

<b>Consultation topic:</b>	Public Consultation on the Draft Personal Data Protection (Amendment) Bill
<b>Name<sup>1</sup>/Organisation:</b>  <sup>1</sup> if responding in a personal capacity	CGS-CIMB Securities (Singapore) Pte Ltd
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## Statement of Interest

CGS-CIMB Securities (Singapore) Pte Ltd is a financial services provider and holds a capital market services licence issued by the Monetary Authority of Singapore.

It offers a suite of investment and financial solutions for retail and institutional clients, including retail broking, institutional equities, derivatives, prime services, equities research, wealth management and online broking.

## Summary of Major points

### Part VIB of the PDPA (Amendment Bill) - Data Portability

- a. Specifically, section 26E(1)(2) of the Bill states that “This Part applies only to applicable data that — (a) is in electronic form on the date the porting organisation receives a data porting request relating to the applicable data; and (b) was collected or created by the porting organization”.
- b. We noted that para 45 of the Consultation Paper that the Data Portability Obligation will be in-scope to include user activity data i.e. data about the individual that is created in the course of or as a result of the individual’s use of any product or service, such as transactions. Para 47 has assured porting organizations that the Data Portability Obligation will only come into effect with the issuance of Regulations and PDPC will work with the industry and relevant sector regulators to develop the requirements to be prescribed in the Regulations.
- c. Nevertheless, we would like to provide our comments as follows:
  - a. Portability may work for phone numbers and bank account details where there’s a degree of conformity eg. the string length of account numbers. In the case of brokerage business which our organisation is in, the operational hurdles are not as easily surmountable as the extracting of data relating to past transactions, for instance, are likely to be residing in multiple database with a low degree of interoperability.
  - b. It is of paramount importance that a study be carried out on the compliance cost and usefulness of in-scoping past transactions in the whitelist of data categories to which the Data Portability Obligation applies. We are of the view that there is no or limited relevance or usability of such data to any new 3<sup>rd</sup> party arrangement a client may have. The norm rather, is to migrate positions (where markets or products permit) and this would already be reflected in bookings.
  - c. Sufficient transitional period and governmental support are required to make the necessary system changes to meet such data porting obligations, if the bill is passed.
  - d. Portability in EU is driven mainly by the banks where International Bank Account number (IBAN) already exists as well as the Payment Account Directive (PAD) that simplifies a customer’s ability to switch accounts across Banks is novel.

- e. An example of the process followed while transferring account from one bank to another:
- Customer historical transaction records are shared digitally from one bank to another where the account is been ported along with customer information file
  - All the existing payment instructions, which are held with the sender bank, are Switched / Ported to the receiving bank via PAD switches. Any Outgoing payment related standing instruction are delinked from the sender bank and these information are share to the new bank where the account is ported and new bank setup all the instructions in their system as is so customer never misses any outgoing payment which needs to paid as per customer request.

Brokerage relationships appear to be of a totally different nature.

### Conclusion

In conclusion, we would like to propose for PDPC to re-consider including transactions as one of the data that is subjected to porting arrangements.