

Part I: Data User

Particulars of the Data User to whom this data access request is made

Name¹ (full name in block letters): _____

(for the attention of² _____)

Address: _____

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 number³/ 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
- I am authorized 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 or title of the person to whom such a data access request may be made, please fill in here the name and/or 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:-

(Please give a tick in the appropriate box)

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

Part IV: The Requested Data

This data access request is made under section 18(1) of the Ordinance 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 were 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 were 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 Ordinance 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 the *English/Chinese/in the language in which the data are 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 Ordinance¹³.

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.
9. However, compliance with the data access request may not be in the preferred manner where this is not reasonably practicable.
10. If the language specified is not the language in which the data are held, it will be sufficient 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 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 Ordinance 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 Ordinance, compliance with a data access request may be refused unless and until any such fee has been paid.