



APEC
CROSS BORDER
PRIVACY RULES SYSTEM
SINGAPORE

APEC CROSS BORDER PRIVACY RULES SYSTEM

INFORMATION KIT

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1. INTRODUCTION

- 1.1 The Asia-Pacific Economic Cooperation (APEC) Cross Border Privacy Rules (CBPR) System was developed by APEC economies to build consumer, business and regulator trust in cross border flows of personal data. The APEC CBPR System requires participating businesses to implement data privacy policies consistent with the APEC Privacy Framework and helps to bridge differing national privacy laws within the APEC region, reducing barriers to the flow of information for global trade.
- 1.2 The CBPR System applies to organisations (data controllers) that control the collection, holding, processing, or use of personal data.
- 1.3 APEC CBPR Certification will benefit businesses in the following ways:
 - **Reduce Cost and Time** with a single and consistent set of privacy standards that facilitates international data flows.
 - **Build trust and confidence** by demonstrating a high-standard commitment to data protection among your business counterparts and customers.
 - **Provide assurance** to your organisation through third-party certification that improves and validates your data protection standards.
 - **Demonstrate good faith compliance** to enforcement authorities.
- 1.4 APEC CBPR is a voluntary enforceable, accountability-based certification that allows for the transfer of personal data across borders and between participating economies. Certification is valid for 1 year and organisations would need to reapply for re-certification at least 3 months from the date of expiry of the certification.
- 1.5 The organisation must promptly notify IMDA of any Significant Change that arises during the certification period. A review may be conducted pursuant to the Significant Change and the organisation will be required to carry out the necessary corrective action or the certification may be terminated. More details on Significant Changes are set out in Section 10 below.

APEC CBPR Assessment Body

- 1.6 The Assessment Body (AB) acts as an independent body to assess that an organisation's data protection practices conform to the APEC CBPR requirements, and to highlight gaps for the organisation to address, if any.

- 1.7 An organisation may select any of the following five ABs – BSI Group Singapore Pte Ltd, EPI Certification Pte Ltd, ISOCert Pte Ltd, Setsco Services Pte Ltd and TUV SUD PSB Pte Ltd.

Contact details of the five Assessment Bodies:

Assessment Body	Contact Person	Contact No	Email
BSI Group Singapore Pte Ltd (www.bsigroup.com/en-SG/)	Stella Kong	6270 0777	DPTM@bsigroup.com
EPI Certification Pte Ltd (www.epi-certification.com)	May Cheow	8823 3347	Audit-support@epi-certification.com may@epi-certification.com
ISOCert Pte Ltd (www.isocert.sg)	Saju S Pillai	9105 4718	saju@isocert.com.sg
	Jean Poh	9475 5120 6659 0810	DP-Certifications@isocert.com.sg
Setsco Services Pte Ltd (www.setsco.com)	Dixon Ng	9795 9875 6895 0650	ngds@setsco.com
	Laura Koh	6895 0659	laurakoh@setsco.com
TUV SUD PSB Pte Ltd (www.tuv-sud-psb.sg)	Lau Boon Cheng	8383 8696	DP_Trustmark@tuv-sud-psb.sg

- An organisation should exercise its own due care and judgement in its selection of any AB.
- IMDA is not a party to the contract between your organisation and the AB.
- The AB is not an employee, worker, agent or partner of IMDA.
- IMDA does not provide any guarantee in respect of and is not responsible for any service provided by the AB or any contract entered into with the AB.

Support for Organisations

Funding support for Singapore companies:

- 1.8 Singapore companies can consider applying to Enterprise Development Grant (EDG) to seek support for some of the costs for APEC CBPR certification and consultancy services. Companies are subjected to the prevailing criteria of EDG to qualify for funding support. All applications will be assessed by Enterprise Singapore (ESG) based on project scope, project outcomes and competency of service provider.
- 1.9 For more information on the EDG and how to apply, please visit ESG's website at <https://www.enterprisesg.gov.sg/financial-assistance/grants/for-local-companies/enterprise-development-grant/apply/pre-application>.

To help companies during this COVID-19 situation, the maximum support level will be raised from 70% to 80% till 30 September 2021.

Professional Consultancy Services:

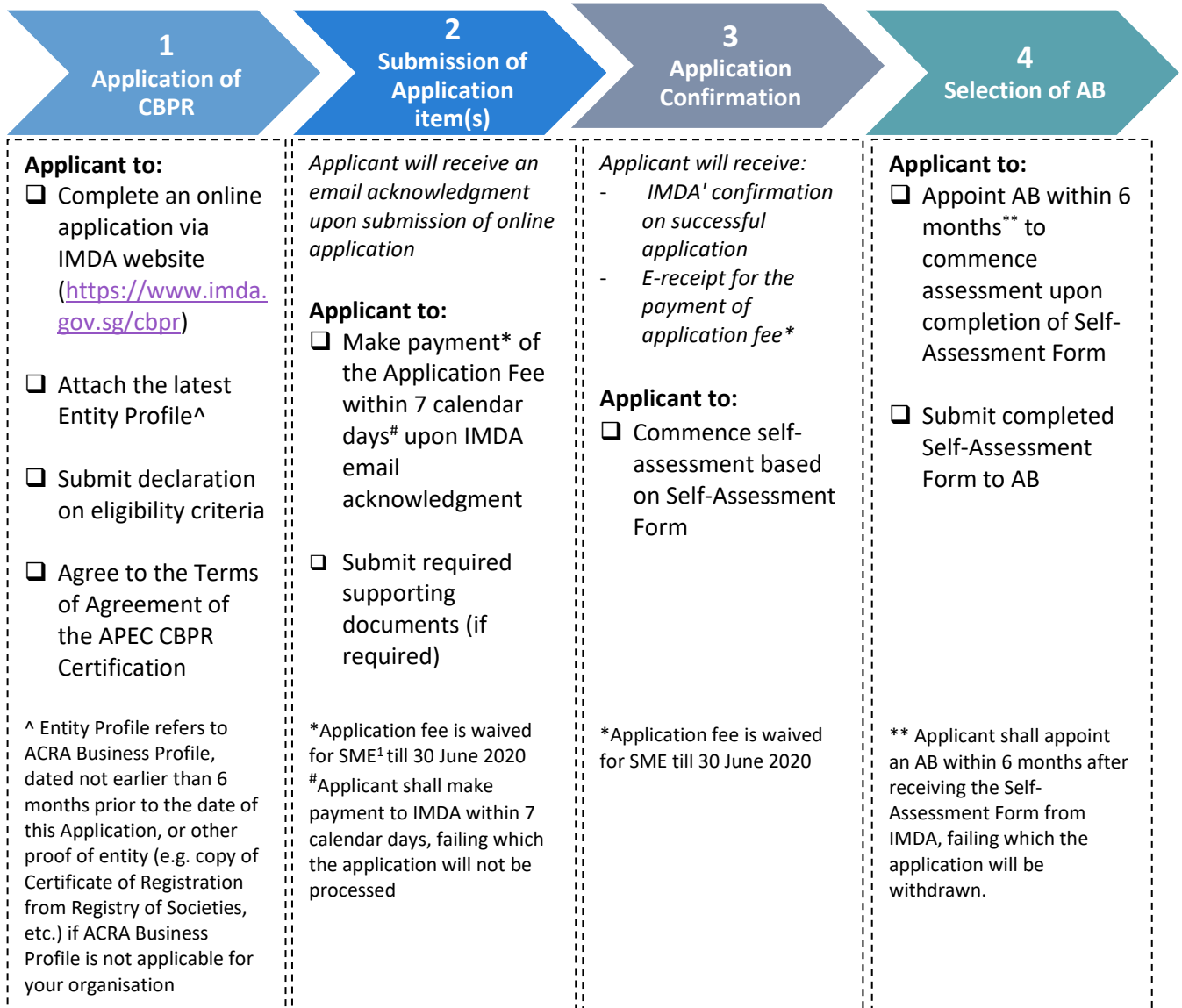
- 1.10 Prior to applying for the APEC CBPR certification, an organisation may wish to engage professional consultancy services to prepare them for CBPR certification. The IMDA's list of Data Protection Service Providers provides a basic directory of the data protection services available in Singapore (<http://www.imda.gov.sg/dpaas>). To be eligible for EDG funding, the applicant organisation needs to ensure that the selected provider is an approved CQI consultant (*List of certified management consultants can be found at <https://www.enterprisesg.gov.sg/financial-assistance/grants/for-local-companies/enterprise-development-grant/apply/consultant-quality-initiative/overview>*).

2. WHO CAN APPLY FOR APEC CBPR CERTIFICATION

- 2.1 If your organisation has put in place policies and practices consistent with the APEC Privacy Framework, you are ready to take your first step towards being CBPR certified.
- 2.2 An interested organisation may apply for the APEC CBPR if it is:
- (a) Formed, recognised and subject to the laws of Singapore; or
 - (b) resident, or having an office or a place of business, in Singapore, and in any case, not a public agency (as defined in the Personal Data Protection Act 2012).

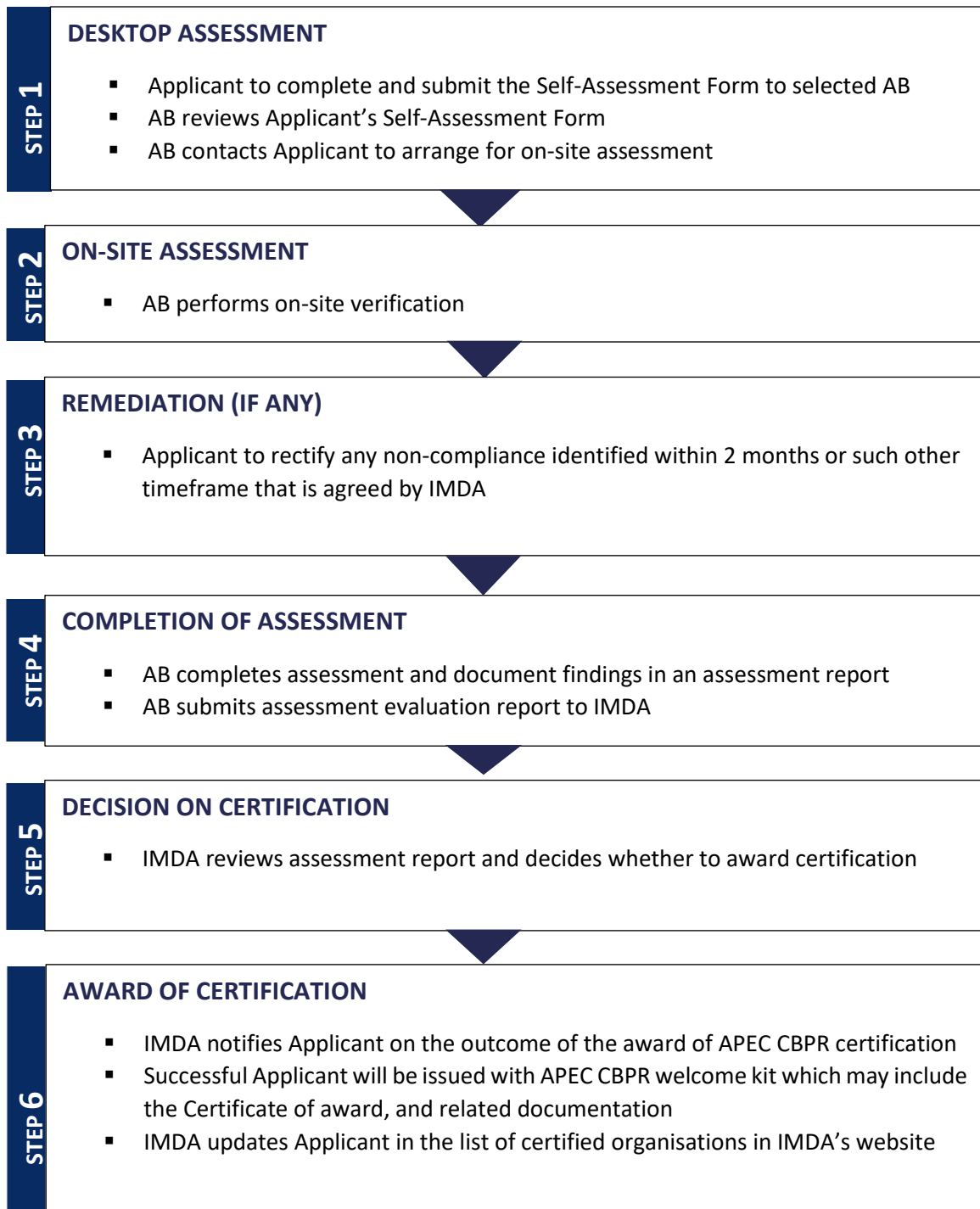
3. APEC CBPR APPLICATION PROCESS

3.1 Application can only be submitted online. Please visit <https://www.imda.gov.sg/cbpr> to apply.



¹ SMEs are defined as (i) companies with at least 30% local shareholding; AND (ii) group annual sales turnover of not more than \$100 million or group employment size of not more than 200 employees. (Source: Enterprise Singapore)

4. APEC CBPR ASSESSMENT PROCESS



Note: it is estimated that Steps 1 to 6 can be completed between 2-3 months.

5. APEC CBPR CERTIFICATION CRITERIA

- 5.1 The APEC CBPR certification is based on the APEC Privacy Framework ([https://www.apec.org/Publications/2017/08/APEC-Privacy-Framework-\(2015\)](https://www.apec.org/Publications/2017/08/APEC-Privacy-Framework-(2015))) which features nine privacy principles: Accountability, Prevent Harm, Notice, Choice, Collection Limitation, Use of Personal Information, Integrity of Personal Information, Security Safeguards and Access and Correction. The framework was endorsed by 21 APEC economies to promote accountable and responsible transfers of personal information between the APEC economies.
- 5.2 The CBPR certification requirements can be downloaded from IMDA's website (<https://www.imda.gov.sg/CBPR>).

6. APPLICATION AND ASSESSMENT FEE

Type of fees	Amount
Application*	<p>\$535 (inclusive of GST)</p> <p><i>*Application fee is waived for SMEs till 30 Jun 2021.</i></p> <p><i>*Organisations who apply for multiple certifications in a single application will pay only one Application fee.</i></p>
Assessment**	<p>Assessment fee, payable to the Assessment Body, ranges and depends on the size of the organisation (e.g. annual sales turnover, no. of sites, etc) and the Assessment Body you engaged.</p> <p>Please approach the Assessment Bodies listed in this website for a quotation to confirm the actual fee.</p>

Notes:

- 1) All fees are subject to change. Revisions to the fee structure, including any directions or guidelines, will be notified via our website.
- 2) The Application fee is payable to IMDA within 7 calendar days upon IMDA's acknowledgment of the APEC CBPR application and is strictly non-refundable. Application will not be processed if organisation fails to make payment to IMDA within the stipulated time.
- 3) The Assessment fee is payable to the appointed assessment body.
- 4) Re-certification will be considered as new application; in which relevant fees for application and assessment applied.

- 5) *There will not be any re-assessment if an organisation fails to attain the certification. The organisation can re-apply for CBPR after the gaps highlighted during the earlier assessment have been rectified. Re-application will be considered as new application; in which relevant fees for application and assessment will apply.*

7. AGREEMENT TO TERMS OF APEC CBPR CERTIFICATION

- 7.1 Upon submission of the application, the organisation (Applicant) is bound by the terms of Agreement of the APEC Cross Border Privacy Rules Scheme.
- 7.2 Refer to www.imda.gov.sg/cbpr for the full terms of Agreement when applying for APEC CBPR certification.

8. APPLICATION FORM

8.1 Interested organisations are to visit <https://www.imda.gov.sg/cbpr> for the application of APEC CBPR certification. Applications can be processed via online only.

Data Protection Certifications Online Application Form

SECTION 1: APPLY FOR CERTIFICATION(S)	
<p>Certification(s) Applied For: (please check where relevant)</p> <p><input type="checkbox"/> Data Protection Trustmark (DPTM)</p> <p><input type="checkbox"/> APEC Cross Border Privacy Rules (CBPR)</p> <p><input type="checkbox"/> APEC Privacy Recognition for Processors (PRP)</p>	
<p>Certification Type: (please check where relevant)</p> <p><input type="checkbox"/> New Certification</p> <p><input type="checkbox"/> Recertification</p>	
SECTION 2: PARTICULARS OF APPLICANT ORGANISATION	
Name of Applicant Organisation*:	
UEN Registration No*:	
Registered Address*:	
Postal Code*:	
Business Website:	
<p>Upload Entity Profile: (Entity Profile refers to ACRA Business Profile, dated not earlier than 6 months prior to the date of this Application, or other proof of entity (e.g. copy of Certificate of Registration from Registry of Societies, etc.) if ACRA Business Profile is not applicable for your organisation.)</p> <div style="border: 1px solid #ccc; border-radius: 5px; padding: 5px; display: inline-block; margin-left: 20px;">Upload</div>	
<p>Nature of Business: (please check where relevant)</p> <p><input type="checkbox"/> Accommodations (e.g. hotels) <input type="checkbox"/> Food & Beverages</p> <p><input type="checkbox"/> Administrative Services <input type="checkbox"/> Healthcare Services (e.g. hospitals, dental)</p>	

- | | |
|---|---|
| <input type="checkbox"/> Advertising | <input type="checkbox"/> Information Technology |
| <input type="checkbox"/> Arts and Entertainment | <input type="checkbox"/> Pets / Veterinary |
| <input type="checkbox"/> Child Care / Student Care Services | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Consultancy Services (e.g. business, management) | <input type="checkbox"/> Retail |
| <input type="checkbox"/> E-Commerce | <input type="checkbox"/> Social Services / Charity (e.g. voluntary welfare organisations) |
| <input type="checkbox"/> Education (e.g. pre-school, private) | <input type="checkbox"/> Security |
| <input type="checkbox"/> Events Management | <input type="checkbox"/> Societies / Clubs / Unions |
| <input type="checkbox"/> Finance (e.g. banking, insurance) | <input type="checkbox"/> Telecommunications |
| <input type="checkbox"/> Wholesaler | <input type="checkbox"/> Travel Agency / Tour Operator |
| <input type="checkbox"/> Others:
please specify: _____ | |

SECTION 3: BUSINESS CONTACT DETAILS

Salutation*:

Name of contact person*:

Designation*:

Contact Number*:

Email Address*:

SECTION 4: FOR SMALL MEDIUM ENTERPRISE (SME)'S COMPLETION TO REQUEST FOR WAIVER OF APPLICATION FEE (FOR DPTM, APEC CBPR AND PRP)

SME to check where relevant:

- The Applicant Organisation has **at least 30% local shareholding**
- The Applicant Organisation has **Group Annual Sales Turnover** of not more than \$100 million
- The Applicant Organisation has **Group Employment Size** of not more than 200 employees

SECTION 5: FOR NON-PROFIT ORGANISATION (NPO)'S COMPLETION TO REQUEST FOR WAIVER OF APPLICATION FEE (FOR DPTM ONLY)

NPO to check where relevant:

- The Applicant Organisation is a non-profit organisation (e.g. voluntary welfare organisation (VWOs), non-governmental organisation (NGO) or societies)

SECTION 6: REPRESENTATIONS

The Applicant Organisation warrants, represents and undertakes the following:
(please check where relevant)

- The Applicant Organisation is either (i) formed or recognised under the laws of Singapore, or (ii) resident, or having an office or a place of business, in Singapore and in any case, not a public agency (as defined in the Personal Data Protection Act 2012).
- We have not, in the last 2 years, been under investigation by PDPC for suspected data breaches.
- We have not been the subject of any enforcement action by PDPC in the last 2 years.
- Our previous application for DPTM certification has not been rejected within the last 3 months.
- Our DPTM certification has not been revoked within the last 6 months.

SECTION 7: AGREEMENT TO TERMS OF IMDA DATA PROTECTION CERTIFICATION SCHEME(S)

- The Applicant Organisation declares that all the information given is true, complete and accurate; and agrees to the Terms of Agreement between the Certification Body and Applicant Organisation in relation to the certification scheme(s) you applied for.

Terms of Agreements of the IMDA Data Protection Certification schemes:

- Data Protection Trustmark Certification (www.imda.gov.sg/dptm)
- APEC Cross-Border Privacy Rules (www.imda.gov.sg/cbpr)
- APEC Privacy Recognition for Processors (www.imda.gov.sg/prp)

Submit

9. APEC CBPR CERTIFICATION MARK

- 9.1 An Applicant that obtains the APEC CBPR certification (Certified Organisation) will receive a Certificate and the Mark Guideline as part of the Welcome kit provided.
- 9.2 The Certified Organisation will be able to display the Certificate at its premises, and apply the Certification Mark in accordance with the Mark Guideline.
- 9.3 Upon termination, suspension or expiry of CBPR certification, the organisation must no longer use the Certification Mark and all materials must not be used in any manner whatsoever by the organisation and should be promptly destroyed.

10. NOTIFICATION OF SIGNIFICANT CHANGES

10.1 The Applicant/Certified Organisation must promptly notify IMDA on any of the following Significant Changes:

1. any changes to the information submitted in its Application, including the information set out in its Application Form, and for the purposes of the Assessment;
2. any changes to the name, registered office, business premises and/or contact details of the organisation;
3. any changes of Control² in the organisation;
4. any changes which may affect the ability of the organisation to comply with any condition or requirement of the Certification Body and/or Assessment Body under this Agreement;
5. any changes which may affect the ability of the organisation to comply with the Certification Criteria, or the manner in which it does so;
6. any change to the organisational structure or operations, where such change may affect its continued compliance with the terms upon which it has been certified and authorised to use the Certification Mark; and
7. any change in the product(s) and/or service(s) provided by the organisation, where such change may affect its continued compliance with the terms upon which it has been certified and authorised to use the Certification Mark.

10.2 In the event of a Significant Change, a review may have to be conducted by an Assessment Body and a Significant Change Assessment Fee may be charged. The organisation may also have to provide further information and documents to IMDA and may be required to carry out corrective action. Based on the review, IMDA will determine whether the Certification remains valid pursuant to the Significant Change.

²**Control** means the existence of the ability to exercise decisive influence with regard to the activities of the organisation, in particular, by:

- (a) ownership of, or the right to use all or part of, the assets of the organisation; or
- (b) rights or contracts which enable decisive influence to be exercised with regard to the composition, voting or decisions of the organs of the organisation.

In the case of a company, Control shall be presumed to exist where a party has beneficial ownership of more than fifty percent (50%) of the issued share capital of the company or the legal power to direct or cause the direction of the general management of the company.

11. OTHER USEFUL INFORMATION

11.1 Businesses with different ACRA numbers are considered separate entities, even if they belong to the same holding company. Applicant organisation can list the subsidiaries and/or affiliates governed by its privacy policy, describe their location and relationship of each to the applicant in the self-assessment form, so they can be covered by the same certification.

11.2 An application for APEC CBPR certification must be accompanied by:

8. Completed online application form as prescribed, together with any supporting documents required; and
9. Payment of application fee (for non-SMEs).

11.3 Applicant organisations shall have written documentation on policies, processes and practises for data protection. Applicant organisations must also demonstrate that their data protection policies, processes and practises are implemented and practised on the ground.

12. FEEDBACK AND ENQUIRIES

12.1 For any feedback and enquiries on APEC CBPR certification, please email Data_Protection_Certifications@imda.gov.sg or call 6377 3800.