



澳門特別行政區政府
Governo da Região Administrativa Especial de Macau
個人資料保護辦公室
Gabinete para a Protecção de Dados Pessoais

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Annotation

No. 01/AV/2015/GPDP

Amendment to Authorization No. 12/A/2012/GPDP

Subject: Amendment and supplement to Authorization No. 12/A/2012 in regard the processing purposes, data recipient and conditions of data disclosure, and the right of access and the right to rectify.

On August 15th 2012 the Office for Personal Data Protection (GPDP) issued Authorization No. 12/A/2012/GPDP, allowing the Financial Services Bureau (DSF) to provide the business tax taxpayer information, through data combination, to the Industrial and Commercial Development Fund (ICD Fund). This data combination facilitates the ICD Fund to process the applications of the SME Aid Scheme, SME Credit Guarantee Scheme, and the SME Credit Guarantee Scheme Designated for Special Projects.

Based on the said original purposes, the mentioned combination entities afterwards extended the use of the data to the Financial Support for Small and Medium Sized Enterprise Websites, the Convention and Exhibition Stimulation Program, the International Meeting and Trade Fair Support Program, and the Support Program for Professional Training and Education in the Convention and Exhibition Centre. The extended use of the data will be applied to confirm whether the applicants meet the conditions for receiving the support and the business operating status of the service providers.

The GPDP, through Authorization No. 12/A/2012/GPDP, verified and authorized the DSF to provide the business tax taxpayer information to the ICD Fund through combination. The current authorization will extend the use of the combined data to the said applications. As the ICD Fund has the same competence to process



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such data, the new purposes, therefore, relate to that of the original combination purposes.

In regard the conditions governing “the data recipients and the circumstances that data might be disclosed”, which the entities of the data combination should comply with, will also include the “authorities which may receive data in the framework of a law” and “entities to be disclosed as consented by the data subjects”. On the other hand, the circumstances of data disclosure will be “when provided for in a legal provision” and “that a data subject has given his consent”. The right of access and right to rectify will be amended as all direct. Considering that the ICD Fund will only transfer data when a legal provision specified and with the consent of the data subjects, the GPDP regarded that it has the legitimacy to transfer data. Since the ways of exercising the right of access and the right to rectify will not increase or change the facts to be considered under Article 9 of the Personal Data Protection Act (PDPA), as a consequence the GPDP accepted the annotation request and to update the said information.

For the above, the GPDP, through the current Annotation, amended and supplemented Authorization No. 12/A/2012/GPDP, in terms of its processing purposes, data recipients and the data disclosure circumstances. This Annotation will also form part of the mentioned Authorization and has the same legal effect. The respective Authorization, after the amendment, will include the following:

1. Information of the data controllers and their address:

- (1) Industrial and Commercial Development Fund; Portuguese name: *Fundo de Desenvolvimento Industrial e de Comercialização*; address: Rua Dr. Pedro José Lobo, nº 1-3, Ed. Banco Luso *Internacional*, 6^o andar, Macau;
- (2) Financial Services Bureau, Portuguese name: *Direcção dos Serviços de*



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Finanças; address: Av. da Praia Grande, N° 575, 579 e 585, Macao.

2. Types of data subjects : business tax taxpayers.
3. Types of personal data for processing: business tax taxpayer numbers; name, types and numbers of identity documents; business names; address; telephone number(s), starting and closing date of the business; whether the business tax taxpayers or the businesses are found with any overdue taxes, and other identification information of the business tax registrations.
4. Purposes of the data processing: allowing the ICD Fund to process the applications of the financial support of the SME Aid Scheme, SME Credit Guarantee Scheme, the SME Credit Guarantee Scheme Designated for Special Projects Financial Support for Small and Medium Sized Enterprise Websites, the Convention and Exhibition Stimulation Program, the International Meeting and Trade Fair Support Program, and the Support Program for Professional Training and Education in the Convention and Exhibition Centre. The data processing will also help the ICD Fund to confirm if the applicants meet the conditions for receiving the support and the business operating status of the service providers.
5. Types of data recipients: authorities which may receive data in the framework of a law, and entities to be disclosed as consented by the data subjects.
6. Exercising of the right of access and right to rectify: all direct.
7. Intended transfer of data to any third country or region: none.

Coordinator
Fong Man Chong
February 16th 2015