



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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The Office for Personal Data Protection

Authorization No.03/2020

Exemption of Notification

Data Processing Involving Biometric Data for Identity

Authentication for Security Purposes

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 obligation as laid down in Article 21(1) of the same Law.

Article 1

Scope of Application

The current Exemption of Notification is limited to the use of identity authentication for personal data processing that involves the collection of biometric data and other data, for security purpose, from anyone who is allowed to or tries to enter an access-restricted internal area or to use facilities and equipment that are access restricted. Such



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data processing shall not affect the respective personal data processing aiming at administrative management, reward payment, payment and welfare, and attendance tracking.

Article 2

Types of Personal Data

1. The types of data for records of entrance and exits, and records of uses shall be limited to: name, internal identity document numbers, photos, date and time of entrance and exits or of uses, job, position, professional status, working locations, and other types of data relating to permission to entrance and exits or permission to uses.

2. When biometric data are used for identity verification established for entry and exit-control or control of uses, the types of such data are limited to those relating to fingerprints, palm shapes, or facial characteristics. In practical operations, identity verification operations should, to the greatest extent possible, be conducted if a data subject demands to.

3. If a data controller is a medical organization, social service organization or scientific research organization, or involves protection of vital property or information network, computer system and computer database, the types of biometric data to be used can also include,



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according to the level of security requirements, biometric data relating to voice data, and in practices the use of biometric data can be extended to identity verification operations which are not demanded by a data subject.

4. In principle, samples of the two types of biometric data referred in the last two paragraphs shall be obtained from a data subject only when he has given his consent.

Article 3

Data Combination

Data combination does not exist, except when record data as referred in Article 2(1) are processed for the purposes of administrative management, reward payment, payment and welfare, and attendance tracking.

Article 4

Retention Period

1. Biometric data shall be deleted within 30 days counting from the day on which a data subject's relationship is terminated with the data controller, or on which a data subject is prohibited from entering access-restricted internal area or from using access-restricted facility and equipment.



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2. In respect of the biometric data of anyone who failed the identity authentication arouse from his attempt to enter the access-restricted internal area or to use the access-restricted facility and equipment, such data shall be deleted as soon as within 24 hours. In cases as referred in Article 2(3), such data can be retained for one year counting from the day on which such data were collected.

3. Other data can be stored for five years on the day on which the relationship between a data subject and a data controller is ended, or stored for a longer period if law stipulated.

4. For the need of judicial proceedings, the period that referred in the preceding paragraph 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.

Article 5

Data Recipients

Data recipients include:

- (1) the entities shall be informed of according to law;
- (2) the entities shall be informed of as a data subject has agreed to.



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By Yang Chongwei, Coordinator,

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