

**Public Consultation on the Proposed Advisory Guidelines on Use of Personal Data in AI  
Recommendation and Decision Systems**

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**Name of Organisation**

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Standard Chartered Bank (Singapore) Limited (“SCB”) welcomes the opportunity to provide our feedback on the proposed Advisory Guidelines on Use of Personal Data in AI Recommendation and Decision Systems (“AG”). The Bank is generally supportive of the guidance provided to aid organisations in applying the PDPA to AI systems. Please refer to our feedback which is organised in accordance with the different parts of the AG.

#### Part II

While the AG set out the possibility of relying on the Business Improvement and Research exceptions apart from seeking consent, we would like to seek clarity that this serves only as guidance on how to apply such exceptions and is not an indication of the Commission’s preferences in terms of the type of consent to be obtained or the exceptions to be relied upon.

Paragraph 5.5 a) makes reference to “Whether using personal data for this purpose contributes towards improving the effectiveness or quality of the AI Systems or ML models and their output”. We respectfully suggest that this is reworded to “...for this purpose *is likely to* contribute to...”, to account for scenarios where the use of personal data was considered as likely to contribute towards the effectiveness / quality of the AI systems, but for any reasons, failed to do so in practice.

Paragraph 6.2 c) mentions that where the Research exception is applied, the results of the research should not be used to make any decision that affects the individual. We would like to seek clarity that this only refers to the direct impact of the research on the individual whose personal data is utilised. Where an AI system that leverages the research done is eventually deployed, the AI system is allowed to make decisions that impact the aforementioned individual.

The Bank fully agrees that organisations should practise data minimisation as good practice, as set out in paragraph 7.3 of the consultation paper. We respectfully suggest that the Commission considers highlighting the need for organisations to ensure that the data should be representative of the target population, regardless of the volume. This would help ensure that the data used is fit for purpose, and that the AI system is performing as intended so as not to risk disadvantaging individuals.

#### PART IV

As recognised in the AG, organisations may depend on such service providers to furnish the necessary information in order to adequately meet the Notification obligations. While the Notification obligation clearly remains with the organisation, there may be instances where service providers decline to provide sufficient or any information (e.g. citing intellectual property concerns), and that may hinder organisations’ ability to meet the Notification obligation. This may pose a practical challenge even if the organisation has attempted to formalise such an ask contractually prior to entering into an agreement. We hope that the Commission recognises the challenge faced and can consider an organisation to have met the Notification obligations if it has, on a best effort basis, conveyed the available information on hand to inform the individuals on how their personal data is being processed.

We thank the Commission for the opportunity to feedback on the consultation paper and are appreciative of the collaborative manner in which the Commission is issuing such guidance.

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