

Media Release

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PDPC takes action against tuition agency and organisations for breaching the Do Not Call requirements

The Personal Data Protection Commission (the “Commission”) has censured multiple organisations for breaching the Do Not Call (“DNC”) Registry requirements under the Personal Data Protection Act 2012 (“PDPA”).

Investigations have been made in response to 3,700 valid complaints from members of the public against 630 organisations since the DNC provisions took effect on 2 January 2014. These organisations are from sectors such as property, tuition and insurance. Complaints relating to suspected unlicensed money-lending activities have also been received. These have been referred to the Police.

The Commission will be charging a tuition agency, Star Zest Home Tuition Pte. Ltd., and its director, for offences relating to the DNC Registry under the PDPA. The Commission received many complaints relating to unsolicited telemarketing messages¹ allegedly sent by the tuition agency to Singapore telephone numbers which had been registered with the DNC Registry. The unsolicited messages offered the teaching services of various tutors signed up with the tuition agency.

The Commission worked on the complaints and conducted extensive inquiries in the course of its investigations. With the assistance of members of the public, the Commission established the identities of the tuition agency and its director. Both the tuition agency and its director will be charged in the State Courts on 4 June 2014. Each of them will be facing up to 37 counts of contravening section 43(1) of the Act, relating to the obligation to check the DNC Registry before sending any telemarketing messages to Singapore telephone numbers.

Any person or organisation found guilty of the offence of sending telemarketing messages to Singapore telephone numbers without checking the DNC Registry will be liable to a fine of up to S\$10,000 per message sent.

Chairman of the Commission, Mr Leong Keng Thai, said, “The Personal Data Protection Commission is serious about compliance with the DNC requirements in the Personal Data Protection Act. We thank the members of public who have cooperated with us in our investigations and are encouraged by individuals who have stepped forward to do so.”

¹ Telemarketing messages refer to “specified messages” under the Personal Data Protection Act 2012.



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He added, “We will continue to monitor compliance with the requirements in the PDPA, including those relating to data protection, once the Act is fully in force on 2 July 2014.”

Two organisations have since accepted offers to compound their offences relating to the sending of telemarketing messages to Singapore telephone numbers registered with the DNC Registry in lieu of prosecution. The composition amounts ranged between \$500 and \$1,000. About 380 other organisations, in relation to which PDPC has received a small number of isolated complaints, have been issued notices that warn them of the consequences of sending any further unsolicited telemarketing messages.

In considering the appropriate enforcement action to be taken in each case, the Commission takes into account various factors including the seriousness of the breach, whether the sending of unsolicited telemarketing messages were isolated incidences, the number of complaints against the organisation and whether the organisation had been co-operative after being informed by the Commission to stop sending such unsolicited telemarketing messages.

Individuals who wish to lodge a complaint to the Commission, or organisations which would like to find out more about compliance with the PDPA can visit www.pdpc.gov.sg or write to info@pdpc.gov.sg.

ISSUED BY THE PERSONAL DATA PROTECTION COMMISSION

About Personal Data Protection Commission

The Personal Data Protection Commission administers the Personal Data Protection Act 2012 in Singapore, which aims to safeguard individuals’ personal data against misuse and promote proper management of personal data in organisations. In addition, the Act will enhance Singapore’s competitiveness and strengthen our position as a trusted business hub, putting Singapore on par with the growing list of countries with data protection laws. For more information, please visit www.pdpc.gov.sg.

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