

## **Privacy & You**

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### **A Breach of Professional Secrecy could result in a Breach of Law**

As Christmas was around the corner, a boutique owner, Ray, decided to do a sales promotion. However, he was afraid that it is not effective. One day, when he was having lunch with his old classmates, Michelle and Maggie, he suddenly came up with an idea.

“Michelle, you’re now working in an international company that you must have a lot of customers’ contacts. Can you help me copy the contact list so that I can inform them of my sales promotions via email? It is the cheaper and quicker way for my sales promotions. There is no reason to give up this chance,” said Ray.

Michelle replied, “Well, I’m afraid that it’s not good at all.”

Ray promptly said, “You’re now working in the Customer Service Department and it is so easy for you to obtain the personal data. It will cost you less than a minute to download it from the computer. My business is not running well recently, so please help me.”

Maggie hastened to interrupt, “Don’t do that! The personal data of customers belong to the company. Michelle is just an employee. If she gives you the data without the consent of the company and customers, she will violate the Personal Data Protection Act and may be liable to up to 3 years’ imprisonment. Michelle, don’t listen to him and breach the law!”

Michelle then said, “Ray, I really want to give you a hand, but I can’t do illegal actions. Besides, if our customers suddenly receive your email without reason, even if they let it go, surely they will have bad impression on your boutique. Why not make things simpler? We have many old classmates who can help promote your business to their families and friends. It is helpful and legal, isn’t it?”

“Sure,” Ray said, “I’m very sorry. Due to unfamiliarity of law, I nearly make you offense against it.”

In accordance with the Personal Data Protection Act, those who acquire personal data in the course of their duties have to take a duty of secrecy, even if they quit their

jobs. Anyone who breaches the law may be liable to up to 3 years' imprisonment or a fine of up to 360 days.

*(The text is provided by the Office for Personal Data Protection. The cases presented here are based on social reality and past real-life cases. Any enquiries about personal data protection can be referred to the Office for Personal Data Protection by phone at 28716006.)*