

What will happen on June 1st, 2022

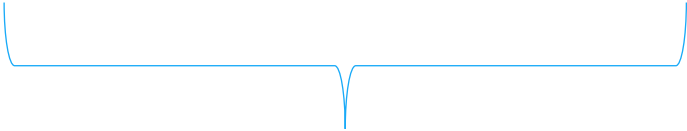
Company shall face with:

Customer exercising their Right

- Check how we process their information
- Object processing should they feel outside of necessity
- Demanding right of Privacy
- Complaints on Privacy

Office of DPA verifying compliance

- Evidence of legal basis assignment
- Contract/Consent and other transparency
- Evidence that company has visibility on overall processing
- Process to handle data subject rights
- Breach handling process



Non-compliance can result in:

- Administrative fine if any failure to comply with PDPA
- Civil lawsuit if pose any damage to data subject.
- Criminal Charge if proven negligence and pose damage to data subjects

To handle that company can

- Defend with existing process necessary as Data Controller
 - Damages happens due to uncontrollable factors.
- By having all processing within visibility and handle PII in accordance with PDPA, punitive charge or reputational risk can be mitigated or even dismissed.

Let's see details how...



Dilemma (Few Samples)

Robust Information Security Standard equals to compliant to PDPA?

Consent Statement covers everything?

Assume Opting-in on behalf of data subjects

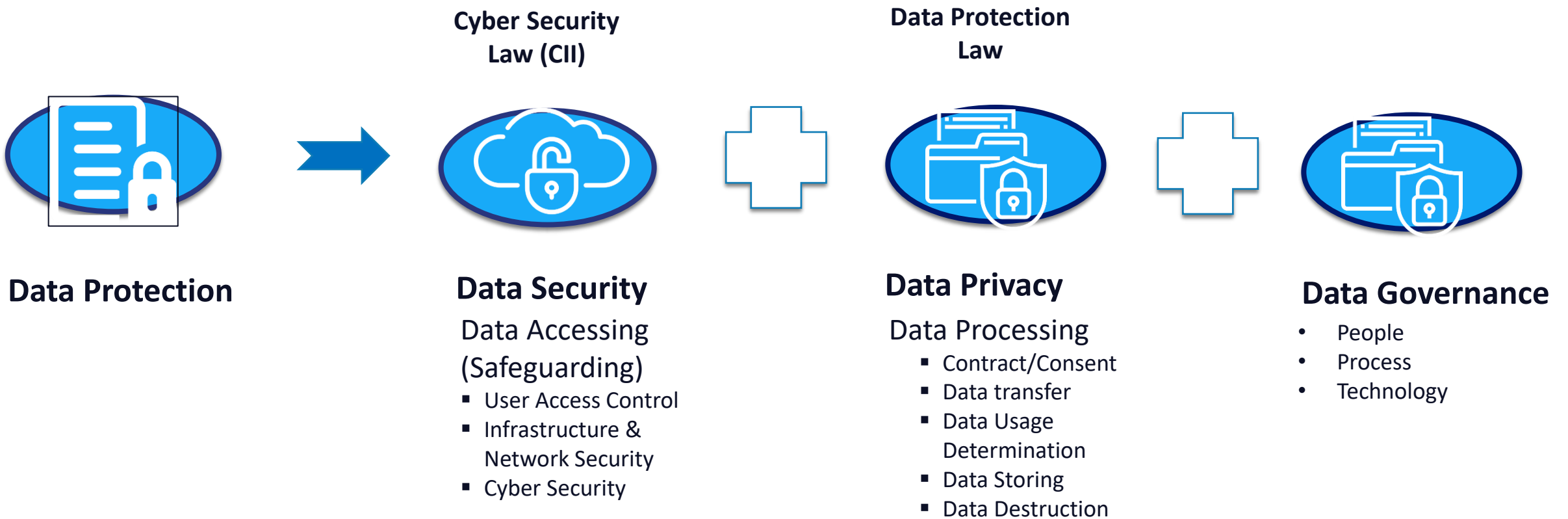
Posting Photo of talented students is deemed good as it is to honor student and it is ok.

Posting list of condominium Units that has not paid common fee is ok.

Think Again!



What's Data Protection?



Privacy is about how to become transparency, Lawful Use-of- Personal Information by data controller

Reference: Wikipedia on data privacy.

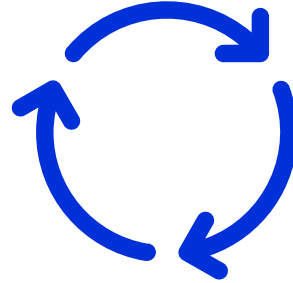


Privacy Laws governs:



Transparency

Contract/Consent



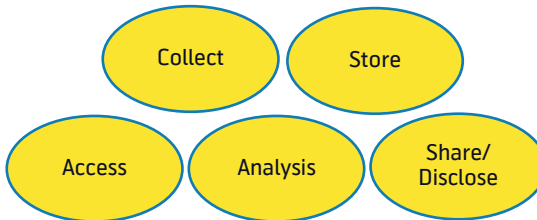
Lawful Use-of-
Personal Data

Use as per Objective



Accountability

Full Responsibility



Type of Personal Data

Directly identifiable

- Name
- Address
- ID/Passport
- Image
- Phone number
- Email Address

indirectly identifiable

- Biometric
- 220 cm tall in phayathai area
- CEO of XYZ company
- Head of finance department
- Photo of Private Event which include participants

Social Status

- Staffs
- Customers
- Campaign participants
- Vendors/Partners BOD
- Shareholders
-

“Personal Identifiable Data”

Must be handled properly and legally as per **PDPA**

- PDPA Legal Basis
- In Compliance with other law
 - **Performance of a contract**
 - **Consent to one or more specific purposes**
 - Public interest
 - Vital Interest
 - Legitimate interest



Processing Inventory

Processing	Details
Name of the process	HR pay roll
Application use	Xyz
Legal Basis	Contract
PII used	Name, Salary
3 rd parties/Partners? If so, DPA is in place?	Yes
Retention?	After resigned
Location of processing	singapore
DPIA if any risk?	yes

Asset Inventory

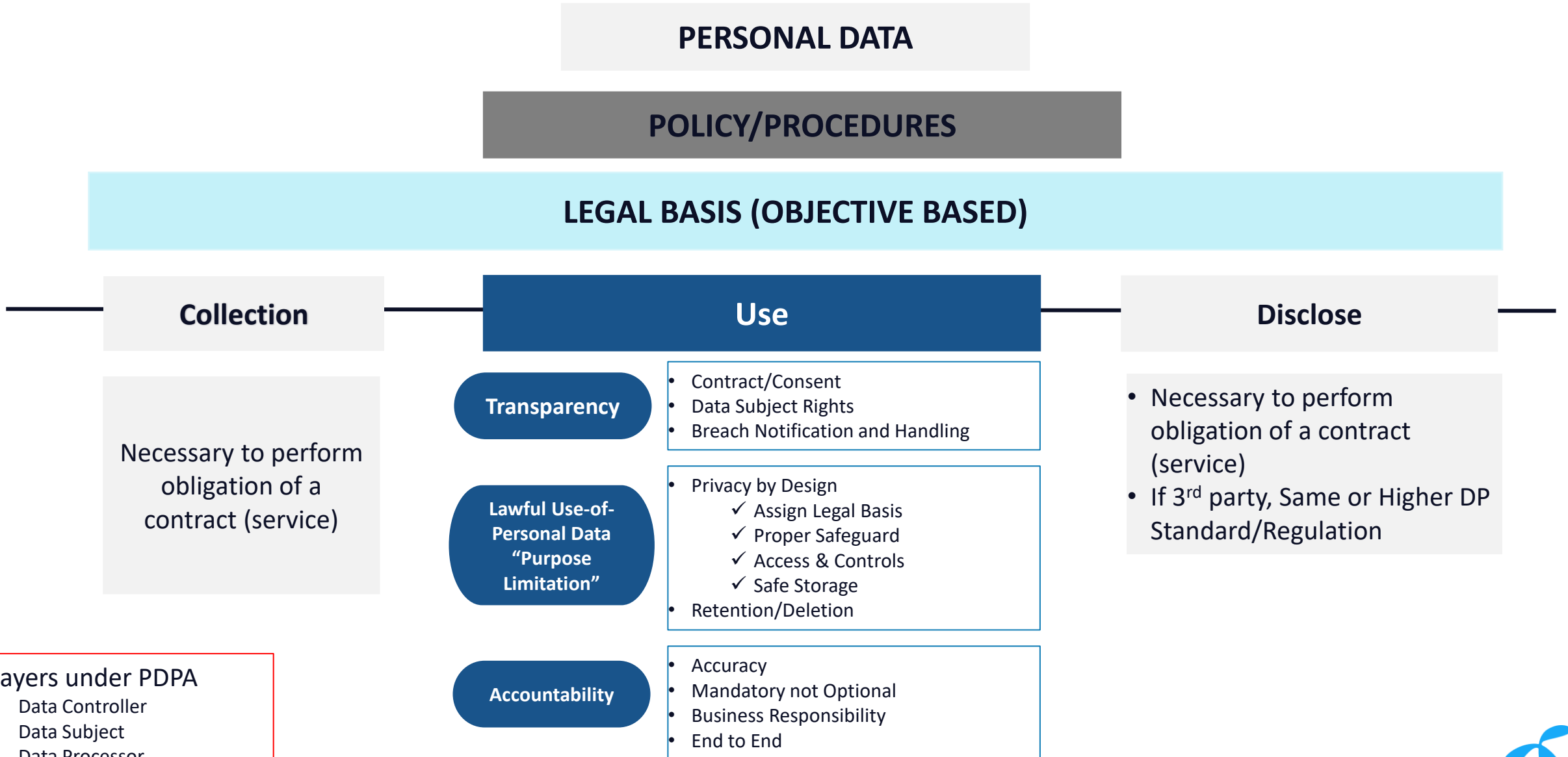
Requirement	Details
Name of Application	xyz
Objective	Payroll
Who host the system	On premise
Application classification	critical
Location of processing	singapore
Retention?	After use



This is required as it will enable company to have a visibility of all use and objective of PII.



PDPA Principles (Collect-Use-Disclose)



Personal Information vs. Confidential information

“In terms of information, privacy is the right of an individual to have some control over how his or her personal information is collected, used, and/or disclosed. ... Confidentiality is the duty to ensure information is kept secret only to the extent possible”.

“Privacy talks about a person, but Confidentiality is about information. Privacy restricts the public from accessing the personal details about a person, whereas Confidentiality protects the information from the range of unauthorized persons.”

Personal Information

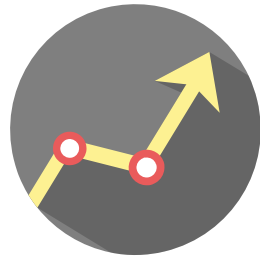
- **Direct Personal Identifiable Information (Identifiers)**
- **Indirect Personal Identifiable Information (Identifiers)**

Confidential Information

- Personal Information
- Business Information
- Classified Information

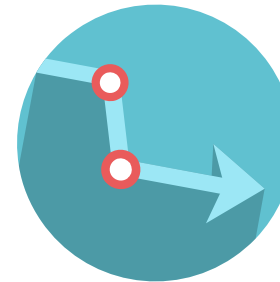


Purpose limitation



As you increase:

- Awareness
- Training
- Security
- Use of formal Processes
- Use of contracts
- Accountability



Your risk of:

- Data breach
 - Severe penalties
 - Loss of reputation
- ...will decrease.

