

使用選民資料承諾書須知(補充資料)

候選人在處理所有形式的選民個人資料(包括但不限於印刷品上的個人資料)時，必須採取下列措施：

- (1) 確保處理／貯存選民個人資料的電腦／伺服器受保密裝置保護，以防止未經授權連接／取用；
- (2) 確保是次選舉後 兩星期內，妥善刪除及銷毀所有曾使用過和管有的選民個人資料(不論形式)；
- (3) 保存選民個人資料的接收、檢索、銷毀的書面紀錄；及
- (4) 如有懷疑選民個人資料外洩，應報知民政事務總署及香港個人資料私隱專員公署。

候選人如委任選舉代理人或其他選舉工作人員處理選民個人資料，亦必須：

- (5) 確保選舉代理人／有關選舉工作人員擁有足夠的知識及具有適當的意識以處理資訊保密的工作；
- (6) 明確規定選舉代理人／有關選舉工作人員要遵從《個人資料(私隱)條例》(《條例》)第 3 保障資料原則¹及告知選舉代理人／有關選舉工作人員選民個人資料只可用於由候選人指定與是次選舉有關的目的及必須採取上述(1)-(4)項的措施；
- (7) 書面告知選舉代理人／有關選舉工作人員保障選民個人資料的各項責任及確保選舉代理人／有關選舉工作人員了解《條例》第 4 保障資料原則¹；及
- (8) 要求選舉代理人／有關選舉工作人員書面承諾遵從《條例》第 3 保障資料原則¹和遵辦候選人所指示的保密要求，同時候選人應採取適當措施確保選舉代理人／有關選舉工作人員遵辦有關要求。

民政事務總署
2018 年 4 月

¹ 請參閱香港個人資料私隱專員公署於 2015 年 8 月出版的『競選活動指引資料』

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 unauthorized access/retrieval;
- (2) ensure proper erasure and destruction of all the electors' personal data used or held (regardless of their form), 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
April 2018

¹ Please refer to "Guidance Note on Electioneering Activities" issued by the Office of the Privacy Commissioner for Personal Data, Hong Kong in August 2015.