

HONG KONG

Providing Satellite Internet Services?

Photo by NASA on Unsplash

January 2024

INTERNET FREEDOM

NA

INTERNET PENETRATION

93%

FREQUENCY

C-band, Ku-Band, and Ka-Band

This document provides basic information about legal aspects of satellite internet services when provision of these services is being considered. This fact sheet comprises general guidance and cannot be a replacement for legal advice.

OVERVIEW

The contents of this factsheet pertain to the laws, regulations, and guidelines that prescribe the norms and obligations governing the provision and operation of satellite internet services in Hong Kong.

RELEVANT LAWS AND REGULATIONS

The primary laws that govern internet access are the *Communication Authority Ordinance (2012)* and the *Telecommunications Ordinance (2000)*. Additionally, Furthermore, the Outer Space Ordinance applies to any entity that intends to participate in space activities, such as launching, using, and operating space objects (including satellites).

REGULATORY BODIES

The **Office of the Communications Authority (OFCA)** is the executive branch of the Communications Authority. This regulatory body independently oversees and regulates broadcasting activities and telecommunications services in Hong Kong. OFCA is also responsible for licensing telecommunications and broadcasting services, as well as managing the radio frequency spectrum.

ARE THERE INTERNET RESTRICTIONS?

Hong Kong has a relatively free internet, but the National Security Law grants the government the power to detect, block, or delete content that is deemed to promote separatism, subversion, terrorism, or collusion with foreign forces.

ELIGIBILITY FOR LICENSING

There are no restrictions on foreign ownership in the satellite internet services market. However, in order to apply, a company must be registered in Hong Kong.

TYPES OF LICENSES

The following licenses are relevant to satellite internet provisioning:

- a) Service Base Operator:** This license, which is valid for two years, allows an ISP to establish a telecommunications system and use radiocommunications apparatus.
- b) Unified Carrier:** When a service provider intends to use its transmission facility, such as satellite systems, to provide internet access, the ISP must obtain this license, which is valid for 15 years.
- c) Space Station Carrier:** The radiocommunication equipment stationed on a satellite and its associated earth stations must comply with the requirements of this license, which is valid for 20 years.
- d) Outer Space:** This license is for lifetime validity and legitimises space missions, including launching, operating, and procuring a space object. However, if there is any inconsistency with the Outer Space Ordinance, this license may be invalidated.
- e) Spectrum Assignment:** The operation of satellite communications systems must comply with the assigned spectrum. The assignment of spectrum may be done through auction or tender at the discretion of OFCA.

LEGAL NATURE OF SATELLITE INTERNET

Complying with the Outer Space Ordinance is necessary when launching and using space objects such as satellites in Hong Kong. In the absence of a separate authority to oversee satellite activities, relevant licenses are granted by OFCA.

END USERS' LICENSES

End users in Hong Kong do not need to obtain a license. They have the freedom to choose from various plans offered by satellite internet providers such as ASIX, Syntelis, Telstra, and Pacific One.