



OCTOPUS CARDS LIMITED  
Privacy Policy

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**GENERAL**

1. Octopus Cards Limited, the issuer of the Octopus card or product ("product" means a consumer item incorporating our technology such as watch, phone cover, keyring, etc.) which we will refer to as *Octopus* below, respects the privacy of its Holders and understands the importance of privacy for visitors to its website. Octopus Cards Limited (the "Company", "we", "our" or "us") collects and retains information so that we can efficiently provide services to our Holders. This Privacy Policy Statement is designed to help you understand what information the Company gathers and what we do with the information.

**DEFINITIONS AND INTERPRETATION**

2. In this Privacy Policy Statement, unless the context otherwise requires,

"Application Form" means any form containing an application by the Holder of the *Octopus* and/or user of the Automatic Add-Value Service.

"Automatic Add-Value Service" means the service whereby the Company or the Service Providers will automatically add a certain amount of Value (determined by the Company from time to time) to the *Octopus* if the Value stored in the *Octopus* has reached a certain level determined by the Company from time to time.

"*Octopus*" means the Octopus card or product issued or to be issued by the Company to the Holder, including the Personalised *Octopus* and, where applicable, the anonymous *Octopus*.



"Holder" means the bearer of the *Octopus* for the time being but in the case of the Personalised *Octopus*, the expression "Holder" means the person identified in the electronic data stored in the *Octopus*. The expression "Holders" shall be construed accordingly.

"Octopus payment system" means the payment system maintained and operated by the Company.

"Conditions" means the Conditions of Issue of Octopus and the Octopus Automatic Add-Value Agreement published by the Company as amended from time to time.

"Ordinance" means the Personal Data (Privacy) Ordinance (Cap. 486) of the Laws of the Hong Kong Special Administrative Region.

"Personal Data" means any personal data held by the Company including all information provided by Holders in the Application Forms and all the information relating to the use of the *Octopus*. Personal Data may or may not include transactional records (meaning the transactional data which we receive from our Octopus readers and/or from other channels in respect of the use of your *Octopus*).

"Service Providers" means any transport operators, retailers (including but not limited to, supermarkets, convenience stores, restaurants and fast food shops, food, other consumer goods e.g. medicines & cosmetics, books, newspapers, stationery and gifts, accessories shops, shopping malls, wearing apparel, telecommunications), entertainment/recreation/sports facilities providers, educational establishments, government-related entities, building access control providers, unattended services (such as vending machines/kiosks/photo booths/telephone booths) or other parties which offer their services when the Holders present their *Octopus* and are approved by the Company. These Service providers should display the Octopus acceptance logo clearly.

"Value" means the electronic value recognized by the Octopus payment system.

### **OUR COMPANY POLICY**

3. We pledge to meet fully, and where possible exceed, internationally recognised standards of personal data privacy protection in complying with the requirements of the Ordinance. In doing so, we promise to:



- (i) collect adequate, but not excessive, Personal Data by lawful and fair means for lawful purposes directly related to our functions and activities;
- (ii) take all reasonably practicable steps to ensure that all Personal Data collected or retained are accurate, having regard to the purposes for which they are to be used;
- (iii) ensure that Personal Data are not used where there are reasonable grounds for believing that they are inaccurate, having regard to the purposes for which they are to be used;
- (iv) erase Personal Data which are no longer necessary for the fulfillment of the purposes for which they are to be used;
- (v) use Personal Data only for purposes for which the data were to be used at the time of the collection of the data, unless you have given your express consent for a change of use or such use is required or permitted by the Ordinance or the law of Hong Kong Special Administrative Region ("Hong Kong");
- (vi) take all reasonably practicable steps to ensure that Personal Data are protected against unauthorized or accidental access, processing, erasure or other use;
- (vii) take all practicable steps to ensure that you can be informed of the kinds of personal data we hold and the main purposes for which the data are to be used; and
- (viii) allow you to access and request correction of your Personal Data held by us in a manner prescribed by the Ordinance. We may charge you a fee as permitted by the Ordinance in complying with your data access request.

**STATEMENT OF PRACTICES**  
**TYPES OF PERSONAL DATA COLLECTED AND HELD**

4. For the purpose of conducting the Company's business (including relevant online services), we may collect from you and hold some or all of the Personal Data such as, but not limited to, the following to enable us to provide the *Octopus* or other related service to you:
  - a. Your name;
  - b. Your Gender;
  - c. Your photographs;
  - d. Your bank/credit card account information;
  - e. Your preferred language for communications;



- f. Contact details, including contact name, telephone number and email address;
  - g. Information for the verification of identity, including identification document type and identification number;
  - h. Your age and date of birth;
  - i. Your *Octopus* number (only applicable when your identity can be directly or indirectly ascertained from the *Octopus* number);
  - j. Your *Octopus* usage data (only applicable when your identity can be directly or indirectly ascertained from the *Octopus* usage data).
5. Our web servers may also collect data relating to your online session including your IP address and/or domain name, the use of which is to provide aggregated, anonymous, statistical information on the server's usage so that we may better meet the demands and expectations of browsers to our websites.
6. We use cookies to identify a computer and it often includes an anonymous unique identifier. Cookies are small bits of information that are automatically stored on a person's web browser in their computer that can be retrieved by this site. The information collected by cookies is anonymous aggregated research data, and contains no name or address information or any information that will enable anyone to contact you via telephone, email or any other means. Most browsers are initially set to accept cookies. If you would so prefer, you can set your browser to disable cookies. However, by disabling them, you may not be able to take full advantage of our website, including online services.

#### **PURPOSES OF KEEPING PERSONAL DATA**

7. Personal Data of the Holder held by us may be used for the following purposes:
- a. processing an application for our services;
  - b. management, operation and maintenance of the Octopus payment system, including audit, and exercising our and your rights under the Conditions;
  - c. collecting money due from AAVS Account Holder (as defined in the *Octopus* Automatic Add Value Agreement) and/or *Octopus* Holder, whether from the AAVS Account (as defined in the *Octopus* Automatic Add Value Agreement) or otherwise;
  - d. verifying any information and records relating to the Automatic Add Value Service Account Holder and/or the *Octopus* Holder;



- e. designing new or improving existing services provided by us, our subsidiaries and our affiliates (that is, our direct holding company and its subsidiaries);
- f. communication by us to you;
- g. investigation of complaints, suspected suspicious transactions and research for service improvement;
- h. prevention or detection of crime;
- i. disclosure as required by laws, rules, regulations, codes or guidelines.

### **DISCLOSURE OF PERSONAL DATA**

8. All Personal Data will be kept confidential by us but in accordance with the Conditions, we may, for the purpose(s) set out in paragraph 7 above, transfer or disclose such Personal Data to the following parties within Hong Kong (except that the parties set out in paragraphs 8(a) and 8(b) below may be located outside Hong Kong):
  - a. issuers of *Bank Issued Octopus* (as defined in the Conditions) and Automatic Add-Value Service participating banks and financial services companies which owe a duty of confidentiality to us and with which you have selected to register;
  - b. our agents or contractors under a duty of confidentiality to us who provide administrative, telecommunications, computer, payment, data processing or other services to us in connection with the operation of our business (such as professional advisors, call centre service providers, debt collection agencies (in the event you owe us any money), gift redemption centres or data entry companies);
  - c. our subsidiaries, and/or our affiliates which owe a duty of confidentiality to us; and
  - d. any law enforcement agencies and/or regulatory bodies for compliance with applicable laws, rules, regulations, codes and/or guidelines and/or any person or entity to whom we, our subsidiaries, and/or our affiliates are under a binding obligation to make disclosure under the requirements of any law, rule, regulation, code and/or guideline and/or order of any competent court of law, law enforcement agencies and/or regulatory bodies, but such disclosure will only be made under proper authority.

### **SECURITY OF PERSONAL DATA**

9. We treat security as our top priority. We will strive to ensure that Personal Data will be protected against unauthorized or accidental access, processing or erasure. In doing so, we have implemented



appropriate physical, electronic and managerial measures and controls to safeguard and secure the Personal Data.

10. Our web servers are protected by appropriate firewalls which will be kept up-to-date. However, as the security of ordinary email cannot be guaranteed, you should not send to us any email containing any Personal Data.
11. We will not keep Personal Data longer than is necessary for the fulfillment of the purposes (including any directly related purpose) for which they are, or are to be, used. We will purge unnecessary Personal Data from our system in accordance with our internal procedures.

### **ACCESS AND CORRECTION OF PERSONAL DATA**

12. You have the right to ask us if we hold any Personal Data about you and if so, to request a copy of some or all of your Personal Data. If you would like to make such a request, please submit the "Data Access Request Form" (the prescribed form (form:OPS003) can be downloaded from the following link <http://www.pcpd.org.hk/english/publications/files/Dforme.pdf> or obtained by fax through our Interactive Voice Response System on 2266-2222), along with appropriate proof of identity (a copy of the applicant's Hong Kong Identity Card or Passport) to our Data Protection Officer at the address below. We may charge you a fee at a level permitted by the Ordinance for this service.
13. You also have the right to ask us to correct your Personal Data which you consider as inaccurate by writing to our Data Protection Officer at the address below.
14. We will allow your data access request or correction request unless we consider that there is a sound reason under the Ordinance or other relevant law to reject the request.
15. The address of our Data Protection Officer is 46/F., Manhattan Place, 23 Wang Tai Road, Kowloon Bay, Kowloon, Hong Kong. Our Data Protection Officer's email address is [dpo@octopus.com.hk](mailto:dpo@octopus.com.hk)

### **LINKS TO OTHER WEBSITES**

16. Our website may, from time to time, contain links to other websites. This Privacy Policy Statement only applies to this website so when you link to other websites you should read their own privacy policies.

### **CHANGE OF PERSONAL DATA POLICY**



17. We keep our privacy policy under regular review and we will place any update on this webpage. Any change, update or modification will be effective immediately upon posting on this webpage. This Privacy Policy Statement was last updated on 25 October 2011.

#### **INTERNAL PRACTICES**

18. Our Data Protection Officer is responsible for monitoring and supervising compliance with the Ordinance within the Company. We maintain the following measures to ensure compliance with the Ordinance:
  - a. log books are kept to record all refusal of data access and correction requests and the reasons for their refusal;
  - b. a "Personal Information Collection Statement" is included as far as practicable in the application forms for services provided by the Company;
  - c. internal privacy policies, guidelines and manuals are provided for use by staff of the Company. Such policies, guidelines and manuals will be reviewed and revised in a timely manner to meet up-to-date privacy protection developments and standards.

#### **ENGLISH VERSION**

19. If there is any inconsistency or conflict between the English and Chinese versions, the English version shall prevail.

#### **CONDITIONS**

20. Nothing in this Privacy Policy Statement shall affect the rights and obligations of the Company under the Conditions.