

私隱專員的話

PRIVACY COMMISSIONER'S MESSAGE



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歡迎大家參閱個人資料私隱專員公署（私隱專員公署）2023-24年度的年報。本年報呈現了私隱專員公署過去一年難忘的工作和發展。隨着數字經濟提速發展，我們密切關注威脅數據安全的情況，而我們採取的果斷行動亦卓有成效。鑑於人工智能（AI）安全極其重要，我們與國際間其他私隱或資料保障機構合作，共同應對與AI相關的棘手私隱風險。在執法方面，循規行動、刑事調查和拘捕的數字皆錄得破紀錄的增幅，我們的執法行動持續擴大、發展。放眼大灣區，我們積極促進大灣區內個人資料跨境流動，為推動國家數字經濟持續發展作出貢獻。本年報刻畫私隱專員公署在報告年內廣泛、多樣的行動和長足發展，在瞬息萬變的數碼世界中不遺餘力地保護個人資料私隱，推動數字經濟。

Welcome to the 2023-24 Annual Report of the Office of the Privacy Commissioner for Personal Data (PCPD). This report unveils a remarkable year of action and growth for my Office. As the drive towards the digital economy gains momentum, we have kept our finger on the pulse of data security threats that loom on the horizon and taken incisive actions to serve the public. Recognising the paramount importance of artificial intelligence (AI) security, we have collaborated with our international counterparts to tackle the thorniest privacy risks associated with AI. On the enforcement front, our actions have continued to expand and grow, leading to a record-breaking surge in compliance actions, criminal investigations and arrests. Within the Greater Bay Area, we have actively facilitated cross-boundary flow of personal data, contributing to the continuous growth of a thriving digital economy in our Motherland. This report also underscores the immense breadth and scale of action and growth undertaken by my

Office over the reporting year, as we left no stone unturned in our commitment to safeguarding personal data privacy in the ever-evolving digital landscape to promote a digital economy.





2023-24 年度的主要數字 Key Performance Figures in 2023-24

以下數字充分展現了我們在2023-24年度在各領域努力保障個人資料私隱。我們在各方面均克盡己任，工作亮點如下：

The following performance figures showcase our comprehensive efforts in safeguarding personal data privacy in the reporting year of 2023-24. We have faithfully discharged our duties on all fronts with highlights as follows:

- ▶ 接獲 **3,600** 宗投訴個案；
Received **3,600** complaints;
- ▶ 處理 **631** 宗「起底」個案；
Handled **631** doxing cases;
- ▶ 展開 **113** 次調查；
Commenced **113** investigations;
- ▶ 接獲 **169** 宗資料外洩事故通報；
Received **169** data breach notifications;
- ▶ 接獲 **16,034** 宗公眾查詢；
Received **16,034** public enquiries;
- ▶ 進行 **410** 次循規行動；
Conducted **410** compliance actions;
- ▶ 展開 **152** 次刑事調查；
Initiated **152** criminal investigations;
- ▶ 採取 **26** 次拘捕行動；
Mounted **26** arrest operations;
- ▶ 發布 **67** 篇新聞稿；
Issued **67** media statements;
- ▶ 回應 **172** 宗傳媒查詢；
Responded to **172** media enquiries;
- ▶ 各媒體發布了 **2,629** 則與私隱專員公署工作相關的新聞；
Noted **2,629** news reports relating to the PCPD's work across various media channels;
- ▶ 錄得每月平均 **214,046** 人次瀏覽私隱專員公署網站；
Logged an average of **214,046** visits to the PCPD's website each month;
- ▶ 於社交媒體發表 **663** 篇帖文；及
Published **663** social media posts; and
- ▶ 錄得 **40,735** 人次參加私隱專員公署的講座、研習班及工作坊。
Recorded **40,735** attendances at the PCPD's talks, seminars and workshops.

2023-24 年度的主要成果 Major Accomplishments in 2023-24

提升數據安全

提升數據安全對孕育一個維護個人資料私隱的繁榮社會，以至促進數字經濟發展都至關重要。鑑於數據包括個人資料，保障個人資料私隱已成為確保和提升數據安全的基石。在報告年度內，私隱專員公署開展了一系列行動，致力提升各持份者，包括機構和市民的數據安全。我們舉辦了一連串活動，涵蓋出版全面的指引、發表資料豐富的意見調查、主辦具影響力的推廣活動及發表國際性的聯合聲明。

為應付日益加劇、針對機構的網絡攻擊，我們於2023年6月主動發出《資料外洩事故的處理及通報指引》，向機構提供實用建議，讓他們能在資料外洩事故「發生前」及「發生後」妥善應對。我們在2023年11月亦與香港生產力促進局共同公布「香港企業網絡保安準備指數及私隱認知度調查2023」報告結果，闡述了各企業的網絡保安準備和私隱認知程度。因應調查報告的結果，我們迅速地推出「數據安全三大法寶」，包括(i)一站式的數據安全專題網頁；(ii)供機構評核其數據安全措施是否足夠的自我評估工具「數據安全快測」；和(iii)向機構提供協助的「數據安全熱線」。

Enhancing Data Security

Enhancing data security is pivotal towards nurturing a thriving society that upholds personal data privacy and promoting digital economy. Recognising that data encompasses personal data, safeguarding its privacy has become the bedrock of ensuring and enhancing data security. Throughout the reporting year, the PCPD embarked on a multitude of initiatives aimed at bolstering data security for all stakeholders, be they organisations or members of the public. Our endeavours spanned a wide spectrum of activities, including publishing comprehensive guidance, releasing insightful surveys, organising impactful promotional campaigns and issuing joint statements on a global scale.

In response to the escalating cyberattacks targeting organisations, we proactively issued a new guidance publication titled “Guidance on Data Breach Handling and Data Breach Notifications” in June 2023. This guidance is intended to equip organisations with practical recommendations on navigating both the “BEFORE” and “AFTER” scenarios of a data breach. In November 2023, we collaborated with the Hong Kong Productivity Council to release the results of the “Hong Kong Enterprise Cyber Security Readiness Index and Privacy Awareness Survey 2023”. That report shed light on the prevailing state of cybersecurity preparedness and privacy awareness within the enterprise landscape. The findings left no room for complacency, prompting us to swiftly roll out the “Data Security Trio”, which comprised (i) a dedicated thematic webpage on data security; (ii) the “Data Security Scanner” – a self-assessment tool enabling organisations to evaluate the adequacy of their data security measures; and (iii) a “Data Security Hotline” to aid organisations.

我們不但致力於實行各種措施，亦積極地與其他執法機構和行業合作，舉辦一系列講座，從而搭建一個平台，促進對數據安全威脅相關的風險和應對方案的認知，例如探討一些值得注意的安全威脅，包括網絡釣魚和勒索軟件等。

Our commitment to action extends beyond mere implementation of initiatives. We have actively collaborated with other law enforcement agencies and industry partners by organising a series of seminars, which served as a platform for fostering a wider understanding of the risks and countermeasures surrounding data security threats. Noteworthy security threats discussed included phishing attempts and ransomware.

數據無分國界，數據安全問題亦然。近年，數據擷取帶來的數據安全隱患備受關注。從數據安全角度而言，未經授權的數據擷取有可能導致敏感的個人資料曝光。有見及此，私隱專員公署聯同澳洲、加拿大和英國等地11個私隱或資料保障機構，向社交媒體平台和其他載有公開個人資料的網站發表聯合聲明，提醒相關平台和網站有責任保護個人資料免遭非法數據擷取，並表明環球保障私隱期望及原則。如聯合聲明所強調：「確保數據安全是一種動態的責任，保持警惕至關重要。」

Data transcends border, and so do data security issues. Data scraping has emerged as a rising data security concern in recent years. From a data security perspective, unauthorised data scraping can lead to the exposure of sensitive personal data. To address this problem, my Office joined hands with 11 other privacy or data protection authorities around the globe to issue a joint statement to social media platforms and other websites that host publicly accessible personal data. The statement reminded these platforms and websites of their responsibilities to protect personal data from unlawful data scraping, and outlined the global expectations and principles on privacy protection. As stressed in our joint statement, *“Data security is a dynamic responsibility and vigilance is paramount.”*



堅定採取執法及循規行動

執法是私隱專員公署其中一個主要法定職責，我們亦竭盡所能擔當這個角色。我樂於匯報本年度打擊非法「起底」活動的工作，再次取得豐碩成果。年度內我們共展開了152次刑事調查，比去年同期增近一倍；亦採取了26次拘捕行動，拘捕27人；「起底」訊息移除率與上個報告年度一樣超過95%，在我們向網上平台發出停止披露通知後，共有9,227個「起底」訊息被移除。

除了打擊「起底」，私隱專員公署其他監管執法行動亦見顯著增長。當中一項重要工作涉及對香港所有信貸資料服務機構進行全面的循規審查。相關循規審查已於2024年1月完成，我們未有發現有違反《個人資料(私隱)條例》關於借款人資料保安及保留期限規定的情況。年內，我們亦完成對不同資料外洩事故的主要調查。

Robust Enforcement and Compliance Actions

Enforcement is one of the primary statutory functions of my Office, and we spare no efforts in playing this key role. I am delighted to report that our efforts to combat illegal doxxing activities have yielded another year of success. Over the reporting year, we instigated 152 criminal investigations, nearly doubling the number of the previous year. We mounted 26 arrest operations, resulting in the arrest of 27 individuals. For the second consecutive reporting year, we achieved a high removal rate of over 95% of doxxing messages, by serving cessation notices on online platforms and removing as many as 9,227 doxxing messages.

Beyond combatting doxxing, my Office has witnessed a notable increase in regulatory enforcement in other areas. One of the significant undertakings involved extensive compliance checks of all credit reference agencies in Hong Kong. These checks, completed in January 2024, revealed no violations of the Personal Data (Privacy) Ordinance concerning security measures and retention periods of borrowers' data. My Office also successfully concluded major investigations into various data breach incidents during the reporting year.



促進粵港澳大灣區個人資料跨境流動

隨着粵港澳大灣區內各城市緊密融合，香港和大灣區其他城市之間的數據跨境流動需求亦與日俱增。有見數據跨境流動對推動大灣區數字經濟以至建立「數字灣區」的重要性，國家互聯網信息辦公室（網信辦）、香港特別行政區政府創新科技及工業局（創科及工業局）及私隱專員公署於2023年12月共同制定《粵港澳大灣區（內地、香港）個人信息跨境流動標準合同》（《標準合同》）。我欣然報告，私隱專員公署參與了《標準合同》的討論和起草過程，為達致這重要的里程碑，促進個人資料在香港與大灣區內其他九個城市之間有序流動，作出積極貢獻。

Facilitating Cross-boundary Flow of Personal Data

Given the increasing integration of cities within the Guangdong-Hong Kong-Macao Greater Bay Area, there is a growing demand for data flow between Hong Kong and other cities in the region. Recognising the significance of cross-boundary data flows in driving the digital economy within the area and thus establishing a “Digital Bay Area”, the Cyberspace Administration of China (CAC), the Innovation, Technology and Industry Bureau (ITIB) of the Hong Kong SAR Government and my Office jointly formulated the “Standard Contract for Cross-boundary Flow of Personal Information Within the Guangdong-Hong Kong-Macao Greater Bay Area (Mainland, Hong Kong)” in December 2023. I am pleased to report that my Office participated in the discussion and drafting process of the Standard Contract, contributing to this significant milestone in facilitating the orderly movement of personal data between Hong Kong and nine other cities in the Greater Bay Area.



跨越地域的人工智能 (AI)

AI是一把雙刃劍。私隱專員公署認同AI帶來的「私隱悖論」：一方面，用戶使用AI時需應對私隱問題；另一方面，海量數據乃AI的命脈。為達致兩者之間微妙的平衡，我們在2023年9月發布了《使用AI聊天機械人「自保」十招》單張，提供有關安全使用聊天機械人的實用「貼士」，以協助用戶保障其個人資料私隱。

在國際舞台上，環球私隱議會是集合全球超過130個資料保障機構、具領導地位的國際平台。私隱專員公署作為該組織的成員，於2023年10月的年度會議中參與發起兩項突破性的決議，分別為《生成式人工智能系統決議》和《人工智能與僱傭決議》。兩者皆於會上獲其他成員一致通過。

AI Beyond Borders

AI is a double-edged sword. My Office acknowledges the “privacy paradox” presented by AI: users grapple with privacy concerns when interacting with AI which, in turn, relies on abundant data as its lifeblood. Mindful of this delicate balance, we issued a leaflet titled “10 TIPS for Users of AI Chatbots” in September 2023 to support chatbot users in safeguarding their personal data privacy and provide down-to-earth tips on the safe use of AI chatbots.

On the international arena, as a member of the Global Privacy Assembly (GPA), the premier international forum for over 130 data protection authorities worldwide, my Office co-sponsored two groundbreaking resolutions at the GPA annual conference in October 2023, namely, the “Resolution on Generative AI Systems” and “Resolution on AI and Employment”. Both resolutions received unanimous support from other authorities.



透過宣傳與教育推動保障私隱

私隱專員公署的宣傳工作之一，是向致力保障個人資料私隱的機構作出積極肯定。2023年8月，我們舉辦了以「實踐私隱管理系統 建立信任共創雙贏」為主題的「私隱之友嘉許獎2023」頒獎典禮，表揚及嘉許包括公私營機構和政府部門等138個機構。私隱專員公署樂見獲獎機構在保障個人資料私隱方面秉持值得仿效的極高標準。

我們不僅在機構層面保障個人資料私隱，更進一步鼓勵社會各界人士保護其個人資料私隱。因此，我們於2023年7月在香港書展期間出版了一本深入淺出的中文書《私隱法·保一了解你的個人資料私隱》，提高大眾對個人資料私隱的關注和理解。

Empowering Privacy Protection through Promotion and Public Education

As part of our promotion efforts, my Office also proactively commends organisations that demonstrate a strong commitment to safeguarding personal data privacy. In August 2023, we organised the “Privacy-Friendly Awards 2023” Presentation Ceremony under the theme “Embrace Privacy Management Programme to Gain Trust and Benefits”. This flagship event served as a platform to recognise and honour the efforts of 138 organisations, including both public and private entities, as well as government departments. We are excited to see that these organisations made exemplary efforts and upheld very high standards in safeguarding personal data privacy.

Our mission to safeguard personal data privacy extends beyond the organisational level. We walk the extra mile, empowering people from all walks of life to protect their personal data privacy. To this end, we published a user-friendly Chinese book titled “The Treasure-trove of Privacy – Understanding Your Personal Data Privacy” during the Hong Kong Book Fair in July 2023, aiming to raise awareness and understanding of personal data privacy among members of the public.



展望未來

回顧過去一年成就的同時，我們必須為未來做好準備，迎接在數字經濟下科技發展帶來的諸多新挑戰。為確保我們應對日新月異的私隱威脅時能做到防患未然，我們將持續調整策略優次，並且在履行職能時保持警惕，致力確保個人資料私隱受到保障同時亦促進香港成為創新科技樞紐，推動數字經濟的發展。

最後，本人衷心感謝香港特別行政區政府政制及內地事務局，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，堅定不移地支持私隱專員公署的工作，成為我們取得進展和成就的關鍵。我亦感激私隱專員公署所有卓越的同事，他們展現敬業精神，以極其專業、崇高操守和孜孜不倦的態度服務市民，他們的付出有目共睹。

讓我們攜手釋放數據的力量，齊享數字經濟的繁榮。

鍾麗玲

大律師

個人資料私隱專員

2024年9月

The Journey Ahead

As we reflect on our achievements over the past year, we must also prepare for the journey ahead, where new challenges driven by technological advancements in the digital economy abound. To stay on top of emerging threats to privacy, we are committed to continuously adapting our strategic priorities and remaining vigilant in discharging our statutory roles. We are dedicated to ensuring the protection of personal data privacy while facilitating Hong Kong's evolution into an innovation and technology hub and the development of a digital economy.

As I bring my remarks to a close, I feel compelled to express my sincere gratitude to the Constitutional and Mainland Affairs Bureau of the Hong Kong SAR Government, along with the esteemed members of my Office's two advisory committees, the Personal Data (Privacy) Advisory Committee and the Standing Committee on Technological Developments. Their steadfast support has been instrumental in our progress and achievements. I would also like to acknowledge and thank the talented staff of my Office, as each of them approaches their work with remarkable commitment and service. They have done the public a great service through their expertise, high ethical standards and tireless dedication to work.

Unleash the Power of Data, Together We Prosper in a Data-Driven Digital Economy

Ada CHUNG Lai-Ling

Barrister

Privacy Commissioner for Personal Data

September 2024