



Public Consultation for PDP (Amendment) Bill -
Inputs form Traveloka

A. Company Particulars

About Traveloka

Traveloka is an Indonesian unicorn company that provides airline ticketing and hotel booking services online expanding rapidly into Southeast Asia, including in Singapore. Traveloka has an office and relevant markets in Singapore. Traveloka has recently expanded to provide lifestyle products and services, such as attraction tickets, activities, car rental, and restaurant vouchers.

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Contacts

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B. Summary of Inputs and Comments on the Draft Personal Data Protection (Amendment) Bill

Please see below our inputs and comments to the Draft Personal Data Protection (Amendment) Bill.

1. The definition of sensitive data is not yet incorporated in the Draft PDP Amendment Bill. We need to elaborate more on the hierarchy and levelling of sensitive data, which one the data can be shared for the public, specifically for Traveloka, for data team, and for specific requester for this data.
2. The Amendment Bill has not elaborated further on how to decide the sensitive data and in which level can a company such as Traveloka decide which category falls into a sensitive data.
3. The original data which the company can keep, the exact retention period and policy on this matter are not yet clear in the Draft PDP Amendment Bill.
4. The Draft PDP Amendment Bill has yet to include encryption standard for entity or company to follow in protecting customer personal data.

5. The Draft PDP Amendment Bill has yet to include a list of features expected from compliance with regards to the storing of customer personal data information within an organization. The Draft PDP Amendment Bill refers several times to the 'storage medium or device on which personal data is stored, yet we seem that it is crucial to further list the criteria or defines the medium or device.
6. We understand that the MCI/PDPC's key proposals for the review of the PDPA and SCA were conducted between 2017 and 2019. In these public consultations, MCI/PDPC proposed to introduce, *amongst others (i) deemed consent by notification; (ii) 'legitimate interests' exception to consent for collecting, using and disclosing personal data; (iii) mandatory data breach notification.* The new addition of Section 15.A includes the 'deemed consent by notification' where a company or organization must conduct an assessment to determine that the proposed collection, use, or disclosure of the personal data is not likely to have an adverse effect on the individual. What is 'adverse effect on the individual' means?

The Amendment Bill does not include a clear distinction or further criteria on this adverse effect, and whether a company or organization can apply a separate criteria or judgement on the adverse effect.

C. Statement of Interest

As a company, Traveloka takes very seriously the compliance with data protection regulations, act or policies from all jurisdictions where it operates. While we understand that the PDPA is currently the closest Bill or Act that adopts similar approach as the European Union General Data Protection Regulation (GDPR), we are yet to see the detailed regulations regarding 'sensitive data' in this Draft PDP Amendment Bill.

The 'sensitive data' definition or classification will distinguish how we, as a company, better classified and treats certain data with stricter or heavier protection.

Traveloka's main interests in this Draft PDP Amendment Bill are sensitive data definition and criteria, the encryption standards, features used for personal data protection storing, and notification to the personal data owner in case of an adverse effect due to personal data breach.

D. Conclusion

Based on the above inputs and comments, Traveloka highlights the importance of defining sensitive data, including a more specified provisions on notification breach, and storing or personal data in the Draft PDP Amendment Bill.

