

Bills Committee on Personal Data (Privacy) (Amendment) Bill 2021

**List of follow-up actions arising from the discussion
at the meeting on 13 August 2021**

The Administration was requested to consider:

- (a) amending the definition of "family member" in the Bill to cover cohabiting partners; and
- (b) adding a provision to enable the Hong Kong Police Force to exercise the powers of the Privacy Commissioner for Personal Data ("PCPD") specified under the proposed new section 66D to carry out a specified investigation.

2. The Administration was requested to provide:

- (c) case law on the meanings of "harassment, molestation, pestering, threat and intimidation" in the proposed new section 64(6)(a);
- (d) examples of provisions in existing legislation which are similar to the proposed new section 64(5)(b), which provide that a person is taken to have established a matter that needs to be established for the purpose of a defence if the contrary is not proved by the prosecution beyond reasonable doubt; and
- (e) case law on the meaning of "reckless" in the proposed new sections 64(3A) and (3C).