

Public Consultation on Review of The Personal Data Protection Act 2012 – Proposed Data Portability and Data Innovation Provisions (Issued 22 May 2019)

Dear Sir/Mdm

We wish to submit our comments for the Public Consultation on Review of The Personal Data Protection Act 2012 – Proposed Data Portability and Data Innovation Provisions (Issued 22 May 2019)

Company: NTUC Income Co-operative Ltd

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Please refer to our comments in the table below

S/N	Questions from PDPC	Income's Comment
Q1	Q1. What are your views on the impact of data portability, specifically on consumers, market and economy?	<p>1) Data portability may create additional costs to organization in term of handling and administering the request. Transaction based activities from FI perspective, is already readily shared with the customer and can be available via their online login access.</p> <p>2) To extend that is available to customer, customer should try to self-help from online login access to their transaction activities available.</p> <p>3) Customer should also make aware of the data security/protection risk of moving sensitive information of themselves from one organization to another, the retention of data by the recipient organization even if in the event that new application was not successful.</p>
Q2.	<p>What are your views on the proposed Data Portability Obligation, specifically –</p> <p>a) Scope of organizations covered; and</p> <p>b) Scope of data covered?</p>	<p>4) PDPC to consider allowing organization to propose the types / minimum number of data for porting. For eg: It may help to simplify the process of request (ie selected drop down option of data across Income).</p> <p>We also propose to subject data portability to only key policy transactional data (e.g. premium payments history, withdrawal/surrender. It would be too onerous for data such as customer calling activities, rewards/redemptions records, marketing messages sent to be subject to data portability in insurer context.</p> <p>5) Would highly sensitive information such as insured member's underwriting terms and medical history / claims information with the insurer falls under the scope of data portability obligation?</p>

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		<p>6) Are scan documents keep in electronic mode (e.g. scan application form) subject to data portability?</p> <p>If yes, data in the portability form would be the scan document itself, which is similar treatment by organization on handling of Access request.</p> <p>7) Propose PDPC to limit the data activities be restrict to up to 2-3 years to reduce organization cost of data retrieval and to meet the short expected service turnaround under the propose regulations.</p> <p>Besides defining data subject to portability, PDPC may also consider to mention data under "access obligation" (e.g. how my information is being used by organization) are not subject port portability.</p> <p>8) Would individual (i.e. insured member) who is covered under a Corporate Group policy request to transfer his/her own data information (e.g. claims history) to another insurer or non-insurer under the scope of data portability? Insurer contractual obligation is to the Corporate Group policyholder.</p>
Q3	<p>Q3. 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 organization, to strike a balance between consumer interests and preserving the incentive for first movers' business innovation; and b) the proposed exception for "derived data"?</p>	<p>We support the approach where data (a) and (b) would not be subjected to data portability.</p>
Q4.		<p>1) PDPC recommendation of porting the data from one organization to another within a</p>

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	<p>What are your views on the proposed requirements for handling data portability requests?</p>	<p>period of no longer than 7 calendar days is too short. In addition, can the period of 7 calendar days starts after the "cooling off" period.</p> <p>2) For situation where Policyowner and insured are not the same person, insurer only provide transaction activities pertaining to the policyowner. Insured's (if insured is not the policyowner) ability to request for claims information portability would be subject to authorization by the policyowner, as insurer contractual obligation is toward the policyowner. Would PDPC, in this case allow insured (who is non-policyowner) rights under "data portability" to supersede insurer contractual obligation?</p> <p>3) Are we allow to only limit the submission of request for data porting through online platform? If the request is submitted via 2FTP login portal, would this be considered as verification of request upon receiving a data portability request by an individual?</p>
Q5.	<p>What are your views on the proposed powers for PDPC to review an organization's refusal to port data, failure to port data within a reasonable time, and fees for porting data?</p>	<p>1) Is there any guidance on reasonable fees for porting data and if organization are allow to waiver the fees?</p>
Q6	<p>Q6. What are your views on the proposed binding codes of practices that set out <i>specific requirements and standards for the porting of data in specific clusters or sectors?</i></p>	<p>If PDPC is able to provide clearer guidelines on the applicability of the data scoping, binding codes of practices would not be necessary.</p>
Q7.	<p>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</p>	<p>2.5 Data portability provides a way to overcome such data silos and barriers. Data portability could be a key enabler of inter-organization and even cross-sector data flows.</p>

S/N	Questions from PDPC	Income's Comment
	consent to use the personal data for these purpose?	With reference to para 2.5 of the CP, could PDPC clarify how does data portability and enabler of inter-organization and cross-sector facilitate data innovation?
Q9	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 this approach as these are research information carry by the respective organization. The interpretation of such data could be subjective. Thus, such data should also not be subject to access request.