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17 July 2019

Personal Data Protection Commissioner
Singapore

via email: corporate@pdpc.gov.sg

Dear Sir,

Re: **PDPC's Public Consultation on Proposed Data Portability**

Experian Credit Bureau Singapore Pte. Ltd. and Experian Credit Services Singapore Pte. Ltd. ("**Experian**") are grateful for the opportunity to provide comments on the above-mentioned Consultation.

Experian is the world's leading global information services company listed on the London Stock Exchange (EXPN) and are a constituent of the FTSE 100 Index. During life's big moments – from buying a home or a car, to sending a child to college, to growing a business by connecting with new customers – we empower consumers and our clients to manage their data with confidence. We help individuals to take financial control and access financial services, businesses to make smarter decisions and thrive, lenders to lend more responsibly, and organisations to prevent identity fraud and crime.

We have more than four decades of local knowledge, and analyse businesses and individuals through our Bureaux in Singapore. Experian currently operates three bureaux in Singapore:

- Experian Bank Bureau - captures data on individuals from our Member Banks and is gazetted by the Monetary Authority of Singapore;
- Experian Non-Bank Bureau - extends our business and individual data with non-bank credit exposure;
- Moneylenders Credit Bureau - provides real-time information on borrowings and is designated by the Ministry of Law.

Please contact **Mr. James Gothard General Manager – Credit Services and Strategy, SEA** at James.Gothard@experian.com should you have any queries.

Sincerely,

Olga Filkovskaya
Legal Counsel SEA

<p>1</p>	<p>What are your views on the impact of data portability, specifically on consumers, market and economy?</p>	<p>In the markets we operate, we are seeing data portability initiatives create the opportunity for a broad array of new and innovative services which can bring significant benefit to both consumers, through improved choice, and organizations, who can make better decisions and improved offers as a result of having access to the data.</p> <p>When implementing such schemes however, it is important that their impact on existing regulated schemes such as credit bureaus is considered. These schemes have evolved over an extended period and are often critical components of ecosystems.</p> <p>Our experience in other markets also points to open data & data portability concepts frameworks being complimentary to these existing schemes and not substitutional.</p>
<p>2</p>	<p>What are your views on the proposed Data Portability Obligation, specifically – a) scope of organisations covered; and b) scope of data covered?</p>	<p>Significant consideration should be given to the source and scope of data and the cost/benefit of its inclusion under any regulation.</p> <p>As an example, the implications of releasing data from industries such as Telecommunications, Insurance or Banking organizations, who tend to be large, will likely be far greater than say smaller F&B organizations. We believe a prioritized and considered approach would be beneficial.</p> <p>Within our industry, we would want to clarify how this affects some of our existing Credit Bureau businesses.</p>
<p>3</p>	<p>What are your views on the proposed exceptions to the Data Portability Obligation, specifically – a) the proposed exception relating to commercial confidential information that could harm the competitive position of the organisation, to strike a balance between consumer interests and preserving the incentive for first movers’</p>	<p>We support the exception. Our existing business is largely based on deriving insight from data to create services such as credit bureau scores and which help organizations and consumers better interpret data.</p> <p>This information is proprietary and should be included within an exception.</p>

	business innovation; and b) the proposed exception for “derived data”?	
4	What are your views on the proposed requirements for handling data portability requests?	<p>Significant consideration should be given to the costs associated with meeting data portability requirements and agreeing standards to ensure these costs are manageable for a business. Considerations might include:-</p> <ul style="list-style-type: none"> - Ensuring an efficient approach to Authentication – Online only - Standardising the format of the released data and not supporting multiple formats - Where appropriate, an ability to charge for the release of the data, given the associated costs of making it available - Ensuring an adequate time to respond (30 days)
5	What are your views on the proposed powers for PDPC to review an organisation’s refusal to port data, failure to port data within a reasonable time, and fees for porting data?	<p>Clear and reasonable guidelines need to be established as per Q4 and where the industries covered enable a strong cost benefit from releasing the data.</p> <p>Note as a credit bureau, we currently allow consumers access to their data under agreed terms.</p>
6	What are your views on the proposed binding codes of practices that set out specific requirements and standards for the porting of data in specific clusters or sectors?	<p>It is important the PDPC give due consideration to existing data sharing schemes, existing regulation and data security when implementing this scheme.</p> <p>As further context, our business invests large sums to ensure the data we hold is protected. We believe this important aspect should be given due consideration given consumers will likely be unaware of the risks of releasing their data to an organization with less stringent standards.</p>
7	What are your views on the proposed approach for organizations to use personal data for the specified businesses innovation purposes, without the requirement to notify and seek consent to use the personal data for these purpose?	<p>Under clear guidelines, this may bring significant benefit in terms or innovation however a considered approach is required to ensure the rights of a consumer are not detrimentally impacted.</p>

8	What are your views on the proposed definition of “derived data”?	Further clarification is required as to how this relates to different data sets. If we were to gather information on a subject i.e. details on a shopping mall and within which I come to know who are the tenants in the malls and the individuals behind the tenancy, do I need the individual’s permission if I were to derive a new data point on the individual. I.e. I will work out which stores does the individual hold across various malls?
9	What are your views on the proposal for the Access, Correction and proposed Data Portability Obligations not to apply to derived personal data?	We support the need to enable consumers to make corrections to their data however there is a requirement to ensure the fidelity of any data provided by the consumer is accurate.