

Mediacorp Pte Ltd  
1 Stars Avenue, Singapore 138507  
t +65 6333 3888 f +65 6251 5628  
mediacorp.sg

Company Registration Number: 199201312E



VIA E-MAIL ONLY

E-mail: corporate@pdpc.gov.sg

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13 September 2023

**Personal Data Protection Commission**

Dear Sirs,

**PDPC'S PUBLIC CONSULTATION ON THE PDPA FOR CHILDREN'S PERSONAL DATA**

We refer to the above matter and are pleased to submit our views, enclosed herein, for the consideration of the Personal Data Protection Commission ("PDPC").

For questions or clarifications, please contact:

Lee Choon Fatt  
Data Protection Officer, Legal & Secretariat  
Contact: 98803215  
[leechoonfatt@mediacorp.com.sg](mailto:leechoonfatt@mediacorp.com.sg)

Yours faithfully

Lee Choon Fatt  
Data Protection Officer, Legal & Secretariat  
for and on behalf of  
**Mediacorp Pte. Ltd.**

(enc.)

**Public Consult for Proposed AG on the PDPA for Children's Personal Data**

**ISSUED ON  
19 JULY 2023**

**Response to Public Consult for Proposed AG on the PDPA for Children's Personal Data**

**BY MEDIACORP PTE LTD**

**Contact**

Lee Choon Fatt  
Data Protection Officer, Legal & Secretariat  
DID: 6350 3323  
[leechoonfatt@mediacorp.com.sg](mailto:leechoonfatt@mediacorp.com.sg)

**Date of Submission**

31 August 2023

## 1. INTRODUCTION

- 1.1 We refer to PDPC'S Public Consult for Proposed AG on the PDPA for Children's Personal Data dated 19 July 2023. We are grateful for the opportunity to respond to the public consultation.
- 1.2 To provide some background, Mediacorp Pte Ltd, together with its various group companies ("Mediacorp"), is Singapore's National Media Network. We are, *inter alia*, a nationwide free-to-air television and radio broadcaster, and also operate various websites and online and digital services. We produce content for television and radio broadcasts as well as cover live events and report the news.

## 2. SUMMARY OF MAJOR POINTS

- 2.1 We are supportive of PDPA's effort to better protect the personal data of children and have provided our comments to some of PDPC's questions below.
- 2.2 We would like to seek clarity from PDPC whether the guidelines will require organizations to collect additional data from the child (e.g. age) and/or the parent or guardian (e.g. contact details).
- 2.3 We would like to urge PDPC not to mandate that geolocation data collection be turned off by default as geolocation data is required for our digital services to restrict content to only territories where we have rights to.

## 3. Public Consultation Questions

**Question 3:** When communicating with children, organisations must use language that is readily understandable by children, and can use visual and audio aids to support the child's understanding. What in your view are examples of such communication with children?

- 3.1 While we agree with the general principle to make communications clear to our users (including children), we would like to seek clarity as to what is meant by "readily understandable" and the circumstances when this would apply in the context of protection of children's personal data.
- 3.2 Currently, we have various digital services which are offered to the general public which are not targeted specifically at children, such as mewatch, melisten, as well as news and entertainment websites.
- 3.3 We presume that PDPC is not referring to general communications, such as publicity materials and programming content, where there is no collection or use of personal data involved. Assuming the concern is with respect to communications with children where organisations are seeking to collect or use children's personal data, it will not be feasible to tailor such communications where they are targeted at general users and not specifically for children.
- 3.4 For situations where organisations are seeking to collect personal data from children specifically, we would like to suggest to PDPC to allow the organizations the flexibility to plan

its communications but subject always to compliance with current regulations, guidelines and best practices.

**Question 4:** How should organisations minimise the collection, use, and disclosure of children’s personal data?

- a. If an organisation were to collect personal data in order to ascertain their users’ age, what measures or best practices should an organisation be undertaking?
- b. If an organisation were to collect geolocation data, should geolocation be switched off by default so that products and services cannot automatically start collecting geolocation data when they are first used?

3.5 Our digital services involve the streaming of news, video and audio content. Such content usually have territorial rights that requires us to limit the content to within certain territory(ies) (commonly known as “geo-blocking”), irrespective whether the user is an adult or child. We may also serve targeted advertising to limited territories in order to ensure we do not run foul of laws and regulations in certain countries. Geolocation data (via IP address usually) is thus **necessary** to ensure that we do not breach our obligations or country-specific laws and regulations.

3.6 We would also like to seek clarity from PDPC whether “geolocation be switched off by default” applies to children only or does it apply for all users of the service.

3.7 For the scenario where it applies to children only, this may require organizations to then collect age information where previously there was not a need to, which goes against the data minimization principle. Organizations would also have to constantly update the age field over time or verify the age with the user.

3.8 For the reason specified in Paragraph 3.5, we strongly urge PDPC not to mandate the turning off of geolocation data collection by default.

**Question 8:** The PDPC requires an organisation to notify each individual affected by a notifiable data breach in any manner that is reasonable in the circumstances. A notifiable data breach is a data breach that (a) results in, or is likely to result in, significant harm to an affected individual; or (b) is, or is likely to be, of a significant scale.

Where a notifiable data breach occurs, under what circumstances do you think it would be prudent for the organisation to inform the child’s parent or guardian of the breach, considering that this would allow the parent or guardian to take steps to mitigate the harm to the child of the breach?

3.9 Informing the child’s parent or guardian may be impracticable as organizations may not have the contact information of the parent or guardian, especially for existing children in the organization’s database.

3.10 As mentioned in the response to Question 7 above, it will also require organizations to collect age information of the child as well where previously there may not be a need to.

- 3.11 For new (child) registrants, this would require the organization to collect additional data of the parent and guardian (likely Name, email & contact number).
- 3.12 Collecting additional personal data poses additional risks to the organization and in certain circumstances result in the scale of data breaches becoming even larger.
- 3.13 We would like to suggest to PDPC to limit the notification to the child's parent or guardian only for scenarios when the notifiable data breach is likely to result in significant harm to the child.

#### **4. CONCLUSION**

- 4.1 We are grateful for the opportunity to respond to the public consultation, and hope that the PDPC will take our concerns into consideration.