



25 年回顧 Years On

私隱公署作為私隱的守護者

私隱公署於1996年8月成立，是亞洲首個專責保障個人資料私隱的監管機構。《個人資料(私隱)條例》於1995年制定，亦是區內首項保障個人資料私隱的法例。《私隱條例》以經濟合作暨發展組織的1980年私隱指引及歐盟於1995年採納的資料保障指令為藍本。

資料保障法例在科技急速發展下湧現

私隱公署在過去25年見證了資訊科技的急速發展，各地亦同時發展及制定更嚴格的法例，加強保障個人資料。至今有超過130個司法管轄區制定了私隱或個人資料相關的保障法例，有些地區更作出了修訂，擴闊原先法例的覆蓋範圍。《私隱條例》於2012年進行了首次重大修訂，落實新規定針對使用個人資料作直接促銷。歐盟於2018年採納了《通用數據保障條例》以取代1995年的歐盟指令，為私隱保障訂立了一套新黃金標準。這標準引發了世界各地私隱法例新一浪的發展，包括2018年的《加州消費者私隱法案》、印度2019年的《個人資料保護法草案》，以及內地於2020年發布的《個人信息保護法》草案。

The PCPD as the guardian of privacy

Established in August 1996, the PCPD was the first independent regulator in Asia dedicated to the protection of personal data privacy. The PDPO, enacted in 1995, was the first piece of legislation introduced in the region to protect the privacy of individuals in relation to personal data. The PDPO was modelled on the 1980 Privacy Guidelines of the Organisation for Economic Co-operation and Development and the 1995 Directive adopted by the EU on the protection of personal data.

Mushrooming of data protection laws amidst rapid technological changes

The PCPD witnessed a fast-flowing stream of technological developments in the past 25 years, accompanied by the mushrooming and introduction of more stringent laws in enhancing the protection of personal data. Over 130 jurisdictions have enacted privacy or personal data protection laws, and the laws have expanded significantly from their first iterations in many localities. The PDPO underwent its first major amendments in 2012 to introduce legal requirements on the use of personal data in direct marketing, among others. In 2018, the EU replaced its 1995 Directive and adopted a new gold standard, the GDPR. It led to subsequent development in privacy laws around the world, including the California Consumer Privacy Act of 2018, India's Personal Data Protection Bill of 2019, and the draft Personal Information Protection Law of the Mainland introduced in 2020.

政府在考慮過私隱公署的建議及《通用數據保障條例》後，提出《私隱條例》的初步修訂方向，當中包括強制資料外洩事故通報、直接規管資料處理者，以及如部分司法管轄區一樣，授權私隱專員就違反《私隱條例》施行行政罰款。有見2019年中以來「起底」行為猖獗，行政長官於2021年2月宣布將會推動立法修訂《私隱條例》，將「起底」行為刑事化，並賦予私隱專員刑事調查和檢控的法定權力。

積極進行教育及推廣工作

私隱公署在1996年開始運作之時及隨後的數年，有見於個人資料私隱的概念以及《私隱條例》的規定對大眾而言仍屬新事物，於是將教育及推廣工作視為優先目標。私隱公署發行大量刊物及舉行講座及培訓課程，多年來共約300,000人出席，亦拍攝電視廣告及娛樂與資訊並重的電視劇及廣播劇。近年私隱公署亦利用社交媒體與大眾聯繫，並將講座及培訓課程移師至網上舉行。

資訊及通訊科技漸漸融入我們的日常生活，大眾對個人資料私隱保障的期望亦與日俱增。機構不能夠再單純滿足於「別格仔」或僅求達致合規，它們需要表現出良好數據道德、尊重客戶個人資料以及對管理資料問責。

在2000年，私隱公署成立保障資料主任聯會，旨在讓公私營機構的保障資料主任交流經驗及意見。自2014年起，私隱公署提倡機構建立私隱管理系統，將個人資料保障定為企業管治責任，並由上而下納入為業務不可或缺的一環。在2018年，私隱公署更進一步發出「中國香港的道德問責框架」以倡導良好的數據道德。該框架現已成為強化個人資料私隱保障的新指標。

The Government, after considering the PCPD's proposals and the GDPR, proposed preliminary amendment directions for the PDPO. These included, among others, making data breach notifications mandatory, imposing direct obligations on data processors, and empowering the Privacy Commissioner to impose administrative fines, as in other jurisdictions, for breaches under the PDPO. Owing to rampant doxxing activities since mid-2019, the Chief Executive announced in February 2021 that legislative amendments would be made to the PDPO to criminalise doxxing and confer statutory powers on the Privacy Commissioner to carry out criminal investigations and institute prosecutions.

Tireless efforts in education and promotion

In the ensuing few years after its establishment in 1996, the PCPD's priority was education, publicity and promotion, as personal data privacy and the requirements of the PDPO were new to the general public. The PCPD issued a myriad of publications, and conducted seminars and training with about 300,000 participants over the years. It also took an edutainment approach by producing television docu-dramas and radio dramas, in addition to running advertisements. Recently, the PCPD also leveraged social media to reach the wider public and brought seminars and training online.

As information and communication technologies have encroached on our daily lives, public expectation of personal data privacy has also been rising. It was no longer sufficient for organisations to tick the box on compliance. They needed to demonstrate good data ethics, respect for customers' personal data, and accountability in the management of data.

In 2000, the PCPD established Data Protection Officers' Club for data protection officers of public and private organisations to share their experiences and insights. In 2014, the PCPD introduced the Privacy Management Programme and encouraged organisations to embrace data protection as a corporate governance responsibility and as a top-down business imperative. In 2018, the PCPD issued—what became a yardstick—the “Ethical Accountability Framework for Hong Kong, China” to advocate good data ethics.

循規與執法行動與日俱增

在過去的25年，私隱公署處理了39,645宗投訴、421,326宗查詢及946宗資料外洩事故通報；並進行過3,652次循規審查及1,762次調查。循規及執法行動旨在回應公眾就影響數以萬計客戶的大型資料外洩事故的關注。

隨着公眾對個人資料私隱的意識和要求日益提高，私隱公署處理的個案數目亦顯著上升。

Compliance and enforcement actions on the rise

In the last 25 years, the PCPD handled 39,645 complaints, 421,326 enquiries, and 946 data breach notifications. It has initiated 3,652 compliance checks and 1,762 investigations. Our compliance and enforcement actions served to address public's concern on major data breach incidents which affected tens of thousands of data subjects.

The number of cases rose significantly owing to increasing public awareness of and demands for personal data privacy.

	1997-98 <small>註 Note</small>	2020-21	增長 Increase
查詢個案數目 Number of enquiries received	13,551	18,253	34.7%
投訴個案數目 Number of complaints received	253	3,157	1,147.8%
資料外洩事故通報次數 Number of data breach notifications received	0	106	不適用 N/A
循規審查次數 Number of compliance actions initiated	74	356	381.1%

註：1997-98年度為私隱公署首個完整的報告年度

Note: 1997-98 was the PCPD's first full reporting year.

緊密的全球聯繫

在網絡世界，資料並無疆界之分。因此，要有效執行私隱法例，不同司法管轄區的資料保障機構必需攜手合作。自成立以來，私隱公署一直活躍於有關國際私隱監管機構的主要論壇，與海外相關機構分享知識與經驗及合作，並且在有需要時尋求協助。

Strong global connections

Online data knows no borders. Collaboration among data protection authorities in different jurisdictions is therefore indispensable for the effective enforcement of privacy laws. Since establishment, the PCPD has been an active member of major international privacy regulator forums. This enables the PCPD to share knowledge and experience and collaborate with our overseas counterparts, as well as to seek assistance from them.



私隱公署自 1996 年起，一直參與環球私隱議會（前稱國際資料保障及私隱專員會議），並先後在 1999 年及 2017 年主辦周年大會。私隱公署在 2016 年至 2018 年間為議會執行委員會成員，亦是議會「人工智能的道德與數據保障常設工作小組」聯席主席，並領導「2019 冠狀病毒病工作小組」其中一個小組，應對 2019 冠狀病毒病相關的私隱議題。

私隱公署同時也在其他國際論壇上擔當領導角色。自 2010 年至 2019 年，私隱公署擔任亞太區私隱機構「科技工作小組」主席，以及自 2016 年起出任全球私隱執法機關網絡的委員會成員。

在「一國兩制」下，香港與內地一直維持緊密的社會及經濟聯繫。私隱公署與內地學術界和有關當局建立了良好的溝通網絡。為推動香港發展成為大灣區的數據中心，以及促進區域合作與發展，私隱公署將會進一步加強與內地相關機構的聯繫。

展望未來

在過去的四分一世紀，科技和監管環境日新月異，而隨着大數據、區塊鏈、人工智能、生物辨識資料等科技持續急速發展，資料保障的形勢將會更變化多端。全球各地將會制定並實施更健全的資料保障法例，大眾對資料私隱的訴求亦將會變得更加強烈。私隱公署將會繼續密切留意發展趨勢，致力保障個人資料私隱。

For instance, since 1996, the PCPD has been participating in the GPA, formerly known as the International Conference of Data Protection and Privacy Commissioners, and hosted the 1999 and 2017 annual conferences. The PCPD was an Executive Committee member from 2016 to 2018, and the co-chair of the Working Group on Ethics and Data Protection in Artificial Intelligence, leading a subgroup of the COVID-19 Working Group to tackle privacy issues arising from COVID-19.

The PCPD also takes leading roles in other international forums. It was the chair of the Technological Working Group of the APPA from 2010 to 2019 and has been a committee member of the GPEN since 2016.

Under “One Country, Two Systems”, Hong Kong enjoys very close social and economic ties with the Mainland. The PCPD has established a strong network with the academia and relevant authorities on the Mainland. To facilitate the development of Hong Kong as a data hub in the Greater Bay Area and enhance regional cooperation and development, the PCPD will further strengthen its connection with our Mainland counterparts.

Looking ahead

The technological and regulatory landscapes have been dynamic in the past quarter-century and the data protection landscape will be even more vibrant in the light of the rapid development of big data, blockchain, artificial intelligence, biometric data, etc. Globally, more robust data protection laws would be enacted and implemented and the demands for data privacy would become more vigorous. The PCPD will continue to keep abreast of the developments and uphold strong protection of privacy in relation to personal data.



私隱公署在2021年慶祝成立25周年。一直以來，私隱公署致力透過監察、監管及推廣遵從《私隱條例》的要求，從而建立保障、尊重個人資料私隱的文化。

2021 marks the 25th Anniversary of the PCPD. Over the years, the PCPD has been striving to enhance the protection of the privacy of individuals in relation to personal data. It monitors, supervises and promotes compliance with the PDPO and fosters a culture of protecting and respecting personal data privacy.

以下是私隱公署過去25年一些重要事件回顧：

Here are some notable milestones and achievements of the PCPD in the past 25 years:



舉辦保障私隱小學巡迴表演
「有個秘密話你知」
Launched the privacy show
“Telling You My Secret”
targeting primary school
students

2005



吳斌先生 JP 出任個人資料私隱專員
Mr Roderick WOO Bun, JP, took
office as Privacy Commissioner
for Personal Data

舉辦首個亞太經濟合作組織電子
商貿督導小組技術支援研討會
Hosted the first Asia-Pacific Economic
Cooperation (APEC) Electronic Commerce
Steering Group technical assistance seminar

參與亞太經濟合作組織工作，
制訂一套私隱保障原則及實施
架構，讓組織內21個成員經濟
區共同遵守
Took part in an APEC
initiative to develop a set of
privacy principles and
implementation framework
that could be subscribed to
by all 21 member economies



2006-2010

發表有關投訴警方獨立監察委員會意外地在
互聯網上外洩兩萬人的個人資料的調查報告
Published an investigation report
regarding the leakage of the personal
data of 20,000 people on the Internet by
the Independent Police Complaints Council

為酒店從業員舉辦一系列活動加強業界保
障私隱的意識
Organised the Hotel Privacy Campaign
to raise awareness of privacy issues in
the hotel industry

2006



首次在香港主辦
亞太區私隱機構論壇
Hosted the Asia Pacific Privacy
Authorities (APPA) Forum for
the first time in Hong Kong

1996-2000

《私隱條例》的條文正式生效
Provisions of the PDPO
commenced operation



成立私隱公署，劉嘉敏先生 JP 出任首任個人資料私隱專員
Establishment of the PCPD; Mr Stephen LAU Ka-men, JP, took office as the first Privacy Commissioner for Personal Data



舉辦第二十一屆國際私隱及個人資料保障研討會及資料保障專員會議
Hosted the 21st International Conference on Privacy and Personal Data Protection and Meeting of the Data Protection Commissioners



2000

與香港電台聯合製作電視劇《私隱事件簿》
Produced the docu-drama television series "Privacy Special" in partnership with Radio Television Hong Kong



2001-2005

舉辦「私隱週」及相關活動，包括「新經濟下的電子私隱」研討會及現場直播的電視綜合晚會
Launched "Privacy Week" with activities such as the "E-Privacy in the New Economy" Conference and a live television variety show



2001

鄧爾邦先生出任個人資料私隱專員
Mr Raymond TANG Yee-bong took office as Privacy Commissioner for Personal Data



私隱專員首次行使視察權力，視察醫院管理局的病人個人資料系統
Privacy Commissioner exercised inspection power for the first time on the Hospital Authority's personal data system in respect of patients

與亞太區私隱機構合辦首個國際推廣活動「私隱關注運動2007」
Organised its first international promotional campaign, Privacy Awareness Week 2007, together with members of the APPA



2010

向政府提交建議，對《私隱條例》作出重大修訂
Submitted a package of proposals to the Government recommending substantial amendments to the PDPO



2006

展開檢討《私隱條例》的公眾諮詢
Carried out public consultation
on the review of the PDPO



為醫療從業員舉辦保障個人
資料私隱活動
Organised a personal data
privacy campaign for
medical practitioners

2006-2010

為地產代理業舉辦保障
個人資料私隱活動
Organised a personal data privacy
campaign for estate agents



舉辦首屆「保障私隱學生大使計劃」，並自
此每年向中學生推廣保障個人資料私隱
Launched the first Student
Ambassador for Privacy Programme;
since then, the PCPD organised annual
activities to promote personal data
privacy protection to secondary school
students

出版《個人資料
(私隱)條例》通識教材
套老師手冊，協助中學
老師教導學生保護個人
資料私隱
Published the
“Personal Data
(Privacy) Ordinance
Liberal Studies
Teaching Kit” to assist
secondary school
teachers in teaching
students how to
protect personal data
privacy

2011-2015

為電訊從業員舉辦保障
個人資料私隱活動
Organised a personal data
privacy campaign for
telecommunications
practitioners



與香港電台聯合製作
電視劇《私隱何價》；
該電視劇在電視節目欣賞指
數2012中榮登第十位
Produced the docu-drama
television series “Privacy
Beyond Price” in
partnership with Radio
Television Hong Kong; the
series ranked 10th in the
2012 TV Programme
Appreciation Index Survey

2011

《2012年個人資料
(私隱)(修訂)條例》
實施，就直接促銷推行
新的規管機制及推出
法律協助計劃
Commencement of
the Personal Data
(Privacy)
(Amendment)
Ordinance 2012.
Implemented new
direct marketing
regulatory regime
and launched legal
assistance scheme

2015

舉辦「保障私隱 全面貫徹」研討會，提
倡在資訊科技系統的設計中加入保障個
人資料私隱為預設元素
Organised the Privacy by Design
Conference to advocate embedding
the protection of personal data
privacy in the design of information
and communication systems



推出為零售業而設的網上評估工具，
協助業界培訓及評估對《私隱條例》的理解
Launched an online assessment tool
tailor-made for the retail industry to train
practitioners and evaluate their
understanding of the requirements under
the PDPO



舉辦第三十一屆
亞太區私隱機構論壇
Hosted the 31st APPA Forum



為保險從業員舉辦保障個人
資料私隱活動
Organised a personal data
privacy campaign for
insurance practitioners

發表對智能身份證系統的
私隱循規評估報告
Published the Privacy
Compliance
Assessment Report on the Smart
Identity Card System



2010



蔣任宏先生, SBS 出任個人資料
私隱專員
Mr Allan CHIANG Yam-wang,
SBS, took office as Privacy
Commissioner for Personal
Data

發表有關「八達通日日賞」計劃收集
及使用客戶個人資料的調查報告
Published an investigation report
regarding the collection and use of
customers' personal data under the
Octopus Rewards Programme



黃繼兒先生出任
個人資料私隱專員
Mr Stephen Kai-yi WONG
took office as Privacy
Commissioner for
Personal Data

2016-2019

與香港電台聯合製作電視劇《私隱何價II》
Jointly produced the docu-drama television
series "Privacy Beyond Price II" in partnership
with Radio Television Hong Kong



2016

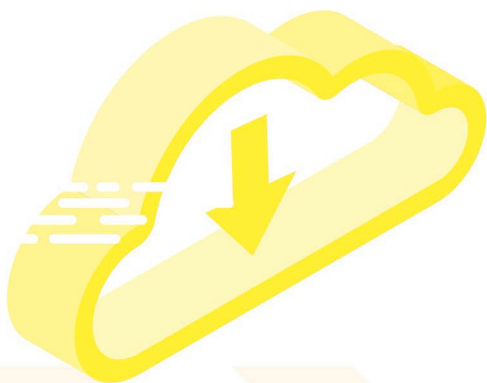


與資訊科技界專業團體及商會推出「應用程式重私隱
創新科技贏信任」保障私隱運動
Launched the privacy campaign "Developing
Mobile Apps: Privacy Matters" with leading
professional and trade associations in
information and communications technology

政府與39間保險、電訊等行業的機構承諾推行私隱管理系統
The Government and 39 organisations from the insurance,
telecommunications and other sectors pledged to
implement a Privacy Management Programme



發出《私隱管理系統—
最佳行事方式指引》,
鼓勵機構視保障個人資料
為企業管治責任
Issued the "Best Practice
Guide on Privacy
Management Programme"
to encourage organisations
to embrace personal data
protection as part of their
corporate governance



2016-2019

私隱公署成立20周年
20th anniversary of the PCPD

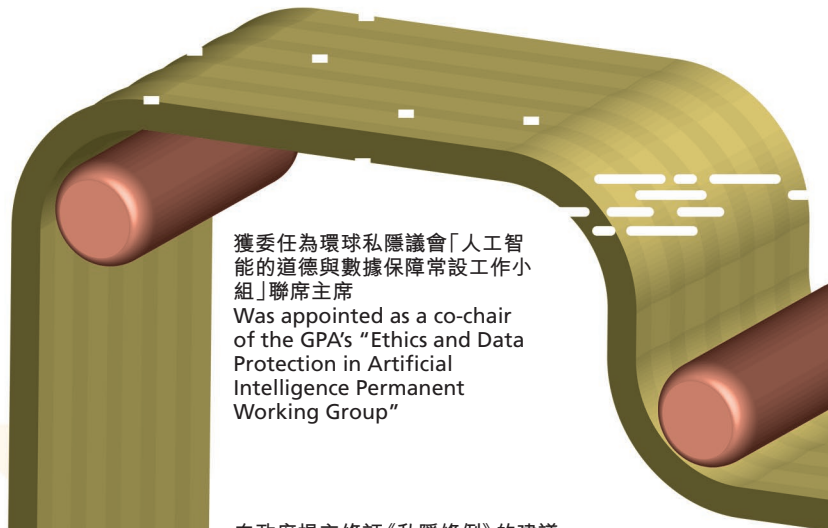


2016

舉辦第三十九屆國際資料保障及私隱專員研討會，超過750名來自逾60個國家及地區的參加者出席會議
Hosted the 39th International Conference on Privacy and Personal Data Protection and Meeting of the Data Protection Commissioners, welcoming more than 750 participants from over 60 countries and regions



獲僱員再培訓局嘉許為「人才企業」
Was awarded Manpower Developer by the Employees Retraining Board



獲委任為環球私隱議會「人工智能的道德與數據保障常設工作小組」聯席主席
Was appointed as a co-chair of the GPA's "Ethics and Data Protection in Artificial Intelligence Permanent Working Group"

向政府提交修訂《私隱條例》的建議
Submitted the PCPD's recommendations to amend the PDPO to the Government

舉辦「數據道德的實踐」研討會
Organised the Symposium on Data Ethics in Action



2019

為物業管理從業員舉辦保障個人資料私隱活動
Organised a personal data privacy campaign for property management practitioners



與澳門個人資料保護辦公室合辦第三屆全球私隱執法機關網絡執法人員研討會
Co-hosted the 3rd GPEN Enforcement Practitioners' Workshop with the Office for Personal Data Protection, Macao

就兩宗資料外洩事故發表調查報告：關於未經授權網上查取環聯資訊有限公司的信貸報告，以及國泰航空有限公司及港龍航空有限公司約940萬名乘客個人資料被未獲授權取覽或查閱
Published investigation reports on two data breach incidents: unauthorised online access to credit reports at TransUnion Limited and unauthorised access to personal data of approximately 9.4 million passengers of Cathay Pacific Airways Limited and Hong Kong Dragon Airlines Limited

於2019年接獲9,182宗投訴，其中4,370宗與「起底」有關；私隱公署不遺餘力打擊「起底」個案
Received 9,182 complaints in 2019 of which 4,370 cases relating to doxxing; the PCPD spared no efforts in combating doxxing

2020

鍾麗玲女士出任個人資料私隱專員
Ms Ada CHUNG Lai-ling took office as Privacy Commissioner for Personal Data



2020

作為環球私隱議會「人工智能的道德與數據保障常設工作小組」聯席主席，贊助和牽頭草擬《開發及應用人工智能的體現問責決議》；該決議在第42屆環球私隱議會周年會議上通過
Sponsored and spearheaded the drafting of the "Resolution on Accountability in the Development and Use of Artificial Intelligence" as the co-chair of the GPA's AI Working Group; the Resolution was adopted at the annual conference of the 42nd GPA

在2019冠狀病毒病疫情期間，發出保障個人資料的各種指引和建議
Issued Guidance Notes and advisories on the protection of personal data amid the COVID-19 pandemic

舉辦首屆「私隱之友嘉許獎」
Organised the inaugural "Privacy-Friendly Awards"



為社會服務界從業員舉辦保障個人資料私隱活動
Organised a personal data privacy protection campaign for social service practitioners



出席第42屆環球私隱議會周年會議，發表由私隱公署主責彙編的「應對2019冠狀病毒病的最佳行事常規概要」
Presented the Compendium of Best Practices in Response to COVID-19 at the annual conference of the 42nd GPA



2021

(1月至3月)
January to March

政府建議修訂《私隱條例》以打擊「起底」，私隱專員表示歡迎
Privacy Commissioner welcomed the Government's proposals to amend the PDPO to combat doxxing

私隱公署成立25周年
25th anniversary of the PCPD



2021

一百間機構獲頒首屆「私隱之友嘉許獎」，政制及內地事務局局長曾國衛先生，IDSM, JP 擔任嘉許獎頒獎禮主禮嘉賓
100 organisations received the inaugural "Privacy-Friendly Awards". Mr Erick TSANG Kwok-wai, IDSM, JP, Secretary for Constitutional and Mainland Affairs, officiated the awards presentation ceremony