



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. 01/A/2017/GPDP

Subject: The IAS receives the business registration taxpayers' and property taxpayers' personal data from the DSF through data combination

This authorization was jointly applied by the IAS (*Instituto de Acção Social/Social Welfare Bureau*) and DSF (*Direcção dos Serviços de Finanças/Financial Services Bureau*) for the combination of the aforementioned taxpayers' personal data.

The information provided for the application showed that the types of personal data, for the data combination, include: names, types and numbers of ID documents, registrations of personal estate (addresses, housing units, parking spaces in carparks, and building units of other purposes), as well as commercial registrations (serial numbers, dates of the commencement and close of business).

The data for combination, between the two public departments, according to Article 4(1)(1) of Law 8/2005 (Personal Data Protection Act/PDPA), are personal data as they relate to an identified or identifiable natural persons (“data subjects”). As long as commercial registrations include information that can identify natural persons then they should be treated as personal data. According to Article 3(1) of the same Law, the processing of such information is subject to the PDPA.

Under Article 4(1)(10) of the PDPA, “combination of data” 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 purpose(s)”. The information submitted for the application revealed that the DSF would provide the information regarding business registration taxpayers and property taxpayers to the IAS through the InforMac.



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Such combination will enrich the database of the IAS and, in essence, continuous connection, between the databases of the two public departments, is established, which corresponds to “data combination” as the PDPA provides.

The data combination, according to the IAS, aimed at verifying the personal estate and commercial registration records, during the past two years, of the subsidy applicants, with an aim to prevent any unduly or excessively subsidies released.

Except when combination of personal data has been explicitly authorized by a legal provision or by a regulation provision of an organic nature, as stipulated by Article 9 and 22 of the PDPA, authorization should be applied by the controller or jointly by the corresponding controllers from the Office for Personal Data Protection (*Gabinete para a Protecção de Dados Pessoais/GPDP*).

The said combination aims at expediting the vetting processes carried out by the IAS, as well as reducing the time taken for administrative procedures and promoting efficiency. As such, applicants can receive subsidies at an appropriate time, which is in line with the efficiency principle required by administrative procedures and with the e-government policy adopted by the Macao SAR Government. In regards to the types of data for combination, whether the combination conforms to the purposes established by laws and regulations and the controllers’ legitimate interests, the combination is in compliance with Article 9(2) of the PDPA, provided that the combination does not discriminate or reduce the data subjects’ rights, freedom and safeguard.

In regards to the data combination as mentioned, relating to the said business registration taxpayers’ and property tax taxpayers’ personal data sent by the DSF to the IAS, the GPDP, based on Article 9, 22(1)(3) and 24 of the PDPA, hereby authorizes the data combination between these two public departments. Such combination aimed at verifying the personal estate and commercial registration



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records, during the past two years, of the subsidy applicants, and to prevent subsidies being unduly or excessively granted. However, such combination, between the two said departments, must be established on the basis that data security is ensured and the data subjects' rights are not undermined. The details of the present Authorization are shown below:

1. Data controllers:
 - (1) Social Welfare Bureau (*Instituto de Acção Social/IAS*); address: *Estrada do Cemitério, n.º 6, Macau.*
 - (2) Financial Services Bureau (*Direcção dos Serviços de Finanças/DSF*); address: *Av. da Praia Grande, No.575, 579 e 585.*
2. Types of data subjects: business registration taxpayers and property taxpayers.
3. Types of personal data for processing: names, types and numbers of ID documents, registrations of personal estate (addresses, housing units, parking spaces in carparks, and building units for other purposes), as well as commercial registrations (serial numbers, dates of commencement and close of business).
4. Processing purposes: verifying the personal housing and commercial registration records of the past two years of the subsidy applicants, with an aim to prevent any unduly or excessively subsidies granted.
5. Types of data recipients: entities that should be notified of according to laws, the entities to be notified as the data subjects have consented to, and the entities to be notified as the data subjects have requested to.
6. How the data subjects exercise their right to access and right of rectification: all direct.
7. Intended data transfer to any third countries: none.

Fong Man Chong

Coordinator

April 21st 2017