



Shoichi "Sean" Sugiura
Secretary General
XGP Forum

6 May 2016

Dear Shoichi,

**Press Release on Full Withdrawal of Licensing Exemption for
Personal Handy Phone System ("PHS") Radiocommunications
Apparatus as from 10 May 2016**

Thank you for your letter of 27 April 2016.

By way of background, the licensing exemption for PHS radiocommunications apparatus operating in the 1895 – 1906.1 MHz band in Hong Kong has already been withdrawn on 10 May 2013. The decision was announced in the press release issued by the Communications Authority back on 22 April 2013, when it was made clear that during the three-year transitional period up to 9 May 2016, members of the public who were using PHS apparatus might continue to do so without being held criminally liable for possessing such PHS apparatus in contravention of the law. The said press release can be downloaded from http://www.ofca.gov.hk/en/media_focus/press_releases/index_id_374.html. Our press release of 12 April 2016 served merely as a reminder to the members of the public, that the three-year transitional period would come to an end on 10 May 2016.

You pointed out in your letter that PHS is still a public radiocommunications service in Japan and some Japanese PHS users who by mistake carry their PHS terminals with them during their visit to Hong Kong may be considered as breaching the relevant law in Hong Kong. In this regard, you may wish to note that during the deliberation on the legislative amendments regarding the withdrawal of the licensing exemption for PHS in the Hong Kong Legislative Council in February

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2013, the Office of the Communications Authority (“OFCA”) had assured the public that it would not prosecute a person who committed, **without knowledge**, the offence in relation to the illegal possession or use of PHS apparatus. You may wish to refer to paragraphs 18 and 19 of the LegCo Paper which may be downloaded from <http://www.legco.gov.hk/yr12-13/english/hc/papers/hc0208cb4-363-e.pdf>.

If you have any further query, please feel free to contact us.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'C K Cheng', written in a cursive style.

(C K Cheng)

for Director-General of Communications