

POLICE GENERAL ORDER

CHAPTER 76

PERSONAL DATA (PRIVACY) ORDINANCE AND CODE ON ACCESS TO INFORMATION

22/12

76-01 Policy Statement

The Hong Kong Police Force respects personal data privacy and is committed to complying with requirements of the Personal Data (Privacy) Ordinance and the Code on Access to Information.

76-02 Abbreviations

14/21

The following abbreviations are to be used in PGO and FPM 76 (English version):-

- "Code" – Code on Access to Information
- "DAIO" – District Access to Information Officer
- "DAR" – Data Access Request
- "DATPRO" – Personal Data Privacy Officers designated according to direction by Civil Service Bureau
- "DPP" – Data Protection Principle
- "FDA" – Formation Data Administrator
- "MFAIO" – Major Formation Access to Information Officer
- "MFDC" – Major Formation Data Coordinator
- "PDPO" – Personal Data (Privacy) Ordinance, Cap. 486

14/21 **76-04 General**

This Order is to be read in conjunction with:-

- (a) the PDPO; and
 - (b) the Code and the Guidelines on Interpretation and Application.
2. Officers shall comply with the DPPs set out in Schedule One of the PDPO.
 3. Major Formation Commanders and Formation Commanders may promulgate their own orders regarding personal data and access to information as long as these orders are consistent with PGO and FPM 76.

14/21 **76-05 Role and Responsibility**

Assistant Commissioner of Police, Support

Assistant Commissioner of Police, Support (ACP SUP) shall be the Force Data and Access to Information Coordinator, who is responsible for:-

- (a) devising internal guidelines to ensure compliance with the PDPO and the Code at all levels of the Force;
 - (b) liaising with other government departments and outside bodies on matters concerning the PDPO or the Code; and
 - (c) handling all complaints against the Force for non-compliance with PDPO or the Code.
2. Chief Inspector of Police, Force Data and Access to Information Coordinator, Support Wing (CIP FD&AIC SUP) shall assist ACP SUP in the discharge of the above duties.

Major Formation Data Coordinator

3. MFDCs are to coordinate matters in relation to PDPO at the Major Formation level.
4. The following officers shall be designated as MFDCs:-
 - (a) Regions - SP ADM
 - (b) Other Major Formations - An officer of the rank of SP or SEO.

5. MFDCs shall maintain a list of all FDAs in their Major Formations as per **Annex A** and copy the same to ACP SUP (Attn.: CIP FD&AIC SUP) upon change of FDA(s).

Formation Data Administrator

6. FDAs are to coordinate matters in relation to PDPO at the Formation level.

7. The following officers shall be designated FDAs:-

- (a) District – ADC / CIP ADM
- (b) Division – ADVC ADM
- (c) Other Formations – An officer of the rank of CIP, EO or equivalent.

8. In a Formation where there is no officer mentioned in paragraph 7 above to perform the role of FDA, an officer of the rank of IP/SIP or equivalent shall be designated.

9. FDAs, in respect of DAR, shall handle:-

- (a) all operational-related requests;
- (b) employment-related requests of the disciplined staff serving in the Formation in respect of the following types of record:-
 - (i) Divisional Report File and Pol. 18A;
 - (ii) Health Impaired Officer file; and
 - (iii) Officer with Unmanageable Debts file.

10. An officer requesting access to employment-related personal data other than those mentioned in paragraph 9(b) above is to submit the request to the relevant DATPRO.

11. The role of FDA may be covered by MFDC or DATPRO with the approval of the relevant Major Formation Commander.

Personal Data Privacy Officers

12. DATPROs are specially designated for handling employment-related personal data.
13. The following officers are designated as DATPROs of the Force:-
 - (a) Employment-related personal data for disciplined staff – SSPs and other officers in Personnel Wing designated by Assistant Commissioner of Police, Personnel; and
 - (b) Employment-related personal data for civilian staff – An SEO in Administration Wing designated by Police Civil Secretary.
14. Employment-related personal data are to be handled in accordance with FPM 12-19.
15. Employment-related personal data are to be disposed in accordance with FPM 12-20 and 12-21.

Access to Information Officers

16. Each Major Formation Commander shall appoint a SEO/EO to be the MFAIO to process and monitor applications for information under the Code at Major Formation Level.
17. In anticipation that the majority of public enquiries will be made directly to Police Stations, DEO of a Police District shall assume the role of DAIO to handle requests for information under the Code at District level.
18. For Police Districts without a DEO, an officer of or above the rank of IP/SIP shall be designated by the District Commander as DAIO.

Training

19. Hong Kong Police College, with the assistance of Support Wing, is responsible for providing training in respect of the PDPO and the Code.
20. MFDCs/FDAs are responsible for briefing officers in their respective Major Formations/Formations on the principles of the PDPO.
21. MFAIOs/DAIOs are responsible for briefing officers in their respective Major Formations/Formations on the basics of the Code.

