

For information
on 10 May 1999

Legislative Council Home Affairs Panel

Year 2000 Compliance within the Home Affairs Bureau and in related departments and Non-Government Organisations

Purpose

This paper informs the Panel of the latest position of Year 2000 (Y2K) compliance within the Home Affairs Bureau (HAB), departments within its purview and related non-government organisations (NGOs) that provide essential services.

2. The organisations covered in this paper operate discrete systems that are not interlinked. Each has its own programme for achieving compliance. The Bureau's role is to monitor their progress towards that goal. It does not dictate strategies or direct departments and NGOs on the implementation of their programmes.

The Home Affairs Bureau

3. HAB has no mission critical ¹ computer or embedded systems. Our building services, telephone and fax facilities are all compliant.

Departments

4. The Home Affairs Department (HAD) is under HAB's direct purview. Additionally, HAB is 'housekeeping' bureau for the Information Services Department (ISD), though it does not direct that department's policies. Their Y2K progress is explained in paragraphs 5 to 6 below.

Home Affairs Department

5. The Department has no mission-critical computer systems. It has 94 embedded systems (utilities, telephones, and so forth) that are considered to be critical. Only one - the telephone system at Tai Po Government Offices - was found to be non-compliant. Rectification work is expected to be completed in May 1999. The Department's Y2K Co-ordination Committee oversees progress.

Information Services Department

6. Three of ISD's six mission critical systems were found to be non-compliant. These were the Government News Information System, the News Services Support System, and the Interactive Voice Response System. A Project Steering Committee monitors the rectification work which is scheduled for completion by end-May 1999. As at end-April, 70% of the task - including development work and integration testing - was complete.

NGOs providing essential services

7. None of the NGOs within HAB's purview provide services that are essential in the strictest sense of the term. That is, the public would suffer no adverse consequences in terms of life, health, or livelihood were they to cease operating. However, the Equal Opportunities Commission and the Office of the Privacy Commissioner for Personal

Data perform functions that are essential to the promotion of equal opportunities and the right to privacy.² The following paragraphs describe their progress in regard to Y2K compliance.

Equal Opportunities Commission (EOC)

8. Two of the EOC's systems were found to be non-compliant. These were -
 - a. the telephone voice mail system: this was upgraded in February and is now fully compliant. The EOC is carefully monitoring its performance; and
 - b. the EOC's LAN: the server is non-compatible. Remedial work started in December 1998 and is expected to be completed in August 1999.

Office of the Privacy Commissioner for Personal Data (PCO)

9. The PCO's computer system comprises two hardware components - the Office Automation System (OAS) and the telephone hotline system. Both systems were found to be Y2K non-compliant. Following an independent assessment report prepared by the Hong Kong Productivity Council (HKPC), all Y2K non-compliant hardware and software systems were upgraded or replaced in January 1999. The HKPC is now testing the PCO's Complaint Handling System - which is the most important for the PCO's operations - and formulating a contingency plan. Both tasks are expected to be completed by the end of May 1999.

Home Affairs Bureau
30 April 1999

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1. Critical systems are those whose proper functioning is related to public health and safety, the provision of critical services to the public or the payment and revenue collection.
2. Other organisations under HAB's purview provide services that, while of value, cannot be considered essential. They are the Outward Bound School, the Academy for Performing Arts, the Arts Development Council, and the Sports Development Council.

LegCo Panel on Home Affairs

List of discussion items for future meetings

1. Consultancy Report on the New Institutional Framework for Culture, the Arts, Recreation and Sports Services

The Administration has briefed the Panel on the Consultancy Report on the new institutional framework for culture, the arts, recreation and sports services at its special meeting on 29 March 1999. The Panel has scheduled two special meetings on **14 May and 18 May 1999** to meet deputations from the arts and sports communities respectively.

2. Difficulties encountered by divorcees in collecting maintenance payments

As requested by members at the Panel meeting in December 1998, the Research and Library Service Division (RLS) of the LegCo Secretariat has completed the second report on the operation of child support agencies in overseas countries. While the Panel has also urged the Administration to review the effectiveness of the Attachment of Income Order Rules in solving the difficulties encountered by maintenance payees in collecting maintenance payments and provide further information by 26 April 1999, the Administration has recently advised that the review takes time and it would formulate recommendations by the end of 1999.

The Panel may wish to consider RLS report and discuss the review progress with the Administration in **June**.

3. Work of the Office of the Privacy Commissioner for Personal Data

Item proposed by Hon Albert HO Chun-yan. The Office of the Privacy Commissioner for Personal Data (Privacy Commissioner) is responsible for enforcing and promoting compliance with the Personal Data (Privacy) Ordinance. The Panel may wish to be updated on the work of the Office of the Privacy Commissioner.

4. Reports of the HKSAR on the implementation of the International Covenant on Civil and Political Rights (ICCPR)

HKSAR has submitted its first report under the International Covenant on Civil and Political Rights (ICCPR) to the United Nations on 11 January 1999. At the Panel meeting on 8 February 1999, members agreed that a special meeting would be held to meet deputations on the report. The special meeting may be held sometime in **May/June 1999**.

5. Proposed amendments to the Gambling Ordinance

The Administration is considering amendments to the Gambling Ordinance (Cap. 148) in order to combat illegal gambling activities. The Panel may wish to receive a briefing from the Administration on the legislative proposal at the Panel meeting in **June 1999** if the bill is to be introduced into the Legislative Council in September 1999.

6. Concluding comments of the United Nations (UN) Committee on the Elimination of Discrimination against Women on the initial report on the Hong Kong Special Administrative Region (HKSAR) under the Convention on the Elimination of All Forms of Discrimination against women (CEDAW)

The Administration has briefed the Panel on the Hearing of the UN Committee on the Elimination of Discrimination against Women on the initial report on the HKSAR under Article 18 of CEDAW and the Administration's response at its meeting on 8 March 1999. A motion debate also took place on 21 April 1999. Members may wish to follow up the issues at a future Panel meeting.

7. Report on the HKSAR under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

An outline of topics to be covered under the CAT report was issued for public consultation on 16 July 1998 which ended on 22 August 1998. The Home Affairs Bureau is co-ordinating compilation of the CAT report, which will form a discrete section of the Central People's Government's (CPG's) report for submission to the United Nations. The Panel may wish to discuss the report when it is available.

8. Reports of the HKSAR on the implementation of the International Covenant on Economics, Social and Cultural Rights (ICESCR)

The Administration published the report outline in relation to ICESCR for public consultation which ended in April 1998. The Administration has briefed the Panel on the timetable for preparing the HKSAR reports at the Panel meeting on 27 July 1998. The Administration has revised its timetable regarding HKSAR's report on ICESCR aiming at completion by early 1999. The Panel may wish to discuss the contents of the report when available.

9. Review on the definitions of "hotel" and "guesthouse"

When studying the Hotel Accommodation (Miscellaneous Provisions) Bill 1998, the Bills Committee formed to study the Bill noted the hotel industry's request to distinguish "hotel" and "guesthouse" in the definitions, so that hotels and guesthouses may be subject to different licensing requirements. The distinction in definitions will also facilitate tourists in choosing suitable accommodation. However, different views have been expressed by deputations on a feasible definition. To address members' concern, the Administration has undertaken to conduct a separate exercise as early as possible to review the definitions of "hotel" and "guesthouse" in consultation with the trade and relevant bureaux. The Panel may wish to follow up on the recommendations of the review.

10. Review and amendment of the Control of Obscene and Indecent Articles Ordinance (COIAO)

At the special Panel meeting on 26 April 1999, members agreed that the issues relating to the review of COIAO should be discussed by the LegCo Panel on Information Technology and Broadcasting and members of Home Affairs Panel should be invited to attend the meeting.

11. Monogamous marriage system

At the special House Committee meeting on 5 February 1999 on the judgement of the Court of Final Appeal (CFA) delivered on 29 January 1999 on cases relating to the right of abode (ROA) of persons born in the Mainland to Hong Kong permanent residents. Hon CHAN Kam-lam raised the question as to whether, upon arrival of the child born out of wedlock, the lawful spouse of the Hong Kong parent resident could initiate legal proceedings against the

husband/wife for bigamy. Members agreed that the issue be followed up by the relevant Panel.

Duty Roster Members also met a deputation on 23 March 1999 on the impact of the Court of Final Appeal's judgment, which granted right of abode to mainland children born to Hong Kong permanent residents out of wedlock, on the monogamous marriage system in Hong Kong. While Members considered that any proposal to legislate against "keeping a second wife" will need very careful and long-term consideration, they agreed that the Administration should carry out public education activities promoting the value of family and marriage. Members agreed that the deputation's views be referred to the Panel for consideration and further study. The Panel may wish to follow up on these issues.

12. Development and improvement of rural areas

At the LegCo Members' meeting with Tuen Mun Provisional District Board (TMPDB) members on 21 January 1999, TMPDB members expressed concern about the slow pace and lack of planning in rural improvement in Tuen Mun. Members agreed that the issue be referred to the Panel on Home Affairs for follow-up. Members may wish to discuss the issue of rural improvement and development at a future meeting.