



PERSONAL DATA
PROTECTION COMMISSION
S I N G A P O R E

A GUIDE TO NOTIFICATION

11 SEPTEMBER 2014



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PURPOSE OF THE GUIDE

To provide information and examples on good practices when providing notification on an organisation's personal data policies and practices.

All examples cited in the guide are for illustrative purposes and should not be used as templates. Organisations should take into account their own circumstances and requirements, as well as other PDPA obligations.

Therefore, It should not be assumed that following these examples would mean compliance with the PDPA.

When drafting a notification, organisations should consider other relevant obligations¹ such as the Consent and Purpose Limitation, in addition to the Notification Obligation.

Notification Obligation (PDPA section 20)

An organisation must notify the individual of the purpose(s) for which it intends to collect, use or disclose the individual's personal data on or before such collection, use or disclosure of the personal data.

Consent Obligation (PDPA sections 13 to 17)

An organisation must obtain the consent of the individual before collecting, using or disclosing his personal data for a purpose.

Purpose Limitation Obligation (PDPA section 18)

An organisation may collect, use or disclose personal data about an individual only for purposes that a reasonable person would consider appropriate in the circumstances and, if applicable, have been notified to the individual

¹ Please refer to the [Advisory Guidelines on Key Concepts in the PDPA](#) for more details on these obligations.

CHAPTER I: INTRODUCTION

WHAT IS A NOTIFICATION?

- ✓ For purposes of the Notification Obligation, a notification informs people of the purposes for which an organisation is collecting, using or disclosing an individual's personal data.
- ✓ A notification may also provide other information such as the business contact information of the data protection officer, how an individual may withdraw consent, how an individual may access or correct his personal data that an organisation has, and retention policies for personal data etc.
- ✓ Organisations will have to assess the most appropriate form of notification (e.g. written/printed, verbal). The PDPA does not prescribe how organisations should inform individuals of the purposes of collection, use or disclosure of their personal data, or what must minimally be included in a written notice.

Some considerations when drafting a notification:

FIRST ASK THESE...

- ✓ **WHO** is the individual that your organisation is collecting the personal data from?
- ✓ **WHAT** types of personal data does your organisation collect, use or disclose? Is the personal data necessary for the provision of the product or service?
- ✓ **WHAT** are the purposes of collection, use or disclosure of personal data? Which of these purposes should be mandatory and which can be optional? Are these purposes clearly stated?
- ✓ **WHO** are the other parties your organisation discloses personal data to? Have the purposes of such disclosure been stated?
- ✓ **WHAT** should the organisation do when an individual withdraws consent?
- ✓ **WHERE** can individuals obtain more information about the organisation's data protection policy?

AND ALSO LOOK INTO THESE...

- ✓ **HOW** is your organisation protecting the personal data that it collects, uses or discloses?
- ✓ **WHAT** are the avenues available for an individual to access or correct his personal data in your organisation's possession or control?
- ✓ **WHAT** are the applicable terms and conditions for access and correction requests, if any? Are these made known to the individual?
- ✓ **WHO** is your organisation's contact point whom an individual may direct his queries to, with regard to his personal data?
- ✓ Should a list of definitions for important terms be included in the notification document to provide clarity?

CHAPTER II: PRESENTATION AND LANGUAGE



A. LAYOUT



LAYOUT refers to the manner in which the information is arranged.

When developing a notification, organisations may wish to:

Highlight **purposes or information** that may be **of particular concern** to individuals, such as using personal data for marketing purposes, or disclosing personal data to third parties for certain purposes.

Use **headings, titles and sections for ease of reading**, especially when conveying a lot of information.
Use **visual aids**, if necessary, to direct readers to the information.

Use a **font size that is comfortable** to the eye.

Manage the **overall length** of the notification by being **clear, brief and to the point**

Use a **layered notice** that lists the most important or basic information more prominently.

This is helpful for individuals to pick out the vital information.

EXAMPLES OF LAYOUTS

PRIVACY POLICY
terms and conditions, terms and conditions, terms and conditions,
terms and conditions, terms and conditions, terms and conditions,
terms and conditions, terms and conditions, terms and conditions,
terms and conditions, terms and conditions, terms and conditions,
terms and conditions, terms and conditions, terms and conditions,
terms and conditions, terms and conditions, terms and conditions,
terms and conditions, terms and conditions, terms and conditions,
terms and conditions, terms and conditions, terms and conditions,
terms and conditions, terms and conditions, terms and conditions,
terms and conditions,

1. What types of personal data will be collected?
2. How will the personal data be used?
3. Who will the personal data be shared with?
4. How will the personal data be protected?
5. What should the individual do when he changes his mind about what he had originally consented to?
6. List of definitions

1. What types of personal data will be collected?
terms and conditions on collection, terms and conditions on collection, terms and conditions on collection, terms and conditions on collection, terms and conditions on collection, terms and conditions on collection, terms and conditions on collection,

2. How will the personal data be used?
terms and conditions on usage, terms and conditions on usage,

✓ For web-based notices, the use of hyperlinks provides an overview and allows the reader to directly access specific content.

✓ Use of headers for each section of the notification for clarity.
✓ Text is arranged into neat paragraphs for ease of reading.

Terms and Conditions
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
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terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions, terms and conditions,
terms and conditions. terms and conditions.

✗ The absence of headers or sections, and large amounts of text make it difficult for the individual to read.



B. LANGUAGE



AREAS OF CONSIDERATION

Information should **not be misleading**

Use simple language

Notifications that are easy to understand are encouraged.

As far as possible, provide notifications in simple language.

Consider if any details are unnecessary and may be excluded.

Understand the demographics of the intended audience and tailor the notifications to suit the audience profile

For example, if the intended audience of the website would be teenagers, the organisation may wish to use appropriate language to explain in simple terms, the purpose and consequences of the individual providing the data.


Be as clear, brief and direct as possible

Give readers information they need to know, but also keep it simple and short.

EXAMPLES OF LANGUAGE

- ✓ Use simple language when explaining the purpose for which personal data will be collected and used.

www.abccompany.com



PRIVACY STATEMENT

ABC Company respects your privacy. Our privacy statement outlines our policy and responsibilities on the collection, use or disclosure of your personal information.

Collection and use of personal information

- ABC Company collects personal information such as your name, contact number, email address and payment information for purposes of *[please list purposes here]*.
- When you subscribe to ABC Company’s mailing list for upcoming events or special promotions, we will ask for your name and email address.
- If you no longer wish to receive promotional materials from ABC Company, you may unsubscribe from our mailing list by emailing us at email@abccompany.com, and no further information will be sent to your email address.
- Other terms and conditions
- Other terms and conditions
- Other terms and conditions

PDPA Statement

XYZ Limited is a company incorporated in Singapore and a member of XYZ Group (“The Group”). The Group also includes 123 Limited and 456 Limited and associated companies from time to time. By signing here, you agree to allow the Group (“We/Us”) to use and process, by any medium, the information given by you which may be acquired throughout the process of this application and via any evidence you submitted in support of this application in order to determine if this application will be approved or rejected.

You agree that in addition to the mode and manner in which We/Us may send you notices and communications under the Terms, We/Us may send notices and communications as we deem appropriate for the processing of this application to you at your last known address, facsimile and/or telephone/mobile number or electronic mail address in our records (as the case may be).

Your personal information will be processed by us in accordance with the XXX Act 2001 and other applicable laws including the YYY Act 1998 and other relevant regulations that may apply from time to time.

- × Should use more intuitive titles such as “Data Protection Policy”, “Privacy Notices/Policy” etc.

- × Long sentences might take readers longer or make it harder for readers to understand.



C. LOCATION



EASE OF READERS LOCATING INFORMATION NEEDED

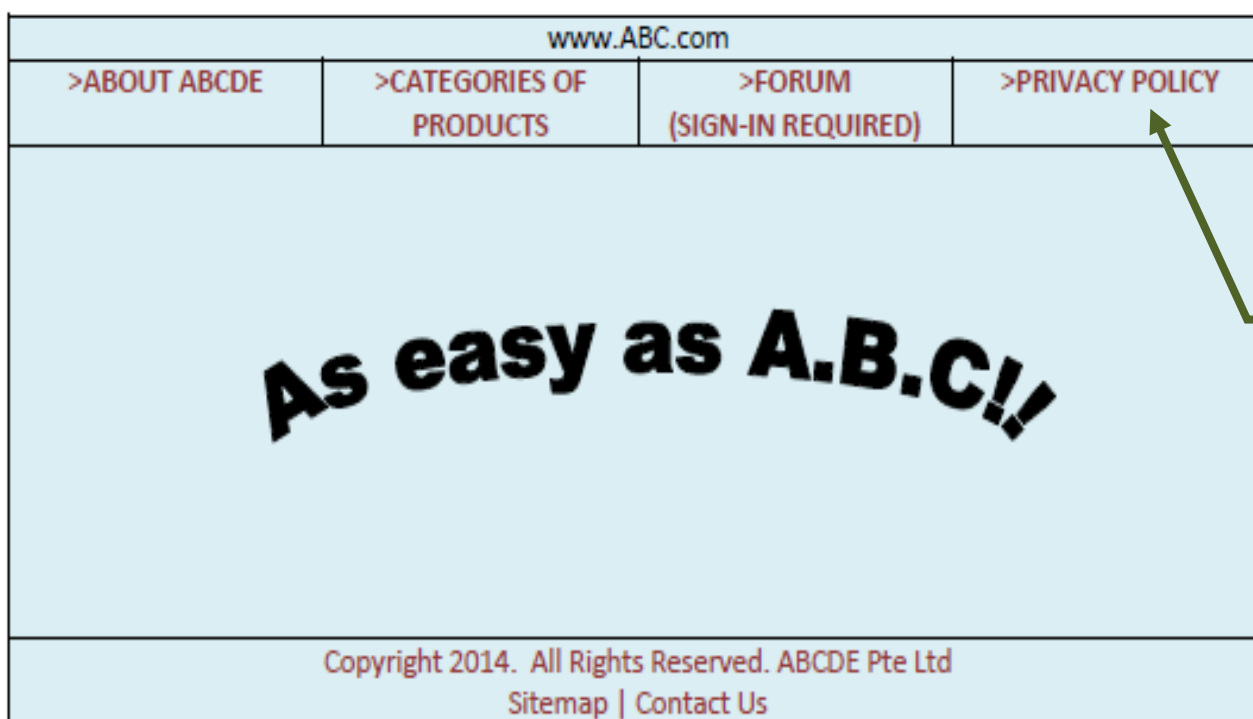
In deciding the location of the notification and information within the notification, first consider the **MEDIUM** of choice:

PAPER DOCUMENTS	Individuals should locate the notification, and corresponding terms and conditions easily.
	<p>For example:</p> <ul style="list-style-type: none"> ▪ Put the most important information on the first few pages.
MOBILE INTERFACES	Check that the design of the notification document is suitable for the mobile interface.
	<p>For example:</p> <ul style="list-style-type: none"> ▪ If constrained by space, consider putting the most important information upfront and/or indicate hyperlinks to the various sections in the full notification. ▪ The notification should be accessible with minimal swipes or taps from the landing page.
WEBSITES	It should be easy for the individual to locate the notification at the landing page
	<p>For example:</p> <ul style="list-style-type: none"> ▪ Post direct link(s) to the “privacy notice/policy”, or “terms of use” (or equivalent). ▪ Avoid placing the notification in an obscure location on the landing page in small font sizes.

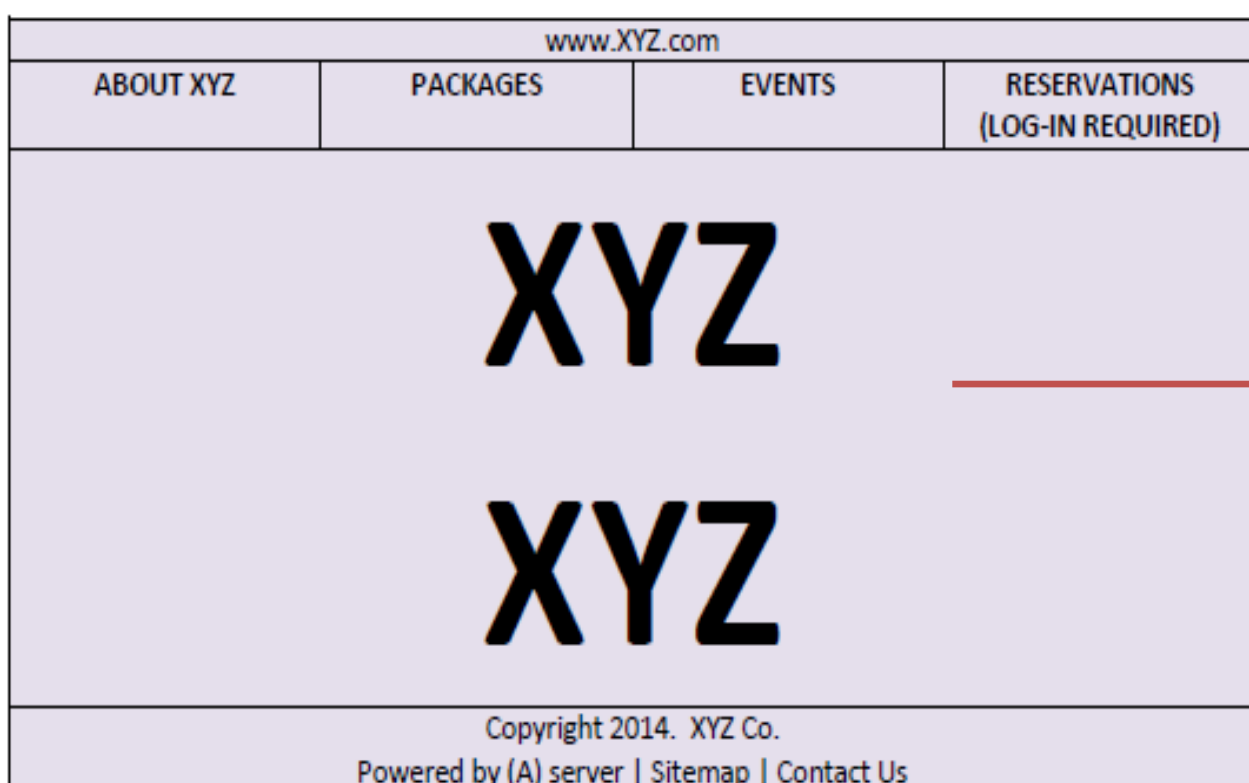
EXAMPLES OF NOTIFICATION LOCATION FOR WEBPAGES



✓ The notification is in the form of a pop-up box and located prominently on the website for readers to access.

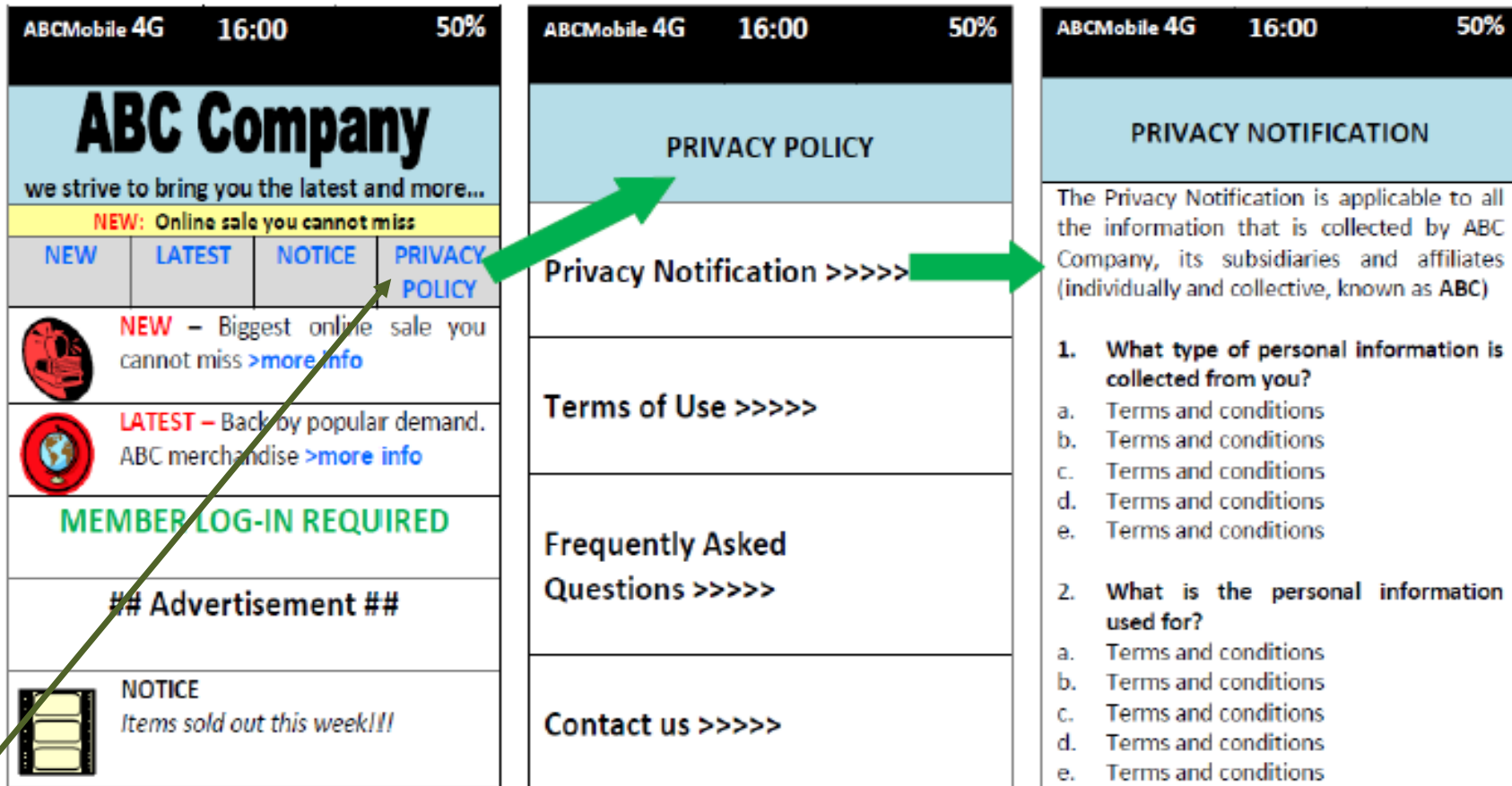


✓ The privacy policy is presented on the landing page of the website.

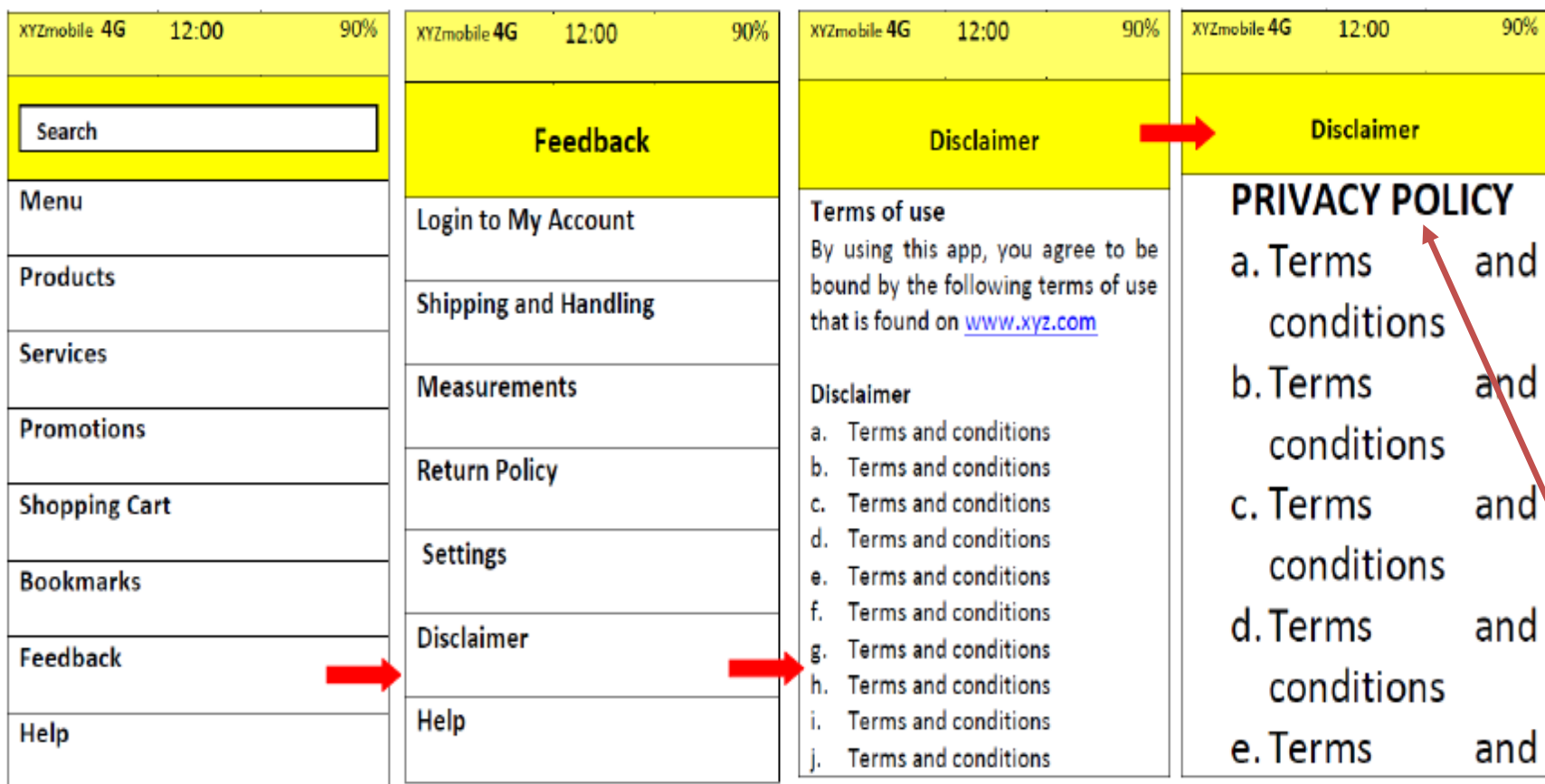


✗ It is unclear where the notification is located.

EXAMPLES OF NOTIFICATION LOCATION FOR MOBILE APPS



- ✓ Link to notification is easy to locate from the landing page.
- ✓ Formatting enables the user to easily scroll to read the notification.



- ✗ Link to the notification or privacy policy is in an unintuitive location.

CHAPTER III: OBTAINING CONSENT

GOOD PRACTICES WHEN OBTAINING CONSENT²

- It is recommended that organisations obtain consent from an individual through **positive action** of the individual to consent to the collection, use or disclosure of his personal data for the stated purposes.
- Consent obtained through positive action on the part of the individual generally provides greatest **clarity** and **certainty** for both the organisation and individual.

² Please refer to the [Advisory Guidelines on Key Concepts in the PDPA](#) for more information on the Consent Obligation.

GOOD PRACTICES WHEN OBTAINING CLEAR AND UNAMBIGUOUS CONSENT IN WRITTEN OR OTHER EVIDENTIAL FORM

Under the Do Not Call Provisions of the PDPA, an organisation has to obtain clear and unambiguous consent in written or evidential form from an individual in order to send telemarketing messages to his Singapore telephone number registered with the Do Not Call Registry.

Consent obtained through positive action on the part of the individual would provide the most clarity to organisations and individuals.

- ✓ **Notify** the user or subscriber clearly and specifically that telemarketing messages would be sent to his Singapore telephone number.
- ✓ Allow the user or subscriber to **give consent** through a form of **positive action**. An individual would unlikely be considered to have given clear and unambiguous consent³ through pure inaction.
- ✓ Display statement(s) about telemarketing purpose(s) **prominently** and **close** to the area where the individual would indicate positive action (for example, to sign or to put a tick).

³ Please also refer to the [Advisory Guidelines on Key Concepts in the PDPA](#) and the [Advisory Guidelines on the Do Not Call Provisions](#) for information on obtaining clear and unambiguous consent in written or other evidential form for purposes of the Do Not Call Provisions of the PDPA.

EXAMPLES OF OBTAINING CONSENT

The use of our service is subject to our terms and conditions.

Please read through the [Terms and Conditions](#) before confirming the following:

I agree I do not agree and do not wish to proceed

✓ This option offers individuals a clear choice whether to agree with the terms and conditions.

Un-tick if you do not consent to the use of your personal data for product research

✗ Double negatives make the instruction harder to understand.

Do not tick if you do not agree to receiving marketing mailers at your home address.

EXAMPLES OF OBTAINING CONSENT (CONT'D)



ABC COMPANY

If you would like to sign up to our mailing list to receive the latest promotions, events or to enjoy birthday discounts, please fill in your details below.

Name: _____
Date of Birth: DD/MM/YYYY
Email: _____

Please tick your area(s) of interest (up to 3):

- Interest 01
- Interest 02
- Interest 03
- Interest 04
- Interest 05
- Interest 06
- Interest 07
- Interest 08

✓ Individuals are clearly informed of the purpose for which their personal data is collected and used before they provide it.

MEMBERSHIP FORM

Name: _____
Date of Birth: DD-MM-YYYY Mobile: () _____
Address: _____

By signing here, I agree to become a member of XYZ Company and to all the terms and conditions.

Signature: _____ Date: _____

Terms and Conditions:
1...
2...
3...
4...
5...
15. By submitting this application, you agree to ABC's use of your personal data for marketing purposes.

✗ Placing information about how personal data will be used in a location where an individual may not notice.
✗ Small font size makes it difficult for the individual to read.

EXAMPLES OF OBTAINING CONSENT (CONT'D)

SIGN UP AS OUR MEMBER TO ENJOY DISCOUNTS

LAST Name: _____
 FIRST Name: _____
 Mobile No: _____
 Email: _____
 Address: _____

Please tick if you wish receive information about promotions and offers by:	
Phone	<input type="checkbox"/>
SMS	<input type="checkbox"/>
Email	<input type="checkbox"/>
Mail	<input type="checkbox"/>

Johnny

 Signature

Terms and conditions

1. Terms and conditions.
2. Terms and conditions.
3. Terms and conditions.
4. Terms and conditions.
5. Terms and conditions.

✓ Obtaining consent from individuals through positive actions, such as asking the individual to tick his preferred mode of receiving marketing messages.

APPLICATION FOR XYZ CARD
S\$20 for a two-year membership

*Please note that all fields are mandatory.
 XYZ reserves the right to reject the card application if the form is incomplete.*

<p>A. PERSONAL PARTICULARS</p> <p>Salutation: Prof/Dr/Mr/Mrs/Mdm/Ms Name: _____</p> <p>NRIC: _____</p> <p>Date of birth: _____</p> <p>Address: _____</p> <p>Contact no: _____</p> <p>Email: _____</p> <p>Company: _____</p> <p>Position: _____</p>	<p>B. PAYMENT DETAILS (please select <u>ONE</u> mode of payment below)</p> <p><input type="checkbox"/> A card / M card / V card No _____ Card expiry date: MM/YYYY Name on card: _____ Signature: _____</p> <p><input type="checkbox"/> Cheque (Please make payable to XYZ Pte Ltd and indicate your name, NRIC and contact number on the reverse side of the cheque for verification) Cheque no: _____</p>
<p>DECLARATION FOR XYZ CARD</p> <p>.other terms and conditions .other terms and conditions .other terms and conditions .other terms and conditions .other terms and conditions .other terms and conditions</p> <p><input checked="" type="checkbox"/> I hereby declare that all information provided by me in this application form is true. <input checked="" type="checkbox"/> I agree to the collection, use and disclosure of my personal information for the purposes set out above.</p>	
SIGNATURE	DATE

✗ Avoid using pre-ticked boxes to obtain consent from an individual for marketing purposes.

EXAMPLES OF OBTAINING CONSENT (CONT'D)

ABC MEMBERSHIP APPLICATION FORM

STEP I: CARD SELECTION
Please select ONE card option only

Card 1
Card 2
Card 3

STEP II: MEMBERSHIP FEES
Please select ONE card option only

- 2 years at S\$40.00 per year
- 4 years at S\$60.00 per year
- 10 years at S\$120 per year

STEP III: PERSONAL PARTICULARS
Salutation: Prof/Dr/Mr/Mrs/Mdm/Ms

Full name: _____

NRIC No: _____

Address: _____

Email: _____

Contact No: _____

Please tick if you wish to receive promotional updates from ABC via mail/email/SMS (delete accordingly)

PART IV: PAYMENT DETAILS (please select ONE mode of payment below)

A card / M card / V card No _____
Card expiry date: MM/YYYY
Name on card: _____ Signature: _____

Cheque (Please make payable to ABC and indicate your name, NRIC and contact number on the reverse side of the cheque for verification)
Cheque no: _____

DECLARATION

- Please refer to our website for the general ABC membership terms and conditions.
- By signing this application form, I agree for any information provided by me will be used for the purpose of membership card processing. ABC may at any time contact me through the contact number, mailing address or email address indicated in this form to complete my application for the ABC membership.

SIGNATURE	DATE OF APPLICATION
------------------	----------------------------

✓ Providing an option for an individual to tick the box if he wishes to receive marketing messages.

✓ Using terms and conditions that are simple to understand.

CHAPTER IV: STATING PURPOSES

GENERAL PRINCIPLES ON STATING PURPOSES

- **Unqualified purpose(s) would generally not be considered appropriate. For example, avoid using terms like “for any purposes that we deem fit.”**
- **Consent must not be required for purposes beyond what is reasonable to provide a product or service.**
- **Consider distinguishing between mandatory and optional purposes, and explaining why some purposes are mandatory.**
- **The purpose(s) must be specified in some reasonable level of detail.**
- **Organisations are not required to list all the activities and processes that are part of the purpose(s).**

Consider if particular purposes should be highlighted -

- **Purpose(s) that are likely to be of particular concern to the individual (e.g. for marketing or disclosure to third parties); or**
- **Unexpected in the context of the notification.**

EXAMPLES OF STATING PURPOSES

ABC COMPANY

Particulars of Claimant

Name _____
NRIC No. _____
Mobile No. _____
Address _____
Email Address _____

Details of Medical Source

Name of Doctor _____
Name of Medical Institution _____
Address of Medical Institution _____

Medical Condition(s), if any _____
Blood Type _____
Medical History, if any _____

Consent

I give my consent to the doctor stated above, to provide ABC Company with details of my medical report (that may contain information on pre-existing conditions, medication/drug allergies, blood type, smoker/non-smoker). The purpose of the report will be used for my claims application.

Signature of Applicant

Date of Application

✓ Individuals are informed clearly of the purpose for which their personal data is being collected.

ABC Company Newsletter

Please fill in your personal particulars if you would like to receive more information about the services we provide and promotions that we offer from time to time.

Name: _____
Email: _____
Mobile: _____
Date of Birth: (optional) DD/MM/YYYY
NRIC: (optional) _____

✓ Form is clearly labelled.
✓ Individuals are informed clearly of the purpose for which their personal data is being collected.

EXAMPLES OF STATING PURPOSES (CONT'D)

✓ This clause highlights marketing as a specific purpose.

ABC COMPANY TERMS AND CONDITIONS

- If you tick here, you agree to let ABC company disclose your home address to our corporate group and outsourced marketing company for the purposes of sending you marketing material about products sold by the corporate group.

XYZ TERMS AND CONDITIONS

Your personal data will be used by XYZ Company to deliver the goods you ordered and for all other valid business purposes, in compliance with the law.

- ✗ Individuals are not able to tell what other purposes their personal data will be collected, used or disclosed (for example, there needs to be more clarity on what “other valid business purposes” would encompass).
- ✗ Stating that the “other valid business purposes will be in compliance with the law” does not render it sufficiently specific.

CHAPTER V: OTHER TYPES OF EXAMPLES



A. LUCKY DRAWS



CONSIDERATIONS WHEN COLLECTING/USING/DISCLOSING PERSONAL DATA IN LUCKY DRAW FORMS

For lucky draws that collect personal data, it is important to provide notice of the purpose and to obtain consent for that purpose.

If an individual's personal data may be used for purposes beyond conducting a lucky draw, these additional purposes should be clearly stated.

State clearly what types of personal data must be provided, and what are optional in the lucky draw forms

Where space constraint prohibits the listing of all the terms and conditions for participation in the draw, organisations should consider other ways of informing interested participants of these terms and conditions. For example, by printing the important terms and conditions on the lucky draw forms, and providing a link in the form that directs the individual to the full terms and conditions on a webpage.

It is important to highlight to individuals if and how their personal data will be published. For example, that the names and partial NRIC numbers of winners will be published in the newspapers.

EXAMPLES OF LUCKY DRAW FORMS

Stand to win a luxury sedan and shopping vouchers in our lucky draw

Name: _____
 NRIC: _____
 Mobile No.: _____

Tick the box and sign below

I give my consent to ABC Company to collect, use and disclose my personal information to third parties who are involved in *administering* the lucky draw and for the following purposes:

- 1) To contact me through SMS and phone call to inform about the products and services that the Company provides.
- 2) Other terms and conditions apply. Please refer to www.xxxabccompany.com/luxurysedan/termsconditions for more details and a copy of our data protection policy.

Signature

Date

✓ A tick box is provided and requires positive opt-in action from the individual.

✓ Language used is clear and simple.

✓ Purposes are limited and specific.

✓ Individuals have the option to find out more information about the organisation’s data protection policy on its website.

WIN \$8,888 in cash when you purchase a minimum of \$30 worth of XYZ products

Name: _____
 NRIC: _____
 Date of Birth: _____
 Gender: Male/Female
 Address: _____
 Mobile No: _____
 Email address: _____
 Occupation: _____

✗ The lucky draw form provides no information about how personal data will be used or disclosed.

DRIVE AWAY WITH A CAR IN THE GRAND DRAW

Name: _____
 NRIC No: _____
 Date of Birth: _____
 Address: _____

 Contact No: _____

Terms and Conditions:

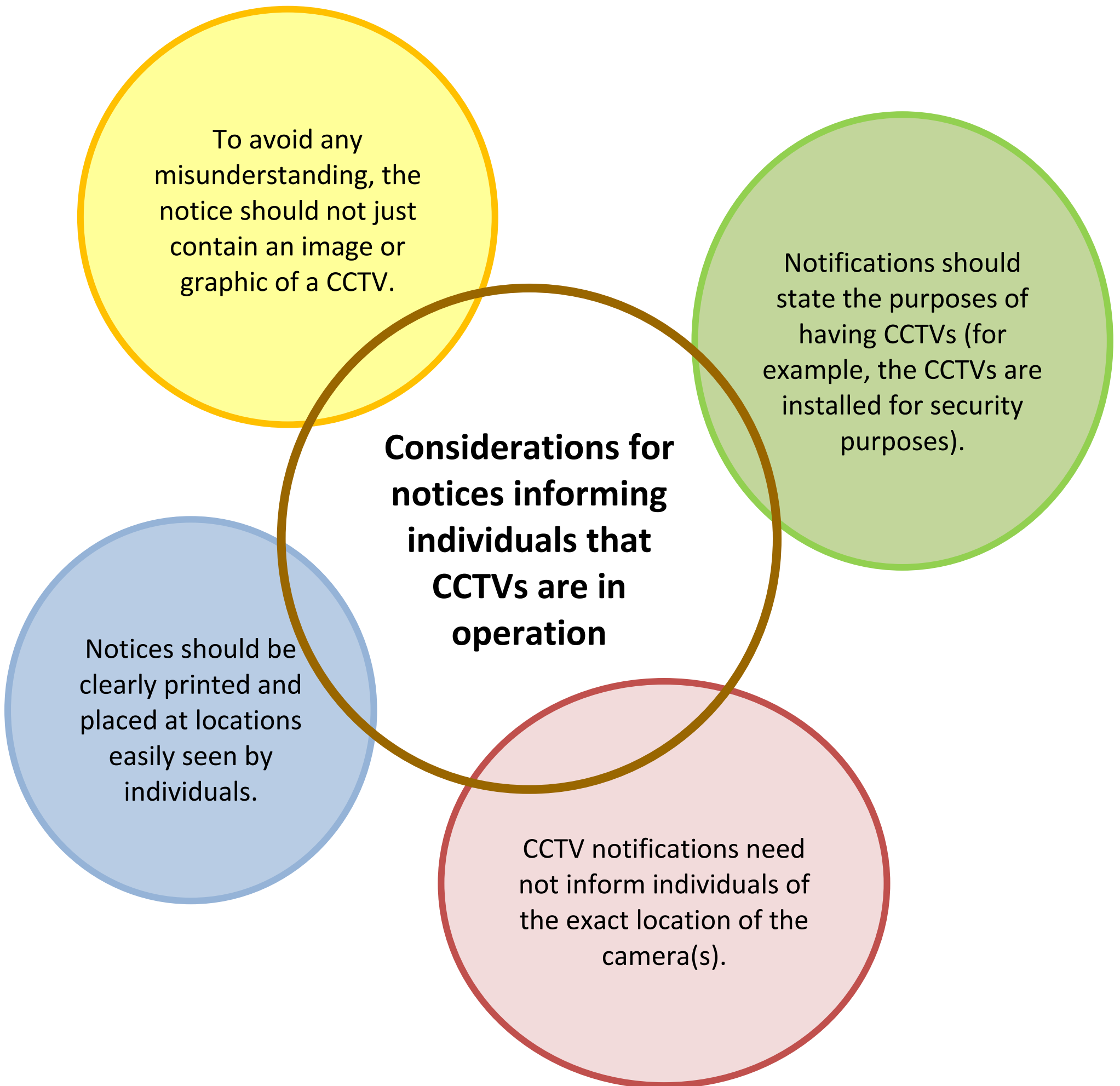
1. By participating in this lucky draw, I consent to XYZ Company using my personal information for purposes of the lucky draw.
2. I also authorise XYZ Company to disclose my personal information to any other third parties as they in their absolute discretion deem fit for any marketing purposes.

✗ Unqualified purpose.



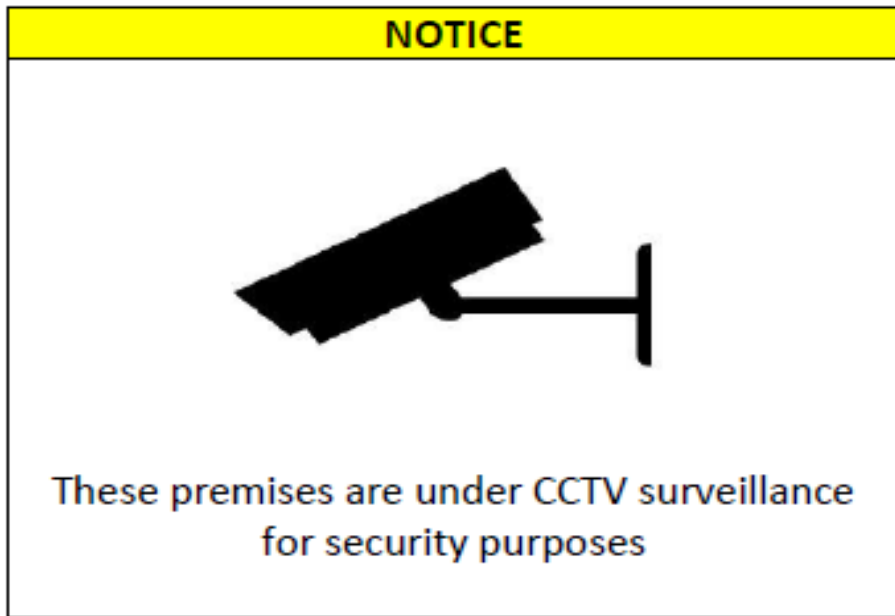
B. CCTV NOTIFICATIONS





For more information on CCTVs, please refer to the [Advisory Guidelines on Selected Topics](#) on the PDPC website.

EXAMPLES OF CCTV SIGNAGE



✓ Purposes of CCTV installation are clearly stated in the signs above.



✗ It is unclear what the signs mean.



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