

PERSONAL DATA (PRIVACY) ORDINANCE (Chapter 486)

Pursuant to section 10(1) of the Personal Data (Privacy) Ordinance, Chapter 486 ('the Ordinance'), I have delegated the following functions and powers conferred on me under Parts 6, 7 and 9 of the Ordinance to the officers specified below in the Office of the Privacy Commissioner for Personal Data:—

<i>Functions and Powers</i>	<i>Section in the Ordinance</i>	<i>Delegated Officers</i>
Determining whether to consent to a request for the carrying out of a matching procedure	s. 32(1)	Chief Personal Data Officer and above
Exercising discretion to inspect any personal data system	s. 36(a) and s. 36(b)	Deputy Privacy Commissioner
Carrying out an inspection of any personal data system pursuant to the decision to inspect	s. 36(a) and s. 36(b)	Assistant Personal Data Officer and above
Carrying out an investigation of an act or practice giving rise to a complaint	s. 38(i)	Assistant Personal Data Officer and above
Exercising discretion to carry out an investigation of an act or practice when no complaint has been received	s. 38(ii)	Deputy Privacy Commissioner
Carrying out an investigation of an act or practice when no complaint has been received pursuant to the decision to investigate	s. 38(ii)	Personal Data Officer and above
Exercising discretion to refuse to carry out or decide to terminate an investigation and informing complainant of such decision	s. 39(1), s. 39(2), s. 39(3) and s. 39(3A)	Senior Legal Counsel, Chief Personal Data Officer and above
Exercising discretion to carry out or continue with an investigation initiated by a complaint notwithstanding that it has been withdrawn by the complainant	s. 40	Deputy Privacy Commissioner
Informing relevant data user of carrying out an inspection or investigation	s. 41 (1)	Senior Legal Counsel, Chief Personal Data Officer and above
Exercising power of entry on premises for the purposes of an inspection or investigation and informing the relevant data user of the same	s. 42(1), s. 42(2), s. 42(3) and s. 42(5)	Senior Legal Counsel, Chief Personal Data Officer and above
Entry on premises to carry out an inspection or investigation pursuant to the decision to enter premises and to produce the warrant, if any	s. 42(1), s. 42(2) and s. 42(10)	Assistant Personal Data Officer and above
To be furnished with information, documents or things and make inquiries for the purposes of an investigation	s. 43(1)(a)	Assistant Personal Data Officer and above
Determining whether a hearing shall be conducted for the purposes of an investigation and if so whether it should be carried out in private; and conducting of a hearing for the purposes of an investigation and other ancillary matters affecting conduct of proceedings	s. 43(1)(b), s. 43(2), s. 43(3), s. 43(4) and s. 43(5)	Deputy Privacy Commissioner
Exercising discretion to summon any person who is able to give any information for the purposes of an investigation	s. 44(1)	Senior Legal Counsel, Chief Personal Data Officer and above

<i>Functions and Powers</i>	<i>Section in the Ordinance</i>	<i>Delegated Officers</i>
Examining a person summoned by the Commissioner for the purposes of an investigation and requiring such a person to furnish information and produce any document or things which may be in his possession or control	s. 44(1)	Personal Data Officer and above
Administering an oath for the purposes of an examination under section 44(1) of the Ordinance	s. 44(7)	Senior Legal Counsel, Legal Counsel and Assistant Legal Counsel
Informing a relevant data user of the result and other matters, as provided for, of an inspection or investigation	s. 47(1) and s. 47(2)	Senior Legal Counsel, Chief Personal Data Officer and above
Informing a complainant of the result and other related matters, as provided for, of an investigation initiated by the relevant complainant	s. 47(3)	Senior Legal Counsel, Chief Personal Data Officer and above
Informing a relevant data user of the result of an investigation and other comments arising from an investigation	s. 49(ii)(A)	Senior Legal Counsel, Chief Personal Data Officer and above
Informing a complainant of the result of an investigation initiated by a complaint that the act or practice the subject of the investigation is not a contravention of a requirement under the Ordinance	s. 49(ii)(B)	Senior Legal Counsel, Chief Personal Data Officer and above
Exercising discretion in deciding all matters in relation to enforcement notice and service of the notice	s. 50	Deputy Privacy Commissioner
Exercising discretion to grant assistance to a person in respect of proceedings instituted pursuant to section 66 of the Ordinance	s. 66B(2)	Deputy Privacy Commissioner
Determining the form of assistance to be provided to a person pursuant to a decision to grant legal assistance and providing such assistance	s. 66B(3)	Senior Legal Counsel and Legal Counsel

The above delegations shall take immediate effect, whereupon all previous delegations (where applicable) published in the *Gazette* will be revoked.

28 April 2023

Ada CHUNG Lai-ling *Privacy Commissioner for Personal Data*