

Learning Plan – Data Protection & Cyber Regulation

(Core Knowledge is in black text by default, with Non-Core Knowledge marked using **blue font**. Candidates will be able to pass the Part B Course and Examinations with sufficient understanding of the Core Knowledge.)

Synopsis:	Data Protection and Cyber Regulation provides candidates with a good understanding of laws that regulate the processing, use and disclosure of information, including personal data, especially through the use of digital technology. Laws and topics covered include the protection of personal data under the Personal Data Protection Act 2012 (PDPA), cybersecurity regulation under the PDPA and Cybersecurity Act 2018, prevention of online threats and falsehoods under the Protection from Harassment Act 2014 and Protection from Online Falsehoods and Manipulation Act and selected aspects of AI regulation and laws that regulate data processing activities.
Learning Objectives	<ol style="list-style-type: none"> 1. To provide candidates with a good overview of key laws that regulate the processing of information (including personal data). 2. To provide candidates with an understanding of how such laws may interact and apply. 3. To enable candidates to anticipate future legal issues that may arise with respect to the processing, use and disclosure of information in an online environment or through the use of digital technology.
Learning Competencies	<p>After completing Data Protection and Cyber Regulation, candidates should be able to:</p> <ul style="list-style-type: none"> • Explain the main provisions and requirements of key Singapore laws that regulate the processing, use and disclosure of information (including personal data) • Consider how such laws may interact or apply in particular cases. • Advise on measures required for compliance with such laws and to address risks under such laws arising from the processing, use and disclosure of information.
Profile of Principal Examiner	<p><u>David N. Alfred – Director and Co-head, Data Protection, Privacy & Cybersecurity Practice, Drew & Napier</u></p> <p>David N. Alfred is Director and Co-head of the Data Protection, Privacy & Cybersecurity practice at Drew & Napier. He is concurrently Co-head and Programme Director of the Drew Data Protection & Cybersecurity Academy.</p>

David is a senior data protection, cybersecurity and technology lawyer with over 25 years' experience advising on a broad range of matters relating to digital technology, telecommunications and the Internet. He has advised extensively on data protection and cybersecurity matters including development and implementation of management and compliance programmes, cybersecurity reviews, cross-border data processing and transfers, data breaches and regulatory enforcement (amongst others). More recently, he has also advised on legal and regulatory issues relating to the use of artificial intelligence and machine learning. David was previously Chief Counsel to Singapore's Personal Data Protection Commission and he has advised on the development of data protection laws in a number of jurisdictions in ASEAN. David has also developed and conducted training programmes in legal and data-related topics for organisations in various sectors.

David holds LLB and LLM degrees from the National University of Singapore and an MBA from the University of Chicago. He also holds various professional qualifications in the fields of adult education and data protection including WSQ ACLP, CIPP/A, CIPM, CIPT and FIP.

Timetable

No.	Content	Content Summary	Learning Material / Comment	Duration
1	Introductory Lecture	<p>Candidates will be provided with an overview of Data Protection and Cyber Regulation, with a particular focus on the Personal Data Protection Act (PDPA). In this lecture, Candidates will cover the following:</p> <ul style="list-style-type: none"> • Scope of the PDPA • What is Personal Data? • Obligations of Organisations • Legal Bases for Processing Personal Data • Rights of Individuals • Enforcement 	1. Introductory Lecture	24:34
2	Contact Session I (2 hours)	<p>During Contact Sessions, Candidates will have the opportunity to field questions and discuss the learning material. The Contact Session will span 1.5 – 2 hours.</p>	Candidates should review ALL learning materials in SN 1 in preparation for Contact Session I.	16 September 2024, 10.30 – 12.30 PM
3	Regulation of Cybersecurity under the PDPA and Cybersecurity Act	<p>Cybersecurity often involves the use, collection and protection of personal data. Cybersecurity is regulated under both the PDPA and the Cybersecurity Act. In this lecture, Candidates will cover the following:</p> <ul style="list-style-type: none"> • Scope of the Protection Obligation under the PDPA • Notification of data breaches under the PDPA • Offences relating to disclosure and misuse of personal data 	2. Cybersecurity	53:33

No.	Content	Content Summary	Learning Material / Comment	Duration
		<ul style="list-style-type: none"> • Regulation of Critical Information Infrastructure under the Cybersecurity Act • Prevention of Cybersecurity Incidents under the Cybersecurity Act 		
4	Prevention of Online Falsehoods and Threats	<p>Online spaces also provide another vector for harm. In recent years, online falsehoods and threats have become increasingly common. These are generally regulated in Singapore under the Protection from Harassment Act (POHA) and the Protection from Online Falsehoods and Manipulation Act (POFMA). In this lecture, Candidates will cover the following:</p> <ul style="list-style-type: none"> • Scope and objectives of POHA and POFMA • Offences under the POHA and application to the online enforcement • Remedies under the POHA • Offences under the POFMA and application to the online environment • Remedies under POFMA 	3. Prevention of Online Falsehoods and Threats	17:09
5	Regulation of AI and selected aspects of data processing	<p>With the advent of AI, this presents another area for legislators to consider when drafting cyber regulation. The following topics will be covered in brief:</p> <ul style="list-style-type: none"> • PDPC's Model AI Governance Framework • Application of the PDPA to data processing and data governance 		

No.	Content	Content Summary	Learning Material / Comment	Duration
6	Contact Session II (2 hours)	During Contact Sessions, Candidates will have the opportunity to field questions and discuss the learning material. The Contact Session will span 1.5 – 2 hours.	Candidates should review ALL learning materials in S/N 3 to 4 in preparation for Contact Session II.	13 November 2024, 10.30 – 12.30 PM
7	Exams	3 December 2024 to 20 December 2024		

Reading List

Core
<u>Legislation</u>
<ul style="list-style-type: none"> • Personal Data Protection Act 2012, Parts 1 to 6, 6A, 9B, 9C and 10 and First, Second and Eleventh Schedules • Personal Data Protection (Notification of Data Breaches) Regulations 2021 • Personal Data Protection Regulations 2021, Parts 2 to 4 • Cybersecurity Act 2018, Sections 7, 10 to 16, 19 and 20 and First Schedule • Protection from Harassment Act 2014, Sections 3 to 7, 11, 12, 15 and 15A to 15E
<u>Codes of Practice and Frameworks</u>
<ul style="list-style-type: none"> • Cyber Security Agency, Cybersecurity Code of Practice for Critical Information Infrastructure, Section 3 (Governance Requirements)
<u>Case Law</u>
<ul style="list-style-type: none"> • [2022] SGCA 60 Michael Reed v. Alex Bellingham • [2019] SGPDPC 3 Singapore Health Services Pte Ltd and Integrated Health Information Systems Pte Ltd

Strongly Recommended

- Personal Data Protection Commission (PDPC), Advisory Guidelines on Key Concepts in the Personal Data Protection Act\]

(Note: While all details of these Guidelines will not be tested, you should refer to this to ensure you understand the key concepts underlying the provisions of the PDPA which are covered in this module.)

Non-core

Legislation

- Protection from Harassment (Exempt Class of Persons) Order 2014
- Protection from Harassment (Prescribed Internet Intermediaries and Others) Regulations 2020
- Protection from Online Falsehoods and Manipulation Act 2019, Sections 7 to 16, 20 to 28, 32 to 34, 40 to 43 and 48
- Protection from Online Falsehoods and Manipulation Regulations 2019, Regulations 3 to 8

Codes of Practice and Frameworks

- POFMA Office, Code of Practice for Giving Prominence to Credible Online Sources of information

Further Reading (Optional)

- PDPC, Guide on Active Enforcement
- PDPC, Guide on Managing and Notifying Data Breaches under the PDPA
- Cyber Security Agency (CSA), The Singapore Cybersecurity Strategy 2021
- CSA, Singapore Cyber Landscape 2021
- PDPC/IMDA Model AI Governance Framework
- [2019] SGPDPC 22 Spize Concepts Pte Ltd
- PDPC Case No. DP-2102-B7878 Singapore Telecommunication Limited (No breach)
- [2023] SGPDPC 1 RedMart Limited
- [2020] SGHC 95 Lai Kwok Kin v Teo Zien Jackson