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Bills Committee Legislative Council HKSAR

Dear Sir/Madam,

## Comment on Unsolicited Electronic Messages Bill

Professional Information Security Association (PISA) is a non-profitable organization for local information security professionals. Our objective is to promote security awareness to the IT industry and general public in Hong Kong, utilizing our expertise and knowledge to help bringing prosperity to the society in the Information Age. In March 2006, we had responded to the OFTA Consultation Paper on Legislative Proposals to Contain the Problem of Unsolicited Electronic Messages.

## **Trading of Address Databases**

The proposed bill establishes a legal framework for regulating UEM in Hong Kong and PISA welcomes this legislation. Part 3 of the proposed Bill is designed to prohibit what are commonly referred to as "address-harvesting", "dictionary attacks" and "brute force attacks". Part 3 of the bill by prohibiting address harvesting will increase the commercial value of email address database. When individual and organization cannot obtain email address by software, there is a possibility that they will buy email address or telephone number from the Internet. This kind of email database is currently available for sales on the Internet, either from Hong Kong or overseas. The database sometimes consists of email address only and without any identifiable personal information (like the individual name or sex) and is not within the scope of Privacy Ordinance.

The government should consider the potential risk of people selling and buying email address database within Hong Kong. Although merely possess a large number of email address itself is neither a crime nor causes any harm to the society, the act of trading email address knowing the email address will be used for commercial promotions will render Part 3 of the Bill ineffective.

## **Commitment in Developing Accountability in Email Infrastructure**

Apart from legislation, the problem of UEM should be controlled via other means. UEM Bill alone is ineffective in controlling since most of the email spams are not originated in Hong Kong. PISA would like to reiterate the opinions we submitted in our comments in March 2006.

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Hong Kong should play a more active role in international efforts on the accountability of email infrastructure. Government can collaborate with major ISPs to consider accountable email infrastructure, for example, use of authenticated SMTP service and adoption of mail server authentication framework (Sender Policy Framework and/or Domain Keys). Government offices should take the lead in implementing Sender Policy Framework or Domain Keys in major government mail gateways, in order to speed up the acquiring of knowledge and standard.

## A Holistic Approach in Combating UEM and Malicious Attacks

Unsolicited Electronic Messages has been a breeding ground for spyware and phishing attacks. Such malicious email is not only a nuisance to the public but a threat to our society. After the UEM bill is legislated, Government offices should start review adequacy of current education and legal framework on spyware and phishing attacks.

We appreciate our opinions be considered by the Bills Committee. Please contact me at telephone 6021 1972 or email: <a href="mailto:antony.ma@pisa.org.hk">antony.ma@pisa.org.hk</a>.

Yours faithfully,

Mr. Antony Ma Vice Chairperson Professional Information Security Association