

File ref: _____ (For official use only)

Interception of Communications and Surveillance Ordinance (Cap. 589) Section 43 : Application for Examination

CONSENT

Part I Personal Particulars

Title: _____ *Mr / Ms / Miss
(*Delete as appropriate)

Name in English: _____
(As shown on the identity document)

Name in Chinese: _____
(As shown on the identity document)

Hong Kong Identity Card No.: _____ ()

For an applicant who does not have a Hong Kong Identity Card, please fill in a valid travel document number and specify the type of the travel document and its issuing country:

Residential address: _____

Mailing address: _____
(If different from residential address) _____

Daytime contact telephone no.: _____

Part II Details for Examination

1) I suspect that I have been subject to interception of my communications through the telecommunications facility(ies)/service(s) **used by me** as described below, being carried out by:

(Please specify the Law Enforcement Agency ('LEA')^① suspected to be involved)

Telecommunications facility(ies)/service(s) (with no.) suspected to be intercepted (e.g. facsimile or telephone no.)	Period of suspected interception (day/month/year)	Name of telecommunications service provider
	/ / to / /	

Telecommunications facility(ies)/service(s) (with no.) suspected to be intercepted (e.g. facsimile or telephone no.)	Period of suspected interception (day/month/year)	Name of telecommunications service provider
	/ / to / /	
	/ / to / /	
	/ / to / /	

2) I suspect that I have been subject to interception of my communications transmitted by postal service through the Hongkong Post to or from **my following mailing address(es)**:

LEA ^① suspected to be involved	Period of suspected postal interception (day/month/year)	Mailing address(es) concerned
	/ / to / /	
	/ / to / /	

3) I suspect that I have been subject to covert surveillance as described below being carried out by the LEA(s) as follows:

LEA ^② suspected to be involved	Period of suspected covert surveillance (day/month/year)	Device(s) ^③ suspected to be used by LEA ^②
	/ / to / /	
	/ / to / /	
	/ / to / /	
	/ / to / /	

Part III Declaration

I apply for an examination under section 43 of the Interception of Communications and Surveillance Ordinance (Cap. 589) ('the Ordinance') and declare the following:

- a) I understand that the information, including my personal data, which I have provided and shall provide to the Commissioner on Interception of Communications and Surveillance ('the Commissioner') and/or the Secretariat, Commissioner on Interception of Communications and Surveillance ('the Secretariat') will be used for purposes directly related to my application for examination under the Ordinance. The information may be transferred to parties who will be contacted by the Commissioner or the Secretariat in the course of

handling my application including the party(ies) being complained against or other parties concerned. I hereby give consent for the Commissioner and the Secretariat to do so.

- b) The personal information submitted by me is true, complete and accurate. The telecommunications facility(ies)/service(s) and mailing address(es) suspected to be intercepted by LEA(s) provided in this consent form and other submissions (if any) are personally used by me. I have not made false statement, misrepresentation or concealment of my personal information willfully or knowingly.
- c) I have read the ‘Personal Information Collection Statement’ and understand its content.

Applicant’s full name: _____

Applicant’s signature: _____ Date: _____ / _____ / _____
(day/month/year)

- ① Regarding interception, the LEAs under the Ordinance are Hong Kong Police Force, Independent Commission Against Corruption, and Customs and Excise Department.
- ② Regarding covert surveillance, the LEAs under the Ordinance are Hong Kong Police Force, Independent Commission Against Corruption, Customs and Excise Department, and Immigration Department.
- ③ Surveillance device means a data surveillance device, a listening device, an optical surveillance device or a tracking device or a device that is a combination of any two or more of such devices.

Personal Information Collection Statement

Purposes of Collection

- (i) The personal data will be used for purposes directly related to your application for examination under section 43 of the Ordinance (‘application for examination’). The information provided in your consent form and other submission(s) (if any) may be transferred to parties who will be contacted by the Commissioner or the Secretariat in the course of handling your application including the party(ies) being complained against or other parties concerned.
- (ii) The provision of personal data to the Secretariat is voluntary. However, if you fail to provide the information requested of you, or if you refuse to give consent to the Secretariat for the purposes as specified under Part III (a) above, the Secretariat may not be able to process your application.

Access to Personal Data

- (iii) The consent form and other document(s) (if any) submitted in relation to your application for examination will not be returned. You have the right to request access to and correction of your personal data held by the Secretariat in accordance with the Personal Data (Privacy) Ordinance (Cap. 486). A fee will be charged for supplying copies of personal data. Request for access or correction should be made in writing to the Secretariat, Commissioner on Interception of Communications and Surveillance at Units 1501-1504, 15/F, Dah Sing Financial Centre, 248 Queen’s Road East, Wanchai, Hong Kong.