

Personal Information Collection Statement (PICS) for Purchasing Office

1. Introduction

The Hong Kong University of Science and Technology (“**HKUST**” or the “**University**”) respects the personal data privacy of all individuals and pledges to be in compliance with the requirements of the Personal Data (Privacy) Ordinance of Hong Kong (“**PDPO**”) so that the privacy of your personal data is protected in accordance with the standard required by law. In doing so, the University require all our staff and agents to comply with the PDPO in the same manner as the PDPO applies to the University as a whole and adhere to the strictest standards of security and confidentiality.

“Personal data” means any personally identifying information or sensitive data from which it is practicable for the identity of an individual to be ascertained, such as: name, age, gender, photo image, address, contact details, HKID card or passport/entry permit numbers, education background, academic, assessment and performance records, and co-curricular data.

This PICS is provided by the University for the purposes of complying with the notification requirements under the PDPO when collecting personal data. It should be read in conjunction with the University’s Data Privacy Policy Statement (“**PPS**”). A copy of which is available at this link: <https://dataprivacy.ust.hk/university-data-privacy-policy-statement/>

This PICS may from time to time be revised, or otherwise changed as the University deems necessary but the University will endeavor to give you advance notice of any such revision or change where practicable.

1. Types of records / personal data handled by the Purchase Office.

Records relating to the procurement of goods and/or services by the University, its subsidiaries and/or affiliates (collectively “**HKUST Parties**”, and each a “**HKUST Party**”) from suppliers, consultants and other service providers (collectively “**suppliers**”, and each a “**supplier**”) and/or the administration and operation of the Purchase Office, which include but not limited to:

- Expressions of Interests, Quotations and Tender submissions to any HKUST Party (which may contain, among other things, the curriculum vitae, personal profile, contact information and other information of individual tenderers and/or team members and other relevant personnel of the tenderers and job references);

- Contracts between suppliers and HKUST Parties (which may contain, among other things, personal details and contact information of the individuals involved, job particulars, details of fees and bank account information) (collectively, “**Procurement Contracts**”) and the records relating thereto (which may include, among other things, transaction records and performance evaluation records); and
- Supplier registration records (which may contain, among other things, personal details and contact information of the individuals involved, bank account information, declaration on conflict of interest, customer references and financial statements).

2. Purposes for which your Personal Data will be used

Suppliers’ information (including any personal data contained therein) may be used by the University for purposes which, broadly speaking, cover academic, educational/teaching, administrative, research, and related activities that are consistent with the University’s mission (which is to advance learning and knowledge through teaching and research, particularly in science, technology, engineering, management and business studies, and at the postgraduate level; and to assist in the economic and social development of Hong Kong). However, specific purposes will vary depending on the nature of the information held.

The purposes for which your personal data may be used are as follows:

- administration of procurement and/or tendering processes for HKUST Parties, including without limitation, [carrying out background checks] and/or pre-qualification processes of potential suppliers and/or tenderers, issuing requests for expression of interest, requests for quotations and invitations to tender, handling, processing and/or evaluating expressions of interest, quotations, tender submissions, and awarding the contract to the successful tenderers;
- administration of the suppliers of HKUST Parties and their Procurement Contracts, including without limitation, handling, processing and updating supplier registrations and suppliers lists, handling and processing suppliers’ declarations of conflict of interest (and the information disclosed therein), checking and verifying suppliers’ information, issuing purchase orders and arranging payments to suppliers under the Procurement Contracts;
- handling and processing any additions, alterations, variations, cancellation and/or termination of any purchase orders and Procurement Contracts and/or enforcing Procurement Contracts;
- evaluating the suppliers’ performance of the Procurement Contracts;

- complying with and/or enforcing any internal rules, regulations and policies of HKUST Parties that may be relevant to the Procurement Contracts and/or the transactions contemplated thereby;
- handling, lodging, defending, investigating, assessing, processing, responding to or settling any complaints and/or claims made by or against or otherwise involving you in relation to any Procurement Contracts and/or the goods and/or services supplied to any HKUST Parties pursuant thereto;
- compiling, summarizing, aggregating and/or de-personalizing suppliers' information for statistical or analytical purposes;
- managing legal matters and litigation, or matters in connection with compliance with the law, regulation, court order or government directions;
- protecting the rights and/or properties of any HKUST Parties; and
- other purposes directly relating to any of the above.

Unless otherwise indicated, it is obligatory to supply the requested personal data. Failure to provide the requested personal data may result in the HKUST Parties not being able to process your Expressions of Interests, Quotations and/or Tender submissions (as the case may be) or your Procurement Contracts.

3. Duration of retention of personal data

The University will only hold personal data for as long as it is necessary to fulfill the purpose or a directly related purpose for which they are collected.

4. Disclosure of personal data

The University will take all practicable steps to keep your personal data confidential but in connection with the above purposes, the University may need to disclose, transfer or assign the personal data you have provided within or outside Hong Kong to the following parties and you consent to the University doing so. You understand and acknowledge that in case your personal data is disclosed, transferred or assigned to a place outside Hong Kong, while the University will take appropriate steps to protect the privacy of your personal data, such place may not have in place data protection laws which are substantially similar to, or serve the same purposes as, the PDPO so your personal data located outside Hong Kong may not be protected to the same or similar level as in Hong Kong:

- (i) Other HKUST Parties, in the event that your Expressions of Interests, Quotations, Tender submissions and/or your Procurement Contracts (as the case may be), or the goods and/or services provided by you thereunder are related to them;

- (ii) Parties and staff within the HKUST Parties on a need-to-know basis;
- (iii) Any agents, contractors, advisors or third-party service providers engaged by any HKUST Party to provide services to or on behalf of a HKUST Party, including without limitation, bankers, insurers, lawyers, auditors and other professional advisers, on a need-to-know basis;
- (iv) Any persons in connection with any claims made by or against or otherwise involving you in relation to your Expressions of Interests, Quotations, Tender submissions and/or your Procurement Contracts (as the case may be), or the goods and/or services provided by you thereunder;
- (v) Any actual or proposed assignees or transferees of the University's rights and/or obligations under your Procurement Contracts;
- (vi) Any governmental or regulatory authority in Hong Kong or elsewhere and any other persons to whom the University is under an obligation to make disclosure under any requirements of any law or for the purposes of any guidelines or codes of practice with which any HKUST Party are expected to comply;
- (vii) Any person with your express or implied consent.

5. Security

The University will take appropriate steps to protect the personal data held by it against unauthorized or accidental access, use, loss, processing, erasure, transmission, modification or disclosure. When the University needs to disclose, transfer or assign personal data to third parties, the University will take appropriate steps to protect the privacy of the personal data to be disclosed, transferred or assigned (for example, requiring third-party service providers to keep confidential any personal data with which it comes into contact).

The personal data you have provided, however stored, will only be accessed by those who are authorized to do so. Staff members, agents, contractors and third-party service providers designated to handle personal data will be instructed to do so only in accordance with this PICS.

6. Retention of Personal Data

The University will keep your personal data only for as long as necessary to fulfil the purposes for which the personal data was collected as mentioned in section 2 or a directly related purpose. Personal data which is no longer required will be destroyed.

7. Your Right to Access and Correction

You may at any time request access to and correction of your personal data in the records of the Purchasing Office of the University by contacting the Director of Purchasing Office, whose contact information is as follows:

Director of Purchasing Office

Address: Room 5037, Academic Building

The Hong Kong University of Science and Technology

Clear Water Bay

Kowloon, Hong Kong

Email: puro@ust.hk

Please mark all communications “Confidential”

Depending on the nature of the request, the Director of Purchasing Office may need to forward the request to the University’s Data Privacy Officer for further handling.

A fee reflecting the University’s cost of processing and complying with your data access request may be levied.