

Feedback And Comments By MSIG Insurance (Singapore) Pte. Ltd.

Contact Person: Ms Looi Pek Hong

Email: pekhong_looi@ sg.msig-asia.com

Tel: 6827 2400

No.	RE: Public Consultation issued by the Personal Data Protection Commission on Proposed Regulations on Personal Data Protection
1.	<p>Administration of requests for access to and correction of personal data- Clause 5 and Clause 3.7</p> <p>In order to have some uniformity in costs and to prevent frivolous requests, we propose that a minimum sum of S\$10 (plus applicable GST) be imposed for any request for access to personal data. With the implementation of the new law, organizations may just face an overwhelming request for access. For organizations with a substantial size of individual customers, this may prove to be quite a burden for the organizations to handle, if requests are not priced in such a manner so to be restrictive towards frivolous and trivial requests.</p> <p>We also propose an initial period of 45 working days to respond to requests to take into consideration that requests may be overwhelming in the initial period following the implementation of the new law.</p>
2.	<p>Minimum age to exercise rights and powers under the PDPA – Clause 9.1 and Clause 9.5</p> <p>We are of the view that it is too onerous on organizations to determine whether an individual who is less than 18 years old but above 14 years old understands the nature of the right or power and the consequences of exercising the right or power conferred by the PDPA. There is also subjectivity and ambiguity involved. We propose that a definite cut-off in the minimum age of the individual be provided for instead. Below the minimum age, the consent of the parent or legal guardian should be obtained.</p> <p>We are of the view that the minimum age should be 18 years old, so that the individual concerned has the maturity to understand the rights and powers provided under the PDPA. Minors below this age will not have the maturity of mind to understand the implications of personal data-sharing, and would thus need the protection of their parents and legal guardians.</p>
3.	<p>Personal data of deceased persons - Clause 9.9</p> <p>We are also of the view that it is too onerous a duty to place on organizations to determine who is the rightful nearest relative of a deceased person to act on behalf of the deceased person in relation to his personal data. There could be family disputes which organizations are not aware of.</p> <p>We propose that the representative of a deceased person should either produce a Grant of Probate or a Grant of Letters of Administration, or at least, produce an application for a Grant of Probate or Grant of Letters of Administration, in order to be entitled to deal with the personal data of the deceased person.</p>

No.	RE: Public Consultation issued by the Personal Data Protection Commission on Proposed Advisory Guidelines on Key Concepts in the Personal Data Protection Act
1.	<p>Access and Correction Obligation – Clause 14.5</p> <p>It is proposed in the Consultation Paper that an organization may develop (and update periodically) a standard list of all possible third parties to whom personal data may have been disclosed by the organization instead of a list that specifically relates to the personal data of a particular individual. Rather than naming the third parties concerned in this standard list, we would like to know whether it suffices to refer to the third parties by the nature of services provided by them, e.g. “workshop repairers”, “hospitals”. This is because the list of third parties may change periodically, and it may be too troublesome to update the list on a regular basis to keep up with the changes.</p>