

14 February 2014

## Factsheet

### CONDUCT OF DO NOT CALL REGISTRY INVESTIGATIONS

The PDPC takes a graduated approach to compliance and enforcement of the Act. Enforcement action taken by the Commission will be reasonable and proportionate to the seriousness of the non-compliance.

In the case where the complaint received contains the relevant information, we will generally adopt the following approach:

- **Preliminary checks and enquiries** – When a matter is brought to the PDPC's attention, we may carry out preliminary checks and conduct additional enquiries with business organisations, individuals and other parties (including telecommunications operators and government agencies) to verify the complaint and ascertain whether more information is required. These preliminary checks will allow us to sieve out possible evidence that may be crucial in establishing the validity of the complaint. The PDPC will also attempt to inform the organisation that a complaint has been lodged against them.
- **Formal investigation** – When the PDPC has established that a potential offence under the Act has been committed, we will proceed to launch a formal investigation. The PDPC is empowered to issue written notices to require any organisations to provide documents or information that are related and relevant, to the investigation. Where applicable, the PDPC also has the power to enter premises (with or without a warrant) to obtain the necessary evidence in the form of documents or information. In certain circumstances, the PDPC may seize equipment or articles that are relevant to the investigation for analysis. The PDPC will also seek the public's co-operation to provide the necessary evidence and statements to facilitate investigations and enforcement action.
- **Penalties** – Following investigations, the PDPC will make an assessment on whether an offence has been committed under the Act and if so, the appropriate enforcement action to be taken. This may include prosecuting an offender in court. The PDPC also has the power to compound the offence.
- **Notification** - The PDPC will write to the complainant at the end of the investigation, to notify him of the outcome of the investigation.



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The timeframe for an investigation will depend largely on the nature and complexity of each case. The PDPC endeavours to complete 90% of investigations within 90 days of acceptance of a complaint for investigation.

For messages or calls relating to suspected unlicensed moneylending activities, the PDPC will refer such cases to the police. The public is advised to lodge a report with the police if they receive such messages.

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**ISSUED BY THE PERSONAL DATA PROTECTION COMMISSION**

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### **About Personal Data Protection Commission**

The Personal Data Protection Commission (PDPC) administers the Personal Data Protection Act 2012 (PDPA) in Singapore, which aims to safeguard individuals' personal data against misuse and promote proper management of personal data in organisations. In addition, the PDPA will enhance Singapore's competitiveness and strengthen our position as a trusted business hub, putting Singapore on par with the growing list of countries with data protection laws. For more information, please visit [www.pdpc.gov.sg](http://www.pdpc.gov.sg).

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