

2 June 2021

Mr. Christopher Hui, JP  
Secretary for Financial Services and the Treasury  
Financial Services and the Treasury Bureau  
Hong Kong SAR Government  
24/F, Central Government Offices  
2 Tim Mei Avenue, Tamar  
Hong Kong

Dear Mr. Hui,

### **Protection of Personal Information on the Companies Register**

We note the Government's proposals to bring into operation the provisions of the Companies Ordinance relating to the above-captioned matter, as set out in its discussion paper for the Legislative Council Panel on Financial Affairs dated March 2021.<sup>1</sup> We have the following comments on these proposals:

1. One of the main principles underlying these provisions of the Companies Ordinance is that the residential addresses and full ID numbers of company officers (directors and company secretaries) should no longer be subject to public disclosure: these details would only in future be made available to public authorities, and to other persons on successful application for a court order compelling such disclosure ("the Principle"). We agree with the Principle, and the rationale underlying it, namely the need to strike the right balance between the protection of data privacy, on the one hand (in an era where the internet and digitization has increased the abuse of personal data), and the public interest in having access to relevant information on company officers, on the other.
2. In the same interests of protecting data privacy, we note the proposal that protected information (residential addresses and full ID numbers) would continue to be required to be provided until October 2022, and that persons would only be able to apply for protection of information provided before that date from December 2023.<sup>2</sup> These deadlines (October 2022 and December 2023) seem lengthy, and we would suggest that they be shortened.

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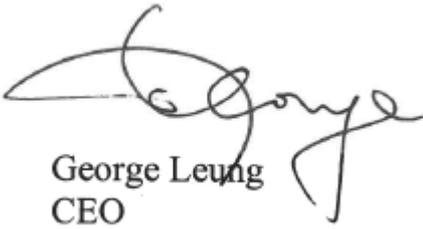
<sup>1</sup> LC Paper No. CB(1)737/20-21(07)

<sup>2</sup> LC Paper No. CB(1)737/20-21(07), para 8

3. We note that under section 58(5) of the Companies Ordinance, the Financial Secretary would have the power to make regulations specifying the persons to whom protected information may be disclosed. We would welcome a public consultation on the Financial Secretary's proposals in this regard. For example, would members of the press be beneficiaries of disclosure under such regulations?

We hope the above comments are useful, and would be happy to provide further input as this matter progresses.

Yours sincerely,



George Leung  
CEO