

OUR REF. : HAB/CR/7/22/31 Pt. 2
YOUR REF : CB2/PL/AJLS
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19 June 2000

Mrs. Percy Ma,
Clerk to LegCo Panel on
Administration of Justice and Legal Services
Legislative Council Building,
8 Jackson Road,
Hong Kong.

Dear Mrs. Ma,

**Review of applicability of Personal Data (Privacy) Ordinance
to “State” organisations stationed in the HKSAR**

Thank you for your letter dated 18 May 2000.

The Panel’s request for a quarterly report is noted.

On para. 1(b) of your letter, between January 1999 and June 2000, four meetings (January 1999, March 1999, May 1999 and May 2000) were held in Hong Kong and Beijing with the Hong Kong Macao Affairs Office of the State Council to discuss the applicability of the PDPO to the CPG offices in Hong Kong. The Administration was represented at each meeting by some or all of the following departments : the Home Affairs Bureau, Constitutional Affairs Bureau, the Administration Wing of the Chief Secretary for Administration’s Office and the Department of Justice.

During the meetings, we briefed the CPG officials the key provisions of the PDPO (including the six data protection principles) and how the provisions were interpreted and applied by the Privacy Commissioner for Personal Data. The Administration considers it necessary to carefully consider the implications of extending the application of the PDPO to the CPG offices in Hong Kong and, in line with our usual practice of consultation with parties affected by proposed legislation, discuss with the CPG to assess whether, and if so, how the operation of a particular CPG office will be affected by the PDPO. We are not in a position to disclose the details of the discussions with the CPG as the discussions are still going on. The Administration will inform the Panel of the result of the review as soon as possible.

Yours sincerely,

(NG Hon-wah)

for Secretary for Home Affairs