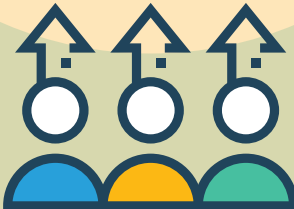


STRENGTHENING EXTERNAL CONNECTIONS

加強對外聯繫



回應跨法域區的議題

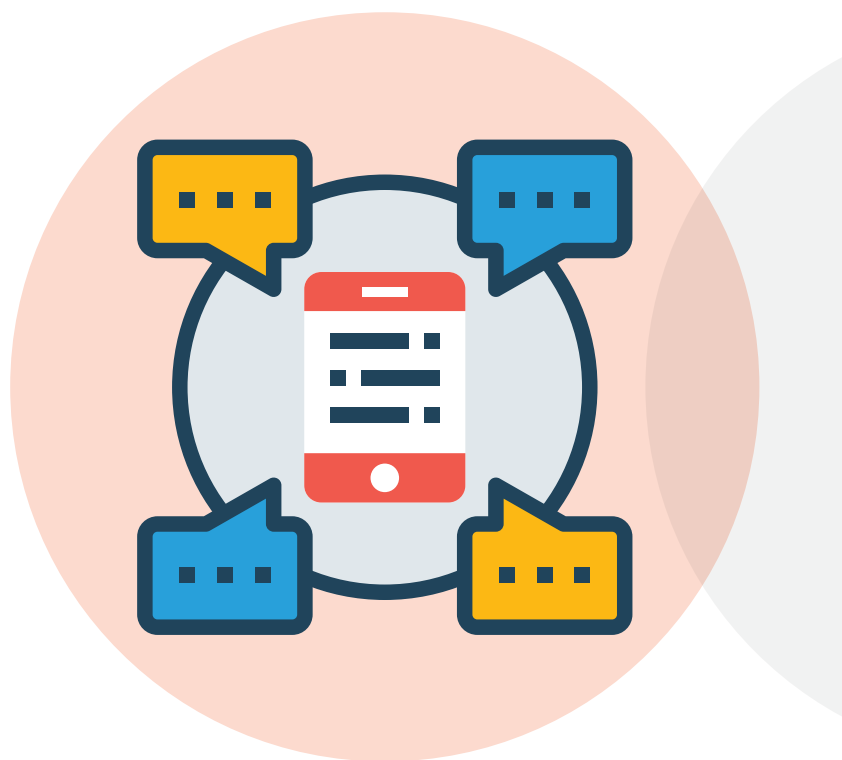
因應最新的本地及國際發展，公署就有關個人資料保障的政策及議題進行研究及提供意見。

保障私隱跨越不同法域區，需要國際社會共同作出回應。公署與各地資料保障機構和私隱專家保持聯繫和工作關係，洞悉全球私隱保障的發展和趨勢。

RESPONDING TO CROSS-JURISDICTION ISSUES

The PCPD conducts research and provides advice on policy issues relating to personal data protection in the light of latest local and international developments.

Privacy protection has become a cross-jurisdiction issue and thus calls for an international response. The PCPD liaises and works with data protection authorities and privacy experts around the world to keep abreast of global development 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

公署於2018年2月27日派代表出席在巴布亞新幾內亞莫爾茲比港舉行的第37屆亞太區經濟合作組織(亞太經合組織)電子商貿督導小組資料私隱分組會議。

會議其中一個重點議題是推廣「跨境私隱規則機制」。該機制在2011年獲亞太經合組織領袖核准，以自願性問責制為基礎，幫助亞太經合組織經濟區內的商業機構進行跨境資料傳輸，同時確保個人資料獲得足夠的保障。截至2018年3月31日，有六個經濟體參與了該機制。部分經濟體如菲律賓、中華台北及澳洲亦表示有興趣加入該機制或正考慮加入。「跨境私隱規則機制」聯合監督小組主席表示現正更新該機制的網頁，以加強商界與消費者對該機制的關注。

會議亦討論由資料私隱分組轄下的資料可攜權研究小組提交的文件。該文件的目的是藉著提供背景資料，引發對歐盟《通用數據保障條例》下新增的個人資料保障權利-即資料可攜權-的討論。文件闡述資料可攜權的利弊以及在跨法域區的互通性情況。

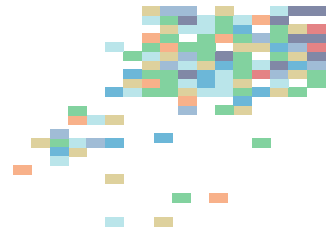
ASIA-PACIFIC ECONOMIC COOPERATION (APEC) ELECTRONIC COMMERCE STEERING GROUP DATA PRIVACY SUBGROUP

The PCPD was represented at the 37th meeting of the APEC Electronic Commerce Steering Group Data Privacy Subgroup, which was held in Port Moresby, Papua New Guinea on 27 February 2018.

One of the key focuses of the meeting was the promotion 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 transfer of personal data among businesses of the APEC economies, while at the same time ensure adequate protection of personal data. As at 31 March 2018, there were six participating economies in the CBPR System. Some other economies such as the Philippines, Chinese Taipei and Australia have also indicated their interest or were considering to participate in the CBPR System. The Chair of the Joint Oversight Panel of the CBPR System reported that enhancement of the CBPR website, with the aim to raise consumers' and businesses' awareness of the CBPR System, was underway.

The meeting also discussed a paper prepared by the Data Portability Study Group of the Data Privacy Subgroup. The purpose of the paper was to present background information to stimulate discussion on data portability, a new data protection right of individuals under the EU GDPR. The paper presented the potential benefits and drawbacks of data portability, and the interoperability of data portability across jurisdictions.





亞太區私隱機構

亞太區私隱機構成立於 1992 年，是亞太區內私隱與資料保障執法機構的主要平台組織，目前有 20 名成員。公署是其管治委員會的成員。管治委員會與秘書處一同支援亞太區私隱機構的運作。公署也是科技工作小組的召集人，帶領小組就科技相關的問題進行研究並提供建議。

亞太區私隱機構每年舉辦兩次論壇，讓成員就如何有效執行監管工作交換意見及實際經驗。私隱專員於 2017 年出席了第 47 及 48 屆亞太區私隱機構論壇。

第 47 屆亞太區私隱機構論壇 (2017 年 7 月 10 至 11 日，澳洲)

第 47 屆亞太區私隱機構論壇以「互操作性」(interoperability) 為主題，旨在鼓勵資料保障機構之間的夥伴和協作關係，並尋找在國內外的監管指導和執法工作的協同效益。

私隱比較統計工作小組 (Comparative Privacy Statistics Working Group) 已重新啟動，旨在提供可靠的統計數據，以協助資料保障機構有效履行其監管工作。

布朗大學兼職教授 Deborah Hurley 在論壇會議中發表的一篇關於去識別化的論文，討論了去識別化這種新興技術的相對優點。

論壇討論的其他主題包括實踐問責制的工具、《歐盟通用數據保障條例》的更新以及與大數據、人工智能和機器學習等相關的資料保障議題。

私隱專員在論壇期間亦參加了題為「尋找國內外的協同效益」的小組討論。私隱專員指出國際間互相合作的重要性，令個人資料私隱在科技急速發展的過程中於不同的法域區得以保障。

ASIA PACIFIC PRIVACY AUTHORITIES (APPA)

APPA is the principal forum for privacy and data protection authorities in the Asia Pacific region. Formed in 1992, it currently has 20 members. The PCPD is a member of its Governance Committee, which works closely with the Secretariat to support the operation of APPA. The PCPD is also the Convener of APPA's Technology Working Group, steering members to exploring technology-related issues.

APPA members meet twice a year at the APPA Forum to exchange ideas and practical experience in carrying out their regulatory functions. The Privacy Commissioner attended the 47th and 48th APPA Forums in 2017.

The 47th APPA Forum (10-11 July 2017, Australia)

With the theme of "interoperability", the objectives of the 47th APPA Forum were to encourage partnership and collaboration among data protection authorities, and to identify global and domestic synergies for regulatory guidance and enforcement activities in the Asia Pacific region.

The Comparative Privacy Statistics Working Group had been reactivated, aiming at producing reliable statistical information to assist data protection authorities in performing their regulatory functions effectively.

A paper on de-identification was presented by Deborah Hurley, Adjunct Professor at Brown University, during the Forum. The paper explored the relative merits of these emerging techniques.

Other topics discussed included accountability tools, updates on the EU GDPR, and data protection issues in relation to big data, artificial intelligence and machine learning.

The Privacy Commissioner participated in a panel discussion titled, "Identifying global and domestic synergies" during the Forum. He pointed out the importance of international cooperation, which enabled the protection of personal data privacy across border amidst rapid technological development.

第 48 屆亞太區私隱機構論壇 (2017 年 11 月 15 至 17 日, 加拿大)

第 48 屆亞太區私隱機構論壇由展示加拿大資料保障機構資助的研究計劃的成果揭開序幕。當日的活動旨在突顯獨立研究為私隱保障工作帶來的益處。

論壇期間，四間全球最大的科技公司—蘋果、Facebook、Google 和微軟—獲邀參加小組討論，並分享他們如何在技術開發過程中融入私隱的元素，以及機構內部如何促進在全球各地的營運中達至私隱合規及提升消費者的信任。私隱專員參加了另一個小組討論，分享如何與中小型企業攜手合作保障私隱。

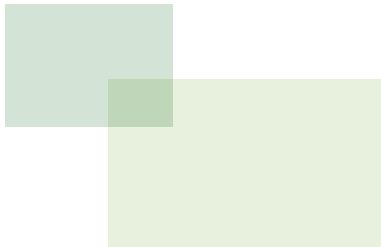
作為科技工作小組的召集人，私隱專員向亞太區私隱機構成員提交了一份關於去識別化的研究報告，建議採用風險為本的方法對個人資料進行去識別化。

The 48th APPA Forum (15-17 November 2017, Canada)

The 48th APPA Forum kicked off by showcasing the results of researches funded by the Canadian data protection authority, highlighting the benefits of independent research in privacy protection.

Four of the world's largest technology companies – Apple, Facebook, Google and Microsoft – were invited to a panel discussion during the Forum, sharing their experience of integrating privacy in technological development, and how their internal mechanisms facilitated global privacy compliance and enhancement of consumer trust. The Privacy Commissioner participated on another panel, sharing the experience of engaging small-and-medium-sized enterprises in privacy protection.

As the Convener of the Technological Working Group, the Privacy Commissioner presented to APPA members a research paper of the Working Group on de-identification, suggesting a risk-based approach for de-identifying personal data.





全球私隱執法機關網絡

全球私隱執法機關網絡於 2010 年成立，宗旨是促進私隱執法機關之間的跨境合作。截至 2017 年年底，全球私隱執法機關網絡的成員包括來自 48 個法域區的 65 個私隱執法機關。

全球私隱執法機關網絡主要透過下述方式加強合作：

1. 就相關議題、趨勢及經驗交換資訊；
2. 鼓勵培訓和分享執法的知識、專門技術及良好行事方式；
3. 促進私隱執法機關的溝通；及
4. 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成員。於 2016 年，公署成為全球私隱執法機關網絡的五個執行委員會成員之一（其他成員是加拿大、以色列、英國及美國的私隱執法機關），協力領導網絡的工作。

全球私隱執法機關網絡每年其中一個主要工作項目是私隱抽查行動，成員會聯合查察特定界別的機構在私隱方面的實務，評估其對個人資料私隱的尊重程度及個人資料保障法例的符規情況。

GLOBAL PRIVACY ENFORCEMENT NETWORK (GPEN)

GPEN was established in 2010 to foster cross-border cooperation among privacy enforcement authorities. As at the end of 2017, its membership comprised 65 privacy enforcement authorities from 48 jurisdictions around the world.

GPEN primarily seeks to promote cooperation by:

1. Exchanging information on relevant issues, trends, and experience;
2. Encouraging training opportunities and sharing of enforcement know-how, expertise, and good practices;
3. Promoting dialogue among privacy enforcement authorities; and
4. Creating, maintaining, and supporting processes or mechanisms useful for bilateral or multilateral cooperation.

The PCPD joined GPEN as a member in 2014. In 2016, the PCPD joined the five-member Executive Committee of GPEN (the other members were the privacy enforcement authorities of Canada, Israel, the United Kingdom and the United States) which provided leadership for the network.

One of the major annual projects of GPEN is the Privacy Sweep, in which its members join forces to examine the privacy practices of organisations in selected sectors and to evaluate their level of respect for personal data privacy and level of compliance with data protection laws.

於 2017 年 5 月，公署聯同 23 個私隱執法機關進行私隱抽查行動以了解個人對其個人資料的掌控程度。抽查結果及相關建議詳列於本年報「**監督符規，擁抱挑戰**」部份。

於 2017 年 6 月，全球私隱執法機關網絡和英國信息專員辦公室在英國曼徹斯特合辦了一個執法人員研討會，匯集了來自私隱、消費者保障和非應邀通信的監管機構的調查人員，分享和學習在執法方面的實踐經驗、技術和策略。

於 2017 年 8 月，全球私隱執法機關網絡獲國際消費者保障執法網絡批准成為觀察員，使兩個網絡的成員可建立更緊密合作。

於報告年度內，公署亦參與了全球私隱執法機關網絡的定期電話會議，與各成員就有關個人資料私隱的熱門議題交換意見，包括差異化私隱 (differential privacy)、被遺忘權、貫徹私隱的設計、區塊鏈及物聯網等。

In May 2017, the PCPD joined 23 privacy enforcement authorities to examine the level of control by individuals over their own personal data. Findings and recommendations arising from this Privacy Sweep can be found in the **“Monitoring Compliance, Embracing Challenges”** section of this report.

In June 2017, an Enforcement Practitioners' Workshop was jointly held by GPEN and the Information Commissioner's Office of the United Kingdom in Manchester. The workshop brought together investigators from privacy, consumer protection and unsolicited communications regulatory bodies to share and learn practical experience, technical skills and strategies.

In August 2017, GPEN was granted an observer status by the International Consumer Protection Enforcement Network (ICPEN). This allowed GPEN and its member authorities to build on existing cooperation with ICPEN.

During the reporting year, the PCPD attended regular telephone conferences with other GPEN members to exchange views on topical issues relating to personal data privacy, including differential privacy, right to be forgotten, privacy by design, blockchain, Internet of Things, etc.





與海外及內地資料保障機構及私隱專家的交流

EXCHANGES WITH OVERSEAS AND MAINLAND DATA PROTECTION AUTHORITIES AND PRIVACY EXPERTS

在報告年度內，私隱專員及其團隊與海外及內地資料保障機構、業界人員及學者曾作以下交流：

During the reporting year, the Privacy Commissioner and his team were engaged in the following exchanges with overseas and mainland data protection authorities, practitioners and academia:

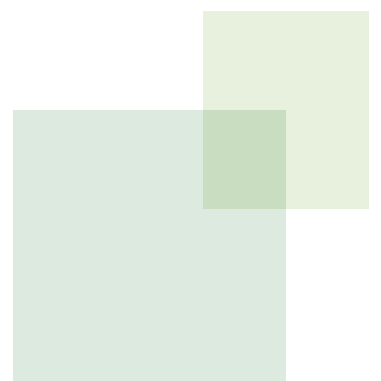
20.04.2017	<p>參與在美國華盛頓舉辦的2017國際私隱專業人員協會全球私隱高峰會議的「中西薈萃：私隱法規、社會規範與文化」小組討論</p> <p>Panel discussion on “Privacy Law, Social Norms and Culture: East Meets West” at IAPP Global Privacy Summit 2017 in Washington DC, the United States</p>	
04.05.2017	<p>參與在美國紐約市舉行的聯合國全球脈動計劃及國際私隱專業人員協會主辦的聯合國全球脈動計劃專家會議的「建立有效的私隱及數據道德準則計劃：從理論到實踐」小組討論</p> <p>Panel discussion on “Privacy and Data Protection Frameworks: The Regulatory and Policy-making Perspective” at United Nations Global Pulse Expert Meeting organised by United Nations Global Pulse and International Association of Privacy Professionals in New York City, the United States</p>	
15.05.2017	<p>在德國柏林舉行的第七屆歐洲資料保障日發表「從香港角度看2018年實施GDPR的初步主要觀察 – 這是檢討香港保障資料私隱法例的適當時機」演講及參與「GDPR實施倒數一年 – 國際資料保障的最新發展」小組討論</p> <p>Presentation on “Observations on the GDPR 2018 from Hong Kong’s Perspective – A Timely Opportunity for Hong Kong to Review the Data Privacy Protection Law” and panel discussion on “The Latest Developments in International Data Protection – One Year Before the GDPR will Apply” at 7th European Data Protection Days in Berlin, Germany</p>	
27.06.2017	<p>在南韓Barun 資訊及通訊科技研究中心舉辦的2017亞洲私隱橋樑研討會發表「資料外洩事故通報及跨境執法合作」講座</p> <p>Presentation on “Data Breach Notification and Cross-Border Enforcement Cooperation” at Asia Privacy Bridge Forum 2017 organised by Barun ICT Research Centre in South Korea</p>	
12.07.2017	<p>參與在澳洲悉尼舉行的亞太區個人資料與私隱會議的「辨識全球與本地執法行動的協同增效作用」小組討論</p> <p>Panel discussion on “Identifying Global and Local Synergies for Regulatory Enforcement Activities” at Data + Privacy Asia Pacific Conference in Sydney, Australia</p>	

21.08.2017	<p>在越南胡志明市舉行的亞太區經濟合作組織 – 電子商貿督導小組資料私隱分組會議中主講「私隱專員就《個人資料(私隱)條例》進行比較研究 – 歐盟通用數據保障條例」講座</p> <p>Presentation on “Privacy Commissioner’s Comparative Study on Personal Data (Privacy) Ordinance – General Data Protection Regulation” at Asia-Pacific Economic Cooperation (APEC) Electronic Commerce Steering Group – Data Privacy Sub-group Meeting in Ho Chi Minh City, Vietnam</p>
14.09.2017	<p>在澳門舉行、由中國法學會舉辦的第九屆內地與港澳法律研討會發表「香港作為一帶一路和大灣區數據中心的機遇」演講</p> <p>Presentation on “Opportunities Arising from Hong Kong as Data Centre of the Belt and Road Initiative and the Bay Area” at 9th Mainland, Hong Kong and Macao Legal Seminar, organised by China Law Society, Hong Kong Law Forum and Direcção dos Serviços de Assuntos de Justiça in Macao</p>
23.09.2017	<p>在泰國曼谷舉行的亞太區電訊業、環球論壇、國際電訊業聯盟及物聯網亞洲峰會發表「保安標準及私隱框架 – 為物聯網建立信任及信心」演講</p> <p>Presentation on “Security Standards and Privacy Frameworks – Paving the Way for Trust and Confidence in IoT” at Asia Pacific Telecommunity, Forum Global and ITU, The Internet of Things Asia Summit 2017 in Bangkok, Thailand</p>
15.10.2017	<p>在廈門舉行的2017內地 – 香港網絡安全論壇發表「香港數據安全保護政策法律」演講</p> <p>Speech on “Data Security Protection Policies and Laws in Hong Kong” at Second HK-Mainland Cyber Security Forum in Xiamen</p>
21.10.2017	<p>在深圳中聯辦研討會發表「香港個人資料保障法律和制度」演講</p> <p>Presentation on “The Law and the System of Personal Data Protection in Hong Kong” in seminar organised by Liaison Office of Central People’s Government in Shenzhen</p>
08.11.2017	<p>在南韓Barun 資訊及通訊科技研究中心及韓國網絡安全局舉辦的2017 亞洲私隱橋樑研討會暨Barun 資訊及通訊科技研究會議：「跨境貫徹私隱的設計」上發表「處理資料外洩事故及提昇私隱法規效率的方法」</p> <p>Presentation on “Handling of Data Breaches and Ways to Improve Effectiveness of the Privacy Law” at Barun ICT Research Conference 2017: 4th Asia Privacy Bridge “Privacy by Design across Borders” organised by Barun ICT Research Centre and Korea Internet & Security Agency in South Korea</p>
14.11.2017	<p>在加拿大舉行的第48屆亞太區私隱機構論壇中的會外活動中發表「業務發展及鼓勵問責」演講</p> <p>Presentation on “Demonstrating and Incentivising Accountability” at side event of 48th Asia Pacific Privacy Authorities Forum in Canada</p>





16.11.2017	<p>在加拿大舉行的第48屆亞太區私隱機構論壇中發表「在私隱領域上以創新方法與中小企進行溝通」演講</p> <p>Presentation on “Innovative Ways to Communicate with SMEs on Privacy” at 48th Asia Pacific Privacy Authorities Forum in Canada</p>
27.02.2018	<p>在西班牙巴塞隆那舉行的2018 GSMA 世界移動大會 (Mobile World Congress) 的部長級會議上發表主題演講</p> <p>Delivery of keynote speech at Ministerial Programme of the GSMA Mobile World Congress 2018 in Barcelona, Spain</p> 
28.03.2018	<p>參與在美國華盛頓舉行，由國際私隱專業人員協會舉辦的2018全球私隱高峰會中「規範全球數據流：來自三大洲的觀點」的小組討論</p> <p>Panel discussion on “Regulating Global Data Flows: The View from Three Continents” at IAPP Global Summit 2018 organised by International Association of Privacy Professionals in Washington DC, the United States</p> 



接待海外及內地訪客

在報告年度內，公署曾接待以下代表團：

RECEPTION OF OVERSEAS AND MAINLAND DELEGATIONS

During the reporting year, the PCPD received the following delegations:

18.05.2017

接待韓國訊息安全局訪問團

Received a delegation from Korean Internet & Security Agency



14.07.2017

接待中國政法大學、浙江大學、上海對外經貿大學及南京大學法律學生

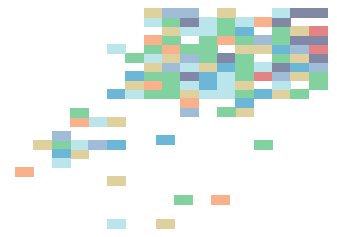
Received a delegation of law students from China University of Political Science and Law, Zhejiang University, Shanghai University of International Business and Economics and Nanjing University



23.10.2017

為香港城市大學司法教育與研究中心籌辦的第十一屆中國高級法官研修班發表「個人資料的保障」演講

Presentation on "Personal Data Protection" at Hong Kong City University's 11th Advanced Programme for Chinese Senior Judges



30.11.2017

為青海省中港司法行政經濟事務培訓班主講「個人資料的保障」

Presentation on "Introduction on the PCPD and the Personal Data (Privacy) Ordinance" for the training course on China – Hong Kong Judicial Administration Economic Affairs for officials from Qinghai Province



08.12.2017

接待大韓民國企劃財政部訪問團

Received a delegation from Korea Ministry of Strategy and Finance



21.12.2017

接待美國國會外交委員會訪問團

Received a delegation of U.S. Congressional Staff on House Foreign Affairs Committee

21.03.2018

為北京師範大學主講「數據保障」講座

Presentation on "Data Protection" organised by Beijing Normal University