

**PUBLIC CONSULTATION ISSUED BY THE PERSONAL DATA PROTECTION
COMMISSION**

**PROPOSED ADVISORY GUIDELINES ON KEY CONCEPTS AND SELECTED
TOPICS IN THE PERSONAL DATA PROTECTION ACT**

**SUBMISSION BY THE STARHUB GROUP TO THE
PERSONAL DATA PROTECTION COMMISSION**

1 APRIL 2013

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1. EXECUTIVE SUMMARY

StarHub welcomes the opportunity to provide feedback on the proposed Advisory Guidelines on Key Concepts and Selected topics on personal data protection (“Key Concept Guidelines” and “Selected Topic Guidelines” respectively) by the Personal Data Protection Commission (“PDPC”) and supports the need for legislation and its guidelines to keep pace with developments in the industry and market conditions.

The proposed Key Concept Guidelines and Selected Topic Guidelines for the consumer data protection regime plays an important role in establishing safeguards to protect consumers’ personal data and in promoting greater consumer trust in the private sector.

The key area of StarHub’s response to the proposed Key Concept Guidelines and Selected Topic Guidelines are that in relation to Personal Data relating to more than one individual. In such situations, the first individual providing information of himself / herself and a second individual should be responsible for ensuring that consent has been sought from the second individual for the collection, use and disclosure of that second individual’s Personal Data.

StarHub is pleased to provide its comments on the proposed Key Concept Guidelines and Selected Topic Guidelines in the following section.

2. COMMENTS

	SUMMARY OF PDPC'S POSITION IN THE PROPOSED ADVISORY GUIDELINES ON KEY CONCEPTS IN THE PERSONAL DATA PROTECTION ACT ("Key Concept Guidelines")	COMMENTS
1.	<p>Section 5.14 to 5.15 – Personal Data relating to more than one individual.</p> <p>The PDPC has highlighted that in certain circumstances, information provided about one individual may contain information about another individual.</p> <p>The example provided in the Key Concept Guidelines provides that if Bernie's emergency contact is her husband Bernard, it would be the organization's responsibility to consider if they are required to obtain Bernard's consent or if the exceptions in the PDPA apply.</p>	<p>For this example, we are of the view that it is Bernie, or the first individual providing information who should be responsible for ensuring that the other individual's (i.e. Bernard's) consent has been sought for the collection, use and disclosure of the second individual's personal data.</p> <p>The reason is that the organization may have no direct contact with the second individual and it would be impractical as well as challenging to obtain consent or ensure accuracy of such third party information.</p>

3. CONCLUSION

StarHub welcomes the opportunity to provide feedback on the proposed Advisory Guidelines on Key Concepts and Selected topics on personal data protection (“Key Concept Guidelines” and “Selected Topic Guidelines” respectively) by the Personal Data Protection Commission (“PDPC”) and supports the need for legislation and its guidelines to keep pace with developments in the industry and market conditions.

The key area of StarHub’s response to the proposed Key Concept Guidelines and Selected Topic Guidelines are that in relation to Personal Data relating to more than one individual. In such situations, the first individual providing information of himself / herself and a second individual should be responsible for ensuring that consent has been sought from the second individual for the collection, use and disclosure of that second individual’s Personal Data.

StarHub is grateful for the opportunity to comment on this matter.

StarHub Ltd
1 April 2013