

**Joint Statement by the Hong Kong Call Centre Association and
Teledirect Hong Kong Limited**

**Public Consultation on Review of the Personal Data (Privacy)
Ordinance (20 November 2010)**

The HK CCA is a not for profit grouping of over 372 companies and individuals, involved in the management of call centres on behalf of a wide range of industry sectors, including; banking, insurance, telecommunications, information technology, fast moving consumer goods, logistics and business process outsourcing. Our mission is to help members improve their delivery of service by deploying the best management practices and latest technologies.

The importance of the call centre industry and the use of the telephone as a means of legitimately conducting business should not be underestimated.

The number of people employed within the call centre industry of Hong Kong is significant. In figures previously provided to OFTA by the HK CCA, we have estimated the number of Hong Kong citizens who use the phone to generate a primary income, to be approximately 90,000 individuals. The economic value of this work is conservatively in the billions of Hong Kong dollars.

Aside from providing well paying jobs in our service economy, call centres and telemarketing have become a focal point for improved customer service and the delivery of innovative and cost effective products and solutions.

Our members' businesses are driven by data. On a typical business day in Hong Kong, it's conceivable that our members could speak with over half a million Hong Kong consumers. In doing so, it's critical that we maintain policies and processes that provide the highest levels of security with respect to personal data. Our Association members are experts at this and have a long history of respecting the rights of consumers in order to maintain the confidence of consumers and long-term viability of this important marketing channel.

To help illustrate our concern for consumers, the Hong Kong Call Centre Association, together with the Direct Marketing Association worked with OFTA to implement a Code of Practice (CoP). The CoP provides for Times of Calling, Identity & Purpose along with handling Unsubscribe Requests and Opt-outs. The CoP will also provide for an independent compliance audit by Hong Kong Quality Assurance Agency (HKQAA). Demonstrating compliance will allow members to obtain a designation as a consumer friendly, quality organization. We would like to point out that the CoP was implemented by the HK CCA on 1 July 2010, prior to the Octopus affair being brought to public attention.

Sadly, the Octopus affair has had a severe impact on a number of our member companies. In fact, three leading members of our association made redundant over 200 well pay call centre and support staff in the months of August – October 2010. This was a direct result of statements made by public officials and incorrectly reported news by the press. Our Association feels particularly aggrieved by this, given that the affected members were all fully compliant with the current Personal Data Privacy Ordinance.

The Hong Kong Call Centre Association has always been and will continue to remain, very sensitive towards the protection of personal data. In conducting a review of the *Report on Public Consultation on Review of the Personal Data (Privacy) Ordinance* amongst our members, we are pleased to report that there is broad support for the Proposed Way Forward. Publicly we have stated that there needs to be stiffer deterrents and criminal penalties for those individuals and businesses that deal recklessly with personal data.

However, we would like to use this opportunity to reiterate our strong support for the continuation of an “opt-out” regime within the PDPO. We believe strongly that continuing with opt-out, while adding more specific requirements to ensure transparency, objective standards for disclosure formats, and adding a “tick-box” making it as easy as possible for consumers to opt-out, provides a continuing fair balance between consumers and business.

That concludes our statement for today. We wish to thank members of the Consultation Review Panel for their time in considering our position.