

**Public Consultation on Proposed Real Estate Agency and  
Telecommunications Advisory Guidelines**

**Submitted by:**

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## **Comments on Proposed Real Estate Agency Advisory Guidelines**

### **Point 4.2, Page 9-10**

(b) Jack indicates to a prospective buyer who visits the apartment that the seller Sarah and her husband have two children attending school in the vicinity of the apartment, and the couple is selling the apartment because they are relocating to country XYZ. In this situation, Jack is disclosing the personal data of Sarah. Jack should obtain Sarah's consent to disclose her personal data to prospective buyers. For example, when Jack discusses the sale with Sarah, Jack could obtain Sarah's consent to mention some of her personal details to prospective buyers

Comments: This is a common information communicated verbally most times during the course of estate agency work for the Salespersons. The question is how does the Salespersons know what constitute personal data as he genuinely does not have any idea. There are different scenarios whereby questions will be asked of the Salesperson and he/she need to respond to prospective clients. This places unfair burden on Salespersons and there is a need to differentiate the verbal communication use in the course of negotiation and the protection of personal data such as personal details in documentation.

### **Point 5.3, Page 13**

Jack is a salesperson with estate agent ABC stationed at the showroom of a new launch development "NewLaunch". Mark visits the showroom.

(c) Jack has no interaction with Mark at the showroom, but obtains Mark's contact details from the guestbook at the showroom. Jack calls Mark the next day to ask whether he would be interested to purchase a unit at NewLaunch. Jack will be sending a specified message to Mark and the Do Not Call Provisions apply.

Comments: Unusually restrictive. Mark, by registering at guestbook for NewLaunch, is already deemed to give consent to call by salespersons on the project (Clause 4.1). PDPC Suggest – use clear and unambiguous consent in evidential form from the subscriber to receive telemarketing calls (additional step). This put unnecessary burden on SPs.