

28 May 2020

The Ministry of Communications and Information
The Personal Data Protection Commission

Email Submission: DataRegulation@mci.gov.sg

Dear Sir/Madam,

**MCI/PDPC's Public Consultation on Draft Personal Data Protection (Amendment) Bill,
including Related Amendments to the Spam Control Act**

The Data-Driven Marketing Association of Singapore (**DMAS**) thanks the Ministry of Communications and Information and the Personal Data Protection Commission for the opportunity to provide comments in its public consultation on Draft Personal Data Protection (Amendment) Bill, including Related Amendments to the Spam Control Act.

DMAS is a non-profit trade organisation established in 1983 as the Direct Marketing Association of Singapore representing the interests of its members in Singapore, of whom 45 percent are SMEs. The balance are MNCs. Its mission is to enable its members to keep abreast of industry trends and best practices in Singapore and the region.

DMAS champions and promotes the interests of its members. It helps to enhance knowledge by facilitating the sharing of information and ideas on data-driven marketing. Key areas include social media, search, direct mail, email, and mobile marketing. DMAS' activities offer the opportunity for members to network and build relationships to profitably grow their businesses.

There are four points in this submission:

1. DMAS safeguards members' interests by constantly seeking to raise the stature and standards of data-driven marketing and building consumer confidence with adherence to high ethical standards of practice. We focus consistently on maintaining consumer trust as the ultimate test for viability of proposed regulations.
2. Overall, DMAS is supportive of the Draft Personal Data Protection (Amendment) Bill, including Related Amendments to the Spam Control Act. It is consistent with our previous submissions for the three public consultations conducted between 2017 and 2019, and we believe the proposed changes will have a positive impact on both consumers and business in Singapore.
3. Our greatest concern is in the area of Data Portability wherein it will be allowable for personal data of third parties to be shared as part of an individual's data porting request. However, we are optimistic that restricting the use of a third party's data to the provision of goods and services to the 'porting individual' will provide a positive environment for Data Innovation as well as a sufficient level of protection for consumers.

4. An additional concern regarding Data Portability is what rights a third party whose personal data has been ported by another individual will have with respect to such personal data; i.e. will they have the same rights as the porting individual? Will they be able to access and correct their data? Will the receiving organization be bound by the Obligations of Accuracy and Retention Limitation with respect to the third party's data?

We believe that providing such protection to these third parties is important to maintaining both consumer trust and an innovative data-driven marketing environment in Singapore.

In summary, the Data-Driven Marketing Association of Singapore (DMAS) believes the proposed amendments to the Personal Data Protection and Spam Control Acts will have a positive impact on both Singapore's consumers and business. We are happy to work with PDPC to ensure that outcome.

Thank you again for the opportunity to provide our feedback on the abovementioned matters. Please let us know if you need clarification regarding our response.

Our details are:

Ms Lisa Watson, Chairman (Lwatson@dmass.org)
Mr Azhar Azib, DPO (dpo@dmass.org)

Yours faithfully



Ms Lisa Watson, Chairman