

Technology, Media & Telecommunications

Public Consultation on the Proposed Advisory Guidelines on the PDPA for Children's Personal Data

The Personal Data Protection Commission ("**PDPC**") has launched a public consultation seeking views on the Proposed Advisory Guidelines on the Personal Data Protection Act 2012 ("**PDPA**") for Children's Personal Data ("**Advisory Guidelines**"). It covers issues such as obtaining children's consent, using children's personal data, and according higher standards of protection to children's personal data. The consultation ends on 31 August 2023.

Currently, PDPC has issued guidance on data activities relating to individuals of less than 21 years of age in the Advisory Guidelines on the PDPA for Selected Topics (Chapter 8). PDPC plans to revise this guidance and to move it into the standalone Advisory Guidelines.

These standalone Advisory Guidelines are intended to apply to organisations that offer products or services that are likely to be accessed by children, or are in fact accessed by children, even if the products or services are not targeted at children. Organisations that are data intermediaries or that retain children's personal data are also expected to implement additional measures to protect children's personal data.

In this public consultation, PDPC is soliciting views and comments on the following questions:

- (a) What are your views on the proposed scope of application of the Advisory Guidelines?
- (b) What are examples of reasonable purposes for organisations to collect, use, or disclose children's personal data?
- (c) When communicating with children, organisations must use language that is readily understandable by children. What in your view are examples of such communication with children?
- (d) How should organisations minimise the collection, use, and disclosure of children's personal data?
- (e) What are examples of situations where an organisation should conduct a Data Protection Impact Assessment ("**DPIA**") before releasing products or services likely to be accessed by children? What should an organisation consider when conducting such a DPIA?
- (f) The PDPC is considering to adopt the practical view that a child that is between 13 and 17 years of age will have sufficient understanding to be able to consent on his or her own behalf to the collection, use, or disclosure of his or her personal data. What are your views of when a child can give valid consent on his or her own behalf under the PDPA?

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- (g) The PDPC is considering making it a best practice for organisations handling children's personal data, to implement both the Basic and Enhanced Practices listed in the Guide to Data Protection Practices for ICT systems. Are the practices listed in this Guide adequate, and are there additional measures that organisations should undertake?
- (h) 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?

Click on the following link for more information:

- [Public Consultation on Proposed Advisory Guidelines on the Personal Data Protection Act for Children's Personal Data](#) (available on the PDPC website at www.pdpc.gov.sg)

Contacts



Rajesh Sreenivasan
Head, Technology, Media &
Telecommunications

T +65 6232 0751

rajesh@rajahtann.com



Steve Tan
Deputy Head, Technology,
Media & Telecommunications

T +65 6232 0786

steve.tan@rajahtann.com



Benjamin Cheong
Deputy Head, Technology, Media
& Telecommunications

T +65 6232 0738

benjamin.cheong@rajahtann.com

Please feel free to also contact Knowledge Management at eOASIS@rajahtann.com

Regional Contacts

R&T SOK & HENG | *Cambodia*

R&T Sok & Heng Law Office

T +855 23 963 112 / 113

F +855 23 963 116

kh.rajahtannasia.com

RAJAH & TANN | *Myanmar*

Rajah & Tann Myanmar Company Limited

T +95 1 9345 343 / +95 1 9345 346

F +95 1 9345 348

mm.rajahtannasia.com

RAJAH & TANN 立杰上海

SHANGHAI REPRESENTATIVE OFFICE | *China*

Rajah & Tann Singapore LLP

Shanghai Representative Office

T +86 21 6120 8818

F +86 21 6120 8820

cn.rajahtannasia.com

GATMAYTAN YAP PATACSIL

GUTIERREZ & PROTACIO (C&G LAW) | *Philippines*

Gatmaytan Yap Patacsil Gutierrez & Protacio (C&G Law)

T +632 8894 0377 to 79 / +632 8894 4931 to 32

F +632 8552 1977 to 78

www.cagatlaw.com

ASSEGAF HAMZAH & PARTNERS | *Indonesia*

Assegaf Hamzah & Partners

Jakarta Office

T +62 21 2555 7800

F +62 21 2555 7899

Surabaya Office

T +62 31 5116 4550

F +62 31 5116 4560

www.ahp.co.id

RAJAH & TANN | *Singapore*

Rajah & Tann Singapore LLP

T +65 6535 3600

sg.rajahtannasia.com

RAJAH & TANN | *Thailand*

R&T Asia (Thailand) Limited

T +66 2 656 1991

F +66 2 656 0833

th.rajahtannasia.com

RAJAH & TANN | *Lao PDR*

Rajah & Tann (Laos) Co., Ltd.

T +856 21 454 239

F +856 21 285 261

la.rajahtannasia.com

RAJAH & TANN LCT LAWYERS | *Vietnam*

Rajah & Tann LCT Lawyers

Ho Chi Minh City Office

T +84 28 3821 2382 / +84 28 3821 2673

F +84 28 3520 8206

CHRISTOPHER & LEE ONG | *Malaysia*

Christopher & Lee Ong

T +60 3 2273 1919

F +60 3 2273 8310

www.christopherleeong.com

Hanoi Office

T +84 24 3267 6127

F +84 24 3267 6128

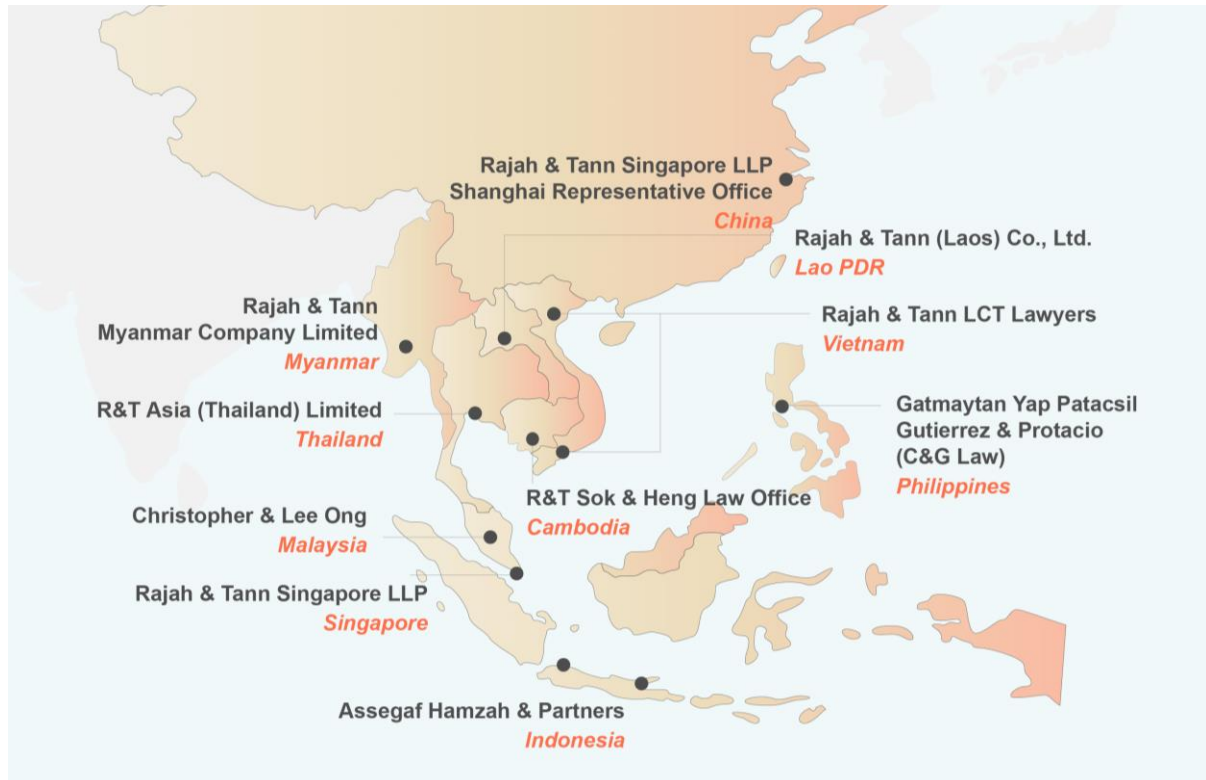
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