



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. 02/AV/2015/GPDP

Modification of Authorization No. 04/A/2008/GPDP

Subject: Revision of and supplement to the processing purposes, right of access and right of rectification as contained in Authorization No. 04/A/2008/GPDP.

The GPDP (Office for Personal Data Protection) on April 17th 2008 issued Authorization No. 04/A/2008. Through this Authorization, the GPDP approved the Identification Services Bureau (*Serviços de Identificação de Macau/DSI*) to provide to the Public Security Police (Corpo de Polícia de Segurança Pública/PSP), through data combination, the information of the Macao SAR Resident Identity Card. This would facilitate the PSP to perform its statutory duties, in particular for the prevention and investigation of crime.

The revision of the purposes as given in the original Authorization aimed using the said ID card information, by the PSP, for immigration control, to verify the identities of the Macao residents passing through the border checkpoints and to conduct the respective electronic recordkeeping.

According to Administrative Regulation 22/2001 (Organization and Functions of the Public Security Police/ *Organização e funcionamento do Corpo de Polícia de Segurança Pública*) and Administrative Regulation 5/2003 (Regulation on Entry, Stay and Residence Permit/*Regulamento sobre a entrada, permanência e autorização de residência*), the PSP has the duty of border controls, and therefore its data processing is legitimate according to Article 6(4) of Law 8/2005 (Personal Data Protection Act/PDPA).

On the other hand, the said data combination could cut down on time and thereby



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increases its efficiency, and facilitates the implementation of statutory duties. Such are in line with PSP's legitimate interests and do not discriminate or curtail the rights of the data subjects, their freedom and safeguards.

Based on the above, as well as the factors considered for data combination (for instance, data recipients or security measures, etc) remained unchanged, the combination purposes will be amended as “for exercising its statutory duties, including prevention, investigation and combat of crime, as well as implementation of border controls”. Moreover, the data subjects’ ways of exercising the “right of access and right of rectification” will be modified as “partly direct and partly indirect”¹.

To sum up, the processing purposes and ways to exercise the right of access and rectification, as contained in Authorization 04/A/2008/GPDP, shall be amended and supplemented by the current Annotation. This Annotation shall become part of Authorization 04/A/2008/GPDP, and both of them shall have the same legal effects. The amended content is as follows:

1. Data controllers:

- (1) Identification Services Bureau; Portuguese name: *Serviços de Identificação de Macau*; Address: Avenida da Praia Grande, N.º 804, China Plaza Building, 1/F, 19/F, 20/F, Macau.

¹ Article 11(2) and 11(4) of the PDPA governs that “2. Where the processing of personal data relates to security and criminal prevention or investigation, the right of access shall be exercised through the competent authority in that case..... 4. In the cases provided for in paragraph 2 and paragraph 3, if communication of the data to the data subject might prejudice security, criminal prevention or investigation and freedom of expression and information or the freedom of the press, the competent authority in that case or the public authority shall only inform the data subject of those measures taken which are unlikely to adversely affect the values under the scope of protection of this paragraph.” Data subjects may only exercise the said rights, indirectly, in case of processing of personal data that are for the purposes of security, crime prevention and criminal investigation.



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- (2) Public Security Police; Portuguese name: *Corpo de Policia de Segurança Pública*; Address: Public Security Police Force Headquarters, Praceta de 1 de Outubro, 1/F, Macau.
2. Types of data recipients: Holders of the Macao SAR Resident Identity Card.
 3. Types of personal data for processing: Macao SAR Resident Identity Card number, name, age, date of birth, gender, photo, the image of the Macao SAR Resident Identity Card, issuing date and valid date.
 4. Processing purposes: to exercise its statutory duties, including prevention, investigation and combat of crime and the implementation of border controls.
 5. Types of data recipients: None.
 6. Ways of exercising the right of access and rectification: partly direct and partly indirect.
 7. Intended transfer to any third countries or regions: None.

Coordinator

Fong Man Chong

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