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Our Ref.: S/F (3) to CMAB/CR/7/22/16 Pt. 13

Clerk to Panel
(Attn: Ms Joanne Mak)
Legislative Council Panel on Constitutional Affairs
Legislative Council Complex
1 Legislative Council Road
Hong Kong

24 July 2015

Dear Ms Mak,

Appointment of Privacy Commissioner for Personal Data

I am pleased to inform Members of the Panel on Constitutional Affairs that the Chief Executive has appointed Mr Stephen Wong Kai-yi as the Privacy Commissioner for Personal Data for a term of five years commencing on 4 August 2015, to succeed Mr Allan Chiang Yam-wang whose term of office will expire on 3 August 2015.

A copy of the press release announcing the appointment is attached for Members' information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Phidias Tam'.

(Phidias Tam)

for Secretary for Constitutional and Mainland Affairs

New Privacy Commissioner for Personal Data appointed

The Government announced today (July 24) the appointment of Mr Stephen Wong Kai-yi as the new Privacy Commissioner for Personal Data (Privacy Commissioner) with effect from August 4, 2015.

The appointment is made by the Chief Executive under section 5 of the Personal Data (Privacy) Ordinance (PDPO) and is for a term of five years.

Mr Wong, aged 60 and currently a practicing barrister, was the Secretary to the independent advisory body, Law Reform Commission of Hong Kong (LRC) from 2012 to 2014 before retiring from the civil service. Before serving at the LRC, Mr Wong had served in the Department of Justice (the then Legal Department before 1997) as legal counsel from 1986 to 2007, assuming various posts including Assistant Director of Public Prosecutions and Deputy Solicitor General, and then at the Hong Kong Economic and Trade Office, first based in Brussels and then Berlin as Director from 2007 to 2012.

A government spokesman said, "Mr Wong is an expert in human rights law. He was involved in the legislative process of the 1991 Hong Kong Bill of Rights Ordinance, and was subsequently on loan to the United Nations (UN) Human Rights Committee in Geneva as an associate expert. Upon his return to Hong Kong in 1992, he continued to advise and appear in court on human rights issues, as well as leading various delegations reporting to UN human rights treaties monitoring bodies. He has a clear strategic vision of the work of the Office of the Privacy Commissioner for Personal Data (PCPD). We are confident that Mr Wong will take the PCPD to new heights.

"The term of office of the incumbent, Mr Allan Chiang, will expire on August 3, 2015. Mr Chiang has made very important contributions to the protection of personal data privacy during his tenure. Under his leadership, the PCPD made commendable contributions to the review of the PDPO and enactment of legislation involving personal data privacy. He has effectively implemented the amended PDPO which introduced, inter alia, a new regulatory regime for use of personal data in direct marketing. Mr Chiang has also taken the lead to cultivate a privacy-assuring culture in both public and private organisations, and encouraged them to embrace personal data privacy protection as part of their corporate governance. At international fora on privacy protection, Mr Chiang has represented Hong Kong very well

and driven co-operation initiatives. We express our heartfelt gratitude for Mr Chiang's service in the past five years."

An open recruitment exercise was conducted earlier this year to select the new Privacy Commissioner. A Selection Board was appointed to consider the candidates and make recommendations to the Chief Executive. The Selection Board comprised Mr Bernard Chan as chairman, with Ms Teresa Cheng, Dr Carlye Tsui, the Secretary for Constitutional and Mainland Affairs and the Secretary for Commerce and Economic Development as members. In line with the practice of open recruitment for senior positions, the Government engaged an executive search firm to carry out the recruitment exercise.

Ends/Friday, July 24, 2015

政府委任新任個人資料私隱專員

政府今日（七月二十四日）宣布委任黃繼兒為新任個人資料私隱專員（私隱專員），由二〇一五年八月四日起生效。

是次委任是行政長官根據《個人資料（私隱）條例》（私隱條例）第5條作出，為期五年。

黃繼兒現年六十歲，為執業大律師。他於一九八六至二〇〇七年在律政司（一九九七年前稱律政署）任職律師，曾出任助理刑事檢控專員及副法律政策專員等不同職位，其後在二〇〇七至二〇一二年先後派駐布魯塞爾和柏林，擔任香港駐外經濟貿易辦事處處長。黃繼兒二〇一四年自公務員隊伍退休前，是獨立諮詢機構香港法律改革委員會的秘書。

政府發言人說：「黃先生是人權法的專家。他曾參與一九九一年《香港人權法案條例》的立法程序，其後借調到日內瓦出任聯合國人權事務委員會的協理專家。在一九九二年回港後，黃先生繼續就人權事宜提供意見和出庭，以及帶領多個代表團向聯合國人權條約監察組織提交報告。他對個人資料私隱專員公署（公署）的工作具有清晰視野。我們相信黃先生定能帶領公署更上層樓。」

「現任私隱專員蔣任宏的任期將於二〇一五年八月三日屆滿。蔣先生在任期間，在保障個人資料私隱方面作出了非常重要的貢獻。政府檢討私隱條例和制訂涉及個人資料私隱的法例時，蔣先生領導公署提供寶貴意見，貢獻良多。在他的領導下，公署有效執行經修訂的私隱條例，當中包括針對將個人資料用於直接促銷，引入新規管機制。他並倡導公私營機構建構保障私隱的文化，推動將保障個人資料納入為企業管治的一環。在有關私隱保障的國際平台，蔣先生代表香港積極參與，促成多項合作計劃。我們對蔣先生過去五年的服務表示衷心感謝。」

為選聘新任私隱專員，政府本年初展開公開招聘，並成立遴選委員會，負責考慮候選人及向行政長官推薦委任。遴選委員會由陳智思擔任主席，成員包括鄭若驊、徐尉玲博士、政制及內地事務局局長和商務及經濟發展局局長。根據慣常公開招聘高級職位的做法，政府委聘人事顧問服務公司進行招聘工作。

完

2015年7月24日（星期五）