

On-line Search Service of Official Receiver's Office
Confirmation of the Search Purpose
Q&As

Q1: What are the major changes in the on-line search service?

A1: Before conducting the bankruptcy and/or IVA searches, searchers are required to confirm that any information obtained from the bankruptcy register and/or the IVA register (“the Registers”) can only be used for the stated purposes.

Q2: What are the reasons for implementation of such an arrangement of confirming the search purposes? What is its legal basis?

A2: The arrangement of confirming the search purpose is introduced by ORO in accordance with the recommendation made in the Report on Survey of Public Registers Maintained by Government and Public Bodies published by the Office of the Privacy Commissioner for Personal Data, aiming at enhancing protection on usage of personal data obtained from the Registers, while ensuring that the public’s legitimate right to know will not be affected.

Q3: Will searchers be required to confirm their acceptance of “using the information obtained from the Registers only for the stated purposes”?

A3: Yes. All searchers are required to confirm their search purpose(s). If you do not click the “acceptance checkbox” on the search service page, you will not be able to use our on-line search service.

Q4: Under the new arrangement, searchers are required to confirm that any information obtained from the Registers can only be used for the stated purposes before conducting the searches. Will such an arrangement undermine the public's right to know?

A4: The arrangement of confirming the search purpose(s) is a measure to comply with the Personal Data (Privacy) Ordinance (Cap. 486). There is no reduction in the scope of public searches on the Registers. Under the new arrangement, before access to the relevant information, members of the public just have to confirm their acceptance of "using the information obtained from the Registers only for the stated purposes". Therefore, the public's right will not be affected.

Q5: How many types of search will be affected under the new arrangement?

A5: Two types, one for bankruptcy search and another for IVA search.

Q6: Are searchers required to do anything else before ORO can process the bankruptcy search request?

A6: Yes. In order for ORO to process a bankruptcy search request, searchers have to click the "acceptance checkbox" to confirm that they seek to obtain the personal data for ascertaining (a) whether a particular individual is a person against whom a bankruptcy petition has been presented or a bankruptcy order has been made under the Bankruptcy Ordinance; and (b) the period of the bankruptcy of that individual.

Q7: How about IVA search?

A7: Similar requirements apply. Before conducting IVA search, searchers have to click the “acceptance checkbox” to confirm that personal data disclosed in the individual voluntary arrangement (IVA) search report would be used for ascertaining whether a particular individual is or has been subject to an IVA.

Q8: Can searchers request for bankruptcy search and IVA search in a single request? If they can, are these searchers required to make the similar confirmation?

A8: They can. Accordingly, searchers have to acknowledge acceptance of the purpose statements as detailed in A6 and A7 above.

Q9: If I want to collect information for news report via search on the Registers, can I use ORO’s on-line search service?

A9: Any member of the public may use our search service if the information obtained from the Registers is intended to be used for the stated purposes. This requirement also applies to collection of information by reporters for news reports. In other words, if the information obtained by reporters via searches on the Registers is used for the stated purposes, they may use the search service.

Q10: Are the changes mentioned in A1 also applicable to public search service provided by ORO through other means?

A10: Yes, similar arrangement will also be introduced on the bankruptcy and/or IVA searches conducted by other means.

Official Receiver’s Office

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