



PERSONAL DATA
PROTECTION COMMISSION
SINGAPORE

In Partnership to Foster Trust

Annual Report 2014/15



The PDPC Mission

To promote
and enforce
personal data
protection

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so as to foster an environment of trust among businesses and consumers, contributing to a vibrant Singapore economy.

Chair **m**an's message



Last year was a rewarding year for the Personal Data Protection Commission. The Commission focused on laying the groundwork for the implementation of the Personal Data Protection Act (PDPA) through extensive outreach, paving the way for the adoption of good corporate data protection policies and practices.

Our efforts have resulted in heightened awareness of personal data protection among organisations and consumers. Our annual surveys showed that more than 80% of the organisations had some form of data protection policies and practices in place to comply with the PDPA. It is heartening to know that the majority of the organisations acknowledged the benefits of the PDPA and, in the long run, its value to the community and businesses in Singapore. The effects of the organisations' efforts have also been felt by consumers. 86% of the consumers surveyed noticed a shift in organisational practices, where there is now greater transparency as organisations notify and seek their consent before collecting, using and disclosing their personal data.

The Do Not Call (DNC) and Data Protection provisions, which took effect in January and July 2014 respectively, work in unison towards building trust between organisations and consumers. These milestones mark the roll-out of a personal data protection regime in Singapore and signify a step towards strengthening the country as a trusted world-class data hub for businesses. While the Commission's preferred approach is to educate, instil good data governance and seek compliance, we understand that effective enforcement is often necessary for the PDPA to yield results. To date, the Commission has brought two organisations to court for DNC-related offences and has issued advisory notices to more than 1,800 organisations with minor isolated breaches.

The Commission takes enforcement of the PDPA seriously. In considering the appropriate enforcement measures to be pursued in each case, the Commission takes into account various factors, such as the severity of the breach, the degree of isolation between incidents, the number of complaints against the organisation and its cooperation after being informed of objectionable practices. Organisations are largely cooperative when approached and would avidly review and adjust their data protection policies and practices in compliance with the PDPA. The Commission is cognisant that the PDPA is still in the early phase of implementation and organisations would require more guidance in achieving compliance.

Industry engagement is essential in securing broad compliance with the PDPA. Last year proved to be a fruitful year for the Commission, in terms of collaborative efforts to engage and educate. Besides working with the Consumers Association of Singapore and Singapore Mediation Centre to set up mediation bodies for the resolution of personal data protection disputes between organisations and individuals, we also teamed up with industry leaders such as the Ministry of Health, Council for Estate Agencies and National Council of Social Service to release sector-specific advisory guidelines. Furthermore, we collaborated with the Infocomm Development Authority of Singapore, Singapore Workforce Development Agency and various schools to conduct PDPA courses and training for organisations and individuals.

The Commission will also work closely with industries to introduce initiatives that will help organisations improve data governance so as to better secure and protect personal data of consumers, and support our vision of developing Singapore into a Smart Nation.

I am happy to report that through our proactive outreach to trade associations and their members, we have helped more than 20,000 corporate representatives from the finance, retail, telecommunication, healthcare, social service and education sectors, among others, to build up their in-house personal data protection capabilities.

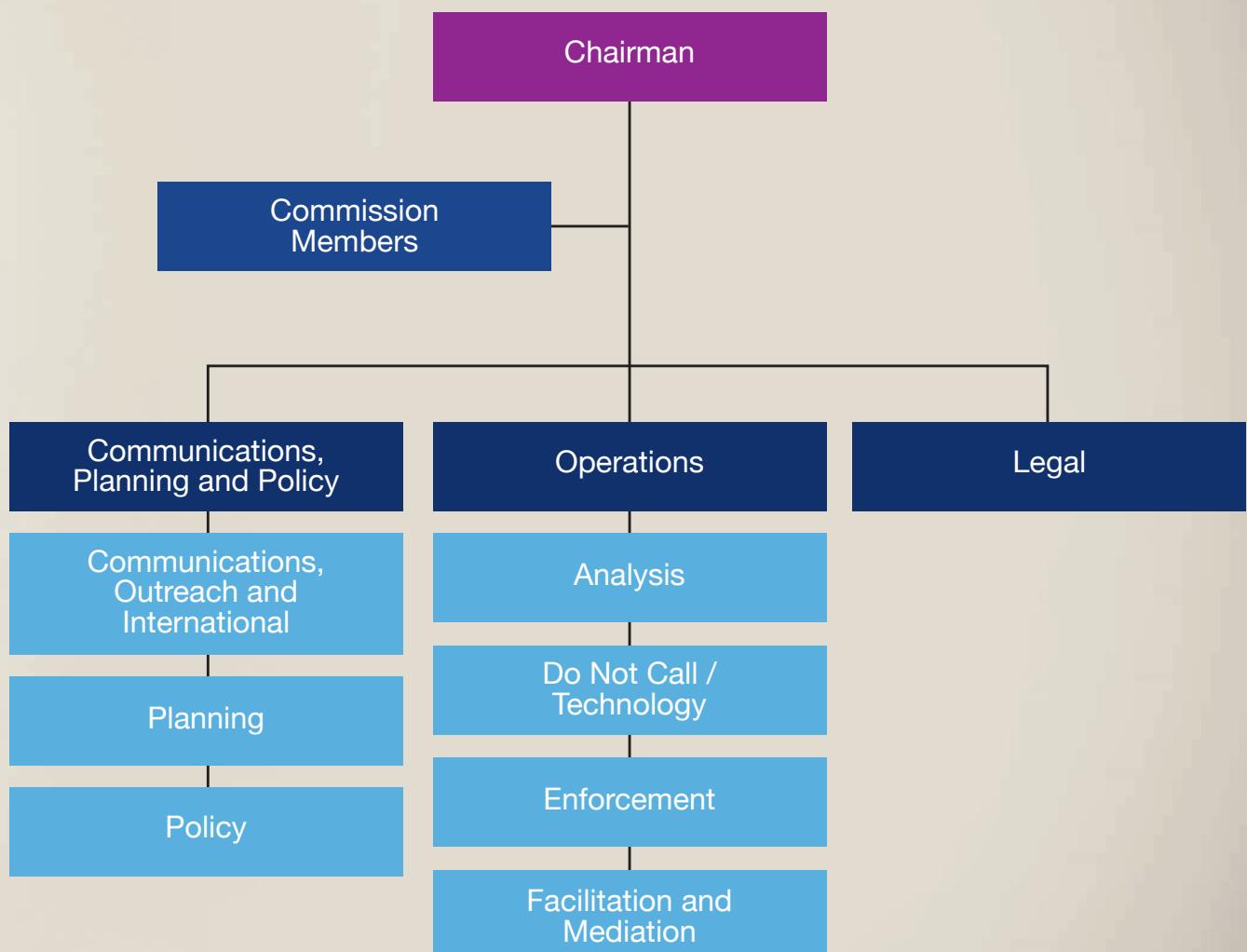
I would like to thank the Data Protection Advisory Committee, Commission Members and PDPC staff for their contributions to the Commission, as well as industry partners who have helped shape today's data protection landscape. With the advent of big data analytics, the benefits of developing networks and fostering closer collaboration with stakeholders, industry partners and consumers to effectively enforce the PDPA become increasingly evident.

Moving forward, Singapore will remain committed in ensuring the relevance of our data protection law by keeping abreast of developments in technology and international laws. As for the Commission, our work has only just begun. There will be continuing efforts to provide organisations, particularly the Small and Medium Enterprises, with more help and guidance in putting in place personal data protection policies and practices to keep pace with the proliferation of personal data. The Commission will also work closely with industries to introduce initiatives that will help organisations improve data governance so as to better secure and protect personal data of consumers, and support our vision of developing Singapore into a Smart Nation.

PDPC

**PERSONAL DATA
PROTECTION COMMISSION
SINGAPORE**

Organisation Structure



Commission members



Chairman

Mr Leong Keng Thai
Deputy Chief Executive
and Director-General
(Telecoms and Post),
Infocomm Development
Authority of Singapore



Ms Aileen Chia

Assistant Chief
Executive
and Deputy
Director-General
(Telecoms and
Post), Infocomm
Development
Authority of
Singapore



Mr Ong Tong San
Cluster Director
(Competition and
Resource Development),
Infocomm Development
Authority of Singapore

Ms Koh Li-Na
Assistant Chief Executive,
Early Childhood
Development Agency



Mr Amos Tan
Director (Strategy and
Innovation), Infocomm
Development Authority
of Singapore



Advisory Committee



Chairperson Ms Liew Woon Yin Director, Abundanti	Mr Tan Kai Hoe Chief Executive Officer ¹ , SPRING Singapore	Mr Ho Meng Kit Chief Executive Officer, Singapore Business Federation	Mr Lim Biow Chuan President, Consumers Association of Singapore	Professor Simon Chesterman Dean, Faculty of Law, National University of Singapore	Mr Lim Chin Hu Managing Partner, Stream Global
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1 Mr Tan Kai Hoe stepped down as CEO of SPRING Singapore in July 2015.

2 Mr Effendy Ibrahim stepped down as Senior Director in Symantec Corporation in June 2015.

The Commission welcomed six new members to the Data Protection Advisory Committee (DPAC) at the start of the new year.



Mr Hui Choon Kuen Deputy Chief Counsel (Advisory), Civil Division, Attorney- General's Chambers and Dean, AGC Academy	Ms Tina Hung Deputy Chief Executive Officer and Group Director, Service Planning and Development, National Council of Social Services	Mr Effendy Ibrahim Senior Director ² , RTM & Channel Marketing, Asia- Pacific & Japan, Symantec Corporation	Mr Lam Chee Kin Group Head of Compliance, DBS Bank	Associate Professor Low Cheng Ooi Chief Medical Informatics Officer, Ministry of Health and MOH Holdings	Professor Steven Miller Vice Provost (Research) and Dean, School of Information Systems, Singapore Management University
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Milestones



APR 2014

Memoranda of Intent with CASE and SMC

The Commission signed Memoranda of Intent with the Consumers Association of Singapore (CASE) and the Singapore Mediation Centre (SMC) for the provision of mediation services to resolve disputes between individuals and organisations in relation to the PDPA.



MAY 2014

Annual Personal Data Protection Seminar

The second Personal Data Protection Seminar held on 16 May 2014 offered insights on global and local perspectives of personal data governance.

Sector-specific Advisory Guidelines

Recognising that different sectors have unique concerns in complying with the PDPA, the Commission released sector-specific advisory guidelines for the first time to the Real Estate and Telecommunication sectors.

First DNC-related Prosecution

A tuition agency and its director were the first offenders to be prosecuted under the Do Not Call (DNC) Registry rules after the Commission received complaints about unsolicited telemarketing messages deriving from the tuition agency.

Joined APPA and CPEA

The Commission joined the Asia Pacific Privacy Authorities (APPA) and the Asia Pacific Economic Corporation Cross-border Privacy Enforcement Arrangement (APEC CPEA), marking the Commission's first foray into the international circuit.



JUN 2014

PDPA Training Programme Under the BM-WSQ Framework

The Commission launched a two-day training programme under the Workforce Development Agency (WDA) Business Management Workforce Skills Qualification (BM WSQ) framework to develop the competencies of organisation representatives handling data protection compliance matters.



JUL 2014

PDPA Came into Full Effect

The Data Protection Provisions of the PDPA came into effect on 2 July 2014, following the inception of the DNC Provisions earlier in the year.



AUG 2014

PDPA E-learning Programme

The Commission introduced free e-learning modules to help organisations understand their obligations under the PDPA.



SEP 2014

Advisory Guidelines for Social Service, Education and Healthcare Sectors

Advisory guidelines for the social service, education and healthcare sectors were issued by the Commission after extensive consultations with stakeholders within each sector.

Second DNC-related Prosecution

A property salesperson was charged after the Commission received complaints about him sending unsolicited telemarketing messages to Singapore telephone numbers registered with the DNC Registry.

OCT 2014

Joined GPEN

The Commission joined the Global Privacy Enforcement Network (GPEN) in recognition of the need for cross-border enforcement cooperation.





Str nger Ties. Smarter Collaborat

The Commission is privileged to have the support of like-minded corporate partners that share our vision of protecting personal data to advance Singapore's position as a world-class data hub.

65 trade associations



> 8,000

organisation representatives have benefited from the briefings and courses in the past year

Building a Network of Support

In the past year, we have strengthened our partnership and forged new collaborations with industry leaders from 65 trade associations. The Singapore Infocomm Technology Federation (SiTF), National Council of Social Service (NCSS), Direct Marketing Association of Singapore (DMAS), Singapore Human Resources Institute (SHRI), Singapore Medical Association (SMA) and Association of Small and Medium Enterprises (ASME) were, among others, part of this network that is keen to facilitate awareness of the PDPA among organisations. Through them, we were able to reach out to many organisations, especially Small and Medium Enterprises (SMEs), to help them understand and comply with the PDPA.





Arrival of Dr Yaacob Ibrahim (left), Minister for Communications and Information, at the PDP Seminar 2014



Ms Elizabeth Denham (above) and Ms Jennifer Stoddart giving their keynote speeches at the PDP Seminar 2014

Day of Ideas

The Commission hosted its annual Personal Data Protection Seminar – “International Perspectives on Data Governance” – in May 2014, graced by Minister for Communications and Information, Dr Yaacob Ibrahim, and attended by over 400 international and local industry representatives.

“Against this increasingly complex technological landscape, there are challenges in areas of data governance such as cyber threats,” said Dr Yaacob during his address at the start of the event. “Organisations would need to be more vigilant and take measures to protect the personal data under their care, and mitigate the risks of the misuse and unauthorised disclosure of personal data. This is especially important in today’s highly interconnected and collaborative business world.”

Held at the Grand Copthorne Waterfront Hotel, the half-day event provided an opportunity for global and local business leaders, personal data protection commissioners, industry professionals, as well as academia to exchange views and insights.

Ms Elizabeth Denham, Privacy and Information Commissioner of British Columbia, and Ms Jennifer Stoddart, former Privacy Commissioner of Canada, were invited to share their knowledge on personal data governance and developments of personal data protection in their respective regions as keynote speakers.

“

The PDPA will strengthen Singapore's competitiveness and its position as a trusted, world-class hub for businesses. The Singapore Business Federation (SBF) welcomes PDPC's efforts in the gradual implementation of the PDPA, allowing companies time to adjust to the new law. A survey conducted by SBF found that half of all respondents indicated that they already have adequate data protection measures in place and understood the need and requirements of PDPA compliance. The PDPA toolkit, coupled with subsidised training, will help SMEs learn more about the Act and embark on their road to compliance. Such assistance enables SMEs to put in place processes with ease and lower their costs of complying with the PDPA. SBF will continue to advocate the PDPA in its outreach efforts to bring organisations up to speed on the requirements of the regulation.



Mr Ho Meng Kit

Chief Executive Officer
Singapore Business Federation

“

SAEA has been taking the lead to help our members understand and comply with the PDPA. It is our goal to assist particularly the smaller agencies that have limited resources so that they may tap possible solutions that are affordable and user-friendly. This will ensure that they too benefit from the PDPA as good personal data management practices will give assurance to clients and raise the overall image and professionalism of the real estate industry.

”

Mr Dennis Tay
Chief Executive Officer
SAEA



“



Good governance is core in our mission and good governance includes compliance with the PDPA. The introduction of the PDPA is an opportunity for charities to think about and improve our processes for collecting, using and disclosing personal data, and to adopt a 'privacy by design' approach. We streamlined processes, removed duplication, broke old habits of collecting too much information and focused on what we really needed to collect. Overall, there is an increased level of trust from our beneficiaries and donors, knowing that the PDPA provides a legal framework to safeguard their information in our care.

”

Ms Lilian Tay

Chief Executive Officer
Shared Services for Charities

“

LIA Singapore is cognisant that the data protection law is still new and that life insurers and their advisors would require help with compliance. We recently issued two Industry Codes, following close consultation with the Personal Data Protection Commission and a subsequent round of public consultation. The LIA Code of Practice sets out best practices for life insurers in carrying out the requirements of the PDPA, whilst the LIA Code of Conduct sets out minimum standards for life insurance advisers on their responsibilities vis-à-vis the life insurer in respect of the PDPA requirements. We will ensure that the Codes remain relevant and continue to render assistance to the industry.

”

Dr Khoo Kah Siang

President
Life Insurance Association Singapore



Showing the Ropes

In 2014, we worked with WDA and 10 training providers to develop a programme under the BM WSQ framework so that data protection officers can obtain a level of competency in managing their organisations' data protection policies and practices. Rolled out in June 2014, the programme was a welcome addition to the Commission's free public briefings that were part of our overall public education efforts.



Participants at one of the PDP workshops



91.5%

of organisations
was aware of
requirements relating
to Data Protection

86.3%

of organisations
had some level of
compliance with
the PDPA

76.7%

of organisations did not
face difficulties or
challenges while complying
with the PDPA

Making Good Progress

A survey was conducted from January to February 2015 among 1,500 organisations spanning sectors such as retail, manufacturing and finance. It sought to gauge the awareness level of organisations of the PDPA and to ascertain their level of compliance.

Our outreach efforts made good progress, with most of the organisations indicating that they had some measures in place to comply with the PDPA.





Doing More Reaching Out.

Everyone has a role to play — this was the key message that the Commission delivered at consumer outreach platforms.

Starting Young

Believing that education should start early, we have been actively engaging secondary and tertiary students in schools through assembly talks and roadshows, and engaging the young in collaboration with the Info-communications Development Authority of Singapore (IDA) through its Lab on Wheels programme - a mobile platform that travels to different primary schools and events to ignite the children's passion for technology. So far, more than 31,000 students had participated in these programmes.





students learned of their role in protecting their own personal data



Students engaged through Lab on Wheels programme



Reaching All Ages

The Commission continued its collaborations with CASE and IDA to bring information on data protection to the general public through their annual initiatives: the World Consumer Rights Day and Silver Infocomm Day. Through these two events, we highlighted common myths that the general public had of the DNC Registry, as well as gave consumers tips on good personal data protection practices.

Such consumer engagements were extended to social media platforms, such as Facebook, which had more than 8,800 followers.



Engaging the general public at various consumer events



9 in 10

respondents agreed
that the PDPA is a good
initiative

FY2014 | FY2013
9 in 10 | 7 in 10

respondents noticed a
drop in the number of
telemarketing messages
received

FY2014 | FY2013
8 in 10 | 6 in 10

respondents observed
improvement in
organisations' data
protection practices



Increasing Support

1,500 individuals from all walks of life were surveyed through street-intercept conducted between January and February 2015 to assess public perception and awareness of the data protection and DNC provisions.

The Commission was encouraged by heightened public support for the PDPA. The survey showed that one in two individuals was aware of the PDPA and nine in 10 felt that it was a good initiative to protect their personal data. More individuals also found the DNC Registry effective in keeping away unsolicited telemarketing messages, with nine out of 10 noticing a drop in the number of telemarketing messages they received.

Giving Guidance Extending Support.

The Commission continued our efforts to build up a rich repository of online resources for organisations and individuals alike to acquaint themselves with the PDPA.

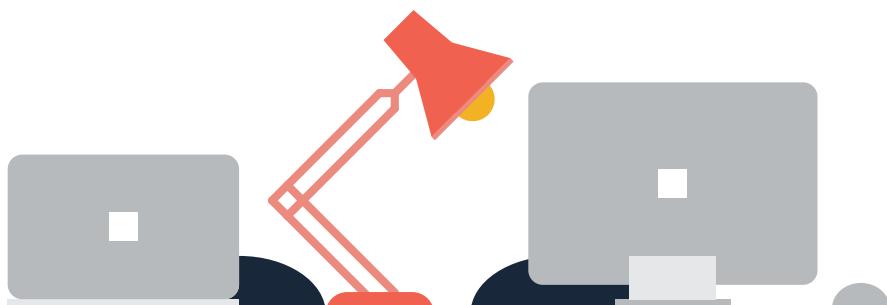
>491,000
website visitors

>6,000
E-learning users

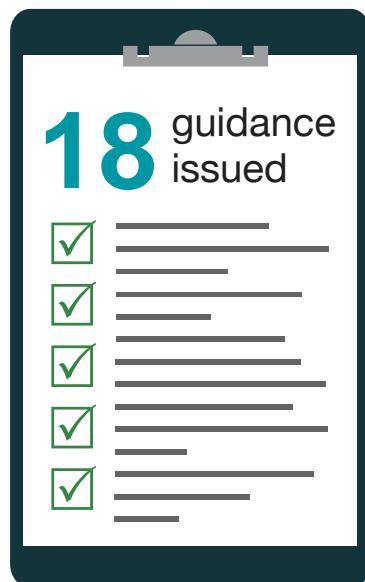
Reaching More Online

The PDPC website was visited by more than 491,000 visitors between April 2014 and March 2015, a 40 per cent increase compared with the previous year. From the website, visitors can access the PDPA legislation, find out how the law affects them (whether they are an individual or representing an organisation), and seek assistance in various ways.

The latest feature added to the website was the PDPA E-learning Programme - a free online educational tool for data protection officers to acquire a basic understanding of their organisation's obligations under the PDPA. Made available since late August 2014, the programme has five modules that guide users through the key concepts of the PDPA and elaborate on organisations' general obligations in the collection, use and disclosure of personal data.



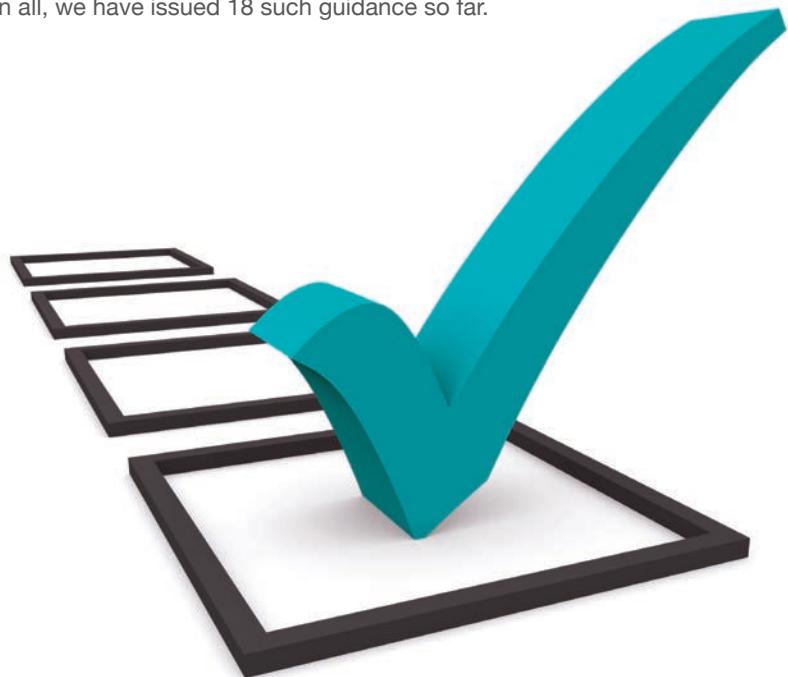
ance.



Addressing the Gaps

The Commission recognised that each industry sector has unique issues and therefore developed sector-specific advisory guidelines in consultation with the respective industry associations and sector regulators to address such issues. The advisory guidelines released were related to the telecommunication, real estate, education, healthcare and social service sectors.

Organisations that face more complex issues can write in to seek guidance. The Commission's goal in providing such guidance is to reduce the uncertainties that an organisation may face with respect to its compliance with the PDPA in unique situations. In all, we have issued 18 such guidance so far.





“

Experience has taught us that open communication between individuals and organisations is very often the most effective remedy in facilitation and could potentially prevent the problems in the first place.

”

Mr Calvin Lam
Manager, Facilitation and Mediation, PDPC



Email:
>25,000

Phone:
>9,000

Number of queries and feedback by



Strengthening Our Frontlines

As the first point of contact at the Commission, the facilitation and mediation team comprises service-oriented personnel who handle general enquiries and feedback.

“We receive more than 150 enquiries and feedback each day,” said Mr Calvin Lam, a manager from the team. “The most common queries were on DNC-related matters, and queries on how consent could be obtained.”

The team also facilitates communication between individuals and organisations to reach a resolution when issues arise.

Many people who seek the Commission’s assistance are concerned about how particular organisations may be using their personal data. In many of these cases, the individual might have attempted to contact the organisation, but did not receive adequate clarification or the appropriate attention.

As the individual is often frustrated with the lack of action or attention by the relevant organisation, our team members handling such calls have developed patience and empathy in hearing their concerns. “Giving complainants the attention, space and time to express their views and opinions is, in fact, the first step in facilitation,” said Mr Lam.

Providing organisations with an opportunity to clarify matters is equally important in facilitation. Such efforts also help organisations better comply with the PDPA.

“Experience has taught us that open communication between individuals and organisations is very often the most effective remedy in facilitation and could potentially prevent the problems in the first place,” Mr Lam observed.





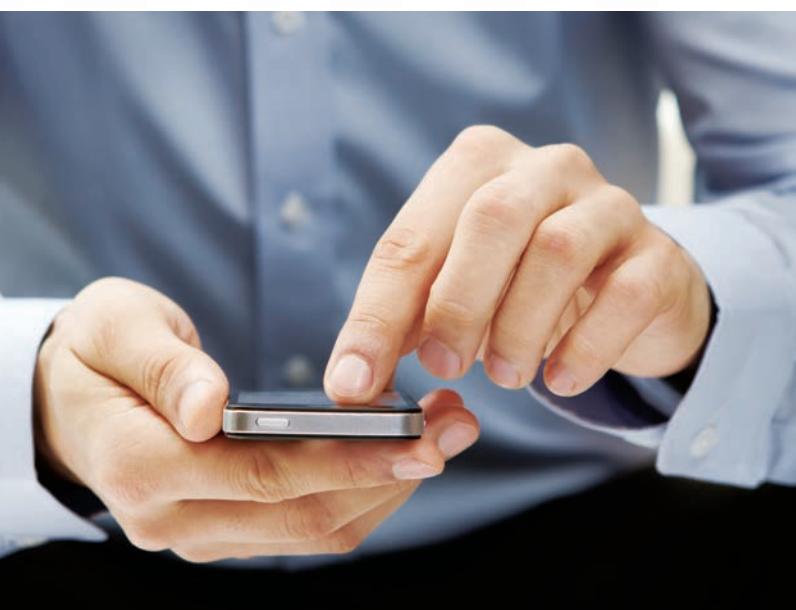
Ensuring Smooth Enforcing Regulations.

Since the official launch of the Do Not Call Registry on 2 January 2014, more than 792,000 telephone numbers have been registered with the DNC Registry and more than 5,000 organisations have signed up for an account. Operations have generally been smooth and the registry has returned the checked lists back to the organisations within an average of eight minutes.

Consumers also found the registration process for the DNC Registry to be smooth. Many indicated in the 2015 survey that they had no issues registering their telephone number on the DNC Registry. To date, more than 590 million telephone numbers have been checked against the DNC Registry.



Operations.



>792,000
registrations of telephone numbers



>5,000
organisations have created an account



>590 million
telephone numbers checked by organisations



“

Customers with issues that are resolved swiftly can turn into loyal customers or even brand advocates, so it is in every organisation's interest to put in place a complaint-management process to effectively manage such feedback.

”

Mr Jason Tan
Deputy Director for Operations, PDPC

Early Days of Enforcement

“We have received over 6,000 complaints since the DNC Registry was launched, most of them during the first quarter of 2014,” said PDPC’s Deputy Director for Operations, Mr Jason Tan. “As organisations become more familiar with their obligations relating to the DNC Registry, the number of such complaints on a monthly basis fell by as much as fivefold.”

The Commission has closed 95 per cent of complaint cases to date.

On 27 August 2014, Star Zest Home Tuition and its director were the first offenders to be fined \$39,000 each. Both faced a total of 26 counts of contravening the DNC rules and had 48 other similar offences taken into consideration. This case was followed by another against a property salesperson from Huttons Asia. The Commission had received over 200 complaints relating to unsolicited telemarketing messages allegedly sent by the salesperson to Singapore telephone numbers that were registered with the DNC Registry. The salesperson was fined \$27,000 for flouting the DNC rules.

Two other organisations accepted offers to compound their offences relating to the sending of telemarketing messages to Singapore telephone numbers that were registered with the DNC Registry. The compounded amounts ranged from \$500 to \$1,000.

Mr Tan explained, “Majority of the complaints were isolated cases, where there was just one or a handful of complaints against a particular organisation. For such cases, we issued advisory notices to the organisations. Thereafter, they adjusted their practices to comply with the DNC provisions.”

“Customers with issues that are resolved swiftly can turn into loyal customers or even brand advocates, so it is in every organisation’s interest to put in place a complaint-management process to effectively manage such feedback,” he added. “Most of the complaints could have been avoided if the organisations had first obtained the recipients’ clear and unambiguous consent to be sent telemarketing messages, or if they had checked their telemarketing list with the DNC Registry.”

CASE 1

STAR ZEST HOME TUITION



OFFENCE

26 counts of contravening DNC rules with 48 other similar offences taken into consideration

CASE 2

HUTTONS ASIA



OFFENCE

Over 200 complaints relating to unsolicited telemarketing messages sent by a property salesperson to Singapore telephone numbers that were registered with the DNC Registry

CASE 3

TWO OTHER ORGANISATIONS



OFFENCE

Sending of telemarketing messages to Singapore telephone numbers that were registered with the DNC Registry

Seeking Going **g** Views. lobal.

It is important for the Commission to understand the needs of businesses and consumers alike, and to keep up with shifts in the global economic and technological landscape. To this end, the Commission has actively consulted and worked with local stakeholders to keep our policies relevant, while constantly reviewing the framework to ensure that it is aligned with international best practices and standards.





New Voices for the Committee

The Data Protection Advisory Committee (DPAC) functions as a sounding board for the Commission, particularly in key policy and enforcement issues, development of advisory guidelines, and its communication and outreach strategies. Six new members, hailing from a diverse array of sectors comprising banking, healthcare, IT, public, social services and academia, joined DPAC in 2015.



“

The discussions are congenial, with a strong focus on a consensus outcome. Differences in views are deliberated, discussed and generally resolved during the respective meeting. If necessary, further research would be undertaken before a final position is taken.”

Ms Liew Woon Yin
Chairperson for DPAC



"The DPAC members, with their diverse backgrounds and wealth of experience, are in a good position to offer their feedback and perspectives on data protection matters," said Ms Liew Woon Yin, Chairperson for DPAC.

Her role as Chairperson is to facilitate teamwork between DPAC members and ensure that all issues surfaced for attention are given due consideration. "The discussions are congenial, with a strong focus on a consensus outcome. Differences in views are deliberated, discussed and generally resolved during the respective meeting. If necessary, further research would be undertaken before a final position is taken," she added.

The Commission seeks the views of DPAC on policy or enforcement issues. In particular, DPAC plays a significant part in the refinement of advisory guidelines, providing feedback from both corporate and consumers' perspectives.

Ms Liew said, "Going forward, DPAC will continue to support the Commission by providing objective and impartial feedback and remaining true to its appointment, a role that is important in developing a robust and balanced data protection model that best serves the needs and interests of Singapore."



APPA members at the 42nd APPA forum, Vancouver, Canada, December 2014 (Photo courtesy of Asia Pacific Privacy Authorities)

Stepping onto the Global Stage

To stay relevant and to keep abreast of global developments, the Commission participates actively in international forums for information exchanges and discussions. In 2014, the Commission officially became a member of APPA, APEC CPEA and GPEN.

APPA is the principal forum for privacy and data protection authorities in the Asia Pacific region. By joining APPA, the Commission is able to forge partnerships with other regulators and get updates on new law reforms, policies and public education initiatives. The Commission is also part of the APPA Way Forward Task Force that has been tasked to review the future strategic directions and scope of APPA's development.

Joining CPEA and GPEN was a significant step forward for the Commission in cross-border enforcement. CPEA creates a framework for regional cooperation in the enforcement of data protection and privacy laws, where such laws exist in more than one of the economies involved. GPEN was formed to assist public authorities with responsibilities for enforcing domestic data protection laws and strengthen their capacities for cross-border cooperation.



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