

**Responses to the submission from the Office of the Privacy
Commissioner for Personal Data**

I. The public inspection of contract or memorandum containing personal data

We will reply to you on the above points separately.

II. The collection of personal particulars of director and secretary

We note the comments of the Privacy Commissioner for Personal Data. We would take all reasonable and practicable steps to ensure that the notification is sufficiently brought to the attention of the data subjects.

III. The public register

It is true that the class of persons whose personal data are statutorily required to be filed with the Registrar is not confined to directors. While we will further consider the proposal raised by the Privacy Commissioner, it appears that the wording of the proposed section 305(1A) adequately covers inspection of documents by members of the public who wish to ascertain whether they are dealing with office holders other than directors or other officers of the company, such as liquidators, receivers and mortgagees. Upon the appointment of such an office holder, the name of the individual appointed would be clearly specified in the relevant document, be it a winding up order, debenture or mortgage deed, and in the specified form reporting the appointment. This would show that the named person was appointed in relation to a specified corporation **in matters of or connected with any act of such specified corporation**. Under such circumstances, we believe that the Registrar would be acting within his powers to make available any document containing personal data of any such office holder, and that such would have been provided pursuant to the relevant requirement of the Companies Ordinance to enable a member of the public to ascertain whether he is dealing with, for example, a liquidator appointed in connection with the liquidation of a specified corporation, etc.

**Financial Services Branch
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