# The enhanced PDPA: Using data for innovation

The enhanced Personal Data Protection Act (PDPA) empowers businesses to use data for innovation with safeguards in place to continue protecting customers' personal data. The chart below is a guide to help you navigate the new exceptions and consent requirements.





## Research

For example: Early stage / exploratory / broader research and development

- Do you need to use or disclose data in identifiable form?
- Is it impracticable to seek consent from individuals?
- Is there a clear public benefit for the research?
- Will you ensure that the results will not be used to make decisions that may negatively affect any individual?
- Will the results be published in anonymised form?



# **Business Improvement**

For example: To improve or develop new products and services, analyse customer preferences, or provide personalised services

 Do you need to use data in identifiable form?

# If you are sharing data within a group of companies:

- Are the companies bound by contract or agreements to safeguard the data?
- Are the individuals your prospective or existing customers?



# **Legitimate Interest**

For example: Prevention and detection of fraud, preventing misuse of services, ensuring security of business assets and individuals at premises

- Have you conducted an assessment of the risks to individuals?
- Does the legitimate interest outweigh the risk to individuals?
- Will you provide information on the purpose that you are using the data for?

If you answered "no" to any question, you will need to obtain consent. Consider the following:



### **Opt-in Consent**

By obtaining consent from customers clearly

- Have you used relevant touchpoints with customers to obtain bite-sized, just-in-time consent?
- Have customers clearly consented to the purpose?



# **Opt-out Consent**

By notifying customers

- Have you ensured that there will not be negative impact to your customers?
- Are your customers notified of the purpose?
- Have you provided a reasonable period for customers to opt out?

Information correct as of November 2020





