

COLLECTION, USE AND DISCLOSURE OF PERSONAL DATA

NOTIFICATION, CONSENT, PURPOSE

Assure your customers and earn their trust by adopting good data protection practices today!

NOTIFICATION OBLIGATION

Notify the individual of the purpose(s) for which you intend to collect, use or disclose the individual's personal data.



EXAMPLE

An estate agent places a guest book at the reception counter in a show flat. Individuals who visit the show flat are asked to provide their name and contact number in the guest book. A sign on top of the guest book clearly and legibly states that "Your personal data is collected for the estate agent's market research and product planning purposes. You will not be contacted after you have left the show flat." The real estate agency would be considered to have provided appropriate notification in this case.



Individual shall be notified of the purpos(es) on or before the collection, use and disclosure of personal data.



Organisations should provide a clear and easy to read copy of its data protection policy to individuals, or provide an opportunity for them to view it before the collection of personal data.



Ensure notices are easy to understand and appropriate to the intended audience.



CONSENT OBLIGATION

Obtain consent to collect, use or disclose individuals' personal data.
Allow individuals to withdraw consent.



EXAMPLE

Sarah signs up for a spa package. In addition to the package, she is given the option of receiving a complimentary facial treatment if she consented to the disclosure of her personal data by the spa provider to third party marketing agencies. Sarah decided to forgo the complimentary facial treatment as she did not want her personal data to be disclosed to third parties.



Consent shall only be obtained for purposes that are reasonable to provide a product or service.



Obtain clear and unambiguous consent in evidential form from individuals before sending telemarketing messages to telephone numbers under the Do Not Call Registry.



Allow individuals to withdraw consent, with reasonable notice, and inform them of the likely consequences of withdrawal.



Deemed consent may apply if an individual voluntarily provides the personal data to an organisation for a purpose and it is reasonable that the individual would do so.



Failure to opt out will not be regarded as consent in all situations.



PURPOSE LIMITATION OBLIGATION

Collect, use or disclose personal data about an individual only for purposes that a reasonable person would consider appropriate in the circumstances.



Clauses such as "for any other purposes that the organisation deems fit" are generally not considered reasonable.



Organisations need not specify every activity it will undertake in relation to collecting, using or disclosing personal data. But it should minimally state the purpose for the collection, use and disclosure of the personal data.



Trust and confidence are essential in enhancing a company's reputation.



For more information, refer to the PDPC's Advisory Guidelines on Key Concepts in the PDPA at www.pdpc.gov.sg