

Unlocking IP 2009 Conference

Developing Public Policies for Re-use of Government Information: Starting the Public Discourse in Hong Kong

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At the OECD meeting on the Future of the Internet Economy in June 2008 in Seoul, the member states agreed on the need for governments to work with business, civil society and technical experts to promote competition empower and protect consumers and expand Internet access and use worldwide.

The OECD recommendation on “Enhanced Access and More Effective Use of Public Information” has wide-ranging implications for member states, but is also relevant for the information policies in highly developed non-member states. In this paper, the current status of PSI policies and activities in Hong Kong will be discussed.

How does PSI get into the public discourse? The awareness for PSI issues, from policy to legal and technological questions varies from country to country, but generally developing PSI strategies depends on strong advocacy and support from government as well as an informed civil society and academic sector.

The OECD guidelines recommend that collectively agreed principles should be used for enhanced access and more effective use and re-use of public sector information for both the public and the private sector. These principles include legal requirements and restrictions, intellectual property rights and trade secrets, effective and secure management of personal information, confidentiality and national security concerns.

In most countries, there are different agencies and departments dealing with the many aspects of PSI; e.g. in Hong Kong the IP and Creative Commons are in the realm of the Intellectual Property Services Departments, Data security and privacy issues under the umbrella of the Data Privacy Ombudsman, IT and technology related aspect are dealt with by the Government Chief Information Officer, questions around open access to publicly-funded research are fall into the responsibility of the Research Grants Commission, PSI in the cultural space is under Culture and Heritage department. Each department has its own views and priorities in the policy-making process, and there are also departments and agencies that should be part of the policy development but lack awareness or interest in the current discourse and developments in PSI.

In Hong Kong, the government has a comprehensive information strategy relating to information infrastructure (Digital21 Strategy), which was first documented in 1998. This blueprint for Hong

Kong's ICT development is updated on a regular basis to take into account technological and socio-economic changes, however, PSI is not (yet) part of the strategy ,

OECD Secretary-General Angel Gurría stated at the Internet Economy meeting that "Given that this infrastructure has become critical to our economies and societies, we should all engage in developing better, more broad-based, governance arrangements and policies." Many countries still focus too much on the technical infrastructure and less on the content, usage and economic value that can be created from re-use of government based on an advanced information infrastructure.

Since the policy-making process in Hong Kong is at an early stage, the paper will also address the policy-making challenges drawing on experiences of countries that already have PSI policies in place.

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