

Facilitation measure on Standard Contract for the Cross-boundary Flow of Personal Information Within the Guangdong-Hong Kong-Macao Greater Bay Area (Mainland, Hong Kong) extends to all sectors

The Chief Executive's 2024 Policy Address announced the extension of the facilitation measure on the Standard Contract for the Cross-boundary Flow of Personal Information Within the Guangdong-Hong Kong-Macao Greater Bay Area (Mainland, Hong Kong) (the GBA Standard Contract) to all sectors, promoting more cross-boundary services to benefit the public and businesses while facilitating data flow throughout the Greater Bay Area (GBA). The related measure commences today (November 1).

According to the agreement framework of Memorandum of Understanding on Facilitating Cross-boundary Data Flow Within the Guangdong-Hong Kong-Macao Greater Bay Area, signed by the Innovation, Technology and Industry Bureau and the Cyberspace Administration of China (CAC) in June 2023, the GBA Standard Contract facilitation measure was launched at the end of last year, allowing individuals and organisations of the two places, namely the nine Mainland cities in the GBA (i.e., Guangzhou, Shenzhen, Zhuhai, Foshan, Huizhou, Dongguan, Zhongshan, Jiangmen and Zhaoqing in Guangdong Province) and Hong Kong, to enter into a standard contract by adopting a standardised template on a voluntary basis, with a view to facilitating and streamlining the cross-boundary flow of personal information within the GBA in a safe and orderly manner.

The "early and pilot implementation" arrangements of the facilitation measure on GBA Standard Contract for the banking, credit referencing and healthcare sectors has been operating smoothly and has been well received. Thus, the Digital Policy Office (DPO) announced that starting from November 1, 2024, industries of all sectors in the nine Mainland cities in the GBA and Hong Kong can take part in the facilitation measure and voluntarily adopt the GBA Standard Contract. The DPO, at the same time, optimises the filing arrangements and rationalises several operational details to further facilitate the compliance of the cross-boundary flow of personal information by enterprises.

The Commissioner for Digital Policy, Mr Tony Wong, said, "Facilitating the Mainland's data flow in the GBA is an important initiative to promote the development of cross-boundary services, digital economy and smart cities. It not only brings benefits to citizens and enterprises, but also accelerates the integration of economic development in the GBA. We are grateful for the

support of the CAC and the Cyberspace Administration of Guangdong Province in enabling industries of all sectors in the GBA to enjoy the benefits from the GBA Standard Contract facilitation measure."

Mr Wong added that, "The GBA Standard Contract is an administrative measure. It does not affect the supervisory and regulatory roles of the Office of the Privacy Commissioner for Personal Data in ensuring compliance with the Personal Data (Privacy) Ordinance (PDPO). The processing and cross-boundary transfer of personal information in Hong Kong will continue to be on a voluntary basis and being regulated in accordance with the PDPO of Hong Kong."

The DPO will arrange briefings and production of promotional videos to facilitate industries' understanding of the details of the facilitation measure on the GBA Standard Contract. For details, please visit the DPO's thematic webpage (www.digitalpolicy.gov.hk/en/our_work/digital_infrastructure/mainland/cross-boundary_data_flow/index.html).