

香港特別行政區政府  
財經事務及庫務局  
財經事務科  
香港添馬添美道二號  
政府總部二十四樓



FINANCIAL SERVICES BRANCH  
FINANCIAL SERVICES AND  
THE TREASURY BUREAU  
GOVERNMENT OF THE HONG KONG  
SPECIAL ADMINISTRATIVE REGION

24TH FLOOR  
CENTRAL GOVERNMENT OFFICES  
2 TIM MEI AVENUE  
TAMAR  
HONG KONG

電話 TEL.: 2810 2067  
圖文傳真 FAX.: 2527 0790  
本函檔號 OUR REF.: (11) in FSTB FSBGR/1-55/3/1 (2011) Pt.1  
來函檔號 YOUR REF.: CB1/PL/FA

22 January 2019

Legislative Council Panel on Financial Affairs  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Ms Sharon Lo)

Dear Ms Lo,

**Panel on Financial Affairs  
Follow-up to meeting on 7 January 2019**

Thank you for your letter dated 7 January 2019. The Administration's responses are set out in Annex.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Eureka Cheung', written in a cursive style.

(Ms Eureka Cheung)  
for Secretary for Financial Services and the Treasury

**Panel on Financial Affairs  
Follow-up to meeting on 7 January 2019**

The Personal Data (Privacy) Ordinance (“PDPO”) has clear legal provisions governing the protection of personal data privacy. Credit reference agencies (“CRAs”) must comply with the PDPO and the Code of Practice on Consumer Credit Data (“Code of Practice”) issued by the Privacy Commissioner for Personal Data (“Privacy Commissioner”) under the PDPO when providing credit reference services to banks and other organisations in Hong Kong. The Code of Practice covers requirements ranging from the collection, accuracy, use, security to access and correction of data. It stipulates that a CRA shall take appropriate measures to protect personal credit data in its daily operations to safeguard against any improper access to personal credit data held by it, including monitoring and reviewing on a regular and frequent basis the usage of the database, with a view to detecting and investigating unusual or irregular patterns of access or use, etc.

The TransUnion incident involves suspected unauthorised access to customer data, which is an issue pertaining to personal data protection. The Office of the Privacy Commissioner for Personal Data (“PCPD”) has commenced a compliance investigation against TransUnion pursuant to the PDPO. The investigation is currently ongoing. The PCPD will conduct a comprehensive review of the Code of Practice having regard to the findings of the compliance investigation, and consider the need for further revisions to improve the operation of the Code. The Government, together with the PCPD, is also reviewing the relevant stipulations and penalties under the PDPO, and will seriously consider how the regulation of data protection could be enhanced. The Hong Kong Monetary Authority will make reference to the outcome of the investigation conducted by the Privacy Commissioner, and assist the Privacy Commissioner in liaising with the banking industry to review whether the contractual arrangements between the banking industry and CRAs can be improved.