

WRITTEN VOLUNTARY UNDERTAKING (“Undertaking”) TO THE PERSONAL DATA PROTECTION COMMISSION

This Undertaking is given to the Personal Data Protection Commission or its delegates pursuant to section 48L(1) of the PDPA, by:

HSL Constructor Pte Ltd

UEN: 199405996K

Registered Address: 42D Penjuru Road, HSL Waterfront @ Penjuru, Singapore 609162

(hereinafter referred to as the “**Organisation**”).

By signing this Undertaking, the above-named Organisation acknowledges the matters stated herein and undertakes to the Commission in the terms set out herein.

1. DEFINITIONS

1.1 In this Undertaking:

- (a) “**PDPA**” means the Personal Data Protection Act 2012 (No. 26 of 2012); and
- (b) “**Relevant Provisions**” means the provisions in Parts III, IV, V, VI, VII and IX, and section 48B(1) of the PDPA.

2. ACKNOWLEDGEMENTS

2.1 The Organisation hereby acknowledges the following matters:

- (a) The Commission has carried out investigations into certain acts and practices of the Organisation, and has reason to believe that the Organisation has not complied, is not complying, or is likely not to comply with one or more of the Relevant Provisions. The relevant facts and circumstances are summarised at Schedule A.
- (b) As a result of any non-compliance with the PDPA by an organisation, the Commission has a number of enforcement options under the PDPA, including the option to issue directions under sections 48I or 48J of the PDPA.
- (c) The Commission recognises that the Organisation has made efforts to address the concerns raised in this case and to improve its personal data protection practices. In addition, the Organisation was cooperative in the

course of the investigation and was responsive to requests for information. The Commission further recognises that the Organisation appears ready to implement or is in the midst of implementing the steps set out in Schedule B.

- (d) Having carefully considered all the relevant facts and circumstances, the Commission takes the view that this is an appropriate case in which an Undertaking may be accepted.

- 2.2 The Organisation also acknowledges and agrees that the Commission may publish and make publicly available this Undertaking, and without limitation to the foregoing, the Commission may issue public statements referring to this Undertaking and/or its contents in whole or in part.

3. UNDERTAKINGS

- 3.1 The Organisation undertakes that it has taken, or will take all necessary steps, to carry out the actions or refrain from carrying out the actions referred to in Schedule B, and where applicable, in accordance with the stipulated timelines.

4. COMMENCEMENT

- 4.1 This Undertaking shall take effect upon the acceptance by the Commission of the Organisation's duly executed Undertaking.

5. THE COMMISSION'S STATUTORY POWERS

- 5.1 In order to provide the Organisation with an opportunity to complete all necessary steps to implement its undertakings set out in clause 3 above, the Commission will exercise its powers under section 50(3)(ca) of the PDPA to suspend the investigations referred to in clause 2 on the date the Undertaking takes effect as set out in clause 4.1.
- 5.2 The Organisation acknowledges that the Commission will verify the Organisation's compliance with its undertakings set out in clause 3 above, and if necessary, will exercise its powers under the Ninth Schedule of the PDPA to do so.
- 5.3 Clause 5.1 above shall be without prejudice to the Commission's statutory powers to conduct or resume, at any time, the investigations referred to in clause 2 above if it thinks fit, including but not limited to the situation where the Organisation fails to comply with this Undertaking or part thereof in relation to any matter.

5.4 Nothing in this Undertaking, including the Commission's acceptance of the Undertaking, is intended to, or shall, fetter or constrain the Commission's rights and statutory powers (including but not limited to those under sections 48I, 48J, 48L(4) and 50 of the PDPA) in any manner. Neither shall be construed as creating any anticipation or expectation that the Commission will take or not take any particular course of action in the future (whether in the present case or in respect of any other case concerning a breach or suspected breach of the PDPA). The acceptance of this Undertaking is strictly confined to the particular facts of the present case, and is made on the basis of the representations and information provided by the Organisation. The acceptance of an Undertaking in this case shall not be construed as establishing any precedent.

6. VARIATION

6.1 This Undertaking may be varied only with the express written agreement of the Commission.

This document has been electronically signed. The Parties hereby affirm that the electronic signatures have been affixed with the due authorisation of each Party and that Parties intend for the electronic signatures to carry the same weight, effect and meaning as hand-signed wet-ink signatures.

SIGNED, for and on behalf of)

HSL Constructor Pte Ltd)

By the following:)

Name: _____)

Designation: _____)

Date: _____)

ACCEPTED by)

)

Name: _____)

Designation: Deputy Commissioner

Personal Data Protection)

Date: _____)

SCHEDULE A

SUMMARY OF FACTS

1. On 30 September 2021, the Organisation was subject to a ransomware attack in which 3 of its servers and a Network Attached Storage (NAS) were encrypted. The attackers had likely gained access to the Organisation's network by exploiting the vulnerabilities in the outdated server software used on 2 of its server, or through the use of compromised credentials.
2. As a result of the attack, the personal data of the Organisation's 758 current and former employees were encrypted by ransomware. The personal data including their name, NRIC number, residential address, email address, family information, salary information and medical information. There was no evidence of exfiltration of data.

SCHEDULE B

S/N	Remediation Action	Date of completion / Target completion date
1	Multifactor authentication (MFA)	
a	Use MFA for all administrator access	MFA already setup for all Microsoft Administrator accounts (14-12-2021)
b	Require MFA for remote login, including VPN, dial-up, and other forms of access that allow log in to internal systems	Discussion with vendors, Target Completion for users with administrative privileges March 2022
c	Use MFA for accounts accessing sensitive data or systems	As above, target completion March 2022

2	Reminders to staff on cybersecurity best practices/ password	
a	Supplementing HSL's email reminders to staff on cybersecurity best practices/ password with a regimented user awareness training. .	Ongoing, Next reminder scheduled for 7 March 2022 (Password), 21 March 2022 (PC/Anti-virus update), 14 Apr 2022 (Awareness)

3	In addition to the above	
	Decommission of servers running Windows Server 2008 R2 and below	18-Nov-21
	Temper proof Endpoint installed in all servers	17-Nov-21
	Patching of all servers	20-Nov-21
	Patching of firewall	09-Nov-21

	Reset password for all Admin accounts	05-Oct-21
	Closing off unused ports on the Firewall	24-Nov-21
	Email reminders to staff on IT security, including in their homes, and to update their PCs	25 Oct 21 (recurring)
	Temper Proof Endpoint protection	Target: 31-03-2022
	Reminders for Password change	8 Nov 2021 (recurring)