

The Chief Executive
All authorized institutions

Dear Sir/Madam,

Personal Data (Privacy) Ordinance

Pursuant to the Personal Data (Privacy) Ordinance (the Ordinance), this letter informs all directors, controllers (individuals only), chief executives (including alternate chief executives) and managers of all authorized institutions of the purpose for which their data collected by the Monetary Authority (MA) are to be used and the classes of persons to whom the data may be transferred.

The MA requires directors, controllers, chief executives and managers of authorized institutions to supply data from time to time. The data are collected and used for the exercise of the functions of the MA as set out in section 7 of the Banking Ordinance (copy at Annex 1), the principal one of which is to promote the general stability and effective working of the banking system. Failure to supply such data may result in the MA not being able to continue to be satisfied that the persons holding such positions are fit and proper or that the institution is carried on with the appropriate degree of professional competence.

The MA will treat all data about directors, controllers, chief executives and managers of authorized institutions in accordance with the Ordinance. Disclosure of such data may however be made to other persons, including other local and overseas supervisors, and in the circumstances set out in sections 120 and 121 of the Banking Ordinance (copy at Annex 2).

In accordance with the terms of the Ordinance and subject to the exemptions set out in section 58 of the Ordinance, any individual -

- (a) has the right to check whether the MA holds data about him and the right of access to such data;
- (b) has the right to require the MA to correct any data relating to him which is inaccurate; and
- (c) has the right to ascertain the MAs policies and practices in relation to data and to be informed of the kind of personal data held by the MA.

In accordance with the terms of the Ordinance, the MA has the right to charge a reasonable fee for the processing of any data access request.

The person to whom requests for access to data or correction of data or for information regarding policies and practices and kinds of data held are to be addressed, is as follows -

The Data Protection Officer
Hong Kong Monetary Authority
30/F, 3 Garden Road
Central, Hong Kong
Telephone : 2878 1641
Fax : 2878 8214

I would be grateful if you would bring this letter to the attention of all the directors, controllers, chief executive and managers of your institution.

Yours faithfully,

(Raymond Li)
Acting Deputy Chief Executive

Encl.

c.c. Chairman, HKAB
 Chairman, DTC Association
 Secretary for Financial Services (Attn.: Mr. Albert Lam)
 Privacy Commissioner (Attn.: Mr. Mark Berthold)

The chief representative
All local representative offices

Dear Sir/Madam,

Personal Data (Privacy) Ordinance

Pursuant to the Personal Data (Privacy) Ordinance (the Ordinance), this letter informs all chief representatives of local representative offices of the purpose for which their data to be collected by the Monetary Authority (MA) are to be used and the classes of persons to whom the data may be transferred.

The MA requires all chief representatives of local representative offices to supply data from time to time. The data are collected and used for the exercise of the functions of the MA as set out in section 7 of the Banking Ordinance (copy at Annex 1), the principal one of which is to promote the general stability and effective working of the banking system. Failure to supply such data may result in the MAs powers in respect of local representative offices under the Banking Ordinance becoming exercisable.

The MA will treat all data about chief representatives of local representative offices in accordance with the Ordinance. Disclosure of such data may however be made to other persons, including other local and overseas supervisors in the circumstances set out in sections 120 and 121 of the Banking Ordinance (copy at Annex 2).

In accordance with the terms of the Ordinance and subject to the exemptions set out in section 58 of the Ordinance, any individual -

- (a) has the right to check whether the MA holds data about him and the right of access to such data;
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Yours faithfully,

(Raymond Li)
Acting Deputy Chief Executive

Encl.

c.c. Secretary for Financial Services (Attn.: Mr. Albert Lam)
Privacy Commissioner (Attn.: Mr. Mark Berthold)