

PART II: SELECTED TOPICS

2 Analytics and Research

How does the PDPA apply to organisations that want to conduct analytics and research activities?

- 2.1 Where the research activities carried out by the organisation require the collection, use or disclosure of personal data, the organisation is required to comply with the PDPA. In particular, under the PDPA, individuals have to be informed of and consent to the purposes for which their personal data are collected, used, and disclosed by organisations, unless any exception under the PDPA applies. Please see the sections on “The Consent Obligation” and “The Notification Obligation” in the Key Concepts Guidelines for more details.
- 2.2 In respect of the Notification Obligation, an organisation may specify research itself as a purpose and an individual can give consent specifically for the use of his personal data for research.
- 2.3 Alternatively, an organisation may rely on consent given by an individual for a purpose that does not explicitly cover analytics and research if the purpose of the analytics and research falls within the original purpose for which consent was given.

2.4	<p>Example:</p> <p>John signs up for a mobile service with a telecommunications service provider. John consents to his personal data being collected and used by the service provider for the purposes of providing him the mobile service. The service provider collects and analyses some of John’s personal data for the purposes of managing its network and short term planning enhancements to improve the quality of mobile services provided to him. Such activities would likely fall within the original purpose John consented to.</p> <p>An adventure camp company requires all camp participants to provide emergency contact information of an individual, which includes personal data like name, telephone number and address, with consent from the individual. The purpose stated was to use that personal data to contact the individual in the event of an emergency relating to the camp participant. The company subsequently analyses the personal data for the purpose of determining if the individual(s) listed would be a potential participant for adventure camps. This purpose would not fall within the original purpose for which the consent was obtained.</p>
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- 2.5 Organisations may also use personal data without consent for a research purpose under paragraph 1(i) of the Third Schedule to the PDPA, if all the conditions referred to in that paragraph are fulfilled. Paragraph 1(i) says that an organisation may use personal data about an individual without the consent of the individual if the personal data is used for a research purpose, including historical or statistical research, subject to the conditions in paragraph 2. Paragraph 2 sets out that Paragraph 1(i) shall not apply unless:
- a) the research purpose cannot reasonably be accomplished unless the personal data is provided in an individually identifiable form;
 - b) it is impracticable for the organisation to seek the consent of the individual for the use;
 - c) the personal data will not be used to contact persons to ask them to participate in the research; and
 - d) linkage of the personal data to other information is not harmful to the individuals identified by the personal data and the benefits to be derived from the linkage are clearly in the public interest.
- 2.6 Alternatively, organisations could consider using anonymous data to conduct research. Anonymised data is not personal data and thus would not be governed by the PDPA. Please refer to the section on “Anonymisation” in these Guidelines for more details.