

Supplementary Note on Undertaking on the Use of Electors' Information

Candidates must adopt the following measures when they handle electors' personal data in all forms (including but not limited to personal data contained in printed materials):

- (1) ensure that computer(s)/server(s) in which electors' personal data are processed/stored is/are protected by security devices to prevent unauthorised access/retrieval;
- (2) ensure proper erasure and destruction of all the electors' personal data used or held (regardless of their form), or return the personal data concerned to the Returning Officer for proper disposal within two weeks after this election;**
- (3) keep a written record of the provision, retrieval and destruction of electors' personal data; and
- (4) report to the Home Affairs Department and Office of the Privacy Commissioner for Personal Data, Hong Kong in the event of any suspected leakage of electors' personal data.

Candidates who engage Election Agents (EA)/other electioneering personnel to handle electors' personal data must also:

- (5) ensure that the EA/relevant electioneering personnel possess adequate knowledge and awareness of information security;
- (6) explicitly require the EA/relevant electioneering personnel to follow Data Protection Principle 3¹ of the Personal Data (Privacy) Ordinance ("PD(P)O") and inform them that the electors' personal data should only be used for purposes specified by the candidate in relation to this election and that the measures as outlined in items (1) – (4) above must be adopted;
- (7) inform the EA/relevant electioneering personnel in writing of their responsibilities in protecting the personal data of electors and ensure that they understand the requirements of Data Protection Principle 4¹ of the PD(P)O; and
- (8) obtain written undertakings from the EA/relevant electioneering personnel that they should act in compliance with Data Protection Principle 3¹ of the PD(P)O and follow the security requirements imposed by the candidates, and take appropriate measures to ensure compliance by them with the security requirements imposed by the candidate.

Home Affairs Department
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¹ Please refer to "Guidance on Election Activities" issued by the Office of the Privacy Commissioner for Personal Data, Hong Kong in December 2017.