



Regulation on unsolicited messages and calls

Figure 1 – Number of registration on the Do-Not-Call Register and complaint cases

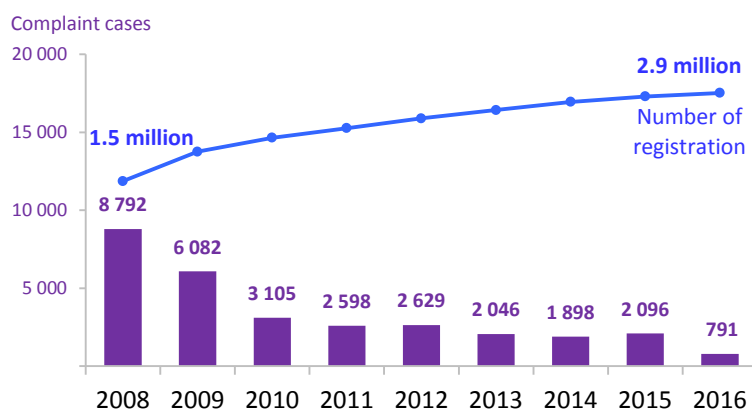
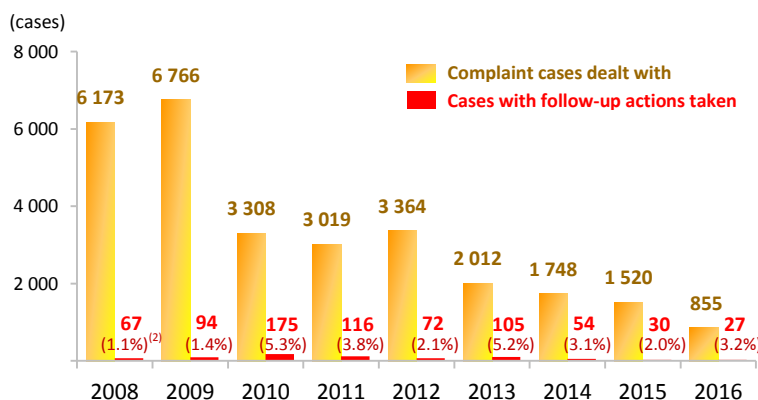


Figure 2 – Types of complaint cases

Complaints category	2008	2012	2016
Fax	6 127	809	208
Short message	477	464	204
Email	1 092	567	177
Pre-recorded phone message	699	688	142
Others	397	101	60
Total	8 792	2 629	791

Figure 3 – Number of complaint cases dealt with and follow-up actions taken⁽¹⁾



Notes: (1) Cases were dealt with by the Commerce and Economic Development Bureau ("CEDB"), the Office of the Communications Authority ("OFCA") and the Privacy Commissioner for Personal Data ("PCPD").
(2) Figures in brackets are proportion of cases with follow-up actions taken.

Highlights

- The high penetration rates for personal computers, internet and mobile services have made Hong Kong vulnerable to the problems caused by unsolicited electronic messages. To regulate unsolicited messages and pre-recorded phone calls from the business sectors, the public can register their telephone and fax numbers onto the Do-not-call Registers under the Unsolicited Electronic Messages Ordinance (Cap. 593) ("UEMO") enacted in 2007. Over the past nine years, the number of registration has almost doubled to 2.9 million in 2016, while the number of complaints about unsolicited message plunged by 91% to 791 cases over the same period (**Figure 1**).
- The downtrend in complaints about unsolicited messages was across the board since 2008, with the largest decline seen in complaints relating to fax (97%), followed by email (84%), pre-recorded phone messages (80%) and short messages (57%) (**Figure 2**).
- Three public bodies are responsible for handling complaints about unsolicited commercial electronic message. Over the past nine years, the number of complaints handled by these bodies plummeted by 86%. About 1%-5% of these handled cases had follow-up actions (e.g. issuing warning letters, enforcement notices and instituting prosecutions) during 2008-2016 (**Figure 3**).

Regulation of unsolicited messages and calls (cont'd)

Figure 4 – Number of enquiries and complaints related to person-to-person ("P2P") marketing calls

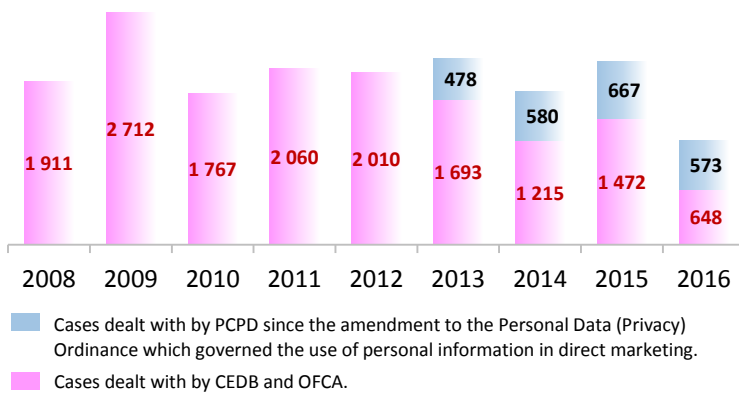
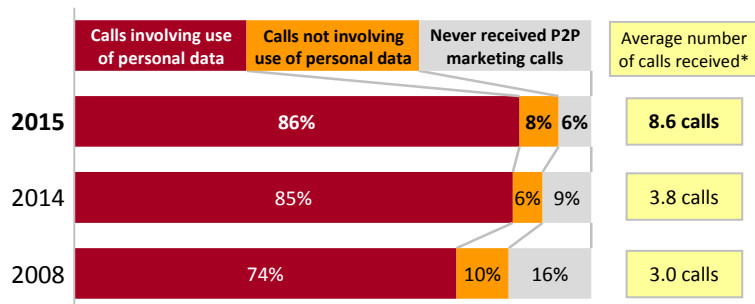
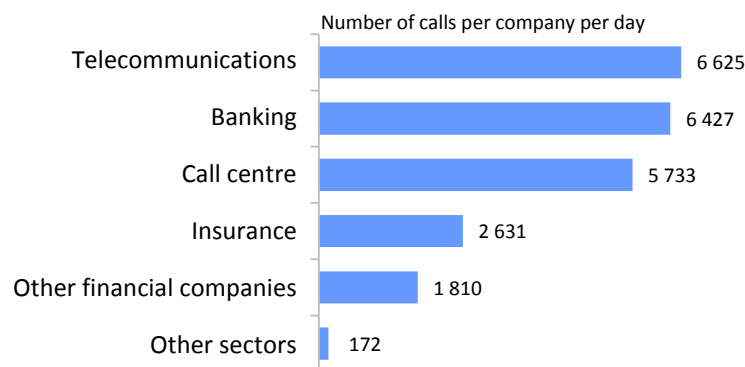


Figure 5 – Rate of receiving P2P marketing calls



Note: (*) Average number of P2P calls received in the seven days prior to the survey.

Figure 6 – Number of P2P marketing calls made daily per company by business sector in 2015



Highlights

- Currently, unsolicited person-to-person ("P2P") marketing calls are not regulated under UEMO, after the Government considered the potential impact on some 7 000 persons engaged in the job of making P2P calls. The number of enquiries and complaints on such P2P calls handled by CEDB and OFCA hovered within a range of 648 to 2 712 during 2008-2016. Cases handled by PCPD, after the amendment to Personal Data (Privacy) Ordinance in 2013 which governed the use of personal information in direct marketing, ranged from 478 to 667 during 2013-2016 (**Figure 4**).
- A vast majority of Hong Kong people have received P2P marketing calls from time to time. The proportion of telephone users received such calls increased from 84% in 2008 to 94% in 2015, with most of them involving use of personal data (e.g. the name of call recipient). Each telephone user on average received 8.6 such calls per week in 2015, almost tripled that of 3.0 calls in 2008 (**Figure 5**).
- According to the Government, more than 90% of such P2P calls were made by four business sectors, namely finance, insurance, call centres and telecommunications. On average, a telecom company and a bank made more than 6 000 such calls each day, followed by call centre (some 5 700 calls) and insurance company (some 2 600 calls) (**Figure 6**).

Data sources: Latest figures from Commerce and Economic Development Bureau, Office of the Communications Authority and Privacy Commissioner for Personal Data.

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