

**Application for Personal Data Access
under the Personal Data (Privacy) Ordinance**

The Office of the Privacy Commissioner for Personal Data prescribes a Data Access Request Form (attached) for requesting personal data access. Before filling in the form, please read the following paragraphs.

1. Under and in accordance with the terms of the Ordinance, an individual may request the University (the “Data User”) to confirm whether the University holds any personal data of which the individual is the Data Subject and, if yes, request a copy of such data.
2. All enquiries concerning such data access from PolyU students/graduates should be addressed to the Academic Registry in the first instance.
3. If you want access to your own data held by the University under the provisions of the Ordinance, please complete the Data Access Request Form and submit it to the Academic Registry.
4. A charge reflecting the cost of processing the request will be levied. The current charge includes an initial fee of HK\$150 payable at the time of submitting the request. A further charge of HK\$5 per page of data provided must be settled at the time of collecting the data.
5. On submission of the Data Access Request Form, you will be required to show proof of your identity and to pay the initial fee. Please approach the Academic Registry Service Centre, Room M101, Li Ka Shing Tower. The initial fee can be settled during office hours at our Finance Office, Room VA205, Shaw Amenities Building.
6. If you wish to submit the form by mail, please draw a cheque in favour of “The Hong Kong Polytechnic University” and attach it with a copy of your Student Identity Card or Hong Kong Identity Card. You must produce the original proof of identity at the time of collection.
7. Any requests on behalf of the Data Subject should be submitted with a written authorization and a copy each of the Data Subject’s PolyU Student Identity Card (for current students) and Hong Kong Identity Card.
8. You may be asked to provide additional information to help us meet your request. The University may not be able to process your application if you do not provide sufficient information.
9. You will be notified in writing of the outcome within 40 days of submitting your Data Access Request Form. If your request is being complied with, you will be informed to settle the necessary further fee; this form and our reply will be destroyed afterwards. If your request is declined, you will be informed of the reason(s) in writing.

**PERSONAL DATA (PRIVACY) ORDINANCE (PDPO)
DATA ACCESS REQUEST FORM**

Important Notice

1. Please read this Form and the footnotes carefully before completing this Form. Where this Form contains a summary of the relevant requirements of the Personal Data (Privacy) Ordinance (“the Ordinance”), the summary is provided for reference purpose only. For a complete and definitive statement of the law, please refer to the PDPO itself.
2. This Form is specified by the Privacy Commissioner for Personal Data (“the Commissioner”) under section 67(1) of the PDPO with effect from 1 October 2012. The data user may refuse to comply with your data access request (“your request”) if it is not made in this Form (see section 20(3)(e) of the PDPO).
3. Please complete this Form in Chinese or English. The data user may refuse to comply with your request if your request is not made in either language (see section 20(3)(a) of the PDPO).
4. To make a data access request, you must either be the data subject or a “relevant person” as defined in section 2 or 17A of the PDPO (please refer to Part III of this Form).
5. You are not entitled to access data which is not personal data or personal data not belonging to you (see section 18(1) of the PDPO). The data user is only required to provide you with a copy of your personal data rather than a copy of the document containing your personal data. In most situations, the data user may elect to provide a copy of the document concerned. If the personal data you request is recorded in an audio form, the data user may provide a transcript of that part of the audio record which contains your personal data.
6. It is important that you specify in the Form clearly and in detail the personal data that you request. The data user may refuse to comply with your request if you have not supplied him with such information as he may reasonably require to locate the requested data (see section 20(3)(b) of the PDPO). If you supply any false or misleading information in this Form for the purpose of having the data user comply with your request, you may commit an offence (see section 18(5) of the PDPO).
7. The data user may require you to provide identity proof such as your Hong Kong Identity Card and may charge a fee for complying with your request (see sections 20(1)(a) and 28(2) of the PDPO).
8. The data user shall comply with the data access request in accordance with section 19(1) of the PDPO **within 40 days** after receiving the request.
9. If the data user is unable to comply with the data access request within 40 days or has a lawful reason for refusing to comply with the request pursuant to section 20 of the PDPO, it shall give the requestor written notification of its refusal and its supporting reasons **within the same 40 days** period (see sections 19(2) or 21(1) of the PDPO).

Part I: Data User**Particulars of the Data User to whom this data access request is made**Name¹ (full name in block letters): THE HONG KONG POLYTECHNIC UNIVERSITY(for the attention of ² Academic Registry)Address: Li Ka Shing Tower, The Hong Kong Polytechnic University, Hung Hom, Kowloon.**Part II: Data Subject****Particulars of the Data Subject making this data access request**

Name in English (full name in block letters, surname first): _____

Name in Chinese (if any): _____

Personal identifier, e.g. Hong Kong Identity Card number ³ / passport number or other identification number previously assigned by the Data User (if any, such as student number, staff number, patient number, account number, membership number or other reference number): _____

Correspondence address : _____

Day time contact phone number: _____

Email address (if any): _____

*[This part must be completed if this request is made by a Requestor other than the Data Subject]***Part III: The Requestor****Particulars and capacity of the Requestor⁴**

Name in English (full name in block letters, surname first): _____

Name in Chinese (if any): _____

Correspondence address: _____

Day time contact phone number: _____

Email address (if any): _____

This data access request is made in my capacity as a “relevant person” on behalf of the Data Subject as follows:

- the Data Subject is a minor and I have parental responsibility over the Data Subject;
- the Data Subject is incapable of managing his/her own affairs and I have been appointed by a court to manage those affairs or
- the Data Subject is mentally incapacitated within the meaning of section 2 of the Mental Health Ordinance (Cap. 136), and:-
 - (i) I have been appointed under section 44A, 59O or 59Q of that Ordinance to be his/her guardian; or
 - (ii) I have been vested the guardianship of the Data Subject or I have to perform the functions of the appointed guardian under section 44B(2A) or (2B) or 59T(1) or (2) of that Ordinance; or
- I am authorised in writing by the Data Subject to make this data access request on his/her behalf.

(Please give a tick in the appropriate box)

1. Please fill in the full name of the Data User to whom the data access request is addressed.

2. If you have previously been informed by the Data User of the name and/or job title of the person to whom such a data access request may be made, please fill in here the name and/or job title of such person.

3. For Data Subject who is Hong Kong Identity Card holder. Please note that the information may assist the Data User to retrieve or locate the Requested Data. The identity card number needs not be provided in this Form if you have reasonable grounds to believe that this will not be necessary for the unique identification of the Data Subject by the Data User in the circumstances.

4. The Data User may require reasonably sufficient personal information from you to satisfy itself as to your identity before it can comply with this data access request.

In proof of my above capacity, I hereby enclose the following:-

- copy of birth certificate
- copy of court order
- written authorization
- others, please specify: _____

(Please tick and complete where appropriate)

Part IV: The Requested Data

This data access request is made under section 18(1) of the PDPO for the following personal data of the Data Subject, except those specifically excluded under Part V of this Form:-

Description of the Requested Data⁵:

Date around which or period within which the Requested Data was collected (if known):

The name of the branch or staff member of the Data User who collected the Requested Data (if known):

Part V: Exclusions

I do not require any personal data⁶ which are:

- contained in documents which had previously been provided to the Data User by the Data Subject (e.g. letters to the Data User and/or the Requestor from the Data Subject)
- contained in documents which had previously been provided to the Data Subject by the Data User (e.g. letters to the Data Subject and/or the Requestor from the Data User or documents the Data User had provided to the Data Subject and/or the Requestor pursuant to a previous request)
- in the public domain (e.g. newspaper clippings or entries in public registers concerning the Data Subject)
- set out below (please describe as fully as possible):

(Please tick and complete where appropriate)

5. Please specify clearly and in detail the personal data requested (e.g. personal data contained in appraisal reports, medical records, credit reports) including further information, if any, such as the particular incident or transaction in association with it, the circumstances under which the personal data was collected or held, etc. to facilitate the location of the Requested Data. Too general a description of the Requested Data, such as "all of my personal data", may render the request being refused by the Data User pursuant to section 20(3)(b) of the PDPO where the Data User is not supplied with such information as it may reasonably require to locate the personal data to which the request relates.

6. Please tick to exclude, as far as possible, any personal data that you do not wish to include in the scope of the Requested Data. This may help to avoid any unnecessary delay or charge in complying with the data access request.

Part VI: The Request

I hereby request you:-

- (a) to inform me whether you hold the Requested Data⁷
- (b) to supply to me a copy of the Requested Data that you hold⁸, subject to the exclusions in Part V above
- both (a) and (b)

(Please give a tick in the appropriate box)

Part VII: Preferred Manner of Compliance

I would prefer that you⁹:

- send by registered mail a copy of the Requested Data to me at my correspondence address given in this Form
- send by ordinary mail a copy of the Requested Data to me at my correspondence address given in this Form
- supply to me a copy of the Requested Data in *English/Chinese/in the language in which the data is held¹⁰
(* Please delete where appropriate)
- supply to me a copy of the Requested Data in the form of _____
(e.g. computer disk, microfilm, etc.)¹¹

(Please tick and complete where appropriate)

Part VIII: Further Information and Payment

I understand that before complying with this request, you may require me to provide¹²:

- (a) proof of my identity;
- (b) proof of the Data Subject’s identity if I am making this request as a relevant person and further proof of my status as a relevant person;
- (c) such further information as may be reasonably required for you to locate the Requested Data;
- (d) payment of a fee charged under section 28 of the PDPO¹³.

Part IX: Use of Personal Data

Except with the prescribed consent of the individual concerned, the personal data provided in this Form will be used for the purpose of processing this data access request and other directly related purposes only.

Date

Signature of the Requestor

- 7. By ticking this box, the Requestor indicates that he is requesting only for a confirmation of “Yes” or “No” as to whether the Data User holds the Requested Data and is not requesting the Data User to provide a copy of the Requested Data.
- 8. By ticking this box, the Requestor indicates that he is requesting only for a copy of the Requested Data. If the Requestor is uncertain whether or not the Data User holds the Requested Data, it is advisable to tick both boxes (a) and (b) so that the Data User will need to notify the Requestor even if he does not hold the Requested Data. Please refer to paragraph 1 of “Important Notice to Data User” for exception to written notification. [Reference PCPD website: <http://www.pcpd.org.hk> access via Resources Centre → Publications → Forms → Data Access Request Form (OPS 003)].
- 9. However, compliance with the data access request may not be in the preferred manner where this is not reasonably practicable to do so.
- 10. If the language specified is not the language in which the data is held, subject to section 20(2)(b), it will be sufficient for the Data User to provide a true copy of the document which contains the data.
- 11. If the Data User is unable to supply the form as specified because it is not practicable for the Data User to do so, it will be sufficient to supply the data in the form in which it is practicable for the Data User to supply and accompanied by a written notice to inform the Requestor of the same.
- 12. Failure to provide the information as required by the Data User under this Part may result in the data access request being refused, or not being complied with to the desired extent.
- 13. Sections 28(2) and (3) of the PDPO provide that a fee may be charged for complying with a data access request made under section 18(1)(a) or (b), which fee shall not be excessive. According to section 28(5) of the PDPO, compliance with a data access request may be refused unless and until any such fee has been paid.

Form OPS003 (revised 09/2012)

Office Use

- Form submitted in person
- HKID card (original) of _____ checked
- Copy of HKID card checked
- Form submitted NOT in person
- Student ID card checked
- Copy of student ID card checked

By _____

Date _____

個人資料(私隱)條例 查閱資料要求表格

致查閱資料要求者的重要通告

1. 請在填寫本表格前，細閱本表格的內容及註釋。如本表格載有《個人資料(私隱)條例》(下稱「本條例」)的有關規定的摘要，該摘要只作參考之用。關於法例的詳細及明確內容，請參閱條例的條文。
2. 本表格是個人資料私隱專員(下稱「專員」)根據本條例第 67(1) 條所指明的，其生效日期為 2012 年 10 月 1 日。如你不採用本表格來提出查閱資料要求(下稱「你的要求」)，資料使用者可拒絕依從你的要求(見本條例第 20(3)(e)條)。
3. 請以中文或英文填寫本表格。如你的要求不是以中文或英文作出，資料使用者可拒絕依從你的要求(見本條例第 20(3)(a)條)。
4. 查閱資料要求必須由你作為資料當事人或由條例第 2 條或 17A 條所指明的「有關人士」(請參閱本表格第 III 部)提出。
5. 你沒權查閱不屬於你的個人資料或不屬個人資料的資料(見本條例第 18(1)條)。資料使用者只須向你提供你的個人資料的複本，而不是載有你的個人資料的文件的複本。在大多數情況下，資料使用者或選擇提供有關文件的複本。如你所要求的個人資料是以錄音形式記錄，資料使用者可提供該段載有你的個人資料的錄音謄本。
6. 你必須在本表格內清楚及詳細地指明你所要求的個人資料。如你未能向資料使用者提供他為找出你所要求查閱的個人資料而合理地要求的資訊，資料使用者可拒絕依從你的要求(見本條例第 20(3)(b)條)。如你為使資料使用者依從你的要求而在本表格內提供虛假或有誤導性的資訊，可構成犯罪(見本條例第 18(5)條)。
7. 資料使用者可要求你提供身分證明，例如香港身分證，及向你收取依從查閱資料要求的費用(見本條例第 20(1)(a)及 28(2)條)。
8. 資料使用者必須根據條例第 19(1) 條的規定，在收到查閱資料要求後的 **40 日內**，依從該項要求。
9. 如資料使用者不能於 **40 日內**依從該項查閱資料要求，或依據條例第 20 條有合法理由拒絕依從該項要求，資料使用者仍須根據條例第 19(2) 或 21(1) 條的規定，在**上述 40 日期間內**，以書面通知你其拒絕依從該項查閱資料要求及述明理由。

第 I 部: 資料使用者

向其提出查閱資料要求的資料使用者資料

姓名或名稱¹ (正楷全名) : 香港理工大學

(由 教務處 經辦²)

地址: 九龍紅磡香港理工大學李嘉誠樓

第 II 部: 資料當事人

提出查閱資料要求的資料當事人資料

中文姓名: _____

英文姓名(正楷全名, 先填姓氏): _____

個人身分代號, 例如香港身分證號碼³ / 護照號碼或以往由資料使用者編配的其他身分識別號碼(如有, 例如學生編號、職員編號、病人編號、帳戶號碼、會員號碼或其他參考編號): _____

通訊地址: _____

日間聯絡電話號碼: _____

電郵地址(如有): _____

【如此項查閱資料要求並非由資料當事人提出, 必須填寫本部】

第 III 部: 查閱資料要求者

查閱資料要求者的資料及身分⁴

中文姓名: _____

英文姓名(正楷全名, 先填姓氏): _____

通訊地址: _____

日間聯絡電話號碼: _____

電郵地址(如有): _____

此項查閱資料要求是本人按下述情況以「有關人士」的身分, 代表資料當事人作出的:

- 資料當事人是未成年人, 本人對資料當事人有作為父母親的責任;
- 資料當事人無能力處理其本身事務, 本人由法庭委任以處理該等事務;
- 資料當事人屬 [精神健康條例] (第 136 章) 第 2 條所指的精神上無行為能力, 而:
 - (i) 本人根據該條例第 44A、59O 或 59Q 條獲委任擔任他/她的監護人; 或
 - (ii) 本人根據該條例第 44B(2A)或(2B) 或 59(T)(1) 或 (2)條獲轉歸他/她的監護, 或執行他/她的監護人的職能;
- 本人獲資料當事人書面授權代表他/她提出此項查閱資料要求。

(請在適當方格內加上「√」號)

1. 請填上向其提出查閱資料要求的資料使用者的姓名或名稱。

2. 如資料使用者曾告訴你負責處理查閱資料要求的人的姓名及/或職銜, 請填上該人的姓名及/或職銜。

3. 只適用於持有香港身分證的資料當事人。請注意, 有關資訊有助資料使用者提取或尋找所要求的資料。如果你有合理理由相信資料使用者在有關情況下並不需要身分證號碼來識辨資料當事人的身分, 則無須在本表格內填寫身分證號碼。

4. 資料使用者在依從此項查閱資料要求前, 可向你要求合理而又足夠的個人資料, 以證明你的身分。

現夾附下述證明文件：

- 出生證明書複本
- 法庭命令複本
- 授權書
- 其他(請註明)： _____

(請於適當方格內加上「√」號，並於適當地方填上資料)

第 IV 部：所要求的資料

此項查閱資料要求是根據本條例第 18(1) 條作出的，以要求查閱資料當事人的下述個人資料，但不包括本表格第 V 部指明無關的資料：

所要求的資料的描述⁵：

所要求的資料的大概收集日期或期間(如知悉)：

收集所要求的資料的資料使用者的分行名稱或職員姓名(如知悉)：

第 V 部：無關資料

本人不需要下述個人資料⁶：

- 載於資料當事人以前曾向資料使用者提供的文件內的個人資料(例如：資料當事人向資料使用者及/或查閱資料要求者發出的信件)
- 載於資料使用者以前曾向資料當事人提供的文件內的個人資料(例如：資料使用者向資料當事人及/或查閱資料要求者發出的信件或資料使用者應過往的要求向資料當事人及/或查閱資料要求者所提供的文件)
- 屬於大眾可閱覽的資料(例如：新聞剪報上或公共登記冊內關於資料當事人的資料)
- 以下所述(請盡量詳細描述)：

(請於適當方格內加上「√」號，並於適當地方填上資料)

⁵ 請清楚及詳細地註明所要求的個人資料(例如：工作表現評核報告、醫療記錄、信貸報告內的個人資料)，包括進一步資料(如有)，例如與之有關的某一事件或交易、收集或持有該些個人資料的情況等，以便找出所要求的資料。如所要求的資料的描述太籠統，例如：「本人的所有個人資料」，資料使用者可依據條例第 20(3)(b) 條拒絕該要求，因為資料使用者不獲提供他為找出該項要求所關乎的個人資料而合理地要求的資訊。

⁶ 請在空格內加上「√」號，盡量從所要求的資料中剔除無關的個人資料。此舉有助在依從查閱資料要求時避免任何不必要的延誤或費用。

第 VI 部：查閱要求

本人謹此要求閣下：

- (a) 告知本人閣下是否持有該等所要求的資料⁷
- (b) 除上述第 V 部無關的資料外，向本人提供一份閣下所持有的該等資料的複本⁸
- (a) 及 (b)

(請於適當方格內加上「√」號)

第 VII 部：依從查閱資料要求的方式

本人希望閣下⁹：

- 將所要求資料的複本，用掛號寄往本人在表格內填報的通訊地址
 - 將所要求資料的複本，用平郵寄往本人在表格內填報的通訊地址
 - 用*英文/中文/資料被持有時的語文¹⁰(*請刪去不適用者)向本人提供一份所要求的資料的複本
 - 用 _____ 形式(例如電腦磁碟、縮微膠卷等)¹¹向本人提供一份所要求的資料的複本
- (請於適當方格內加上「√」號，並於適當地方填上資料)

第 VIII 部：進一步資料及付款

本人明白閣下在依從此項查閱資料要求前，可能要求本人提供¹²：

- (a) 本人的身分證明；
- (b) 如本人以有關人士的身分提出查閱資料要求，資料當事人的身分證明及本人作為有關人士的進一步證明；
- (c) 閣下為找出所要求的資料合理地需要的進一步資料；
- (d) 繳付根據條例第 28 條¹³收取的費用。

第 IX 部：個人資料的使用

除獲有關個人的訂明同意外，本表格上的個人資料只可用於處理此項查閱資料要求及其他與之直接有關的目的。

日期 _____

查閱資料要求者簽署 _____

7. 查閱資料要求者選擇此格，表示要求資料使用者確定「是否」持有所要求的資料，而不是要求資料使用者提供所要求的資料的複本。
8. 查閱資料要求者選擇此格，表示只是要求索取所要求的資料的複本。如查閱資料要求者不肯定資料使用者是否持有所要求的資料，則建議查閱資料要求者選擇「(a)及(b)」一格，那麼資料使用者即使沒有持有所要求的資料，亦須通知查閱資料要求者。
就有關書面通知的例外情況，請參閱致資料使用者的重要通告的第 1 段。[參考香港個人資料私隱專員公署網址：<http://www.pcpd.org.hk> → 資源中心 → 刊物 → 表格 → 查閱資料要求表格 (OPS 003)]。
9. 不過，如按選擇的方式依從查閱資料要求不能合理地切實可行，則可能無法按該方式依從有關查閱資料要求。
10. 如所指定的語文並不是資料被持有時的語文，除本條例第 20(2)(b)條另有規定外，資料使用者只需提供載有有關資料的文件的真確複本。
11. 如資料使用者在實際上不能按指定的形式提供資料，資料使用者只需以實際上能提供的形式提供資料，並附上通知書告知查閱資料要求者有關情況。
12. 如未能提供資料使用者在本部分要求的資料，則可能引致查閱資料要求被拒，或未能依從有關查閱資料要求至所期望的程度。
13. 本條例第 28(2) 及(3) 條規定，資料使用者可為依從根據本條例第 18(1)(a)或(b) 條提出的查閱資料要求而徵收不超乎適度的費用。根據本條例第 28(5)條，資料使用者可拒絕依從有關查閱資料要求，除非及直至收到有關費用為止。

表格：OPS003 (09/2012 修訂)

由香港理工大學填寫

是 否 親自遞交表格

已核對 _____ 的身分證

已核對學生證

已核對身分證副本

已核對學生證副本

負責人 _____

日期 _____