

## LCQ17: Promoting opening up of data

Following is a question by the Hon Charles Mok and a written reply by the Secretary for Innovation and Technology, Mr Nicholas W Yang, in the Legislative Council today (November 7):

Question:

It has been reported that Hong Kong was ranked the 24th, a ranking lagging substantially behind those of Taiwan, Japan and Singapore, in the Global Open Data Index published last year by the Open Knowledge Foundation in the United Kingdom (UK). Hong Kong even scored zero in areas of open data for the company register and for land ownership. There are views that Hong Kong needs to catch up expeditiously in respect of opening up data. On the other hand, it is mentioned in this year's Policy Address that the Government has firmed up the policy and measures on opening up government data, and required all government departments to formulate and publish their annual open data plans (annual plans) by the end of this year. In this connection, will the Government inform this Council:

- (1) whether it will provide additional manpower and resources to the various bureaux/government departments for execution of the annual plans;
- (2) whether it took into consideration perspectives such as information security, personal privacy and government revenue when it formulated the policy on opening up data, and how it will determine the extent of opening up various types of data;
- (3) whether it will, by making reference to the relevant practices in the UK and Canada, draw up an "open government licence" to stipulate (i) that the Government is the copyright owner of the datasets concerned, and (ii) the rights and obligations of the users of the datasets, so as to facilitate the extensive use of the datasets;
- (4) whether it will, by making reference to the practices in other jurisdictions, (i) formulate open data lists for the Chief Executive's Office, the offices of the various Secretaries of Departments and Directors of Bureaux, as well as the various bureaux and government departments, and (ii) determine the extent of opening and reusing the data concerned;
- (5) whether it will add the following government datasets to the lists of government data to be opened up so that members of the public can use such data free of charge: (i) the Company Register, (ii) the Land Register, (iii) the Business Register, (iv) the register of vehicles, (v) bankruptcy and compulsory winding-up records, (vi) birth/death records and (vii) marriage records; if so, of the details and the timetable; if not, the reasons for that;
- (6) whether it will put in place the relevant performance indicators and

feedback mechanisms to ensure continuous improvement in the quality of government data being opened up;

(7) whether it will review the requests for access to government information previously made by members of the public, in order to gauge the public's demand for the various types of data, and establish a mechanism for receiving and handling the public's requests for access to datasets;

(8) whether it has plans to promote the opening up of data among the various District Councils, public bodies, universities and non-profit-making organisations, and issue codes of best practices to them;

(9) whether it will, in collaboration with public and private organisations, examine the obstacles hindering the opening up of data, and establish a platform to facilitate data sharing, with a view to promoting data sharing among various sectors in an equal, mutually-beneficial and safe manner; and

(10) whether it will adopt measures (e.g. providing relevant teaching materials and organising competitions on application development) to step up efforts to promote the use of those data opened up, so as to encourage the industry to use such data to develop various applications and tools?

Reply:

President,

In September 2018, the Office of the Government Chief Information Officer (OGCIO) issued guidelines to all government bureaux and departments (B/Ds) on the new open data policy and implementation measures. B/Ds are required to progressively open up their data under the "data.gov.hk" portal for free use by the public, and formulate and publish their annual open data plans on their websites every year. Their first annual open data plan should be published by end 2018.

After consulting the relevant B/Ds, our reply to the various parts of the question is as follows:

(1) B/Ds will formulate and implement their annual open data plans having regard to their manpower and resources. The OGCIO will render necessary technical and financial support to individual B/Ds for enhancing their departmental information technology systems for releasing relevant datasets.

(2) In formulating their annual open data plans, B/Ds will take into account factors such as information security, personal privacy and financial implications to the Government, in addition to the needs of the public and the industry, and ensure that the opening up of data complies with relevant ordinances such as the Personal Data (Privacy) Ordinance (Cap. 486). B/Ds should in principle open up their data for free use by the public as far as possible.

(3) and (4) In formulating the new open data policy and relevant measures, we

have made reference to the experience of other countries and regions, as well as relevant international reports and studies such as the analysis of the Global Open Data Index. The new policy requires B/Ds to release datasets in machine-readable format and with timely updates.

According to the existing terms and conditions in using the "data.gov.hk" portal, members of the public are allowed to browse, download, distribute, reproduce, print and hyperlink such data, on a free-of-charge basis, for both commercial and non-commercial uses, on the condition that they have to state clearly the data source in all copies and acknowledge the intellectual property rights of the Government.

(5) Regarding the suggestion to upload full information on the seven registers or records raised in this question to the "data.gov.hk" portal, the response from relevant B/Ds is as follows:

Items (i) and (v): Company Register and Bankruptcy and Compulsory Winding-up Records

The Companies Registry and the Official Receiver's Office provide company search service, and bankruptcy and compulsory winding-up search services respectively to the public in accordance with the relevant legislation. To prevent improper use of personal data obtained via the search services, the Companies Registry and the Official Receiver's Office require users to state the purposes of conducting the searches, in accordance with the recommendations made in the Privacy Commissioner's Report on Survey of Public Registers Maintained by Government and Public Bodies in July 2015.

Item (ii): Land Registers

At present, members of the public can either access through Internet or visit the Land Registry's Customer Centre and the New Territories Search Offices to conduct searches of land registers and place order for copies of land records for properties anywhere in the territory after paying the fees stipulated in the Land Registration Fees Regulations (Cap. 128B).

Item (iii): Business Register

According to the Inland Revenue Department (IRD), the public can enquire the business registration number of a business free of charge through the Online Business Registration Number Enquiry services via the GovHK portal ([www.gov.hk](http://www.gov.hk)). The IRD is planning to include from mid-2019 onwards the monthly number of newly registered businesses in the lists of government data to be opened up.

Item (iv): Register of Vehicles

According to the Transport Department (TD), information and data contained in the Register of Vehicles involve personal data of registered vehicle owners. Such information should only be used for traffic and transport matters. Currently, pursuant to Regulation 4 of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E), residents can make application to the TD for Certificates of Particulars of Motor Vehicles online, by post or in person at the TD's licensing offices. Upon payment of a prescribed fee, residents can obtain information on individual vehicles as

listed out in the Register of Vehicles.

Items (vi) and (vii): Birth/Death Records and Marriage Records

Currently, members of the public may access the figures of registration of births, deaths and marriages in Hong Kong on the website of the Immigration Department (ImmD). The ImmD is actively considering inclusion of such figures in the lists of government data to be opened up.

(6)&(7) Under the new open data policy, B/Ds will take into account the views and suggestions of the public on their annual open data plans. Besides, the OGCI0 will play a co-ordinating role to collect the annual open data plans of B/Ds, and provide a full list under the "data.gov.hk" portal for soliciting views and suggestions from the public.

(8) Apart from opening up more government data, B/Ds are required to encourage public organisations (e.g. district councils, universities and non-profit-making organisations) and private enterprises to open up their data related to public facilities or with high degree of public interest, and include relevant specific measures in their annual open data plans.

(9) and (10) The OGCI0 will collaborate with public and private organisations through various channels, such as seminars and competitions, to promote open data and discuss the associated challenges and problems. For example, the OGCI0 organised the Data.One App Competition in 2014, and also supported industry organisations to organise Smart City Datathon 2018 in October 2018 to encourage various sectors to develop innovative application solutions using the open data on the "data.gov.hk" portal.