

私隱專員的話

Privacy Commissioner's Message



2022-23 年度見證着個人資料私隱專員公署（私隱專員公署）穩中求進的一年，我和我的團隊秉持一貫的努力，繼續推進既定的工作，同時亦推展多項新猶。我們成功落實打擊「起底」的新監管制度，在報告年度內成就多個「第一」，包括第一次「起底」定罪個案及第一次判刑。另一方面，隨着智慧城市及數碼經濟的發展，科技急速進步亦帶來了新的數據威脅，就此我們採取了相應行動，保障市民的個人資料私隱。這 2022-23 年度的年報記載了私隱專員公署一年來在工作上的堅持與進步，尤其是我們如何在瞬息萬變的個人資料私隱領域下實現我們的目標及應對新挑戰。

The year 2022-23 marks a time of continuity and progression for the Office of the Privacy Commissioner for Personal Data (PCPD), with my team and I continuing with our established efforts while also forging ahead with new initiatives. We successfully navigated a smooth transition to the anti-doxxing regulatory framework, as evidenced by the numerous "FIRSTS" achieved during the reporting year, including the first-ever conviction and sentencing case. On the other front, the rapid pace of technological advancement in the development of smart cities and the digital economy has given rise to novel and emerging data threats, compelling us to roll up our sleeves and take further steps towards safeguarding individuals' personal data privacy. This 2022-23 Annual Report documents a year of the PCPD's persistence and advancement, in particular, how we deliver our objectives and respond to new challenges in the evolving field of personal data privacy.



鍾麗玲

Ada CHUNG Lai-ling

個人資料私隱專員

Privacy Commissioner for Personal Data

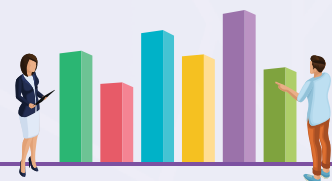


2022-23年度的主要數字 Notable Figures in 2022-23

與上一個年度一樣，我們在2022-23年度繼續透過執行我們的核心職能，致力推廣及維護個人資料私隱的保障。在報告年度內，我們：

Similar to the last reporting year, we have remained committed to promoting and safeguarding the protection of personal data privacy through the execution of our core functions in 2022-23. During the reporting year, we:

- 接獲**3,644**宗投訴個案，包括**676**宗與「起底」相關的個案；
Received **3,644** complaints, including **676** doxxing-related complaints;
- 展開**116**次調查；
Commenced **116** investigations;
- 接獲**98**宗資料外洩事故通報；
Received **98** data breach notifications;
- 接獲**15,293**宗公眾查詢；
Received **15,293** public enquiries;
- 進行**383**次循規行動；
Conducted **383** compliance actions;
- 展開**83**次刑事調查；
Initiated **83** criminal investigations;
- 展開**19**次拘捕行動；
Mounted **19** arrest operations;
- 發布**51**篇新聞稿；
Issued **51** media statements;
- 回應**114**宗傳媒查詢；
Addressed **114** media enquiries;
- 留意到**2,074**則與私隱專員公署的工作相關的新聞；
Observed **2,074** news reports relating to the PCPD's work;
- 錄得每月平均**159,324**人次瀏覽私隱專員公署網站；
Logged a monthly average of **159,324** visits to the PCPD's website;
- 於社交媒體發表**457**篇帖文；及
Published **457** social media posts; and
- 錄得**31,478**人次參加私隱專員公署的講座、研習班及工作坊。
Recorded **31,478** participants at PCPD's talks, seminars and workshops.



2022-23年度的 主要工作成果

打擊「起底」

《2021年個人資料(私隱)(修訂)條例》(《修訂條例》)自2021年10月實施以來，已超過了一年。在報告年度內，我們全面執法，竭盡全力打擊非法「起底」活動。有賴一眾同事的齊心協力及努力不懈，我們的執法工作成效顯著，亦令《修訂條例》得以成功落實。年內，我們展開了83次刑事調查及19次拘捕行動，拘捕了19人。

2022年5月，我們在首宗拘捕個案落案起訴一名32歲男子。2022年10月，一名27歲男子被定罪，成為首宗因「起底」罪行被定罪的案件。該男子於2022年12月被判監禁八個月，是新「起底」罪行的首次判刑。

年內，私隱專員公署合共向28個網上平台(大多由海外服務提供者營運)發出1,006個停止披露通知，要求移除17,829個「起底」信息，當中遵從率超過95%。除了個別的「起底」信息，在不同的個案中，用作「起底」的整條頻道亦被成功移除。

Key Deliverables in 2022-23

Combatting Doxxing

More than a year has elapsed since the implementation of the Personal Data (Privacy) (Amendment) Ordinance 2021 (Amendment Ordinance) in October 2021. During the reporting year, we undertook full-scale enforcement, leaving no stone unturned in our effort to clamp down on illegal doxxing activities. Thanks to the concerted and unwavering efforts of my colleagues, we take pride in our fruitful enforcement work that has yielded notable results and contributed to the successful implementation of the Amendment Ordinance. We commenced 83 criminal investigations and mounted 19 arrest operations, resulting in the arrest of 19 persons.

In May 2022, we laid charges against a 32-year-old man in the first doxxing arrest case. In October 2022, a 27-year-old man was convicted, marking the first conviction of the doxxing offence. The man was sentenced to eight months of imprisonment in December 2022, marking the first sentencing case for the new doxxing offence.

During the year, a total of 1,006 cessation notices were served on 28 online platforms, mostly operated by overseas service providers, requesting the removal of 17,829 doxxing messages. The compliance rate for removing these messages was over 95%. Apart from individual doxxing messages, entire channels dedicated to doxxing were also successfully removed on various occasions.



在執法的同時，我們亦在提高公眾及主要持份者對《修訂條例》的認識方面取得重大進步。我們進行了各式各樣的推廣活動，包括研討會、學校講座、電台及報章訪問、在報章及行業期刊上發表文章，以及在社交媒體平台發布訊息。我們亦與其他持份者合作，包括非牟利機構、學校及大學，以及行業組織，積極發揮我們推廣工作的影響力。我十分高興向大家匯報，我們的外展和推廣工作備受好評，公眾對《修訂條例》的認識和了解顯著提高。

主動應對新興的私隱威脅

在報告年度內，數碼化持續急速發展，進一步加劇對個人資料私隱的威脅，尤其是以下兩種威脅已受到社會日益關注：資料詐騙及網絡攻擊。

當中，電話詐騙和網絡欺詐的數目不斷上升，越來越多市民被騙徒誘騙披露其個人資料。騙徒使用的詐騙技倆亦越趨複雜，令市民更難識辨這類詐騙。為防患未然，我們認為關鍵在於提高公眾的意識，讓他們知道如何識辨詐騙及避免成為受害者。

In parallel with our enforcement efforts, we made strong strides in raising awareness of the Amendment Ordinance among the general public and key stakeholders. We carried out a wide range of promotional activities, including seminars, school talks, radio and newspaper interviews, as well as publishing articles in newspapers and industry journals, and messages on social media platforms. We also collaborated with other stakeholders, including non-profit organisations, schools and universities, and industry associations, to maximise the impact of our promotional efforts. I am pleased to report that our outreach and promotional efforts were well received, resulting in a significant increase in public awareness and understanding of the Amendment Ordinance.

Proactive Steps against Emerging Threats to Privacy

Over the course of the reporting year, digitisation continued to advance at breakneck speed, further exacerbating threats to personal data privacy. Two threats, in particular, have emerged as growing concerns in society – data fraud and cyberattacks.

The number of telephone scams and online fraud cases has been on the rise, with more individuals falling victim to fraudsters and revealing their personal data. The deception techniques used by fraudsters have become increasingly sophisticated, making it more difficult for individuals to identify these scams. To address this issue, we believe it is crucial to raise public awareness about how to identify and avoid falling prey to fraud.



因此，我們展開了一系列的防騙活動，教導市民識辨及避免電話詐騙和網絡欺詐，包括設立「個人資料防騙熱線」，處理公眾懷疑誘騙個人資料的查詢或投訴；推出專題網頁提供防騙貼士、相關教育資源及求助途徑；以及向大眾派發防騙教材。

儘管針對資料當事人的資料詐騙個案持續受到關注，但數據安全亦已成為越來越多資料使用者關心的議題。在這個數碼年代，資訊及通訊科技已被廣泛使用，而疫情期間轉用混合工作和學習模式，更加速社會採用這些科技。可是，這對個人資料私隱的保障，尤其是在數據安全方面，帶來了重大的挑戰。其中網絡攻擊等威脅在全球不斷增加，對資料使用者構成的風險實在不能忽視。我們認為穩健的資料保安系統是良好數據管治的核心元素，因此我們在2022年8月發出《資訊及通訊科技的保安措施指引》，為機構，特別是中小企，建議相關的資料保安措施，以協助它們遵從《個人資料(私隱)條例》(《私隱條例》)的規定及防範數據安全威脅。

My office has therefore rolled out a string of anti-fraud initiatives aimed at equipping individuals with the knowledge to recognise and avoid telephone scams and online fraud, including setting up a “Personal Data Fraud Prevention Hotline” to handle enquiries or complaints from members of the public in relation to suspected data fraud cases, launching a dedicated webpage offering anti-fraud tips, relevant educational resources and assistance channels, and distributing anti-fraud educational materials to the community.

While data fraud cases targeting data subjects remain an issue, data security has also become an increasing concern for data users. The widespread use of information and communications technology (ICT) has become ubiquitous in this digital age, and the shift to hybrid working and learning during the pandemic has accelerated the adoption of ICT. This has posed significant challenges for protecting personal data privacy, especially when it comes to safeguarding data security. Threats such as cyberattacks have been on the rise globally, posing an ever-looming risk for data users. As we believe that a robust data security system is a core element of good data governance, in August 2022, we issued the “Guidance Note on Data Security Measures for Information and Communications Technology” to provide organisations, especially small and medium-sized enterprises, with recommended data security measures for ICT to facilitate their compliance with the requirements of the Personal Data (Privacy) Ordinance (PDPO) and protect themselves against data security threats.



在國際方面，在2022年10月舉行的第44屆環球私隱議會，由私隱專員公署共同發起的《在完善網絡安全監管和了解網絡風險方面提升國際合作能力決議》，在會議上獲得成員一致通過。該決議要求議會成員就資料保障機構在網絡安全方面的職責加深了解，並探索在應對網絡風險方面的國際合作契機。

監察及執法

今時今日，社交媒體已成為我們日常生活不可或缺的一部分。鑑於對個人資料的潛在風險，我們檢視了香港10大最常使用的社交媒體，並於2022年4月發表《社交媒體私隱設定大檢閱》報告。該報告全面概述了各社交媒體在私隱功能、私隱政策及私隱版面易用性方面的特點，亦就加強保護用戶的個人資料向社交媒體提供建議。我希望該報告能幫助香港的社交媒體用戶構建一個更安全及更有保障的社交媒體氛圍。

至於處理投訴及循規調查的工作，我們在報告年度內發表了多份報告，包括一份關於物業管理界別的調查報告，以及一份關於一個醫療集團透過內部統一系統互用旗下品牌客戶的個人資料的調查報告。我們亦就資料使用者通報的五宗資料外洩事故發表四份調查報告，分別涉及一間醫療機構、一間相片沖印公司、一個政府部門及一間非牟利機構。

On the international front, we co-sponsored the “Resolution on International Cooperation Capacity Building for Improving Cybersecurity Regulation and Understanding Cyber Incident Harms” at the 44th Global Privacy Assembly (GPA) in October 2022, which was adopted by GPA members by consensus at the conference. Through this resolution, the GPA resolved to develop an understanding of the remits and responsibilities of data protection authorities in relation to cybersecurity, as well as explore opportunities for international cooperation in tackling cybersecurity risks.

Monitoring and Enforcing Compliance

Nowadays, social media has become an integral part of our daily lives. To recognise the potential risks to personal data, we released a flagship report in April 2022 on “Comparison of Privacy Settings of Social Media” after reviewing the top 10 most commonly used social media platforms in Hong Kong. The report gave a comprehensive overview of each platform’s privacy features, privacy policies and the usability of their privacy dashboards. It also offered recommendations to social media platforms on enhancing protection of their users’ personal data. I hope that the report can pave the way for a safer and more secure environment for social media users in Hong Kong.

Turning to our work on complaints handling and compliance investigations, we published a number of reports during the reporting year, including an investigation report concerning the property management sector and another concerning a medical group’s sharing of customers’ personal data among its various brands through an internal integrated system. In addition, we released four investigation reports regarding five data breach incidents reported by data users, involving a medical institution, a photofinishing company, a government department and a non-profit organisation.

向世界說好香港故事

我們一直透過定期參與國際及區域性會議，與其他資料保障機構和資料保障專家保持聯繫，以緊貼國際資料保障社群的最新脈搏。我們於2022年7月12至13日舉辦了「第57屆亞太私隱機構論壇」。該論壇亦是香港特別行政區成立25周年的慶祝活動之一。

來自亞太區不同資料保障機構、超過110名代表齊聚論壇，討論新興的環球私隱議題，並分享監管和執法經驗。該論壇獲得與會者一致好評，論壇的組織、內容，以及與當前私隱形勢的相關性均獲得國際肯定和稱許。我們亦藉此展示私隱專員公署的各項工作成果，向世界說好香港故事。

感謝之言

我藉此機會衷心感謝政制及內地事務局，以及私隱專員公署兩個諮詢委員會(個人資料(私隱)諮詢委員會和科技發展常務委員會)的委員，在過去一年給予我們寶貴的意見和堅定不移的支持。我亦感謝所有同事，他們一直以來的敬業精神、專業態度和努力付出令我們得以在年內達成多項目標及落實新猷。

Telling the World a Good Hong Kong Story

We have been keeping our fingers on the pulse of the international data protection community by regularly participating in international and regional conferences and networking with other data protection authorities and data protection experts. In 2022, we virtually hosted the 57th Asia Pacific Privacy Authorities (APPA) Forum from 12 to 13 July 2022, which was also held as one of the celebratory events of the 25th anniversary of the establishment of the Hong Kong Special Administrative Region.

Over 110 representatives from different data protection authorities across the Asia Pacific region gathered at the forum to discuss emerging global privacy issues and share regulatory and enforcement experiences. The forum was well received by participants, who commended its organisation, content, and relevance to the current privacy landscape. We were able to showcase the various achievements in our work and tell the world a good Hong Kong story.

A Word of Thanks

I must take the opportunity to express my heartfelt appreciation to the Constitutional and Mainland Affairs Bureau of the Hong Kong Government, as well as the members of our two advisory committees, the Personal Data (Privacy) Advisory Committee and the Standing Committee on Technological Developments, for their invaluable advice and unwavering support over the past year. I would also like to thank my colleagues for their continuous dedication, professionalism and hard work, which were instrumental in achieving our various objectives while implementing new initiatives during the year.

未來的願景

隨着社會復常，我相信未來一年既是生機蓬勃的一年，亦是充滿機遇和挑戰的一年。鑑於Web 3.0和生成式人工智能如ChatGPT等帶來前所未有的科技躍進，我們會繼續將工作聚焦於保障數據安全上，並提高公眾和企業在這方面的意識。作為個人資料私隱的守護者，我們將繼續堅定不移，恪守承諾，推廣保障及尊重個人資料私隱，為香港發展成為首屈一指的科技中心和世界級數據樞紐奠定良好的基礎。

讓我們攜手建設數碼國家、數碼大灣區、數碼香港。

鍾麗玲

大律師

個人資料私隱專員

2023年9月

Our Vision for the Future

With the return to normalcy, I am confident that the year ahead will promise to be vibrant and dynamic, with opportunities and challenges. In light of the unprecedented advancement in technology brought by Web 3.0 and generative artificial intelligence like ChatGPT, we will continue to focus our work on safeguarding data security and raising the awareness among the public and enterprises. As the guardian of personal data privacy, we shall remain steadfast in our commitment to promoting the protection and respect for personal data privacy, which in turn would provide a healthy foundation for Hong Kong's development as a premier technology centre and a world class data hub.

Let's work hand in hand in building a digital Country, a digital Greater Bay Area and a digital Hong Kong.

Ada CHUNG Lai-Ling

Barrister

Privacy Commissioner for Personal Data

September 2023

