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私隱專員公署通訊 NEWS

中學生「齊關注・保私隱」 四格漫畫創作比賽得獎作品 Winning entries of the "4-Panel Comic Drawing Competition on Privacy Protection"



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個人資料私隱專員蔣任宏 回顧公署2011年的工作 Work Review in 2011 by The Privacy Commissioner for Personal Data, Mr. Allan Chiang



執法工作

在處理投訴方面，公署在2011年共收到1,486宗投訴，較2010年同期的1,179宗上升26%，較2009年的1,001宗更累積上升了48%。在這些投訴中，1,101宗投訴私營機構、131宗投訴公營機構/政府部門，其餘254宗投訴個別人士。在被投訴的私營機構中，財務機構佔最多(200宗)，其次為物業管理公司(137宗)及電訊公司(122宗)。

關於投訴性質方面，2011年最多資料當事人投訴有關收集資料的目的及方式(723項)，其次是投訴個人資料遭未經同意而使用(681項)、資料保安(223項)、準確性及保留期(125項)，及使用個人資料作直接促銷(119項)。蔣任宏解釋：「首四項投訴數字都較2010年上升，反映市民的保障個人資料私隱意識提升了。相反來說，使用個人資料作直接促銷的投訴，則由2010年的157項，減少至2011年的119項，似乎代表在這方面企業已有所改善。」

另外，專員於2011年共進行了154次循規查察行動(較2010年的127次增加21%)，向有關機構指出看來違反條例的行事方式，促請它們糾正。

此外，專員在2011年共發表8份調查報告。在這之前，公署自條例在1996年生效至2010年共發表了15份調查報告，可見公署在2011年發表的調查報告數量較以往明顯增多。蔣任宏補充：「公署自2011年6月起，更在調查報告中披露違規機構的名稱，這做法能提升公眾的監察力度，以促進遵守條例的行為，並可提醒遇到同樣或近似問題的資料使用者，避免作出類似的違規行為。」

公署於2011年亦完成對大埔區校園驗毒試驗計劃的個人資料系統的視察。

Enforcement

1,486 complaint cases were received in 2011, which represent an increase of 26% on the number of cases received in 2010 (1,179 cases) and an increase of 48% on that of 2009 (1,001 cases). Of these complaints, 1,101 cases were made against the private sector, 131 against the public sector/government departments and 254 against individuals. Of the complaints made against the private sector, financial institutions ranked highest in the number of complaints received (200 cases), followed by property management (137 cases) and telecommunications (122 cases).

With regard to the nature of complaints, the highest number of complaints related to the purpose and manner of data collection (723 cases), followed by complaints about the use of personal data without the consent of data subjects (681 cases), data security (223 cases), accuracy and duration of retention (125 cases), and use of personal data for direct marketing (119 cases). Mr. Chiang explained, "The figures of the first four items are higher than those of 2010, reflecting a rise in public awareness of personal data privacy protection. On the contrary, the number of cases on the use of personal data for direct marketing purposes has decreased from 157 in 2010 to 119 in 2011, which may represent an improvement in the practices of the relevant industry players."

Moreover, the Commissioner carried out 154 compliance checks in 2011 to review the practices of data users suspected or alleged of contravening the Ordinance and urge them to take appropriate remedial measures. This represents an increase of 21% on the figure of 127 compliance checks carried out in 2010.

In addition, the Commissioner published eight investigation reports in 2011. This compares with 15 investigation reports published previously since the Ordinance came into effect in 1996. More frequent publication of investigation reports, coupled with new practice adopted since June 2011 to name the corporate data user which has contravened the legal requirements, has effectively served to invoke the sanction and discipline of public scrutiny and discouraged non-compliant behavior on the part of the data user being the subject of investigation and other data user facing similar investigation issues.

In 2011, PCPD completed an inspection of the personal data system of the Trial Scheme on School Drug Testing in Tai Po District.

PCPD

《個人資料(私隱)條例》(下稱「條例」)在1996年12月20日生效。去年12月20日，條例剛實施了15年。正值這個值得紀念的日子，個人資料私隱專員(下稱「專員」)蔣任宏細述個人資料私隱專員公署(下稱「公署」)在2011年各範疇的工作情況：「2011年對公署來說是充實的一年，不論接獲的投訴個案、查詢個案，以至舉辦公眾教育講座的數量，均創歷年新高。」

The Personal Data (Privacy) Ordinance ("the Ordinance") came into effect on 20 December 1996. In other words, the Ordinance had been implemented for 15 years. Against this background, the Privacy Commissioner for Personal Data ("the Commissioner"), Mr. Allan Chiang gave a detailed account of the work of the Office of the Privacy Commissioner for Personal Data ("PCPD") in 2011, "2011 was a fruitful year for the PCPD. The number of complaints and enquiries received as well as educational seminars held for the public reached a record high."

檢控工作

公署在2011年共將12宗違反條例規定的個案轉介予警方考慮作出檢控。在同期，共4宗個案被投訴的資料使用者在投訴人提出拒絕服務要求後仍對他們繼續電話促銷，因而違反條例第34條(1)及64(10)條，被法庭定罪。這數字較條例自1996年生效至2010年只錄得10宗定罪個案相比，是代表比較可觀的成績。

Prosecution

In 2011, 12 contravention cases were referred to the Police for consideration of prosecution. In the same period, in 4 cases the data users complained against were convicted of contravening sections 34(1) and 64(10) of the Ordinance for making repeated telemarketing calls despite the complainants' opt-out request. Compared with 10 convictions in all since 1996 when the Ordinance came into effect, this is a considerable achievement.

檢討條例

為回應政府當局於2011年4月18日發出的「檢討《個人資料(私隱)條例》的進一步公眾討論報告」，公署於2011年5月31日向政府當局提交意見書。公署尤其關注到在收集及使用個人資料作直接促銷，以及資料使用者未經授權出售個人資料方面，政府當局的執行建議有幾項關鍵性的缺點。有關詳情可參閱立法會CB(2)1949/10-11(01)號文件(<http://www.legco.gov.hk/yr10-11/chinese/panels/ca/papers/ca0516cb2-1949-1-c.pdf>)。

2011年7月13日，政府當局向立法會提交《2011年個人資料(私隱)(修訂)條例草案》(下稱「修訂草案」)，進行首讀及二讀。立法會已成立法案委員會審議修訂草案。專員出席了法案委員會2011年11月26日的會議。他向法案委員會提交意見書，並個別會見委員會大部分成員，解釋公署的立場。他亦與政府當局及大部分曾向法案委員會提交意見的機構(包括香港直銷市場推廣商會、香港保險業聯會、香港銀行公會及香港客戶中心協會)的代表交換意見。專員欣悉政府當局已接納他的大部分意見，對修訂草案中有關規管使用個人資料作直接促銷及售賣個人資料的條文作出適當的建議修訂。

Review of the Ordinance

In response to the release of the Report on Further Public Discussions on Review of the Ordinance on 18 April 2011 by the Administration, the PCPD made a submission to the Administration on 31 May 2011. In particular, the PCPD raised its concerns on several crucial flaws in the Administration's implementation proposals regarding collection and use of personal data in direct marketing as well as unauthorized sale of personal data by data users. Details can be found in LC Paper CB(2)1949/10-11(01) at <http://www.legco.gov.hk/yr10-11/english/panels/ca/papers/ca0516cb2-1949-1-e.pdf>.

On 13 July 2011, the Administration introduced the Personal Data (Privacy) (Amendment) Bill 2011 (the "Amendment Bill") to the Legislative Council for its first and second reading. A Bills Committee was set up to examine the Amendment Bill. The Commissioner attended the Bills Committee meeting on 26 November 2011. He has made submissions to the Bills Committee and met individually most members of the Committee to explain PCPD's position. He has also exchanged views with the Administration and the representatives of most of the organisations which had made submissions to the Bills Committee, namely, the Hong Kong Direct Marketing Association, the Hong Kong Federation of Insurers, the Hong Kong Association of Banks and the Hong Kong Call Centre Association. The Commissioner noted that the Administration has allayed most of his concerns by proposing changes to the provisions in the Amendment Bill regulating the use of personal data in direct marketing and sale of personal data.

推廣及教育工作

除處理投訴或查詢工作，宣傳推廣也是公署的重要職責。蔣任宏進一步說：「一旦接獲投訴，即表示可能有機構違反條例的規定，那何不防患於未然？教育正能防微杜漸，因此公署對教育工作一直不遺餘力。特別是學生，他們應從小就學習尊重他人的私隱。去年我們就走進中學校園，推出了「保障私隱學生大使」計劃，吸引了31家中學共超過700名同學登記成為學生大使，以不同形式在校內宣揚『尊重個人資料私隱』的訊息。至於大學生，去年公署更首次巡迴全港十間大專院校，宣揚保障私隱的訊息。學生都反應熱烈，向我們的職員踴躍提問，大學教職員也很關心他們在日常工作中如何保障學生或員工的私隱。」

公眾推廣方面，公署在2011年舉辦了264場講座，較前年增加132%，出席人次接近21,000人。公署亦首次推出資料保障專業研習班，以配合不同範疇的專業人士，全年共舉辦了52場。

Promotion and Education Work

Apart from handling complaints and enquiries, promotion and education is also an important duty of the PCPD. Mr. Chiang further stated, "When a complaint is received, that means there may be contravention by an organization already. A better way to ensure data protection is to recognize that prevention is better than cure. Education is able to serve this purpose. So PCPD has been making every effort in this area. In particular, we provide means for the students to learn how to respect others' privacy at an early age. Last year, we launched the "Privacy Protection Student Ambassador Programme", in which over 700 students from 31 secondary schools have enrolled as student ambassadors to promote the message of "respect personal data privacy" in their schools by various means. As for university students, the PCPD organized a first-of-its-kind on-campus educational programme last year in 10 universities/post-secondary schools to promote privacy promotion. Overwhelming responses from students were received. University administrators were interested in the ways to protect the privacy of students or staff in their daily work."

The PCPD conducted a total of 264 seminars and workshops in 2011 (with a total audience of nearly 21,000), representing an increase of 132% over the previous year. The PCPD has launched a series of professional compliance workshops to suit the needs of executives dealing with personal data in different work contexts. A total of 52 workshops on data protection were held in 2011.

2012 重點工作

談到未來計劃，蔣任宏表示：「預期立法會將迅速完成檢討修訂草案，短期內落實有關修訂，對個人資料私隱帶來更佳保障。公署會籌備修訂法例落實後的預備工作，包括訂立新制度，為受屈人士提供法律協助，向資料使用者進行民事訴訟。」

至於推廣及公眾教育，蔣任宏表示：「在推廣個人資料私隱的認識及理解方面，公署會繼續不遺餘力進行宣傳活動、公眾教育及專業培訓，尤其為中學和大學生這些未來社會棟樑，及早播下尊重私隱的種子。因此，『保障私隱學生大使』會繼續加強，希望能進一步壯大學生大使團隊。此外，我們亦會向公眾介紹修訂草案的新條文。」

在執法方面，公署會提高效率，應付預期日益增加的工作量。

蔣任宏總結道：「我們承諾將鍥而不捨，在未來將竭盡所能，繼續捍衛市民的個人資料私隱權。」

Highlights of the 2012 Work Plan

When talking about future plan, Mr. Chiang said, "We expect that the Legislative Council will complete the review of the Amendment Bill and implement the amendments soon to offer better protection of personal data privacy. PCPD will prepare for the implementation of the amendments, including the setting up of a new system to provide legal assistance to aggrieved parties to take civil action against data users."

Regarding promotion and public education, Mr. Chiang said, "In promoting awareness and understanding of personal data privacy, PCPD will continue its efforts through promotion programmes, public education and professional training. Special efforts will be made to engage young people, our future leaders, and sustain their participation in a re-invigorated "Privacy Protection Student Ambassador Programme". We shall introduce the new provisions in the Amendment Bill to the public."

In enforcement work, the PCPD will strive to enhance efficiency to cope with the increasing workload.

"We will continue to spare no effort to protect the personal data privacy right of the public," Mr. Chiang concluded.



定罪個案 Conviction Cases

2011年7月、11月及2012年1月，三家公司分別被裁定違反條例第34(1)(ii)條。條文規定如個人提出拒絕直銷服務，資料使用者須停止再聯絡該人。

In July and November 2011 and January 2012 respectively, three companies were convicted of contravention of section 34(1)(ii) of the Ordinance. The provision requires a data user to stop approaching an individual for direct marketing purposes upon receipt of that individual's opt-out request.

會籍銷售公司OnCard Limited於2011年7月25日被東區裁判法院裁定違反條例第34(1)(ii)條，被判罰款1,000元。投訴人向OnCard Limited營運的Buffet Club購買了餐飲會籍，自2009年起不斷收到該會的直銷電話。她要求停止接收電話，此外亦以電郵向該會確認拒絕服務，並向公署作出投訴。可是，該會仍繼續向她發出直銷電話。個案違反條例第34(1)(ii)條。

OnCard Limited, a membership sales company, was convicted of breaching section 34(1)(ii) of the Ordinance on 25 July 2011 in the Eastern Magistrates' Courts and was fined \$1,000. The Complainant had purchased dining membership from the Buffet Club which was operated by OnCard Limited and received repeated direct marketing calls from the Club since 2009. Apart from asking the Club to stop making these direct marketing calls, the Complainant confirmed her opt-out request to the Club by e-mail and lodged a complaint to the PCPD. However, the Club continued to make direct marketing calls to her. This was a case of contravention of section 34(1)(ii) of the Ordinance.

個案
CASE 1

利嘉閣地產代理有限公司及該公司一名地產經紀於2011年11月30日被荃灣裁判法院裁定違反條例第34(1)(ii)條，分別被判罰款2,500元及2,000元。今次是條例自1996年生效以來，首宗僱員被定罪個案。投訴人在2007年透過該公司購入住宅單位，因而給該公司收集了姓名、地址及電話號碼，自此之後，投訴人不斷接獲該公司來電，詢問投訴人是否要放售或購買物業。投訴人不止一次要求該公司停止推銷，但該公司仍繼續發出直銷電話。個案違反條例第34(1)(ii)條。

The Ricacorp Properties Limited and its estate agent were convicted of breaching section 34(1)(ii) of the Ordinance on 30 November 2011 in the Tsuen Wan Magistrates' Courts and were fined \$2,500 and \$2,000 respectively. This was the first conviction about an employee's contravention of the Ordinance since its commencement in 1996. The Complainant purchased a flat in 2007 via the Company, through which the Company collected the Complainant's name, address and telephone number. Since then, the Complainant received numerous calls from the Company soliciting for sale or purchase of property. The Complainant had requested the Company more than once not to call her for property marketing, but the Company continued to make direct marketing calls to her. This was a case of contravention of section 34(1)(ii) of the Ordinance.

個案
CASE 2

中信銀行國際於2012年1月11日被沙田裁判法院裁定違反條例第34(1)(ii)條，被判罰款\$2,500元。投訴人是中信銀行客戶，自2008年起，她不止一次書面要求中信銀行不要寄發促銷郵件，但中信銀行仍繼續寄發。個案違反條例第34(1)(ii)條。

CITIC Bank International ("CITIC") was convicted of breaching section 34(1)(ii) of the Ordinance on 11 January 2012 in the Shatin Magistrates' Courts and was fined \$2,500. The Complainant is a customer of CITIC. Since 2008, the Complainant had requested CITIC in writing more than once not to send direct mail to her, but CITIC continued to do so. This was a case of contravention of section 34(1)(ii) of the Ordinance.

個案
CASE 3

這三宗個案證明機構如不尊重客戶的拒絕服務要求，將會被定罪，並影響聲譽。個案雖成功定罪，但相信只屬冰山一角。因為很多當事人沒有時間作出申訴，或不知道如何拒絕直接促銷，只有無奈地繼續被受滋擾。這同時反映目前罰則過輕，欠缺阻嚇力。公署期望透過修訂條例，儘快將刑罰增至政府當局建議的500,000元及監禁3年，以收阻嚇作用。

These three cases showed that organizations which did not respect customers' opt-out requests would be convicted and their goodwill would be affected. Though these cases were successfully prosecuted, it is believed that they represented only the tip of an iceberg. There must be many other cases in which the data subjects tolerated unsolicited direct marketing approaches as they did not have time to lodge complaints or did not know how to go about making opt-out requests. It also reflects that the current level of fine is too low to serve a deterrent effect. The PCPD expects that the Administration's legislative amendment proposal of increasing the penalty to \$500,000 and imprisonment for 3 years will, upon implementation, generate a greater deterrent effect.

順此一提，市民如希望了解如何有效向直銷商作出拒絕直銷活動的要求，可參考公署出版的【根據《個人資料(私隱)條例》作出拒絕直接促銷活動的要求】單張。

Meanwhile, consumers who intend to make opt-out request from direct marketing approaches may refer to the "Making an Opt-out Request from Direct Marketing Activities under the Personal Data (Privacy) Ordinance" leaflet issued by PCPD to understand how to go about the process effectively.





「私隱關注運動2012」 Privacy Awareness Week 2012

公署在2012年4月29日至5月5日，連續第六年與「亞太區私隱機構」成員攜手舉辦「私隱關注運動」。這是一年一度的國際推廣活動，目的是提高亞太區內的保障私隱意識。

From 29 April to 5 May 2012, the sixth Privacy Awareness Week (PAW) was jointly held by the PCPD and members of the Asia Pacific Privacy Authorities (APPA). PAW is an annual international event aimed at raising awareness of the importance of protecting privacy in Asia Pacific.



「保障私隱學生大使」計劃 Privacy Protection Student Ambassador Programme

在香港，「私隱關注運動2012」通過一連串資訊性及互動的活動，向年輕一代灌輸個人資料私隱的訊息，並提醒及教導他們使用互聯網，特別是社交網站時，要小心保護自己和朋友的個人資料。當中，重點活動是「保障私隱學生大使」計劃，由年青人自己擔當推廣角色，向友儕傳達個人資料私隱的訊息。此計劃亦是為高中課程「其他學習經歷」而設計。在3至4月間的學習階段，學生大使參與了公署為他們度身設計的課程，包括講座及工作坊，學習私隱權益、宣傳及製作技術（四格漫畫設計及新聞採訪及寫作技巧）。各學生大使在「私隱關注運動」2012舉行期間，發揮無比創意，以短片、話劇、新聞報道、意見調查等不同形式，在校內向同學宣揚保護個人資料私隱。

學生大使計劃相當成功，共吸引了超過2,000名來自42間中學的同學參加。當中部份同學更參與了「齊關注・保私隱」中學生四格漫畫創作比賽（詳見下文），及撰寫私隱議題新聞故事。三份分別由聖公會曾肇添中學（蔡欣婷、林凱怡、陳婉婷、洪翠儀及劉莉同學）、聖公會李福慶中學（吳雲欣、林宛靜、蘇婉婷、陳卓楓、余星龍、洪子超、羅建新、彭嘉俊及董明揚同學），以及庇利羅士女子中學李鈺賢同學撰寫的優秀私隱議題新聞故事更刊於報章「私隱關注運動2012」特刊中，供市民欣賞。

另外，藝進同學會藝人亦於話劇技巧工作坊親身向同學傳授話劇技巧，並分享演出話劇的寶貴經驗。



During PAW 2012 in Hong Kong, the PCPD disseminated messages relating to the protection of personal data privacy to young people through a series of informative and interactive activities. Young people were reminded to protect their personal data when engaging in online activities, especially while using social networking websites. The main activity was the Privacy Protection Student Ambassador Programme in which young people took up the role of promoting and conveying messages relating to the protection of personal data privacy to their peers. This Programme was also designed for the course of Other Learning Experience (OLE) under the New Senior Secondary Curriculum. During the learning stage from March to April, the Student Ambassadors participated in courses organized by the PCPD, including seminars and workshops, to learn about privacy rights, promotion skills and production techniques (4-panel comic drawing and news reporting and writing). During PAW 2012, the Student Ambassadors exercised their creativity and adopted various communication means, such as short videos, drama, news reports and surveys, to publicize the notion of protecting personal data privacy in their respective schools.

The Programme was a success. Over 2,000 students from 42 secondary schools participated in the Programme. Some of the students have participated in the 4-Panel Comic Drawing Competition on Privacy Protection (please see below for details) and the writing of news articles on privacy issues. Three excellent news articles written by the students of S.K.H. Tsang Shiu Tim Secondary School, S.K.H. Lee Fook Hing Secondary School and Belilios Public School were published in the special issue of PAW 2012 in newspapers.

Moreover, artistes from the Artiste Training Alumni Association taught drama techniques and shared their drama performance experience in a Drama Workshop.



亞太區私隱機構共用的保障私隱資源

今年參與「私隱關注運動」的國家及地區包括澳洲、加拿大、香港、墨西哥、新西蘭、韓國及美國。今年「私隱關注運動」的推廣對象是年青人，口號是：「在線與離線私隱 同樣重要」，以鼓勵年青人上網時，特別是使用社交網站時保護個人資料。

在網上，可供年青人、家長及老師使用的保護個人資料資訊其實有很多，但當有需要時，可能要花很多時間尋找。因此，公署與各成員把亞太區有用的保障私隱資源連結及貼士匯聚一起，方便用家。有關資源的網址為：www.privacyawarenessweek.org/youth.html。

Privacy Protection Resources Shared by APPA

Members of the APPA participating in the event this year include Australia, Canada, Hong Kong, Mexico, New Zealand, Korea and the U.S. In this year, PAW 2012 focuses on young people. The slogan for the event, "Online and Offline Privacy are Equally Important", aims to encourage young people to protect their personal data when engaging in online activities, particularly in social networking sites.

On the Internet, there is lots of advice available for young people, parents and teachers, but when they need it, they may have to spend some time to look it up. Hence, the PCPD and the APPA members have pulled together a list of useful links and tips from around the Region at this website: www.privacyawarenessweek.org/youth.html for easy reference.



在2012年3月至4月期間，公署分別邀請了著名漫畫家 Peter Ng(左一) 講解創作四格漫畫技巧、資深傳媒人趙麗如小姐(中間)及著名節目主持黃婉曼小姐(右相) 教授製作新聞特輯的竅門及新聞採訪及寫作技巧。

In March and April 2012, the PCPD invited famous cartoonist Mr. Peter Ng (Left) to explain 4-panel comic drawing technique; experienced journalist Miss Bonnie Chiu (Middle) and renowned presenter Miss Icy Wong (Right) to give tips on production of news features and news reporting and writing skills.

SKILLS
SHARING

「私隱關注運動」2012 開展儀式 Inaugural Ceremony of PAW 2012

「私隱關注運動2012」開展儀式在4月29日舉行。超過100名中學生出席開展儀式，宣誓成為「保障私隱學生大使」，承諾在校內向其他同學宣揚保護個人資料私隱的訊息。同時，公署邀請了藝進同學會的會員為在場人士傾力演出一齣鬼馬惹笑的話劇《私隱滿屋》，藉此帶出如何保障個人資料私隱的訊息。超過300名現場觀眾歡度了既愉快又有意義的周日。

《私隱滿屋》其後在6月份於港九新界不同地點進行演出，包括順利社區中心、愛秩序灣社區會堂及粉嶺祥華社區會堂、聖公會李福慶中學、聖保羅書院、齋色園主辦可譽中學暨可譽小學(中學部)，以及天主教普照中學進行學校演出，共吸引超過2,000名觀眾及同學欣賞。

At the inaugural ceremony held on 29 April, over 100 secondary students took oath to become Privacy Protection Student Ambassadors and pledged to publicize the notion of protecting personal data privacy in their respective schools. Moreover, members of the Artiste Training Alumni Association staged a comedy which vividly delivered the message of personal data privacy protection. An audience of over 300 people enjoyed a happy and meaningful Sunday.

The comedy was put on stage at different venues in June, including Shun Lee Estate Community Centre, Aldrich Bay Community Hall, Cheung Wah Community Hall, St. Paul's College, Ho Yu College and Primary School and Po Chiu Catholic Secondary School, which attracting an audience of over 2,000 people.



個人資料私隱專員蔣任宏於「私隱關注運動2012」開展儀式上致歡迎辭。

Opening remarks delivered by Mr. Allan Chiang, Privacy Commissioner for Personal Data at the inaugural ceremony of PAW 2012.



在開展儀式上，「私隱關注運動2012」一眾嘉賓與校長及各「保障私隱學生大使」合照。

Guests of PAW 2012 took photos with "Privacy Protection Student Ambassadors" and principals at the inauguration ceremony of PAW 2012.



藝進同學會會員傾力演出《私隱滿屋》。
Comedy performed by members of Artiste Training Alumni Association.

其他活動 Other Activities

在5月4日，公署與香港青年協會合辦「私隱專員與年青人談網上私隱」活動，私隱專員蔣任宏抵達風采中學，與學生分享在網上及日常生活中如何保障個人資料。該節目即時在香港青年協會網站(www.u21.hk)直播。

On 4 May, the PCPD ran a program with the Hong Kong Federation of Youth Group (HKFYG), "A Dialogue between the Privacy Commissioner and the Young People" in which the Privacy Commissioner shared with students of Elegantia College his thoughts on how to protect personal data in their daily lives. The program was broadcast live on HKFYG's website (www.u21.hk).

「私隱關注運動2012」的壓軸節目是在5月5日舉行的「齊關注·保私隱」中學生四格漫畫創作比賽頒獎典禮暨優秀作品展。



比賽在今年2月至3月期間舉行，旨在鼓勵中學生思考保障個人資料私隱的重要性。

比賽反應十分踴躍，共接獲252份來自40間中學的參賽作品。各同學發揮無限創意，運用了不同的繪畫技巧，表達了他們對保障私隱的理解和期望。



私隱專員與風采中學學生談如何保障網上私隱。

The Privacy Commissioner shared with students of Elegantia College his thoughts on how to protect online privacy.

得獎名單如下： The winners were:

冠軍：黃紫茵 — 潔心林炳炎中學
Champion: Wong Tsz Yan (Kit Sam Lam Bing Yim Secondary School)

亞軍：蔡敏儀 — 潔心林炳炎中學
1st Runner-up: Tsoi Man Yee (Kit Sam Lam Bing Yim Secondary School)

季军：余鈺琦 — 旅港開平商會中學
2nd Runner-up: Yu Yuk Kei (Hoi Ping Chamber of Commerce Secondary School)

優異獎：彭靖斯 — 可立中學、黃祖瑩 — 龍翔官立中學

Merit Prizes Awards: Pang Ching See (Ho Lap College) & Wong Cho Ying (Lung Cheung Government Secondary School)

網上我最喜愛「齊關注·保私隱」四格漫畫獎：黃啟靈 — 新生命教育協會呂郭碧鳳中學

Online Favorite 4-Panel Comic Drawing on Privacy Protection Award: Wong Kai Ling (NLSI Lui Kwok Pat Fong College)

最積極參與學校大獎：聖公會曾肇添中學
Most Supportive School Award: S.K.H. Tsang Shiu Tim Secondary School

得獎作品已輯錄成書，派發予中學生，傳遞保障個人資料私隱的意識。得獎作品亦已上載於公署網頁 (www.pcpd.org.hk/chinese/activities/pcpdambassador.html) 供市民欣賞。

另外，公署在5月5日亦舉辦了公開講座「善用網上資源和社交網路 保護個人資料兼廣交朋友」，教導市民使用社交網站時如何保障私隱。

The finale of PAW 2012 was the Prize Presentation Ceremony of the 4-Panel Comic Drawing Competition on Privacy Protection cum winning entries display held on 5 May.

Being held from February to March 2012, the Competition aimed to encourage students to consider the importance of protecting personal data privacy. The Competition received overwhelming responses with a total of 252 entries from 40 secondary schools. All entrants used different drawing techniques with creativity to express their understanding and expectation of privacy protection.

The winning entries were compiled into a book for distribution to secondary students to disseminate the message of personal data privacy protection. The winning entries have also been uploaded on the PCPD's website (www.pcpd.org.hk/english/activities/pcpdambassador.html).



「中學生『齊關注·保私隱』四格漫畫創作比賽」得獎者與個人資料私隱專員蔣任宏先生(左5)及公署首席企業服務經理蔡遠寧先生(左2)合照。

Mr. Allan Chiang, Privacy Commissioner for Personal Data (5th from left) and Mr. Ray Choy, Chief Corporate Services Manager of the PCPD (2nd from left) took photo with winners of "4-Panel Comic Drawing Competition on Privacy Protection".



比賽的優秀作品展於上環文娛中心舉行。Winning and final entries were displayed at Sheung Wan Civic Centre.

Moreover, on 5 May, the PCPD organized a public seminar on "Proper use of online resources and social networking Protecting personal data while making new friends", telling the public how to protect privacy when using social networking sites.



電訊業保障私隱活動閉幕暨頒獎典禮 Privacy Campaign for Telecommunications Closing cum Award Presentation Ceremony



個人資料私隱專員蔣任宏先生於電訊業保障私隱活動閉幕禮上致歡迎辭。

Opening remarks delivered by Mr. Allan Chiang, Privacy Commissioner for Personal Data.

公署與香港通訊業聯會聯合舉辦的電訊業保障私隱活動，已於2012年3月1日舉行閉幕暨演講比賽頒獎典禮。典禮由個人資料私隱專員蔣任宏與香港通訊業聯會主席陳重義博士主持。這項活動始於去年9月，期間公署人員共為8家電訊公司舉辦18場培訓講座，講解《個人資料(私隱)條例》及剖析業界個案，並解答參加者的問題，共有超過1,700名電訊從業員參與。

活動亦設演講比賽。初賽的五位優勝者於閉幕儀式上即時進行決賽，暢論對個人資料私隱的觀點，結果由中信國際電訊(信息技術)有限公司的黃慧玲勇奪總冠軍及最具感情獎。中國移動香港有限公司的何琨璋獲最具感染力獎、中信國際電訊(信息技術)有限公司的李智健獲最口齒伶俐獎，最佳台風獎及最有幽默感獎則分別由TraxComm的黃子敏及電訊盈科有限公司的林寶倫獲得。

公署日後會繼續與不同行業合作，傳遞保障個人資料私隱的訊息。

The Privacy Campaign for Telecommunications Closing cum Award Presentation Ceremony jointly organized by the PCPD and the Communications Association of Hong Kong was held on 1 March 2012. The ceremony was officiated by the Privacy Commissioner for Personal Data, Mr. Allan Chiang and the Chairman of Communications Association of Hong Kong, Dr. Hubert Chan. The Campaign commenced in September 2011. During the campaign period, the PCPD has organized 18 seminars for eight telecommunications companies to explain to their staff the requirements under the Personal Data (Privacy) Ordinance, analyze related cases for them and answer questions about data protection. Over 1,700 telecommunications practitioners participated in the seminars.

One highlight of the Campaign was a speech competition. In the closing ceremony, five finalists delivered award-winning speeches on personal data privacy protection. After a close competition, Sarah Wong of CITIC Telecom International CPC Limited won the championship and the Best Emotion Award. Moreover, Janet Ho of China Mobile Hong Kong Company Limited won the Best Emotional Appeal Award; Adrian Lee of CITIC Telecom International CPC Limited won the Eloquence Award. The Best Stage Performance Award and the Great Humor Award were won by Jasmine Wong of TraxComm and Keith Lam of PCCW Limited respectively.

The PCPD will continue to cooperate with different industries to disseminate the message of personal data privacy protection.



「保障個人資料 — 我做得到！」演講比賽得獎者與評判團合照。

Group photo of judges and winners of "Protecting Personal Data: I Can Do It!" Speech Competition.



個人資料私隱專員公署合作夥伴 PCPD Partnership Reception

踏入數碼紀元，通訊科技日新月異，對私隱構成新的風險。與此同時，公眾對個人私隱的意識日高，2011年的侵犯個人資料私隱投訴個案就較兩年前上升48%。凡此種種都為公署帶來更大挑戰。幸而公署獲不少理念相同的合作夥伴大力支持，為表謝意，公署於2012年3月29日舉行個人資料私隱專員公署合作夥伴接待會，並頒發獎項表揚他們的貢獻。得獎名單如下：

The pervasive use of new communication technologies in today's digital society poses risks to privacy. Meanwhile, public awareness and aspirations of individuals' privacy rights are on the rise. In 2011, the number of complaints on personal data privacy intrusion increased by 48% compared with two years ago. This has presented great challenges to the PCPD, but it is fortunate that the PCPD has been blessed with unstinting support of like-minded partners. To thank you for their support, the PCPD held a Partnership Reception on 29 March 2012 to present awards to selected partners for their exemplary contributions. The list of awardees is as follows:



獎項 Award	獲獎機構 Awardee
1 最佳政府夥伴 Best Government Partner	政制及內地事務局 Constitutional & Mainland Affairs Bureau
2 最佳監管夥伴 Best Regulatory Partner	香港金融管理局 Hong Kong Monetary Authority
3 最佳執法夥伴 Best Enforcement Partner	律政司 Department of Justice 香港警察 Hong Kong Police
4 最佳傳媒夥伴 Best Media Partner	香港經濟日報 Hong Kong Economic Times
5 最佳教育夥伴 Best Education Partner	香港大學 University of Hong Kong 香港青年協會 Hong Kong Federation of Youth Groups
6 最佳推廣夥伴 Best Promotion Partner	香港電腦學會 Hong Kong Computer Society 互聯網專業協會 Internet Professional Association
7 最佳培訓夥伴 Best Training Partner	香港通訊業聯會 Communications Association of Hong Kong
8 最佳典範參考夥伴 Best Benchmarking Partner	平等機會委員會 Equal Opportunities Commission

新任副個人資料私隱專員

Appointment of Deputy Privacy Commissioner for Personal Data



個人資料私隱專員蔣任宏在經過公開招聘程序後，在2011年12月7日宣佈聘任張如萌女士為副個人資料私隱專員。

張女士自2007年起擔任香港政府知識產權署助理署長一職，負責就專利、商標、外觀設計及版權提供立法及法律意見，並推行專利、商標及外觀

設計註冊政策。在此之前，張女士是知識產權署的高級聆訊主任。加入政府前，她曾於香港及愛爾蘭著名國際律師行執業，前後共擁有逾二十年的執業律師及公共行政經驗。

是次招聘由遴選委員會負責，成員包括私隱專員、香港大學白景崇教授及周永健律師。

The Privacy Commissioner for Personal Data, Mr. Allan Chiang announced on 7 December 2011, following an open recruitment exercise, the appointment of Ms. Lavinia Chang as the Deputy Privacy Commissioner for Personal Data.

Ms. Lavinia Chang, a solicitor by profession, joins from the Intellectual Property Department (IPD) of the HKSAR Government, where she served since 2007 as the Assistant Director with responsibility for legislative advice and registration policy on patents, trade marks and designs, and legislative advice on copyright. Prior to that, she was IPD's senior hearing officer for many years. Before joining the Government, Ms. Chang was a lawyer in private practice with major international legal firms in Hong Kong and Ireland. She has more than 20 years of experience in legal practice and public administration.

The recruitment exercise was conducted by a selection board which comprised the Privacy Commissioner, Professor John Bacon-Shone of the University of Hong Kong and solicitor Mr. Anthony Chow.

感謝信 Thank You Letters

尊敬的調查主任潘潔霖小姐：

本人和家人衷心感謝你這一位出色的調查主任，並相信我這個案不是想像中這麼容易就可以調查出來，是有難度的，就是上天給我一個機會偶然認識了你，憑你的專業及堅定的調查目標，令一個無助及被出賣的貧病漢，得到對希望的重燃，帶出曙光。

本人更希望你繼續為一些受傷害及無助的人，討回公道。
本人就以「無言感激」來多謝你這位出色的調查主任。

萬分感謝！

陳先生及家人

22-12-2011

22 December 2011

Dear Miss Natalie Poon,

My family and I would like to express our heartfelt thanks to you, a brilliant investigation officer. We believe that my case was not an easy one to handle. God has given me a chance to meet you. With your professionalism and perseverance, a helpless and betrayed poor sick man was given hope and light again.

I also hope that you can continue to seek justice for other aggrieved and helpless people.

I thank you for your brilliant performance with "silent gratitude".

Thanks a lot!

Mr. Chan and family

致調查主任陳景偉先生：

多謝你接納本人的投訴，及一直作出有效的跟進，令我署知道保護私隱的重要性，希望我署能夠日後繼續維持良好的程序。衷心多謝您給予的協助及貴署的重視！希望您能繼續用此心去幫助及正視投訴人，實是我們大眾之福！努力投入工作吧，不斷增值自己點綴人生！

祝您

步步高陞！

工作順利！

聖誕快樂！

感謝人阮小姐上

14/12/2011

14 December 2011

Dear Mr. Anthony Chan,

Thank you for accepting my complaint and taking effective follow-up action, from which my department can understand the importance of privacy protection. I hope that we could continue to maintain the good practices. Thank you very much for your assistance and the attention of your Office. I hope that you could keep on helping complainants with this attitude and this will be a blessing for the general public! Put more effort into your work and keep on adding value to your life!

Wish you every success in your work and Merry Christmas!

Miss Yuen

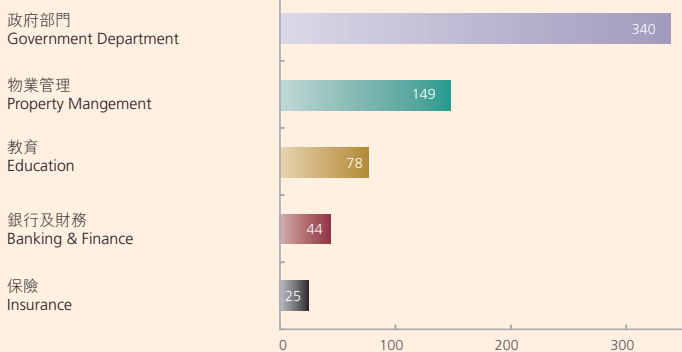
查詢及投訴數字 Statistics on Complaints & Enquiries

公署接獲的查詢及投訴 (2012年1月1日至2012年5月31日)

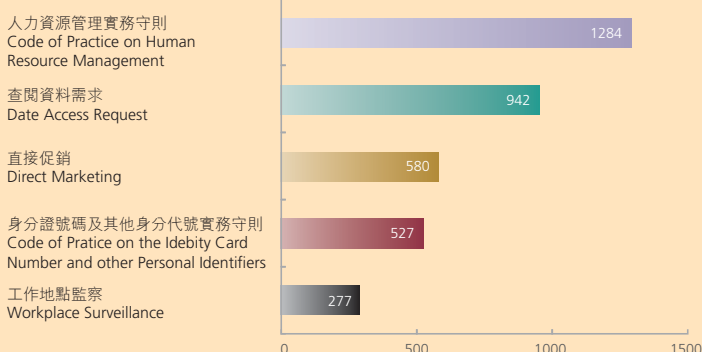
Enquiries and Complaints received by the PCPD (1 Jan 2012 – 31 May 2012)

查詢數字 Number of Enquiry Cases: 7,564

按查詢機構類別 By Sector of Enquirers:

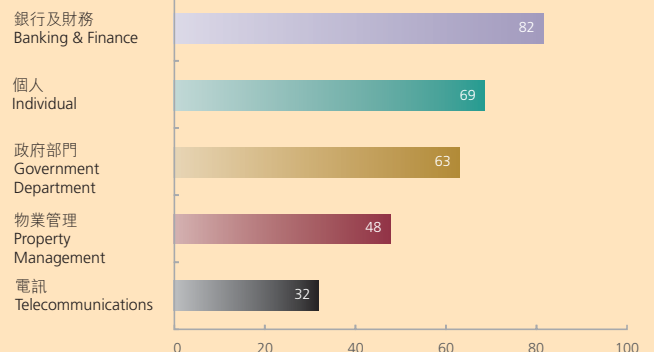


按查詢性質 By Nature of Enquiries:

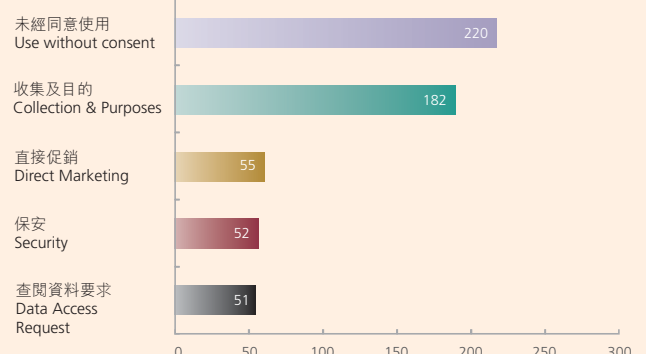


投訴數字 Number of Complaint Cases: 464

按被投訴者類別 By Sector of Party Complaint Against:



按投訴性質 By Nature of Complaints:



公署員工晉升 PCPD Staff Promotion

以下為晉升職員與專員合照

The following are photos of the promoted staff with the Commissioner



吳勝宇
高級個人資料主任
Vincent Ng
Senior Personal Data
Officer



梁明詩
高級個人資料主任
Norris Leung
Senior Personal
Data Officer



陳慧兒
人事主任
Zuki Chan
Personnel Executive



蘇定欣
助理個人資料主任
Ivy So
Assistant Personal
Data Officer



陳培玲
助理經理
(機構傳訊)
Carol Chan
Assistant Manager
(Corporate
Communications)



鄭楚英
助理個人資料主任
(資訊科技)
Kimmy Cheng
Assistant Personal
Data Officer (IT)



陳詩韻
助理個人資料主任
Lilia Chan
Assistant Personal
Data Officer



陳婉雯
助理經理
(機構傳訊)
Penny Chan
Assistant Manager
(Corporate
Communications)



黃天賦
助理個人資料主任
Michael Wong
Assistant Personal
Data Officer



蔡麗琼
助理個人資料主任
Carol Choi
Assistant Personal
Data Officer



講座與研討會

Speaking Engagements

為促進各界對條例的認識、理解及遵守，專員及公署職員曾出席以下機構舉辦的講座，作為主講嘉賓：

To promote the awareness and understanding of, and compliance with the provisions of the Ordinance, the Commissioner and his colleagues participated as guest speakers in seminars organized by the following organizations:

- ▶ 在2011年9月7日，私隱專員蔣任宏先生在香港社會服務聯會主辦的「總裁對談午餐會系列」上發言，題目為「貫徹理念 捍衛個人資料私隱」。

On 14 September 2011, Privacy Commissioner Mr. Allan Chiang spoke at the "CEOs meet CEOs Luncheon Series" organized by Hong Kong Council Social Service on the topic "貫徹理念 捍衛個人資料私隱".



- ◀ 在2011年9月14日，私隱專員蔣任宏先生在互聯網專業協會及國際信息系統審計協會(中國香港分會)合辦，並由公署支持的「Joint Forum: Risks in Sensitive Information Handling and Disaster Recovery due to recent disasters」上致辭。

On 14 September 2011, Privacy Commissioner Mr. Allan Chiang spoke at the "Joint Forum: Risks in Sensitive Information Handling and Disaster Recovery due to recent disasters" organized by iProA and ISACA China Hong Kong Chapter, and supported by the PCPD.

- ▶ 在2011年9月17日，私隱專員蔣任宏先生在柯伍陳律師事務所及香港大學比較法及公法研究中心合辦的「ONC 法律改革會議」上發言，題目為「香港法律改革制度是否需要改革？」。

On 17 September 2011, Privacy Commissioner Mr. Allan Chiang delivered a talk on the topic of "Does Law Reform need Reforming in Hong Kong?" at the "ONC Conference on Law Reform" organized by ONC Lawyers and Centre for Comparative and Public Law of the University of Hong Kong.



- ◀ 2011年9月21日，私隱專員蔣任宏先生在香港英商會舉辦的早餐會上發表演講。

On 21 September 2011, Privacy Commissioner Mr. Allan Chiang gave a breakfast briefing on "Myths about data protection in Hong Kong" organized by the British Chamber of Commerce in Hong Kong.

在2011年9月28日，公署署理副個人資料私隱專員郭美玲女士在LexOmnibus舉辦的講座發言，題目為「2011年個人資料(私隱)(修訂)條例草案 — 對個人資料保障的影響」。

On 28 September 2011, Acting Deputy Privacy Commissioner for Personal Data Ms. Brenda Kwok delivered a talk on the topic "Personal Data (Privacy) (Amendment) Bill 2011 - Implications on Personal Data Protection".

在2011年11月19日，私隱專員蔣任宏先生在新聞行政人員協會舉辦的講座發言，題目為「如何在私隱保障及新聞自由之間取得平衡」。

On 19 November 2011, Privacy Commissioner Mr. Allan Chiang delivered a talk on the topic of "How to Strike a Balance between Privacy Protection and Press Freedom" organized by News Executives' Association.

講座與研討會

Speaking Engagements



◀ 在2011年11月19日，公署資訊科技顧問張宗頤先生在防止虐待兒童會、香港兒童權利委員會及聯合國兒童基金香港委員會合辦的兒童議會上就「促請政府關注兒童被網上欺凌的嚴重情況」的議題上發言。

On 19 November 2011, Mr. Henry Chang, Information Technology Advisor of the PCPD spoke about "The government should address the serious issue of the cyber-bullying of children" at Children's Council jointly organized by Against Child Abuse, Hong Kong Committee on Children's Rights and Hong Kong Committee for UNICEF.

在2011年11月22日，私隱專員蔣任宏先生在教育局舉辦的講座上向新入職校長簡介個人資料(私隱)條例。

On 22 November 2011, Privacy Commissioner Mr. Allan Chiang gave a briefing on Introduction to the Personal Data (Privacy) Ordinance to the newly-appointed school principals at the seminar organized by the Education Bureau.



◀ 在2011年11月30日，公署資訊科技顧問張宗頤先生在香港電腦保安事故協調中心舉辦的「Information Security Summit 2011」上發言，題目為「資訊管理 — 在雲端、流動及社交網絡的環境下的保安風險」。

On 30 November 2011, Mr. Henry Chang, Information Technology Advisor of the PCPD delivered a talk on the topic of "Managing Information – Security Risks of Cloud, Mobile and Social Networking Environments" at the "Information Security Summit 2011" organized by the Hong Kong Computer Emergency Response Team Coordination Center.

▶ 在2012年1月11日，私隱專員蔣任宏先生在香港電腦學會主辦的研討會上發言。

On 11 January 2012, Privacy Commissioner Mr. Allan Chiang delivered a talk at the "Security and Privacy Forum on A Practical Guide for IT Managers and Professionals On the Personal Data (Privacy) Ordinance" organized by the Hong Kong Computer Society.



◀ 在2012年2月10日，私隱專員蔣任宏先生在香港大學法律及資訊科技研究中心主辦的「個人資料及私隱保障的比較視野研討會」上發言，題目為「透過創意與合作保障個人資料」。

On 10 February 2012, Privacy Commissioner Mr. Allan Chiang delivered a talk on the topic of "Personal Data Protection through Creativity and Partnership" at the "Symposium on Personal Data and Privacy Protection: A Comparative Perspective" organized by Law and Technology Centre, University of Hong Kong.

在2012年2月15日，公署資訊科技顧問張宗頤先生在香港社交媒體聯盟主辦的講座上發言，題目為「社交媒體Do and Don't」。

On 15 February 2012, Mr. Henry Chang, Information Technology Advisor of the PCPD delivered a speech titled "Do and Don't on Social Media Marketing" at a seminar organized by Hong Kong Social Media Consortium.



◀ 在2012年4月19日，私隱專員蔣任宏先生在香港浸會大學舉辦的講座發言，題目為「如何在私隱保障及新聞自由之間取得平衡」。

On 19 April 2012, Privacy Commissioner Mr. Allan Chiang delivered a talk on the topic of "How to strike a balance between privacy protection and press freedom" organized by Hong Kong Baptist University.



與保障資料主任聯會會員分享

Sharing with Data Protection Officers' Club (DPOC)

全港哪些機構管理大量的個人資料呢？相信醫院管理局(醫管局) 必定是首五位之內吧。除了5萬7千名僱員的個人資料外，醫管局還要處理數以百萬計的病人資料，當中包括香港市民、遊客、內地及海外人士。要妥善處理如此龐大的個人資料庫，加上病歷是極之敏感的個人資料，當中困難，可想而知。醫管局機構資訊安全及私隱主任黃永昌先生，正是肩負這重大任命的人。2011年12月，黃永昌與保障資料主任聯會的會員分享了他面對這項挑戰的過程和工作成果。

黃永昌表示，醫管局一向重視保障病人的個人資料私隱，在日常工作的程序上，都嚴格遵守《個人資料(私隱)條例》的規定。

制定政策時，以重要性排列優先次序，是正常程序。在醫院內，最大的職責是救護病人，因此，以病人的性命為先，是無可厚非的。例如，病人抵達醫院求診時，醫院會首先要求病人提供身份證核實身份；而在接受治療之前，亦須再三核對其身份證號碼，確定病人身份。有些人擔心，醫院內人多雜亂，病人「排板」及文件上註明身份證號碼，會有資料外漏的危機，因此建議只核對身份證號碼部份數字，以減低洩露病人個人資料的風險。黃永昌說：「可是，此建議是不可行的。醫管局曾作出內部統計，發現每十萬名病人中，便有一對或以上同名同姓以及部分身份證號碼相同的病人。兩位同名同姓的病人，有可能同一時間來到同一醫院同一部門接受治療，若果因弄錯身份而引致接受錯誤的治療，後果非常嚴重；因此，以身份證號碼所有數字核實身份的程序是有確切需要的。」因此，醫管局在核實病人身份的時候，必須要核對病人身份證號碼的所有數字。「醫管局相當重視核對病人身份程序，避免因此而引致醫療事故。」黃永昌表示。根據記錄，醫院內只有極少數病人資料外洩事件，透過電腦化和更好的文檔管理，病人資料外洩的風險將進一步降低。

數年前，發生了一連串遺失病人資料事件，醫管局痛定思痛，檢討事件後作出多方面的改善工作。黃永昌說：「問題的癥結，可歸納為員工的私隱意識、以及內部架構及系統兩方面。」

黃永昌承認，事件發生前，醫管局員工的保障私隱意識有提高的空間，例如選擇妥善的儲存及傳送資料方法、以匿名化的方法儲存為研究目的的個人資料、避免使用自己的儲存裝置儲存病人的個人資料等。針對這些情況，醫管局採取了一系列的措施，例如簡化資料保安政策，更清晰地向員工傳遞保障私隱的信息。

2009年，醫管局與公署合作，舉辦保障個人資料教育活動。年內，公署派員到所有醫管局醫院講解條例的要求，協助他們採取良好措施，令病人身體健康之餘，也保障他們的私隱。



Which organizations in Hong Kong are managing huge quantity of personal data? The Hospital Authority (HA) must be on the top five list. Apart from handling the personal data of 57,000 employees, HA has to handle the data of millions of patients, including Hong Kong citizens, visitors, Mainlanders and overseas persons. It can be imagined that it will be very difficult to manage such a large database and, on top of that, medical records are very sensitive personal data. Mr. Dickson Wong, Corporate Information Security and Privacy Officer of HA, is the one who has taken up this mission. Last December, Mr. Wong shared the challenges he met and his accomplishments with members of DPOC.

According to Mr. Wong, HA has been placing great emphasis on the protection of patients' personal data privacy and strictly complying with the Personal Data (Privacy) Ordinance in its daily routine.

When formulating policies, the normal practice is to prioritize things in order of importance. As the major duty of a hospital is to save patients, it is understandable that patients' lives take the first priority. For example, when seeking consultation in a hospital, patients are first required to provide their identity cards for verification, and before receiving treatment, their identity cards numbers are verified again. Some people worry that the identity cards numbers marked on patients' medical records and documents may be leaked as hospitals are cluttered with people. Checking partial identity card numbers for verification is thus suggested to minimize the risk of leaking patients' personal data. Mr. Wong said, "But this proposal is not feasible. An internal survey of HA found that in every hundred thousand patients, there is a pair or more of patients who own the same name and whose identity card numbers are partially identical. The two patients with the same name may receive treatment at the same department of the same hospital at the same time. If wrong treatment is received due to mistaken identity, the consequences will be very serious. Therefore, it is definitely necessary to verify patients' identity with their full identity card numbers." That is why HA checks patients' full identity card numbers when verifying their identity. Mr. Wong said, "HA attaches importance to verify patients' identity in order to avoid medical incidents." According to records, there were only a handful of patients' data leakage incidents in hospitals. Through computerization and better file management, the risk of patients' data leakage will be further lowered.

After a series of data loss incidents few years ago, HA has made a lot of improvements on various aspects upon review. Mr. Wong said, "The cruxes of the problem were staff awareness of privacy and internal structure and systems."

Mr. Wong admitted that there was room for improvement of HA staff awareness of privacy protection before the incidents, e.g. adopting proper ways to store and transmit data; using anonymisation to store personal data used for research purpose; avoiding using own storage device to store patients' personal data, etc. In the light of the circumstances, HA adopted a series of measures, e.g. streamlining its data security policy, to deliver the

這項為期一年的活動，有效地提高了醫管局員工保障個人資料私隱的意識。此外，醫管局亦於2009年推出了一套保障個人資料網上學習課程，讓醫護人員隨時學習有關保護病人資料的知識。

在架構及系統方面，為了改善內部的事務通報系統，醫管局重整了有關架構，並在每間醫院聯網增設委員會及主任的職位，以便能夠在一至兩日內向管理層匯報資料外泄或遺失事件，盡快向公眾交待以及採取適當的補救措施。

醫管局又制定「病人接受治療中」及「確有需要」原則，限制醫護人員查閱病人資料。「病人接受治療中」原則指，只有負責向病人提供臨床護理的醫護人員才可查閱病人資料；至於「確有需要」原則，是限制非直接對病人提供護理服務的醫護人員查閱病人資料，例如擬備醫療報告、進行臨床研究等。此外，醫管局開發了一套私隱影響評估手冊，在設計新項目或計劃時，在第一階段進行私隱風險評估，及早識別及處理保障個人資料私隱方面的問題。

黃永昌最後表示：「展望將來，醫管局期望將尊重私隱的意識植根於員工的工作文化中，以及配合科技的發展建立完善的保障資料系統。」

message of privacy protection to its staff more explicitly.

In 2009, HA and the PCPD jointly organized a privacy awareness campaign for medical practitioners. During the year, PCPD staff held seminars on the requirements of the Ordinance at all hospitals under HA management to help them adopt good practices to protect patients' privacy along with their health. This one-year campaign effectively raised HA staff's awareness of personal data privacy protection. Moreover, HA launched an E-learning module in personal data protection in 2009 to enable medical practitioners to learn at their own convenience and pace.

Regarding structure and systems, HA has improved the internal reporting system by establishing committees and officer ranks in each Cluster so that any leakage or loss of patients' data can be reported to the management in one or two days for speedy public announcement and adoption of appropriate remedial measures.

Furthermore, HA restricts access to patients' data by health care personnel on the "patients under medical care" and "need to know" basis. Under the "patients under medical care" principle, only medical staff who are responsible for provision of clinical care are allowed to access patients' data. The "need to know" principle is to restrict access to patients' data by medical staff who do not provide direct clinical care, e.g. those who prepare medical reports, conduct clinical research, etc. Moreover, HA has developed a privacy impact assessment manual to identify and handle personal data privacy issues at the initial stage when designing a new project or scheme.

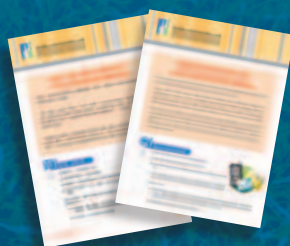
Lastly, Mr. Wong said, "Looking ahead, HA expects that it can instill the value of privacy protection in its work culture and establish a comprehensive data protection system with technological advancement."

新出版刊物 News Publications

- 《物業管理指引》修訂版
Revised "Guidance on Property Management Practices"
- 《競選活動指引》修訂版
Revised "Guidance on Electioneering Activities"
- 《使用便攜式儲存裝置指引》
Guidance on the Use of Portable Storage Devices
- 《經互聯網收集及使用個人資料：給資料使用者的指引》
Guidance for Data User on the Collection and Use of Personal Data through the Internet
- 《個人資料的刪除與匿名化指引》
Guidance on Personal Data Erasure and Anonymisation
- 《收集指紋資料指引》修訂版
Revised "Guidance on Collection of Fingerprint Data"



《個人資料(私隱)條例》
通識教材套老師手冊
Personal Data (Privacy) Ordinance
Liberal Studies Teaching Kit



【根據《個人資料(私隱)條例》作出
拒絕直接促銷活動的要求】單張
Leaflet: "Making an Opt-out Request
from Direct Marketing Activities under
the Personal Data (Privacy) Ordinance"



《在網絡世界保障私隱 —
精明使用社交網站》小冊子
"Protecting Online Privacy —
Use Social Networking Sites Smartly"



《明智使用電腦及互聯網》小冊子
Booklet: "Protecting Privacy — Using
Computers and the Internet Wisely"