

政府總部
民政事務局

香港灣仔
軒尼詩道一百三十一號
修頓中心三十一樓



GOVERNMENT SECRETARIAT
HOME AFFAIRS BUREAU

31ST FLOOR, SOUTHERN CENTRE,
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WAN CHAI,
HONG KONG.

本局檔號 OUR REF. : (16) in HAB/CR/7/15/362 Pt. 45
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8 July 2005

Clerk to Panel
Legislative Council Panel on Home Affairs
8 Jackson Road
Central
Hong Kong
(Attn: Miss Flora TAI)

Dear Miss TAI,


LegCo Panel on Home Affairs

At the Panel meeting held on 13 May 2005, members of the Panel requested further information on advisory and statutory bodies (ASBs). Please find attached the requested information covering the following -

- (a) breakdown, by boards/committees, on the 461 non-official posts taken up by appointed members who had served in the same post for over 10 years as at March 2005 (at Annex 1);
- (b) aggregate statistics on the number of boards/committees served by appointed non-official female members of ASBs as at March 2005 (at Annex 2);
- (c) aggregate statistics on the occupation/profession of appointed non-official female members of ASBs as at March 2005 (at Annex 3);
- (d) statistics on appointed non-official female members of ASBs serving on "important" boards/committees as at March 2005 (at Annex 4);

- (c) aggregate statistics on the occupation/profession of appointed non-official male members of ASBs as at March 2005 (at Annex 5);
- (f) the affiliations to political parties/political groups of the 21 non-official members appointed to ASBs serving on more than six boards/committees as at March 2005 (at Annex 6); and
- (g) the factors that the Administration had taken into consideration in concluding that the Administration should not require an appointee to disclose, on a compulsory basis, sensitive personal data relating to his/her affiliations to political parties/political groups (at Annex 7).

Yours faithfully,


(Miss Joanna C H Choi)
for Secretary for Home Affairs

Encl

**Breakdown, by boards/committees, on the 461 non-official posts taken up by appointed members
who had served in the same post for over 10 years
(Position as at 31 March 2005)**

由同一名委任成員擔任超逾10年的461個非官方成員職位在各個委員會的分布情況
(截至二零零五年三月三十一日為止)

Name of advisory and statutory body	諮詢及法定組織名稱	No of appointed members 委任成員數目	No of appointed members serving for over 10 years 服務超過十年的委任成員的數目
Action Committee Against Narcotics	禁毒常務委員會	17	1
Advisory Committee on Agriculture and Fisheries	漁農業諮詢委員會	16	1
Advisory Council on the Environment	環境諮詢委員會	15	2
Appeal Tribunal Panel (Buildings)	上訴審裁團(建築物)	169	15
Area Committee, Aberdeen, Tin Wan & Shek Pai	香港仔及田石分區委員會	25	3
Area Committee, Aldrich	愛秩序分區委員會	30	8
Area Committee, Causeway Bay	銅鑼灣分區委員會	26	3
Area Committee, Cheung Chau	長洲分區委員會	22	7
Area Committee, Choi Ngau	彩牛分區委員會	26	7
Area Committee, Chuk Yuen	竹園分區委員會	18	3
Area Committee, Ho Man Tin	何文田分區委員會	21	3
Area Committee, Hong Shing	康城分區委員會	30	10

Name of advisory and statutory body	諮詢及法定組織名稱	No of appointed members 委任成員數目	No of appointed members serving for over 10 years 服務超過十年的委任成員的數目
Area Committee, Hung Hom	紅磡分區委員會	21	5
Area Committee, Kwai Chung (North East)	葵涌〔東北〕分區委員會	36	4
Area Committee, Kwun Tong South	觀塘南分區委員會	28	6
Area Committee, Kwun Tong West	觀塘西分區委員會	36	4
Area Committee, Lam Tin	藍田分區委員會	27	9
Area Committee, Lamma	南丫分區委員會	17	7
Area Committee, Lantau	大嶼山分區委員會	21	3
Area Committee, Lung Tong	龍塘分區委員會	19	5
Area Committee, North Point East	北角東分區委員會	26	13
Area Committee, North Point West	北角西分區委員會	30	7
Area Committee, Peng Chau/Discovery Bay	坪洲/愉景灣分區委員會	22	4
Area Committee, Sai Kung	西貢分區委員會	29	4
Area Committee, San Tsuen	新鑽分區委員會	24	2
Area Committee, Sau Mau Ping	秀茂坪分區委員會	20	1
Area Committee, Sha Tin East Three	沙田東三分區委員會	28	1
Area Committee, Sha Tin East Two	沙田東二分區委員會	25	1
Area Committee, Sha Tin West One	沙田西一分區委員會	25	3
Area Committee, Sha Tin West Three	沙田西三分區委員會	22	1
Area Committee, Sha Tin West Two	沙田西二分區委員會	26	2
Area Committee, Sham Shui Po East	深水埗東分區委員會	35	6
Area Committee, Sham Shui Po West	深水埗西分區委員會	36	3
Area Committee, Sze Shun	四順分區委員會	28	4

Name of advisory and statutory body	諮詢及法定組織名稱	No of appointed members 委任成員數目	No of appointed members serving for over 10 years 服務超過十年的委任成員的數目
Area Committee, Tai Hing & Shan King	大興及山景分區委員會	30	5
Area Committee, To Kwa Wan	土瓜灣分區委員會	24	3
Area Committee, Tseung Kwan O North	將軍澳北分區委員會	26	3
Area Committee, Tsing Yi (North East)	青衣〔東北〕分區委員會	35	5
Area Committee, Tsing Yi (South West)	青衣〔西南〕分區委員會	32	5
Area Committee, Tsuen Wan Central	荃灣中分區委員會	26	5
Area Committee, Tsuen Wan East	荃灣東分區委員會	26	4
Area Committee, Tsuen Wan West	荃灣西分區委員會	25	3
Area Committee, Tsz Wan Shan	慈雲山分區委員會	26	4
Area Committee, Tuen Mun North East	屯門東北分區委員會	29	2
Area Committee, Tuen Mun North West	屯門西北分區委員會	30	3
Area Committee, Tuen Mun South East	屯門東南分區委員會	30	6
Area Committee, Tuen Mun South West	屯門西南分區委員會	30	1
Area Committee, Wah Fu & Pokfulam	華富及薄扶林分區委員會	21	1
Area Committee, Wan Chai	灣仔分區委員會	27	4
Area Committee, Wan Chai Mid-Levels	灣仔半山分區委員會	26	5
Area Committee, Wan Tai	環泰分區委員會	31	10
Area Committee, Wong Nai Chung	黃泥涌分區委員會	27	6
Area Committee, Wong Tai Sin	黃大仙分區委員會	18	4
Area Committee, Wong Tai Sin West	黃大仙西分區委員會	26	9
Area Committee, Yee Wan	怡灣分區委員會	30	6
Area Committee, Yuen Long Town	元朗市分區委員會	33	10

Name of advisory and statutory body	諮詢及法定組織名稱	No of appointed members 委任成員數目	No of appointed members serving for over 10 years 服務超過十年的委任成員的數目
Banking Advisory Committee	銀行業務諮詢委員會	8	1
Board of Control - Grant Schools Provident Fund	補助學校公積金管理委員會	9	3
Board of Management of the Chinese Permanent Cemeteries	華人永遠墳場管理委員會	16	1
Board of Review (Inland Revenue Ordinance)	稅務上訴委員會	129	17
Board of Trustees of the Lord Wilson Heritage Trust	衛奕信勳爵文物信託受託人委員會	11	5
Board of Trustees, Hong Kong Jockey Club Music and Dance Fund	香港賽馬會音樂及舞蹈信託基金受託人委員會	12	3
Clothing Industry Training Authority	製衣業訓練局	15	3
Committee on Child Abuse	防止虐待兒童委員會	7	5
Committee on Services for Youth at Risk	邊緣青少年服務委員會	10	4
Consultative Committee, Ship Personnel Management	船員管理協商委員會	7	3
Council of the Hong Kong Baptist University	香港浸會大學校董會	18	2
Council of the Lingnan University	嶺南大學校務會	25	2
Council of the Open University of Hong Kong	香港公開大學校董會	25	1
District Fight Crime Committee, Central & Western	中西區分區撲滅罪行委員會	23	3
District Fight Crime Committee, Islands	離島分區撲滅罪行委員會	20	9
District Fight Crime Committee, Kwai Tsing	葵青分區撲滅罪行委員會	46	4
District Fight Crime Committee, Sham Shui Po	深水埗分區撲滅罪行委員會	39	6
District Fight Crime Committee, Southern	南區分區撲滅罪行委員會	20	2

Name of advisory and statutory body	諮詢及法定組織名稱	No of appointed members 委任成員數目	No of appointed members serving for over 10 years 服務超過十年的委任成員的數目
District Fight Crime Committee, Tai Po	大埔分區撲滅罪行委員會	31	4
District Fight Crime Committee, Tsuen Wan	荃灣分區撲滅罪行委員會	31	3
District Fight Crime Committee, Tuen Mun	屯門分區撲滅罪行委員會	28	4
District Fight Crime Committee, Wan Chai	灣仔分區撲滅罪行委員會	27	4
District Fight Crime Committee, Wong Tai Sin	黃大仙分區撲滅罪行委員會	25	3
District Fight Crime Committee, Yuen Long	元朗分區撲滅罪行委員會	32	9
Education Commission	教育統籌委員會	10	1
Exchange Fund Advisory Committee	外匯基金諮詢委員會	14	2
Fish Marketing Advisory Board	魚類統營顧問委員會	14	1
Hong Kong Arts Development Council	香港藝術發展局	24	2
Hong Kong Examinations and Assessment Authority	香港考試及評核局	11	1
Hong Kong War Memorial Pensions Advisory Committee	香港太平洋戰爭紀念撫恤金顧問委員會	10	7
Hospital Authority	醫院管理局	20	2
Human Organ Transplant Board	人體器官移植委員會	10	1
Kadoorie Agricultural Aid Loan Fund Committee	嘉道理農業輔助貸款基金委員會	4	1
Kwan Fong Charitable Foundation - Kwan Fong Trust Fund for the Needy Advisory Committee	群芳慈善基金會-群芳救援信托基金諮詢委員會	1	1
Lord Wilson United World Colleges Scholarship Fund Council	衛奕信勳爵聯合世界書院獎學金基金理事會	5	1
Medical Council of Hong Kong	香港醫務委員會	15	1
Midwives Council of Hong Kong	香港助產士管理局	16	3

Name of advisory and statutory body	諮詢及法定組織名稱	No of appointed members 委任成員數目	No of appointed members serving for over 10 years 服務超過十年的委任成員的數目
Nursing Council of Hong Kong	香港護士管理局	14	1
Panel of Film Censorship Advisers	電影檢查顧問小組	269	26
Pharmacy and Poisons Appeal Tribunal	藥劑業及毒藥上訴審裁處	19	1
Po Leung Kuk Advisory Board	保良局顧問局	8	5
Prevention of Legionnaires' Disease Committee	預防退伍軍人病症委員會	5	1
Provisional Local Vessel Advisory Committee	臨時本地船隻諮詢委員會	12	6
Radio Spectrum Advisory Committee	無線電頻譜諮詢委員會	20	1
Radiological Protection Advisory Group	放射防護諮詢小組	8	7
Research Grants Council	研究資助局	19	1
Rice Advisory Committee	食米業諮詢委員會	12	4
Standing Committee on Judicial Salaries and Conditions of Service	司法人員薪俸及服務條件常務委員會	5	1
Tang Shiu Kin & Ho Tim Charitable Fund Management Committee	鄧肇堅何添慈善基金管理委員會	4	1
Telecommunications Numbering Advisory Committee	電訊服務號碼諮詢委員會	22	1
Telecommunications Standards Advisory Committee	電訊標準諮詢委員會	23	1

Name of advisory and statutory body	諮詢及法定組織名稱	No of appointed members 委任成員數目	No of appointed members serving for over 10 years 服務超過十年的委任成員的數目
Textiles Advisory Board	紡織業諮詢委員會	15	8
The Sir Edward Youde Memorial Fund Council	尤德爵士紀念基金理事會	5	1
Travel Industry Compensation Fund Management Board	旅遊業賠償基金管理委員會	9	1
Tung Wah Group of Hospitals Advisory Board	東華三院顧問局	8	3
University Grants Committee	大學教育資助委員會	23	4
		Total 總數	461

**Aggregate statistics on the number of boards/committees
served by appointed non-official female members of ASBs
(Position as at 31 March 2005)**

有女性擔任非官方的委任成員的委員會統計數字
(截至二零零五年三月三十一日為止)

No of boards/committees served 服務的委員會的數目	Number of persons 人數
1	949
2	167
3	77
4	34
5	21
6	7
7	7
8	3
9	1
Total 總計	1 266

**Aggregate statistics on the occupation/profession
of appointed non-official female members of ASBs**

(Position as at 31 March 2005)

諮詢及法定組織非官方的女性委任成員的職業/專業的統計數字
(截至二零零五年三月三十一日止)

Profession	職業類別	Number of persons 人數
Education	教育界	163
Social Welfare	社會福利界	126
Legal	法律界	84
Higher Education	高等教育界	69
Commercial	商界	55
Health Services	衛生服務界	42
Medical	醫學界	27
Accountancy	會計界	23
Labour	勞工界	18
Financial Services	金融服務界	17
Wholesale and Retail	批發及零售界	17
Insurance	保險界	15
Real Estate and Construction	地產及建造界	13
Information Technology	資訊科技界	12
Textile and Garment	紡織及製衣界	12
Import and Export	進出口界	11
Industry	工業界	11
Architectural	建築界	9
Transport	航運交通界	9
Performing Arts	演藝界	8
Chinese Medicine	中醫界	7
Pharmacist	藥劑界	7
Tourism	旅遊界	7
Catering	飲食界	6
Banking	銀行界	5
Publication	出版界	5
Sports	體育界	4
Hotel	酒店界	3
Agriculture and Fisheries	漁農界	2
Engineering	工程界	2
Planning	規劃界	2

Profession	職業類別	Number of persons 人數
Surveying	測量界	2
Culture	文化界	2
Religious	宗教界	1
Others	其他	232
Unknown (Note)	沒有資料 (註)	238
Total 總計		1 266

Note: Data subjects have not provided information on their occupation/profession.

註：資料當事人沒有提供有關其職業的資料。

**Statistics on appointed non-official female members
serving on "important" boards/committees
(Position as at 31 March 2005)**

擔任"重要"委員會的非官方的女性委任成員的統計數字
(截至二零零五年三月三十一日為止)

Name of advisory and statutory body	諮詢及法定組織名稱	Number of persons 人數
Action Committee Against Narcotics	禁毒常務委員會	4
Advisory Committee on Agriculture and Fisheries	漁農業諮詢委員會	4
Advisory Committee on Corruption of the ICAC	廉政公署貪污問題諮詢委員會	1
Advisory Council on Food and Environmental Hygiene	食物及環境衛生諮詢委員會	4
Advisory Council on the Environment	環境諮詢委員會	3
Airport Authority	機場管理局	2
Antiquities Advisory Board	古物諮詢委員會	4
Aviation Advisory Board	航空諮詢委員會	1
Banking Advisory Committee	銀行業務諮詢委員會	4
Basic Law Promotion Steering Committee	基本法推廣督導委員會	1
Board of Directors of the Hong Kong Science and Technology Parks	香港科技園公司董事局	0
Board of Inland Revenue	稅務委員會	0
Board of the Urban Renewal Authority	市區重建局董事會	3
Broadcasting Authority	廣播事務管理局	3
Chief Executive's Council of International Advisers	行政長官特設國際顧問委員會	0

Name of advisory and statutory body	諮詢及法定組織名稱	Number of persons 人數
Commission on Poverty	扶貧委員會	4
Commission on Strategic Development	策略發展委員會	Not applicable (Note)
Commission on Youth	青年事務委員會	9
Committee on the Promotion of Civic Education	公民教育委員會	10
Consumer Council	消費者委員會	7
Council for Sustainable Development	可持續發展委員會	3
Council of the Chinese University of Hong Kong	香港中文大學校董會	1
Council of the City University of Hong Kong	香港城市大學校董會	4
Council of the Hong Kong Academy for Performing Arts	香港演藝學院校董會	7
Council of the Hong Kong Baptist University	香港浸會大學校董會	3
Council of the Hong Kong Institute of Education	香港教育學院校董會	3
Council of the Hong Kong Polytechnic University	香港理工大學校董會	3
Council of the Hong Kong University of Science and Technology	香港科技大學校董會	2
Council of the Lingnan University	嶺南大學校董會	6
Council of the Open University of Hong Kong	香港公開大學校董會	4
Council of the University of Hong Kong	香港大學校務委員會	0
Deposit-taking Companies Advisory Committee	接受存款公司諮詢委員會	0
Digital 21 Strategy Advisory Committee	數碼21策略諮詢委員會	5
District Council, Central & Western	中西區區議會	0

Name of advisory and statutory body	諮詢及法定組織名稱	Number of persons 人數
District Council, Eastern	東區區議會	3
District Council, Islands	離島區議會	0
District Council, Kowloon City	九龍城區議會	0
District Council, Kwai Tsing	葵青區議會	1
District Council, Kwun Tong	觀塘區議會	1
District Council, North	北區區議會	1
District Council, Sai Kung	西貢區議會	0
District Council, Sha Tin	沙田區議會	3
District Council, Sham Shui Po	深水埗區議會	0
District Council, Southern	南區區議會	0
District Council, Tai Po	大埔區議會	1
District Council, Tsuen Wan	荃灣區議會	2
District Council, Tuen Mun	屯門區議會	2
District Council, Wan Chai	灣仔區議會	1
District Council, Wong Tai Sin	黃大仙區議會	1
District Council, Yau Tsim Mong	油尖旺區議會	1
District Council, Yuen Long	元朗區議會	2
Economic and Employment Council	經濟及就業委員會	3
Education Commission	教育統籌委員會	3

Name of advisory and statutory body	諮詢及法定組織名稱	Number of persons 人數
Elderly Commission	安老事務委員會	5
Electoral Affairs Commission	選舉管理委員會	1
Employees Retraining Board	僱員再培訓局	3
Energy Advisory Committee	能源諮詢委員會	1
Equal Opportunities Commission	平等機會委員會	8
Exchange Fund Advisory Committee	外匯基金諮詢委員會	0
Fight Crime Committee	撲滅罪行委員會	3
Film Services Advisory Committee	電影服務諮詢委員會	2
Football Betting and Lotteries Commission	足球博彩及獎券事務委員會	2
Greater Pearl River Delta Business Council	大珠三角商務委員會	1
Harbour-front Enhancement Committee	共建維港委員會	4
Hong Kong Arts Development Council	香港藝術發展局	8
Hong Kong Council for Academic Accreditation	香港學術評審局	1
Hong Kong Examinations and Assessment Authority	香港考試及評核局	2
Hong Kong Export Credit Insurance Corporation Advisory Board	香港出口信用保險局諮詢委員會	3
Hong Kong Housing Authority	香港房屋委員會	4
Hong Kong Logistics Development Council	香港物流發展局	2
Hong Kong Maritime Industry Council	香港航運發展局	1
Hong Kong Port Development Council	香港港口發展局	1

Name of advisory and statutory body	諮詢及法定組織名稱	Number of persons 人數
Hong Kong Productivity Council	香港生產力促進局	4
Hong Kong Tourism Board	香港旅遊發展局	2
Hong Kong Trade Development Council	香港貿易發展局	0
Hospital Authority	醫院管理局	7
ICAC Complaints Committee	廉政公署事宜投訴委員會	2
Independent Commission on Remuneration for Members of the Executive Council and the Legislature of the HKSAR	香港特別行政區行政會議成員及立法會議員薪津獨立委員會	0
Independent Police Complaints Council	投訴警方獨立監察委員會	16
Insurance Advisory Committee	保險業諮詢委員會	1
Labour Advisory Board	勞工顧問委員會	0
Land and Building Advisory Committee	土地及建設諮詢委員會	2
Law Reform Commission of Hong Kong	香港法律改革委員會	1
Managing Board of the Kowloon-Canton Railway Corporation	九廣鐵路管理局	0
Mandatory Provident Fund Schemes Authority	強制性公積金計劃管理局	0
Occupational Safety and Health Council	職業安全健康局	3
Personal Data (Privacy) Advisory Committee	個人資料(私隱)諮詢委員會	2
Public Service Commission	公務員絀用委員會	2
Securities and Futures Commission	證券及期貨事務監察委員會	0
Small and Medium Enterprises Committee	中小型企業委員會	4

Name of advisory and statutory body	諮詢及法定組織名稱	Number of persons 人數
Social Welfare Advisory Committee	社會福利諮詢委員會	7
Sports Commission	體育委員會	0
Standing Commission on Civil Service Salaries and Conditions of Service	公務員薪俸及服務條件常務委員會	1
Standing Committee on Directorate Salaries and Conditions of Service	首長級薪俸及服務條件常務委員會	1
Standing Committee on Disciplined Services Salaries and Conditions of Service	紀律人員薪俸及服務條件常務委員會	2
Standing Committee on Judicial Salaries and Conditions of Service	司法人員薪俸及服務條件常務委員會	0
Town Planning Board	城市規劃委員會	7
Trade and Industry Advisory Board	工業貿易諮詢委員會	2
Transport Advisory Committee	交通諮詢委員會	3
University Grants Committee	大學教育資助委員會	3
Vocational Training Council	職業訓練局	5
Women's Commission	婦女事務委員會	14
Total 總計		273

Note: The organization, terms of reference and membership of the Commission on Strategic Development are currently under review.

註：策略發展委員會現正檢討其組織、職權範圍及成員組合。

**Aggregate Statistics on the occupation/profession
of appointed non-official male members of ASBs**

(Position as at 31 March 2005)

諮詢及法定組織非官方的男性委任成員的職業/專業的統計數字
(截至二零零五年三月三十一日為止)

Profession	職業類別	Number of persons 人數
Education	教育界	290
Engineering	工程界	253
Commercial	商界	247
Higher Education	高等教育界	241
Legal	法律界	231
Industry	工業界	147
Social Welfare	社會福利界	132
Real Estate and Construction	地產及建造界	130
Transport	航運交通界	124
Medical	醫學界	114
Wholesale and Retail	批發及零售界	104
Accountancy	會計界	86
Banking	銀行界	84
Financial Services	金融服務界	84
Information Technology	資訊科技界	81
Architectural	建築界	79
Import and Export	進出口界	66
Insurance	保險界	57
Catering	飲食界	53
Labour	勞工界	44
Surveying	測量界	43
Textile and Garment	紡織及製衣界	43
Health Services	衛生服務界	33
Agriculture and Fisheries	漁農界	32
Chinese Medicine	中醫界	29
Tourism	旅遊界	23
Performing Arts	演藝界	17
Hotel	酒店界	13
Publication	出版界	13
Religious	宗教界	13

Profession	職業類別	Number of persons 人數
Culture	文化界	11
Sports	體育界	9
Pharmacist	藥劑界	7
Planning	規劃界	4
Others	其他	372
Unknown (Note)	沒有資料 (註)	542
	Total 總計	3 851

Note: Data subjects have not provided information on their occupation/profession.

註: 資料當事人沒有提供有關其職業的資料。

**The affiliations to political parties/political groups of the 21 non-official members appointed to ASBs serving on more than six boards/committees
(Position as at March 2005)**

21名在超過六個委員會擔任非官方的委任成員與政黨/政團的聯繫
(截至二零零五年三月為止)

Political affiliations	政治聯繫	Number of persons 人數
Democratic Alliance for the Betterment and Progress of Hong Kong	民主建港協進聯盟	2
Not available (Note)	沒有資料(附註)	19

Note : We do not require appointees to provide information on their political affiliations. Of the 21 members in question, only two have provided such information to our Central Personality Index database.

附註: 我們並無要求委任成員提供其政治聯繫的資料。在該 21名成員當中，只有兩名成員向我們的中央名冊資料庫提供有關資料。

Factors that the Administration had taken into consideration in concluding that the Administration should not require an appointee to disclose, on a compulsory basis, sensitive personal data relating to his/her affiliations to political parties/political groups

In collecting personal information by means of the curriculum vitae (CV) form, we have to comply with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486, Laws of Hong Kong). According to Data Protection Principle 1, personal data shall not be collected unless the data are adequate but not excessive in relation to the purpose of collection. In this connection, one of the purposes of collecting personal data by way of the CV form is for activities relating to Government appointments.

2. Appointments to public sector advisory and statutory bodies (ASBs) are made on the basis of the merits of the individual concerned, taking into account one's ability, expertise, experience, integrity and commitment to public service. We do not appoint ASB members on the ground of their political affiliations. As such, to demand the compulsory provision of a person's political affiliations may be in breach of Data Protection Principle 1.

3. We have also made reference to overseas practices in handling sensitive personal data. Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data requires Member States to prohibit the processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, and the processing of data concerning health or sex life. The provision shall not apply where :

- (a) the data subject has given his explicit consent to the processing of those data; or

- (b) processing is necessary for the purposes of carrying out the obligations and specific rights of the controller in the field of employment law insofar as it is authorized by national law providing for adequate safeguards; or
- (c) processing is necessary to protect the vital interests of the data subject or of another person where the data subject is physically or legally incapable of giving his consent; or
- (d) processing is carried out in the course of its legitimate activities with appropriate guarantees by a foundation, association or any other non-profit-seeking body with a political, philosophical, religious or trade-union aim and on condition that the processing relates solely to the members of the body or to persons who have regular contact with it in connection with its purposes and that the data are not disclosed to a third party without the consent of the data subjects; or
- (e) the processing relates to data which are manifestly made public by the data subject or is necessary for the establishment, exercise or defence of legal claims.

Processing of personal data means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction. The Privacy Act 1988 of Australia and the Data Protection Act 1998 of the United Kingdom contain similar provisions.

4. In view of the foregoing considerations, we conclude that we should not require the provision of personal data pertaining to political affiliations on a compulsory basis for the purpose of appointment to ASBs. We have therefore invited data subjects to provide such data on an optional basis on the CV form.