



Hong Kong Data Privacy Policy as of August 11, 2023

## **Data Privacy Policy**

### **Data Controller's Contact Information**

PILnet is a US-based (501(c)(3)) nonprofit organization (EIM: 20-5087783) with affiliated entities in Budapest (Hungary) and Hong Kong SAR (China) (collectively, "PILnet"). In the Hong Kong SAR (China), it is incorporated as a company limited by guarantee in the name of PILnet Hong Kong Limited ("PILnet HK" or "we") (company number 2462148).

- Directors: Heng-Pin Kiang, Alan Gary Schiffman
- Address of registered office: 23/F Chun Wo Commercial Centre, 23-29 Wing Wo Street, Central, Hong Kong SAR
- Phone: Tel: +852 6106 0892
- Email address (data protection matters): [dataprotection@pilnet.org](mailto:dataprotection@pilnet.org)

### **Principles of Data Processing**

This is the Privacy Policy of PILnet HK and is applicable only to the activities of PILnet HK. We are committed to fully complying with the data protection principles under the Personal Data (Privacy) Ordinance (Cap. 486 of the Laws of Hong Kong) ("PDPO") and to processing your personal data based on the internationally recognized principles of lawfulness, fairness, and transparency.

- We collect and process your personal data where we have your consent.
- We will use your personal data only for a lawful purpose directly related to a function or activity of ours, and only if the data is adequate but not excessive in relation to that purpose.
- We take all practicable steps to ensure that the personal data is accurate having regard to the purpose for which the personal data is or is to be used.
- We take all practicable steps to ensure that the personal data is not kept longer than is necessary for the fulfillment of that purpose (including any directly related purpose) for which the data is or is to be used.
- We will not use the personal data for a new purpose without your prescribed consent.

We will take all practicable steps to ensure that any personal data (including data in a form in which access to or processing of the data is not practicable) is protected against unauthorized or accidental access, processing, erasure, loss or use.

PILnet implements data protection measures required by regulators primarily in the Hong Kong SAR, United States and European Union (EU) and European Economic Area (EEA) Member States in accordance with where its legal entities are respectively incorporated, but pays equal attention to the development of privacy regulations in other countries. Privacy is a global concern and PILnet as a public interest organization pays special attention to this topic while executing projects and conducting its operations globally. We process personal data in a manner that ensures an appropriate level of data integrity and confidentiality. We as a data



user fulfill our obligation to be accountable for data processing activities as outlined by relevant national and supranational laws and guidelines.

### **Terms Used in This Policy**

“Personal data” means any data relating directly or indirectly to a living individual from which it is practicable for the identity of the individual to be directly or indirectly ascertained and in a form in which access to or processing of the data is practicable.

“Data” means any representation of information (including an expression of opinion) in any document, and includes a personal identifier. A personal identifier is an identifier that is assigned to an individual by a data user for the purpose of the operations of the user, and that uniquely identifies that individual in relation to the data user, but does not include an individual’s name used to identify that individual.

“Processing” in relation to personal data, includes amending, augmenting, deleting or rearranging the data, whether by automated means or otherwise.

“Data user” in relation to personal data, means a person who, either alone or jointly or in common with other persons, controls the collection, holding, processing or use (including disclosure or transfer) of the data.

“Data processor” means a natural or legal person which processes personal data on behalf of the data user and does not process the data for any of the person’s own purposes.

“Consent” of a person means the express consent of the person given voluntarily and does not include any consent which has been withdrawn by notice in writing served on the person to whom the consent has been given (but without prejudice to so much of that act that has been done pursuant to the consent at any time before the notice is so served). Subject to the provisions of the PDPO, a person with parental responsibility for a minor can give consent in relation to the personal data of a minor.

### **Role of PILnet HK**

PILnet is the controller with respect to your personal data.

### **Purpose and Legal Basis for Personal Data Processing**

PILnet has a database containing personal data that has been submitted by individuals from around the world. The database is maintained through an online platform operated by \*Mailchimp. In the event we receive your name card during a personal contact, or you express an interest to be informed about PILnet’s activities by writing to us or communicating this to us on a call, we will add your data to PILnet’s global pro bono database (“Global Pro Bono Database”) that offers targeted services for you.

PILnet’s and your interest is to stay in touch by:

- Engaging in activities and providing content to the global legal community;



- Sending you newsletters;
- Inviting you to events, conferences, and trainings locally and globally;
- Informing you about fundraising opportunities; and
- Offering you pro bono opportunities worldwide.

When you visit PILnet's website, PILnet may also:

1. Use cookies to help us improve your user experience (you can disable cookies from our website or your browser settings);
2. Record your device and traffic data (e.g., your IP address or device identifiers) to help us understand how our website is used and improve our business;
3. Record log file information (e.g., your browser type, and information on your number of clicks or pages viewed) to help us understand how our website is used and improve our business; and
4. Use analytics tools which may store a small piece of data on your device that will send information to help us understand how our website is used.

## **CLIX**

CLIX is a pro bono portal initiative, consisting of the CLIX website (<https://www.clixhk.org>) and CLIX portal (<https://hk.probonoport.org/login>). CLIX serves as the digital platform for PILnet's Asia Clearinghouse, and enables us to post the legal needs of civil society organizations in order to match them with law firms or lawyers who can assist them on a pro bono basis.

To provide pro bono legal services through CLIX, we may collect your personal data (including but not limited to your name, contact details, and information about the matter for which you are seeking assistance) via an intake form. This information is used to assess pro bono eligibility and arrange legal assistance, and may be provided to the law firm or lawyers. Depending on the type of dealings you have with us, some of the information we request from you will be mandatory, while the supply of other information is optional. At the time of collection of your personal data, we will indicate what is mandatory and what is optional. If you choose not to let us have the mandatory information, we may not be able to provide the related services or products requested by you.

The main purposes for which we collect, hold, use, and disclose personal data are set out below.

- Assessing whether those seeking pro bono legal services meet our acceptance criteria.
- Determining whether those seeking pro bono legal services have any special needs, such as an interpreter or disability assistance.
- Endeavoring to arrange for the provision of legal assistance to eligible entities seeking pro bono legal services.
- Endeavoring to arrange for law firms or lawyers to be connected with eligible entities seeking pro bono legal services.
- Referring eligible entities seeking pro bono legal services to law firms where law firms have agreed to provide assistance.



- Allowing such law firms to run conflict checks so as to determine whether they can provide services to entities seeking pro bono legal services, and if conflict checks are passed, allowing such law firms to provide such services.
- Answering queries and resolving complaints.
- Providing Justice Connect (ABN 54 206 789 276 of Level 14/461 Bourke St, Melbourne VIC 3000, Australia) (“Justice Connect”), the entity from whom we have licensed the software relating to the CLIX platform, high level aggregated user and trend data and user feedback that is in anonymized and de-identified form (which does not contain any personal data).

If we want to use your personal data for any reason other than as set out above or as informed to you, we will seek your consent first.

You may withdraw (unsubscribe) anytime from the Global Pro Bono Database by sending an email to [dataprotection@pilnet.org](mailto:dataprotection@pilnet.org), or by using the unsubscribe option posted at the bottom of PILnet’s online media releases.

\*Contact information to engaged online service provider:

Mailchimp  
Attn: Privacy Officer  
675 Ponce de Leon Ave NE, Suite 5000  
Atlanta, GA 30308  
United States

[privacy@mailchimp.com](mailto:privacy@mailchimp.com)

If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:

Full name of legal entity: PILnet Hong Kong Limited

Email address: [dataprotection@pilnet.org](mailto:dataprotection@pilnet.org)

### **Recipients of PILnet’s Communication**

PILnet generates content primarily for the global legal community that includes mainly but not exclusively legal experts, lawyers, law school and public policy educators, bar and law society officials, lawmakers, legal fellows, etc. Equally, PILnet targets primarily but not exclusively the recipients of pro bono and public interest services like representatives of local and international NGOs, grassroots community activists and groups, social entrepreneurs, and enterprises.

### **Data Transfers to Third Countries**

PILnet processes data in the United States and may occasionally do so by way of its offices in Budapest (Hungary) and Hong Kong SAR. PILnet’s main administrative office is based in the US and that is where it processes personal data collected through its website. Although there



are no conditions required for transferring data to a third country under the PDPO, PILnet is voluntarily committed to following stricter standards by abiding by the requirements of the EU's General Data Protection Regulation (GDPR). When you provide personal data to PILnet HK, PILnet HK requests your consent to transfer that personal data to the US. PILnet takes appropriate steps to protect your privacy and implement reasonable security measures to protect your personal information in storage. PILnet uses secure transmission methods to collect personal data through its website. PILnet also enters into contracts with its data processors that require them to treat personal information in a manner that is consistent with this policy.

### **Period for Storing/Processing Your Personal Data**

The data you submitted to PILnet's Global Pro Bono Database will be processed for 3 years starting at the time of your latest demonstrated activity. After a period of inactivity, your contact data will be deleted from PILnet's database. You may withdraw (unsubscribe) anytime from the Global Pro Bono Database by sending an email to [dataprotection@pilnet.org](mailto:dataprotection@pilnet.org), or by using the unsubscribe option posted in the issues of PILnet's online media releases.

### **Your Rights Based on This Policy**

You can approach PILnet HK and ask whether PILnet HK holds personal data of which you are the data subject, and ask for a copy of such data if we do hold such data. Within 40 days, subject to the provisions of the PDPO, we will either comply with such requests or inform you that we do not hold such data. If you are provided with the data and you then find that the data is inaccurate, you have the right to request that we make the necessary correction to the data. Within 40 days, subject to the provisions of the PDPO, we will correct the data and give you a copy of the corrected data, or we will let you know why we are unable to correct the data.

If you find that your privacy/data protection rights have been violated by PILnet HK's current data protection practices, you may turn to us for immediate response and remedy. PILnet HK investigates your request and responds to you within 30 days. If you are not satisfied with our response, you may turn to the Office of the Privacy Commissioner for Personal Data for advice and/or complaint.

### **Updates and Changes**

From time to time, we may add to, change, update, or modify this policy. If we change the policy in a way that affects how your data will be used or the permissions you grant to us, we will notify you and ask you to review the new policy. We may not notify you of changes that do not affect how your data will be used or the permission you grant us. We ask that you review this policy from time to time to ensure that you continue to agree with all of its terms, and your continued provision of personal data (if any) to PILnet after a change will constitute your agreement to the new terms unless your explicit consent or indication of no objection is specifically required under law.

### **Other Websites**



PILnet may provide, on PILnet's website, links to other websites. If you choose to visit or use other websites, we are not responsible for their privacy practices, contents or practices. It is your responsibility to review the applicable privacy policies to confirm that you understand and agree with them.