

## **Statement of the Communications Authority**

### **Creation of a Class Licence for Regulating the Use of and Trade in 79 GHz Automotive Radars under Section 7B(2) of the Telecommunications Ordinance (Chapter 106)**

**6 January 2017**

#### **INTRODUCTION**

On 7 October 2016, the Communications Authority (“CA”) published a consultation paper entitled “Creation of a Class Licence for Regulating the Use of and Trade in 79 GHz Automotive Radars under Section 7B(2) of the Telecommunications Ordinance (Chapter 106)” (the “Consultation Paper”)<sup>1</sup>. The CA proposed in the Consultation Paper to create a class licence to regulate the use of and trade in automotive radars (“79 GHz Radars”) operating in the 77 – 81 GHz band (“79 GHz band”) in Hong Kong. The CA invited interested parties to comment on its proposal. A Gazette notice was published on the same day announcing the issue of the Consultation Paper. No submission was received by the CA at the close of the consultation period on 4 November 2016.

#### **RELEVANT STATUTORY PROVISIONS**

2. Pursuant to section 7B(2) of the Telecommunications Ordinance (Cap. 106) (“TO”), the CA may create a class licence for telecommunications networks, systems, installations or services. Pursuant to section 7B(6) of the TO, the CA shall publish a class licence in the Gazette specifying –

- (a) the telecommunications networks, systems, installations or services that eligible persons may supply or use;
- (b) the conditions of the class licence; and
- (c) the qualification that a person is required to possess before he is eligible to be licensed under the class licence.

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<sup>1</sup> The Consultation Paper is available at [http://www.coms-auth.hk/filemanager/en/content\\_711/cp20161003\\_e.pdf](http://www.coms-auth.hk/filemanager/en/content_711/cp20161003_e.pdf)

## **CONSIDERATION**

3. There was no adverse comment received on the proposed creation of the class licence for 79 GHz Radars in response to the public consultation. In view of the likely popularity of the use of 79 GHz Radars in the coming years and the CA's allocation of the 79 GHz band to radiolocation service in Hong Kong with effect from 1 January 2017, the CA considers it timely to create the proposed class licence which regulates the trading and use of 79 GHz Radars in Hong Kong.

## **THE CA'S DECISION**

4. The CA considers that the creation of the proposed class licence would be beneficial to both the consumers and the industry in facilitating the use and trading of 79 GHz Radars in Hong Kong. On the basis of the above consideration, the CA decides to create the class licence as set out in Appendix 1 of the Consultation Paper with effect from the date of this statement.

5. To implement the CA's decision, the Office of the Communications Authority ("OFCA") has published the class licence for 79 GHz Radars in the Gazette in accordance with section 7B(6) of the TO and adopted the specification HKCA 1075 today. For public access, the class licence is available on the CA's website (<http://www.coms-auth.hk/en/licensing/telecommunications/class/index.html>) and the specification HKCA 1075 is available on OFCA's website ([http://www.ofca.gov.hk/en/industry\\_focus/telecommunications/standards/hkca/radio\\_equipment\\_specifications/index.html](http://www.ofca.gov.hk/en/industry_focus/telecommunications/standards/hkca/radio_equipment_specifications/index.html)).

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