HONG KONG INSTITUTION OF ENGINEERS
Information Technology Division
香港工程師學會
資訊科技組

Submission From Information Technology Division, The Hong Kong Institution of Engineers for the LegCo Panel on Security

Comments on Inter-departmental Working Group on Computer Related Crime Report

Summary

We welcome the publication of the above report, which has reviewed the existing situation and made recommendations to improve our legislative and administrative frameworks for combating computer related crime.

We supported that threat/vulnerability assessments should be carried out for all the critical computer systems which will affect the operation of our critical infrastructures. More importantly, these assessments should be carried out by qualified professionals.

The Hong Kong Institution of Engineers (HKIE), in particular its Information Technology Division (ITD), has always been devoted to the promotion of engineering profession at large. "Information Security" is the focus of ITD's activities for the coming year. A number of exhibitions and seminars will be held to promote awareness. We will co-operate with HKSAR Government to promote the awareness of "Information Security".

Paragraph 2.3

The provision of S. 11, Cap. 210 may require amendments. Altering, erasing or adding any computer program or data may not necessary mean burglary, e.g. adding / deleting cookies, temporary adding/ deleting client programs for Internet use, etc.

Paragraph 3.10

The term "information system" may include manual information systems, which is outside the scope of the report. We propose using the term "computer system" to

avoid misunderstanding.

The term “information system”/ “computer system” should be clearly defined to ensure that it could well embrace all the necessary equipment, e.g. PDA, mobile phones, bluetooth devices, MP3, etc.

We have concern on aligning the terminology used in all the relevant ordinances. This should be treated with extreme care as the term “computer” or “information system” may carry different meanings under different ordinances.

Paragraph 3.11
There is a need to define the term “unauthorized access”. Unauthorized access of computer data / images should also include use of computer without invitation, capture of data through monitor / television radiation, video capture of such images, etc.

Paragraph 5.23
We considered that disclosure power should not be limited to organized crimes only.

Paragraph 6.5
"Theft" of computer data should be a criminal offence because it may cause financial loss. There should be no difference between theft of data and theft of property.

Paragraph 8.23
We should be more forward-looking to technology and should be technology neutral. Therefore we should not tide-up a specific technology as mandatory, e.g. PKI.

Paragraph 8.24
Since most of the crimes are reported after a while and the investigation may take an even longer time, retention period for ISP's records should be longer than six months, e.g. one year.

As the records may contain information related to other customers, the law enforcement agencies should set up proper procedures for handling these records to protect privacy.

Paragraph 9.18
The term “critical infrastructure” should be clearly defined. As not all the computer

systems of a "critical infrastructure" are critical to its operations, there is a need to define what are the "critical computer systems". Otherwise, the system owners may deliberately define their systems as "non-critical" in order to avoid carrying out all the necessary assessments.

A central body, whether from the Government or private sector, should be responsible for defining and classifying "critical systems" and to ensure that assessments have been properly carried out.

The threat/vulnerability assessment should be carried out by qualified professionals, such as Registered Professional Engineers (Information), who are competent to deal with the technical and security issues.

Paragraph 11.6 to 11.9

We support that the private sector should play a more active role in respect of education and publicity. As a leading professional body in Hong Kong, The Hong Kong Institution of Engineers will co-operate with the Government in providing public education and publicity. In fact, "Information Security" is the focus of our activities in 2001. We will publicize the concept of "e-Security" in the HKII Expo in Feb 2001 and IT Expo in Sep 2001. In addition, we will conduct a series of seminars on information security for our members and also the public.

In addition to providing support to private sectors, we believe that the Government should play the co-ordination role to ensure that essential areas have been covered and to avoid duplication of efforts.