

STRENGTHENING EXTERNAL CONNECTIONS

加強對外聯繫

回應跨法域區的議題

因應最新的本地及國際發展，公署就有關個人資料保障的政策及議題進行研究及提供意見。

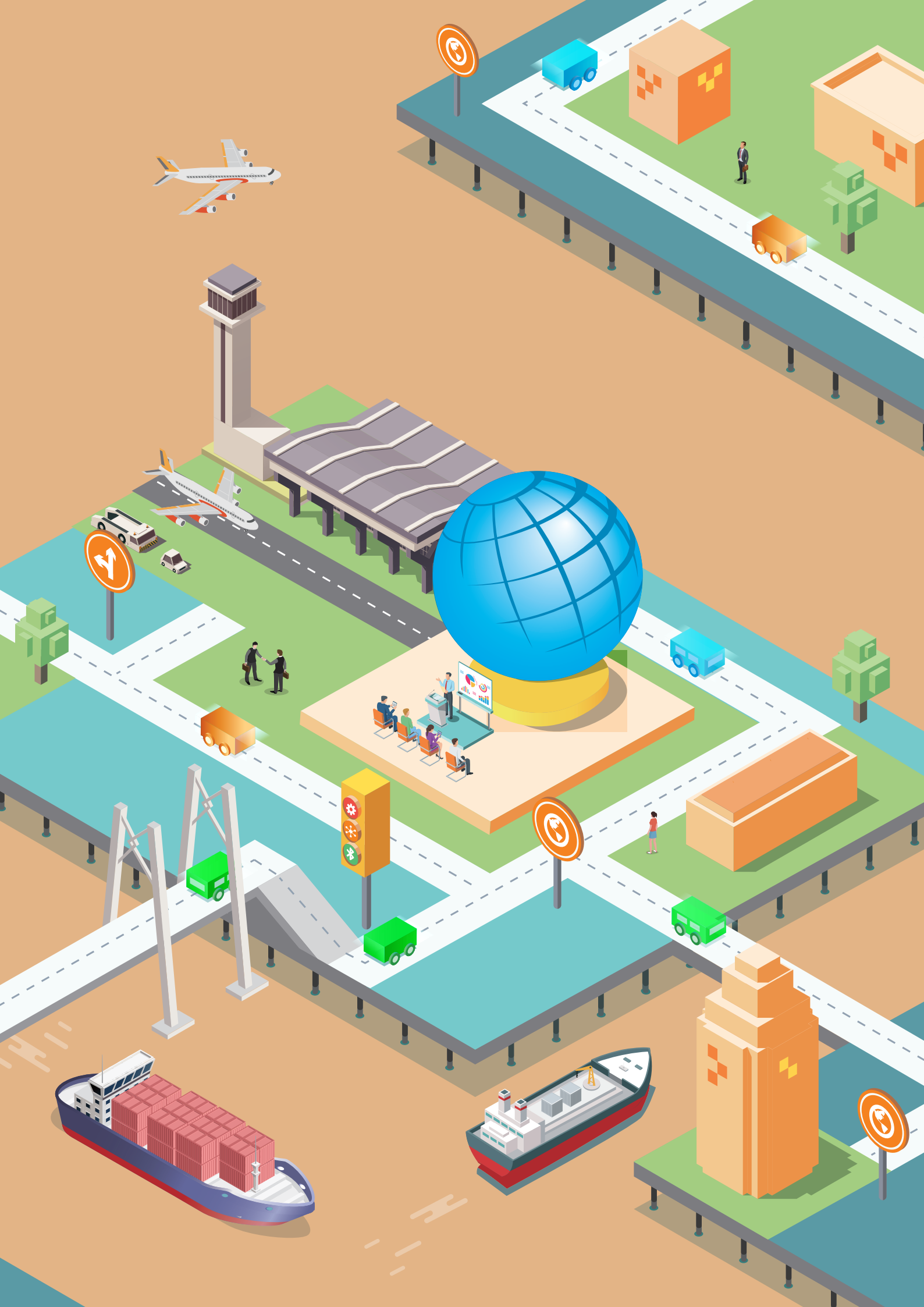
保障私隱跨越不同法域區，需要國際社會共同作出回應。公署與各地資料保障機構和私隱專家保持聯繫和工作關係，洞悉全球私隱保障的發展和趨勢。

RESPONDING TO CROSS-JURISDICTION ISSUES

The PCPD conducts research and provides advice on policy issues relating to personal data protection in the light of latest local and international development.

Privacy protection has become a cross-jurisdiction issue and thus calls for an international response. The PCPD liaises and works with data protection authorities and privacy experts around the world to keep abreast of global development and trends in privacy protection.





繼續加強對外聯繫和合作以應對跨境私隱問題

資料無疆界。香港資訊自由流通，因此公署繼續與境外對口機構聯繫以加強保障香港市民的個人資料、完善本地以至外地的私隱政策及準則，以及提升全球各地的私隱保障法例的相互操作性。

國際資料保障及私隱專員會議

國際資料保障及私隱專員會議是全球私隱與資料保障監管機構的重要年度會議。在本報告年度中，私隱專員於10月參與了在布魯塞爾舉行的第40屆國際資料保障及私隱專員會議。在閉門會議期間，會員通過了公署有份聯合發起的「人工智能的道德與資料保障宣言」。有關宣言表達了監管機構對提倡有道德地發展及應用人工智能的承諾，務求令有關發展及應用能充份考慮及尊重人們的尊嚴及基本人權。

第40屆國際資料保障及私隱專員會議的主題為「辯論道德：數據驅動的生活中的尊嚴與尊重」，當中公開會議多場熱烈的討論，內容圍繞數據及控制著數據的機構如何影響人們的價值觀。其間，私隱專員在公開會議發表了一篇演說，闡述公署有關數據道德的顧問研究的建議，並呼籲各持份者溝通合作，以建立可持續的私隱文化所需的尊重和信任。

Continues strengthening external connections and collaborations to address cross-border/boundary privacy issues

Data sees no border. With the free flow of information in Hong Kong, the PCPD continues engaging with our external counterparts to enhance personal data protection for Hong Kong citizens, improve privacy policies and standards at home and abroad, and increase the interoperability of the data protection laws around the globe.

INTERNATIONAL CONFERENCE OF DATA PROTECTION AND PRIVACY COMMISSIONERS (ICDPPC)

The ICDPPC is a premier annual world conference for privacy and data protection regulators. In the reporting year, the Privacy Commissioner participated in the 40th ICDPPC in Brussels in October. The “Declaration on Ethics and Data Protection in Artificial Intelligence” co-sponsored by the PCPD was adopted at the closed session of the 40th ICDPPC. The Declaration signifies the regulators’ commitment to promoting ethical development and use of artificial intelligence, with due consideration and respect for human dignity and fundamental human rights.

Under the main theme of “Debating Ethics: Dignity and Respect in Data Driven Life”, the open session of the 40th ICDPPC embodied a number of lively discussions on how data and those organisations controlling the data were influencing our values. The Privacy Commissioner gave a speech at the open session, elaborating the recommendations of the PCPD’s consultancy study on data ethics, and calling for multi-stakeholders engagement to develop the requisite respect and trust for a sustainable privacy culture.





公署並於第40屆國際資料保障及私隱專員會議期間舉辦了一個周邊會議以發布公署有關數據道德的顧問研究報告，以促進國際社會對相關議題的支持。

私隱專員作為國際資料保障及私隱專員會議的執行委員會成員的兩年任期在第40屆會議後屆滿。私隱專員繼而成為了該會議的一個新成立的常設工作小組的聯席主席。該工作小組的成立目的是向各持份者（包括政府、監管機構、人工智能研發者及用家、個人）推廣「人工智能的道德與資料保障宣言」。

亞太區私隱機構

亞太區私隱機構是亞太區內的資料保障監管機構的一個區域性網絡。公署於2018年6月及12月出席了分別在三藩市及威靈頓舉行的第49及50屆亞太區私隱機構論壇，與各成員機構討論區內以至區外的私隱時事議題，例如人工智能對私隱的影響、數據道德、資料外洩通報制度的發展及跨境資料轉移。

公署作為亞太區私隱機構的科技工作小組召集人，本年內繼續就與資訊科技相關的政策研究向網絡提供支援。公署同時亦繼續擔任亞太區私隱機構的管治委員會成員，該委員會與亞太區私隱機構的秘書處緊密合作以支援網絡的運作，例如籌備每半年一度的亞太區私隱機構論壇。

全球私隱執法機關網絡

全球私隱執法機關網絡是一個全球性、由私隱執法機關組成的網絡，其成立目的是促進在私隱執法行動及關注運動方面的跨境合作。公署作為網絡的委員會成員，本年內繼續就網絡的運作提供支援，並積極參與網絡的活動，例如每月舉行、用以促進網絡成員的知識交流的電話會議，以及私隱抽查行動。

公署在2018年10月宣布與澳門個人資料保護辦公室合辦第三屆全球私隱執法機關網絡執法人員工作坊，日期定於2019年5月16至17日，舉辦地點為澳門。工作坊的目的是促進調查人員在實際執法經驗方面的交流。

A side conference was also held by the PCPD to publish the consultancy report on data ethics at the sidelines of the 40th ICDPPC to gather more support from the international community on this topic.

The Privacy Commissioner completed his two-year term as an Executive Committee member of the ICDPPC after the 40th ICDPPC. The Privacy Commissioner took up the role as a co-chair of a newly established permanent working group of the ICDPPC. The objective of the working group is to promote the “Declaration on Ethics and Data Protection in Artificial Intelligence” to all stakeholders (including governments, regulators, developers and users of artificial intelligence, individuals).

ASIA PACIFIC PRIVACY AUTHORITIES (APPA)

APPA is a regional network of data protection regulators in Asia Pacific. The PCPD participated in the 49th and 50th APPA Forums held in San Francisco and Wellington in June and December 2018 respectively. The Forums discussed topical privacy issues in the region and beyond, such as the privacy impact of artificial intelligence, data ethics, development of data breach notification regimes and cross-border data transfer.

As the Convener of the Technology Working Group of APPA, the PCPD continued rendering support to APPA in policy researches relating to information technologies during the year. The PCPD also continued serving as a member of the Governance Committee of APPA, which works closely with the APPA Secretariat to support the operation of APPA, such as organising the semi-annual APPA Forums.

GLOBAL PRIVACY ENFORCEMENT NETWORK (GPEN)

GPEN is a global network of privacy enforcement authorities with a mandate to foster cross-border cooperation in privacy enforcement actions and awareness campaigns. As a member of the GPEN Committee, the PCPD continued rendering support to the operations of GPEN, and actively participated in GPEN's activities during the year, such as the monthly teleconference of GPEN members for knowledge sharing and the global GPEN Sweep exercise.

In October 2018, the PCPD announced to jointly host the 3rd GPEN Enforcement Practitioners' Workshop with the Office for Personal Data Protection of Macao on 16-17 May 2019 in Macao. The objective of the Workshop is to facilitate sharing of practical enforcement experience among investigators.

亞太區經濟合作組織 – 電子商貿督導小組資料私隱分組

亞太區經濟合作組織的資料私隱分組設立的主要目的為發展並推廣「亞太區經濟合作組織私隱綱領」，以及其相關的執行機制，例如「跨境私隱保護規則」體系及「跨境私隱執法協議」。有關綱領及執行機制的目的是保障及便利資料跨境流動。2018年8月，公署參加了在巴布亞新畿內亞莫爾茲比港舉行的第38次資料私隱分組會議，並就相關議題向政府提供意見。

與海外及內地資料保障機構及私隱專家的交流

在報告年度內，私隱專員及其團隊與海外及內地資料保障機構、業界人員及學者曾作以下交流。

ASIA PACIFIC ECONOMIC COOPERATION (APEC) ELECTRONIC COMMERCE STEERING GROUP DATA PRIVACY SUBGROUP (DPS)

The main objective of the DPS is to develop and promote the APEC Privacy Framework and its implementation mechanisms, such as the Cross-border Privacy Rules system and the Cross-border Privacy Enforcement Arrangement, which in turn aims at protecting and facilitating cross-border data flows. The PCPD participated in the 38th DPS meeting in Port Moresby, Papua New Guinea in August 2018, advising the Hong Kong Government on the relevant matters.

EXCHANGES WITH OVERSEAS AND MAINLAND DATA PROTECTION AUTHORITIES AND PRIVACY EXPERTS

During the reporting year, the Privacy Commissioner and his team were engaged in the following exchanges with overseas and mainland data protection authorities, practitioners and academia.

11.04.2018	<p>應邀到美國華盛頓舉行的第66屆美國律師協會2018年春季反壟斷法會議中的「保障消費者和競爭 – 國際新興科技」小組專題研討環節發表「以問責管理私隱」開幕演講</p> <p>Delivered opening remarks in a panel debate session entitled “Protecting Consumers and Competition – International Emerging Technologies” at the 66th American Bar Association Antitrust Law Spring Meeting 2018 held in Washington DC, United States</p>	
29.05.2018	<p>在第一屆菲律賓國家數據私隱會議發表「環球數據私隱保障框架」及「將私隱區分：保障私隱同時將數據貨幣化」演講</p> <p>Presentations on “Global Frameworks for Data Privacy Protection” and “Making Privacy a Differentiator: Monetizing Data while Upholding Privacy” at the First National Data Privacy Conference organised by the National Privacy Commission of the Philippines</p>	
26.07.2018	<p>應邀於Centre for Information Policy Leadership Workshop與新加坡私隱執法機關合辦的「以問責態度保障個人資料私隱」工作坊中發表演講</p> <p>Presentation at the Centre for Information Policy Leadership Workshop in collaboration with the Singapore Personal Data Protection Commission on “Implementing Accountability” in Singapore</p>	

07.09.2018	於泰國為 GSMA – Mobile 360 Digital Societies Series 2018 發表「數碼社會的數據和信任：跨境轉移」演講 Presentation on “Trust and data in the digital society: Crossing borders” at a seminar organised by GSMA – Mobile 360 Digital Societies Series 2018 in Thailand
25.10.2018	於第四十屆國際資料保障及私隱專員會議中「與獨立資料保障執法機關的討論」主題環節上發表題為「數據法例與道德」的演講 Delivered a speech titled “Data Laws and Ethics” for the Open Session “In discussion with independent data protection authorities” at the 40th International Conference of Data Protection and Privacy Commissioners in Brussels, Belgium
07.11.2018 08.11.2018	在中國網絡空間研究院及浙江省委常委會合辦於烏鎮舉行的第五屆世界互聯網大會「互聯網之光」博覽會發表「數據管治：香港特別行政區的合規、問責與倫理道德」的演講 Presentation on “Data Governance: Compliance, Accountability and Ethics in Hong Kong SAR” at the 5th World Internet Conference organised by Cyberspace Administration of China and the People’s Government of Zhejiang Province in Wuzhen, China
09.11.2018	在澳門個人資料保護辦公室和澳門大學合辦的「數據治理研討會」發表題為「個人資料生態系統中的法律、問責、倫理和道德」的演講 Presentation on “Law, Accountability & Ethics in the Personal Data Ecosystem” at a seminar on Data Governance co-organised by the Office for Personal Data Protection of Macau and University of Macau
15.11.2018	於清華大學港澳研究中心發表題為「香港特區的資料管治：合規、問責、倫理和道德」的演講 Presentation on “Data Governance: Compliance, Accountability and Ethics in Hong Kong SAR” at a seminar organised by Center for Hong Kong and Macao Research, Tsinghua University
03.12.2018 04.12.2018	在新西蘭威靈頓舉行的第 50 屆亞太區私隱機構論壇上發表「公平及符合倫理道德地處理的數據」及「人工智能 – 監管方法」演講 Presentations on “Fair and Ethical Processing of Data” and “Artificial Intelligence – Regulatory Approaches” at the 50th Asia Pacific Privacy Authorities Forum in Wellington, New Zealand
15.12.2018	於北京師範大學普通法及比較法研究中心舉辦的 2018 中國內地與香港信息/資料法律論壇研討會發表題為「香港特區的數據管治：合規、問責、倫理和道德」的演講 Delivered a presentation titled “Data Governance in Hong Kong SAR: Compliance, Accountability and Ethics” at the 2018 Symposium on Information Law in Mainland China and Hong Kong SAR organised by the Research Centre of Common Law and Comparative Law at Beijing Normal University



21.12.2018

於清華大學港澳研究中心及中國法學會香港基本法澳門基本法研究會「粵港澳大灣區與一國兩制」學術研討會上發表「香港特區的獨特優勢：資訊自由流通和數據保障」的演講

Delivered a presentation titled “Hong Kong’s Unique Attribute: Free Flow of Information and Data Protection” at the “Greater Bay Area and One-Country-Two-Systems” Seminar organised by Centre for Hong Kong and Macau Studies, Tsinghua University and China Law Society



15.01.2019

於北京大學法治與發展研究院主辦的隱私保護與數據治理2019高峰論壇發表題為「香港特區的數據治理：合規、問責、倫理和道德」的演講

Delivered a presentation titled “Data Governance in the Hong Kong SAR: Compliance, Accountability and Ethics” at the Data Security and Personal Privacy Protection Summit 2019 organised by the Law and Development Academy of the Peking University



19.03.2019

20.03.2019

應邀到杭州出席羅漢堂主辦的隱私保護和數據治理研討會，發表題為「香港的跨境資料轉移」及「香港獨特且無可取代的優勢 – 資訊自由流通與個人資料私隱保障」的演講

Presentation on “Hong Kong’s Unique and Irreplaceable Attributes – Free Flow of Information and Personal Data Privacy Protection” and “Cross Border/Boundary Data Transfer in Hong Kong” at Luohan Academy Conference on Privacy Protection and Data Governance in Hangzhou, China





接待海外及內地訪客

RECEPTION OF OVERSEAS AND MAINLAND DELEGATIONS

在報告年度內，公署曾接待以下代表團。

During the reporting year, the PCPD received the following delegations.

04.06.2018	<p>接待由律政司安排的「兩地人員相互交流培訓計劃」訪問團並發表「個人資料的保障 – 緊貼世界資料保障趨勢」的演講 Received a delegation arranged by the Department of Justice and delivered a talk on “Keeping Abreast of Global Data Protection Landscape”</p>	
11.09.2018	<p>與新加坡個人資料保護委員會代表團會面商討兩地資料私隱保障和相互協作 Received a delegation from Personal Data Protection Commission, Singapore to exchange views on personal data privacy issues of mutual concern</p>	
26.10.2018	<p>為香港城市大學司法教育與研究中心籌辦的第十三屆中國高級法官研修班學員發表「個人資料的保障」演講 Presentation on “Personal Data Protection” for the 13th Advanced Programme for Chinese Senior Judges organised by the City University of Hong Kong</p>	
10.12.2018	<p>接待青海省效能建設與社會管理服務專題研修班學員 Received a delegation from Qinghai, China</p>	