



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

UNOFFICIAL TRANSLATION

Authorization

No. 05/A/2012/GPDP

Subject: The Transport Bureau applied for data combination to provide the Public Prosecutions Office the information of motor vehicle owners

The Transport Bureau (DSAT) applies to the GPDP for an authorization on the combination of personal data with the Public Prosecutions Office (MP), for the processing of the information of motor vehicle owners.

From the information provided by the DSAT, the category of information on vehicle owners to be provided to the MP through combination shall include name, sex, date of birth, age, address, telephone, vehicle registration number, chassis number, motor number, vehicle model and specification, vehicle purpose, date of registration, validity date and result of the vehicle inspection.

According to Article 4(1)(1) of Law 8/2005 (the Personal Data Protection Act, or the PDPA), “personal data shall refer to any information related to an identified or identifiable natural person”. When the vehicle owner is a natural person, the above information relates to an identified or identifiable natural person and thus it is regarded as personal data. According to Article 3(1) idem, the processing of information involved shall be subject to the PDPA.

Under Article 4(1)(10) of the PDPA, data combination shall mean a form of processing which 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. When accessing the DSAT’s information on vehicle owners through a leased line in which data is processed, the database of MP will be updated with the DSAT’s latest information, which meets the definition of combination as provided in the Law last mentioned.

According to the DSAT, providing its information on vehicle owners to the MP through combination is for the latter to obtain the latest information for discharging its statutory duties.

According to Articles 22 and 9 of the PDPA, unless the combination of personal data has been specified in the laws or organizational regulations, the controller responsible for the processing of personal data, or the entity responsible for the joint processing, shall apply to the GPDP for an authorization.



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

UNOFFICIAL TRANSLATION

According to the information provided by the DSAT and the MP, taking into account the DSAT provides information on vehicle owners to the MP through combination, and the type of information for combination, whether the combination meets the purpose specified in laws and regulations and the legitimate interests of the data controller of the personal data processing and the fact that the combination should not discriminate or reduce the rights, freedoms and protections of the data subjects, the GPDP finds that the current application conforms to Article 9(2) of the PDPA.

In addition, according to the DSAT, a data subject may personally exercise his rights of access and rectification, or through a designated form, on the processing of information on vehicle owners, and the related data processing does not involve transferring any personal data outside the MSAR.

To sum up, the DSAT provides the information on vehicle owners to the MP through combination, so that the latter can discharge its statutory duties. According to Articles 9 and 22(1)(3) of the PDPA, the GPDP hereby authorizes the DSAT and the MP to process the said personal data through combination for above-mentioned purpose, by guaranteeing the safe processing of the data without reducing the rights of the data subjects.

Chan Hoi Fan
Coordinator
19 March 2012