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Ms. Meredith Broadbent
Assistant U.S. Trade Representative for
Industry, Market Access and Telecommunications
Office of the United States Trade Representative
Washington, D.C. 20508
United States

24 February 2005

Dear Ms. Broadbent,

I have the honour to inform you that the Government of Hong Kong, China is prepared to implement Phase I and Phase II of the Asia-Pacific Economic Cooperation Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (APEC Telecom MRA) with the Government of the United States of America for equipment subject to telecommunications and Electro-Magnetic Compatibility (EMC) regulations of Hong Kong, China.

Hong Kong, China confirms that it is prepared to initiate participation in the provisions of the APEC Telecom MRA and its Phase I and Phase II Procedures as set out in Appendices A, B, and C with the United States of America. The exchange of these letters will constitute the official agreement to commence the implementation of the APEC Telecom MRA between our two economies. The text of the APEC Telecom MRA is an integral part of this letter.

Specifically, Hong Kong, China will apply the Phase I Procedures for the recognition of a test laboratory designated by the United States as a Conformity Assessment Body (CAB) and for the acceptance of test reports prepared by such recognized CAB for equipment subject to the telecommunications and EMC regulations of Hong Kong, China. Hong Kong, China will also apply the Phase I Procedures for the designation of a CAB to test equipment subject to the telecommunications and EMC regulations of the United States.

In addition, Hong Kong, China will apply the Phase II Procedures for the recognition of a certification body designated by the United States as a CAB and for the acceptance of the certification results of equipment certified by such recognized CAB for equipment subject to the telecommunications and EMC regulations of Hong Kong, China. Hong Kong, China will also apply the Phase II Procedures for the designation of a CAB to certify equipment subject to the telecommunications and EMC regulations of the United States.

Attached is the list of Technical Regulations for which Hong Kong, China will accept the results of conformity assessment of a United States recognized CAB. Each party should be notified if the list of technical regulations is modified, in accordance with the provisions of APEC Telecom MRA.

Office of the Telecommunications Authority
29/F Wu Chung House 213 Queen's Road East Wan Chai Hong Kong

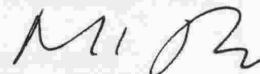
<http://www.ofta.gov.hk>

電訊管理局
香港灣仔皇后大道東 213 號胡忠大廈 29 字樓

I am pleased to inform you that the Office of the Telecommunications Authority (OFTA) is the telecommunications regulatory authority and the designating authority of Hong Kong, China responsible for recognizing and designating CABs. Mr. W K Luk (wkluk@ofta.gov.hk) is the contact for OFTA responsible for the activities under this mutual recognition arrangement.

From the date of the exchange of these letters, Hong Kong, China may designate testing laboratories and certification bodies in accordance with the provisions of the APEC Telecom MRA and its Appendices A, B, and C. Hong Kong, China understands that designation and recognition of CABs will occur only after the necessary training and exchanges of technical criteria and related information for accrediting CABs have taken place.

Yours sincerely,



(M H Au)
Director-General
of Telecommunications

Attachment: Annex I – List of Technical Regulations for Hong Kong, China

cc: APEC TEL WG Chair
Chairman of MRA Task Force Group

**ANNEX I
TO PHASE I AND PHASE II PROCEDURES**

**LIST OF TECHNICAL REGULATIONS
FOR HONG KONG, CHINA**

The Technical Regulations for which Hong Kong, China will accept test reports and certificates from recognized Conformity Assessment Bodies designated by the other Party are:

1. Technical requirements for radio equipment as stipulated in the HKTA 10XX and 12XX series of specifications. Details can be obtained at:
<http://www.ofta.gov.hk/standards/HKTASpec/hkta-spec.html>
2. Technical requirements for wireline equipment as stipulated in the HKTA 2XXX series of specifications. Details can be obtained at:
<http://www.ofta.gov.hk/standards/HKTASpec/hkta-spec.html>
3. EMC requirements for radio equipment exempted from licensing under the Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order. Details can be obtained at:
http://www.gld.gov.hk/cgi-bin/gld/egazette/gazettefiles.cgi?lang=e&year=2003&month=1&day=17&vol=07&no=03&gn=4&header=1&part=1&move=1&df=1&nt=s2&agree=1&acurrentpage=12&gaz_type=ls2
4. Schedule 1 of Chapter 106B of Hong Kong Law -- Telecommunications (Control of Interference) Regulations under the Telecommunications Ordinance. Details can be obtained at:
http://www.legislation.gov.hk/blis_ind.nsf/e1bf50c09a33d3dc482564840019d2f4/07a23ea1b90c85d8c82564800040c2d9?OpenDocument

The following "Information Notes" provide useful guidelines for implementation of conformity assessment procedures for telecommunications equipment :

- a) OFTA I 401 "How to Apply for Type-approval or Type-Acceptance of Radio Equipment"
<http://www.ofta.gov.hk/tec/information-notes/in40103.pdf>
- b) OFTA I 412 "How to Apply for Certification of Customer Premises Equipment to be connected to the Public Telecommunications Networks in Hong Kong"
<http://www.ofta.gov.hk/tec/information-notes/in41203.pdf>
- c) OFTA I 421 "Hong Kong Telecommunications Equipment Evaluation and Certification (HKTEC) Scheme "
<http://www.ofta.gov.hk/tec/information-notes/in42103.pdf>

- End of Annex I -