



Singapore's PDPA



Disclaimer

A word from our lawyers: Nothing stated here is legal advice. It is provided for your information and convenience. We strongly encourage that you work closely with legal and other professional advisors to determine exactly how the Japanese Act on Protection of Personal Information applies to you.

What is the PDPA?

The Personal Data Protection Act (PDPA) is Singapore's privacy law that has most recently been amended in 2020. The PDPA is a comprehensive law, and is supported by additional regulations as well.

What data does the PDPA apply to?

The PDPA defines 'personal data' as data about an individual, that allows for the identification of that individual, or that allows for identification through other data to which an organization already has access to or is likely to have access to.

Therefore, organizations collecting, using or disclosing personal data of Singapore residents have to comply with the PDPA, whether the company is physically located in Singapore or not.

The PDPA does not apply to business contact information for business purposes.

PDPA compliance in respect of using AppsFlyer

Customers are restricted by AppsFlyer from configuring the service to collect personal data such as names, contact information, addresses, financial information, or any sensitive personal data. However, with a broad definition of personal data under the PDPA, device identifiers such as Advertising ID's (IDFA, GAID) or network data such as IP addresses will be deemed personal data and thus the information collected by customers when using AppsFlyer will be subject to the PDPA requirements.

For more information on the data types processed when using AppsFlyer please visit the [AppsFlyer Services Privacy Policy](#).

The PDPA prescribes that personal data may only be collected should consent have been provided, and for a purpose that a 'reasonable person' would consider appropriate. Furthermore, personal data can only be used and disclosed in accordance with that purpose of collection as well as if an individual considers that disclosure 'appropriate in the circumstances'. This means that the individual must provide consent for the data use and the data disclosure.

Therefore, the individual must be notified of this purpose of collection.

Consent exceptions include where collection is:

- necessary for national interest;
- in response to an emergency;
- necessary for a purpose clearly in the interest of the individual; or
- solely for artistic or literary purposes.

The PDPA allows for 'soft' consent, meaning that the individual may be deemed to have consented for a purpose if they have voluntarily provided personal data for that purpose and it is reasonable that data would be provided in that instance.

What rights do individuals have under the PDPA?

Under the PDPA, individuals have the right to:

- Be notified of collection, use or disclosure of their data for a particular purpose;
- Withdraw their consent by giving reasonable notice to the organization collecting the data;
- Access their personal information; and
- Correct their personal information

For all jurisdictions globally, AppsFlyer has implemented the Open DSR API that allows end users to request deletion of their personal data.

Can customers opt out an end user from measurement if they don't provide consent?

Yes, AppsFlyer provides its customers with multiple options to support whatever framework customers wish to implement to enable their compliance. These include the opportunities for end users to opt-in or opt-out of such measurement, or the customer can determine that it does not wish to share data with potential partners. AppsFlyer's service is highly configurable to allow compliance with PIPA and other local data protection laws.

Does the PDPA restrict international transfers of personal information?

No, under PDPA cross-border data transfer is allowed if the third party receiving the data outside of Singapore has comparable privacy protections in place as the PDPA. This can be achieved by data transfer agreements or consent from the individual. Exemptions to the PDPA may be granted by Singapore's Personal Data Protection Commissioner (PDPC).

What are the consequences of non-compliance with the PDPA?

A violation of any of the data protection provisions of the PDPA by an organization can attract a fine of up to SG \$1 million. There are further penalties for violations of the Do-Not-Call (marketing) provisions, which may also lead to a term of imprisonment.