

LCQ3: Requests made to information and communication technology companies for disclosure and removal of information

Following is a question by the Hon Charles Mok and a written reply by the Secretary for Innovation and Technology, Mr Alfred Sit, in the Legislative Council today (May 6):

Question:

Regarding the requests made by the Government to information and communication technology (ICT) companies for disclosure and removal of information, will the Government inform this Council:

(1) of the following details of the requests for information disclosure made by the Government to ICT companies respectively in the first and the second halves of 2019 (set out the information in a table, broken down by government department):

- (i) total number of ICT companies involved,
- (ii) names and types of ICT companies involved (e.g. Internet service providers, device producers, social media and search engines),
- (iii) total number of requests made,
- (iv) total number of user accounts involved,
- (v) types of information requested for disclosure (e.g. user names, Internet Protocol addresses and contact methods) and the respective numbers of the requests concerned,
- (vi) nature of information requested for disclosure (i.e. metadata and/or content of communication) and the respective numbers of the requests concerned,
- (vii) reasons for making the requests concerned (e.g. investigation of cases, law enforcement and other reasons) and the respective numbers of the requests concerned,
- (viii) number of requests made under a court order,
- (ix) number of requests acceded to, and
- (x) reasons why some requests were not acceded to (e.g. the request not made under a court order, failure to provide appropriate legal documents, insufficient justifications, not in compliance with the policies of the ICT companies, and other reasons) and the respective numbers of the requests concerned.

If such information cannot be provided, of the reasons for that;

(2) of the following details of the requests for information removal made by the Government to ICT companies respectively in the first and the second halves of 2019 (set out the information in a table, broken down by government department):

(i) total number of ICT companies involved,
(ii) names and types of ICT companies involved,
(iii) total number of requests made,
(iv) volume of information requested for removal,
(v) types of information involved (e.g. videos, text, images) and the respective numbers of the requests concerned,
(vi) nature of information involved (e.g. indecent content, illegal advertisements, copyright infringement and false information) and the respective numbers of the requests concerned,
(vii) reasons for making the requests concerned (e.g. investigation of complaints, law enforcement and other reasons),
(viii) number of requests made under a court order,
(ix) number of requests acceded to, and
(x) reasons why some requests were not acceded to and the respective numbers of the requests concerned.

If such information cannot be provided, of the reasons for that; and

(3) as the Government indicated in its reply to my question in February 2019 that it had not regularly made public, in machine readable format, the relevant statistics and reports on requests for information disclosure and requests for information removal made to ICT companies, but in future it would consider regularly disseminating relevant data in the said format having regard to specific circumstances, of the latest progress of such work, and whether it can, in respect of each occasion of disseminating the relevant data and reports in the said format since February 2019, set out in a table the details, including the date, the content disseminated and the Uniform Resource Identifier address?

Reply:

President:

Having consulted the bureaux and departments concerned, our reply is as follows:

(1) and (2) Details of the requests for information disclosure and information removal made by the Government to information and communications technology companies in 2019 are set out in Table 1 and Table 2 respectively.

(3) According to the Annual Open Data Plan for 2020, the Office of the Government Chief Information Officer will disseminate the information provided in the above tables via the Public Sector Information portal (data.gov.hk) in machine-readable format this month and update the relevant data regularly.