

Proposed HKSAR Identity Card Submission by Hong Kong Computer Society

On 19 October 2000, Government of the Hong Kong Special Administrative Region published a Legislative Council Brief on the subject of HKSAR Identity Card. On behalf of Hong Kong Computer Society, I present a submission outlining support and comments on the proposed policy.

Preamble

The Legislative Council Brief on the HKSAR Identity Card is set out in paper, File Ref. SBGR 1/1486/81. Government of HKSAR has established a series of policy proposals concerning the introduction, amongst others:

- A new identity card and a new supporting computer in early 2003;
- A new identity card in the form of a smart card; and
- This smart card has the capacity to support multiple applications.

This Legislative Council Brief is currently for public discussion and debate. As a professional body in the information technology arena, it is appropriate for HKCS to present this submission, outlining the views of its members and practitioners in response to the initiative by Government.

Support for the Policy Proposals

HKCS is delighted at the initiative by Government to complete the feasibility study and formulate a series of policy proposals. My members and I share the optimism of technological advancement, and the driving force to build the HKSAR as a leader in the use of IT in this part of the world.

Based on the information released for public discussion, the policy proposals are set in the right direction in general. But further information may be warranted to facilitate meaningful deliberations on a number of specific issues that can be of significant implications.

On behalf of HKCS, I outline for further consideration the relevant issues as follows:

1. The policy should set the use of the smart card as a storage device for personal identity data only, in support of facility at application level to verify personal identification and authenticate personal identity.
2. The data collection, data use, and accumulation of personal data will continue to be governed by the provisions of Personal Data (Privacy) Ordinance (Cap. 486). This should be stressed upon in further deliberations, and made known that, where appropriate, amendment to this Ordinance will be made to extend the protection of the data subjects and data users in terms of privacy and related implications.
3. There will be a need to pay particular attention to the issue of data ownership, and the rights and obligations of the data subjects. At this time, it is necessary to set

some legal guidance as to the data subjects' rights and onus of proof. In particular, it should address specific issues associated with the onus of proof of use of the card in terms of a transaction, or in terms of binding the "digital signature" to a document. Relevant questions will be raised as to whether it will be the onus of the data subject to prove that he has not signed a document digitally.

4. There will be space for storage of personal data that is not initiated or collected under the provisions of an Ordinance; for example, credit card or bank account details of the HKSAR Identity Card holder. In such cases, there is a need to provide policy guidance as to data ownership, and legal implications arising from, or in connection with, the use of such data by non Government related transactions, bearing in mind the card, as a data storage device, is owned by Government.
5. The Legislative Council Brief seems to have insufficient coverage of the issues associated with risk management and information security management. It will be important for Government to set an unambiguous and practical framework for managing risk and security. To this end, it is relevant to point out that there is good and well established guidance in the following standards:
 - Risk Management Standard (AS/NZS 4360:1999)
 - Information Security Management Standard (BS 7799:1999)

It is pleasing to note the conceptual use of the proposed HKSAR card in areas such as "electronic purse". But it will be prudent for any proposed use to be adequately analyzed in terms of risk and potential impact on confidentiality, integrity and availability of personal data. There is also the question of non repudiation in most of the E-commerce related transactions.

6. A project extending some two years from tendering through to implementation requires careful planning and project management, taking into consideration the relatively fast-moving technology in areas such as encryption, biometrics and data communications. There is rapid technology advancement that could make evaluation of options difficult. Further complexity could arise from the fact that there will be substantial resources necessary to run both the new HKSAR identity card system and existing ROP system over an extended time frame.

Conclusion

On behalf of HKCS, I support the policy proposals set out in the Legislative Council Brief, and advocate that the issues together with comments outlined above be taken into consideration in any further deliberations.

As a professional IT body, my members and I will be delighted at any further opportunities of providing input and contribution to this strategically important project of the HKSAR.

Further Questions

Set out in the Appendix are questions that my HKCS colleagues and I intend to raise at the next public hearing.

Appendix

1. What is the expected life of a smart card and the supporting computer system that the feasibility study was based upon?
2. Is there any particular reason for the proposed development and testing phases to elapse from June 2001 to November 2002?
3. Any idea how stress testing of the system will be planned and conducted?
4. What would be the likely size of the pilot phase?
5. Is there any scope for shortening the ID Card replacement exercise?
6. Is there a breakdown available in support of the cost estimates, especially in relation to the staff costs of \$943 million for 364 staff who will be appointed to time limited posts?
7. What will be the controlling measures to ensure successful and smooth project implementation?
8. What is the reason for storing two thumb prints?