

G.N. 2008

TELECOMMUNICATIONS ORDINANCE (Chapter 106)

Pursuant to section 7B(6) of the Telecommunications Ordinance (Cap 106) (“TO”), the Communications Authority, having published a notice G.N. 7323 in the Gazette on 26 November 2021 in accordance with section 7B(3)(a) of the TO and having complied with the requirements in section 7B of the TO, hereby publishes the Class Licence for 6 GHz Device.

29 April 2022

Communications Authority

**TELECOMMUNICATIONS ORDINANCE
(Chapter 106)**

CLASS LICENCE

6 GHz DEVICE

The Communications Authority, in exercise of the powers conferred on it by sections 7(5) and 7B(2) of the Telecommunications Ordinance (Chapter 106), issues this Licence on this 29th day of April 2022.

1. Interpretation

1.1 In this Licence –

“6 GHz Device” means a radio station as described in the Schedule to this Licence;

“Access Point” means a 6 GHz Device (portable or non-portable) which controls the operations, including the use of frequency channels, of other wireless devices connected to it;

“Authority” means the Communications Authority established by section 3 of the Communications Authority Ordinance (Chapter 616);

“Client Device” means a 6 GHz Device which normally works under the control of an Access Point and may have the capability of communicating with one another directly without involving an Access Point, i.e. peer-to-peer communications;

“Licensee” means a person licensed under Condition 2 of this Licence;

“Ordinance” means Telecommunications Ordinance (Chapter 106); and

“Telecommunication Convention” means any Constitution and Convention of the International Telecommunication Union and the Radio Regulations annexed thereto, which have from time to time or at any time been acceded to by or applied to Hong Kong.

- 1.2 Any word or expression used in this Licence shall, unless otherwise provided, have the same meaning as it has in the Ordinance or regulations made under the Ordinance.
- 1.3 For the purposes of interpreting this Licence, headings and titles shall be disregarded.

2. Grant of Licence

- 2.1 Subject to the terms and conditions of this Licence, a person is licensed to establish, maintain, possess, use, deal in the course of trade or business in and demonstrate, with a view to sale in the course of trade or business, the 6 GHz Device.
- 2.2 Notwithstanding Condition 2.1, this Licence does not authorise the use of 6 GHz Device on board unmanned aircraft systems.

3. General

- 3.1 This Licence shall not be construed as granting an exclusive right to the Licensee.
- 3.2 This Licence replaces any licence or any exemption from licensing for the establishment, maintenance, possession and use of, dealing in the course of trade or business in and demonstration, with a view to sale in the course of trade or business, of the 6 GHz Device, however described, which the Authority may have granted to the Licensee.

3.3 This Licence shall remain in full force unless expressly revoked by the Authority.

4. Compliance Generally

4.1 The Licensee shall comply with the Ordinance, regulations made under the Ordinance, licence conditions or any other instruments which may be issued by the Authority under the Ordinance and such guidelines or codes of practices which may be issued by the Authority as in its opinion are suitable for the purpose of providing practical guidance on any particular aspect of any conditions of this Licence.

4.2 The Licensee shall observe and comply with all provisions of the Telecommunication Convention relevant to the 6 GHz Device.

4.3 The Licensee shall not use the 6 GHz Device to provide a public telecommunications service, except under and in accordance with a licence granted by the Authority.

5. Interference

5.1 Where the Licensee establishes, operates, maintains or uses the 6 GHz Device, the Licensee shall take reasonable measures to do so in such a way as not to cause any direct or indirect harmful interference with any lawful telecommunications service or any telecommunications apparatus licensed or authorised under the Ordinance.

5.2 The Authority may give such reasonable directions as it thinks fit to prevent any direct or indirect harmful interference referred to in Condition 5.1. The Licensee shall comply with the directions.

5.3 The Licensee shall make the 6 GHz Device available for inspection and testing, if so required, by any person authorised for the purpose by the Authority.

5.4 The Licensee should be aware that the frequencies allocated to the 6 GHz Device are shared with other applications in an uncoordinated manner and not protected from harmful interference caused by other telecommunications installations or radio equipment operating in

accordance with the provisions of the Ordinance, or regulations or orders made under the Ordinance.

6. Certification and Labelling

- 6.1 The 6 GHz Device, if falling under the category of Access Point, shall be of a type approved by the Authority.
- 6.2 The Licensee, when dealing in the course of trade or business in and demonstrate, with a view to sale in the course of trade or business, the 6 GHz Device which falls under the category of Access Point, shall ensure that such device is affixed with a label prescribed by the Authority.

7. Technical Criteria

- 7.1 The Licensee shall ensure that any 6 GHz Device that it establishes, maintains, operates, uses, deals in the course of trade or business in, and demonstrates, with a view to sale in the course of trade or business, shall at all times fully comply with the technical criteria and technical specification specified in the Schedule.

SCHEDULE

6 GHz Device

A 6 GHz Device under this Licence refers to a radio station for Wireless Local Area Network, including Access Point and Client Device. The 6 GHz Device shall comply with the technical criteria below and the technical specification HKCA 1081¹ issued by the Authority pursuant to section 32D of the Ordinance.

Technical Criteria

Frequency band: 5.925 – 6.425 GHz

Maximum power:

- (i) 24 dBm mean equivalent isotropically radiated power, for indoor use
- (ii) 14 dBm mean equivalent isotropically radiated power, for outdoor use

¹ Entitled “Performance Specification for Radiocommunications Apparatus Operating in the 6 GHz Band for Wireless Local Area Network”.