

Personal Data Protection Regulations 2021

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PERSONAL DATA PROTECTION ACT 2012
(ACT 26 OF 2012)

PERSONAL DATA PROTECTION
REGULATIONS 2021

In exercise of the powers conferred by section 65 of the Personal Data Protection Act 2012, the Personal Data Protection Commission, with the approval of the Minister for Communications and Information, makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the Personal Data Protection Regulations 2021 and come into operation on 1 February 2021.

PART 1A

BUSINESS CONTACT INFORMATION

[S 734/2021 wef 01/10/2021]

Business contact information of designated individuals

1A.—(1) For the purposes of section 11(5A) of the Act, an organisation is deemed to have satisfied section 11(5) of the Act if the organisation makes available the business contact information of any individual designated by the organisation under section 11(3) of the Act in any of the following manners:

- (a) where the organisation is registered under an applicable Act — in a record relating to the organisation that is made available on the Internet website of the Accounting and Corporate Regulatory Authority at <https://www.bizfile.gov.sg>;
- (b) in a readily accessible part of the organisation’s official website.

(2) In paragraph (1) —

“applicable Act” means —

- (a) the Business Names Registration Act 2014 (Act 29 of 2014);

- (b) the Companies Act (Cap. 50);
- (c) the Limited Liability Partnerships Act (Cap. 163A); or
- (d) the Limited Partnerships Act (Cap. 163B);

“official website”, for an organisation, means a website that is accessible by the public and through which the organisation provides information about the organisation to the public.

[S 734/2021 wef 01/10/2021]

PART 2

REQUESTS FOR ACCESS TO AND CORRECTION OF PERSONAL DATA

Definitions of this Part

2. In this Part, unless the context otherwise requires —

“applicant” means an individual who makes a request;

“data protection officer”, in relation to an organisation, means an individual designated by the organisation under section 11(3) of the Act or an individual to whom the responsibility of the data protection officer has been delegated under section 11(4) of the Act;

“individual’s personal data” means personal data about an individual;

“request” means a request to an organisation made by an individual under section 21(1) or 22(1) of the Act;

“use and disclosure information” means the information specified in section 21(1)(b) of the Act.

How to make request

3.—(1) A request to an organisation must be made in writing and must include sufficient detail to enable the organisation, with a reasonable effort, to identify —

- (a) the applicant making the request;
- (b) in relation to a request under section 21(1) of the Act, the personal data and use and disclosure information requested by the applicant; and
- (c) in relation to a request under section 22(1) of the Act, the correction

requested by the applicant.

(2) A request must be sent to the organisation —

- (a) in accordance with section 48A of the Interpretation Act (Cap. 1);
- (b) by sending the request to the organisation's data protection officer in accordance with the business contact information provided under section 11(5) of the Act; or
- (c) in any other manner that is acceptable to the organisation.

Duty to respond to request under section 21(1) of Act

4.—(1) Subject to section 21(2), (3), (3A) and (4) of the Act and regulations 6 and 7(3), an organisation must respond to each request made to it under section 21(1) of the Act on or after 1 February 2021 as accurately and completely as necessary and reasonably possible.

(2) The organisation must provide an applicant access to the applicant's personal data requested under section 21(1) of the Act on or after 1 February 2021 —

- (a) by providing the applicant with a copy of the personal data and use and disclosure information in documentary form;
- (b) if sub-paragraph (a) is impracticable in any particular case, by allowing the applicant a reasonable opportunity to examine the personal data and use and disclosure information; or
- (c) in any other form requested by the applicant as is acceptable to the organisation.

Notification of timeframe for response

5. Subject to the requirement to comply with section 21(1) of the Act as soon as reasonably possible or section 22(2) of the Act as soon as practicable (as the case may be), if the organisation is unable to comply with that requirement within 30 days after receiving a request made in accordance with regulation 3, the organisation must within that time inform the applicant in writing of the time by which it will respond to the request.

Refusal to confirm or deny existence, use or disclosure of personal data

6. Subject to section 21(4) of the Act, an organisation, in a response to a request made to it under section 21(1) of the Act, may refuse to confirm or may deny any of the following: