

From: boogieboogieboy
To: MICA DP Bill Consultation (MICA)
Subject: Views on the proposal

Hi,

I would like to offer my views on some of the points of the proposed act.

Firstly, on Lucky Draws: "The information should state the type of data to be disclosed; that organisations may use their data for marketing purposes; personal data will be passed on to third parties for marketing purposes."

It would be a lot better if the regulation required that who these third parties are be stated clearly on the lucky draw T&C.

Secondly, "Individuals acting in a personal or domestic capacity, or acting as employees of an organisation, will continue to be excluded from the PDPA as provided for under section 4 of the PDPA."

This is worrying. The language used seems to imply that real estate agents, if considered employees of their respective real estate agencies, will be excluded from the PDPA and are free to spam people with Advertisements and share clients' data. Same goes for insurance agents and several other instances in which the companies can circumvent the law by having employees? Please clarify. This also seems to contradict paragraphs 2.177 and 2.178 which speaks of vicarious liability. I suggest that the quoted sentence be re-worded so that it can be clearly understood.

Lastly, I feel that an important paragraph appears to be missing. That would be the requirement for organisations to purge/delete a person's data once such a request is made by the person. This should also detail a specific timeframe upon which such action must be completed, 7 days for example. This would allow people who have changed their mind, or who feel upset, harassed, etc. after choosing to give their data to an organisation or after allowing the organisation to contact them, to end the 'data relationship' and 'quit' the program. Also, third parties who receive secondary data should be required to inform the identified person of the source of that data. This is because people cannot possibly remember third party organisations when submitting data. For example, a person who fills out a lucky draw form at an [redacted] outlet will only remember [redacted] regardless of whether they agree to the release of information to third parties in the lucky draw T&C (And in my first paragraph, such third parties should be clearly NAMED.) Therefore, any such third parties who use the information should inform the person that the data came from the [redacted] lucky draw in which month/year. And, as per the beginning of this paragraph, the person should be allowed to choose to respond to the organisation with a request to purge his/her data and the organisation should be required by law to comply.

Best Regards.