



加強 跨區聯繫 Strengthening External Connections

回應跨國界的議題

保障私隱跨越國界，需要國際社會共同作出回應。公署與海外的資料保障機構和私隱專家保持聯繫，洞悉國際間私隱保障的發展和趨勢。

Response to Borderless Issues

Privacy protection has become a borderless issue and thus requires an international response. We liaise with overseas data protection authorities and privacy experts to keep abreast of international developments and trends in privacy protection.

亞太區經濟合作組織——電子商貿督導小組資料私隱分組

私隱專員於2016年2月25日出席在秘魯利馬舉行的第33屆亞太經合組織資料私隱分組會議。

會議上其中一個議程項目是討論「亞太經合組織保障私隱機制」的更新建議，該些更新建議是基於2013年修訂的「經濟合作及發展組織私隱指引」而作出。「亞太經合組織保障私隱機制」包含九個指導原則及實踐指引，以協助亞太經合組織經濟區就個人資料私隱保障發展一致的地區性做法。該機制亦為在亞太經合組織經濟區內推廣問責性及負責任的個人資料轉移建立區域性的做法，奠下基礎。公署在年內對「亞太經合組織保障私隱機制」的更新建議提供了意見。

會議另一項目是討論「跨境私隱規則機制」的管治文件的修改建議。「跨境私隱規則機制」是一個自願性及以問責為基礎的機制，旨在促進亞太經合組織經濟區內尊重私隱的資料傳輸，該機制在2011年獲亞太經合組織領袖核准。在該機制下，在亞太經合組織區域內營運的公司的私隱政策及措施，會由第三方審核者（稱為「責任代理」）以一套根據「亞太經合組織保障私隱機制」所議定的規則評估及認證。現時，「跨境私隱規則機制」有四個參與者（美國、墨西哥、日本及加拿大），及兩個認可的責任代理（TRUSTe及日本情報經濟社會推進協會）。

年內，公署曾就「跨境私隱規則機制」對下述文件提供意見：

- 亞太經合組織聯合監督小組就亞太經合組織認可日本情報經濟社會推進協會所作的建議報告及附錄
- 亞太經合組織聯合監督小組就亞太經合組織繼續認可TRUSTe所作的建議報告

除了以上所述，公署亦協助完成了多份與「處理者私隱認可機制」有關的文件。該機制是對個人資料處理者的認可機制，於2015年在亞太經合組織高級官員會議中獲核准。該機制協助個人資料處理者證明其有能力有效地實踐個人資料控制者在處理個人資料方面的私隱責任。該機制亦協助個人資料控者識別合資格及負責任的處理者，包括令在其經濟區外寂寂無名的中小企成為全球

APEC ELECTRONIC COMMERCE STEERING GROUP DATA PRIVACY SUBGROUP

The Commissioner attended the 33rd meeting of the APEC Data Privacy Subgroup, which was held in Lima, Peru on 25 February 2016.

One of the agenda items discussed at the meeting was the proposed updates to the APEC Privacy Framework, which were based on the OECD Privacy Guidelines revised in 2013. The APEC Privacy Framework is comprised of a set of nine guiding principles and guidance on implementation to assist APEC Economies in developing consistent domestic approaches to personal information privacy protections. It also forms the basis for the development of a regional approach to promote accountable and responsible transfers of personal information between APEC Economies. The PCPD has provided comments on the proposed updates to the APEC Privacy Framework during the report year.

Another matter discussed at the meeting was the proposed changes to governance documents of the Cross Border Privacy Rules (“CBPR”) System. Endorsed by APEC Leaders in 2011, the CBPR System is a voluntary accountability-based system to facilitate privacy-respecting data flows among APEC economies. Under the CBPR System, the privacy policies and practices of companies operating in the APEC region are assessed and certified by a third party verifier (known as an “Accountability Agent”) and follows a set of commonly agreed upon rules, based on the APEC Privacy Framework. There are currently four participating APEC CBPR system economies (USA, Mexico, Japan and Canada) and two recognised Accountability Agents (TRUSTe and Japan Institute for Promotion of Digital Economy and Community).

During the report year, the PCPD has provided comments on the following documents relating to the CBPR System:

- APEC Joint Oversight Panel’s Recommendation Report on APEC Recognition of Japan Institute for Promotion of Digital Economy and Community and the Addendum
- APEC Joint Oversight Panel’s Recommendation Report on the Continued APEC Recognition of TRUSTe

Apart from the aforesaid, the PCPD has also contributed to the finalisation of various documents relating to the APEC Privacy Recognition for Processors (“PRP”) System during the report year. The PRP System is a recognition system for personal information processors endorsed in the 2015 APEC Senior Official meeting. It helps personal information processors demonstrate their ability to provide effective implementation of a personal information controller’s privacy obligations related to the processing of personal information. It also helps personal information controllers identify

資料處理網絡的一部分。公署提供意見的文件有：

- 亞太經合組織「處理者私隱認可機制」的參與意向通知範本
- 亞太經合組織「處理者私隱認可機制」——政策、規則及指引
- 亞太經合組織「處理者私隱認可機制」的責任代理認可申請
- 亞太經合組織聯合監督小組關於「處理者私隱認可機制」的協議

qualified and accountable processors, including small and medium enterprises not known outside of their economies to become part of a global data processing network. The documents that PCPD has contributed comments are:

- Template Notice of intent to participate in the APEC Privacy Recognition for Processors System
- APEC Privacy Recognition for Processors System – Policies, Rules and Guidelines
- APEC Accountability Agent Recognition Application for Privacy Recognition for Processors System
- Protocols of the APEC Joint Oversight Panel with regard to the Privacy Recognition for Processors System

感言 Sharing

不經不覺我加入公署已經兩年了。我在大學主修會計，畢業後一直在會計師事務所工作，原本對私隱法例可謂一竅不通。近幾年在公署大力宣傳下，我開始認識到個人資料私隱這個課題，亦開始對保障私隱的工作感到興趣。因此，兩年前我毅然放棄會計專業，投身這份工作。當時不少朋友對我這個決定都感到驚訝。

初加入公署時我負責調查投訴個案，並從中逐步掌握到私隱條例的精髓。對於能協助投訴人解決其困擾，我感到別具意義；另外，能夠促使被投訴的機構改善其行事方式、尊重個人資料私隱，亦使我很有成就感。現在回顧兩年前的轉職決定，我依然認為是正確的！

最近，公署給予機會讓我嘗試新的崗位。現時我在政策及研究部工作，除了須要認識不同司法管轄區的私隱規例，日常亦要密切留意社會上的私隱議題，並要迅速就私隱熱話編寫研究簡報供專員參考。這又是另一項重大的挑戰！

Time flies. It has been two years since I joined the PCPD. I majored in accountancy in university, and worked in an accounting firm all along after graduation. Hence, I was ignorant to privacy law at the outset. Thanks to the PCPD’s intensive promotion campaigns in recent years, I set to learn about personal data privacy, and became interested in the work of personal data protection. Therefore, I resolutely quit the accounting profession to join the PCPD two years ago. This move surprised some of my friends.

Upon joining the PCPD, I was assigned to investigate complaints, from which I gradually realised the essence of the Privacy Ordinance. I found it meaningful to be able to resolve the problem of the complainants; it was also a great accomplishment to me when the organisations being investigated were willing to take remedial actions and to respect personal data privacy. Looking back, I still believe that my decision to join the PCPD two years ago was correct!

Recently, I was offered an opportunity to take up a new position by the PCPD. Now I am working in the Policy & Research Division. Apart from learning the privacy laws in various jurisdictions, I also need to keep abreast of current privacy-related affairs, and promptly produce briefing notes on privacy hot-topics for the Commissioner’s reference. Again, this is a great challenge to me!



張健康
高級個人資料主任
(政策及研究)
Aki CHEUNG
Senior
Personal Data Officer
(Policy & Research)

亞太區私隱機構

亞太區私隱機構成立於1992年，是亞太區內私隱機構的主要平台組織，夥拍區內的私隱機構就私隱規例、新科技及私隱查詢和投訴管理等事宜交流合作。目前亞太區私隱機構有18名成員。亞太區私隱機構轄下有兩個工作小組，分別是科技工作小組及通訊工作小組。私隱專員擔任科技工作小組的主席，及通訊工作小組的聯席主席。

第43屆亞太區私隱機構論壇
(2015年6月11至12日，香港)

ASIA PACIFIC PRIVACY AUTHORITIES FORUM

APPA, formed in 1992, is the principal forum for privacy and data protection authorities in the Asia Pacific region to form partnerships and exchange ideas about privacy regulation, new technologies and the management of privacy enquiries and complaints. It currently has 18 members. There are two working groups in APPA, namely the Technology Working Group and the Communications Working Group. The Commissioner is the chair of the Technology Working Group and the joint-chair of the Communications Working Group.

The 43rd APPA Forum
(11-12 June 2015, Hong Kong)



第43屆亞太區私隱機構論壇由公署主辦，有13個亞太區私隱機構成員（包括公署）、來自日本的觀察員，以及其他嘉賓和參加者出席。

在亞太區私隱機構成員及獲邀的觀察員出席的閉門會議中，成員介紹了各自的管轄區報告，以及就亞太區內的共同議題發表意見，例如法律改革、執法、強制的資料外洩通報、私隱法律規管，以及兒童和青年人私隱。成員亦就不同的調查和資料外洩報告的個案交換意見。各成員亦討論大數據對私隱的影響，及監管機構的應有回應。其他討論議題包括為針對用戶網上行為而發出廣告的政策及相關的調查、公共領域資料的規管，以及採用「問責為先」的策略去管理科技創新衍生的私隱事宜。會議進一步討論亞太區私隱機構的未來路向，最後同意新修訂的目標。

公開會議的出席人士包括政府官員、本地及國際的私隱專家及從業員。會議匯報了有關中華人民共和國及中華台北的私隱法律的最新發展，亦討論了涉及管理病歷資料及研究資料、公開資料、大數據及智能城市等不同的私隱議題。

The PCPD hosted the 43rd APPA Forum, which was attended by 13 APPA members (including the PCPD), observers from Japan, and other guests and participants.

During the closed session, which was attended by APPA members and invited observers, APPA members presented their jurisdiction reports along common themes that had emerged across the region, such as legal reforms, law enforcement, mandatory data breach notification, privacy training as well as child and youth privacy programmes. The members also shared a wide range of reports on investigations and data breaches. The privacy implications of big data and how regulators should respond to the challenge were also considered by the members. Other issues discussed included policy position on online behavioural advertising and related investigations, regulation of public domain data, and accountability as the basis for privacy compliance in technology innovations. The meeting further discussed APPA's future direction, and a revised statement of objectives was agreed.

The open session was attended by government officials as well as local and international privacy experts and practitioners. The meeting was updated on the privacy laws in People's Republic of China and Chinese Taipei, and shared information and discussed various privacy issues ranging from managing health and research data, open data, big data, and smart city.

回響 Feedback

- 感謝你（私隱專員）非常棒的款待，你和你的團隊又再一次為我們其他成員定下極高的新標準！

Thanks so much for your kind note and for being such a terrific host. You (the Commissioner) and your team have once again set an incredibly high standard for the rest of us!

Ms Edith RAMIREZ
Chairwoman,
Federal Trade Commission, United States

回響 Feedback

- 過去一星期亞太區私隱機構成員在香港得到非常棒的款待，我特別為此致謝。我深信每個人都感受到你（私隱專員）的友善與慷慨，你的同事盡心盡力的安排實在令我們賓至如歸。

I wanted..... to convey my thanks and gratitude for all your wonderful hospitality last week when the APPA members descended upon Hong Kong. I know that everyone appreciated your warmth and generosity and the great efforts your office made to make us all feel so welcome.

Ms Annabel FORDHAM
Public Affairs Manager,
Office of the Privacy Commissioner, New Zealand

第44屆亞太區私隱機構論壇
(2015年12月3至4日，澳門)

私隱專員亦在澳門出席了由澳門個人資料保護辦公室主辦的第44屆亞太區私隱機構論壇。

在閉門會議中，各成員除了討論如管轄區報告等的常設議程項目外，亦討論了亞太區內新興的議題，例如公佈執法機構查閱資料的透明度報告、病歷與生物辨識等。其他討論項目包括歐美安全港協議、公營機構的資訊共享、涉及個人資料的電話詐騙，以及有關選舉過程及政黨的私隱議題。

成員在第43屆亞太區私隱機構論壇的討論基礎上，繼續討論亞太區私隱機構的未來路向，包括管治框架及秘書處的未來和角色。成員亦同意成立管治委員會，公署並於2016年成為委員會成員之一。

公開會議的出席人士包括政府官員、私營機構參與者及學者。會上討論了多項私隱議題，包括有關公共治安機關使用閉路電視攝錄機的事宜，以及網絡的私隱狀況及關注等。

The 44th APPA Forum
(3-4 December 2015, Macao)

The Commissioner also attended the 44th APPA Forum in Macao, which was hosted by the Office for Personal Data Protection, Macao.

During the closed session, APPA members discussed emerging issues from across the Asia Pacific region, such as the practice of transparency reporting on law enforcement access requests, health information and biometrics, etc., in addition to the standing agenda items from the members. Other matters discussed included the US-EU Safe Harbour Agreement, public sector information sharing, telephony fraud involving personal data, and privacy issues relating to electoral processes and political parties.

Building on discussions from the 43rd APPA Forum, the members continued to discuss APPA's future direction, including APPA's governance framework and the future role of the APPA Secretariat. The members also agreed to establish a governance committee, and the PCPD became one of the committee members in 2016.

The open session of the forum was attended by government officials, private sector participants and academics. During this session, several privacy issues were discussed, ranging from the installation of CCTV cameras by public security forces, to cyber status and privacy concerns.



全球私隱執法機關網絡

「全球私隱執法機關網絡」於2008年成立，宗旨是促進私隱執法機構之間的跨境合作，主要透過下述方式加強合作：

- 就相關議題、趨勢及經驗交換資訊；
- 鼓勵培訓和分享執法的知識、專門技術及良好行事方式；
- 促進與負責私隱執法的機構的溝通；及
- 創設、維持及支援對雙邊或多邊合作有用的程序或機制。

公署於2014年加入「全球私隱執法機關網絡」為會員。2015年年底，「全球私隱執法機關網絡」的成員包括來自43個管轄區的59個私隱執法機構。

自2016年起，公署連同加拿大、以色列、英國及美國成為「全球私隱執法機關網絡」委員會的五名成員，領導網絡的工作。

2015年抽查行動

公署參與了「全球私隱執法機關網絡」的抽查行動，檢視了青少年使用的網站及流動應用程式（「程式」）。抽查結果發現收集個人資料的情況值得關注，尤其是收集資料的數量及與第三者分享資料的情況。

29個來自世界各地的私隱執法機關（包括公署）於2015年5月11日至15日期間檢視了共1,494個以青少年為對象或青少年常用的網站／程式。公署於2013及2014年都有進行類似行動，研究程式的私隱政策透明度。

關注重點

2015年的全球抽查結果重點如下：

- 在檢視的網站／程式中，67%有收集青少年的個人資料。尤其令人關注的是有相當多的網站／程式收集潛在敏感性個人資料，例如姓名、出生日期、電話號碼、地址及相片或短片；

GLOBAL PRIVACY ENFORCEMENT NETWORK

The Global Privacy Enforcement Network (“GPEN”) was established in 2008 to foster cross-border cooperation among privacy enforcement authorities. It primarily seeks to promote cooperation by:

- exchanging information about relevant issues, trends and experiences;
- encouraging training opportunities and sharing of enforcement know-how, expertise and good practice;
- promoting dialogue with organisations having a role in privacy enforcement; and
- creating, maintaining and supporting processes or mechanisms useful to bilateral or multilateral cooperation.

The PCPD joined GPEN as a member in 2014. By the end of 2015, GPEN comprised 59 privacy enforcement authorities in 43 jurisdictions around the world.

Since the beginning of 2016, the PCPD joined its colleagues from Canada, Israel, the United Kingdom and the United States to become the five-member GPEN Committee that provides leadership for the network.

The 2015 Sweep

The PCPD took part in the GPEN Privacy Sweep (the “Sweep”) to examine websites and mobile applications (“apps”) used by youngsters. Results of the Sweep have raised concerns about the personal data collected, in particular how much personal data was collected and how it was then shared with third parties.

Twenty-nine privacy enforcement authorities from around the world, including the PCPD, surveyed a total of 1,494 websites/apps targeted at, or popular among, youngsters from 11 to 15 May 2015. The PCPD conducted similar exercises in 2013 and 2014 to look at the issues of privacy policy transparency associated with mobile apps.

Common Concerns

The 2015 Global Sweep highlights are:

- 67% of the websites/apps examined collected youngsters’ personal data. Of particular concern was the significant number of websites/apps which collected potentially sensitive personal data, such as name, date of birth, phone number, address and photos or video;

- 78% 網站／程式沒有使用簡單的語言或作出青少年易於閱讀及理解的警告；
- 只有31% 網站／程式具備有效的措施，自律地減少向青少年收集個人資料。而58% 網站／程式會引導青少年轉往另一要求他們披露個人資料的網站，情況令人憂慮；

- 51% 網站／程式與第三者分享個人資料，當中有些網站／程式沒有訂明分享個人資料之目的或所述目的含糊不清；

- 只有24% 網站／程式鼓勵家長參與；及

- 71% 網站／程式沒有提供刪除帳戶資料的途徑。

良好行事方式

不過，全球抽查行動亦發現一些良好的行事方式：

- 部分網站／程式提供有效的保障措施，例如提供家長儀表（dashboard）顯示青少年的網上活動，或讓青少年選用預設的角色，防止他們過度分享其個人資料；

- 部分交談功能只容許青少年從預先核准的表單上揀選字詞及短語，而不是任意輸入，避免他們不經意地披露其個人資料；

- 部分網站／程式會在用家輸入資料時即時作出警告，避免青少年不必要地輸入個人資料；及

- 15% 網站／程式會核實年齡，禁止年幼的兒童登入網站／程式。

青少年是使用電腦、智能電話及社交網絡最活躍的一群。各地的私隱執法機關都非常重視青少年在網上是否可獲得適當的保障。公署期望網站／程式開發商能為青少年提供既方便用家又能保障私隱的環境。

青少年是最易受影響的群體之一。加強對青少年的教育是公署未來其中一個策略重點。公署會繼續推行不同的教育活動，向青少年及家長推廣保障個人資料的重要性。他們必須充分了解網上活動的私隱風險，在提供任何個人資料前，主動謹慎地採取保護措施。

- 78% of the websites/apps failed to use simple language or to present warnings that youngsters could easily read and understand;

- Only 31% of the websites/apps had effective controls in place to limit the collection of personal data from youngsters. What was particularly troubling was the fact that 58% of websites/apps offered youngsters the opportunity to be redirected to a different website, where they could be asked to disclose personal data;

- 51% of the websites/apps shared personal data with third parties, in some cases for vague or unspecified purposes;

- Only 24% of the websites/apps encouraged parental involvement; and

- 71% of the websites/apps did not offer an accessible means for deleting account information.

Good Practice

The Global Sweep also found examples of good practice:

- Some websites/apps provided effective protective controls, such as parental dashboards showing youngsters’ online activities, or preset avatars to prevent youngsters excessively sharing their own personal data;

- There were chat functions which only allowed youngsters to select words and phrases from pre-approved lists instead of typing freely, so that youngsters could not disclose their personal data inadvertently;

- Some websites/apps use just-in-time warnings to deter youngsters from unnecessarily entering personal data; and

- 15% of the websites/apps had age verification to bar younger children from accessing the websites/apps.

The PCPD recognises that youngsters are the most active users of computers, smartphones and social networks. Whether youngsters are provided with an appropriate level of protection online remains an ongoing issue for privacy enforcement authorities. Website/app developers are expected, if not obliged, to develop and present a user-friendly protective privacy environment for youngsters.

Youngsters are frequently identified as one of the most vulnerable groups. Stepping up education efforts for youngsters will be one of our strategic focuses in the near future. We will continue to develop diversified programmes to draw the attention of youngsters and parents to the importance of personal data protection. It has become essential for them to fully understand the privacy risks associated with online activities and take proactive vigilance and security measures before providing any personal data.

國際資料保障及私隱專員研討會

INTERNATIONAL CONFERENCE OF DATA PROTECTION AND PRIVACY COMMISSIONERS



國際資料保障及私隱專員研討會 (2015年10月26-29日，荷蘭阿姆斯特丹)

International Conference of Data Protection and Privacy Commissioners (26-29 October 2015, Amsterdam, the Netherlands)

國際資料保障及私隱專員研討會於1979年首次召開，是各地私隱專員的重要論壇。參與代表來自60個國家逾100個私隱執法及資料保障機構、非政府組織及觀察員。

The International Conference of Data Protection and Privacy Commissioners, which first met in 1979, is the premier forum for Privacy Commissioners from around the world. It has a representation of over 100 privacy enforcement and data protection authorities, non-governmental organisations and observers from over 60 countries.

私隱專員與首席個人資料主任（政策及研究）於2015年10月出席在阿姆斯特丹舉行的第37屆國際資料保障及私隱專員研討會。研討會為期四天，首兩天為各地私隱專員之間的閉門會議，最後兩天為公開會議。私隱專員被邀參與以「前瞻」為題的閉幕小組討論。

The Commissioner and the Chief Personal Data Officer (Policy and Research) attended the 37th International Conference in Amsterdam in October 2015. The Conference lasted for four days with the first two days conducted in a closed session between Commissioners and the last two days in an open session. The Commissioner was invited as a panel member at the closing discussion of the conference, entitled "Tour du Monde: Looking Forward".

各地私隱專員舉行閉門會議後，大會發表了「阿姆斯特丹宣言——基因及健康資料、未來的挑戰及資料保障的保安與情報監督：資料保障機構在轉變中的社會的角色」。

The closed session of the Conference for privacy commissioners led to the release of the "Amsterdam Declaration on Genetic and Health Data, Challenges for Tomorrow and Data protection oversight of security and intelligence: The role of Data Protection Authorities in a changing society".

宣言指出社會在收集、分析及使用基因資料的能力越來越高所帶來的挑戰，並提出幾項觀察結果：

The Declaration identifies the challenges arising from society's increasing ability to collect, analyse and use genetic information and provides a few observations:

- 個人的定性與識別
- 資料保障及私隱的風險
- 與科學界加強溝通的需要

- Characterisation and identification of individuals
- Risks for data protection and privacy
- Necessity for greater communication with the scientific community

就保障資料以及監督保安與情報收集活動的討論，突顯了資料保障機構現正面對的問題，因為各地公眾對情報及保安機構的活動情況的關注是前所未見，而且各國恐怖活動的潛在風險令保安環境不斷轉變。

The discussion on data protection and oversight of security and intelligence highlights the issue data protection authorities are facing because of the unprecedented level of public discussion of the activities of intelligence and security agencies worldwide, together with the changing security environment with potential for terrorist activity in all countries.

會議亦同時通過三項決議案：

Three resolutions were adopted by the Conference focusing on the following:

- 透過採取「資訊公開報告」的做法，以提高政府在查閱機構所持有的個人資料方面的問責性；
 - 為人道主義危機的問題而設立工作小組，致力協助制定資料保障指引，以幫助國際人道主義參與者；及
 - 呼籲政府及所有相關的持份者提供協助及所需的支援，讓聯合國私隱權特別報告員執行其工作。
- The practice of "transparency reporting" to promote accountability in relation to government access to personal information held by organisations;
 - The issue of humanitarian crises and establishment of a working group to help develop data protection guidance to assist international humanitarian actors; and
 - Calling upon governments and all relevant stakeholders to offer any assistance and support to enable the UN Special Rapporteur on the Right to Privacy to undertake his work.



新入職員工 Newcomer

就一個沒有工作經驗的大學生而言，這數月在政策及研究部的實習除了是一個里程碑，更是令我獲益良多的寶貴經驗。作為一個實習生，我有幸被委派參與不同性質的工作：從研究香港的私隱議題到國外私隱法律的修訂、從檢查公司的合規情況到參與出版書籍，多樣化的工作令我對每天將會面臨的挑戰樂此不疲。在芸芸的實習工作中，能與私隱專員接觸及協助籌備他的演講，更是十分難能可貴的經驗。

縱使我在公署的實習只有數月，我仍深深的感受到我被視為團隊的一部分。當我遇到疑難時，同事們每每會給予援手；在日常相處上，同事們總會加以照顧。這一份溫暖的人情味，絕對為我這次的寶貴經歷上增添色彩！

As a university student who had no prior working experience, my internship at the PCPD was immensely fruitful, with a great mix of exposures and vibes every day. I felt a sense of recognition throughout with opportunities to be involved in different substantive tasks. From looking into local privacy issues to international legal reforms, from participating in the Privacy Sweep exercise to publishing a book, the broad coverage of my work gives me a clear picture of the operation of the PCPD, and no doubt keeps me constantly challenged and engaged. The opportunity to work directly with the Commissioner and help prepare his speeches was definitely a bonus to my rewarding experience.

While faced with challenging tasks, I found myself surrounded by supportive colleagues. There were plenty of opportunities to interact with them, who warmly welcomed me to be part of the team since day one. I was a plain paper when I joined as an intern but they have certainly filled it up with colours!



魏俊
實習生，政策及研究部
Joshua NGAI
Intern, Policy & Research Division



「保障個人資料」國際會議

「保障個人資料」國際會議是俄羅斯聯邦通訊、資訊科技與大眾媒體監督處（Federal Service for Supervision of Communications, Information Technology, and Mass Media，簡稱Roskomnadzor）於莫斯科舉辦的年度活動。Roskomnadzor是俄羅斯聯邦的一個執行機關，其職責包括保障個人資料當事人的權利。每年，Roskomnadzor會邀請歐洲、亞洲、北美洲、拉丁美洲負責個人資料保障的國家及國際規管機構，以及個人資料營運者和行業專家，就共同關心的議題交流意見和討論。

私隱專員於2015年11月10日出席第六屆「保障個人資料」國際會議，大會主題是「國家及國際的個人資料主管機構之工作」。整個會議包括早上的閉門會議及下午的公開會議。在閉門會議，私隱專員與各代表就不同議題交換意見及分享經驗，包括俄羅斯新的「資料在地化法例」、跨境資料轉移、歐美安全港安排、「被遺忘權」及保障兒童的私隱權利。私隱專員亦在全體會議上以「香港的個人資料保障及資訊自由流通」為題發表演說。

私隱專員於翌日與Roskomnadzor的首長及副首長會面，討論資訊透明度及跨境資料流通的事宜，並簡介香港瞬息萬變的私隱環境。

INTERNATIONAL CONFERENCE
“PERSONAL DATA PROTECTION”

The International Conference “Personal Data Protection” is an annual event held in Moscow, and organised by the Federal Service for Supervision of Communications, Information Technology, and Mass Media (“Roskomnadzor”). Roskomnadzor is a federal executive authority of the Russian Federation, the responsibilities of which include protecting the rights of personal data subjects. Every year Roskomnadzor invites representatives from national and international regulatory authorities responsible for personal data protection in Europe, Asia, North America and Latin America, as well as the personal data operators and industry experts to exchange views and discuss matters of common interests.

The Commissioner attended the 6th International Conference “Personal Data Protection” with the theme of “The Work of National and International Competent Authorities in Personal Data” on 10 November 2015. The Conference consisted of a closed session in the morning and an open session in the afternoon. During the closed session, the Commissioner exchanged views and shared experience with other representatives on the topics of Russia’s new “Data Localisation Law”, cross-border data transfer, EU-US Safe Harbour arrangement, “right to be forgotten” and protection of children’s privacy right. The Commissioner also delivered a presentation at the plenary session, entitled “Personal Data Protection and Free Flow of Information in Hong Kong”.

The Commissioner met the Head and the Deputy Head of Roskomnadzor on the following day and discussed the information transparency and cross-border data flow. The Commissioner also talked about the rapidly evolving privacy landscape in Hong Kong.



電訊資料保障國際工作小組

電訊資料保障國際工作小組（亦稱為「柏林小組」）在1983年由柏林資料保障專員倡議，在國際資料保障及私隱專員研討會的框架下成立。柏林資料保障專員自此一直擔任小組主席。小組自1983年以來通過了無數建議（「共同立場」及「工作文件」），以改善電訊科技方面的私隱保障。小組成員包括資料保障機關及其他國家公共行政機構、國際組織及世界各地的科學家。自九十年代開始，小組的工作更特別聚焦於網上私隱的保障。

私隱專員於2015年10月13至14日出席於柏林舉行的第58屆柏林小組會議。在會上，私隱專員與來自41間機構的54名專家成員就不同議題交換意見，包括智能視訊分析/人臉識別、零售店的顧客追蹤、網絡語音技術保安、在電子認證中使用生物辨識技術、電子學習平台的私隱、全球互聯網名稱及號碼分配機構的2013年註冊服務機構認證協議、世界經濟論壇的「重塑個人資料」、「被遺忘權」、網絡追蹤、社交網絡的私隱議題、智能電視、國際標準，以及軟件更新範疇的問責。會議同意在柏林小組網站公佈兩份有關「智能視訊分析」及「透過流動裝置訊號進行定位追蹤」的工作文件。

INTERNATIONAL WORKING GROUP ON DATA PROTECTION
IN TELECOMMUNICATIONS

The International Working Group on Data Protection in Telecommunications (also known as the Berlin Group) was founded in 1983 in the framework of the International Conference of Data Protection and Privacy Commissioners at the initiative of the Berlin Commissioner for Data Protection, who has since then been chairing the Group. The Group has since 1983 adopted numerous recommendations (“Common Positions” and “Working Papers”) aimed at improving the protection of privacy in telecommunications. Membership of the Group includes representatives from Data Protection Authorities and other bodies of national public administrations, international organisations and scientists from all over the world. Since the beginning of the 1990s the Group has in particular focused on the protection of privacy on the Internet.

The Commissioner attended the 58th Berlin Group meeting held in Berlin from 13 to 14 October 2015. During the meeting, the Commissioner exchanged views with 54 expert members from 41 organisations on the topics of intelligent video analytics / face recognition, customer tracking in retail stores, VoIP security, the use of biometrics in electronic authentication, privacy on e-learning platforms, ICANN’s 2013 registrar accreditation agreement, World Economic Forum’s “re-inventing personal data”, “right to be forgotten”, web tracking, privacy issues in social networks, Smart TVs, international standardisation, and accountability in the context of software updates. The meeting agreed the release of two Working Papers on Intelligent Video Analytics and Location Tracking from Communications of Mobile Devices on the Berlin Group website.

與海外資料保障機構及私隱專家的交流

EXCHANGES WITH OVERSEAS DATA PROTECTION AUTHORITIES AND PRIVACY EXPERTS

私隱專員及其團隊與海外資料保障機構、業界人員及學者曾作以下交流：

The Commissioner and his team were engaged in the following exchanges with overseas data protection authorities, practitioners and the academia:

27-28.04.2015	在韓國網絡安全局主辦的第57次電訊資料保障國工作小組會議中講述「Android權限模式的缺陷」 Spoke at the 57th Meeting of the International Working Group on Data Protection in Telecommunications hosted by the Korea Internet & Security Agency on “Privacy failure in the Android permission model”
08.06.2015	在第七屆跨境資料探索及資料保障法律塞多納會議中發表「跨境資料轉移及資料保障法例：亞太地區資料保障機構關注的主要議題及事項」 Speech on “Cross-Border Data Transfer & Data Protection Laws: Key Issues & Concerns for Data Protection Authorities in the Asia Pacific Region” at the 7th Annual Sedona Conference International Programme on Cross-Border Discovery & Data Protection Laws
28.09.2015	在香港特區政府駐粵經濟貿易辦事處及雅爾德曾陳胡（前海）聯營律師事務所合辦的兩岸四地法律論壇《外商投資爭議解決的法律創新》中發表「個人信息保護與利便營商環境」演說 Presentation on “Personal Data Protection and Business-friendly Environment” at the Foreign Commercial Investment Legal Issues Seminar, co-organised by the Hong Kong Economic and Trade Office in Guangdong and A&T (Qianhai) JV Law Firm
27.10.2015	在中國人民銀行徵信中心舉辦的亞太徵信暨個人數據保護國際研討會（中國西安）中發表「香港私隱法例及規管經驗」演說 Presentation on “Privacy Legislation and the Regulatory Experience of Hong Kong” at the Symposium on Credit Reporting in Asia-Pacific and Personal Data Protection, organised by Credit Reference Center of the People’s Bank of China (Xian)



28.10.2015	在第37屆國際資料保障及私隱專員會議的周邊活動「私隱競賽及指導教材：最有效針對年青人的途徑」中分享公署為青年人舉辦的比賽 Sharing of experience of PCPD in organising youth competitions in “Competitions and tutorial kits on Privacy: Which best approach to efficiently target at young people?” of the 37th International Privacy Conference
07.11.2015	與其他法定機構代表就「國家治理現代化」於深圳舉行的香港法定機構研討會交流意見 Exchanged views with other representatives on the topic “Modern Governance of China” at the Hong Kong statutory bodies seminar in Shenzhen
22.03.2016	在英國資訊專員公署舉辦的國際執法合作活動中分享國際執法合作的經驗 Speech on “Experience sharing on International Enforcement Cooperation” at the International Enforcement Cooperation Event – Moving On Up, organised by the UK Information Commissioner’s Office
25-26.03.2016	在中國法學會、香港法律論壇、澳門法務局舉辦的第八屆「兩岸四地法律研討會」發表「一帶一路四地法律服務優勢研究：香港的自由信息流和個人資料保障」 Presentation on “Advantage of Legal Services under the One Belt One Road Initiative: Free Flow of Information and Personal Data Protection in Hong Kong” at the 8th Cross Strait Four Regions Legal Seminar, organised by the China Law Society, the Hong Kong Law Forum and the Direcção dos Serviços de Assuntos de Justiça

接待海外 / 內地訪客

RECEPTION OF OVERSEAS / MAINLAND DELEGATIONS

在2015至16年度，公署曾接待以下代表團：

In 2015-16, the PCPD received the following delegations:



2015年12月30日公署兩位首席個人資料主任向韓國網絡安全局的代表分享公署的規管經驗。
30 December 2015 – The PCPD’s Chief Personal Data Officers met delegates of the Korea Internet & Security Agency to share the PCPD’s regulatory experience.



2016年2月25日接待中國政法大學法律系學生，公署人員向他們介紹公署的工作及私隱條例。
25 February 2016 – PCPD staff gave a briefing on the PCPD’s work and the Ordinance to a group of law students from China University of Political Science and Law.