



CERTIFIED BY
INFOCOMM MEDIA
DEVELOPMENT AUTHORITY



APEC
CROSS BORDER
PRIVACY RULES SYSTEM
SINGAPORE

GLOBAL / APEC CROSS BORDER PRIVACY RULES SYSTEM

INFORMATION KIT

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1. INTRODUCTION

- 1.1 The Global and Asia-Pacific Economic Cooperation (APEC) Cross Border Privacy Rules System (CBPR) was developed by APEC economies to build consumer, business and regulator trust in cross border flows of personal data. The 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 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 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 8 below.

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 CBPR requirements, and to highlight gaps for the organisation to address, if any.

1.7 An organisation may select any of the following seven ABs appointed by IMDA:

Assessment Body	Contact Person	Contact No	Email
<u>BSI Group Singapore Pte Ltd</u>	Shi Wei Ng	6270 0777 9229 5747 / 9008 8952	<u>DPTM@bsigroup.com</u>
<u>EPI Certification Pte Ltd</u>	May Cheow	8823 3347	<u>Audit-support@epi-certification.com</u> <u>may@epi-certification.com</u>
<u>Guardian Independent Certification Pte Ltd</u>	Baljit Singh	6742 3075 8268 4464	<u>baljit.singh@gicgrp.com</u>
<u>ISOCert Pte Ltd</u>	Saju S Pillai Jean Poh	9105 4718 9475 5120 6659 0810	<u>saju@isocert.com.sg</u> <u>DP-Certifications@isocert.com.sg</u>
<u>Setsco Services Pte Ltd</u>	Elean Kwek Cindy Mae Dela Cruz Ivy Mediavilla Artangga	6895 0669 9428 3210 9451 4718 91090243	<u>eleankwek@setsco.com</u> <u>cindyvillafane@setsco.com</u> <u>maedcruz@setsco.com</u> <u>ivyartangga@setsco.com</u>
<u>SOCOTEC Certification Singapore Pte Ltd</u>	Ms. Salwa Halid Ms. Agnes Wong	6299 9001/ 6499 4707 64994708	<u>salwa.halid@socotec.com</u> <u>certification.singapore@socotec.com</u> <u>agneswong@socotec.com</u>
<u>TUV SUD PSB Pte Ltd</u>	Erichsen Soong Edmund Gan	8777 5844 6973 6764	<u>dp_trustmark@tuvsud.com</u>

- 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 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-localcompanies/enterprise-development-grant/apply/pre-application>.

Professional Consultancy Services:

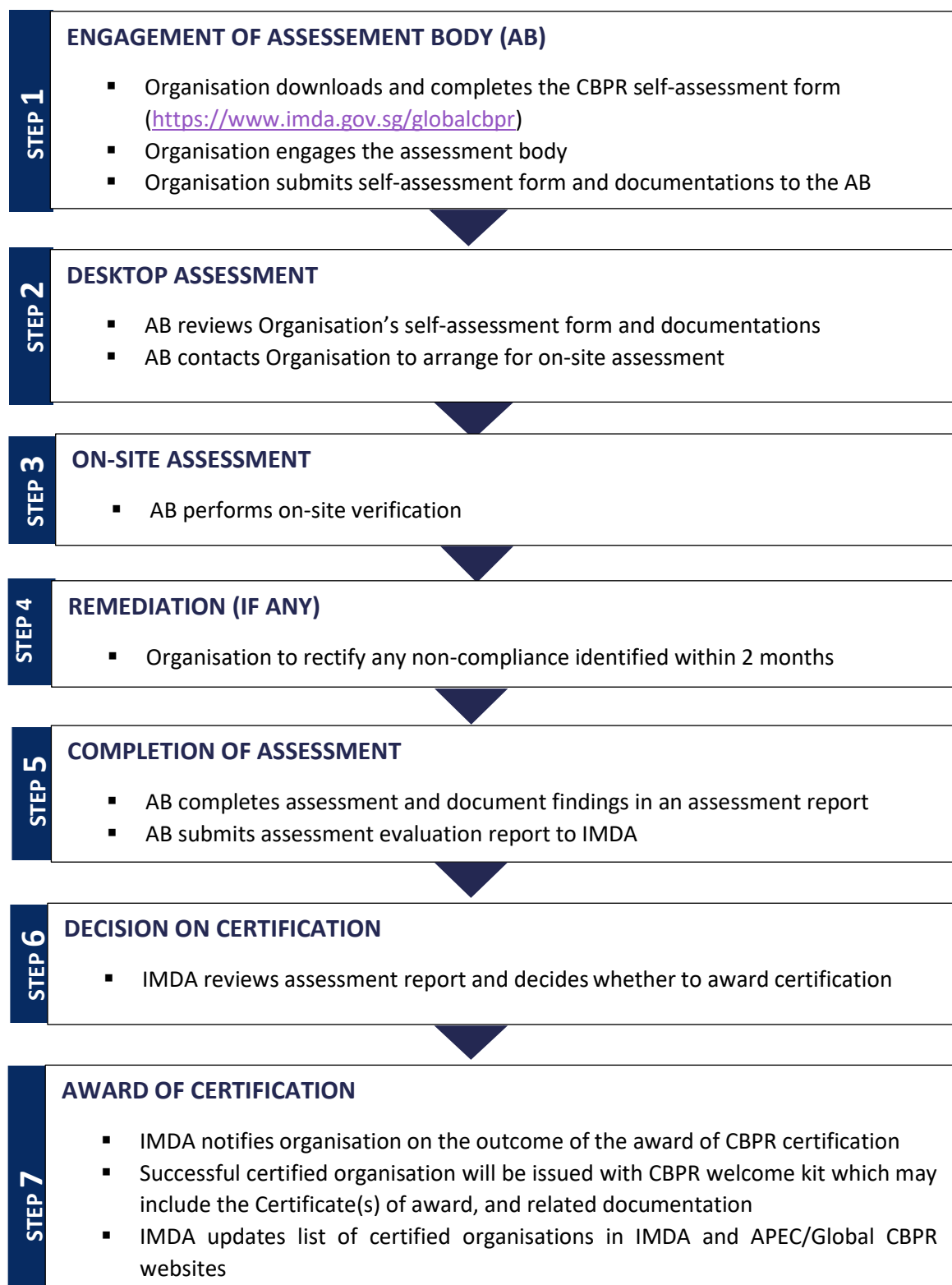
- 1.10 Prior to applying for the CBPR certification, an organisation may wish to engage professional consultancy services to prepare them for CBPR certification. A list of Consultancy Service Providers is available at www.imda.gov.sg/dptm (under DPTM Requirements and Resources section). To be eligible 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-localcompanies/enterprise-development-grant/apply/consultant-quality-initiative/overview>).

2. WHO CAN APPLY

- 2.1 If your organisation has put in place policies and practices consistent with Privacy Framework, you are ready to take your first step towards being CBPR certified.
- 2.2 An interested organisation can apply for the 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. CBPR CERTIFICATION PROCESS

3.1 Organisations seeking for certification may engage with any assessment bodies appointed by IMDA. The certification process follows the steps outlined below.



4. CBPR CERTIFICATION CRITERIA

- 4.1 The 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.
- 4.2 The CBPR certification requirements can be downloaded from IMDA's website (<https://www.imda.gov.sg/GlobalCBPR>).

5. CERTIFICATION FEE

- 5.1 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.
- 5.2 Contact the Assessment Bodies listed in section 1.7 to obtain a quotation on the actual fee.

6. AGREEMENT TO TERMS OF APEC CBPR CERTIFICATION

- 6.1 Upon commencement of CBPR assessment, the Organisation is bound by the terms of Agreement of the Cross Border Privacy Rules Scheme.
- 6.2 Refer to www.imda.gov.sg/globalcbpr for the full terms of Agreement when applying for CBPR certification.

7. CBPR CERTIFICATION MARK

- 7.1 An Organisation that obtains the CBPR certification (Certified Organisation) will receive a Certificate and the Mark Guideline as part of the Welcome kit provided.
- 7.2 The Certified Organisation will be able to display the Certificate at its premises, and apply the Certification Mark in accordance with the Mark Guideline.

- 7.3 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.

8. NOTIFICATION OF SIGNIFICANT CHANGES

- 8.1 The Certified Organisation must promptly notify IMDA on any of the following Significant Changes:
- i. any changes to the information submitted in the Assessment Report by the assessment body;
 - ii. any changes to the name, registered office, business premises and/or contact details of the organisation;
 - iii. any changes of Control² in the organisation;
 - iv. 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;
 - v. any changes which may affect the ability of the organisation to comply with the Certification Criteria, or the manner in which it does so;
 - vi. 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
 - vii. any change in the scope of certification, e.g 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.
- 8.2 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.

9. OTHER USEFUL INFORMATION

- 9.1 Businesses with different ACRA numbers are considered separate entities, even if they belong to the same holding company. Organisation shall list the subsidiaries and/or affiliates governed by its privacy policy, describe their location and relationship of each to the organisation in **Annex B of the terms of Agreement** and the **self-assessment form**, and submit to the assessment body, so they can be covered by the same certification.
- 9.2 Organisations shall have written documentation on data protection policies, processes and practices for data protection. Organisations must also demonstrate that their data protection policies, processes and practises are implemented and practised on the ground.

10. FEEDBACK AND ENQUIRIES

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