

PDPC's Public Consultation on Proposed Advisory Guidelines on use of Personal Data in AI Recommendation and Decision Systems
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A. Background information	
Submitting organisation	The Hongkong and Shanghai Banking Corporation (HSBC)
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Summary of major points	
We would like to raise queries and provide feedback on the guidelines. Refer to our comments.	
B. Comments, with reference to specific sections if appropriate	
Section reference	Feedback
4.1(a)	This states that the Business Improvement Exception is relevant when the organization has developed a product or has an existing product that it is enhancing. Is there a deliberate intention to exclude the situation where the organization is developing new goods or services (as covered under "relevant purposes" by the PDPA Schedule 1 Part 5 paragraph 1(2)(a))?
4.1	Does the Business Improvement Exception and Research exception using AI is applicable to a Singapore incorporated bank's customer personal data who is subject to Banking Act, section 47
5.1	To clarify if consent is not required when using "Business improvement and research" exception, for AI to share PI with different Legal entities including cross border entities of the same parent company
5.4	Can the Guidelines provide an example of AI System development to provide new goods/ products or services?
7	To clarify if additional consent is required for the use of personal data to test and train an AI model
7	Can the PDPC give examples when we should use test data instead of Identifiable PI for in designing, training and testing AI?
7.1	Can PDPC give examples when we should avoid using personal data in AI and to use anonymised data?
7.2	The Guidelines states that privacy controls for 'internal use' need not be extensive as intra-group or cross- company sharing. (a) Does this mean that corporate recipients of such data need to have more stringent privacy controls when using such data, compared to the company they received such data from? If so, what's the rationale for this? (b) Does 'internal use' simply refer to the organization using personal data without transferring it to other companies? Or does it refer to the organization using personal data for internal purposes e.g. internal operations, and not for goods and services provided to external customers?
9.1 / 9.2 / 9.4	To clarify if additional specific AI processing clause is required in a customer consent for the use/ processing of personal data in AI
9.5(d)	This requires organisations to tell customers what are the specific features of personal data that influence the product feature. However this could be challenging because an organization is likely to refine its AI System over time. Through such iterations of testing and learning, the relevant specific features of personal data that are more influential might also change over time. It would be challenging for the organization to keep notifying its customers about such changes in specific features.
9.6	To clarify if notification to the individual is sufficient and no positive consent is required

9.7	To clarify if positive consent is required under example 1 “Users are provided the option to consent or decline the use of this feature.”
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