

Talk on Legal Rights During Petition

SIT, FUNG, KWONG & SHUM



薛馮鄺岑律師行
SIT, FUNG, KWONG & SHUM

Public Order Ordinance (Cap. 245)

Public Order Ordinance – Section 17B(1)

Disorder in Public Places

- ❑ (1) Any person who at any public gathering acts in a disorderly manner for the purpose of preventing the transaction of the business for which the public gathering was called together or incites others so to act shall be guilty of an offence and shall be liable on conviction to a fine of \$5000 and to imprisonment for 12 months.

Public Order Ordinance – Section 17B(1)

Elements of Offence

- ❑ (1) at a public gathering organized for a certain business
 - Public gathering - a public meeting, assembly, procession in any public place (10 persons or more)

- ❑ (2) acts in a disorderly manner; and

- ❑ (3) for the purpose of preventing the transaction of the business
 - including behavior to hinder, obstruct or prevent etc.

Public Order Ordinance – Section 17B(1)

What is the meaning of “behaving in a disorderly manner”?

- ❑ Including (but not limited to) the following behaviors:
 - ❑ behaving in a noisy manner/shouting
 - ❑ use of foul language
 - ❑ scattering paper money offerings
 - ❑ snatching the microphone
 - ❑ moving recklessly or throw arms and feet
 - ❑ ignoring the stop by staff members of the meeting or the police

(HKSAR v. Chow Nok Hang And Another – HCMA 193/2012)

Public Order Ordinance – Section 17B(2)

Disorder in Public Places

- ❑ (2) Any person who in any public place behaves in a noisy or disorderly manner, or uses, or distributes or displays any writing containing, threatening, abusive or insulting words, with intent to provoke a breach of the peace, or whereby a breach of the peace is likely to be caused, shall be guilty of an offence and shall be liable on conviction to a fine of \$5000 and to imprisonment for 12 months.

Public Order Ordinance – Section 17B(2)

Elements of the Offence

- ❑ (1) In a public place;
 - Any section of the public are entitled to have access
 - A public place for the purposes of such meeting

- ❑ (2) Behave in a noisy or disorderly manner; and

- ❑ (3) With intent to provoke a breach of the peace, or whereby a breach of the peace is likely to be caused

Public Order Ordinance – Section 17B(2)

What is the meaning of “a breach of the peace”?

- ❑ (1) Harm is actually done or is likely to be done to a person;
 - ❑ (2) Harm is actually done or is likely to be done to a person’s property in the presence of that person; or
 - ❑ (3) A person is put in fear of himself or his property being harmed or likely to be harmed through an assault, an affray, a riot, unlawful assembly or other disturbance.”
-
- ❑ “...there is a breach of peace whenever harm is actually done or is likely to be done to a person or in his presence to his property or a person is in fear of being so harmed through an assault, an affray, a riot, unlawful assembly or other disturbance...”
- (**HKSAR v. Chow Nok Hang And Another** - HCMA 193/2012, citing the decision of the U.K. Court of Appeal in *Howell*)

HKSAR v. Chow Nok Hang And Another(HCMA 193/2012) (20/7/2012)

- ❑ In the prize presentation of the “MTR Hong Kong Race Walking 2011”, the chairman of the MTR Corp. Mr. Raymond Ch’ien, the master of ceremonies of this event and other guests were on the stage. The Secretary for Transport and Housing Madam Eva Cheng was one of the guests. Soon after she started her speech, the 1st appellant rushed onto the left side of the stage and scattered paper money offerings around. Immediately after that the 2nd appellant rushed onto the stage and dashed towards the Secretary. He snatched away the microphone used by the Secretary for delivering her speech, then he shouted the slogan “Shame on MTR for their fare hike” through the microphone. As a result of the incident, the project manager of the MTR walking race and the master of ceremonies suffered minor injuries when trying to stop the two appellants.
- ❑ The two appellants appealed against both conviction and sentence in respect of the offence of “Behaving in a Disorderly Manner in a Public Place” under section 17B(2).
- ❑ Judging from the chain of actions done by the 1st appellant, including his rushing onto the stage, and taking into consideration all the circumstances at the scene, I do not find that his conduct was such that whereby a breach of the peace was likely to be caused. It is clear that the 2nd appellant did not mean to physically attack the Secretary in any way. Chairman Ch’ien stood in front of the Secretary to protect her, but neither he nor the guests on the stage did anything which breached the peace. Similarly, I do not find that the 2nd appellant’s conduct was such that whereby a breach of the peace was likely to be caused.

HKSAR v. Chow Nok Hang And Another (HCMA 193/2012) (20/7/2012)

- ❑ The appellants chose to express their complaints about the MTR Corp. fares increase in a rather violent manner. However, I do not see that such disorderly conduct of theirs was likely to cause other people present at the scene to breach the peace. I find that the prosecution failed to prove beyond reasonable doubt that the appellants committed the offence of “Behaving in a Disorderly Manner in a Public Place”.
- ❑ However, it is obvious that the appellants were preventing the prize presentation ceremony of the walking race from going on by behaving in that way in order to stay on the stage and capture everyone’s attention for as long as they could, to fulfil their purpose of escalating the intensity of their protest. It can therefore be said that the purpose of their behaving in such disorderly manner was two-fold: First, to prevent the prize presentation ceremony from going on; second, to escalate their protest.
- ❑ I find that the prosecution had proven beyond reasonable doubt the charges of “Acting in a Disorderly Manner at a Public Gathering” under section 17B(1) against both appellants.

Public Order Ordinance – Section 18

Unlawful Assembly

- ❑ (1) When 3 or more persons, assembled together, conduct themselves in a disorderly, intimidating, insulting or provocative manner intended or likely to cause any person reasonably to fear that the persons so assembled will commit a breach of the peace, or will by such conduct provoke other persons to commit a breach of the peace, they are an unlawful assembly.
- ❑ (2) It is immaterial that the original assembly was lawful if being assembled, they conduct themselves in such a manner as aforesaid.
- ❑ (3) Any person who takes part in an assembly which is an unlawful assembly by virtue of subsection (1) shall be guilty of the offence of unlawful assembly and shall be liable-
 - (a) on conviction on indictment, to imprisonment for 5 years; and
 - (b) on summary conviction, to a fine of \$5000 and to imprisonment for 3 years.

Public Order Ordinance – Section 18

Unlawful Assembly

Elements of the Offence

- ❑ (1) 3 or more persons assembled together
- ❑ (2) conduct themselves in a disorderly manner
- ❑ (3) intended or likely to cause any person reasonably to fear that the persons so assembled will commit a breach of the peace, or will by such conduct provoke other persons to commit a breach of the peace

Public Order Ordinance – Section 18

Unlawful Assembly

- ❑ Unlawful assembly may also take place in the following private place:
 - ❑ Private residential property (*HKSAR v. Au Kwok Kuen* HCMA 948/2008)
 - ❑ Private premises (*HKSAR v. Yeung Kin Ping & Others* Magistracy Appeal No. 581 of 1996)
 - ❑ Commercial premises (*HKSAR v. Au Kwok Kuen* HCMA 948/2008)

Public Order Ordinance – Section 26

Proposing Violence at Public Gatherings

- ❑ Any person who, without lawful authority, at any public gathering makes any statement, or behaves in a manner, which is intended or which he knows or ought to know is likely to incite or induce any person—
 - ❑ (a) to kill or do physical injury to any person or to any class or community of persons;
 - ❑ (b) to destroy or do any damage to any property; or
 - ❑ (c) to deprive any person by force or fear of the possession or use of any property either permanently or temporarily,
- ❑ shall be guilty of an offence and shall be liable-
 - ❑ (i) on conviction on indictment, to imprisonment for 5 years; and
 - ❑ (ii) on summary conviction to a fine of \$5000 and to imprisonment for 2 years.

Offences Against The Person Ordinance (Cap. 212)



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Offences Against The Person Ordinance – Section 40

Common Assault

- Any person who is convicted of a common assault shall be guilty of an offence triable either summarily or upon indictment, and shall be liable to imprisonment for 1 year.

Common Assault - Definition

- ❑ (1) “Assault” can be defined as an intentional (or impertinent) act which would result in the complainant’s apprehension that he/she would immediately be physically treated with unlawful violence.

- ❑ (2) When the meaning of “assault” includes “battery”, the definition should also added “or result in the complainant being physically treated with unlawful violence.”

What kinds of behaviour may constitute common assault?

- ❑ Talking? (*HKSAR v. Leung Chun Wai Sunny* HCMA 152/2002)
- ❑ Intimidating people through body language?
- ❑ Missing Target?

What kinds of behaviour may constitute common assault?

- ❑ In ***HKSAR v. Leung Chun Wai Sunny*** (HCMA 152/2002), the defendant, in a gathering, shouted through a loudhailer which was placed very close to the complainant's ear and thereby causing the complainant discomfort.
- ❑ In this case, battery does not necessarily require direct physical contact:
 - ❑ Use a loudhailer to send out amplified sound
 - ❑ Use a loudhailer within a close range of someone's ear
 - ❑ Without the complainant's consent

Crimes Ordinance (Cap. 200)



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Crime Ordinance – Section 24

Certain acts of intimidation prohibited

- ❑ Any person who threatens any other person-
 - ❑ (a) with any injury to the person, reputation or property of such other person; or
 - ❑ (b) with any injury to the person, reputation or property of any third person, or to the reputation or estate of any deceased person; or
 - ❑ (c) with any illegal act,
- ❑ with intent in any such case-
 - ❑ (i) to alarm the person so threatened or any other person; or
 - ❑ (ii) to cause the person so threatened or any other person to do any act which he is not legally bound to do; or
 - ❑ (iii) to cause the person so threatened or any other person to omit to do any act which he is legally entitled to do,shall be guilty of an offence.

Criminal Intimidation - examples

- ❑ “Criminal intimidation” shall be a threat/intimidation that is conceivable and intentional, not one being made on the spur of the moment or on an impulse
- ❑ “I will burn your vehicle down.” (*HKSAR v. Ng Kam Wing* HCMA 561/2009)
- ❑ “I will beat you up.” (*HKSAR v. Wong Epaphras Chung Kay* HCMA 1142/2006)
- ❑ “Otherwise you will not have a good time!” (*HKSAR v. Larm Tat Ming* HCMA 1123/2007)
- ❑ “Do you believe that I would sweep and burn your shop?” (*HKSAR v. Lai Kam Wai* HCMA 538/2008)

Crime Ordinance – Section 25

Assaults with Intent to Cause Certain Acts to be Done or Omitted

- ❑ Any person who beats or uses any violence or force to any person with intent in any such case to cause such person or any other person to do any act which he is not legally bound to do, or to omit to do any act which he is legally entitled to do, shall be guilty of an offence.

Using Recording/CCTV Cameras for Security Purpose



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Personal Data (Privacy) Ordinance (Cap. 486)

- ❑ Data Protection Principles (Schedule 1 to the Personal Data (Privacy) Ordinance)
 - Purpose and manner of collection of personal data
 - Accuracy and duration of retention of personal data
 - Use of personal data
 - Security of personal data
 - Information to be generally available
 - Access to personal data

- ❑ The newly amended section 64 of the Personal Data (Privacy) Ordinance has come into effect on 1 October 2012

Personal Data (Privacy) Ordinance - Section 64

Offences for Disclosing Personal Data Obtained Without Consent from Data Users (1)

- ❑ (1) A person commits an offence if the person discloses any personal data of a data subject which was obtained from a data user without the data user's consent, with an intent—
 - ❑ (a) to obtain gain in money or other property, whether for the benefit of the person or another person; or
 - ❑ (b) to cause loss in money or other property to the data subject.

- ❑ (2) A person commits an offence if—
 - ❑ (a) the person discloses any personal data of a data subject which was obtained from a data user without the data user's consent; and
 - ❑ (b) the disclosure causes psychological harm to the data subject.

Personal Data (Privacy) Ordinance - Section 64

Offences for Disclosing Personal Data Obtained Without Consent from Data Users (2)

- ❑ (3) A person who commits an offence under subsection (1) or (2) is liable on conviction to a fine of \$1000000 and to imprisonment for 5 years.
- ❑ (4) In any proceedings for an offence under subsection (1) or (2), it is a defence for the person charged to prove that—
 - ❑ (a) the person reasonably believed that the disclosure was necessary for the purpose of preventing or detecting crime;
 - ❑ (b) the disclosure was required or authorized by or under any enactment, by any rule of law or by an order of a court;
 - ❑ (c) the person reasonably believed that the data user had consented to the disclosure; or
 - ❑ (d) the person—
 - ❑ (i) disclosed the personal data for the purpose of a news activity as defined by section 61(3) or a directly related activity; and
 - ❑ (ii) had reasonable grounds to believe that the publishing or broadcasting of the personal data was in the public interest.

Office of the Privacy Commissioner for Personal Data, Hong Kong

Guidance on CCTV Surveillance Practices



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Office of the Privacy Commissioner for Personal Data

Guidance on CCTV Surveillance Practices

- “People should be explicitly informed that they are subject to CCTV surveillance. An effective way is to put conspicuous notices at the entrance to the monitored area and reinforced by fixing further notices inside the area. It is particularly important where the CCTV cameras themselves are very discreetly located, or places where people may not expect to be subject to surveillance.”

Discussion / Q&A

專題講座－ 示威時的法律權利

薛馮鄺岑律師行



薛 馮 鄺 岑 律 師 行
SIT, FUNG, KWONG & SHUM

公安條例 (第245章)

公安條例 – 第17B(1)條

《公眾地方內擾亂秩序行為》

- (1) 任何人在為某事情而召開的公眾聚集中作出擾亂秩序行為，或煽惑他人作出此種行為，以阻止處理該事情，即屬犯罪，一經定罪，可處罰款\$5000及監禁12個月。

公安條例－第17B(1)條 罪行元素

- (1) 在為某事情而召開的公眾聚集中;
 - 公眾聚集－公眾地方集會、集結、遊行(10人以上)

- (2) 作出擾亂秩序行為;及

- (3) 以阻止處理該事情
 - 包括阻礙、妨礙或制止等行為

公安條例－第17B(1)條

何謂擾亂秩序？

- 包括(但不限於)下列行為：
 - 大聲喧嘩、叫嚷
 - 粗言穢語
 - 撒溪錢
 - 搶「咪」
 - 胡亂舞動身體/手舞足蹈
 - 不理會大會工作人員或警方的阻止
- (香港特別行政區訴周諾恆及另一人 - HCMA 193/2012)

公安條例 – 第17B(2)條

《公眾地方內擾亂秩序行為》

- (2) 任何人在公眾地方作出喧嘩或擾亂秩序的行為，或使用恐嚇性、辱罵性或侮辱性的言詞，或派發或展示任何載有此等言詞的文稿，意圖激使他人破壞社會安寧，或其上述行為相當可能會導致社會安寧破壞，即屬犯罪，一經定罪，可處罰款\$5000及監禁12個月。

公安條例－第17B(2)條 罪行元素

□ (1) 在公眾地方；

- 任何(一類)公眾人士有權獲准進入的地方
- 為某集會目的而屬於公眾地方的任何地方

□ (2) 作出喧嘩或擾亂秩序的行為；及

□ (3) 意圖激使他人破壞社會安寧或相當可能導致社會安寧遭受破壞

公安條例－第17B(2)條

何謂破壞社會安寧？

- (1) 令人的身實際或相當可能受到損害；
 - (2) 令人眼看自己的財產實際或相當可能受到損害；或
 - (3) 令人害怕自己的人身或財產會因襲擊、毆鬥、暴動、非法集會或其他騷亂而實際或相當可能受到損害
-
- “...there is a breach of peace whenever harm is actually done or is likely to be done to a person or in his presence to his property or a person is in fear of being so harmed through an assault, an affray, a riot, unlawful assembly or other disturbance...”

（香港特別行政區訴周諾恆及另一人 - HCMA 193/2012 引用英國上訴法庭在*Howell*一案的判決）

香港特別行政區訴周諾恆及另一人 (HCMA 193/2012) (20/7/2012)

- 港鐵競步賽2011籌款活動的頒獎儀式，港鐵主席錢果豐、大會司儀及其他嘉賓在台上。運輸及房屋局局長鄭汝樺女士是致詞嘉賓之一。當鄭局長開始致詞後不久，第一上訴人衝上頒獎台左側撒錢。第二上訴人隨即衝上台，高速奔向鄭局長，搶了鄭局長對著致詞的「咪」，用「咪」高呼「港鐵加價可恥」口號。事件中，港鐵競步賽項目經理及大會司儀嘗試制止/阻止兩名上訴人期間受了輕傷。
- 兩名上訴人就第17B(2)條「在公眾地方作出擾亂秩序的行為」定罪及判刑提出上訴。
- 以第一上訴人衝上台的一連串行為及現場的所有環境情況而言，本席不認為他的行為相當可能導致社會安寧遭受破壞。第二上訴人明顯看來他不是對鄭局長作出任何人身攻擊。錢主席及台上的嘉賓並無作出任何破壞社會安寧的行為。本席亦不認為第二上訴人的行為相當可能導致社會安寧遭受破壞。

香港特別行政區訴周諾恆及另一人 (HCMA 193/2012) (20/7/2012)

- 兩名上訴人採取了較為激烈的表達方式向他人宣洩他們對港鐵加價的不滿，但本席看不出他們此擾亂秩序的行為是相當可能會導致其他在場人士破壞社會安寧。本席認為控方未能在毫無合理疑點下證明兩名上訴人干犯了「在公眾地方作出擾亂秩序的行為」罪。
- 可是，兩名上訴人明顯是以行動阻止競步賽頒獎禮繼續，致令他們能夠在台上盡量曝光，達致他們將抗議行動升級此目的。因此，可說他們作出擾亂秩序行為的目的是雙重的：一方面阻止競步賽頒獎禮繼續，另一方面他們進行升了級的抗議。
- 本席裁定控方已在毫無合理疑點下證明兩名上訴人干犯了第17B(1)條「在公眾聚集中作出擾亂秩序的行為」罪。

公安條例－第18條

《非法集結》

- (1) 凡有3人或多於3人集結在一起，作出擾亂秩序的行為或作出帶有威嚇性、侮辱性或挑撥性的行為，意圖導致或相當可能導致任何人合理地害怕如此集結的人會破壞社會安寧，或害怕他們會藉以上的行為激使其他人破壞社會安寧，他們即屬非法集結。
- (2) 集結的人如作出如上述般的行為，則即使其原來的集結是合法的，亦無關重要。
- (3) 任何人如參與憑藉第(1)款屬非法集結的集結，即犯非法集結罪－
 - (a) 一經循公訴程序定罪，可處監禁5年；及
 - (b) 一經循簡易程序定罪，可處罰款\$5000及監禁3年。

公安條例－第18條

《非法集結》

罪行元素

- (1) 三人或以上集結
- (2) 擾亂秩序
- (3) 意圖導致或相當可能導致他人合理地害怕如此集結的人會破壞社會安寧；或激使他人破壞社會安寧

公安條例－第18條

《非法集結》

- ❑ 除了在公眾地方外，非法集結亦可在下列私人地方發生：
 - ❑ 私人屋苑 (*HKSAR v. Au Kwok Kuen* HCMA 948/2008)
 - ❑ 私人住宅 (*HKSAR v. Yeung Kin Ping & Others* Magistracy Appeal No. 581 of 1996)
 - ❑ 商業地方 (*HKSAR v. Au Kwok Kuen* HCMA 948/2008)

公安條例－第26條

《公眾聚集中倡議使用暴力》

- 任何人如無合法權限而在公眾聚集中發表任何聲明，或其作出的行為，為意圖煽惑或誘使他人作出以下作為，或為其明知或應該知道相當可能會煽惑或誘使他人作出以下作為者－
 - (a) 殺死任何人或任何類別或群體的人，或傷害他們的身體；
 - (b) 摧毀或破壞任何財產；或
 - (c) 用武力或威嚇手段永久或暫時剝奪他人對任何財產的管有或使用，
- 即屬犯罪－
 - (i) 一經循公訴程序定罪，可處監禁5年；及
 - (ii) 一經循簡易程序定罪，可處罰款\$5000及監禁2年。

侵害人身罪條例 (第212章)



薛馮鄺岑律師行

SIT, FUNG, KWONG & SHUM

侵害人身罪條例－第40條

《普通襲擊》

- 任何人因普通襲擊而被定罪，即屬犯可循簡易或公訴程序審訊的罪行，可處監禁1年。

普通襲擊 - 定義

- (1) 襲擊 (assault)可界定為一項蓄意(或魯莽)的行為，而這行為令投訴人憂慮其人身會即時遭非法暴力對待
- (2) 當襲擊一詞的意思包括毆打(battery)時，其定義便可加上「或令投訴人人身受到非法暴力對待」

何種行為可構成普通襲擊？

- 說話？ (*HKSAR v. Leung Chun Wai Sunny* HCMA 152/2002)
- 裝兇作勢？
- 錯失目標？

何種行為可構成普通襲擊？

- ❑ 在 ***HKSAR v. Leung Chun Wai Sunny*** (HCMA 152/2002)一案中，被告人在一次集會中使用揚聲器(俗稱「大聲公」)在投訴人耳邊大聲叫喊，引致投訴人耳朵不適
- ❑ 此案中，毆打不一定需要直接接觸身體：
 - ❑ 以揚聲器放大聲浪
 - ❑ 在非常接近他人耳朵的位置使用揚聲器
 - ❑ 未經投訴人同意

刑事罪行條例 (第200章)

刑事罪行條例－第24條

《禁止某些恐嚇作為》

□ 任何人威脅其他人－

- (a) 會使該其他他人的人身、名譽或財產遭受損害；或
- (b) 會使第三者的人身、名譽或財產遭受損害，或使任何死者的名譽或遺產遭受損害；或
- (c) 會作出任何違法作為，

□ 而在任何上述情況下意圖－

- (i) 使受威脅者或其他人受驚；或
- (ii) 導致受威脅者或其他人作出他在法律上並非必須作出的作為；或
- (iii) 導致受威脅者或其他人不作出他在法律上有權作出的作為，即屬犯罪。

刑事恐嚇－例子

- 「刑事恐嚇」須為可信及確有意圖的威脅/威嚇，並非一時衝動或意氣之說

- 「我就燒左你架車！」 (*HKSAR v. Ng Kam Wing* HCMA 561/2009)
- 「我打你咩嚟！」 (*HKSAR v. Wong Epaphras Chung Kay* HCMA 1142/2006)
- 「如果唔係你都唔會好過！」 (*HKSAR v. Larm Tat Ming* HCMA 1123/2007)
- 「信唔信我會燒左你間鋪咩嚟！」 (*HKSAR v. Lai Kam Wai* HCMA 538/2008)

刑事罪行條例－第25條

《襲擊他人意圖導致作出或不作出某些作為》

- 任何人毆打或以暴力或武力對付他人，而在任何此等情況下意圖導致該人或其他人作出他在法律上並非必須作出的作為，或不作出他在法律上有權作出的作為，即屬犯罪。

使用錄影/閉路電視等作保安用途



薛馮鄺岑律師行

SIT, FUNG, KWONG & SHUM 24

個人資料(私隱)條例(第486章)

□ 保障資料原則 (個人資料(私隱)條例的附表一)

- 收集個人資料的目的及方式
- 個人資料的準確性及保留期間
- 個人資料的使用
- 個人資料的保安
- 資訊須在一般情況下可提供
- 查閱個人資料

□ 新修訂的個人資料(私隱)條例第64條已於2012年10月1日生效



個人資料(私隱)條例 – 第64條

《披露未經資料使用者同意而取得的個人資料屬罪行》(1)

- (1) 任何人披露未經資料使用者同意而取自該資料使用者的某資料當事人的任何個人資料，而該項披露是出於以下意圖的，該人即屬犯罪—
 - (a) 獲取金錢得益或其他財產得益，不論是為了令該人或另一人受惠而獲取；或
 - (b) 導致該當事人蒙受金錢損失或其他財產損失。

- (2) 如一
 - (a) 任何人披露未經資料使用者同意而取自該資料使用者的某資料當事人的任何個人資料；而
 - (b) 該項披露導致該當事人蒙受心理傷害，
該人即屬犯罪。

個人資料(私隱)條例 – 第64條

《披露未經資料使用者同意而取得的個人資料屬罪行》(2)

- ❑ (3) 任何人犯第(1)或(2)款所訂罪行，一經定罪，可處罰款\$1000000及監禁5年。
- ❑ (4) 在為第(1)或(2)款所訂罪行而提起的法律程序中，被控告的人如證明任何以下事宜，即可以此作為免責辯護—
 - ❑ (a) 該人合理地相信，有關披露對防止或偵測罪行屬必要；
 - ❑ (b) 任何成文法則、法律規則或法院命令規定作出或授權作出有關披露，或根據任何成文法則而規定作出或授權作出有關披露；
 - ❑ (c) 該人合理地相信有關資料使用者已同意有關披露；或
 - ❑ (d) 該人—
 - ❑ (i) 是為第61(3)條所界定的新聞活動的目的，或是為與該新聞活動直接相關的活動的目的，而披露該個人資料；而
 - ❑ (ii) 有合理理由相信，發表或播放該個人資料，是符合公眾利益的。

香港個人資料私隱專員公署

《閉路電視監察措施指引》



香港個人資料私隱專員公署

《閉路電視監察措施指引》

- ❑ 「人們應清楚獲告知他們受到閉路電視監察。有效的方法是在受監察範圍的入口放置明顯的告示，並在範圍內再張貼告示，以收提醒之效。如閉路電視攝錄機被放置於非常隱蔽的地方，或人們沒有預期會被監視的地方時，這點尤其重要。」

討論/問答