

香港海關
香港中環統一碼頭道
海港政府大樓 7 字樓



**CUSTOMS AND EXCISE DEPARTMENT
HONG KONG**

7/F, Harbour Building
38 Pier Road, Central
Hong Kong

本署檔號 Our Ref : L/M to HDC/AD/36 IV

來函檔號 Your Ref : CB(3)/PAC/R39

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5 February 2003

Public Accounts Committee
(Attn : Miss Sandy Chu)
Legislative Council Building
8 Jackson Road, Central
HONG KONG

Dear Miss Chu,

**The Director of Audit's Report on the
result of value for money audits (Report No.39)**

**Chapter 2 : The Customs and Excise Department's efforts
to protect government revenue from dutiable commodities**

I refer to the reply letter of the Privacy Commissioner for Personal Data to the Public Accounts Committee dated 29 January 2003.

In response to the two additional suggestions mentioned in the said letter, we have consulted the Privacy Commissioner again and revised our operating procedures accordingly. (Please see supplementary information at Annex)

Yours sincerely,

(K Chow)

for Commissioner of Customs & Excise

c.c. Privacy Commissioner for Personal Data
Secretary for Financial Services and the Treasury
Director of Immigration
Director of Audit

Supplementary Comments from
the Office of the Privacy Commissioner for Personal Data (PCO)

Item No. 1 of Part B

Item No.	Supplementary Comments from PCO	C&ED's Response
1.	<p><u>Chapter 5 (page 8)</u> C&ED should give a purpose statement to their officers in respect of the collection of the officers' activity log regarding their access to travellers' record.</p>	<p><i>Accepted.</i> A revised purpose statement is prepared at <u>Appendix</u>.</p>

Item No. 4(b) of Part B

Item No.	Supplementary Comments from PCO	C&ED's Response
4.	<p>Chapter 7 (page 14) C&ED should have an "alert" system whereby all cases of "No IC Arrival Record is found" be brought to the attention of the supervising officers and be investigated so as to prevent any unauthorized access to the data by authorized personnel</p>	<p><i>Accepted.</i> C&ED's internal instruction (A General Order) will cover the handling of "No IC Arrival Record is found" cases to prevent abuse of the facilities.</p> <p>C&ED's checking officer will be required to inform his supervisor before completing the processing of such a case. The supervisor will take steps to ensure no malpractice has occurred in the case and endorse on the Record Check Register.</p> <p>ImmD will also conduct other movement record checks on those "No IC Arrival Record is found" cases shown on the daily Audit Trail Report generated by the ICAS. ImmD will refer cases with irregularities to C&ED for follow-up investigation.</p>

To: AS()

Re: Application for Creation of User Identifier and Password in ICAS

The following are my personal particulars for the creation of my user identifier and password in ICAS:-

Name of applicant: _____

Rank: _____

HK I/C No.: _____

Signature of applicant: _____

Date: _____

Notice to Officer on Collection of Personal Data

1. Purpose of Collection

The data collected above will be forwarded to the Immigration Department for the creation of your personal identifier and password for accessing ICAS, and preparation of the activity log of your access to ICAS for record purpose. The data may also be used in an investigation of any suspected abuse on Record Check, or a related prosecution or disciplinary action.

2. Transfer of Personal Data

The Customs and Excise Department will only disclose the above personal data to the Immigration Department, or where such disclosure is authorized or required by law.

3. Access to Personal Data

Under the Personal Data (Privacy) Ordinance (Chapter 486), you have a right of access to and correction of the personal data collected by this Department. The right of access includes the right to obtain a copy of the personal data provided by you, subject to payment of a fee. Enquiries concerning the personal data collected, including access to and correction of the personal data, can be made to your Divisional Commander.