

Your Ref : CB1/PL/ITB
Our Ref : PCO(O)125/115/85

29 November 2005

By Fax & By Post

Ms Debbie YAU
Clerk to Panel
Panel on Information Technology and Broadcasting
Legislative Council
Legislative Council Building
8 Jackson Road
Central, Hong Kong

Dear Ms Yau,

**Panel on Information Technology and Broadcasting
Draft minutes of the special meeting on 1 November 2005**

I refer to your letter dated 17 November 2005 requesting me to provide written response to address members' concerns and questions raised at the meeting.

Since the meeting, I have organized a review of the matter. Given the public importance, further researches have been done by my in-house counsels on the interpretation of the meaning of "personal data" and the jurisdictional point. In addition, further materials have been requested of parties concerned in the incident. I am also liaising with my overseas counterparts for the purpose of sharing their experience in respect of various issues arising from the incident. To obtain a second opinion, I have instructed a Senior Counsel in Hong Kong and it is expected that the opinion will be available in 3 weeks' time.

I shall update members of the progress once leading Counsel's opinion is available.

Yours sincerely,

(Roderick B Woo)
Privacy Commissioner for Personal Data