

**Bills Committee of the Legislative Council
Registration of Persons (Amendment) Bill 2001**

Comments by Hong Kong General Chamber of Commerce	Administration's Response
<p>1. ID card holders should not be required to furnish any more information on the smart ID card that may give rise to more regulatory power than is provided for in the Ordinance, whether the information is regarded as positive (e.g. education, honours) or negative (e.g. tax, crime). (paragraph 3)</p>	<p>➤ We fully understand the Chamber's concerns on the collection of personal information. The data to be furnished by the citizen upon registration for the smart ID card will be related to registration of persons and will be clearly stipulated in the proposed amended Regulation 4 of the ROP Regulations. ImmD will not collect any data on behalf of other departments or agencies, and vice versa. We will observe and comply with the privacy principle relating to purpose of collection as stipulated in Schedule 1 to the Personal Data (Privacy) Ordinance.</p>
<p>2. We support the use of the smart ID card for non-immigration applications if they are voluntary. (paragraph 6)</p>	<p>➤ We are happy to note the HKGCC's support for the use of smart ID card for non-immigration purposes. All the initial non-immigration applications will be voluntary at the choice of the citizens.</p>
<p>3. As a matter of principle, end users should not be forced by the capacity (application) provider to give up privacy or other rights as part of the cost for access to the application. The relevant provisions of the Personal Data</p>	<p>➤ We agree that citizen's privacy rights should be well protected. The implementation of non-immigration applications will comply with the Personal Data (Privacy) Ordinance. Widespread publicity will be</p>

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<p>(Privacy) Ordinance should apply. (paragraph 12)</p>	<p>organised to ensure that citizens will be fully informed of their privacy rights before making a choice of whether to accept the non-immigration applications. In addition, these applications will be non-discriminatory. If citizens choose not to accept them, they will be free to continue obtaining services through the existing channels.</p>
<p>4. To address the concern about possible unfair competition between the government and other smart card operators, there should be a clear indication from the government upfront about the interface between the smart ID card and other commercial applications – the smart ID card should be used as a platform for other commercial applications to facilitate rather than compete with other e-commerce applications. (paragraph 14)</p>	<p>➤ We are mindful of the need to take a more cautious approach at the initial stage given the possible public unease towards commercial applications on the ID card. We will monitor public acceptance to commercial applications on the smart ID card and will consider introducing commercial applications should there be widespread public support.</p>
<p>5. As long as people have the choice to opt out, we support the one-stop approach in embedding the e-Cert into the smart ID card at the point of issuance. By producing a large number of users in a relatively short time, the smart ID card will become a credible infrastructure for e-commerce. (paragraph 16 and 17)</p>	<p>➤ Citizens are free to opt for the e-Cert out of their voluntary choice. After the e-Certs are issued, citizens are free to terminate the e-Certs or remove them at designated post offices. We agree with HKGCC that the provision of one-stop service for the embedment of e-Certs onto the smart ID cards will encourage e-Cert take-up, and hence facilitate e-commerce and e-government development.</p>

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<p>6. Our view is that eventually access (to the smart ID card platform) should be opened up to other Certification Authorities from the private sector. Given that the market is not yet mature, we do not object to the more cautious stand of the Administration. (paragraph 17)</p>	<p>➤ We appreciate HKGCC's views. We will consider opening up the smart ID card platform to other Certification Authorities should there be strong public support in the future.</p>

Security Bureau
10 October 2002