



## **DATA PROTECTION TRUSTMARK SCHEME**

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INFORMATION KIT

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## 1. INTRODUCTION

- 1.1 As part of advancing Singapore's digital economy as a trusted data hub that supports competition and innovation as well as the cross-border flow of data, the IMDA has launched the Data Protection Trustmark (DPTM) Certification to help organisations demonstrate accountable and responsible data protection practices.
- 1.2 The DPTM establishes a robust data governance standard to help businesses increase their competitive advantage and build trust with their clients.
- 1.3 The key objectives of the DPTM scheme are:
- for organisations to demonstrate sound and accountable data protection practices;
  - to provide a competitive advantage for businesses that are certified;
  - to boost consumer confidence in organisations' management of personal data; and
  - to enhance and promote consistency in data protection standards across all sectors.
- 1.4 DPTM will benefit businesses in the following ways:
- a. Increases Business Competitiveness**
- Obtaining DPTM certification demonstrates to customers that an organisation has robust data protection policies and practices in place to safeguard their personal data. This will help strengthen its reputation, build trust and foster confidence in the business, raising its competitiveness both locally and overseas.
- b. Provides Assurance to Your Organisation**
- Third-party certification helps to provide validation of an organisation's data protection practices. The certification will increase its data governance and protection standards, uncover potential weaknesses and enable the organisation to take steps to mitigate risks.
- 1.5 DPTM is a voluntary enterprise wide certification looking at the organisation's standard of data protection policies, processes and practises. Certification is valid for 3 years and organisations would need to reapply for re-certification at least 6 months from the date of expiry of the certification.
- 1.6 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 may be required to carry out any necessary corrective action or the certification may be terminated. More details on Significant Changes are set out in Section 10 below.

## DPTM Assessment Body

- 1.7 The Assessment Body (AB) acts as an independent body to assess that an organisation’s data protection practices conforms to the DPTM requirements, and to highlight gaps for the organisation to address, if any.
- 1.8 An organisation may select any of the following three ABs – ISOCert Pte Ltd, Setsco Services Pte Ltd and TUV SUD PSB Pte Ltd. Contact details of the 3 Assessment Bodies:

Assessment Body	Contact Person	Contact No	Email
ISOCert Pte Ltd ( <a href="http://www.isocerts.sg">www.isocerts.sg</a> )	Saju S Pillai	9105 4718/ 6659 0810	saju@isocert.com.sg
Setsco Services Pte Ltd ( <a href="http://www.setsco.com">www.setsco.com</a> )	Dixon Ng	9795 9875/ 6895 0650	ngds@setsco.com
	Laura Koh	6895 0659	laurakoh@setsco.com
TUV SUD PSB Pte Ltd ( <a href="http://www.tuv-sud-psb.sg">www.tuv-sud-psb.sg</a> )	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:**

- 1.9 IMDA has partnered with Enterprise Singapore (ESG) to provide funding support to Singapore companies for the DPTM certification, through the Enterprise Development Grant (EDG).
- 1.10 Businesses who are (1) registered and operating in Singapore, (2) have a minimum of 30% local shareholding, and (3) be in a financially viable position to start and complete the DPTM certification, may apply for the EDG via ESG’s website at <https://www.enterprisesg.gov.sg/financial-assistance/grants/for-local-companies/enterprise-development-grant/apply/pre-application>.

### Funding support for Social Service Organisations:

- 1.11 IMDA has partnered with the National Council of Social Services (NCSS) to provide funding support to social service organisations (SSO) for their DPTM certification through the NCSS Organisational Development Grant (ODG).
- 1.12 SSOs who are (1) NCSS members, or (2) MSF-funded, can apply for the ODG online via NCSS' Funds Application System (FAS). For more details on the ODG and access to the FAS, SSOs can visit NCSS' website at <https://www.ncss.gov.sg/Grants-Search/VCF-ODG-Organisational-Development>.

### Professional Consultancy Services:

- 1.13 Prior to applying for the DPTM certification, an organisation may wish to engage professional consultancy services to prepare them for DPTM certification. The PDPC's list of Data Protection Service Providers provides a basic directory of the data protection services available in Singapore (<https://www.pdpc.gov.sg/Organisations/Help-for-Organisations/List-of-Data-Protection-Service-Providers>).

## 2. WHO CAN APPLY FOR DPTM CERTIFICATION

- 2.1 An interested organisation may apply for the DPTM if it is:
- (a) formed or recognised under 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).
- 2.2 In addition, if an organisation falls within any of the Circumstances set out in the first column below, the organisation must comply with the corresponding Conditions in the second column (See application form section 4: *Representations*). Failure to comply with any of the conditions will render the application to be invalid.

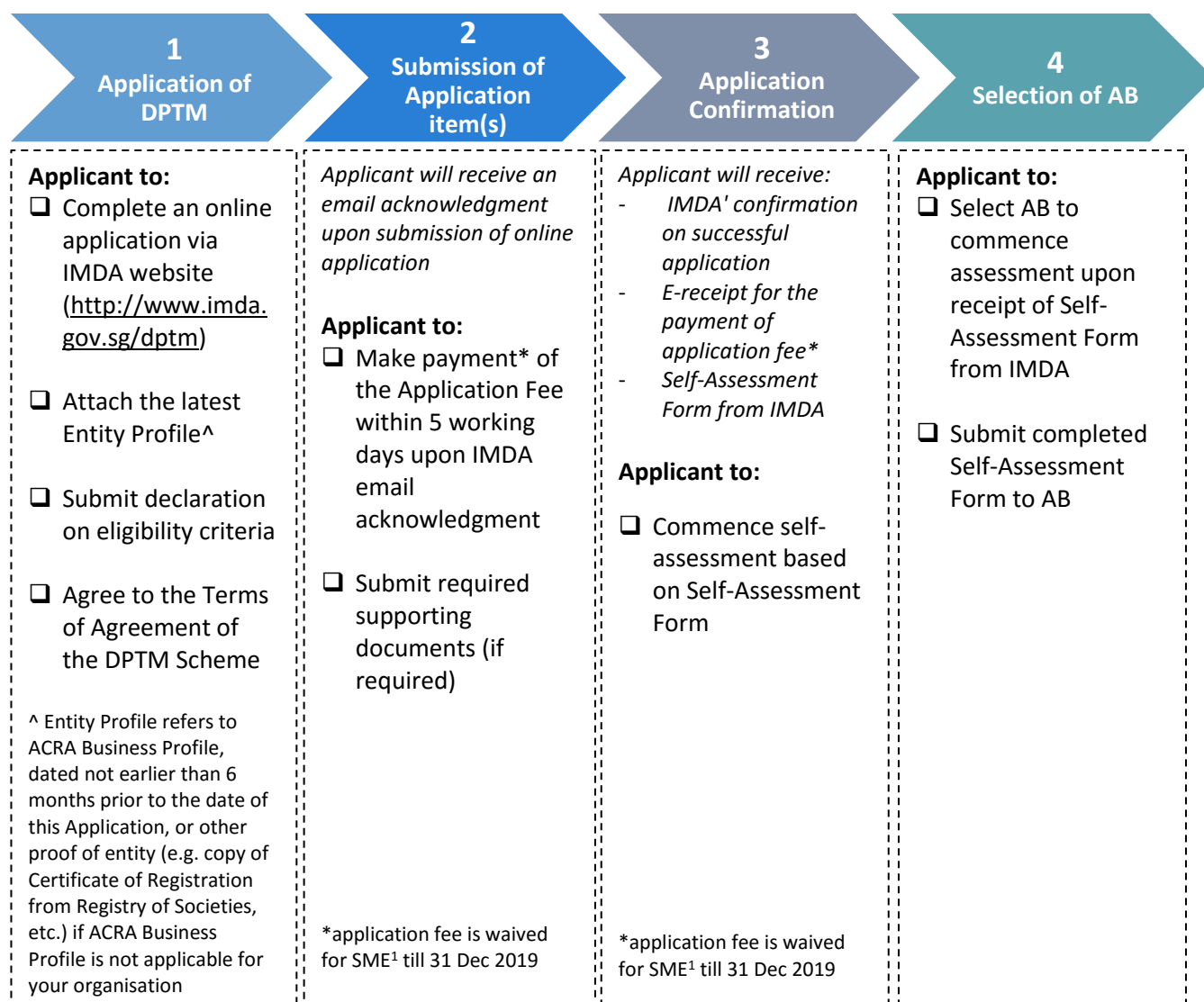
Circumstances	Conditions
(1) Previous application for the Certification was rejected	Application is made 3 months after IMDA's notice of rejection of previous application
(2) DPTM Certification was previously revoked	Application is made 6 months after IMDA's notice of revocation of previous certification
(3) Undergoing investigations by PDPC	Declaration of all investigations by PDPC within the 2 years prior to the date of application
(4) Previously found to have breached the PDPA	Declaration of all breaches under the PDPA within the 2 years prior to the date of application

- 2.3 For Circumstance (3) and (4), organisation must:
- Perform a self-declaration during the online application stage, and
  - Complete and submit a Breach report form to IMDA.

2.4 More details on the application are set out in Section 3 below.

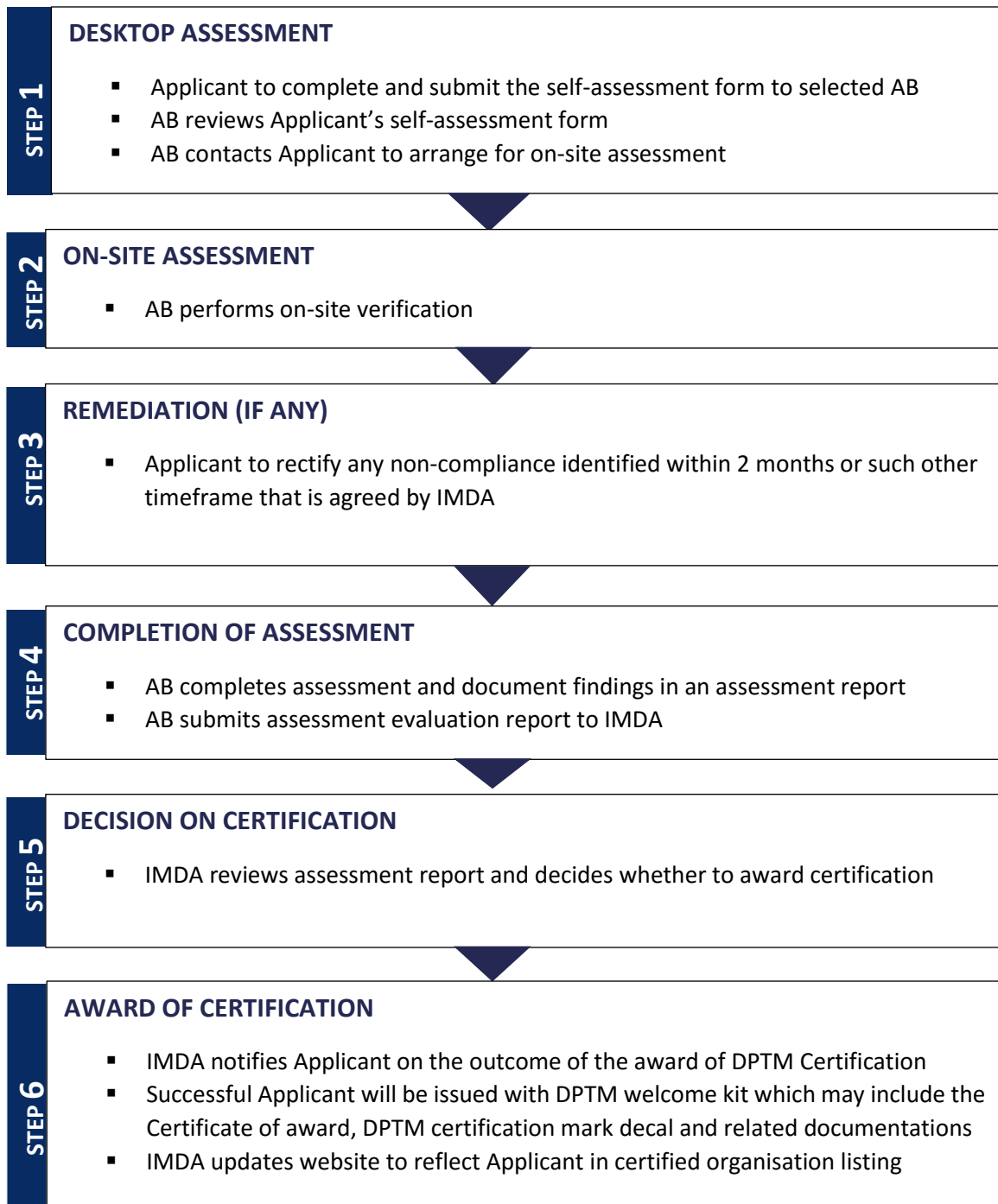
### 3. DPTM APPLICATION

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



<sup>1</sup> 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. DPTM ASSESSMENT PROCESS



Note: it is estimated that Steps 1 to 6 can be completed between 2-4 months.

## 5. DPTM CRITERIA

5.1 The DPTM criteria are organised around 4 Principles as outlined below:

<b>Principle 1: Governance and Transparency</b>
<p><u>Appropriate Policies and Practices</u></p> <ul style="list-style-type: none"><li>• Establish data protection policies and practices</li><li>• Establish queries, complaints and dispute resolution handling processes</li><li>• Establish processes to identify, assess and address data protection risks</li><li>• Establish a data breach management plan</li><li>• Appoint Data Protection Officer (DPO)</li></ul>
<p><u>Openness</u></p> <ul style="list-style-type: none"><li>• Make available business contact information of the DPO to the public</li><li>• Provide information on personal data protection policies to external stakeholders</li></ul>
<p><u>Internal Communication and Training</u></p> <ul style="list-style-type: none"><li>• Communicate data protection policies and practices to all employees</li><li>• Implement data protection training for all relevant internal stakeholders</li></ul>
<b>Principle 2: Management of Personal Data</b>
<p><u>Appropriate Purpose</u></p> <ul style="list-style-type: none"><li>• Ensure collection of personal data is for purposes that are clear and appropriate in the circumstances</li></ul>
<p><u>Appropriate Notification</u></p> <ul style="list-style-type: none"><li>• Ensure notification of the purposes for the collection of personal data, on or before the collection of personal data</li><li>• Ensure notification of new purposes before the use or disclosure of personal data</li></ul>
<p><u>Appropriate Consent</u></p> <ul style="list-style-type: none"><li>• Ensure that consent for the purposes has been obtained on or before collecting the personal data</li><li>• Ensure that consent for personal data with special considerations has been obtained</li></ul>
<p><u>Appropriate Use and Disclosure</u></p> <ul style="list-style-type: none"><li>• Ensure the use of personal data is for purposes for which consent has been obtained</li></ul>



- Ensure the disclosure of personal data is for purposes for which consent has been obtained

#### Compliant Overseas Transfer

- Ensure appropriate personal data transfer policies are implemented as required under law

### **Principle 3: Care of Personal Data**

#### Appropriate Protection

- Ensure reasonable security policies and practices are implemented
- Ensure third parties make reasonable security arrangements to protect personal data
- Ensure testing of security measures

#### Appropriate Retention and Disposal

- Ensure personal data retention policies are implemented
- Ensure appropriate implementation of processes and methods for the disposal, destruction or anonymisation of personal data when there are no longer legal or business purposes to retain the personal data

#### Accurate and Complete Records

- Ensure personal data for use or disclosure is accurate and complete
- Ensure personal data disclosed to a third party organisation is accurate and complete

### **Principle 4: Individuals' Rights**

#### Effect Withdrawal of Consent

- Ensure provision for the withdrawal of consent for the collection, use or disclosure of individuals' personal data

#### Provide Access and Correction Rights

- Ensure provision for individuals' access to their personal data in the organisation's possession or under its control on request
- Ensure provision for individuals' correction of their personal data in the organisation's possession or under its control on request

5.2 The complete DPTM certification controls will be made available upon IMDA's acceptance of an organisation's application.

5.3 The DPTM Certification Framework was developed based on Singapore’s Personal Data Protection Act 2012 (PDPA) and incorporating elements of international benchmarks (e.g. APEC CBPR/PRP requirements) and best practices. Accordingly, the following data protection guidelines and resources provided by PDPC on the PDPA may be helpful to an organisation’s preparation for the DPTM certification.

Legislation/Guidelines/Resources	Link to PDPC Website
<ul style="list-style-type: none"> <li>▪ Personal Data Protection Act</li> </ul>	<a href="https://www.pdpc.gov.sg/Legislation-and-Guidelines/Legislation">https://www.pdpc.gov.sg/Legislation-and-Guidelines/Legislation</a>
<ul style="list-style-type: none"> <li>▪ Advisory Guidelines on Key Concepts in the Personal Data Protection Act</li> <li>▪ Advisory Guidelines on the Personal Data Protection Act for Selected Topics</li> <li>▪ Advisory Guidelines on Requiring Consent for Marketing Purposes</li> </ul>	<a href="https://www.pdpc.gov.sg/AG">https://www.pdpc.gov.sg/AG</a>
<ul style="list-style-type: none"> <li>▪ Guide to Developing a Data Protection Management Programme</li> <li>▪ Guide to Data Protection Impact Assessments</li> <li>▪ Guides to Managing Data Breaches</li> <li>▪ Guide to Data Sharing</li> <li>▪ Guide to Disposal of Personal Data on Physical Medium</li> <li>▪ Guide to Securing Personal Data in Electronic Medium</li> <li>▪ Guide to Building Websites for SMEs</li> <li>▪ Guide to Printing Processes for Organisations</li> <li>▪ Guide on Protection Clauses for Agreements Relating to the Processing of Personal Data</li> <li>▪ Guide on Basic Data Anonymisation Techniques</li> </ul>	<a href="https://www.pdpc.gov.sg/OG">https://www.pdpc.gov.sg/OG</a>
<ul style="list-style-type: none"> <li>▪ Sample Clauses of Obtaining and Withdrawing Consent</li> </ul>	<a href="https://www.pdpc.gov.sg/Resources/For-Organisations">https://www.pdpc.gov.sg/Resources/For-Organisations</a>

## 6. APPLICATION AND ASSESSMENT FEE

Type of fees	Amount
Application*	<b>\$535 (inclusive of GST)</b>  <i>*Application fee is waived for SME<sup>1</sup>s till 31 December 2019.</i>
Assessment**	<b>Estimate between \$1,400 – \$10,000</b> , depending on the size of the organisation (e.g. annual sales turnover, no. of sites)  <i>Assessment fee stated above is an indicative range. It is payable to the assessment body, which will confirm the actual fee.</i>

### 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 5 working days upon IMDA's acknowledgment of the DPTM application, and is strictly non-refundable.*
- 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 DPTM 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 applied.*

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<sup>1</sup> 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)

## **7. AGREEMENT TO TERMS OF DATA PROTECTION TRUSTMARK SCHEME**

- 7.1 Upon submission of the application, the organisation (Applicant) is bound by the terms of Agreement of the Data Protection Trustmark Scheme.
- 7.2 Refer to [www.imda.gov.sg/dptm](http://www.imda.gov.sg/dptm) for the full terms of Agreement when applying for DPTM.

## 8. APPLICATION OF DPTM CERTIFICATION

8.1 Interested organisations are to visit <http://www.imda.gov.sg/dptm> for the application of DPTM certification. Applications can be processed via online only.

### DPTM Online Application Form

SECTION 1: PARTICULARS OF APPLICANT ORGANISATION	
<b>Name of Applicant Organisation*:</b>	
<b>UEN Registration No*:</b>	
<b>Registered Address*:</b>	
<b>Postal Code*:</b>	
<b>Business Website:</b>	
<b>Upload Entity Profile:</b> (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.	
<input type="button" value="Upload"/>	
<b>Nature of Business:</b> (please check where relevant)	
<input type="checkbox"/> Accommodations (e.g. hotels)	<input type="checkbox"/> Food & Beverages
<input type="checkbox"/> Administrative Services	<input type="checkbox"/> Healthcare Services (e.g. hospitals, dental)
<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

- Others:  
please specify: \_\_\_\_\_

## SECTION 2: BUSINESS CONTACT DETAILS

Salutation\*:

Name of contact person\*:

Designation\*:

Contact Number\*:

Email Address\*:

## SECTION 3: TO BE FILLED UP BY SMALL MEDIUM ENTERPRISE (SME) ONLY

**SME Eligibility:**

(please 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 4: 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 previously applied for DPTM certification within the last 3 months.
- Our DPTM certification has not been revoked within the last 6 months.
- We are not under investigation by PDPC for suspected data breaches in the last 2 years.
- We have not been the subject of any enforcement action by PDPC in the last 2 years.

## SECTION 4: AGREEMENT TO TERMS OF DATA PROTECTION TRUSTMARK SCHEME

- The Applicant Organisation agrees to the terms of the Agreement between the Certification Body and Applicant Organisation in relation to the Data Protection Trustmark Scheme published in [www.imda.gov.sg/dptm](http://www.imda.gov.sg/dptm), and declare that all the information given is true, complete and accurate.**

Submit

## 9. DPTM CERTIFICATION MARK

- 9.1 An Applicant that obtains the DPTM 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 and the DPTM decal at its premises, and the Certification Mark in its marketing materials in accordance with the Mark Guideline. The Certification Mark is an indicator that an organisation adopts sound data protection regime and can only be used in direct association with the Certified Organisation. Organisation must not use the Certification Mark in a manner that suggests that the organisation specific product or services have been certified.
- 9.3 Upon termination, suspension or expiry of DPTM 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:
- 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;
  - any changes to the name, registered office, business premises and/or contact details of the organisation;
  - any changes of Control<sup>2</sup> in the organisation;
  - 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;
  - any changes which may affect the ability of the organisation to comply with the Certification Criteria, or the manner in which it does so;

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<sup>2</sup> **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.

- 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
- 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.

## **11. OTHER USEFUL INFORMATION**

11.1 Businesses with different ACRA numbers are considered separate entities, even if they belong to the same holding company. A separate application will be required for each entity.

11.2 An application for DPTM certification must be accompanied by:

- Completed online application form as prescribed, together with any supporting documents required; and
- 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.