tax	<u>15,717</u>	<u>17,988</u>

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6. 名義利得稅 (續)

(b) 稅項支出與會計盈利按適用稅率計算的對帳如下：

6. Notional profits tax (continued)

(b) The reconciliation between tax expense and accounting profit at applicable tax rate is as follows:

		2014	2013
利得稅前盈利	Profit before tax	95,134	110,897
按香港利得稅率16.5% (2013年：16.5%) 計算的稅項	Tax at Hong Kong profits tax rate of 16.5% (2013: 16.5%)	15,697	18,298
一次過寬減稅項	One-off tax reduction	(10)	(10)
不可扣減開支的稅項影響	Tax effect of non-deductible expenses	726	726
非應課稅收入的稅項影響	Tax effect of non-taxable revenue	(696)	(1,026)
名義稅項支出	Notional tax expense	15,717	17,988

7. 固定資產回報率

固定資產回報率是以總全面收益（不包括利息收入、按外匯基金存款的利息收入須繳的名義利得稅和利息支出）除以固定資產平均淨值所得的百分率。固定資產包括物業、設備及器材，以及無形資產。由財政司司長釐定，預期營運基金可以達到的每年固定資產目標回報率為每年6.7%（2013年：6.7%）。

7. Rate of return on fixed assets

The rate of return on fixed assets is calculated as total comprehensive income (excluding interest income, notional profits tax on interest income from placement with the Exchange Fund and interest expenses) divided by average net fixed assets, and expressed as a percentage. Fixed assets include property, plant and equipment and intangible assets. The Fund is expected to meet a target rate of return on fixed assets of 6.7% per year (2013: 6.7%) as determined by the Financial Secretary.

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8. 物業、設備及器材

8. Property, plant and equipment

		土地及 房產 Land and buildings	設備 Equipment	電腦 系統 Computer systems	傢具及 裝置 Furniture and fixtures	車輛 Motor vehicles	總額 Total
成本	Cost						
於2012年4月1日	At 1 April 2012	220,243	51,004	36,777	34,135	3,785	345,944
添置	Additions	-	371	3,331	15,810	2,129	21,641
出售／註銷	Disposals	-	-	(1,431)	(295)	(675)	(2,401)
於2013年3月31日	At 31 March 2013	220,243	51,375	38,677	49,650	5,239	365,184
於2013年4月1日	At 1 April 2013	220,243	51,375	38,677	49,650	5,239	365,184
添置	Additions	-	2,145	2,812	2,588	-	7,545
出售／註銷	Disposals	-	-	(1,254)	(5,449)	(318)	(7,021)
於2014年3月31日	At 31 March 2014	220,243	53,520	40,235	46,789	4,921	365,708
累計折舊	Accumulated depreciation						
於2012年4月1日	At 1 April 2012	69,675	45,198	33,542	32,038	2,662	183,115
年內折舊	Charge for the year	4,849	2,977	1,531	946	440	10,743
出售／註銷回撥	Written back on disposal	-	-	(1,431)	(295)	(675)	(2,401)
於2013年3月31日	At 31 March 2013	74,524	48,175	33,642	32,689	2,427	191,457
於2013年4月1日	At 1 April 2013	74,524	48,175	33,642	32,689	2,427	191,457
年內折舊	Charge for the year	4,849	1,318	1,562	3,902	644	12,275
出售／註銷回撥	Written back on disposal	-	-	(1,254)	(5,449)	(318)	(7,021)
於2014年3月31日	At 31 March 2014	79,373	49,493	33,950	31,142	2,753	196,711
帳面淨值	Net book value						
於2014年3月31日	At 31 March 2014	140,870	4,027	6,285	15,647	2,168	168,997
於2013年3月31日	At 31 March 2013	145,719	3,200	5,035	16,961	2,812	173,727

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9. 無形資產

9. Intangible assets

		電腦軟件牌照及系統開發費用 Computer software licences and system development costs	
		2014	2013
成本	Cost		
年初	At beginning of year	10,016	8,783
添置	Additions	1,295	1,233
年終	At end of year	11,311	10,016
累計攤銷	Accumulated amortisation		
年初	At beginning of year	7,700	7,258
年內攤銷	Charge for the year	617	442
年終	At end of year	8,317	7,700
帳面淨值	Net book value		
年終	At end of year	2,994	2,316

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10. 外匯基金存款

外匯基金存款結餘為8億82.1萬港元（2013年：7億6,268.7萬港元），其中7億港元為原有存款，1億82.1萬港元（2013年：6,268.7萬港元）為報告期結束日已入帳但尚未提取的利息。該存款為期6年（由存款日起計），期內不能提取原有存款。

外匯基金存款利息按每年1月釐定的固定息率計算。該息率為基金投資組合過往6年的平均年度投資回報，或3年期外匯基金債券在上一個年度的平均年度收益，以兩者中較高者為準，下限為0%。2014年的固定息率為每年3.6%，2013年為每年5.0%。

11. 遞延稅款

在財務狀況表內確認的遞延稅款來自多於有關折舊及攤銷的折舊免稅額。其年內變動呈列如下：

10. Placement with the Exchange Fund

The balance of the placement with the Exchange Fund amounted to HK\$800,821,000 (2013: HK\$762,687,000), being the original placement of HK\$700,000,000 plus interest paid of HK\$100,821,000 (2013: HK\$62,687,000) but not yet withdrawn at the end of the reporting period. The term of the placement is six years from the date of placement, during which the amount of original placement cannot be withdrawn.

Interest on the placement is payable at a fixed rate determined every January. The rate is the average annual investment return of the Exchange Fund's Investment Portfolio for the past six years or the average annual yield of three-year Exchange Fund Notes for the previous year subject to a minimum of zero percent, whichever is the higher. The interest rate has been fixed at 3.6% per annum for the year 2014 and at 5.0% per annum for the year 2013.

11. Deferred tax

Deferred tax recognised in the statement of financial position arises from depreciation allowances in excess of the related depreciation and amortisation. The movements during the year are as follows:

		2014	2013
年初結餘	Balance at beginning of year	1,751	1,239
於全面收益表內扣除	Charged to statement of comprehensive income	22	512
年終結餘	Balance at end of year	1,773	1,751

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12. 僱員福利撥備

此為在計至報告期結束日就所提供的服務給予僱員年假及合約僱員約滿酬金的估計負債（另見附註2(h)）。

12. Provision for employee benefits

This represents the estimated liability for employees' annual leave and obligations on contract-end gratuities payable to contract staff for services rendered up to end of the reporting period (also see note 2(h)).

13. 遞延收入

此為將於牌照的餘下有效期攤銷的牌照費收入結餘。

13. Deferred income

This represents the balance of licence fee income to be amortised over the remaining validity period of the licences.

14. 營運基金資本

此為政府對營運基金的投資。

14. Trading fund capital

This represents the Government's investment in the Fund.

15. 發展儲備

此儲備乃用作為達致目標回報的調節機制。

15. Development reserve

This is a reserve serving as a regulating mechanism to meet the target return.

		2014	2013
年初及年終結餘	Balance at beginning and end of year	690,165	690,165

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16. 保留盈利

16. Retained earnings

		2014	2013
年初結餘	Balance at beginning of year	-	-
年度總全面收益	Total comprehensive income for the year	79,417	92,909
擬發股息	Proposed dividend	(79,417)	(92,909)
年終結餘	Balance at end of year	-	-

17. 擬發股息

向政府擬發股息是根據年度總全面收益及經財經事務及庫務局局長核准的年度營運計劃裏列出的100%目標派息率（2013年：100%）作出。

17. Proposed dividend

The proposed dividend to the Government is based on the total comprehensive income for the year and the target dividend payout ratio of 100% (2013: 100%) stated in the annual business plan approved by the Secretary for Financial Services and the Treasury.

		2014	2013
年初結餘	Balance at beginning of year	92,909	115,224
已付股息	Dividend paid	(92,909)	(115,224)
擬發股息	Dividend proposed	79,417	92,909
年終結餘	Balance at end of year	79,417	92,909

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(除特別註明外，所有金額均以港幣千元位列示。)

NOTES TO THE FINANCIAL STATEMENTS

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

18. 現金及等同現金

18. Cash and cash equivalents

		2014	2013
現金及銀行結餘	Cash and bank balances	6,975	904,966
銀行存款	Bank deposits	321,100	383,700
		328,075	1,288,666
減：原有期限為三個月以上的銀行存款	Less: Bank deposits with original maturity beyond three months	(249,600)	(329,400)
現金及等同現金	Cash and cash equivalents	78,475	959,266

19. 資本承擔

19. Capital commitments

於2014年3月31日，營運基金尚未有在財務報表中作出準備的資本承擔如下：

At 31 March 2014, the Fund had capital commitments, so far as not provided for in the financial statements, as stated below:

		2014	2013
已簽約	Contracted for	343	1,365
已獲授權但尚未簽約	Authorised but not contracted for	1,031	6,032
		1,374	7,397

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(除特別註明外，所有金額均以港幣千元位列示。)

NOTES TO THE FINANCIAL STATEMENTS

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

20. 其他承擔

為了在司法制度以外協助解決電訊服務供應商與其客戶之間陷入僵局的計帳爭議，香港通訊業聯會於2012年11月設立一個以兩年為試驗期，屬自願性質的「解決顧客投訴計劃」。按照於2012年10月9日簽訂的諒解備忘錄，營運基金同意由2012年11月1日至2014年10月31日，為計劃提供設立費用及運作成本。

年內，營運基金已向計劃提供126.5萬港元(2013年：90.4萬港元)。於2014年3月31日，營運基金對計劃的未支付承擔為198.1萬港元(2013年：324.6萬港元)。

21. 關連人士的交易

除已在財務報表內另作披露的交易外，與關連人士在本年度進行的其他重要交易摘要如下：

- (a) 向關連人士提供的服務包括總值1,001.3萬港元(2013年：1,385.1萬港元)的諮詢和策劃服務，以及總值1,327.5萬港元(2013年：1,277.1萬港元)的頻率指配和保護服務；

20. Other commitments

To help resolve billing disputes in deadlock between telecommunications service providers and their customers outside the judicial system, a voluntary Customer Complaint Settlement Scheme was set up in November 2012 for a trial period of two years by the Communications Association of Hong Kong. By a Memorandum of Understanding signed on 9 October 2012, the Fund has agreed to contribute the set-up costs and the operating costs to the scheme from 1 November 2012 to 31 October 2014.

During the year, the Fund had contributed HK\$1,265,000 (2013: HK\$904,000) to the scheme. The outstanding commitment of the Fund to contribute to the scheme as at 31 March 2014 was HK\$1,981,000 (2013: HK\$3,246,000).

21. Related party transactions

Apart from those separately disclosed in the financial statements, the other material related party transactions for the year are summarised as follows:

- (a) services provided to related parties included advisory and project services amounting to HK\$10,013,000 (2013: HK\$13,851,000) and frequency assignment and protection services amounting to HK\$13,275,000 (2013: HK\$12,771,000);

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(除特別註明外，所有金額均以港幣千元位列示。)

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(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

21. 關連人士的交易 (續)

(b) 獲關連人士提供的服務包括辦公室地方開支、保養和維修、法律意見、中央管理和審計。營運基金就這些服務共支出2,021.9萬港元(2013年: 3,876.9萬港元); 以及

(c) 向關連人士購得的固定資產包括電訊設備、傢具及裝置和車輛。這些資產總值133.3萬港元(2013年: 1,584.8萬港元)。

由關連人士提供或向關連人士提供的服務，如同時亦向公眾提供，則按公眾應支付的金額收費；如該服務只向關連人士提供，則按十足收回成本的原則收費。由關連人士供應的固定資產按十足成本收費。

於2014年3月31日與關連人士交易的結餘已載於財務狀況表內。

22. 財務風險管理

(a) 投資政策

為提供額外收入來源，現金盈餘已投資於金融工具的投資組合。投資組合包括定期存款。營運基金政策規定，所有金融工具的投資應屬保本投資。

21. Related party transactions (continued)

(b) services received from related parties included accommodation, repairs and maintenance, legal advice, central administration and auditing. In total, the Fund incurred HK\$20,219,000 on these services (2013: HK\$38,769,000); and

(c) fixed assets acquired from related parties included telecommunications equipment, furniture and fixtures and motor vehicles. The total amount for these assets amounted to HK\$1,333,000 (2013: HK\$15,848,000).

Services provided by or to related parties were charged at the rates payable by the general public where such services were also available to members of the public, or on a full cost recovery basis where such services were only available to related parties. Fixed assets supplied by related parties were charged at full cost.

Balances with related parties as at 31 March 2014 are set out in the statement of financial position.

22. Financial risk management

(a) Investment policy

To provide an ancillary source of income, surplus cash is invested in a portfolio of financial instruments. The portfolio includes fixed deposits. It is the Fund's policy that all investments in financial instruments should be principal-protected.

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財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

22. 財務風險管理 (續)

(b) 貨幣風險

貨幣風險指金融工具的公平值或未來現金流量會因貨幣匯率變動而波動的風險。

由於營運基金絕大部分金融工具均以港元計算，故基本上無須面對重大的貨幣風險。

(c) 信貸風險

信貸風險指金融工具的一方持有者因未能履行責任而引致另一方蒙受財務損失的風險。

營運基金的信貸風險主要取決於銀行存款、銀行結餘和外匯基金存款。

為盡量減低信貸風險，所有銀行結餘和定期存款均存放於香港的持牌銀行。

至於外匯基金存款，其相關信貸風險為低。

營運基金的金融資產的最高信貸風險相等於在報告期結束日該資產的帳面值。

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(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

22. Financial risk management (continued)

(b) Currency risk

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in currency exchange rates.

The Fund basically does not have significant exposure to currency risk as substantially all of its financial instruments are denominated in Hong Kong dollars.

(c) Credit risk

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss.

The Fund's credit risk is primarily attributable to bank deposits, bank balances and placement with the Exchange Fund.

To minimise credit risks, all bank balances and fixed deposits are placed with licensed banks in Hong Kong.

For the placement with the Exchange Fund, the credit risk is considered to be low.

The maximum exposure to credit risk of the financial assets of the Fund is equal to their carrying amounts at the end of the reporting period.

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(除特別註明外，所有金額均以港幣千元位列示。)

NOTES TO THE FINANCIAL STATEMENTS

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

22. 財務風險管理 (續)

22. Financial risk management (continued)

(d) 流動資金風險

流動資金風險指機構在履行與金融負債相關的責任時遇到困難的風險。

營運基金透過預計所需的現金款額和監測營運基金的流動資金，來管理流動資金風險，確保可以償付所有到期負債和已知的資金需求。由於營運基金擁有充裕的流動資金，其流動資金風險水平甚低。

(d) Liquidity risk

Liquidity risk is the risk that an entity will encounter difficulty in meeting obligations associated with financial liabilities.

The Fund manages liquidity risk by forecasting the amount of cash required and monitoring the working capital of the Fund to ensure that all liabilities due and known funding requirements could be met. As the Fund has a strong liquidity position, it has a very low level of liquidity risk.

(e) 利率風險

利率風險指因市場利率變動而引致虧損的風險。利率風險可進一步分為公平值利率風險及現金流量利率風險。

公平值利率風險是指金融工具的公平值會因市場利率變動而波動的風險。由於營運基金的所有銀行存款按固定利率計算利息，當市場利率上升時，這些存款的公平值將會下跌。然而，由於這些存款均按攤銷成本值列帳，市場利率變動並不會影響其帳面值和基金的盈利及儲備。

(e) Interest rate risk

Interest rate risk refers to the risk of loss arising from changes in market interest rates. This can be further classified into fair value interest rate risk and cash flow interest rate risk.

Fair value interest rate risk is the risk that the fair value of a financial instrument will fluctuate because of changes in market interest rates. Since all of the Fund's bank deposits bear interest at fixed rates, their fair values will fall when market interest rates increase. However, as they are all stated at amortised cost, changes in market interest rates will not affect their carrying amounts and the Fund's profit and reserves.

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財務報表附註

(除特別註明外，所有金額均以港幣千元位列示。)

22. 財務風險管理 (續)

(e) 利率風險 (續)

現金流量利率風險是指金融工具的未來現金流量會因市場利率變動而波動的風險。營運基金面對的現金流量利率風險很小，因其並無重大的浮息投資。

(f) 其他財務風險

營運基金因於每年1月釐定外匯基金存款息率（附註10）的變動而須面對財務風險，於2014年3月31日，在2013和2014年的息率增加／減少50個基點而其他因素不變的情況下，估計年度盈利和儲備將增加／減少334.3萬港元（2013年：318.4萬港元）。

(g) 公平值

在活躍市場交易的金融工具的公平值，是根據其於報告期結束日的市場報價釐定。如沒有該等市場報價，則以現值或其他估值方法按報告期結束日的市況數據評估其公平值。

所有金融工具均以與其公平值相等或相差不大的金額在財務狀況表內列帳。

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NOTES TO THE FINANCIAL STATEMENTS

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

22. Financial risk management (continued)

(e) Interest rate risk (continued)

Cash flow interest rate risk is the risk that future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Fund's exposure to cash flow interest rate risk is small as it has no major floating-rate investments.

(f) Other financial risk

The Fund is exposed to financial risk arising from changes in the interest rate on the placement with the Exchange Fund which is determined every January (note 10). It was estimated that, as at 31 March 2014, a 50 basis point increase/decrease in the interest rates for 2013 and 2014, with all other variables held constant, would increase/decrease the profit for the year and reserves by HK\$3,343,000 (2013: HK\$3,184,000).

(g) Fair values

The fair values of financial instruments quoted in active markets are based on their quoted prices at the end of the reporting period. In the absence of such quoted market prices, fair values are estimated using present value or other valuation techniques, using inputs based on market conditions existing at the end of the reporting period.

All financial instruments are stated in the statement of financial position at amounts equal to or not materially different from their fair values.

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(除特別註明外，所有金額均以港幣千元位列示。)

NOTES TO THE FINANCIAL STATEMENTS

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

23. 已頒布但於截至2014年3月31日止年度尚未生效的修訂、新準則及詮釋的可能影響

直至本財務報表發出之日，香港會計師公會已頒布多項修訂、新準則及詮釋。其中包括於截至2014年3月31日止年度尚未生效，亦沒有提前在本財務報表中被採納的修訂、新準則及詮釋。

營運基金正就該等修訂、新準則及詮釋在首次採用期間預期會產生的影響進行評估。直至目前為止，營運基金得出的結論為採納該等修訂、新準則及詮釋不大可能會對營運基金的運作成果及財務狀況構成重大影響。

23. Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 March 2014

Up to the date of issue of these financial statements, the HKICPA has issued a number of amendments, new standards and interpretations which are not yet effective for the year ended 31 March 2014 and which have not been early adopted in these financial statements.

The Fund is in the process of making an assessment of what the impact of these amendments, new standards and interpretations is expected to be in the period of initial adoption. So far it has concluded that the adoption of them is unlikely to have a significant impact on the Fund's results of operations and financial position.

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(除特別註明外，所有金額均以港幣千元位列示。)

NOTES TO THE FINANCIAL STATEMENTS

(Amount expressed in thousands of Hong Kong dollars, unless otherwise stated.)

23. 已頒布但於截至2014年3月31日止年度尚未生效的修訂、新準則及詮釋的可能影響 (續)

下列財務報告準則修訂及新準則可能會引致日後的財務報表須作出新的或經修訂的資料披露：

23. Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 March 2014 (continued)

The following developments may result in new or amended disclosures in future financial statements:

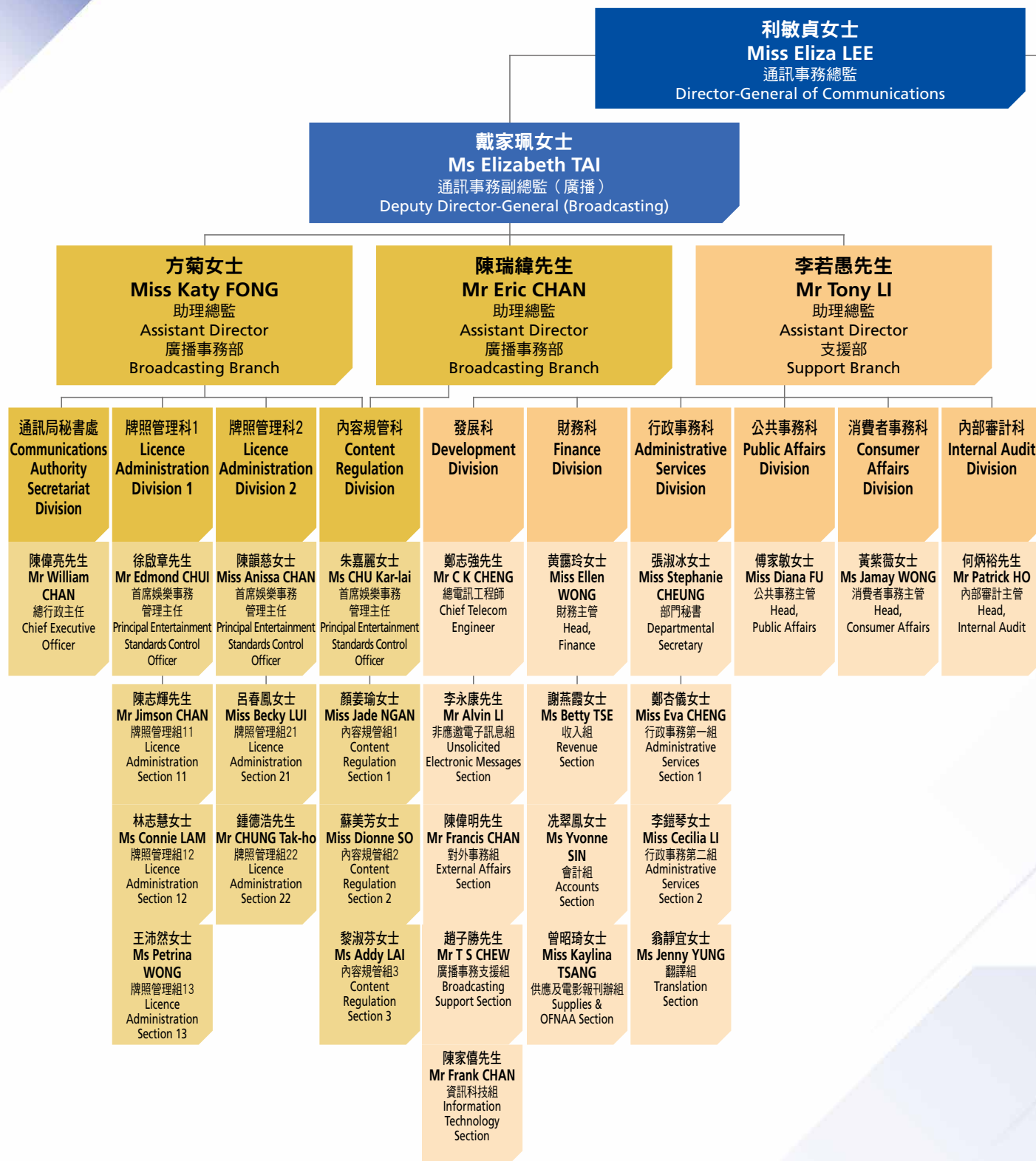
於以下日期或之後開始的會計期間生效
Effective for accounting periods
beginning on or after

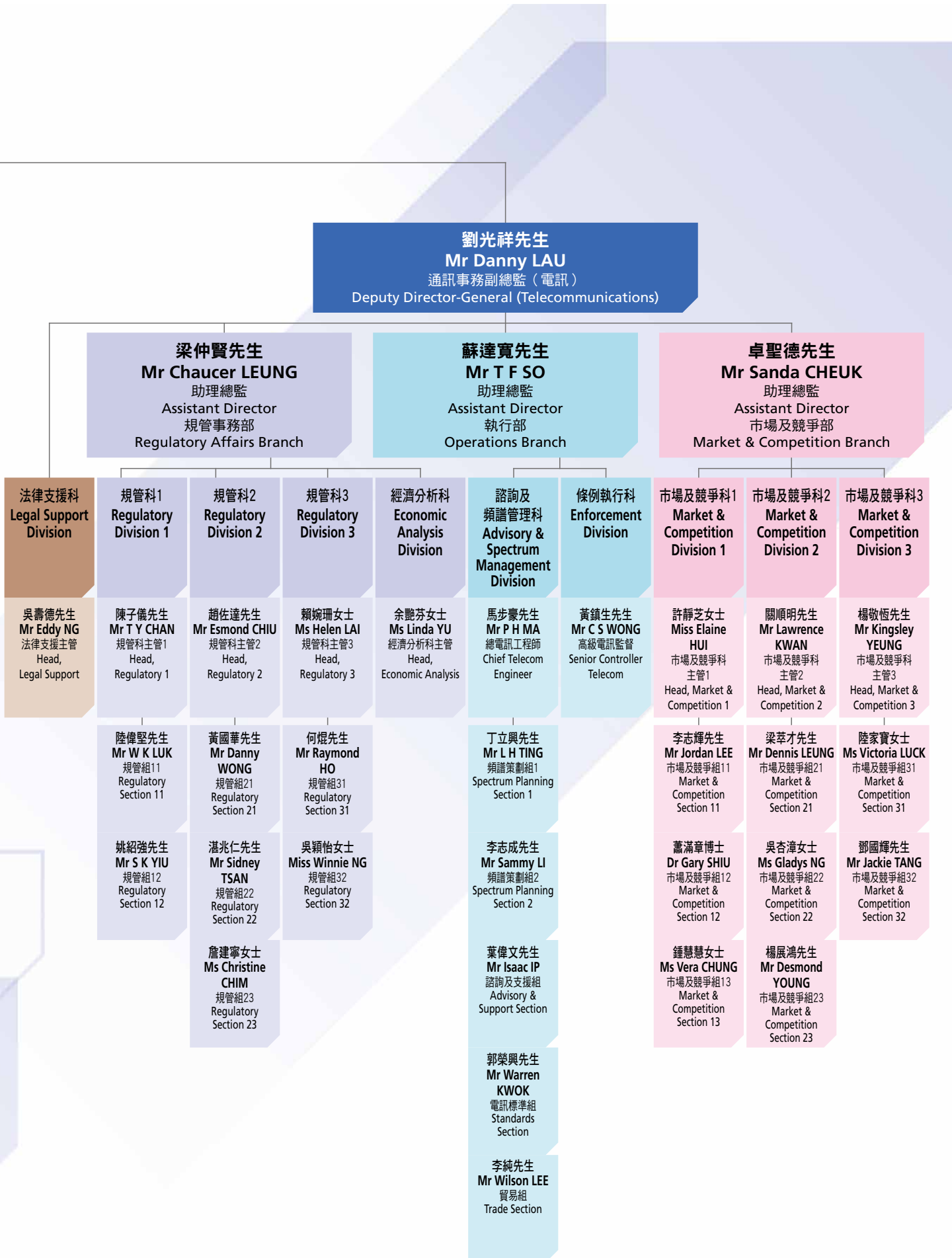
香港會計準則第16號「物業、設備及器材」及香港會計準則第38號「無形資產」的修訂 - 澄清折舊及攤銷的可接受方法	Amendments to HKAS 16, Property, Plant and Equipment and HKAS 38, Intangible Assets - Clarification of Acceptable Methods of Depreciation and Amortisation	2016年1月1日 1 January 2016
香港會計準則第36號「資產減值」的修訂 - 非金融資產可收回金額的披露	Amendments to HKAS 36, Impairment of Assets - Recoverable Amount Disclosures for Non-Financial Assets	2014年1月1日 1 January 2014
香港財務報告準則第9號「金融工具」	HKFRS 9, Financial Instruments	2018年1月1日 1 January 2018
香港財務報告準則第15號「來自客戶合約之收入」	HKFRS 15, Revenue from Contracts with Customers	2017年1月1日 1 January 2017

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附錄 A
Appendix A

組織架構 (截至2014年9月15日)
Organisation Chart (as at 15 Sept 2014)





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附錄 B
Appendix B

諮詢委員會委員名單
Membership of Advisory Committees

電訊規管事務諮詢委員會
(截至2014年3月31日)

Telecommunications Regulatory Affairs
Advisory Committee (as at 31 March 2014)

主席 劉光祥先生 通訊事務管理局辦公室通訊事務副總監 (電訊)	Chairman Mr Danny LAU Deputy Director-General (Telecommunications), OFCA
秘書 梁仲賢先生 通訊事務管理局辦公室助理總監 (規管)	Secretary Mr Chaucer LEUNG Assistant Director (Regulatory), OFCA
委員 熊天佑博士 消費者委員會代表	Members Dr Victor HUNG Representative of Consumer Council
林瑞明工程師 香港工程師學會代表	Ir Andy LAM Representative of Hong Kong Institution of Engineers
林宏志先生 工程及科技學會香港分會代表	Mr Vincent LAM Representative of Institution of Engineering and Technology Hong Kong
陳錦成先生 香港通訊業聯會代表	Mr Gilbert CHAN Representative of Communications Association of Hong Kong
Mr Richard MALLETT 香港電訊用戶協會代表	Mr Richard MALLETT Representative of Hong Kong Telecommunications Users Group
章濤先生 香港無線科技商會代表	Mr T CHEUNG Representative of Hong Kong Wireless Technology Industry Association
莫乃光先生 香港資訊科技商會代表	Mr Charles MOK Representative of Hong Kong Information Technology Federation
鄭啟良先生 中國移動香港有限公司代表	Mr Alex CHENG Representative of China Mobile Hong Kong Company Limited / China Mobile Hong Kong Corporation Limited
張悅賓先生 信通電話(香港)有限公司代表	Mr Sutton CHEUNG Representative of ComNet Telecom (HK) Limited
高穎賢女士 香港移動通訊有限公司代表	Ms Alison KO Representative of CSL Limited
陸國強先生 中港網絡有限公司代表	Mr K K LUK Representative of HKC Network Limited
楊廣翔先生 香港寬頻網絡有限公司代表	Mr Charles YEUNG Representative of Hong Kong Broadband Network Limited
于家啟先生 香港有線電視有限公司代表	Mr Simon YU Representative of Hong Kong Cable Television Limited
林榮執先生 Hong Kong Telecommunications (HKT) Limited / 香港電話有限公司及Hong Kong Telecommunications (HKT) Limited / Genius Brand Limited代表	Mr Peter LAM Representative of Hong Kong Telecommunications (HKT) Limited / PCCW-HKT Telephone Limited and Hong Kong Telecommunications (HKT) Limited / Genius Brand Limited
鮑偉林先生 和記電話有限公司 / 和記環球電訊有限公司代表	Mr William BROWN Representative of Hutchison Global Communications Limited / Hutchison Telephone Company Limited
張展輝先生 新世界電訊有限公司代表	Mr Johnny CHEUNG Representative of New World Telecommunications Limited
柯天倫先生 SmarTone Communications Limited / 數碼通電訊有限公司代表	Mr T L OR Representative of SmarTone Communications Limited / SmarTone Mobile Communications Limited
Ms Christy DITCHBURN Telstra International HK Limited and Telstra International Limited代表	Ms Christy DITCHBURN Representative of Telstra International HK Limited and Telstra International Limited
何中成先生 名氣通電訊固網有限公司代表	Mr Clifford HO Representative of Towngas Telecommunications Fixed Network Limited
劉貴顯先生 TraxComm Limited代表	Mr Kenneth LAU Representative of TraxComm Limited
陳國萍女士 九倉電訊有限公司代表	Ms Agnes TAN Representative of Wharf T&T Limited
陳日鴻先生 對外固網服務 / 固定傳送者 / 綜合傳送者 (對外固定 服務) 持牌商界別代表	Mr Y H CHAN Representative of external FTNS / fixed carrier / unified carrier (external fixed services) licensees as a group

李芷華女士 流動虛擬網絡營辦商界別代表	Ms Christine LEE Representative of mobile virtual network operators (MVNOs) as a group
陳毓才先生 對外電訊服務營辦商界別代表	Mr Stephen CHAN Representative of external telecommunications service (ETS) operators as a group
黃偉文先生 無線電傳呼服務營辦商界別代表	Mr Raymond WONG Representative of radio paging operators as a group
羅錦基先生 服務營辦牌照持牌商界別代表	Mr Allen LAW Representative of services-based operator (SBO) licensees as a group
楊全盛先生 中小型企業代表	Mr Eric YEUNG Representative of small and medium enterprises
林永澤先生 香港警務處代表	Mr W C LAM Hong Kong Police Force
陳婉華女士 個別委任人士	Ms Eva CHAN Member appointed on an ad personam basis
張綺雯女士 個別委任人士	Ms Y M CHEUNG Member appointed on an ad personam basis
莫兆華先生 個別委任人士	Mr York MOK Member appointed on an ad personam basis
Dr Andrew SIMPSON 個別委任人士	Dr Andrew SIMPSON Member appointed on an ad personam basis
徐岩博士 個別委任人士	Dr XU Yan Member appointed on an ad personam basis

無線電頻譜及技術標準 諮詢委員會 (截至2014年3月31日)

Radio Spectrum and Technical Standards Advisory Committee (as at 31 March 2014)

主席 蘇達寬先生 通訊事務管理局辦公室助理總監 (執行)	Chairman Mr T F SO Assistant Director (Operations), OFCA
秘書 丁立興先生 通訊事務管理局辦公室高級電訊工程師 (頻譜策劃)	Secretary Mr L H TING Senior Telecommunications Engineer (Spectrum Planning), OFCA
委員 鄭躍年先生 消費者委員會代表	Members Mr Brian CHENG Representative of Consumer Council
李仲明先生 歐盟信息通信技術委員會 (港澳區) 代表	Mr Michael LEE Representative of EU ICT Council in Hong Kong and Macau
張梓昌博士 香港生產力促進局代表	Dr Lawrence CHEUNG Representative of Hong Kong Productivity Council
李志光工程師、博士 香港工程師學會代表	Ir Dr C K Li Representative of The Hong Kong Institution of Engineers
何志立先生 工程及科技學會香港分會代表	Mr John HO Representative of The Institution of Engineering and Technology Hong Kong
范健文先生 本地電訊業界組織界別代表	Mr Eric FAN Representative of local industry associations as a group
鄭啟良先生 中國移動香港有限公司代表	Mr Alex CHENG Representative of China Mobile Hong Kong Company Limited / China Mobile Hong Kong Corporation Limited
葉漢忠先生 信通電話 (香港) 有限公司代表	Mr Dickson IP Representative of ComNet Telecom (HK) Limited
黃智鈞先生 香港移動通訊有限公司代表	Mr Leslie WONG Representative of CSL Limited
陸國強先生 中港網絡有限公司代表	Mr K K LUK Representative of HKC Network Limited
楊廣翔先生 香港寬頻網絡有限公司代表	Mr Charles YEUNG Representative of Hong Kong Broadband Network Limited
黃旭安先生 Hong Kong Telecommunications (HKT) Limited / 香港電話有限公司及Hong Kong Telecommunications (HKT) Limited / Genius Brand Limited代表	Mr Y O WONG Representative of Hong Kong Telecommunications (HKT) Limited / PCCW-HKT Telephone Limited and Hong Kong Telecommunications (HKT) Limited / Genius Brand Limited

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附錄 B
Appendix B

諮詢委員會委員名單
Membership of Advisory Committees

無線電頻譜及技術標準
諮詢委員會 (續)

Radio Spectrum and Technical Standards
Advisory Committee (continued)

劉德民先生 和記電話有限公司 / 和記環球電訊有限公司代表	Mr T M LAU Representative of Hutchison Telephone Company Limited / Hutchison Global Communications Limited
張展輝先生 新世界電訊有限公司代表	Mr Johnny CHEUNG Representative of New World Telecommunications Limited
孔慶柱先生 Reach Networks Hong Kong Limited代表	Mr H C HUNG Representative of Reach Networks Hong Kong Limited
黎世昌先生 SmarTone Communications Limited / 數碼通電訊有限公司代表	Mr Cyrus LAI Representative of SmarTone Communications Limited / SmarTone Mobile Communications Limited
Mr Jimmy LEE Telstra International HK Limited and Telstra International Limited代表	Mr Jimmy LEE Representative of Telstra International HK Limited and Telstra International Limited
黃耀宗先生 名氣通電訊固網有限公司代表	Mr Jason WONG Representative of Towngas Telecommunications Fixed Network Limited
駱偉德先生 TraxComm Limited代表	Mr Peter LOK Representative of TraxComm Limited
楊玉彪先生 九倉電訊有限公司代表	Mr Bill YEUNG Representative of Wharf T&T Limited
何衛先生 亞洲電視有限公司代表	Mr W HO Representative of Asia Television Limited
陳耀洲先生 電視廣播有限公司 / 無綫網絡電視有限公司代表	Mr Y C CHAN Representative of Television Broadcasts Limited / TVB Network Vision Limited
于家啟先生 香港有線電視有限公司代表	Mr Simon YU Representative of Hong Kong Cable Television Limited
朱嘉遜先生 電訊盈科媒體有限公司代表	Mr Carlson CHU Representative of PCCW Media Limited
林志強先生 香港商業廣播有限公司代表	Mr Paul LAM Representative of Hong Kong Commercial Broadcasting Co. Ltd.
高小明先生 新城廣播有限公司代表	Mr S M KO Representative of Metro Broadcast Corporation Limited
姚順達先生 鳳凰優悅廣播有限公司代表	Mr S T YIU Representative of Phoenix U Radio Limited
郭謙先生 香港電台代表	Mr Francis KWOK Representative of Radio Television Hong Kong
陳珣先生 亞太通信衛星有限公司代表	Mr X CHEN Representative of APT Satellite Company Limited
黃穎琪女士 亞洲衛星有限公司代表 對外固網服務 / 固定傳送者 / 綜合傳送者 (對外固定 服務) 持牌商界別代表	Ms Vicky WONG Representative of Asia Satellite Telecommunications Co. Ltd. Representative of external FTNS / fixed carrier / unified carrier (external fixed services) licensees as a group
陳自強先生 服務營辦牌照持牌商界別 (只包括流動虛擬網絡營辦 商及對外電訊服務營辦商) 代表	Mr Kenneth CHAN Representative of services-based operators (MVNO and ETS operators only) as a group
蕭蔡庇先生 業餘無線電會界別代表	Mr Johnny SIU Representative of amateur radio societies as a group
薛劍偉先生 本地認證機構界別代表	Mr K W SIT Representative of local certification bodies as a group
霍偉雄先生 民航處代表	Mr W H FOK Representative of Civil Aviation Department
陳詠恩女士 香港警務處代表	Ms Diana CHAN Representative of Hong Kong Police Force
黃世文博士 廉政公署代表	Dr S M WONG Representative of Independent Commission Against Corruption
魏佩儀女士 個別委任人士	Ms P Y NGAI Member appointed on an ad personam basis

電訊服務用戶及消費者 諮詢委員會 (截至2014年3月31日)

Telecommunications Users and Consumers Advisory Committee (as at 31 March 2014)

主席 劉光祥先生 通訊管理局辦公室通訊事務副總監 (電訊)	Chairman Mr Danny LAU Deputy Director-General (Telecommunications), OFCA
秘書 黃紫薇女士 通訊管理局辦公室消費者事務主管	Secretary Ms Jamay WONG Head of Consumer Affairs, OFCA
委員 馮澤仁先生 消費者委員會代表	Members Mr Alfred FUNG Representative of Consumer Council
莊禮基先生 香港通訊業聯會代表	Mr Ricky CHONG Representative of Communications Association of Hong Kong
陳利華先生 香港總商會代表	Mr Watson CHAN Representative of Hong Kong General Chamber of Commerce
劉小慧女士 香港資訊科技商會代表	Ms Enid LOW Representative of Hong Kong Information Technology Federation
黃雅麗女士 香港無線科技商會代表	Ms Leona WONG Representative of Hong Kong Wireless Technology Industry Association
楊全盛先生 中小型企業代表	Mr Eric YEUNG Representative of small and medium enterprises
梁淑儀女士 長者代表	Ms Irene LEUNG Representative of The Aged Community
阮浩勳先生 殘疾人士代表	Mr H F YUEN Representative of The Disabled
俞斌先生 殘疾人士代表	Mr Ben YU Representative of The Disabled
冼德華先生 教育局代表	Mr T W SIN Representative of Education Bureau
黃志光先生 政府資訊科技總監辦公室代表	Mr C K WONG Representative of Office of the Government Chief Information Officer
鄭嘉麗女士 公眾人士代表	Ms Elsa CHENG Representative as a member of the public
梁秀清女士 公眾人士代表	Ms Martha LEUNG Representative as a member of the public
文鳳玲女士 公眾人士代表	Ms Florence MAN Representative as a member of the public
盧偉民先生 公眾人士代表	Mr Daniel LO Representative as a member of the public
孫焯德先生 公眾人士代表	Mr Thomas SUN Representative as a member of the public
王振邦先生 公眾人士代表	Mr C B WONG Representative as a member of the public
翁珮玲女士 公眾人士代表	Ms Pauline YUNG Representative as a member of the public
陳翠碧女士 公眾人士代表	Ms Cindy CHAN Representative as a member of the public
陳瑞娟女士 公眾人士代表	Ms Agnes CHAN Representative as a member of the public
黃文麗女士 公眾人士代表	Ms Eva WONG Representative as a member of the public
馬錦華先生 個別委任人士	Mr K W MA Member appointed on an ad personam basis
趙善能先生 個別委任人士	Mr Kenny CHIU Member appointed on an ad personam basis

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附錄 C
Appendix C

服務承諾2014 / 15
Performance Pledge 2014/15

在2013 / 14年度，我們在全部34項服務中有32項均達至或超越服務表現目標。2014 / 15年度的各項服務表現目標詳列如下。

In 2013/14, we achieved/surpassed our performance targets in 32 out of our 34 job areas. The full list of our performance targets for 2014/15 are also set out in the table below.

我們提供的服務水平在某程度上受各種特殊情況及繁忙期間的工作量影響。在考慮這些因素後，我們為各項服務訂立了下列標準處理時間：

The level of service we provide is influenced to some extent by exceptional circumstances and workloads during peak periods. The following table takes these factors into account and sets out the standard service delivery times we aim to achieve for a wide range of services.

	2013 / 14年度 標準處理時間 Service Delivery Standard for 2013/14	2013 / 14年度服務表現目標 (達到服務標準的百分率) Performance Target (% Meeting Service Standard) for 2013/14	2013 / 14年度 實際平均服務表現 Actual Average Performance in 2013/14	2014 / 15年度標準處理時間 (括號內為服務表現目標) Service Delivery Standard (Performance Target in Bracket) for 2014/15
處理廣播服務牌照申請 Processing of Broadcasting Service Licence Applications				
非本地電視節目服務 / 其他須領牌 電視節目服務 Non-domestic Television Programme Service/Other Licensable Television Programme Service	4 個月 months	100%	100%	4 個月 months (100%)
處理電訊服務牌照申請 Processing of Telecommunications Service Licence Applications				
移動無線電系統牌照 Mobile Radio System Licence				
設立新系統 Establishment of a new system	38 個工作天 working days	98%	100%	38 個工作天 working days (98%)
遷移 / 加設基地電台 Relocation / Addition of base station	32 個工作天 working days	98%	100%	32 個工作天 working days (98%)
加設移動電台 Addition of mobile station				
的士電台 For taxis of taxis	5 個工作天 working days	99%	100%	5 個工作天 working days (99%)
其他電台 For other stations	8 個工作天 working days	99%	100%	8 個工作天 working days (99%)
更換移動電台器材 Replacement of mobile station equipment				
的士電台 For taxis of taxis	5 個工作天 working days	99%	100%	5 個工作天 working days (99%)
其他電台 For other stations	8 個工作天 working days	99%	100%	8 個工作天 working days (99%)

2013/14年度
標準處理時間
Service Delivery
Standard for 2013/14

2013/14年度服務表現目標
(達到服務標準的百分率)
Performance Target
(% Meeting Service Standard)
for 2013/14

2013/14年度
實際平均服務表現
Actual Average
Performance
in 2013/14

2014/15年度標準處理時間
(括號內為服務表現目標)
Service Delivery Standard
(Performance Target in Bracket)
for 2014/15

處理電訊服務牌照申請 (續)

Processing of Telecommunications Service Licence Applications (continued)

移動無線電系統牌照 (續)

Mobile Radio System Licence (continued)

更換基地電台器材 Replacement of base station equipment	8 個工作天 working days	99%	100%	8 個工作天 working days	(99%)
簽發牌照 Issue of licence	8 個工作天 working days	99%	100%	8 個工作天 working days	(99%)
無線電商牌照 Radio Dealers Licence	4 個工作天 working days	99%	100%	4 個工作天 working days	(99%)
工業、科學及醫學電子機器牌照 Industrial Scientific and Medical Electronic Machines Licence	5 個工作天 working days	99%	100%	5 個工作天 working days	(99%)
無線電測定和指令、狀態及數據 的傳達牌照 Radiodetermination and Conveyance of Commands, Status and Data Licence	5 個工作天 working days	99%	100%	5 個工作天 working days	(99%)
衛星電視共用天線牌照 Satellite Master Antenna Television Licence	11 個工作天 working days	98%	99.8%	11 個工作天 working days	(98%)
船舶電台牌照 Ship Station Licence	9 個工作天 working days	99%	100%	9 個工作天 working days	(99%)
業餘電台牌照 Amateur Station Licence	9 個工作天 working days	99%	100%	9 個工作天 working days	(99%)
自設對外電訊系統牌照 Self-provided External Telecommunications System Licence	26 個工作天 working days	99%	並無新個案 No new case	26 個工作天 working days	(99%)
第一類及第二類服務營辦商牌照 Services-based Operator Licence – Class 1 and Class 2 Services	14 個工作天 working days	98%	100%	14 個工作天 working days	(98%)
第三類服務營辦商牌照 Services-based Operator Licence – Class 3 Services	13 個工作天 working days	99%	100%	13 個工作天 working days	(99%)

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附錄 C
Appendix C

服務承諾2014 / 15
Performance Pledge 2014/15

	2013 / 14年度 標準處理時間 Service Delivery Standard for 2013/14	2013 / 14年度服務表現目標 (達到服務標準的百分率) Performance Target (% Meeting Service Standard) for 2013/14	2013 / 14年度 實際平均服務表現 Actual Average Performance in 2013/14	2014 / 15年度標準處理時間 (括號內為服務表現目標) Service Delivery Standard (Performance Target in Bracket) for 2014/15
根據《海員培訓、發證和值班標準國際公約》處理證明書及簽註申請 Processing of Certificate and Endorsement Applications under the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention)				
全球海上遇險和安全系統證明書 及簽註 Global Maritime Distress and Safety System (GMDSS) Certificate and Endorsement	5 個工作天 working days	95%	100%	5 個工作天 (95%) working days
全球海上遇險和安全系統等值資 格證明書及簽註 GMDSS Certificate of Equivalent Competency and Endorsement	5 個工作天 working days	95%	100%	5 個工作天 (95%) working days
無線電干擾調查 Investigation of Radio Interference				
對商營服務的干擾 Interference on commercial services	在 Investigation within 6 個工作天內進行調查 working days	96%	100%	在6個工作天內進行調查 Investigation within (96%) 6 working days
對廣播服務的干擾 Interference on broadcasting services	在 Investigation within 9 個工作天內進行調查 working days	96%	100%	在9個工作天內進行調查 Investigation within (96%) 9 working days
處理號碼 / 短碼申請 Processing of Applications for Numbers/Codes				
指配電訊號碼及短碼 Assignment of telecommunications numbers and codes	10 個工作天 working days	100%	100%	10 個工作天 (100%) working days
查核、處理和接收交回的電訊 號碼 Checking, processing and acceptance of return of telecommunications numbers	10 個工作天 working days	100%	100%	10 個工作天 (100%) working days

	2013/14年度 標準處理時間 Service Delivery Standard for 2013/14	2013/14年度服務表現目標 (達到服務標準的百分率) Performance Target (% Meeting Service Standard) for 2013/14	2013/14年度 實際平均服務表現 Actual Average Performance in 2013/14	2014/15年度標準處理時間 (括號內為服務表現目標) Service Delivery Standard (Performance Target in Bracket) for 2014/15
<p>處理有關懷疑違反《廣播(雜項條文)條例》、《廣播條例》、《電訊條例》第III A部、廣播牌照條款或條件、或廣播業務守則的廣播事宜投訴(關於《廣播條例》競爭條文的投訴除外)</p> <p>Handling of Complaints about Broadcasting Matters involving Suspected Breach of the Broadcasting (Miscellaneous Provisions) Ordinance, the Broadcasting Ordinance, Part IIIA of the Telecommunications Ordinance, the terms or conditions of a Broadcasting Licence, or the Broadcasting Codes of Practice (except for complaints relating to Competition Provisions of the Broadcasting Ordinance)</p>				
給予初步答覆 Issue of an interim reply	6 個工作天 working days	100%	99.9%	6 個工作天 working days (98%)+
就無須調查的個案通知投訴人有關 結果(註A)(或如未有個案結果,則向 投訴人報告進度) Inform complainants of results of cases not involving an investigation ^(Note A) (or report of progress to the complainant if results of cases are not ready)	3 個星期 weeks	100%	100%	3 個星期 weeks (98%)+
就需要進行簡單調查的投訴通知投 訴人有關通訊事務管理局(通訊局) 的裁決(註A)(或如未有通訊局的裁 決,則向投訴人報告進度) Inform complainants of the Communications Authority (CA)'s decision on complaints involving a straightforward investigation ^(Note A) (or report of progress to the complainant if CA's decision is not ready)	8 個星期 weeks	100%	99.9%	8 個星期 weeks (98%)+
就需要進行複雜調查的投訴通知投 訴人有關通訊局的裁決(註A)(或如未 有通訊局的裁決,則向投訴人報告 進度) Inform complainants of the CA's decision on complaints involving a complex investigation ^(Note A) (or report of progress to the complainant if CA's decision is not ready)	4 個月 months	100%	100%	4 個月 months (98%)+

註A 由收到投訴人所提供足夠資料起計

Note A Upon receipt of sufficient information from complainants

+ 由2014/15年度起,處理廣播投訴的服務表現目標將由100%微調至98%,以顧及近年處理的投訴個案數目顯著增加的情況。

Starting from 2014/15, the performance targets for handling of broadcasting complaints will be slightly adjusted from 100% to 98% to take into account the significant increase in the number of complaint cases handled in recent years.

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附錄 C
Appendix C

服務承諾2014 / 15
Performance Pledge 2014/15

	2013 / 14年度 標準處理時間 Service Delivery Standard for 2013/14	2013 / 14年度服務表現目標 (達到服務標準的百分率) Performance Target (% Meeting Service Standard) for 2013/14	2013 / 14年度 實際平均服務表現 Actual Average Performance in 2013/14	2014 / 15年度標準處理時間 (括號內為服務表現目標) Service Delivery Standard (Performance Target in Bracket) for 2014/15
處理有關電訊營辦商懷疑違反《電訊條例》或電訊服務牌照條件的消費者投訴 Handling of Consumer Complaints against Telecommunications Operators involving Suspected Breach of the Telecommunications Ordinance or Licence Conditions of the Telecommunications Service Licences				
詳細回覆投訴人 (或如未能詳細回覆，則給予初步答覆) Full reply to complainant (or interim reply if full reply is not ready)	27 個工作天 working days	90%	100%	27 個工作天 working days (90%)
處理針對營辦商關乎《電訊條例》競爭條文或具誤導性或欺騙性行為的條文的投訴 Handling of Complaints against Operators relating to Competition Provisions or Misleading or Deceptive Conduct Provisions of the Telecommunications Ordinance				
完成調查 (或如未完成調查，則向投訴人報告進度) Completion of investigation (or report of progress to the complainant if investigation is not completed)	初步調查完成後 4個月內 Within a further 4-month period after preliminary investigation	80%	100%	初步調查完成後 4個月內 Within a further 4-month period after preliminary investigation (80%)
處理有關營辦商懷疑違反《電訊條例》或電訊服務牌照條件的業界投訴 (關乎《電訊條例》競爭條文和具誤導性或欺騙性行為的條文的投訴除外) Handling of Industry Complaints against Operators (except for complaints relating to Competition Provisions and Misleading or Deceptive Conduct Provisions of the Telecommunications Ordinance) involving Suspected Breach of the Telecommunications Ordinance or Licence Conditions of the Telecommunications Services Licences				
完成詳細調查 (或如未完成詳細調查，則向投訴人報告進度) Completion of full investigation (or report of progress to the complainant if full investigation is not completed)	Within 45 個工作天內 working days	90%	並無新個案 No new case	Within 45 個工作天內 working days (90%)
處理有關懷疑違反《非應邀電子訊息條例》的舉報 Handling of Reports on Suspected Contravention of the Unsolicited Electronic Messages Ordinance				
完成詳細調查 (或如未完成詳細調查，則向投訴人報告進度) Completion of full investigation (or report of progress to the complainant if full investigation is not completed)	Within 10 個星期內 weeks	90%	99.5%	Within 10 個星期內 weeks (90%)

2013/14年度 標準處理時間 Service Delivery Standard for 2013/14	2013/14年度服務表現目標 (達到服務標準的百分率) Performance Target (% Meeting Service Standard) for 2013/14	2013/14年度 實際平均服務表現 Actual Average Performance in 2013/14	2014/15年度標準處理時間 (括號內為服務表現目標) Service Delivery Standard (Performance Target in Bracket) for 2014/15
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對有關通訊辦服務的公眾查詢及投訴作出回覆 Reply to Public Enquiries and Complaints of OFCA's Services

詳細回覆查詢 (或如未能提供詳細回覆, 則給予初步答覆) Full reply for enquiries (or interim reply if full reply cannot be provided)	Within 7 個工作天內 working days	90%	100% ^(Note B)	Within 7 個工作天內 working days (90%)
詳細回覆投訴 (或如未完成詳細調查, 則向投訴人報告進度) Full reply for complaints (or report of progress to the complainant if full investigation is not completed)	Within 15 個工作天內 working days	90%	90.5% ^(Note B)	Within 15 個工作天內 working days (90%)

註B 在2014年3月接獲的查詢及投訴中, 超過75%與同一事宜有關, 全部由公眾以14個信件範本提出。在按既定的目標衡量我們的服務表現時, 以同一信件範本提出的查詢 / 投訴當作一個個案處理和計算。

Note B In March 2014, over 75% of the enquiries and complaints received concerned the same subject matter, and they were lodged by members of the public via 14 letter templates. For the purpose of measuring our performance against the targets set, enquiries / complaints conveyed in the same letter template were handled and counted as a single case.

9 附錄 D Appendix D

牌照簽發及續牌 Licences Issued and Renewed

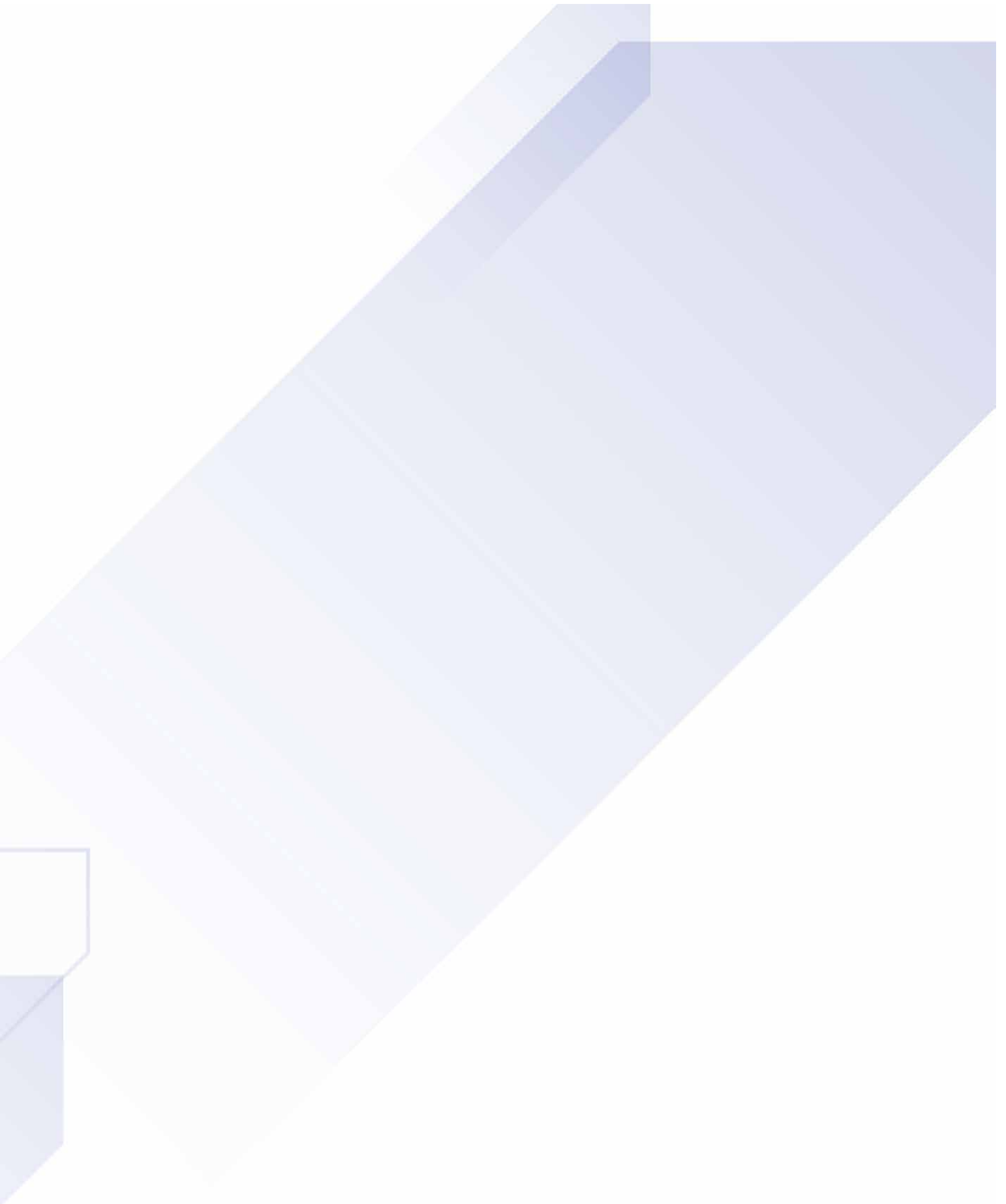
簽發／續牌的廣播及電訊牌照 數目及徵收的牌費

(截至2014年3月31日年度內)

Broadcasting and Telecommunications Licences Issued / Renewed and Revenue Collected

(For the year ended 31 March 2014)

牌照種類	Type of Licences	發牌／續牌數目 No. of Licences Issued / Renewed	港元 HK\$
廣播牌照	Broadcasting Licences		
本地免費電視節目服務	Domestic Free Television Programme Service	2	14,895,967
本地收費電視節目服務	Domestic Pay Television Programme Service	3	11,432,406
非本地電視節目服務	Non-domestic Television Programme Service	19	1,074,202
其他須領牌電視節目服務	Other Licensable Television Programme Service	27	953,550
聲音廣播	Sound Broadcasting	5	17,934,209
電訊牌照／許可證／證書	Telecommunications Licences / Permits / Certificates		
學術機構自設電訊裝置	Academic Institution Self-provided Telecommunications Installation	1	3,500
航空甚高頻率固定電台	Aeronautical VHF Fixed Station	39	51,250
航空器電台	Aircraft Station	305	48,512
業餘操作授權證明	Amateur ATO	857	137,120
業餘電台	Amateur Station	2,602	391,688
無線電廣播轉播電台	Broadcast Radio Relay Station	16	11,062
補發牌照	Duplicate Licence	86	4,730
考試和簽發證書	Examination & Issue of Certificate	555	175,480
實驗電台	Experimental Station	95	27,950
對內／對外固定服務	Fixed Internal/External Services	47	104,905,776
用於傳送電視節目的對內固定服務	Fixed Internal Service for Transmission of Television Programme	3	20,019,415
酒店電視(發送)	Hotel Television (Transmission)	151	593,158
入口／出口許可證	Import/Export Permit	1,066	159,900
工業、科學及醫學電子器材	Industrial, Scientific & Medical Electronic Machine	828	74,833
移動無線電系統或專用移動無線電 系統	Mobile Radio System or Private Mobile Radio System	4,380	32,477,985
流動服務	Mobile Services	10	176,598,120
私用無線電傳呼系統	Private Radio Paging System	14	137,840
公共無線電通訊服務	Public Radiocommunications Service	10	2,138,508
無線電商(放寬限制)	Radio Dealers (Unrestricted)	2,986	4,352,375
無線電通訊學校	Radiocommunications School	6	2,025
無線電測定以及指令、狀態及數據 傳送	Radiodetermination and Conveyance of Commands, Status and Data	128	138,067
衛星電視共用天線	Satellite Master Antenna Television	76	5,047,350
自設對外電訊系統	Self-provided External Telecommunications System	9	6,563
服務營辦商 — 第一類或第二類服務	Services-based Operator of Class 1 or 2 Service	16	1,173,379
服務營辦商 — 第三類服務	Services-based Operator of Class 3 Service	510	12,205,897
船舶電台	Ship Station	3,231	472,425
空間站傳送者	Space Station Carrier	9	1,214,500
的士無線電通訊服務	Taxi Radiocommunications Service	27	635,517
闊頻帶鏈路中繼電台	Wide Band Link & Relay Station	62	149,450
總數	Total	18,181	409,644,709





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