

## **Personal Data Privacy Terms for Tender**

In the event your bid is successful, you will enter into a contract with the [e.g. the University or insert relevant University unit] in relation to the subject matter of this tender under which you will be required to observe certain contractual obligations in relation to personal data privacy. The actual scope and wording of the contractual obligations will be negotiated in due course should your bid be successful. However, you should expect to have imposed on you contractual obligations covering the following areas:

- Compliance with the Personal Data (Privacy) Ordinance.
- Compliance with local laws on personal data privacy in jurisdictions outside Hong Kong, where applicable.
- Compliance with our Data Privacy Policy Statement (also known as PPS).
- Compliance with the Personal Information Collection Statement (also known as PICS) applicable to the service that we are engaging you to provide.
- Security measures required to be taken by you to protect personal data entrusted to you. This includes measures to prevent unauthorized or accidental access, processing, erasure, loss or use of the data entrusted to you. We will require you to take the same security measures that we would have to take if we were processing the personal data ourselves. We will also require you to protect personal data in accordance with the data protection principles under the Personal Data (Privacy) Ordinance.
- Timely return, destruction and/or deletion of personal data entrusted to you when it is no longer required for the purpose for which it is entrusted to you. Personal data entrusted to you shall not be kept longer than is necessary for processing the data.
- Prohibition against any use or disclosure of personal data by you for a purpose other than the purpose for which the data is entrusted to you.
- Absolute or qualified prohibition against you from sub-contracting the service that we are engaging you to provide.
- In the event we permit you to sub-contract the service that we are engaging you to provide, we will require you to impose on the sub-contractor the same obligations in relation to handling and processing personal data as we impose on you and where the sub-contractor

fails to fulfil its obligations, you shall remain fully liable to us for the fulfilment of those obligations.

- Immediate reporting of any sign of abnormalities or security breaches.
- Measures required to be taken by you to ensure that your staff will carry out the security measures and comply with the obligations under your contract with us regarding handling of personal data.
- Our right to audit and inspect how you handle and store personal data. We will also require you to keep proper records of all personal data that have been transferred to you for processing; and
- Consequences for violations of your contract with us.

Please note that this list is not exhaustive. As explained above, the actual scope of the contractual obligations will be negotiated in due course should your bid be successful. We may impose on you other contractual obligations relating to personal data as we deem necessary given the nature of the service that we are engaging you to provide and the particulars set out in your bid.