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十載個人資料私隱的保障工作

這是我 2005 年 8 月上任以來的首份年報。

個人資料私隱專員公署（「公署」）運作接近十年，有一些組織上的變動也是自然恰當的。為了應付上升的租金，以及令每分每毫的撥款用得其所，我決定把辦事處遷往另一個公眾人士容易到達的地點。與此同時，我們採用了一個更能表達我們工作宗旨的新標誌。為了提高工作效率、問責性及透明度，我們全面檢討了內部一些行政及會計措施，並作出改善。此外，我們亦正籌劃一些策略性的新方案。

A Decade of Personal Data Privacy Protection

This is my first annual report since I took office in August 2005.

The Office of the Privacy Commissioner of Personal Data ("the PCPD") has been in operation now for almost a decade and it was apt that some organizational changes be made. To cope with rising office rentals, and to make the best use of the funds at our disposal, I made the decision to move our office to another location which is conveniently accessible to the public. To coincide with the removal a new logo was adopted which symbolizes the central purpose of our work more graphically. To achieve a higher degree of efficiency, accountability and transparency, we changed some of our internal administrative and accounting practices following a comprehensive review. More strategic changes are being planned.

在這個科網年代，大量的個人資料可以在互聯網上瞬間移轉，傳媒亦每日報導各種威脅私隱的情況。公署職員不足50人，但肩負重任，保障七百多萬名市民的個人資料私隱權。這項艱鉅的任命，隨著對私隱權的威脅越趨普遍及嚴峻，也變得愈來愈困難。

在本年報期內，公署處理了14,156宗查詢及972宗投訴。數字與往年接近，反映趨勢已經確立。此外，公署進行了131次循規查察行動，比之前一年增加了38%。面對資料使用者在執行保障私隱措施方面持續出錯，而且日益嚴重，這比率顯示我們在循規工作方面作出新的承擔。在未來一年，我會增加循規工作方面的人手，並且增加抽樣循規查察行動的次數。收集和使用大量個人資料的機構將會是我們的主要目標。

《個人資料(私隱)條例》(下稱「條例」)第IV部賦予我設立資料使用者登記冊的權力。登記冊會提供一站式的服務，讓資料當事人對資料使用者如何處理所收集的個人資料有更深入的了解。登記制度要求使用者以開放誠實的態度管理個人資料。個別類別的資料使用者將會是受新制度規管的首批對象。公眾可以免費查閱登記冊。

《個人資料(私隱)條例》生效接近十年，亦是適當時間進行廣泛檢討。目前，我們正專注於這項工作。我希望立法會稍後可以考慮我們建議的修訂。

In this computerized era, large quantities of personal data can be transferred instantly on the Internet, and not a day passes by without the media reporting on some aspects of the many threats to privacy. With less than 50 staff, my Office is charged with the responsibility of protecting the personal data privacy rights of some seven million people. This is a daunting task, one that is made more so as the threats to such privacy rights become more pervasive and severe.

My Office handled 14,156 enquiries and 972 complaints in the reporting year. The figures were close to the previous year, which reflects a well-established trend. In addition, 131 compliance checks were conducted, which amounted to a 38% increase on or over the preceding year. This reflects a renewed commitment on our part towards compliance in the face of persistent and increasingly serious lapses in data user privacy protection practices. In the coming year, I will deploy more human resources in the area of compliance and increase the number of random compliance checks. Organizations that collect and use large quantities of personal data will be our main target.

Part IV of the Personal Data (Privacy) Ordinance ("the Ordinance") empowers me to set up a register of data users. The register will offer a one-stop shop to data subjects interested in knowing more about what data users are doing with the personal data they collect. The registration system will require users to be open and honest in the way they manage personal data. Data users in selected classes will be the initial group to be subject to the new system. The public will be able to inspect the register free of charge.

Having been in force for almost 10 years, the Personal Data (Privacy) Ordinance is due for an extensive review. Currently we are engrossed in this task and I hope that the amendments we propose can be sympathetically considered by the Legislative Council in due course.

我的主要職能之一是推廣條例，令公眾認識和明白條例的規定。年內，我們舉辦了一連串為年青一代而設的教育活動，讓他們從小明白個人資料私隱的概念。明年，我們會展開以特定行業為主的活動，為資料使用者提供深入實用的指引。

我的另一項法定職能，是與海外的私隱機構聯繫，共同商討彼此關注的保障私隱事宜。在遠東地區只有香港設有獨立的個人資料私隱專員，成為區內推廣個人資料私隱意識的領導者之一。在本年報期內，我積極參與亞太區經濟合作組織資料私隱分組及亞太區私隱機構等組織的工作，共同為保障個人資料私隱權的目標而努力。為了替全球性的問題尋求解決方案，我亦和歐洲、北美及其他地方的私隱專員保持聯絡。這些活動及人際網絡亦會為公署在條例第 33 條生效前作好準備。

在踏入下一個十年之際，我們作為一個監管機構，有很多工作要做。我堅決承諾實踐公署成立的理想，並竭盡所能加強香港的個人資料私隱保障。在此方面，我相信我會繼續得到我們所服務的社會大眾的支持。

吳斌
個人資料私隱專員

One of my essential functions is to promote awareness and understanding of the provisions of the Ordinance. During the year we conducted a range of educational activities involving the younger generation helping young people to understand at an early age the concept of personal data privacy. Next year, we will begin some industry-specific programmes aimed at offering some in-depth pragmatic guidance for data users.

Another of my statutory functions is to liaise and co-operate with my overseas counterparts in respect of matters of mutual interest. Hong Kong has the only independent Commissioner for Personal Data in the Far East and is certainly a leader in promoting personal data privacy awareness in the region. During the reporting year, I have participated actively in the work of bodies such as the Data Privacy Sub-group in the Asia-Pacific Economic Cooperation (APEC) and Asia Pacific Privacy Authorities (APPA) with whom we share a common objective in protecting personal data privacy rights. Mindful of the need to seek solutions to global issues I have kept contact with Commissioners in Europe, North America and the rest of the world. All these activities and networking will also prepare my Office for the day when provisions of Section 33 of the Ordinance shall become operative.

As a regulatory body there is much work to be done as we enter the next decade of our existence. I am strongly committed to the ideals upon which this Office was founded, and I pledge to strengthen personal data privacy protection in Hong Kong by all expedient means. In this I know I shall have the continued support of the community which we serve.

Roderick Woo
Privacy Commissioner for Personal Data