

TIGLION CONSULTANCY COMPANY LIMITED

Room 902 Yue Xiu Building 160-174 Lockhart Road Wanchai Hong Kong
Tel 852 25987660 Fax 852 25197296

Government Chief Information Officer
15 June 2007
Commerce, Industry and Technology Bureau
15/F, Wanchai Tower
By Fax No. (852) 28024549
12 Harbour Road, Wan Chai, Hong Kong
Attn: Systems Manager (H) 41

Dear Sir/Madam,

Response to Consultation Paper on
the Review on Administration of Internet Domain Names in Hong Kong

In response to the review on Administration of Internet Domain Names consultation document, we would like to put across to you our views in our role of an Internet Service Provider in Hong Kong.

Referring to paragraph 18 of the consultation paper, the proposal that a domain name registrant will automatically be forced to be a member of Hong Kong Internet Registration Corporation Limited (HKIRC) will contravene Article 27 of the Basic Law of Hong Kong Special Administrative Region (HKSAR).

In accordance with Article 27 of the Basic Law of HKSAR, a Hong Kong resident shall have freedom of association and therefore forcing a domain name registrant to be a member of HKIRC without the express willingness and consent of the domain name registrant contravenes the right of Hong Kong residents under Article 27 of the Basic Law of HKSAR. Frankly speaking, it looks more likely to be a trap laid down for a domain name registrant because restraints of rights of a domain name registrant are highly likely and apparent as will be imposed by the Memorandum and Articles of Association of HKIRC.

We strongly object to the proposal that a domain name registrant will automatically become a member of HKIRC. We also make it clear that I myself, being a domain name registrant, and our associated companies are not prepared to become a member of HKIRC now and in the future.

Last but not the least, even if somebody chooses to contravene Article 27 of the Basic Law of HKSAR, your department is hereby reminded that Article 160 of the Basic Law of HKSAR states “.....If any laws are later discovered to be in contravention of this Law, they should be amended or ceased to have force in accordance with the procedure as prescribed by this Law.” It follows that the proposal that a domain name registrant automatically becomes a member of HKIRC should be abandoned on the ground that it contravenes Article 27 of the Basic Law of HKSAR.

Yours faithfully,

Hung Yun Yuen, Peter
Tiglion Consultancy Company Limited