

Hong Kong Commissioner Provides Privacy Tools

THE FOURTH ANNUAL REPORT of the Hong Kong Privacy Commissioner for Personal Data, which covers the period from April 1999 to March 2000, has recently been published.

The Commissioner has launched two new publications, one clarifying complaint handling, and the second a standard Data Access Request Form, intended to streamline the process of requesting access to data and procedures for correction. The Office has also put together a Privacy SAFE kit, comprising guidance notes, checklists and a CD-ROM as a self-assessment tool for evaluating compliance.

The Code of Practice on Human Resource Management (PL&B Dec 00 p. 11-12) and another Code on unsolicited email (PL&B April 00 p. 22) were also published during the year. Further publications include a colourful, bilingual newsletter called *Private Thoughts*, covering privacy developments in Hong Kong. The first issue features the government

proposal for a smart card which will contain substantial amounts of personal data, including biometric attributes. *Private Thoughts* also covers the work of the Commissioner, and emerging issues in the international community.

Another initiative of the office has been the Data Protection Officers' Club, established in February 2000, to provide regular meetings for discussion between data protection officers and the PCO.

The year saw an important legal judgement arising from a complaint filed with the PCO by a member of the public who had objected to her picture being taken and subsequently published without knowledge or consent. The identity of the complainant was held by the Appeal Court to be of no consequence to the

magazine that published the picture. The Appeal Court was drawing an important distinction between a person's so-called information privacy (the interest of the person in controlling the information held by others about themselves) as opposed to the person's personal privacy (the person's rights against all forms of intrusion).



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