



# OVERVIEW OF THE GUIDANCE NOTE FOR PROPERTY MANAGEMENT SECTOR

## Disclaimer

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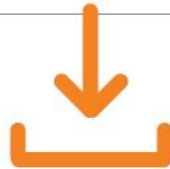
# Data Protection Principles (DPPs)



- All data users must comply with the six DPPs
- The six DPPs cover every item of personal data in the whole data processing cycle

## 1

## 收集目的及方式 Collection Purpose & Means



資料使用者須以合法和公平的方式，收集他人的個人資料，其目的應直接與其職能或活動有關。

須以切實可行的方法告知資料當事人收集其個人資料的目的，以及資料可能會被轉移給哪類人士。

收集的資料是有實際需要的，而不超乎適度。

Personal data must be collected in a lawful and fair way, for a purpose directly related to a function/activity of the data user.

All practicable steps shall be taken to notify the data subjects of the purpose of data collection, and the classes of persons to whom the data may be transferred.

Data collected should be necessary but not excessive.

## 2

## 準確性、儲存及保留 Accuracy & Retention

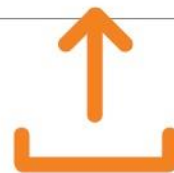


資料使用者須採取切實可行的步驟以確保持有的個人資料準確無誤，而資料的保留時間不應超過達致原來目的的實際所需。

Practicable steps shall be taken to ensure personal data is accurate and not kept longer than is necessary to fulfil the purpose for which it is used.

# 3

## 使用 Use



個人資料只限用於收集時述明的目的或直接相關的目的，除非得到資料當事人自願和明確的同意。

Personal data is used for the purpose for which the data is collected or for a directly related purpose, unless voluntary and explicit consent is obtained from the data subject.

# 4

## 保安措施 Security



資料使用者須採取切實可行的步驟，保障個人資料不會未經授權或意外地被查閱、處理、刪除、喪失或使用。

A data user needs to take practicable steps to safeguard personal data from unauthorised or accidental access, processing, erasure, loss or use.

## 5

## 透明度 Openness



資料使用者須採取切實可行的步驟來公開其處理個人資料的政策和行事方式，並交代其持有的個人資料類別和用途。

A data user must take practicable steps to make personal data policies and practices known to the public regarding the types of personal data it holds and how the data is used.

## 6

## 查閱及更正 Data Access & Correction



資料當事人有權要求查閱其個人資料；若發現有關個人資料不準確，有權要求更正。

A data subject must be given access to his personal data and to make corrections where the data is inaccurate.



### Protection of Personal Data Privacy – Guidance for Property Management Sector

#### Summary

This Guidance covers the following areas:

- **Collecting personal data of residents or visitors** – In any activities involving the collection of personal data, property management bodies should collect personal data that is necessary, adequate but not excessive in relation to the purpose of such activities; provide the data subject with a "Personal Information Collection Statement", and establish a retention period for the personal data collected during the relevant activity. Property management bodies should also ensure that the use (including disclosure) of the personal data is confined to the purpose for which the data was originally collected or for a directly related purpose, unless the relevant person's consent is obtained or the exemptions under Part 8 of the Personal Data (Privacy) Ordinance are applicable.
- **Recording of Hong Kong Identity (HKID) Card numbers of visitors** – Before collecting the visitors' HKID Card numbers, the property manager must consider other methods of verifying the visitors' identities, and whenever practicable, should give the visitors the option to choose less privacy-intrusive alternatives to verify their identities.
- **Visitors' log book** – The property manager should ensure that the previous entries in the visitors' log book are concealed from visitors or irrelevant parties. The personal data recorded in the log book should be deleted as soon as practicable after the purpose of collection is fulfilled.
- **Handling of complaints from residents** – The property manager should first inform the complainant that his personal data is to be used for handling matters relating to the complaint, and make known to the complainant the persons to whom his personal data may be disclosed. To avoid misunderstanding, the property manager may obtain the complainant's written consent before referring the complaint to a third party.
- **Display of notices containing personal data** – Property management bodies should carefully consider and assess the necessity, extent and duration of publishing a notice containing an individual's personal data. No HKID Card number or contact information of an individual should be displayed in any public place.
- **CCTV located at common areas of buildings** – People should be explicitly notified that they are subject to CCTV surveillance. Such notices should contain details of the data user operating the CCTV system and the specific purpose of surveillance, etc. The property management bodies should also formulate policies on the retention and security of the collected personal data, and handle the recorded images with proper care.

#### Personal Data (Privacy) Ordinance

## CODE OF PRACTICE ON THE IDENTITY CARD NUMBER AND OTHER PERSONAL IDENTIFIERS

April 2016 (First Revision)

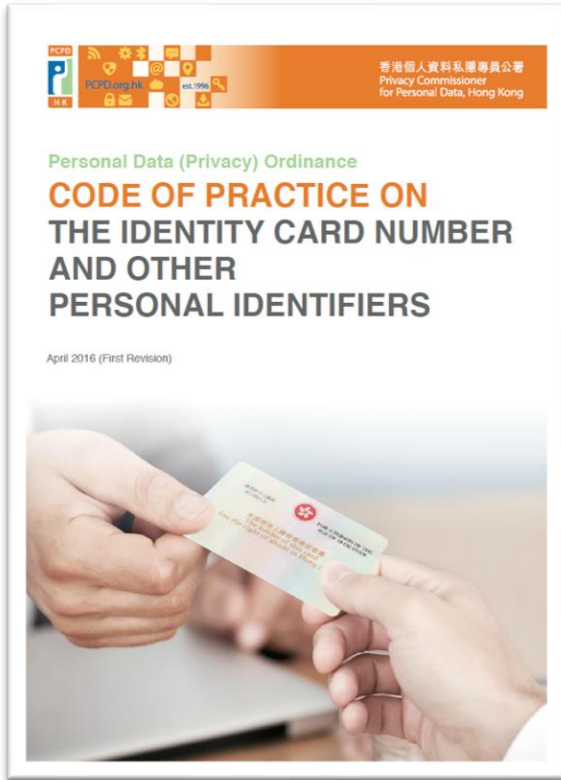


### Code of Practice on the Identity Card Number and other Personal Identifiers

## COMPLIANCE GUIDE FOR DATA USERS



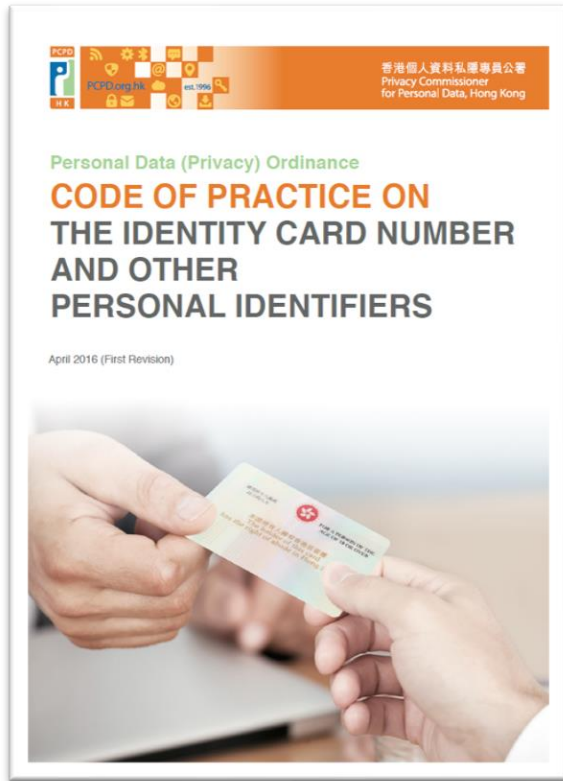
# (1) Recording of HKID Card numbers of visitors



**BASIC POSITION:** No right to compel an individual to provide a HKID Card number unless authorised by law

**DPP1(1) – Necessary, adequate and non-excessive collection**

# (1) Recording of HKID Card numbers of visitors



- ✓ Record the HKID Card numbers of the visitor if it is **not feasible** for a property manager to monitor a visitor's activities inside the building
- ✓ Give the visitor the option to choose **less privacy-intrusive alternatives**
  - Identification of the visitor by the flat occupant concerned
  - Accept staff card or work permit as proof of identity

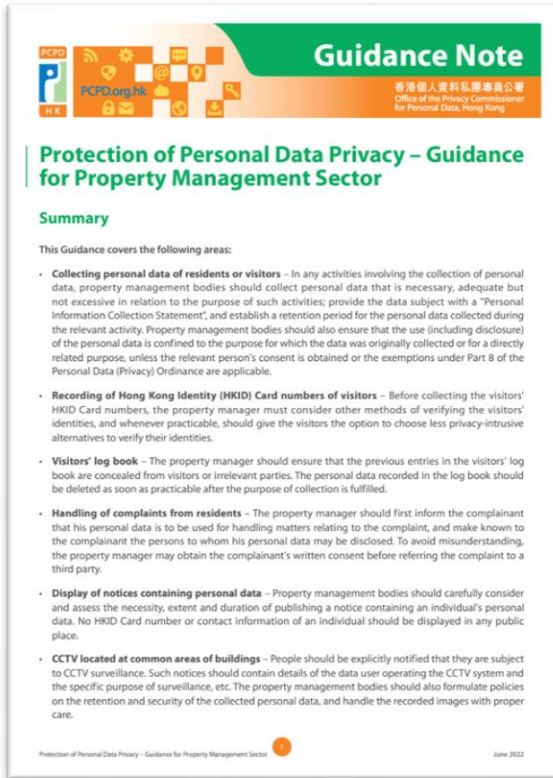


# (1) Recording of HKID Card numbers of visitors

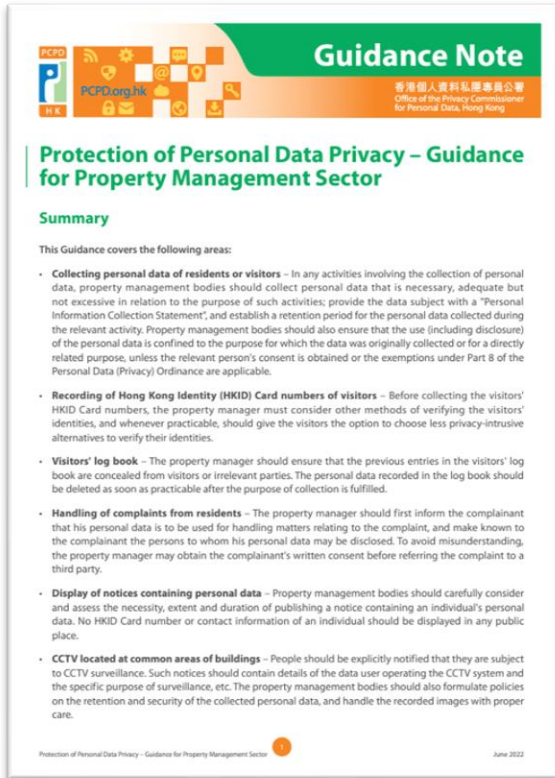
## DPP1(3) – Personal Information Collection Statement (“PICS”)

✓ Provide/ Display PICS to inform visitors:-

- Whether it is **obligatory** or **voluntary** for the visitors to supply their personal data
  - where obligatory: the consequences for failing to supply the data;
- The **purpose** for which the data is to be used;
- The **classes of transferee** (if any);
- His **rights to request access to and correction of the data**, and to whom such request may be made.



# (1) Recording of HKID Card numbers of visitors



## DPP4(1) – Data security

✓ Take appropriate security measures to ensure that such entries in a visitors' log book are **concealed** from subsequent visitors/ irrelevant parties

## DPP2(2) – Data retention

✓ **Delete** the personal data recorded in the log book as soon as practicable after the purpose of collection is fulfilled

# (2) Collecting personal data of residents – Issuance of resident cards



## DPP1(1) – Necessary, adequate and non-excessive collection

✓ Collect name, contact number

• But collect HKID Card Number/ Copy?

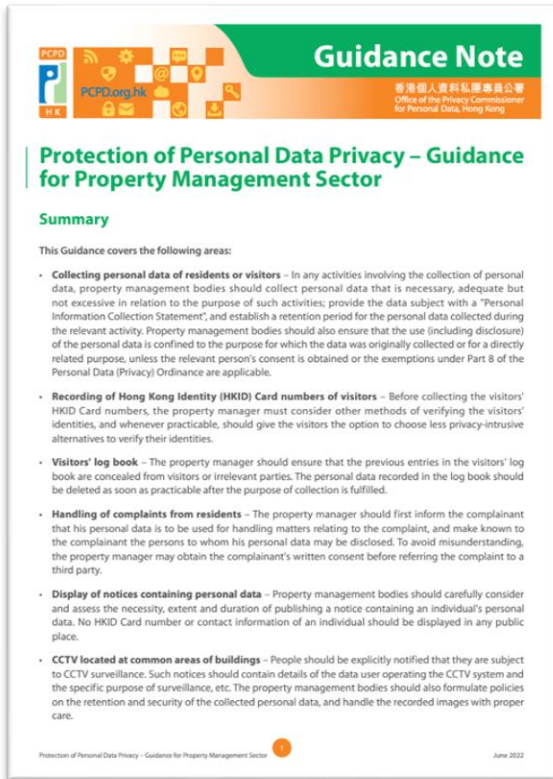
- The purpose of confirming the identity of resident could be achieved by asking the resident to present his/her HKID Card without collecting the copy of the HKID Card

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## (3) Smart property management

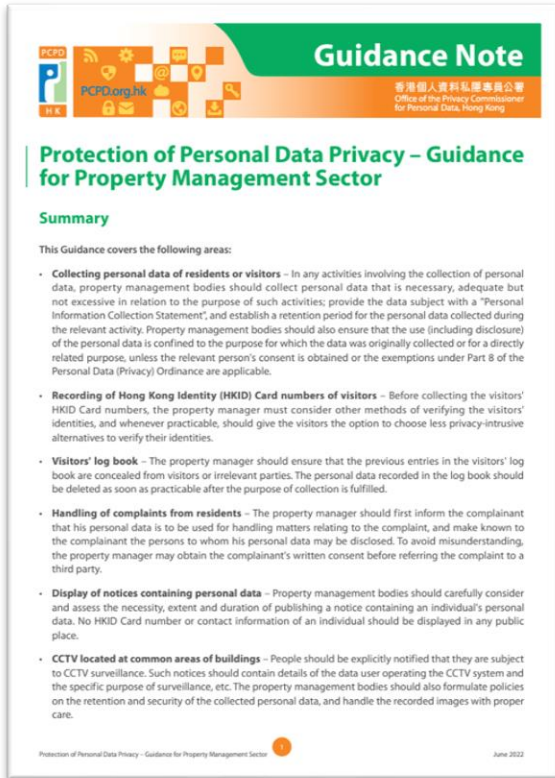


### Personal Data?

- If seeks to identify the relevant visitor (e.g. for investigation):
    - **Reasonably practicable** for the **identity** of the visitors to be **ascertained** from the totality of data (including data stored in the backend system of DPO)
- Data contained in the iAM Smart Personal Code will constitute “personal data”



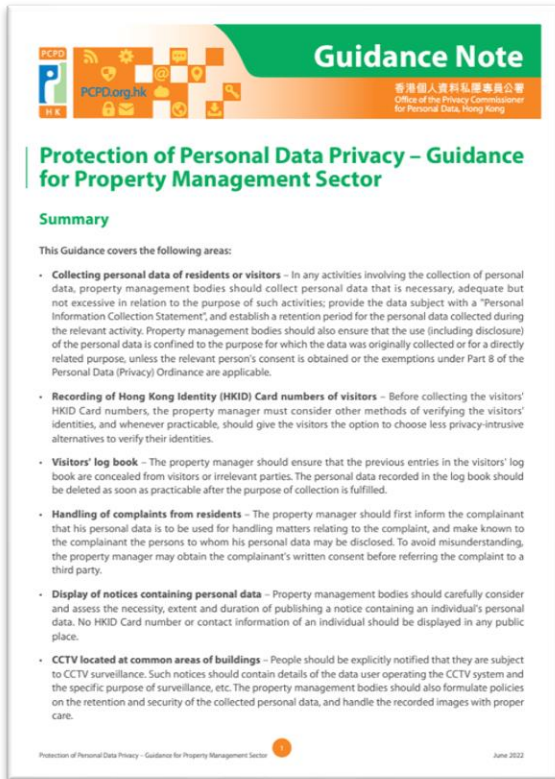
# (3) Smart property management



## DPP4(1) – Data security

- For personal data stored **electronically**:
  - ✓ Proper encryption programmes and system access management
  - ✓ Identity authentication management
  - ✓ Password-controlled devices with latest security patches and anti-virus software installed
  - ✓ Regular monitoring and review of access record of personal data (check for abnormal access to residents' personal data)
  - ✓ Data security policy
  - ✓ Regular staff training

# (3) Smart property management



**Guidance Note**  
 香港個人資料私隱專員公署  
 Office of the Privacy Commissioner  
 for Personal Data, Hong Kong

**Protection of Personal Data Privacy – Guidance for Property Management Sector**

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Protection of Personal Data Privacy – Guidance for Property Management Sector June 2012

## DPP4(1) – Data security

### • For property management mobile applications:

- ✓ Incorporate privacy protection into the design
- ✓ PIA: Assess the impact on personal data privacy arising from the introduction of the applications

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