

**For discussion
on 11 May 2026**

**Legislative Council
Panel on Information Technology and Broadcasting**

**Implementation of the Facilitation Measure for
Cross-boundary Data Flow Within the
Guangdong-Hong Kong-Macao Greater Bay Area**

Purpose

This paper briefs Members on the implementation of the facilitation measure for cross-boundary data flow from the Mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area (“GBA”) to Hong Kong.

Background

2. Data is the key driver of innovation and high-quality development. The Hong Kong Special Administrative Region (“HKSAR”) Government actively aligns with national strategies and is committed to facilitating the safe and orderly cross-boundary flow of data from the Mainland (in particular the GBA) to Hong Kong. Through the facilitation measure, it aims to lower the compliance costs for enterprises, provide more convenient cross-boundary services to businesses and citizens in both places, and promote the development of digital economy and smart cities. This will foster the close interaction and deepen the collaboration between Hong Kong and other cities in the GBA, thereby supporting Hong Kong to develop into an international innovation and technology centre and data hub.

3. The Innovation, Technology and Industry Bureau (“ITIB”) and the Cyberspace Administration of China (“CAC”) signed the “Memorandum of Understanding on Facilitating Cross-boundary Data Flow Within the Guangdong-Hong Kong-Macao Greater Bay Area” (“MoU”) on 29 June 2023 to jointly promote cross-boundary data flow within the GBA, leverage cross-boundary data flow for the development of digital economy, and protect personal privacy and data security.

4. Under the framework set out in the MoU, the ITIB and the CAC jointly announced on 13 December 2023 the facilitation measure of the “Standard Contract for the Cross-boundary Flow of Personal Information Within the

Guangdong-Hong Kong-Macao Greater Bay Area (Mainland, Hong Kong)” (“GBA Standard Contract”). Details of the implementation of the facilitation measure are set out below.

GBA Standard Contract

5. The facilitation measure of the GBA Standard Contract enables organisations and individuals in the nine Mainland cities of the GBA (including Guangzhou, Shenzhen, Zhuhai, Foshan, Huizhou, Dongguan, Zhongshan, Jiangmen and Zhaoqing in Guangdong Province) and Hong Kong to enter into a standard contract on a voluntary basis using a standardised template, which outlines the obligations and responsibilities of both contractual parties for the protection of personal information. The GBA Standard Contract streamlines for organisations and individuals the compliance arrangements of cross-boundary flow of Mainland personal information to Hong Kong, which include lifting the restrictions¹ on the volume of personal information that can be transferred across boundaries by a personal information processor, simplifying the key assessment areas² of the personal information protection impact assessment, waiving the requirement for an assessment of personal information protection policies and regulations in the jurisdiction of the recipient (i.e. Hong Kong), and shortening the time of document checks in application filing from 15 working days to 10 working days³.

6. The early and pilot implementation arrangement for the facilitation measure of the GBA Standard Contract was launched locally on 13 December 2023, with the banking, credit referencing and healthcare sectors having relatively greater demand for cross-boundary services being the first to participate. The early and pilot implementation arrangement had been running smoothly and

¹ According to the Mainland’s “Measures on the Standard Contract for Cross-border Transfers of Personal Information”, which came into effect in June 2023, a personal information processor shall meet four specific conditions to transfer personal information out of the Mainland. Amongst them, the conditions related to volume of personal information include: (1) personal information of not more than 1 000 000 persons in aggregate; (2) where the personal information processor has cumulatively made outbound transfers of personal information of not more than 100 000 persons in aggregate since 1 January of the preceding year; and (3) where the personal information processor has cumulatively made outbound transfers of sensitive personal information of not more than 10 000 persons since 1 January of the preceding year. By adopting the GBA Standard Contract, all these relevant restrictions will be lifted.

² When compared with the Mainland’s “Measures on the Standard Contract for Cross-border Transfers of Personal Information”, the key assessment areas of the personal information protection impact assessment in the GBA Standard Contract had been simplified from six to three, including: (1) the legality, legitimacy and necessity of the purposes and means, etc. of processing personal information by the personal information processor and recipient; (2) the impact on and security risks to the rights and interests of personal information subjects; and (3) whether the obligations undertaken by the recipient, as well as its management, technical measures and capabilities, etc. to perform the obligations, can ensure the security of personal information transferred across the boundary.

³ When compared with the Mainland’s “Measures on the Standard Contract for Cross-border Transfers of Personal Information” which clearly stipulates that local cyberspace administration at the provincial level shall complete the checking of materials within 15 working days upon receiving the filing materials, the GBA Standard Contract’s application filing checking period is 10 working days.

gained positive industry feedback. The industry reported that the introduction of the facilitation measure had significantly simplified the procedure for cross-boundary flow of personal information, tremendously enhanced communication and operation efficiency, and reduced management costs at the same time, bringing real benefits to their business. Therefore, the facilitation measure of the GBA Standard Contract was extended to all sectors and regularised starting from 1 November 2024, with a view to promoting more cross-boundary services to benefit citizens and businesses, and accelerating the economic integration and development of the GBA.

Filing Arrangement

7. The Digital Policy Office (“DPO”) is responsible for the daily operation and management of the facilitation measure of the GBA Standard Contract in Hong Kong, which include processing filing applications in Hong Kong and monitoring Hong Kong’s contractual parties. On the other hand, the Cyberspace Administration of Guangdong Province (“CAC Guangdong”) is responsible for duties related to the Mainland’s contractual parties.

8. When adopting the GBA Standard Contract, the personal information processor and the recipient in Hong Kong shall, according to the “Implementation Guidelines on the Standard Contract for the Cross-boundary Flow of Personal Information Within the Guangdong-Hong Kong-Macao Greater Bay Area (Mainland, Hong Kong)” (“Implementation Guidelines”) and within 10 working days from the effective date of the contract, submit the filing documents to the DPO including the original signed contract, the original signed undertaking⁴ with company chop, and the identity proof of the legal representative or authorised representative, etc., so as to enable the DPO to check whether the filing information is accurate and complete within 10 working days upon receipt of the documents, and confirm both contractual parties have established legal binding responsibilities regarding the protection of personal information and have explicitly pledged to comply with the requirements under the GBA Standard Contract. Filing documents could be submitted electronically or by other means, allowing a faster and simplified filing process.

Filing Status

9. As of end of April 2026, the DPO has processed 153 filing applications, of which 61 applications came from the healthcare sector, 20 applications from the banking and securities sector, 18 applications from the insurance sector, 16

⁴ The undertaking is one of the required filing documents according to the Implementation Guidelines. The personal information processor and the recipient shall undertake that all contents of the filing materials are true, complete and accurate, the personal information protection impact assessment has been completed within 3 months before the filing date, and necessary co-operation shall be provided for the filing work.

applications from the credit referencing sector, 10 applications from the information technology sector, and the remaining 28 applications from other sectors (e.g. printing, public utilities, education, etc.). About 60% of the filing applications were submitted by the contractual party in Hong Kong as the recipient, indicating that the facilitation measure of the GBA Standard Contract is primarily applied to the cross-boundary flow of personal information from the Mainland cities of the GBA to Hong Kong.

10. The filing application for the GBA Standard Contract has been adopted in different areas, and the specific scenarios include:

- In terms of healthcare, the Health Bureau (“HHB”) has adopted the GBA Standard Contract to ensure that the cross-boundary access and transfer of health records complies with the laws and regulations of both Hong Kong and the Mainland, so as to ensure the security of personal information while facilitating cross-boundary medical collaboration. The HHB has gradually introduced and enhanced the “Cross-boundary Health Record” and the “Personal Folder” functions of the eHealth mobile application since 2024, allowing Hong Kong citizens to authorise designated medical institutions in the Mainland to browse their health records in eHealth and deposit medical records in their personal eHealth accounts, thereby enhancing the continuity of care and the efficiency of cross-boundary follow-up medical treatment.
- In terms of the banking and credit referencing sectors, the Cross-boundary Credit Referencing (“CBCR”) initiative has been jointly taken forward by the Hong Kong Monetary Authority (“HKMA”) and the People’s Bank of China, allowing credit reference agencies in the Mainland and Hong Kong to exchange credit reference information of corporate banking customers. The CBCR initiative rides on the GBA Standard Contract facilitation measure, outlining the responsibilities and obligations of the credit reference agencies in the two places in protecting personal information. This ensures security of the personal information involved in the cross-boundary data transfer while at the same time supports the banking industry in the review and approval of cross-boundary financing, thereby facilitating small and medium enterprises in accessing cross-boundary funding and reducing their financing costs. Moreover, the implementation of the GBA Standard Contract facilitates the cross-boundary flow of personal information, supports cross-boundary personal account opening processes and customer identity authentication, thereby providing customers with higher quality cross-boundary banking services.

- In terms of the insurance sector, there is an increasing need for direct billing services of cross-boundary medical insurance and the Northbound Travel for Hong Kong Vehicles scheme have led to a growing demand from vehicle owners to purchase statutory motor insurance in the Mainland. The GBA Standard Contract helps streamline the identity verification and claims settlement processes for cross-boundary insurance services, thereby enhancing customer experience.

Personal Privacy Protection

11. The GBA Standard Contract is an administrative facilitation measure. It does not affect the monitoring and supervision of compliance with the Personal Data (Privacy) Ordinance (“PDPO”) by the Office of the Privacy Commissioner for Personal Data (“PCPD”) pursuant to the PDPO. The processing and outbound transfer of personal data in Hong Kong are carried out on a voluntary basis and are regulated in accordance with the PDPO. The DPO maintains close communication with the PCPD and ensures effective co-ordination in cases involving the GBA Standard Contract and personal data privacy in Hong Kong.

Operation and Monitoring

12. The DPO continuously reviews the operation and supervisory work, with timely update of implementation details to ensure the provision of specific and clear guidelines to the industry. When processing filing applications in Hong Kong, the DPO checks the completeness of the documents filed and verifies the eligibility of the applying individual/organisation. The DPO also verifies whether any third-party organisation⁵ (if applicable) fulfill the requirement of the GBA Standard Contract. When necessary, the DPO will consult industry regulators regarding the operation of relevant business scenarios. After completion of filing, the DPO will continue to follow up with the applying individual/organisation on a regular basis to ensure that the relevant individuals/organisations (including any third-party organisation) continue to fulfill the requirements of the GBA Standard Contract and handle cross-boundary personal information received properly and securely.

13. Besides, the DPO and the CAC Guangdong have established a regular communication mechanism for exchanging views on the operation of the facilitation measure. At the same time, the DPO has established a robust liaison

⁵ According to the Implementation Guidelines, the recipient may, subject to the relevant conditions set out in the Implementation Guidelines, provide personal information to a third-party (i.e. a party other than the contracting parties) within the same jurisdiction of the Mainland cities within the Guangdong-Hong Kong-Macao Greater Bay Area or the Hong Kong Special Administrative Region. The relevant conditions include genuine business need, having informed or obtained the consent of the personal information subject, as well as supervision of the personal information processing activities of the third party, etc.

mechanism with the PCPD to ensure close collaboration at operational level and to notify each other of suspected violations of the facilitation measure.

Publicity

14. To enhance the industry's understanding of the facilitation measure of the GBA Standard Contract, the DPO has carried out promotion and publicity through various channels in Hong Kong and in the Mainland cities of the GBA, including organising briefing sessions, participating in seminars organised by industry organisations or professional bodies, leveraging media interviews and featured stories, disseminating information on social media, and producing promotional videos for uploading to digital platforms.

15. Since the launch of the facilitation measure, the DPO has participated in around 40 briefing sessions and seminars organised by industry organisations or professional bodies, widely introducing the details of the facilitation measure, filing procedure and success stories to different sectors, including finance, banking, insurance, healthcare, information technology, etc. Moreover, the DPO has collaborated with the GBA Development Office under the Constitutional and Mainland Affairs Bureau and more to co-organise promotional activities in Hong Kong and Guangzhou, etc., targeting Hong Kong citizens and enterprises.

16. Apart from physical briefing sessions, the DPO has also arranged featured reports in multiple local newspapers, inviting Hong Kong enterprises to share their successful stories of adopting the GBA Standard Contract to demonstrate the practical benefits of the facilitation measure. At the same time, the DPO disseminated promotional information about the facilitation measure through social media platforms, and produced and uploaded promotional videos including the "Introduction to the GBA Standard Contract" and "How to file the GBA Standard Contract" videos, enabling the industry to access and learn about the relevant arrangements at any time.

Next Steps

17. The ITIB and the DPO will continue to work with the CAC to promote safe and orderly cross-boundary flow of data within the GBA under the framework of the MoU. At the same time, in March 2024, the CAC promulgated and implemented the "Provisions on Promoting and Regulating Cross-Border Data Flow", which explicitly stipulate that data generated and collected in activities such as academic collaboration and cross-border manufacturing, as long as it does not contain any personal information or important data, is exempt from declaration of security assessments for the outbound flow of data, entering into standard contracts for the outbound flow of personal information or obtaining

personal information protection certifications. While safeguarding national and data security, the provisions further facilitate the cross-boundary flow of data and streamline compliance procedures for enterprises.

18. Building on the foundation established in promoting cross-boundary data flow within the GBA, the ITIB actively explores expanding the co-operation on cross-boundary data flow to other key provinces and municipalities on the Mainland. In April 2026, the ITIB and the CAC signed the “Memorandum of Understanding on Co-operation in Innovation and Technology Development”, covering cross-boundary data flow and other key areas such as artificial intelligence (AI), blockchain, cybersecurity and international exchanges. The collaboration aims to promote a real economy with technological innovation as the main body, and to drive better integration of Hong Kong into the overall national development. Meanwhile, the DPO signed the “Memorandum of Understanding between Shanghai and Hong Kong on Digital Economy Co-operation” with the Shanghai Municipal Bureau of Data in April 2025 and the “Memorandum of Understanding between Guangxi and Hong Kong on Artificial Intelligence Co-operation” with the Big Data Development Bureau of the Guangxi Zhuang Autonomous Region in February 2026. These documents aim to promote exchanges and collaborations between Hong Kong and Shanghai, as well as between Hong Kong and Guangxi, in digital economy, development of data elements, data flow, AI applications and nurturing of innovation and technology talent, thereby fostering our synergistic development of digital innovation with the two places.

19. Furthermore, the ITIB is actively exploring ways with relevant Mainland authorities to pilot various facilitation measures in the Hetao Shenzhen-Hong Kong Science and Technology Innovation Co-operation Zone as soon as possible, on the premise of complying with the relevant national data security laws and regulations and where risks are under control. Based on current discussions, cross-boundary flow will adopt mechanisms such as “green lane”, “white list” of participating enterprises, as well as dedicated lists for data and research materials, etc., with a view to streamlining clearance and approval procedures for entering and leaving the parks on both sides. Technological means for end-to-end monitoring of sampling, transport, storage, use and disposal will be deployed throughout the process. The HKSAR Government has worked with Shenzhen to draw up concrete implementation proposals in respect of the cross-boundary flow of biological samples and data between the parks on both side, covering the requirements for application, transportation and storage, etc., and is liaising closely with the relevant Mainland authorities in a bid to put in place groundbreaking policy measures.

Advice Sought

20. Members are invited to note the content of this paper and provide views on the implementation of the facilitation measure for cross-boundary data flow within the GBA.

Innovation, Technology and Industry Bureau
Digital Policy Office
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