



Memorandum of Understanding
between
the Commissioner of Critical Infrastructure
(Computer-system Security)
and
the Monetary Authority

29 May 2026



**This MEMORANDUM OF UNDERSTANDING is entered into between the
Commissioner of Critical Infrastructure (Computer-system Security) and
the Monetary Authority on 29 May 2026.**

I. PURPOSES

1. This Memorandum of Understanding (“MoU”) aims to:
 - (a) enhance the co-operation and coordination between the Commissioner of Critical Infrastructure (Computer-system Security) (“Commissioner”) and the Monetary Authority (“MA”) (each referred to as a “Party”, together as “Parties”) so as to facilitate the effective exercise of the respective powers of the Parties under the Protection of Critical Infrastructures (Computer Systems) Ordinance (Cap. 653) (referred to as “the Ordinance”);
 - (b) re-cap the respective roles and responsibilities of the Parties, and set out the administrative arrangements for, amongst others, giving of written directions, issuance of codes of practice, designation of CI operators, incident reporting and response, handling of non-compliance and appeals, performance of a designated authority’s functions, as well as sharing of information, in accordance with the Ordinance; and
 - (c) enhance coordination between the Parties to facilitate compliance by the CI operators and reduce their operational burden, to the extent permitted by the law.

II. PRINCIPLES

2. The Parties recognise the following overriding principles:
 - (a) the Parties will use their best endeavours to meet the terms of this MoU;
 - (b) this MoU does not detract from the statutory functions of the Parties;



- (c) this MoU does not modify or supersede any law or regulation;
- (d) this MoU does not amount to a delegation of any of the powers, duties and obligations of the Parties;
- (e) this MoU does not create any legal rights, obligations or liabilities, enforceable by the Parties or by any persons not a Party to this MoU;
- (f) this MoU does not affect any arrangements under any other MoUs that any of the Parties have entered into or may enter into with any other party; and
- (g) to the extent permitted by the law, each Party will make reasonable efforts to ensure that the other Party is provided with the relevant information to facilitate the other Party's exercise of powers under the Ordinance.

III. DEFINITION OF TERMS

- 3. Unless otherwise specified, terms defined in the Ordinance bear the same meaning when used in this MoU.

IV. ROLES AND RESPONSIBILITIES

- 4. The Commissioner is responsible for the overall implementation of the Ordinance. The statutory functions of the Commissioner under the Ordinance are:
 - (a) to identify critical infrastructures ("CIs") and designate CI operators and critical computer systems ("CCSs");
 - (b) to issue, revise and maintain codes of practice in respect of category 1 obligations, category 2 obligations and category 3 obligations of CI operators;



- (c) to monitor and supervise compliance with the provisions of the Ordinance;
 - (d) to regulate CI operators with regard to the computer-system security of the CCSs of CIs;
 - (e) to monitor, investigate and respond to computer-system security threats and computer-system security incidents in respect of the CCSs of CIs;
 - (f) to coordinate the implementation of the Ordinance with designated authorities and government departments; and
 - (g) to perform any other functions imposed or conferred on the Commissioner under the Ordinance or any other ordinance.
5. The Commissioner may, subject to section 54(2) of the Ordinance, perform any function that may be performed under a provision of the Ordinance by a designated authority (“DA”) under section 54(1) of the Ordinance.
6. The MA, as a DA under the Ordinance, is responsible for administering the Ordinance in respect of category 1 obligations and category 2 obligations in relation to the CIs in the banking and financial services sector (“the Sector”) under his purview. The statutory functions of the MA under the Ordinance are:
- (a) to identify CIs regulated by the MA (“subject infrastructures”) and designate CI operators and CCSs for such infrastructures;
 - (b) to issue, revise and maintain codes of practice in respect of category 1 obligations and category 2 obligations of CI operators regulated by the MA (“subject operators”);
 - (c) to monitor and supervise compliance with category 1 obligations and category 2 obligations;



- (d) to regulate subject operators with regard to the computer-system security of the CCSs of subject infrastructures to the extent that such regulation relates to category 1 obligations and category 2 obligations;
 - (e) to facilitate the Commissioner's performance of the Commissioner's functions under the Ordinance; and
 - (f) to perform any other functions imposed or conferred on the MA under the Ordinance.
7. In gist, with respect to CIs in the Sector, which are operated by the subject operators, the MA is responsible for overseeing and monitoring compliance of the subject operators' category 1 obligations and category 2 obligations, *(except for cases to which section 54 of the Ordinance apply: see clause 5 above)* whilst the Commissioner is responsible for overseeing and monitoring compliance of the subject operators' category 3 obligations. As for all other CI operators regulated by the Commissioner, the Commissioner alone is responsible for overseeing and monitoring compliance of all obligations under the Ordinance.

V. CO-OPERATION AND COLLABORATION

8. Giving of written directions

The Parties will notify, and where appropriate, consult each other prior to issuing a written direction under section 7 of the Ordinance against any subject operators.

9. Issuance of codes of practice

The Parties will, where appropriate, consult each other prior to the issue, revision or revocation of any codes of practice within their respective purview, for consistency across different sectors to facilitate compliance by CI operators operating in one or multiple sectors.



10. Designation of CI operators and CCSs

The Parties will, to the extent permitted by law, maintain dialogue with each other on the designation or revocation of CI operators and CCSs, and where appropriate, collaborate on related matters (including the timeline and the forms for designation) to facilitate the effective discharge of each Party's functions.

11. Reporting of Computer-system Security Incidents

To the extent permitted by the law, the MA will provide such assistance to the Commissioner as may be reasonable in the circumstances regarding the Commissioner's function of monitoring the reporting of computer-system security incidents by the subject operators. For avoidance of doubt, the MA's assistance under this clause is rendered with a view to streamlining the compliance by the subject operators under the Ordinance and other regulatory ordinances (if applicable).

12. Responding to Computer-system Security Threats or Incidents

To the extent permitted by the law: (a) the MA will provide such assistance as may be reasonable in the circumstances so as to facilitate the Commissioner's discharge of functions in handling and responding to computer-system security threats or incidents in connection with subject operators, and threats or incidents which may potentially impact multiple sectors; and (b) the Commissioner will keep the MA informed in handling and responding to computer-system security threats or incidents in connection with subject operators.

13. Handling of Non-compliance or Offences

To the extent permitted by the law, the Parties will co-operate with each other in the investigation and prosecution of potential offences committed by subject operators, where appropriate, including:

- (a) if a Party reasonably believes that an offence under the Ordinance has been, or is being committed by, any subject operators, that Party will



inform the other Party prior to directing an investigation into the same;
and

- (b) if the MA refers any non-compliance or contravention to the Commissioner for assistance, the Commissioner will, upon such referral, provide support on the follow-up actions.

14. Handling of Appeals

If an appeal is lodged by an organization against a decision of either Party under section 48 of the Ordinance in relation to the Sector, the Party will notify, and where appropriate, consult the other Party on the conduct of the response and defence to the appeal.

15. Performing of Functions of the MA under the Ordinance

The Commissioner will, where feasible, inform the MA prior to performing any function in respect of a specified critical infrastructure for the MA or any subject operators pursuant to section 54 of the Ordinance.

16. Information Sharing

- (a) To the extent permitted by the law, the Parties may share with each other information obtained under the Ordinance to avoid making duplicate information requests, so as to facilitate the compliance by subject operators and reduce operational burden.
- (b) Any information shared between the Parties obtained under the Ordinance shall only be used for the purpose of performing their functions and shall be subject to secrecy obligations under section 57 of the Ordinance.
- (c) Each Party will establish and maintain such safeguards as are necessary or appropriate to protect the confidentiality of such information.



17. Engagement with the Public and Industry

- (a) A Party, where appropriate, will consult the other Party in advance on public communications matters relating to their performance of functions under the Ordinance to ensure consistency and clarity in public messaging.
- (b) The Parties, where appropriate, will liaise with each other in facilitating the understanding of requirements under the Ordinance by the sectors within the Parties' purview, as well as promoting computer-system security awareness more generally.

18. Regular Meetings and Coordination

- (a) The Parties will hold regular meetings to discuss matters of mutual interests relating to the performance of their functions under the Ordinance.
- (b) The Parties will each appoint a person or persons to be the principal point of contact between the Parties to coordinate communication with each other. Either Party may change its principal point(s) of contact by informing the other.

VI. AMENDMENT

- 19. Either Party may at any time request the other Party to agree to make a specific amendment, whether by supplement or otherwise, to this MoU, or may seek views from the other Party regarding the need for any amendment or supplement to this MoU.
- 20. An amendment or supplement to this MoU takes effect only by written agreement of the Parties.



This MoU shall take effect from 29 May 2026.

Commissioner of Critical Infrastructure
(Computer-system Security)

Monetary Authority

[Signed]

[Signed]

Mr Francis Chan Wing-on

Mr Eddie Yue Wai-man

Date:

Date: