

Re-appointments of Commissioner and Panel Judge under Interception of Communications and Surveillance Ordinance

The Government announced today (August 3) that the Chief Executive, on the recommendation of the Chief Justice, has re-appointed the Commissioner on Interception of Communications and Surveillance and a Panel Judge under the Interception of Communications and Surveillance Ordinance (Chapter 589).

The Chief Executive has re-appointed Mr Azizul Rahman Suffiad, a former Judge of the Court of First Instance of the High Court, as the Commissioner for a term of three years with effect from August 17, 2018, to August 16, 2021. Under the Ordinance, the Commissioner performs the role of an independent oversight authority to ensure the law enforcement agencies' compliance with the requirements of the Ordinance.

Commenting on the Commissioner's appointment, the Chief Executive, Mrs Carrie Lam, said, "Mr Suffiad is a retired judge with a wealth of experience and very conversant with the operation of the regime under the Ordinance. He served as a Panel Judge under the Ordinance from the enactment of the Ordinance in 2006 until his retirement from the post in 2014. Mr Suffiad became the Commissioner in August 2015, and has been devoted to performing his function as an independent oversight authority under the Ordinance to ensure the law enforcement agencies' compliance and the effective operation of the regulatory regime. I am confident that he will remain capable of taking up the important position as the Commissioner."

Furthermore, under the Ordinance, there should be three to six Panel Judges to consider applications for authorisations of interception and Type 1 surveillance and for device retrieval warrants.

The Chief Executive has re-appointed Mr Justice Andrew Chung On-tak, a Judge of the Court of First Instance of the High Court, as a Panel Judge under the Ordinance for another term of three years from August 9, 2018, to August 8, 2021.

The Chief Executive said, "Mr Justice Chung has been serving as a Panel Judge under the Ordinance since 2006. I am grateful for his ongoing dedicated service and am confident that he, together with two other Panel Judges, will continue to make use of their expertise and experience to ensure the effective operation of the regulatory regime under the Ordinance."

The Ordinance provides a comprehensive statutory framework for regulating the carrying out of interception and covert surveillance by designated law enforcement agencies and aims to strike a balance between protecting the rights of the community to law and order and the privacy

rights of the individual.