PH Data Privacy Act
at a glance

4 General Principles:

Transparency

Purpose specification:
Declare legitimate purposes before, or as soon as reasonably practicable.

Legitimate Purpose

Data processed fairly and lawfully

- Compliance with a legal obligation
- Contract performance
- Consent
- Vital interest
- Public interest
- Legitimate business interest

Proportionality

Purpose and use limitation:
Processing should be adequate and not excessive, compatible with declared legitimate purpose.

Accuracy:
Personal information held by an organisation should be accurate, relevant, and necessary for purposes.

Accountability

Security Principle:
Implement reasonable and appropriate measures to secure personal information.

Retention Principle:
Retain data only for as long as necessary.

Data sharing:
Data sharing agreements should be in place for Personal Information Controllers and Processors.

Transfer accountability:
There are specific requirements for transferring personal information outside the country.

8 Rights of a Data Subject

The right to **access** their personal information from an organisation

The right to **be informed** on how their data will be used

The right to **object** to processing of personal information

The right to **erasure or blocking** of their personal data

The right to **damages** should any violation of privacy occur

The right to **file a complaint** with the National Privacy Commission

The right to **rectify** any inaccuracy in the personal data an organisation possesses about them

The right to **data portability** or the ability to move, copy, or transfer the data an organisation holds about them

Differences between...

PH DPA		SG PDPA
Terms		
Data Subject		Individual
Personal Information Controller (PIC)		Organisation
Personal Information Processor (PIP)		Data Intermediary
Non-individual Data		
Data belonging to non-individuals (e.g. companies) is **covered** under personal data For example, if company email was given, it is protected under PH DPA.		Data belonging to non-individuals (e.g. companies) is **not covered** under personal data For example, if company email was given, it is not protected under SG PDPA.
Sensitive Data		
Sensitive personal information • race, ethnic origin, marital status, age, color, religion, political affiliations • health records • data concerning an individual's education • data related to offenses or cases • government-issued identifiers such as social security numbers, tax returns • "classified information" as stated by a government order Privileged information • "privileged communication" as defined by the Rules of Court and other laws		Although the SG PDPA does not explicitly define what constitutes sensitive data, the controls implemented should be sufficient when considering the type of personal data being handled. Thus, a higher level of protection is needed for data of a sensitive nature.
Penalties		
6 months to 7yrs imprisonment and **USD 10,000 – 100,000 fine**		**Maximum fine of SGD1 million, or 10% of local annual turnover** for organisations whose turnover **exceeds SGD10 million**, whichever is higher
Exemptions		
Data used in these contexts are exempted from the Philippine DPA • Some information concerning government employees (e.g. business contact information, salaries) and government contracts • Journalistic, artistic, literary purposes • Information necessary to carry out the functions of public authority • Information necessary to comply with Anti-Money Laundering Act • Personal information originally collected from members of foreign jurisdictions which is processed in the PH • Research purposes for public benefit		SG PDPA does not cover certain institutions as there are already other specific laws pertaining to data in those areas. SG PDPA is meant to complement other sector specific laws (e.g. Banking Act, Insurance Act)

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