



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/2013/GPDP

Subject: The Tertiary Education Services Office applied for using the student registration information of the Learning Material Subsidy for Tertiary Student 2012/2013 for surveys

The Tertiary Education Services (GAES) (address: Avenida do Dr. Rodrigo Rodrigues nos. 614A - 640, Edifício Long Cheng, 5.º a 7.º andares, Macao), for its use of the data from the student survey of those who registered for the 2012/2013 Learning Material Subsidies for purposes other than the original collection purposes, applied to the GPDP, according to Article 22(1)(4) of Law 8/2005 (the Personal Data Protection Act, or PDPA).

Based on the data it provided, the information and data collected from the said survey aimed to provide the scientific rationale for the MSAR Government to formulate the financial policies for students who are the MSAR residents. Considering that the GAES will use the mentioned personal data for purposes other than the original collection purposes, which is not the condition under Article 22(2) of the PDPA, therefore such data use should be first authorized by the GPDP, under Article 1(4) idem, before the data processing commences.

Pursuant to Administrative Regulation 5/2013 and Decree Law 11/98/M, the GAES has the statutory duties to monitor the Learning Material Subsidies (hereinafter as Subsidies), and to formulate the plans, reports and budget for the Subsidies given to the MSAR residents who are studying at tertiary institutions. In the policy address of the past two years, the social affairs and cultural policies showed that the Subsidies were one of the concessions given to local residents who are studying at tertiary institutions. Therefore, collecting information regarding the expenditures and income of the local students, studying local and abroad, and based on the opinions and feedback given to the Subsidies provided by the MSAR Government, help the MSAR Government formulate policies for the financial aid given to the said local residents. As a consequence, the purpose of the data processing of the current survey is legitimate, specific, explicit, justifiable and relevant to the statutory duties of the GAES.

According to the information from GAES, it will randomly select students who



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registered for the Subsidies 2012/2013 to participate in the survey according to the place of study and program attended. The selected students will receive a separate reference code and website link. It can be seen that the survey aimed at classifying students based on one's place of study and the program attended. In order to obtain such statistics, it is necessary to collect the mentioned data. Then, the GAES would invite the students to do the surveys by emails, and they may decide whether or not to complete the survey and to continuously receive emails for the same survey. For those students who yet to complete the survey, emails and SMS are used to remind them to complete. On the other hand, the GAES will also contact them by phone, in order to remind them of the survey or to conduct a phone interview (students' consent is required before the interview). It can be viewed that, the GAES, either invited students to complete the survey by emails, or invited or reminded students to complete the survey by phone, intended to ensure that survey would progress smoothly. Hence, in the current survey it was necessary to use the contact numbers and email addresses of the registered students. However, once a student clearly objected to participate, the GAES should not contact him anymore. It showed that the four types of information as mentioned already achieved the contacting purpose.

However, in general circumstance, the survey is conducted anonymously. Except otherwise stated in laws, a survey should be conducted on voluntary basis. The GAES could not force students to complete any surveys they have yet to fill in. In addition, since the GAES would establish an independent survey link for each survey subject, as a consequence each student's identity is identifiable through this individual link. Unless the GAES has acquired the prior consent of the data subjects in the survey, it should not send any independent survey links to each student for the survey, and should not remind the students, by phone, SMSs or emails, to complete the unfinished survey.

Overall, the information like the expenditure, etc, of the local residents that are studying in the tertiary institutions of Macao or abroad collected by the GAES, along with the feedback and opinions given to the Subsidies, provide the scientific rationale for the MSAR Government to formulate policies for the financial aid to students who are local residents. For public interest the GAES processed the mentioned data, denoting legitimacy is achieved for the data processing, as well as the processing is justifiable and relevant to its statutory duties. For the survey, it is appropriate and adequate for the GAES to use the registered students' information, including the email address, contact number, place of study and program attended. Therefore, pursuant to Article 22(1)(4) of the PDPA, the GAES should only use the personal information of the students who have registered for the 2012/2013 Subsidies, including the email address, contact number, place of study and program attended. In addition, when a student objected explicitly to participate in the survey, the GAES should not conduct any phone interview or survey with him. Furthermore, except when explicit consent has been received from a data subject, to whom no individual survey link should be sent. In the same vein, GAES should not contact those



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students who yet to complete the surveys by phone, SMS or emails, in order to ask them to complete it. The current Authorization is issued based on the conditions last mentioned, in addition that the safeguards and rights of the data subjects are ensured, the information therein is as follows:

1. The entity in charge of the personal data processing:

Tertiary Education Services Office, address: Avenida do Dr. Rodrigo Rodrigues nos. 614A - 640, Edifício Long Cheng, 5.º a 7.º andares, Macao

2. Types of personal data processing:

Information of the students who registered for the 2012/2013 Learning Material Subsidies, including each student's email address, contact telephone, place of studying and the program attended.

3. Purposes of the data processing:

Through survey, the GAES collected information, like expenditure and others, from those local residents who are studying at the tertiary institutions in Macao or abroad. In addition, their opinions and feedback to the subsidies, along with the data last mentioned will provide the scientific rationale for the MSAR Government to formulate the policies regarding the financial aid given to the students who are local residents. In addition, the following criteria are attached: if a student has clearly objected to participate in the survey, no phone reminders or telephone survey should be conducted. Furthermore, unless a data subject has agreed to have his name disclosed for a survey, no individual survey link should be sent to each survey subject, nor the GAES should call, text or email the students to ask them to complete the survey.

4. Types of the data recipient:

e-Research & Solutions (Macao) Ltd.

5. Methods of exercising the right of access and right to rectify:

The types of involved data include each registered student's email address, contact number, place of study and the program attended. A data subject could rectify the data while responding to the survey, and could not rectify after it is completed.



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6. Any combination of personal data:

No

7. Any transfer of data to third countries or regions:

No

Yang Chongwei
Acting coordinator
7 August 2013