



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. 03/A/2012/GPDP**

**Subject: The Transport Bureau applied for data combination to exchange with the Financial Services Bureau the information of motor vehicle registrations and motor vehicle taxes**

For the titled matter, the Transport Bureau (DSAT) and the Financial Bureau (DSF) separately submitted their own applications for authorization of personal data combination.

According to the information provided by the DSAT, the motor vehicle registration information (hereinafter in this Authorization called “registration information”), to be provided to the DSF through combination, shall include the name, sex, date of birth, age, address and telephone of the motor vehicle tax payer or the motor vehicle buyer; the vehicle registration number, chassis number and motor number; motor vehicle model and specifications; motor vehicle purpose(s); date of registration and validity date; motor vehicle inspection information, motor vehicle tax exemption information and the company name (including individual business owner).

As shown in the information submitted by the DSF, the motor vehicle taxation information (hereinafter in this Authorization called “taxation information”), to be provided to the DSAT through combination, shall include the business tax reference number of the party exempted from or imposed with the vehicle tax; name of the firm; whether the vehicle is exempted from taxation; import license information; serial number of the steering wheel, engine and the vehicle; the year when the vehicle was made; date of the order; name of the importer and the manufacturer; the model permit number; exemption file information; and the name of the firm, the tax exemption applicant and the taxpayer.

According to Article 4(1)(1) of Law 8/2005 (the Personal Data Protection Act, or the PDPA), “personal data shall refer to any information related to an identified or identifiable natural person”. However, the said information, to be combined between the DSAT and the DSF, only involves the taxation information. Information as such is deemed as personal data only when it relates to the information of natural persons, i.e. when the tax-paying subject, the party benefited from tax exemption or the vehicle buyer is a natural person, in addition that the concerned registration information and taxation information are used for identification of a natural person. According to Article 3(1) of the PDPA, the processing of personal data last mentioned shall then be governed by the same Law.



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Analyzing in concert with the information from the DSAT and the DSF, these two public authorities provide to each other the updated information through a leased line. Through which information is updated and database connection is established between the two authorities, which is deemed as the data combination defined in Article 4(1)(10) of the PDPA.

According to the information given by the two authorities, the taxation information exchanged, between the two authorities and through combination, is aimed at assisting each other to update the latest information for discharging their statutory duties. The legal basis for such exchange is the Regulations on Vehicle Taxation as approved by the Law 5/2002<sup>1</sup>.

According to Articles 22 and 9 idem, unless the combination of personal data has been specified in the laws or organizational regulations, the controller responsible for the processing of personal data, or the entity undertaking the joint processing, shall apply to the GPDP for an authorization.

After analyzing the information provided by the DSAT and the DSF, the GPDP finds that the DSAT provides the registration information to the DSF through combination and receives information on taxation information from the DSF, so that the DSAT and the DSF can updated their information in a timely manner and reduce the time and cost of administrative procedures, which is in accordance with the efficiency principle of administrative procedures and the e-government policy of the MSAR Government. In addition, taking into account the type of information for combination, whether the combination meets the purposes specified in laws and regulations and the legitimate interests of the controller of the personal data processing, as well as the fact that the combination shall not discriminate or reduce the rights, freedoms and protections of the data subjects, the current application is in conformity with Article 9(2) of the PDPA.

To sum up, the DSAT and the DSF provide information on vehicle registration and vehicle taxation to each other through combination is for the performance of their statutory duties and obligations concerning vehicle taxation. According to Article 9 and Article 22(1)(3) of the PDPA, the GPDP hereby authorizes the DSAT and the DSF to process the previously-mentioned personal data through combination for the above-mentioned purposes, by guaranteeing the safe processing of such data and without reducing the rights of the data subjects.

Chan Hoi Fan  
Coordinator  
19 March 2012

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<sup>1</sup> <sup>1</sup> Amended by the Law 1/2012.