

LCQ4: Establishing data governance system

Following is a question by Prof the Hon William Wong and a reply by the Secretary for Innovation, Technology and Industry, Professor Sun Dong, in the Legislative Council today (June 7):

Question:

It has been reported that a number of regions have established data governance systems covering legislation and effectiveness evaluation, but the Hong Kong Special Administrative Region Government has not enacted clear data laws and regulations or formulated effectiveness indicators. In this connection, will the Government inform this Council:

(1) whether it will study the enactment of a data law to promote the development of digital economy, foster the development of digital industries, unify information, establish a sharing mechanism and safeguard data security (in particular preventing activities that endanger national security, such as disseminating provocative information on social media platforms);

(2) of the Government's proposals in place, prior to the enactment of a data law and the establishment of a data bureau, to promote the collection and interoperability of big data among government departments, between the Government and different sectors, and between the Government and members of the public, so as to enable the Government to gain a more comprehensive understanding of the actual situation in Hong Kong, deliver more effective public services, and facilitate the business sector to expand their businesses; and

(3) given that according to the report Global Data Barometer published in 2022, the scores of Hong Kong in "data governance", "data availability" and "data capability" were 37.5, 52.9 and 58.2 respectively, whether the Government will formulate key performance indicators for these three pillars, so as to establish the direction of the Government's work on data governance and allow members of the public to monitor the effectiveness of the Government's work on data promotion?

Reply:

President,

The Government attaches great importance to the function of data in driving the development of smart city and digital economy in Hong Kong, since data is a key impetus to innovation and high-quality development. The Hong Kong Innovation and Technology Development Blueprint promulgated last year clearly set out that the Government is to continuously enhance Hong Kong's digital capability by planning from atop, in order to enable citizens to

enjoy the convenience brought by technology development to their daily lives and create new momentum for economic development.

Having consulted the Security Bureau, my reply to the question raised by Prof the Hon Wong is as follows:

(1) Data governance includes multiple elements. Apart from consolidation, application, opening up and sharing of data, data governance also involves protection of data security, data infrastructure and industry planning, as well as the interface with various standards and regulatory frameworks, etc. These elements are closely linked and complement each other so as to leverage the greatest power of data.

In respect of data governance system as raised by the Member, apart from law, it also includes the multi-pronged data governance strategy currently adopted by the Government covering policies, administrative guidance and technical infrastructure setting, etc.

On policies and guidance, we have formulated the open data policy, the Security Regulations, the Government IT Security Policy and Guidelines, the Guidance on the Ethical Development and Use of Artificial Intelligence and the Ethical Artificial Intelligence Framework, among others. These policies and guidance serve to provide comprehensive protection for the safety of government systems and data, while promoting the free flow of technology and data.

On technical infrastructure, we have launched the Big Data Analytics Platform, the Next Generation Government Cloud Infrastructure and the Shared Blockchain Platform. The Consented Data Exchange Gateway (CDEG) under development will serve to facilitate the interflow of data within the Government and between the Government and the general public.

On legislation, the existing Personal Data (Privacy) Ordinance (Cap. 486) (PDPO) covers six data protection principles. The CDEG under development would enable the provision of personal information to different government departments with prior consent of the data subjects, in compliance with the requirements of the PDPO. The National Security Law and the relevant provisions of the Crimes Ordinance are also applicable to the Internet setting and handling of data.

We understand that the suggestions on data law being put forward by the Member entails an expectation that we may further strengthen data governance, empower the free flow of data and accelerate the integration of data development and safety. We will listen to the valuable views and enhance data governance in terms of its breadth, depth and effectiveness in an ongoing manner. For instance, we will look into the restrictions of legislation on the use and sharing of data and explore ways to strengthen the data governance system of the Government, so as to further optimise and facilitate the overall development and planning of data exchange, digital economy and smart city.

(2) The Hong Kong Special Administrative Region Government (HKSAR) Government has all along endeavoured to promote the collection and interflow of data among government departments and different sectors.

On open data, since the Government announced the Open Data Policy in 2018, bureaux/departments (B/Ds) and public and private organisations have opened up over 5 160 datasets in the Open Data Portal (data.gov.hk) for free use by the public and various sectors. Some 50 billion downloads were recorded in 2022. The Government expects to further open up about 180 new datasets in 2023 in support of smart city development.

The Development Bureau also launched the Common Spatial Data Infrastructure portal (portal.csdi.gov.hk) in December 2022 for free use by the public. Over 626 spatial datasets from more than 50 government departments have now been made available through the portal. The datasets cover a wide range of aspects such as planning, lands, buildings, works, population and transport.

As regards the Government itself, the Office of the Government Chief Information Officer launched the Big Data Analytics Platform in September 2020 to support B/Ds in sharing the non-personal data collected, and strengthen B/Ds' implementation of big data analytics and artificial intelligence projects, with the aim to providing more data-driven e-government services.

The Next Generation Government Cloud Infrastructure has also provided relevant function which enables regular and real-time data interchange among B/Ds' systems and databases by means of Application Programming Interface.

The CDEG under development will enable B/Ds to exchange the personal data stored in the systems by means of data interchange upon obtaining the authorisation from citizens. Citizens will no longer be required to repeatedly provide information to B/Ds. Our target is to link up the CDEG with the Commercial Data Interchange of the Hong Kong Monetary Authority by end-2023, and roll out the CDEG before end-2024 for adoption by B/Ds so as to further facilitate data interchange within the Government and between the Government and the industry.

(3) Funded by Canada's International Development Research Centre, the Global Data Barometer report released in 2022 mainly covered two aspects, namely data openness and data governance. As mentioned above, the HKSAR Government has done a lot on data openness and achieved fairly good results. We reckon the room for enhancing data governance and will strengthen our work in this regard in order to strike a better balance between data openness and data governance.

In fact, Hong Kong ranked third in Asia in terms of the overall score of the Global Data Barometer. We will continue to be result-oriented and formulate appropriate policy measures and work objectives on development of digital economy and smart city to enable citizens to experience the benefits and a sense of achievement and satisfaction to be brought by technology and

smart living solutions.