



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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**Authorization**

**No. 17/A/2008/GPDP**

**Subject: Application of Telecom Company A for data combination with Telecommunication Company Limited B, in Hong Kong, to process the personal information of the “One-Sim Two Numbers” customers**

Telecom Company A has filed an application with the Office for Personal Data Protection (the GPDP) for data combination with Telecommunication Company Limited B, in Hong Kong, with regard the processing of the personal data of its “One-Sim Two Numbers” customers.

Telecom Company A’s “One-Sim Two Numbers” customer personal data that is processed by Telecommunication Company Limited B, in Hong Kong, by means of combination, includes the customer’s identity card number, name, age/date of birth, gender, nationality, ways of contact and bank account number. According to Articles 3 and 4 (1)(1) of the Law 8/2005 (the Personal Data Protection Act, or known as the PDPA), the mentioned data is regarded as the personal data of identified individuals whose processing should be governed by laws.

Pursuant to Article 4(1)(10) of the PDPA, “combination of data shall mean a form of processing that consists of the possibility of correlating data in a filing system with data in a filing system or systems kept by another or other controllers or kept by the same controller for other purposes.” Telecom Company A transmitted the personal data of the “One-Sim Two Numbers” customers to Telecommunication Company Limited B, in Hong Kong, by a leased line through the encrypted intra-link system. The connection between their databases is established by combination, which is regarded as the personal data combination as defined by the Law aforementioned.

According to Article 22 of the PDPA, data combination is the kind of personal data processing that requires prior monitoring. Under Article 9 idem, “the combination of personal data not provided for in a legal provision or a statutory regulation with organizational nature shall be subject to the authorization of the public authority, requested by the controller or jointly by the corresponding controllers under Article 22(1). “The combination of personal data must be necessary for pursuing the legal or statutory purposes and legitimate interests of the controller; not involve discrimination or a reduction in the fundamental rights and freedoms of the data subjects; be covered by adequate security measures; and take account of the type of data subject to combination””.



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According to the information provided by Telecom Company A, the combination for processing the “One-Sim Two Numbers” customer personal data with the Telecommunication Company Limited B, in Hong Kong, is aimed to activate the customer services for the “One-Sim Two Numbers” customers in Hong Kong, so as to provide all necessary service supports for the Hong Kong customers such as lost reporting, payment, checking account enquiry and service amendments.

Hong Kong Telecommunication Company Limited B is the major shareholder of Telecom Company A; according to the information the latter provided, Telecommunication Company Limited B in Hong Kong is the cooperation partner of the “One-Sim Two Numbers” service (hereinafter as the Service). Activating the Service relates to the mobile services provided in Hong Kong, hence Telecom Company A furnishes the customers’ data to its major shareholder, Telecommunication Company Limited B in Hong Kong is a prerequisite for handling customer services. In other words, Telecom Company A and Hong Kong Telecommunication Limited Company B process the “One-Sim Two Numbers” customer personal data through combination is based on the operational needs to provide the Service to the customers, and the combination aforesaid also corresponds to the purpose of collecting the customer data. Therefore, the combination of personal data herein is in line with Article 5(1)(2) of the PDPA, without deviating from the purpose of collecting the mentioned data by Telecom Company A, and the combination as mentioned also complies with the legitimate interests a data controller pursues.

With regard whether the establishment of personal data combination discriminates or reduces the rights, freedom and security of the data subjects, Telecom Company A transmitted the “One-Sim Two Numbers” customer personal data to the Telecommunication Company Limited B in Hong Kong, through the encrypted intra-link system, is to facilitate the latter to process the data. The aim of setting up the personal data combination corresponds to the purpose of Telecom Company A processing its customers’ data, in which the discrimination of the data subjects’ rights does not exist.

In terms of the appropriate security measures for personal data combination, according to the information provided by Telecom Company A, the Service data is transferred to the Telecommunication Company Limited B through the encrypted intra-link system, which prevented the data from alteration or stealing by any unauthorized persons during transmission. On the other hand, the data safety measures, including setting a user account with password protection, safety settings for data saving, password control and operational control, ensured the safety and confidentiality of the data.

In view of the above, pursuant to Articles 9 and 22(1)(3) of the PDPA, the GPDP hereby authorizes Telecom Company A, based on the need to provide services to the “One-Sim Two Numbers” customers, to establish data combination with its major shareholder, Telecommunication Company Limited B, in Hong Kong, upon the conditions that the data security measures are safeguarded and is without reducing the rights of the data subjects.



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24 October 2008