

Procedures of Making Amendment to the Code of Practice for Recognized Certification Authorities

Introduction

This paper sets out the procedures of making amendment to the Code of Practice for Recognized Certification Authorities (the Code of Practice).

Background

2. The Code of Practice is issued by the Director of Information Technology Services (the Director) under section 33 of the Electronic Transactions Ordinance (Cap. 553) which specifies the standards and procedures for a recognized certification authority (CA) to carry out its functions.

3. In accordance with paragraph 1.7 of the Code of Practice, the Director may consult the industry in respect of amendments to be made to the Code of Practice. The primary channel of consultation with the industry is through the Advisory Committee on Code of Practice for Recognized Certification Authorities (the Advisory Committee).

4. According to its terms of reference, the Advisory Committee is to advise the Director on matters relating to the Code of Practice, including amendment of the Code of Practice.

Consultation with the Advisory Committee

5. The Director may make amendments to the Code of Practice from time to time taking into account experience gained from the operation of the voluntary certification authority recognition scheme under the Ordinance as well as technological and other relevant developments. The Director may also consider making amendments to the Code of Practice in

response to comments received from members of the public on the Code of Practice.

6. Periodically, the Director will present to the Advisory Committee proposed amendments which the Director intends to make to the Code of Practice. The Director will distribute a description of an intended amendment to members normally one month before a meeting of the Advisory Committee at which the intended amendments are to be discussed.

7. Where the Director considers that an amendment should be made to the Code of Practice urgently, he may invite members' comments through other means (e.g. paper or electronic mail) without waiting for the next meeting of the Advisory Committee. The Director will take into consideration comments received from members on the proposed amendments.

8. Members may from time to time make suggestions to the Director to amend the Code of Practice. Suggestions by members should be submitted to the Secretariat of the Advisory Committee at least one month before a meeting of the Advisory Committee at which the suggested amendments are to be discussed.

9. Depending on the urgency for the need for the proposed amendment(s), the member may request the Director's immediate consideration of his/her suggested amendments to the Code of Practice without waiting for the next meeting of the Advisory Committee. The suggested amendments, together with the Director's views and proposed action, will be circulated to members for comments. The Director will take these comments into account in deciding the course of action and inform members accordingly.

10. When the Director decides on the content of an amendment to be made to the Code of Practice, the Director will also decide on the timing of effecting the amendment. Depending on its nature and impact on the voluntary certification authority recognition scheme, the Director may decide to give immediate effect to an amendment to the Code of Practice for compliance by recognized CAs, or to specify a future date for an amendment to take effect. The need to specify a future date may arise if time should be

allowed for recognized CAs to get prepared for compliance with an amendment to the Code of Practice.

11. We invite members' comments in respect of the procedures of making amendment to the Code of Practice set out in this paper.

Information Technology Services Department
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