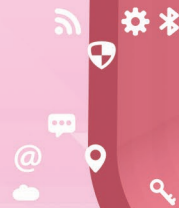
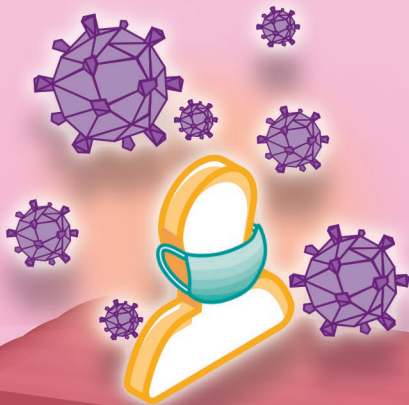
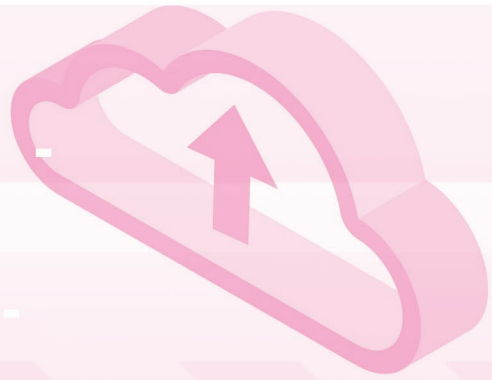


# 本年重點工作 Highlights of the Year





2021  
私隱之友嘉許獎  
Privacy-Friendly Awards





## 多管齊下 打擊「起底」

「起底」把個人資料武器化，觸及道德和法律的底線。「起底」行為侵犯個人資料私隱，並對受害者及其家人造成極大傷害。在報告年度內，私隱公署繼續採取多管齊下的方式，打擊自2019年中以來日益猖獗的「起底」行為，努力已見初步成果。

私隱公署於年內共處理957宗「起底」個案。雖然個案數字比上一個報告年度的4,707宗大幅減少近80%，但「起底」對受害者及其家人所造成的心理傷害、滋擾、騷擾和纏擾不容忽視。為此，私隱公署必定繼續竭盡所能，打擊「起底」行為。

## Taking a Multi-pronged Approach to Combat Doxxing

Doxxing is weaponisation of personal data which pushes the limits of morality and the law. It intrudes personal data privacy and causes great harm to the victims and their family members. During the reporting year, the PCPD continued to adopt a multi-pronged approach to combat doxxing and tamed the growing trending of doxxing since mid-2019. Our efforts began to bear fruit.

The PCPD handled a total of 957 doxxing cases, which dropped by nearly 80% when compared to 4,707 cases in the last reporting year. Still, the PCPD spared no effort in combating doxxing as the psychological harm, molestation, harassment, and pestering suffered by the victims and their family members as a result of doxxing could not be ignored.



## 不遺餘力 執法不阿

由2019年6月起截至2021年3月31日，私隱公署共處理5,664宗「起底」個案，作出下列跟進行動：

- 設立熱線3423 6666處理有關「起底」的查詢或投訴；
- 去信涉事的18個網站、社交平台及討論區的營運商共287次，要求移除共5,689條有關「起底」的連結；
- 尋求本地及外地司法監管機構合作，合力打擊社交平台上的「起底」行為；
- 轉介1,461宗涉及違例的個案予警方進行刑事調查及考慮檢控；及
- 轉介59宗可能違反有關「起底」的臨時禁制令的個案予律政司跟進。

「起底」可帶來嚴重的法律後果，年內已有六名被告因「起底」而被法庭判刑。其中兩人被判即時入獄，當中一名因違反《私隱條例》第64(2)條披露未經資料使用者同意而取得的個人資料罪被判入獄兩年，而另一名因被裁定民事藐視法庭被判入獄21日。

## 宣傳推廣 遏止歪風

私隱公署加強宣傳推廣，提醒公眾「起底」帶來的禍害及尊重他人個人資料私隱的重要性。私隱公署進行了以下宣傳和教育工作：

- 發出有關新聞稿(八份)；
- 回應傳媒查詢(28次)；
- 透過傳媒訪問向公眾解釋(20次)；
- 開設「向『起底』說不」專頁，在私隱公署網站提供一站式、全面的相關資訊；
- 於社交媒體平台上載帖文，加強公眾對保障及尊重私隱的意識；及
- 聯同警察公共關係科製作以反「起底」為專題的電視節目及宣傳短片，呼籲公眾不要觸犯法律。

## Sparing No Efforts in Enforcing the Law

From June 2019 to 31 March 2021, the PCPD handled a total of 5,664 doxxing cases and:

- Set up the 3423 6666 hotline to answer enquiries or complaints on doxxing;
- Wrote 287 times to request the operators of 18 websites, social media platforms, and discussion forums to remove 5,689 web links involving doxxing contents;
- Sought the cooperation of local and foreign regulatory authorities to combat doxxing on social media platforms;
- Referred 1,461 cases of possible contravention of criminal offence to the Police for criminal investigation and consideration of prosecution; and
- Referred 59 cases of possible violation of interim injunction orders relating to doxxing to the Department of Justice for follow-up actions.

Doxxing bears serious legal consequences. In the reporting year, six defendants were convicted of offences relating to doxxing, and two of them were sentenced to immediate imprisonment terms. One received a total term of two years for contravention of section 64(2) of the PDPO in disclosing personal data obtained from a data user without the consent of the data user, and the other for 21 days for civil contempt of court.

## Publicity and Promotion Efforts

The PCPD stepped up its publicity and promotion efforts to remind the public of the harm caused by doxxing and the importance of respecting others' personal data privacy. The publicity and education efforts included:

- Issuing media statements (eight times);
- Responding to media enquiries (28 times);
- Explaining to the public through media interviews (20 times);
- Publishing the "Say 'No' to Doxxing" webpage on the PCPD's website as a one-stop information portal;
- Posting on social media to heighten the public's awareness on protecting and respecting privacy; and
- Collaborating with the Police Public Relations Branch to produce a television programme and social media videos to urge the public to respect the law.

## 協力合作 相輔相成

私隱公署亦加強與政府部門和商會的聯繫和合作去打擊「起底」行為，例如：

- 香港金融管理局提醒銀行及其他金融機構，防範以盜用個人資料進行的信貸申請；
- 香港持牌放債人公會呼籲會員加強對客戶的盡職審查和核實程序，以防止身份盜竊；及
- 衛生署在器官捐贈登記網站刊出告示，警告登記者不要冒用他人的個人資料登記器官捐贈。

## Collaborative Efforts

The PCPD also strengthened its communication and collaboration with government departments and trade associations to combat doxxing. Examples included:

- The Hong Kong Monetary Authority had reminded banks and other financial institutions to guard against unauthorised credit applications using stolen personal data;
- The Hong Kong SAR Licensed Money Lenders Association Ltd. appealed to all its members to tighten up their customer due diligence and verification procedures to prevent identity thefts; and
- The Department of Health put up a notice on its organ donation website to warn applicants against the fraudulent use of others' personal data to register for organ donation.





### 修訂《私隱條例》以打擊「起底」

為加強私隱公署打擊「起底」的能力，行政長官林鄭月娥女士於2021年2月4日宣布會修訂《私隱條例》，將「起底」行為定為刑事罪行。

修訂建議主要包括：(1) 將「起底」行為定為《私隱條例》下的刑事罪行，(2) 授予私隱專員法定權力，要求社交媒體平台或網站刪除有關「起底」的內容及(3) 賦予私隱專員權力就「起底」個案進行刑事調查及檢控。

政府目標是在2020-21立法年度內完成修訂建議的草擬工作，並向立法會提交草案。

### Amending the PDPO to Combat Doxxing

To enhance the PCPD's capability to combat doxxing, the Chief Executive, Mrs Carrie Lam, announced on 4 February 2021 that legislative amendments should be made to the PDPO to criminalise doxxing acts.

The major legislative amendment proposals included: (1) criminalising doxxing acts as an offence under the PDPO, (2) conferring on the Privacy Commissioner statutory powers to demand the removal of doxxing contents from social media platforms or websites, and (3) empowering the Privacy Commissioner to carry out criminal investigation and institute prosecution.

The Government planned to complete the drafting of the legislative amendment proposals and submit the Amendment Bill to the Legislative Council in the 2020-21 legislative session.



## 有關2019冠狀病毒病的建議及指引資料

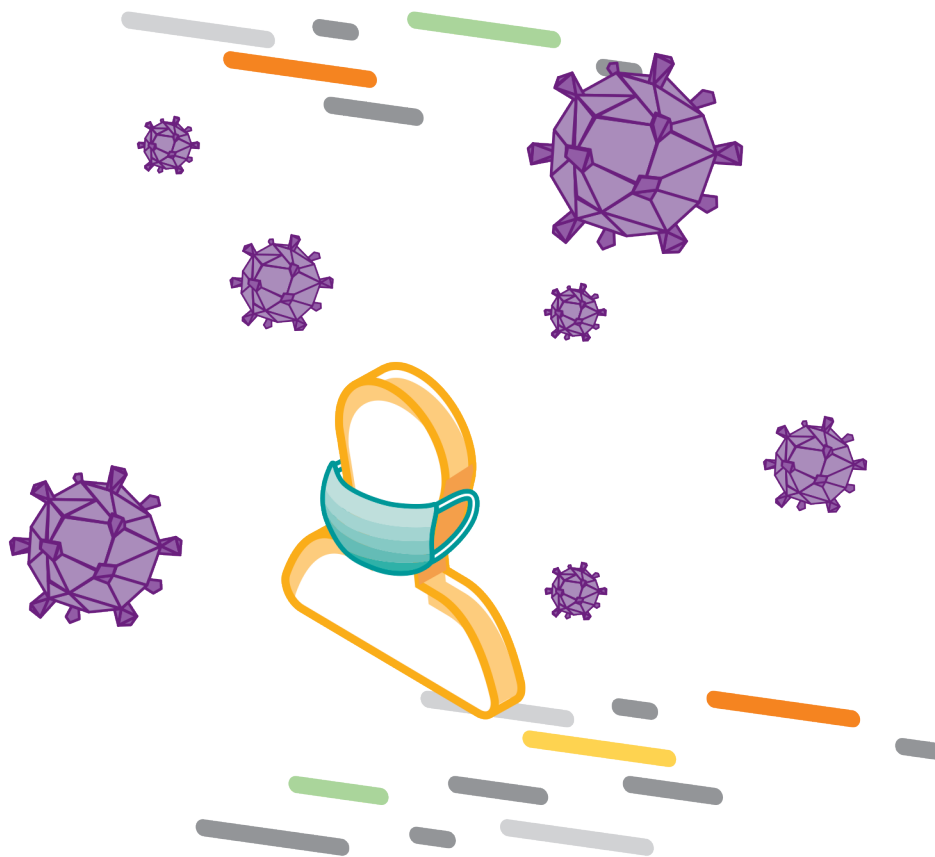
為遏止2019冠狀病毒病傳播，各地政府廣泛採用電子方式追蹤或追尋確診者及其密切接觸者。大眾亦在家工作、在家學習及在家購物以減少社交。因旅遊限制及封鎖措施，各國經濟下滑，政府便發放補助以減輕民眾的財政負擔。最近，隨着部分地區疫情有所緩和，一些政府正建議或已推行「旅遊氣泡」和「健康護照」，促進恢復正常社交與經濟活動。

以上措施必然牽涉收集、處理、使用或分享個人資料。因此，私隱公署於去年訂立了新的工作優次，把首要任務定為向政府、企業機構、學校及公眾提供建議或意見，加強對個人資料私隱的保障。

## Advisories and Guidance Notes in Relation to Covid-19

To contain the spread of COVID-19, governments around the world adopted digital measures to track or trace the infected and their close contacts. Work-from-home, learn-from-home, and shop-from-home were means to reduce social contact. As economies deteriorated due to travel restrictions and lockdowns, governments provided subsidies to alleviate residents' financial distress. Lately, as the pandemic started to subside in some regions, governments proposed or implemented "travel bubbles" and "health passports" to facilitate the resumption of normal social and economic activities.

All these measures required the collection, processing, use, or sharing of personal data. Against this background, the PCPD prioritised its role in the past year in providing advisories or views to the Government, businesses, schools, and the general public to enhance the protection of personal data privacy.





## 「安心出行」應用程式的私隱友善設計

政府於2020年11月推出「安心出行」應用程式，協助用戶記錄到訪場所。當用戶曾與2019冠狀病毒病確診者在相近時間到訪同一場所，應用程式會通知用戶。

私隱公署認為該應用程式的設計，整體上符合國際認可對於保障私隱的最佳行事常規。例如，程式推出前曾進行私隱影響評估、程式毋須登記即可下載及使用、程式無收集用戶的全球定位數據或追蹤用戶的行蹤，而出行紀錄儲存於用戶的智能手機內而非政府或其他系統。整體而言，私隱公署認為「安心出行」符合《私隱條例》的相關規定。

## 在家工作安排下的資料保安及私隱保障

當在家工作及視像會議成為新常態，私隱公署呼籲僱主、僱員以及視像會議軟件的用戶加強防範關於資料保安和個人資料私隱的新風險。繼2020年初向公眾發出的建議後，私隱公署於2020年11月再推出三份《在家工作安排下的個人資料保障》系列的指引資料。

私隱公署亦於2021年3月舉辦了一場網上講座，闡述指引資料內的實用建議。私隱公署提議機構應評估在家工作安排的風險，並制定合適的政策和措施，包括為僱員提供適當的網絡安全培訓和支援。僱員及視像會議軟件用戶應加強家居的Wi-Fi網絡及電子裝置的保安。

## Privacy-friendly design of the LeaveHomeSafe app

The Government introduced the LeaveHomeSafe app in November 2020 to allow users to keep a record of the places visited. The app would alert users if they were present in a similar timeframe at the same place visited by a COVID-19 infected person.

The PCPD considered that the design and development of the app were generally in line with internationally recognised best practice from the perspective of protecting privacy. For example, privacy impact assessment was conducted prior to the launch of the app. No registration was required to download and use the app. The app did not collect GPS data or track users' movement. Visit records were stored decentrally on users' smartphones and not in any government or other system. Overall, the PCPD considered LeaveHomeSafe is in compliance with the relevant requirements of the PDPO.

## Data security and privacy protection during work-from-home

As work-from-home arrangements and video conferencing became prevalent, the PCPD called on employers, employees, and users of video conferencing software to step up their guard against the new risks posed to data security and personal data privacy. In addition to the advice provided to the public in early 2020, the PCPD published three Guidance Notes under the series "Protecting Personal Data under Work-from-Home Arrangements" in November 2020.

The PCPD also conducted a webinar in March 2021 to explain the recommendations in the Guidance Notes. Organisations were advised to assess the risks under work-from-home arrangements and formulate appropriate policies and measures, including providing employees with suitable cybersecurity training and support. Employees and users of video conferencing software were advised to tighten up the security of their Wi-Fi and electronic devices at home.



## 在網絡世界保持警覺

大眾上網的時間較多，網上騙案數量亦因而急增，包括非法使用個人資料和網上裸聊勒索。由於青少年容易墮入網上色情陷阱，私隱公署於2020年11月發出建議，呼籲青少年在網上要提高警覺。

例如，青少年不應在網上隨意透露個人資料、輕信初相識的網友、草率按下網站連結或任意下載應用程式等。青少年該意識到網絡世界是現實世界的反映，存在着同樣的陷阱與危險。

## 保障教職員及學生的個人資料私隱

學校於2020年9月恢復面授課堂，實施2019冠狀病毒病的防疫措施，涉及收集教職員及學生的個人資料，包括較為敏感的健康資料。有見及此，私隱公署發出《學校在2019冠狀病毒病疫情期間收集及使用教職員及學生個人資料的指引》，提醒學校應該就着收集資料目的，收集足夠但不過多的資料。尤其學生多數仍未成年，需要較多保障個人資料私隱的保護。

學校亦應採取自我申報機制，並以選擇題形式的問卷，只收集必要的個人資料。私隱公署隨後舉辦了一場網上講座闡述指引中的建議。

## Online Vigilance

People tended to spend more time online and, as a result, the number of online scams surged, including the illicit use of personal data and online naked chat blackmail. Teenagers might fall prey to online lewd traps and the PCPD therefore issued an advisory in November 2020 urging teenagers to exercise greater vigilance online.

For example, teenagers were advised not to disclose personal data casually, trust new online friends too readily, click on web links uncritically, or download apps indiscriminately. Teenagers should realise that the cyberworld resembles the real world, with the same kinds of traps and dangers.

## Personal data privacy protection for teachers, staff, and students

When schools resumed classes in September 2020, COVID-19 prevention measures were in place and involved the collection of personal data, including more sensitive health data, of teachers, staff and students. The PCPD therefore issued the “Guidance for Schools on the Collection and Use of Personal Data of Teachers, Staff and Students during COVID-19 Pandemic” to remind schools to collect only adequate and not excessive data in relation to its purpose of collecting data. As most students are minors, they need more protection from the perspective of protecting personal data privacy.

Schools were also advised to adopt a self-reporting system and use multiple-choice questionnaires to collect only necessary personal data. The PCPD conducted a webinar subsequently to explain the advice contained in the Guidance.

## 在政府派發可重用口罩及現金發放計劃下的個人資料保障

政府於2020年中推出「現金發放計劃」及發放可重用口罩。為釋除公眾對收集、使用及保留個人資料的疑慮，私隱公署於2020年5月和6月發放新聞稿，解釋《私隱條例》的相關規定。私隱公署同時提醒市民，要慎防與政府的紓困措施相關的偽冒網頁和詐騙電話，別讓不法之徒有機會藉此行騙。

## 走出疫境

政府及私營機構可能會採納「健康護照」等新措施。私隱公署會繼續密切留意事態發展，並向持份者提供適時建議，以確保各界人士遵守《私隱條例》的規定。

## Personal data protection in the Government's Cash Payout Scheme and reusable mask distribution programme

The Government launched the "Cash Payout Scheme" and a reusable mask distribution programme in mid-2020. To alleviate the public's concerns about the Government's collection, use, and retention of personal data in the two initiatives, the PCPD issued two media statements in May and June 2020 to explain the relevant requirements under the PDPO. The PCPD also reminded the public to be cautious about phishing websites and fraudulent calls relating to the Government's initiatives as swindlers might take the opportunity to perpetrate fraud.

## Road to recovery

New measures such as "health passports" may be adopted by the Government and the private sector. The PCPD will continue to monitor the situation and provide timely advice to stakeholders to ensure that the relevant requirements of the PDPO are complied with.



## 有關公眾和資料使用者對保障個人資料私隱態度的調查報告

私隱公署於2020年委託了香港大學社會科學研究中心進行問卷調查，以了解公眾對保障個人資料私隱的意識和態度、機構在保障個人資料私隱方面的工作，及他們對修定《私隱條例》建議的支持度。私隱公署於2021年1月28日的記者會公布該問卷調查的結果。

調查發現，公眾在保護個人資料方面的態度謹慎。80%的受訪者有注意到社交媒體帳戶中的私隱設置，而這些受訪者中超過80%有檢查他們的私隱設置。至於擁有社交媒體帳戶的受訪者，大多數(54%)僅與朋友分享個人照片和個人意見、34%從不分享個人照片、38%從不分享個人意見。就機構在保護個人資料私隱方面的工作而言，近60%的受訪機構認為在遵守《私隱條例》的規定時只遇到輕微的困難。

有關《私隱條例》修訂方面，超過80%的受訪者支持就資料外洩實施行政罰款，以及在資料外洩事故時強制通報私隱公署和受影響的客戶。關於打擊「起底」，超過60%的受訪者表示支持授權私隱專員進行刑事調查和提出檢控。

## Survey on Attitudes of the Public and Data Users on the Protection of Personal Data Privacy

In 2020, the PCPD commissioned the Social Sciences Research Centre of The University of Hong Kong to conduct a survey to gauge public awareness and attitude on the protection of personal data privacy, the work of organisations in protecting personal data privacy, and their support of proposals to amend the PDPO. The results of the survey were released at a media briefing on 28 January 2021.

The survey noted that the public were prudent in protecting their personal data. 80% of the respondents were aware of the privacy settings in their social media accounts, and over 80% of these respondents had checked their privacy settings. For respondents with a social media account, the majority (54%) only shared personal photos and personal opinions with friends, while 34% never shared personal photos and 38% never shared personal opinions. In relation to the work of organisations in protecting personal data privacy, nearly 60% of the organisations surveyed considered that they had little difficulties in complying with the requirements of the PDPO.

In respect of amending the PDPO, more than 80% of the respondents supported imposing administrative fines and mandating data breach notification to the affected customers and the PCPD. As for combating doxxing, over 60% of the respondents showed support to empower the Privacy Commissioner to carry out criminal investigations and institute prosecutions.

## 首屆「私隱之友嘉許獎」

私隱公署於2020年10月推出首屆「私隱之友嘉許獎」，並作為私隱公署25周年的重點誌慶活動。私隱公署希望透過表揚及展現一眾公私營機構和政府部門在保障私隱方面的傑出成就，推廣保障個人資料私隱的重要性。

嘉許獎反應熱烈。私隱公署按參加機構備有或完成的「保障私隱措施」數目作出評定。經過嚴格的評審和選核，共有100間機構獲得表揚，其中69間機構獲得金獎狀、31間機構獲得銀獎狀。而在不同方面有傑出表現的五間機構，則成為卓越的金獎狀得主。

嘉許獎頒獎典禮於2021年3月4日舉行，由政制及內地事務局局長曾國衛先生，IDSM, JP、私隱專員及羅燦先生擔任主禮嘉賓。

## Inaugural Privacy-Friendly Awards

The inaugural Privacy-Friendly Awards was launched in October 2020 as a highlight of the PCPD's 25th Anniversary. The awards aim at promoting the importance of personal data privacy protection by recognising and showcasing outstanding achievements from public and private organisations as well as government departments.

The awards received an overwhelming response, and contestants were judged based on their provision or completion of privacy protection measures. After a vigorous assessment and selection process, 100 organisations received recognition: 69 were awarded Gold Certificates and 31 Silver Certificates. In addition, five organisations with exemplary performance in different areas were named as outstanding Gold Certificate awardees.

The awards presentation ceremony was held on 4 March 2021. It was officiated by Mr Erick TSANG Kwok-wai, IDSM, JP, Secretary for Constitutional and Mainland Affairs, the Privacy Commissioner and Mr Stephen Chan LOH.



掃描觀看「私隱之友嘉許獎」頒獎典禮精華片段。  
Scan the QR Code to view the highlight video of the Privacy-Friendly Awards Presentation Ceremony.