

RESPONSE TO PUBLIC CONSULTATION PAPER

Consultation topic:	Public consultation on the Draft Personal Data Protection (Amendment) Bill
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Specific provision of the draft PDP (Amendment) Bill	Proposed Feedback
<p>Clause 12 of the draft PDP (Amendment) Bill - New Part VIA "Notification of Data Breaches"</p>	<p>1. In terms of the mandatory breach notification requirement, we like for PDPC to clarify if there is a need to inform affected individuals in the following scenarios.</p> <p>If the data breach relates to the data categories of personal data, which will be considered likely to result in significant harm to the individuals (like social security numbers, drivers' license numbers, medical history information etc.), and the leakage is within the premise of the organization (for example, sending wrong employee data to another manager?) - are we still required to inform the individual?</p>
<p>Clause 13 of the draft PDP New Part VIB "Data Portability"</p>	<p>2. Currently, HR provides basic career information like title, dates of service to third party for reference check. This is meant for ex-employees who have joined a new company. The new company requires the reference check to be able to verify the employment history like dates of service, title, salary and past disciplinary actions. This requires an express consent from the ex-employee for us to release the data to the 3rd party vendor authorised by the new company.</p> <p>We recommend that the current practice continues as the salary data that we provide is highly sensitive and should not be subject to standard data portability guidelines.</p> <p>Q: Does this new Data Portability Obligation cover HR data? If so, for what category and what is the "white-list" dataset?</p>

Conclusion

We welcome the additional measures introduced by MCI/PDPC in line with the technological advances, new business models and global developments in data protection legislation; and in order for every organisation to ensure proper compliance, we hope that MCI/PDPC will provide appropriate guidance and clear examples that would facilitate a smooth launch of the new obligations.