



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

The Office for Personal Data Protection

Authorization No. 01/2020

Exemption of Notification and Simplified Notification for the
Collection and Processing of the Data of Individuals Entering
and Exiting Venues for the Prevention and Control of Infectious
Diseases

The present Authorization is published pursuant to Article 21(2) and 21(3) of Law 8/2005. Any related entity, when processing personal data within the scope of the present Authorization, can be exempted from discharging the notification obligations as laid down in Article 21(1) and 21(5) of Law 8/2005, or can notify its data processing to the GPDP (*Gabinete para a Protecção de Dados Pessoais*, or Office for Personal Data Protection; hereinafter as “GPDP”) through simplified notification in accordance with Article 9 of the same Law.

Article 1

Scope of Application

1. The present Authorization applies to the collection and processing of the personal data provided by those who entered or exited, or will enter or exit, a venue that managed by an individual or entity, for implementing



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

the measures of prevention and control of infectious diseases, in particular for the compliance of the order or guidelines issued by the competent authorities. Such collection and processing shall not affect the personal data processing aiming at the respective staff management or visitor registration undertaken by the said individual or entity.

2. The competent entities as referred in the last paragraph of this Article refer to the competent entities given in Article 3 of Law 2/2004.

3. Should an involved individual be physically or legally incapable, whose personal data as referred in Paragraph 1 of this Article shall be provided by another individual who has legitimate interests or rights.

Article 2

Types of Personal Data

The types of personal data for processing for the purposes as given in the preceding Article shall be limited to be following:

(1) identification information: name, gender, date of birth or age, ways of contact, and ID type and numbers;

(2) information relating to the prevention and control of infectious diseases: general health status, symptoms found, respective medical records, and the information to be collected as the competent authorities require;

(3) information relating to entering and existing venues: the date and



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

time of entering or exiting a venue, the location of the venue, the road(s) travelled, ways of travel, transport types, and others;

(4) other information: the information that an individual takes the initiative to provide, the supplementary information mandatorily supplied that assist the prevention and control of infectious diseases, but all these information are subject to the principles as laid down in Article 4 and 26 of Law 2/2004.

Article 3

Retention Period

1. Generally the maximum retention period of the data will be six months counting from the next day on which data have been collected, or 30 days counting from the day the respective measures have ceased to implement, except when the order or guidelines issued by the competent authorities stipulated otherwise.

2. If the competent authority issued an order or guidance that stipulated additional measures aiming at certain individual(s), the maximum retention period shall be extended to one year after the day on which the last additional measure has been introduced.

3. For the need of judicial proceedings, the period that referred in the last two paragraphs of this Article can be extended to the time the concerned data have been submitted to the judicial authorities or six months after the concerned judgment has become definite.



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

Article 4

Data Recipients

The recipients of the data include:

- (1) The entities shall be informed of according to law;
- (2) The entities shall be informed of according to the order or guidelines issued by the health authority or other competent authorities;
- (3) The entities to be informed of as an individual agreed to.
- (4) The entity that undertakes the data processing when the data are not processed by the data controller itself.
- (5) For the protection of any individual that is physically or legally incapable or for the vital interests of another person, the entities that shall be informed of.

Article 5

Security Measures

It is obliged to comply with the security and confidential requirements for data processing that laid down in Chapter IV of Law 8/2005, in particular the special security measures set forth in Article 16(1) of the same Law.



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

Article 6

Data Combination

Data combination does not exist.

Article 7

Exercising of Rights

The right to information and right of access are exercised directly and free of charge, except when law provided otherwise.

Article 8

Transfer

1. When personal data are not transferred to a location outside the Macao SAR (hereinafter as MSAR), an entity does not have to discharge the notification obligation as long as it is in compliance of other Articles of the present Authorization.

2. When personal data are transferred to a location outside the MSAR, an entity, aside from fulfilling other requirements of the present Authorization, shall notify such transfer through simplified notification according to the next following Article.



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

Article 9

Methods and Effect of Notification and Registration

1. A data controller shall notify the GPDP in writing by filling the specialized form the latter formulated.

2. If the data controller does not have legal personality, it shall designate a natural person or legal person as its representative.

3. The data controller shall notify the GPDP, according to Article 20 of Law 8/2005, the circumstances of the application of the personal data if data are transferred to a location outside the MSAR.

4. The GPDP shall, according to Article 24 and 25 of Law 8/2005, to register and publish the processing of personal data, and a registration remains valid for three years commencing on the day of registration.

5. When the period as mentioned in the preceding paragraph expires and the data controller does not follow the renewal procedures, its registration shall expire.

6. The said registration shall only serve to prove that the data controller has discharged its obligation of notification required by law. The registration is not equivalent to declaring the personal data processing through the concerned system by this data controller is legitimate.

Article 10



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

Validity

The present Authorization comes into force on the next day after it is published, and its validity traces back to January 1st 2020.

By Yang Chongwei, Coordinator,

at the Office for Personal Data Protection, on April 7th 2020.