

政制及內地事務局
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24 May 2012

Ms Elyssa Wong
Clerks to Bills Committee on
Personal Data (Privacy) (Amendment) Bill 2011
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Hong Kong

Dear Ms Wong,

**Personal Data (Privacy) (Amendment) Bill 2011
Proposed New Section 63D**

At the last meeting of the Bills Committee on 7 May 2012, we agreed, in the light of views of Hon Cyd Ho, to further consider the drafting of the proposed new section 63D. After discussion with Hon Cyd Ho, we now propose a revised version as attached. This supersedes the corresponding provision in the list of Committee Stage Amendments sent to you yesterday.

Yours sincerely,

Philomena Leung
(Philomena Leung)

for Secretary for Constitutional and Mainland Affairs

c.c. Hon Cyd Ho Sau-lan 2151 9011

Personal Data (Privacy) (Amendment) Bill 2011

Committee Stage

Amendments to be moved by the Secretary for Constitutional and Mainland Affairs

<u>Clause</u>	<u>Amendment Proposed</u>
34	<p>By deleting the proposed section 63D and substituting—</p> <p>“63D. Transfer of records to Government Records Service</p> <p>Personal data contained in records that are transferred to the Government Records Service is exempt from the provisions of data protection principle 3 when the records are used by the Government Records Service solely for the purpose of—</p> <ul style="list-style-type: none">(a) appraising the records to decide whether they are to be preserved; or(b) organizing and preserving the records.”.