

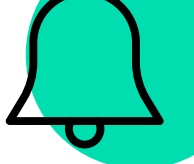



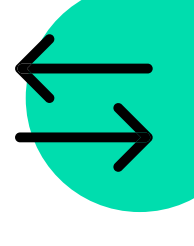



Thailand PDPA

at a glance

8 Obligations

 <p>Accountability Appoint a Data Protection Officer when necessary, respect the rights of data subjects, and maintain records of personal data processing activities.</p>	 <p>Consent Do not collect, use, or disclose personal data unless the data subject has given prior consent or if data use falls under a legitimate purpose. Allow data subject to withdraw consent anytime.</p>
 <p>Notification Inform data subjects of the retention period and the purpose of the collection, use, or disclosure of the personal data, in a way that is easily understandable.</p>	 <p>Purpose Limitation Collect, use, or disclose personal data only according to lawful purposes.</p>
 <p>Protection Provide appropriate security measures for preventing the unauthorized or unlawful loss, access, use, alteration of personal data.</p>	 <p>Retention Limitation Destroy personal data after a specified retention period, or when personal data becomes irrelevant.</p>
 <p>Transfer Limitation Ensure that personal data transferred to a foreign country or international organisation is protected according to PDPC standards.</p>	 <p>Data Breach Notification Notify the PDPC of any data breach within 72 hours after discovery, unless the breach is of low risk. If breach is high-risk, inform data subjects as well.</p>

9 Rights of a Data Subject

<p>The right to access their personal information from an organisation</p>		<p>The right to be informed on how their data will be used</p>
<p>The right to erasure or anonymisation of their personal data</p>		<p>The right to object to processing of personal information</p>
<p>The right to file a complaint with the Personal Data Protection Committee</p>		<p>The right to damages (via a civil court procedure) should any violation of privacy occur</p>
<p>The right to data portability or the ability to move, copy, or transfer the data an organisation holds about them</p>		<p>The right to rectify any inaccuracy in the personal data an organisation possesses about them</p>
		<p>The right to restrict the use of personal data in certain circumstances (establishment, compliance, exercise, defence of legal claims)</p>

Differences between...

TH PDPA

(as of June 1, 2022)

SG PDPA

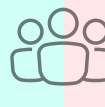
Terms

Data Subject



Individual

Data Controller



Organisation

Data Processor



Data Intermediary

Non-individual data

Business contact information is **not covered** under both laws.

For example, if company email was given, it is not protected.

Sensitive data

Special category data:

- Race, ethnic origin
- Political opinion
- Cult, religious, philosophical beliefs
- Sexual behavior
- Criminal records
- Health data, disabilities
- Genetic data
- Biometric data
- Trade union information

Collection of these data is prohibited without explicit consent (subject to exceptions).



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

Up to 1 year imprisonment (only for an act of criminal offence) and/or **up to USD 145,000 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 Thai PDPA:

- Personal use or household activity
- Information necessary to carry out the functions of public authority (state security, public safety, money laundering)
- Information relating to matters of the court and criminal justice
- Mass media, fine arts, literary purposes



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