

13 The Purpose Limitation Obligation

- 13.1 Section 18 of the PDPA limits the purposes for which and the extent to which an organisation may collect, use or disclose personal data. Specifically, section 18 provides that an organisation may collect, use or disclose personal data about an individual only for purposes:
- a) that a reasonable person would consider appropriate in the circumstances; and
 - b) where applicable, that the individual has been informed of by the organisation (pursuant to the Notification Obligation).
- 13.2 The obligation of organisations to collect, use and disclose personal data for the limited purposes specified in section 18 of the PDPA is referred to in these Guidelines as the Purpose Limitation Obligation.
- 13.3 The main objective of the Purpose Limitation Obligation is to ensure that organisations collect, use and disclose personal data that are relevant for the purposes, and only for purposes that are reasonable. Consistent with the Notification Obligation, the Purpose Limitation Obligation also limits the purposes for which personal data may be collected, used or disclosed to those which have been informed to the individuals concerned pursuant to the Notification Obligation (where applicable).
- 13.4 For the purposes of section 18 (and as stated in that section), whether a purpose is reasonable depends on whether a reasonable person would consider it appropriate in the circumstances. Hence the particular circumstances involved need to be taken into account in determining whether the purpose of such collection, use or disclosure is reasonable. For example, a purpose that is in violation of a law or which would be harmful to the individual concerned is unlikely to be considered appropriate by a reasonable person.

Example:

A fashion retailer is conducting a membership drive. It states in the membership registration form that the purposes for which it may use the details provided by individuals who register including providing them with updates on new products and promotions and any other purpose that it deems fit.

In this case, providing updates on new products and promotions may be a reasonable purpose but the fashion retailer's unqualified reference to 'any other purpose that it deems fit' would not be considered reasonable. (As noted in the section on the "Notification Obligation", this may also be an inadequate notification to the individual of the purposes for which his or her personal data will be collected, used and disclosed.)