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# TECHNOLOGY INSIGHT

Telecommunications Act, (Implemented on 26th June, 2024)

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Hong Kong issues first AI data protection guidelines, promises more compliance  
checks

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**Telecommunications Act, (Implemented on 26th June, 2024)**

The Telecommunications Act, effective from 26.06.2024, introduces several salient features aimed at improving the sector. It clearly defines key terminologies to reduce uncertainties and enhance investor confidence, thereby facilitating ease of doing business. The Act establishes an effective Right of Way (RoW) framework for both public and private properties, broadening the definition of public entities to include government agencies, local bodies, and PPP projects like airports, seaports, and highways. In line with the PM Gati Shakti vision, the law empowers the Central Government to establish common ducts and cable corridors.

To ensure national security and promote India's technology developers, the Act grants powers to set standards and conformity assessment measures for telecommunication services, networks, and security. It includes strong provisions for national security and public safety. User protection is addressed through measures against unsolicited commercial communication and the creation of a grievance redressal mechanism. The implementation of the Act is designed to be digital, incorporating online dispute resolution and other frameworks. To ensure a smooth transition, sections 61 and 62 are enforced to maintain the existing framework until new rules are established, providing a conducive and friendly environment for business and the sector.

**Hong Kong issues first AI data protection guidelines, promises more compliance checks**

Hong Kong's privacy watchdog, the Office of the Privacy Commissioner for Personal Data (PCPD),

on 11th June, 2024 has released the city's inaugural guidelines for businesses using generative artificial intelligence (AI) services. These guidelines are intended to enhance personal data protection as AI adoption becomes more widespread. Companies leveraging generative AI are advised to implement several measures, including conducting risk assessments, determining suitable levels of human oversight, and minimizing the collection of personal data for training their models. Additionally, the guidelines recommend establishing an internal AI governance committee, led by a C-level executive and reporting directly to the board.

This framework represents the most detailed set of AI-related regulatory guidelines in Hong Kong to date. Despite the rapid adoption of AI technologies like OpenAI's ChatGPT since late 2022, Hong Kong does not yet have specific laws or regulations governing AI. The current guidelines, while comprehensive, are voluntary rather than mandatory. Amita Haylock, a partner at the law firm Mayer Brown in Hong Kong, noted that the government is likely to continue its incremental approach to AI regulation, favoring voluntary guidelines and targeted measures in areas such as data privacy and intellectual property over broad legislative action.



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