

香港個人資料私隱專員公署

Office of the Privacy Commissioner for Personal Data, Hong Kong

2020年工作總結 Report on the Work in 2020



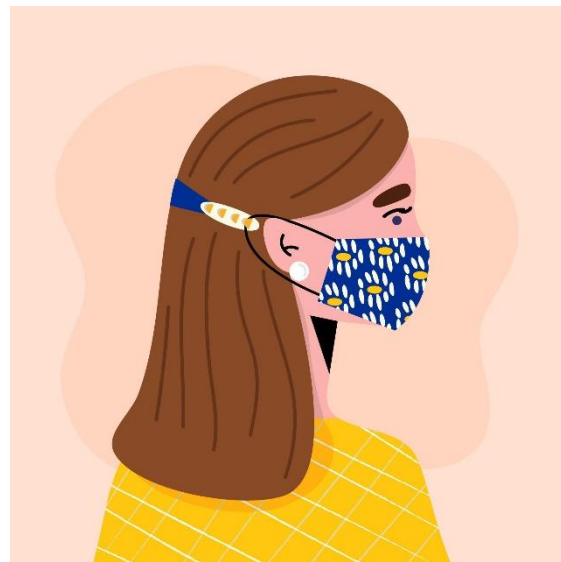
鍾麗玲 Ada CHUNG Lai-ling

香港個人資料私隱專員

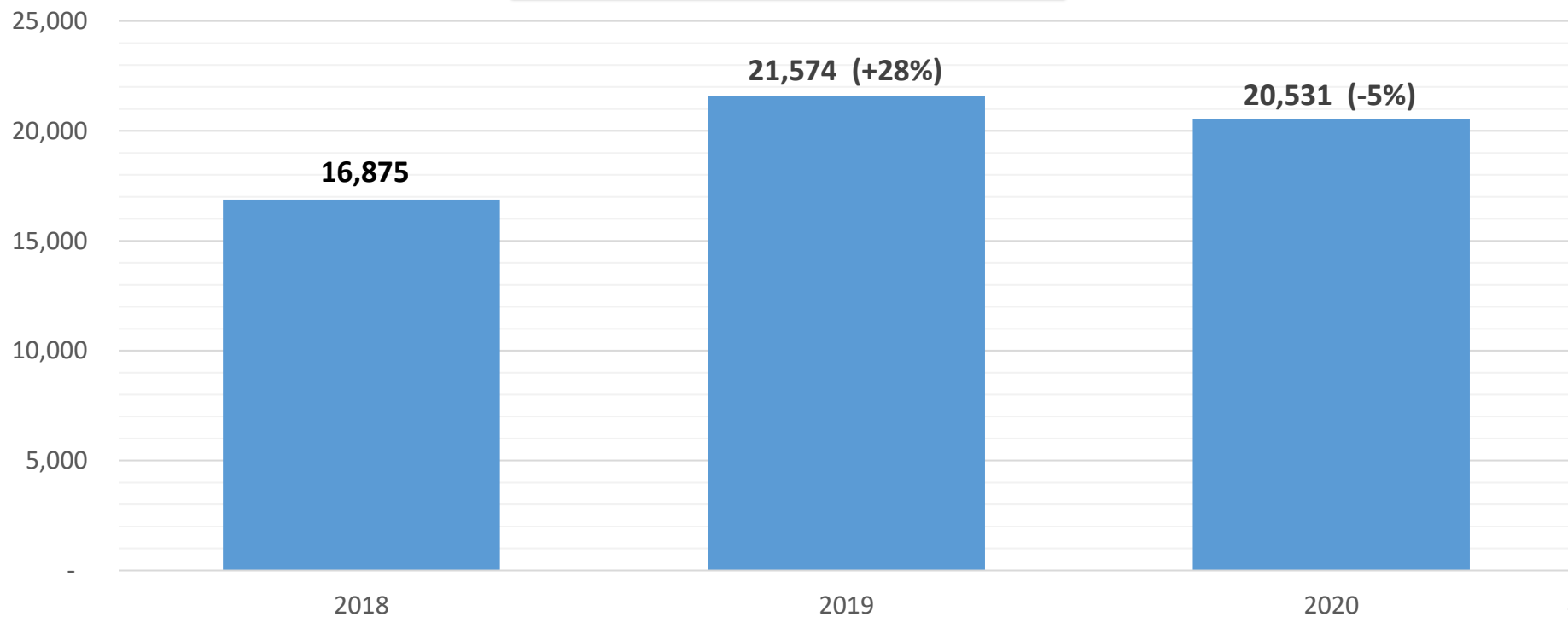
Privacy Commissioner for Personal Data, Hong Kong

2019 冠狀病毒病 COVID-19

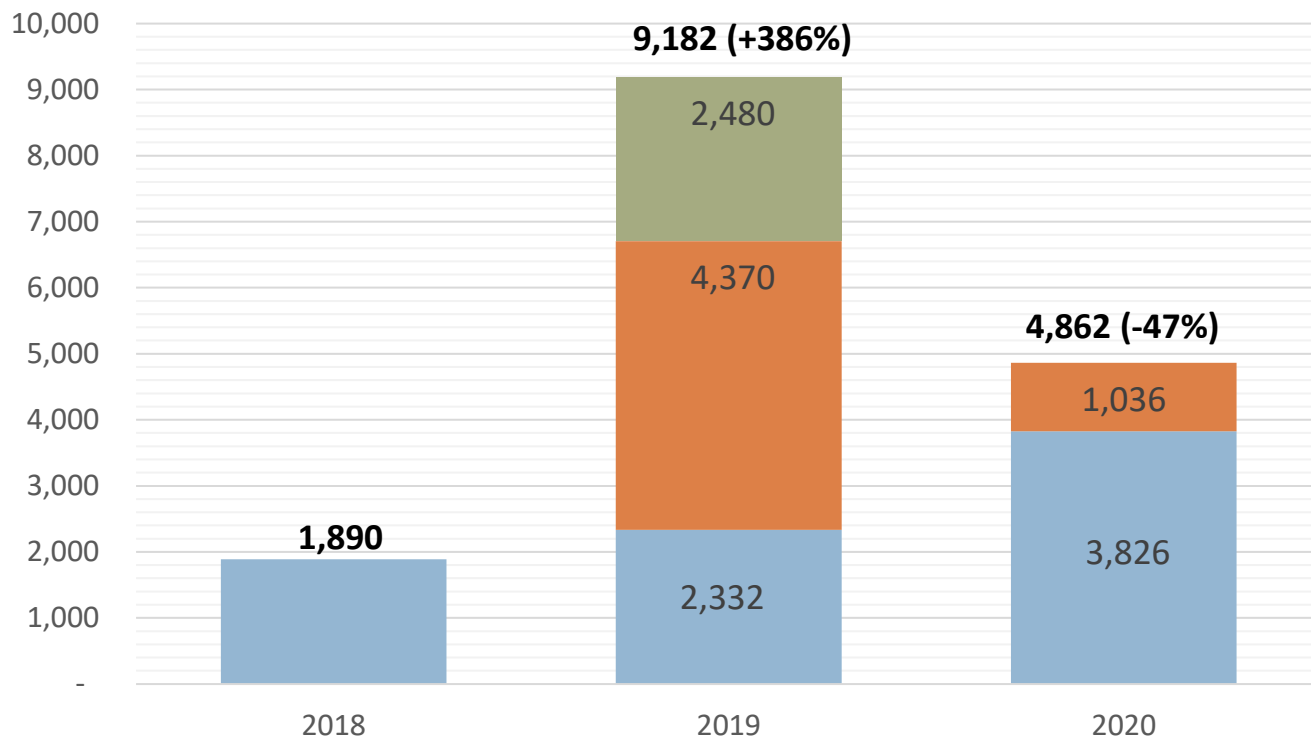
- 因遏止2019冠狀病毒病傳播所引起的個人資料私隱議題
- 發出新聞稿或指引資料，對象包括僱主和僱員、學校和學生、視像會議使用者等等



查詢 Enquiries



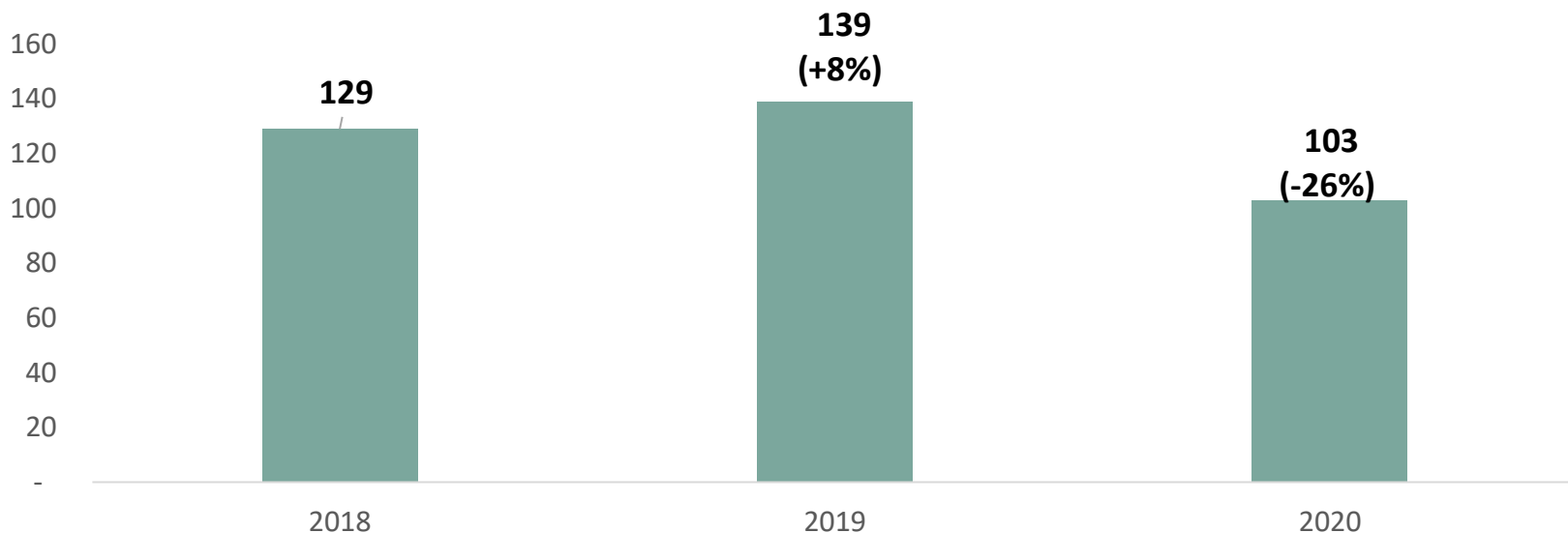
投訴 Complaints



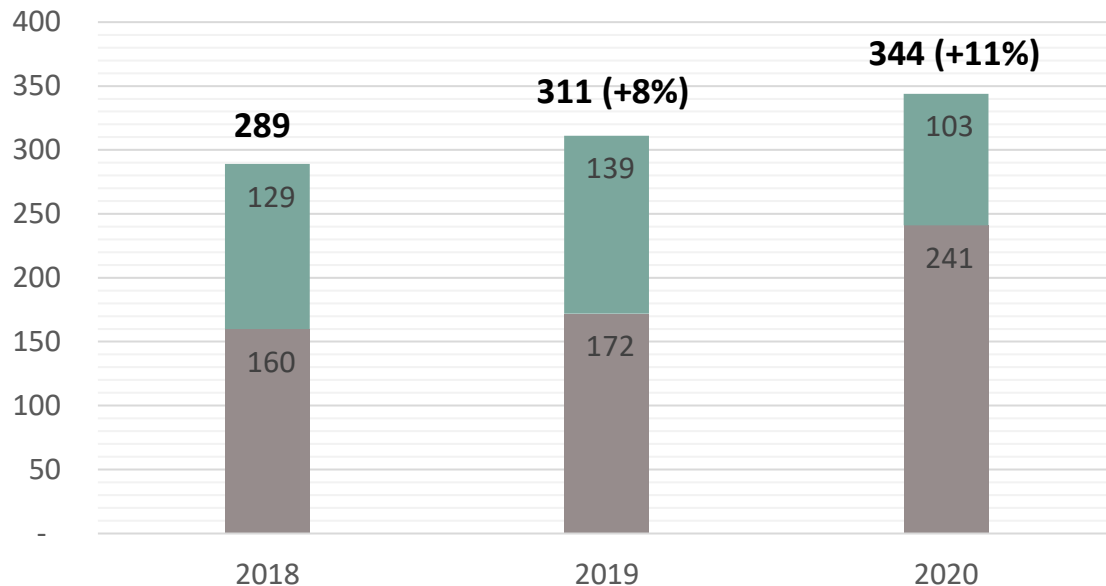
- 「大埔超級城」事件
"Tai Po Mega Mall"
incident
- 「起底事件」
Doxxing
- 其他投訴
Other complaints

外洩個人資料事故的通報

Data Breach Notifications



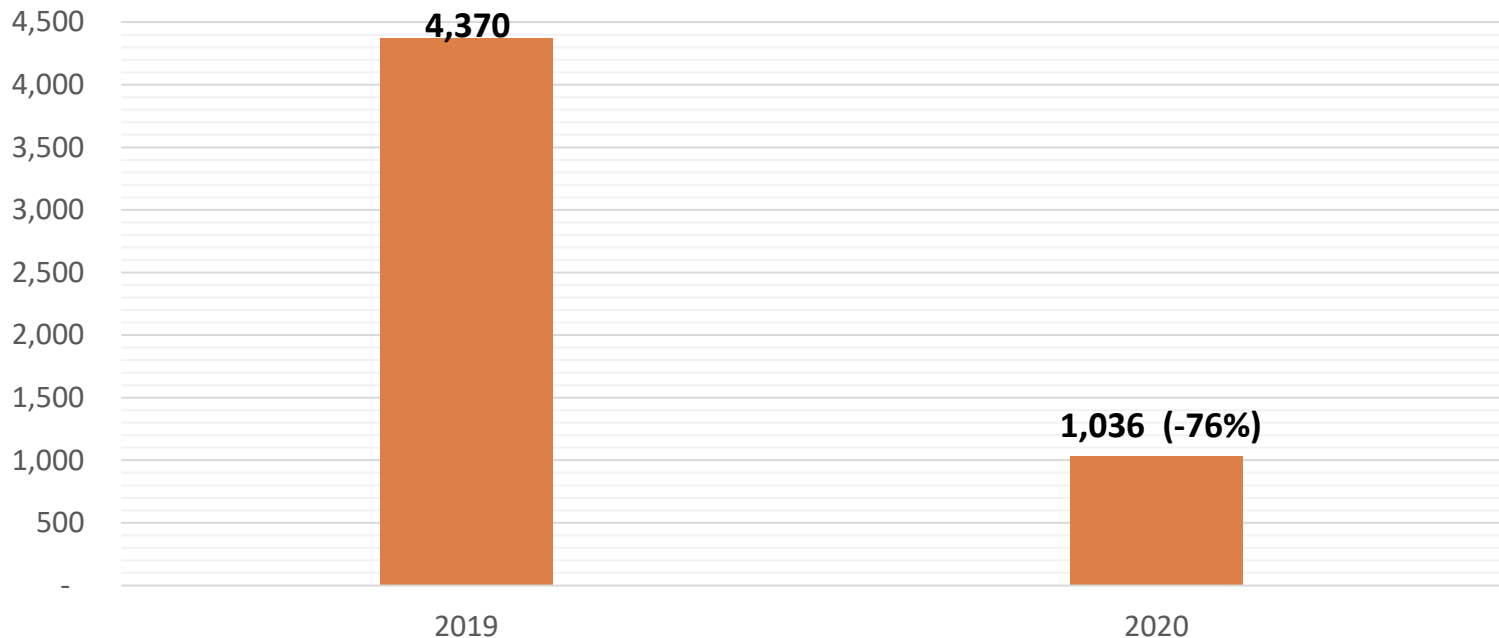
循規審查 Compliance Checks



- 資料外洩事故通報
Data breach notifications

- 主動審查
Self-initiated checks

「起底」個案 Doxxing Cases



個案總數：

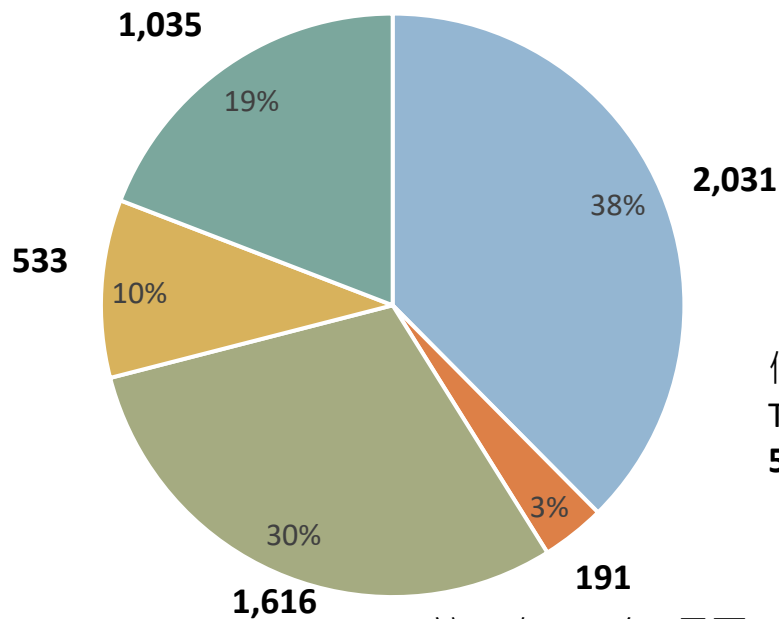
Total no. of cases:

**4,370 + 1,036 =
5,406**

註：自2019年6
月至2020年12月

Note: From June
2019 to
December 2020

受「起底」影響人士 Victims of Doxxing



個案總數：
Total no. of cases:
5,406

註：自2019年6月至2020年12月
Note: From June 2019 to December 2020

- 警務人員及其家屬
Police officers and their family members
- 官員、議員及其家屬
Government officials, councillors and their family members
- 表態支持政府或警察的市民
Citizens expressing views in support of the government or the Police
- 發表反對政府或警察的言論的市民
Citizens making comments against the government or the Police
- 因社會事件被「起底」的市民
Citizens doxxed because of social incidents

「起底」影響 Impact of Doxxing

- 將個人資料武器化
- 「起底」對受害人的影響**嚴重並持久**
- 個人資料一旦在網上被公開，即使隨後將源頭移除，這些**個人資料**幾乎肯定會被**永久公開**
- 「起底」行為**害人害己**



處理「起底」個案

Handling of Doxxing Cases

打擊「起底」行為 Combat doxxing



253次 times

去信18個網上平台營運商
wrote to 18 online platforms



1,461宗 cases

轉介警方
referred to the Police



57宗 cases

轉介律政司
referred to the Department of Justice

註：自2019年6月至2020年12月

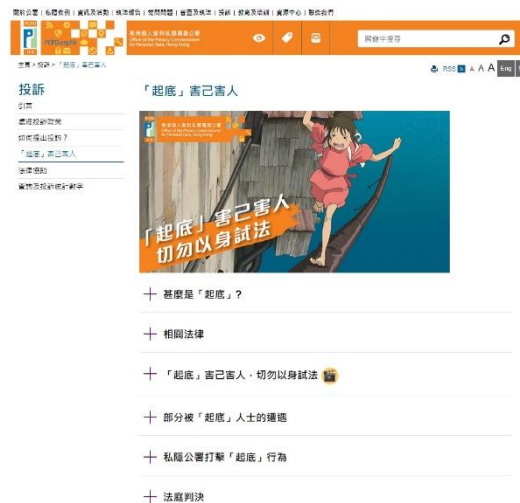
Note: From June 2019 to December 2020 10

處理「起底」個案

Handling of Doxxing Cases

加強與監管機構和商會合作，以及反「起底」的教育工作，包括：

- 開設以「『起底』害己害人」為題的專頁，提供一站式的相關資訊和短片
- 計劃與教育機構合作，製作教材，向中、小學生灌輸尊重他人私隱及保護個人資料的概念
- 今日設立熱線（3423 6666），處理有關「起底」的查詢或投訴



2020年就「起底」案件判決

Sentencing of Doxxing Cases in 2020

- 首宗《私隱條例》第 64(2)條「起底」條文罪成，此項控罪被判**監禁18個月**
- 四宗違反與「起底」有關的臨時禁制令，構成民事藐視法庭，其中一宗案件，被告被法庭判**即時監禁21日**



推廣、宣傳和公眾教育

Promotion, Publicity and Public Education



277次

講座

seminars



27,665人

參加人數

participants



312篇

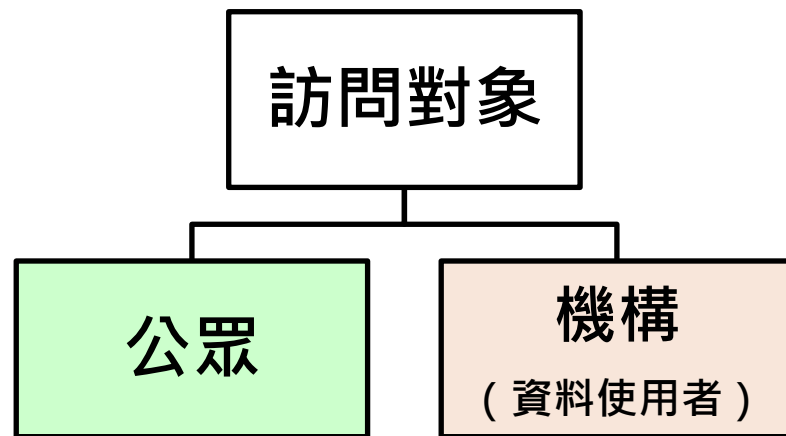
社交媒體帖文

social media posts

意見調查：背景

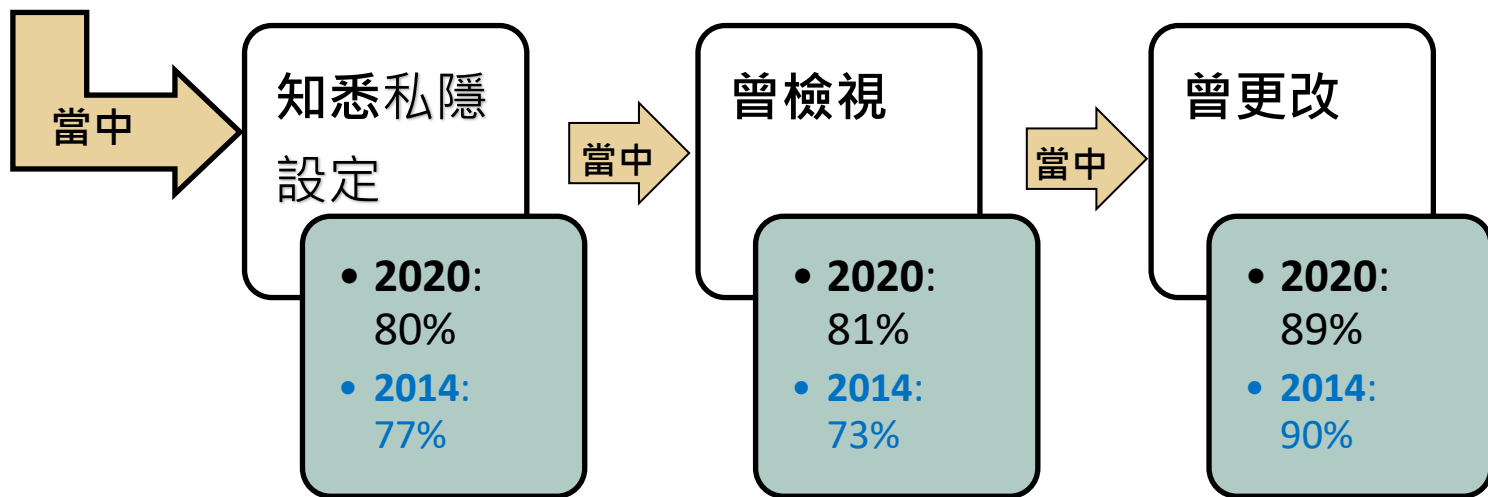
Opinion Survey: Background

- 委託香港大學社會科學研究中心於2020年5月至10月期間進行
- 目的是了解：
 - 公眾對保障個人資料私隱的意識和態度
 - 機構遵守《私隱條例》的情況



使用社交媒體 Use of Social Media

- **48%** 每天都會使用社交媒體
- **77%** 擁有社交媒體帳戶



於社交媒體分享資訊

Sharing of Information on Social Media

只向「朋友」公開

- 個人相片：54%
- 個人意見：54%

從不分享

- 個人相片：34%
- 個人意見：38%

提供個人資料以獲取更多的資訊

Provision of Personal Data in Return for Additional Information

傾向拒絕提供的比率*



身份證號碼 (97%)

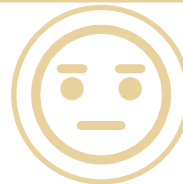
住址 (93%)



手提電話號碼 (81%)

出生日期 (78%)

個人收入(77%)



電郵地址(67%)

職業(52%)

*由0至10分，0分代表完全不介意提供，10分代表絕對會拒絕提供；6分或以上視為傾向拒絕提供。

使用互聯網服務時，每月付出\$20以換取個人資料不被用作廣告用途
Pay \$20 per month in exchange for your personal data not being used for advertising when using internet services

2020

傾向不願意：58%#
 (肯定不願意：47%)

傾向願意：27%#
 (肯定願意：10%)

2014*

傾向不願意：69%#
 (肯定不願意：56%)

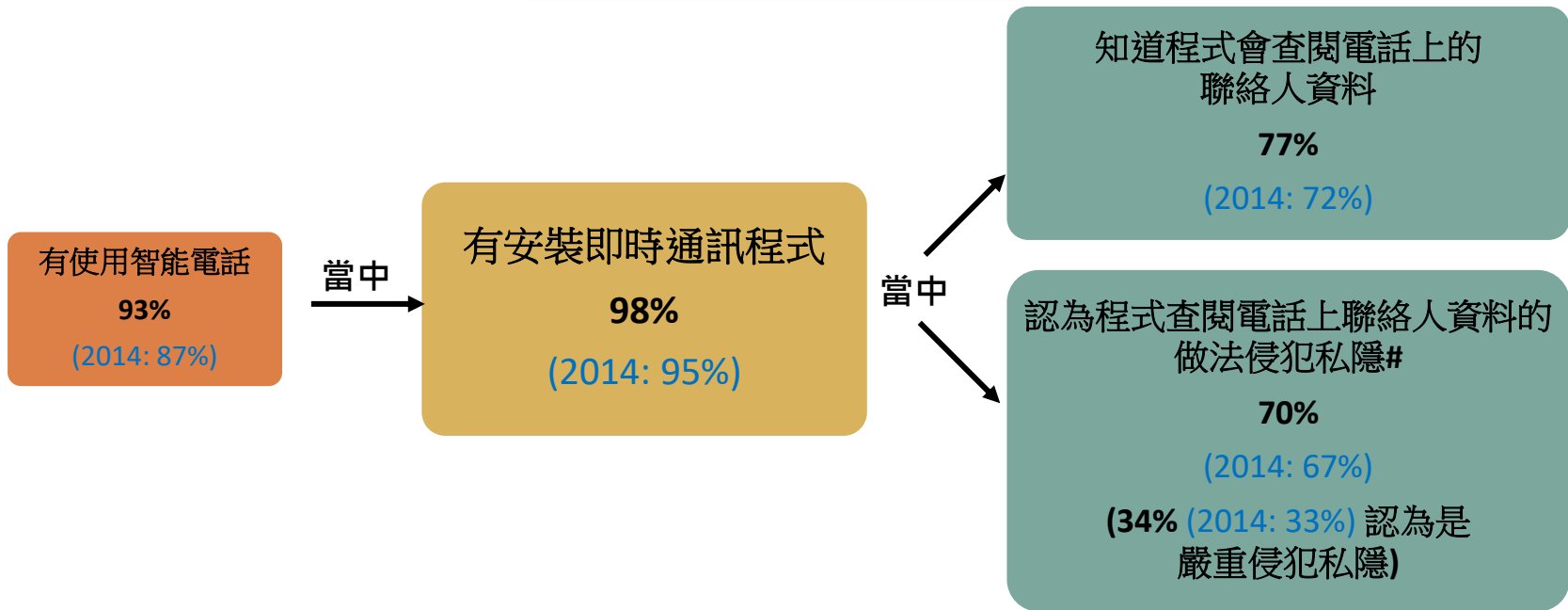
傾向願意：17%#
 (肯定願意：6%)

*2014:

每月付出\$20元以免卻
在使用互聯網時收到
任何廣告

由0至10分，0分代表
肯定不願意付出，10
 分代表肯定願意付出；
 0-4分視為傾向不願意；
 6-10分視為傾向願意

使用即時通訊程式 Use of Instant Messaging Apps



由0至10分，0分代表做法完全沒有侵犯私隱，10分代表嚴重侵犯私隱；6-10分被視作認為侵犯私隱

作出投訴 Complaints

過去12個月個人資料曾被濫用

2020: 36%

(2014: 46%)

沒有作出投訴

2020: 89%

(2014: 89%)

有作出投訴

2020: 11%

(2014: 11%)

主要原因

不知道去哪裡
投訴

2020: 35%

太麻煩

2020: 21%

不值得花時間

2020: 21%

機構調查 - 結果重點

Organisation Survey – Result Highlights

遵守《私隱條例》的困難程度

0分: 最容易
10分: 最困難

- 0-4分: 57%
- 5分: 21%
- 6-10分: 22%

過去12個月曾收到與個人資料私隱相關的投訴

- 沒有: 95%

對內地個人信息相關法規的認識 (以《網絡安全法》及《個人信息安全規範》為例)

- 完全沒有認識: 59%

對修例建議的支持度*

Support for PDPO Amendment Proposals

修例建議		公眾	機構
針對大型資料外洩事故	支持要求肇事機構向 受影響客戶 作出通報	92%	94%
	支持要求肇事機構向 私隱公署 作出通報	90%	95%
	支持向肇事機構施加 罰款	87%	84%
針對「起底」行為	賦權私隱公署，要求社交媒體平台和網站 刪除 有關「起底」的內容	71%	64%
	賦權私隱公署進行 刑事調查	70%	63%
	賦權私隱公署進提出 檢控	69%	61%

*由0至10分，0分代表完全不支持，10分代表完全支持；6分或以上視為支持。

法例檢討 Review of the PDPO



設立強制性資料外泄通報機制



加強規管資料保留時限



檢討違反《條例》的罰則，提高相關刑事罰款，並研究引入直接行政罰款的可行性



直接規管資料處理者，以加強保障處理中的個人資料



修訂「個人資料」的定義，以涵蓋與「可識辨身份」的自然人有關的資料。



更針對性地處理與「起底」有關的行為，包括賦予刑事調查及檢控權。



今年工作方向 Strategic Focus This Year

- 科技發展中的私隱保障
- 加強執法
- 推廣、宣傳及教育工作
- 檢討《私隱條例》
- 與國際及內地的聯繫



私隱公署成立25周年

PCPD 25th Anniversary

- 誌慶活動
- 「私隱之友嘉許獎2021」
 - 表揚機構在保障個人資料私隱方面的努力
 - 130家機構報名
 - 今年首季公布結果

守護 · 私隱 · 廿五載
GUARDIAN · PRIVACY · 25 YEARS



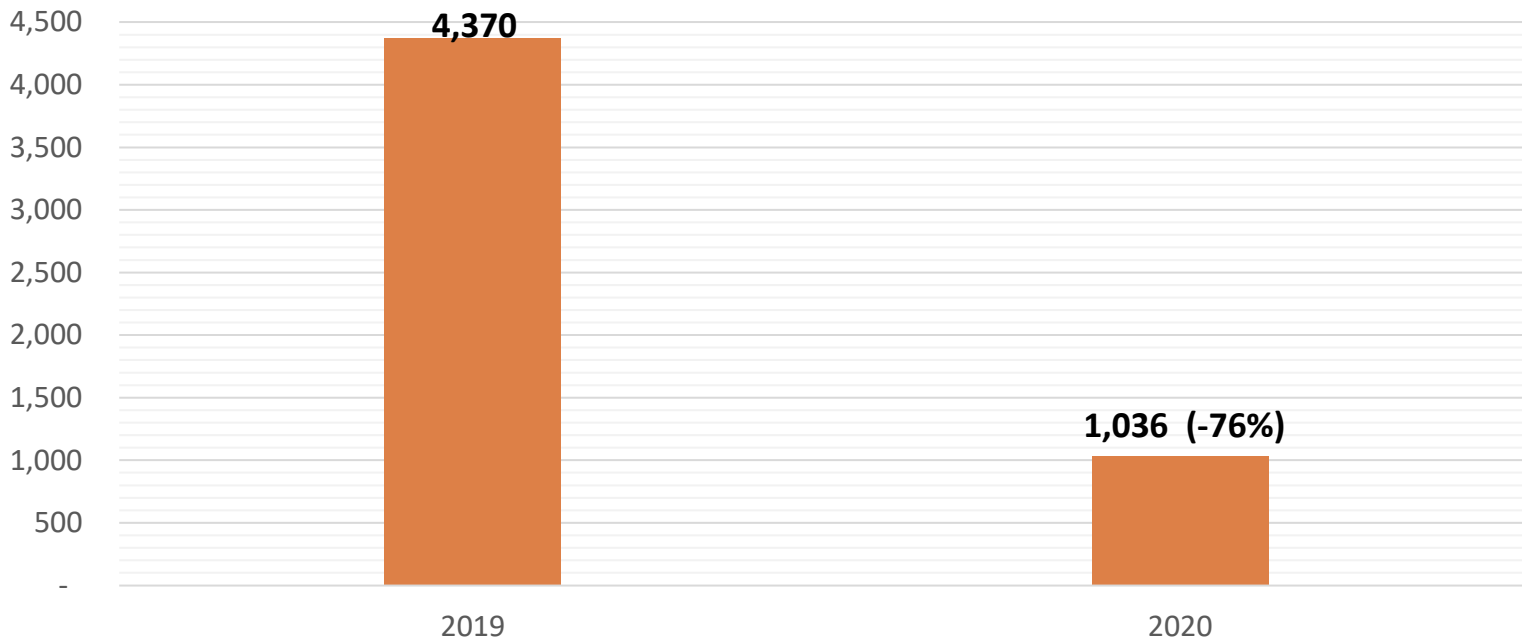
Office of the Privacy Commissioner for Personal Data, Hong Kong

Report on the work in 2020



Ada CHUNG Lai-ling
Privacy Commissioner for Personal Data,
Hong Kong

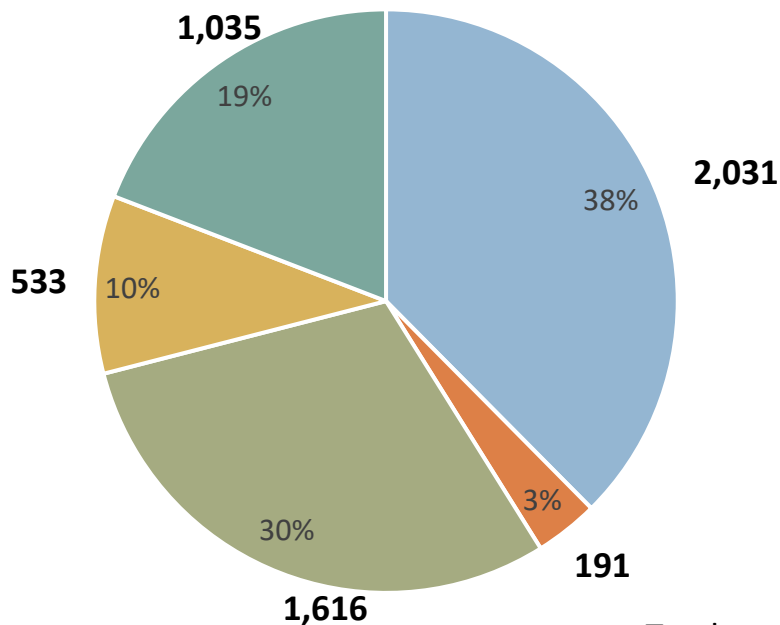
Doxxing Cases



Total no. of cases:
4,370 + 1,036
= 5,406

Note: From
June 2019 to
December
2020

Victims of Doxxing



Total no. of cases:
5,406

- Police officers and their family members
- Government officials, councillors and their family members
- Citizens expressing views in support of the government or the Police
- Citizens making comments against the government or the Police
- Citizens doxxed because of social incidents

Note: From June 2019 to December 2020

Impact of Doxxing

- Weaponisation of personal data
- Impact of doxxing on victims is **severe and long-lasting**
- Once personal data has been publicly revealed on the internet, even if the original point of revelation is subsequently removed, that **personal data** will almost certainly **forever remain publicly available**
- Doxxing **hurts both victims and doxxers**



Handling of Doxxing Cases

Combat doxxing



253 times

wrote to 18 online platforms



1,461 cases

referred to the Police



57 cases

referred to the Department of Justice

Note: From June 2019 to December 2020

Handling of Doxxing Cases

Enhanced collaboration with other regulatory bodies and trade associations, and education efforts against doxxing, including:

- Setting up of a dedicated webpage entitled “Say “No” to Doxxing”, providing one-stop information and videos
- Planning to collaborate with education institutions to produce teaching materials to instill in primary and secondary school students the importance of respecting the privacy of others and protecting personal data
- A Hotline (3423 6666) set up today to handle enquiries or complaints relating to doxxing



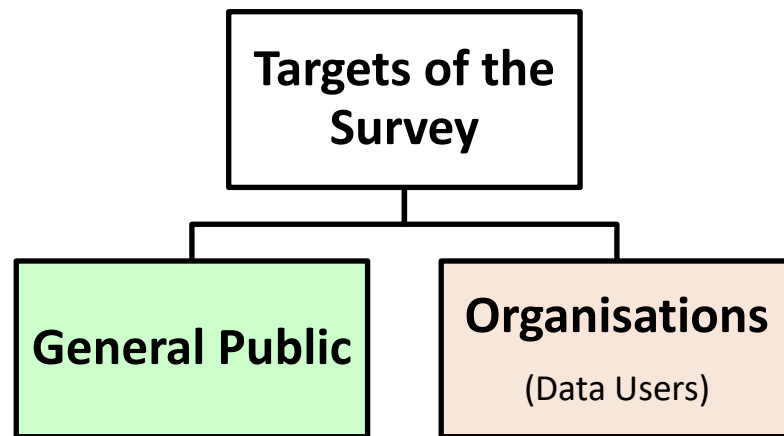
Sentencing of Doxxing Cases in 2020

- First conviction under section 64(2) of the PDPO, with **imprisonment of 18 months** for the offence
- Defendants in four cases in violation of injunction order related to doxxing were convicted of civil contempt of court. One of the defendants was sentenced to **immediate imprisonment for 21 days**



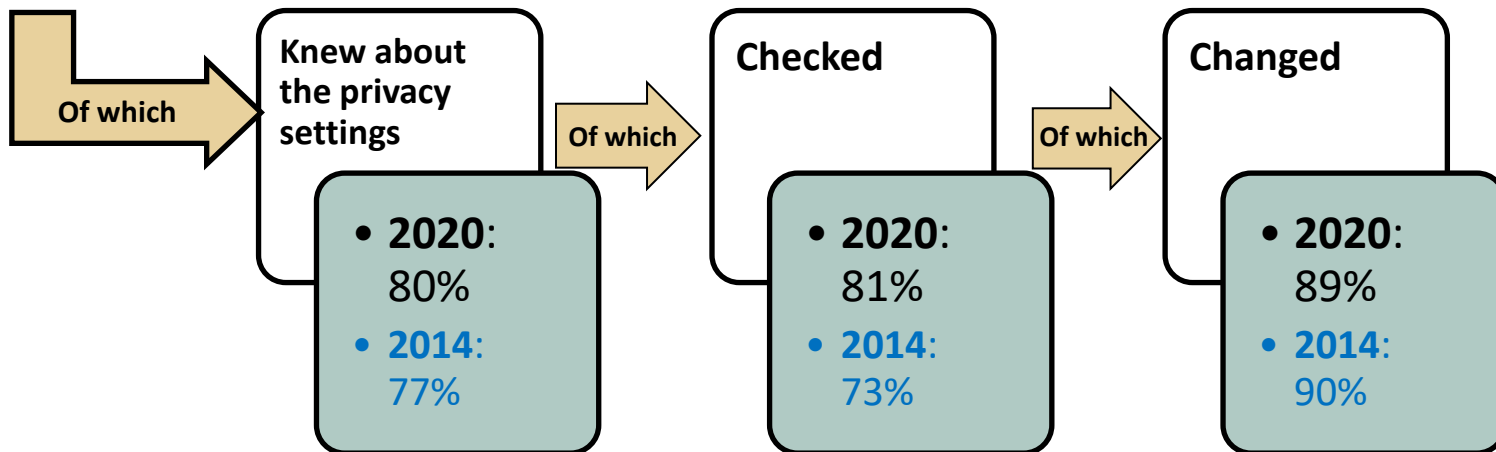
Opinion Survey: Background

- Commissioned Social Sciences Research Centre of HKU to conduct the survey between May and October 2020
- **Objectives** – To understand:
 - the **public** awareness and attitude on protection of personal data privacy
 - the status of **organisations** in complying with the PDPO



Use of Social Media

- **48%** used social media on a daily basis
- **77%** had a social media account



Sharing of Information on Social Media

Share with “friends” only

- Personal Photos: 54%
- Personal Opinions: 54%

Never share

- Personal Photos: 34%
- Personal Opinions: 38%

Provision of Personal Data in Return for Additional Information

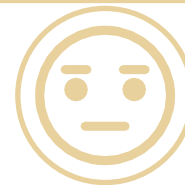
Inclined to refuse providing*



Identity Card No. (97%)
Residential Address (93%)



Mobile Phone No. (81%)
Date of Birth (78%)
Personal Income (77%)



Email Address (67%)
Occupation (52%)

*On a scale from 0 to 10, where 0 means “do not mind at all”, 10 means “certainly refuse” to provide, and a rating of 6 or above means being inclined to refuse providing personal data.

Pay \$20 per month in exchange for your personal data not being used for advertising when using internet services

2020

Incline not to pay: 58%#
(Certainly refuse to pay: 47%)

Incline to pay: 27%#
(Certainly willing to pay: 10%)

2014*

Incline not to pay: 69%#
(Certainly refuse to pay: 56%)

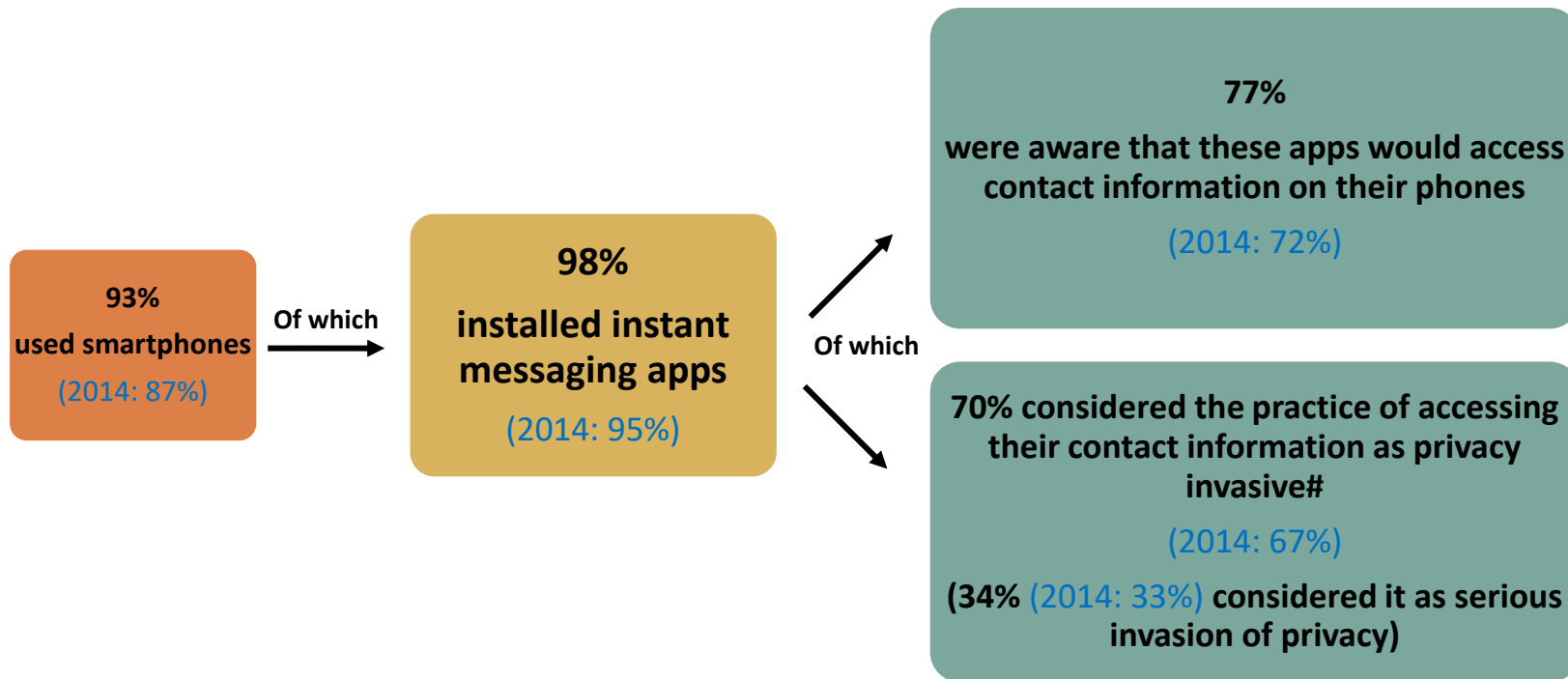
Incline to pay: 17%#
(Certainly willing to pay: 6%)

***2014:**

Pay \$20 per month in exchange for no advertisement at all when using internet services

On a scale from 0 to 10, where 0 means “would certainly not pay for it”, 10 means “would certainly be willing to pay”, a rating of 4 or below means incline not to pay, and a rating of 6 or above means incline to pay.

Use of Instant Messaging Apps



On a scale from 0 to 10, where 0 means not privacy invasive at all, 10 means serious invasion of privacy, a rating of 6 or above is regarded as the respondents considering it privacy invasive.

Organisation Survey – Result Highlights

The level of difficulty in complying with the PDPO

0: no difficulty at all; 10: very difficult

- **0-4:** 57%
- **5:** 21%
- **6-10:** 22%

Had received any complaint concerning personal data privacy in the last 12 months

- **No:** 95%

Knowledge about the relevant personal information protection regulations in the mainland (e.g. the Cybersecurity Law (網絡安全法) and the Personal Information Security Specification (個人信息安全規範))

- **No knowledge:** 59%

Support for PDPO Amendment Proposals*

Proposed legislative amendment		Public	Organisations
For significant data breaches	Requiring organisations involved to notify the affected customers	92%	94%
	Requiring organisations involved to notify the PCPD	90%	95%
	Imposing financial penalty on organisations involved	87%	84%
For “doxxing”	Giving the PCPD the power to require removal of contents relating to “doxxing” from social media platforms and websites	71%	64%
	Giving the PCPD the power to carry out criminal investigation	70%	63%
	Giving the PCPD the power to initiate prosecution	69%	61%

*On a scale from 0 to 10, where 0 means “no support at all”, 10 means “fully support”, and a rating of 6 or above was considered as “support”.



Q&A