

# THE PERSONAL DATA PROTECTION ACT

## GUIDELINES AND PRACTICAL STEPS

date | 7 - 8 May 2014

venue | Istana Hotel Kuala Lumpur

### PROGRAM DESCRIPTION

The Personal Data Protection Act 2010 has just come into force on 15 November 2013.

The workshop is designed to disseminate information and practice on Personal Data Protection Act in Malaysia with regards to the processing of personal data and compliance with the 7 data protection principles.

With the grace period of 3 months expiring on 15th February 2014, enterprises need to be fully aware of the latest regulations and guidelines and how to be compliant to the Act.

### BENEFITS OF ATTENDING THIS PROGRAM:

- **Understanding** the latest PDPA 2010 Regulations
- **Understanding** the implications of the data protection principles
- **Reviewing** the essential provisions under the Personal Data Protection Act
- **Dealing** with the 7 Data Principles
- **Understanding** the PDPA Enforcement, Penalties & Offences
- **Reviewing** the new Proposal Paper on Direct Marketing Regulation

Includes  
the latest  
PDPA 2010  
Regulations

### WHO MUST ATTEND

#### In the following Sectors:

- Communications & Multimedia
- Healthcare
- Retail
- Banking
- Insurance
- Education
- Hospitality
- Securities
- Audit
- Debt Recovery
- Any industry that has 'Data users'



#### Personnel in the following Positions:

- Senior management and heads of departments
- In-house Legal counsel / General counsel
- Risk and Compliance
- Heads of customer service divisions
- IT Managers
- HR directors
- Internal and External Auditors
- Contract Managers

Personal Data Protection Act is in full force as of 15 November 2013.

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### Day 1

#### Introduction to Malaysian Personal Data Protection Act (PDPA) 2010

- History & Background to the Act
- Overview of the PDPA
- Understanding Key Provisions
- Dealing with the various parties
- Data User, Data Processor and Data Subject
- How to deal with Sensitive Personal Data
- Procedures to be put in place to safe guard your organization

#### PDPA Compliance

- Who does the PDPA apply to?
- Processing of Personal Data in a Commercial Transaction
- What is Personal Data?
- Definition of a Commercial Transaction
- Does the Act apply to Company Employees - Are they Data Subjects?
- Obtaining Consent from the Data Subjects
- Privacy Notification prior to Data Processing
- Data Subject Request and Data Correction Request
- Implementation of Data Security Mechanisms for Companies
- Dealing with Data Transfer outside Malaysia
- Main Frame and Servers located overseas

#### Dealing With The 7 Principles

- Rule 1: General principle
- Rule 2: Notice & Choice principle
- Rule 3: Disclosure principle
- Rule 4: Security principle
- Rule 5: Retention principle
- Rule 6: Data integrity principle
- Rule 7: Access principle

#### Step By Step Review of the actual wording of the 7 Data Principles

- The Requirements of the 7 Data Principles
- The Implementation Mechanisms
- The Exemptions and The Exceptions

#### Data Protection – What needs to be implemented

- The PDPA Impact Assessment Analysis
- The PDPA Report
- Setting up a Privacy Compliance Team
- Role of the Privacy Officer
- PDPA Compliance Exercise

### WORKSHOP COURSE OUTLINE

### Day 2

#### Ensuring successful compliance with the PDPA

- Guidelines and Practical steps for a smooth transition
- Modification of existing business processes
- Identifying and overcoming obstacles pertaining to achieving compliance with the PDPA
- PDPA Compliance mandates and exemptions
- Examples and analyzing case studies based on the PDPA principles

#### PDPA Registration of Class of Data Users

- Registration Requirements with the Commissioner
- The Classes of Data Users
- Registration Exercise
- Non Compliance
- Who is liable
- Penalty

#### PDPA Enforcement

- Who's who in Enforcement
- PDPA Commissioner
- PDPA Advisory Committee
- Appeal Tribunal
- PDPA Fund
- Rights of the Data Subject
- Right to Access and Right to Correct Personal Data

#### Penalties & Offences

- Breaches of the Act: Criminal offences and consequences
- General Penalties
- Specific Penalties
- Who is liable? – Company, Directors or Senior Management

#### New PDPA Regulations

- Detailed examination of the New PDPA Regulations
- Regulations on the Class of Data Users
- Regulations on the Registration
- Regulations on the Registration Fees

#### New Proposal Paper on Direct Marketing Regulation

#### Practical Workshop Style Group Discussions

#### PAST PARTICIPANT TESTIMONIALS

"The flow and structure of the course enables ease of understanding of the various sections and how they link up together in the end"

*Department Head, Private Pension Administrator*



# ABOUT THE SPEAKER ►

## Jeremiah R. Gurusamy

Jeremiah is a founding partner of ADJ - Arianti Dipendra Jeremiah, a corporate boutique firm. He holds a LL.B (Hons) Degree from the University of London, a Certificate in Legal Practice (C.L.P.) from the Legal Profession Qualifying Board of Malaysia and a Masters of Law (LL.M) from the University of Malaya. He was called to the Malaysian Bar in 1999. As an active member of the Bar Council, Jeremiah currently sits on the Arbitration & Alternative Dispute Resolution Committee and the Professional Standards and Development Committee. He is also a certified panel Mediator of the Malaysian Mediation Centre of the Bar Council and serves on the Kuala Lumpur Bar Committee and currently heads the Kuala Lumpur Bar Professional Development Committee.

Jeremiah comes with a wealth of experience having worked in the corporate sector since 1997 prior to entering active legal practice. Prior to being admitted as an Advocate and Solicitor, he was attached to the legal documentation unit of the corporate banking arm of one of the leading banking groups in Malaysia. Jeremiah started his legal career in 1999 with a large Kuala Lumpur based law firm. Over the years, Jeremiah has acted for a wide range of clients from various industries and has extensive experience in corporate banking, project financing, corporate and commercial matters, joint ventures, mergers & acquisitions, capital markets, trust and estate planning, private mutual funds and employment law.

Jeremiah regularly delivers talks to the Malaysian Bar, KL Bar and to the Corporate Sector on a variety of topics. He is also a guest lecturer to several private colleges and public universities.

## Registration Form: (Please read booking conditions)

### THE PERSONAL DATA PROTECTION ACT: GUIDELINES AND PRACTICAL STEPS

7 - 8 May 2014 • 9.00AM – 5.00PM • Istana Hotel Kuala Lumpur

#### REGISTRATION FEE DETAILS

- |  |                    |
|--|--------------------|
| <input type="checkbox"/> GROUP DISCOUNT* : (MORE THAN 3 DELEGATES) | <b>RM 2,390.00</b> |
| <input type="checkbox"/> EARLY BIRD* : (BY 25 APRIL 2014)          | <b>RM 2,590.00</b> |
| <input type="checkbox"/> REGULAR FEE :                             | <b>RM 2,790.00</b> |

Catch the EARLY BIRD Fees: Register by 25th April 2014  
\*100% claimable for HRDF contributors

#### DELEGATE DETAILS

Delegate1 Mr / Ms / Mrs / Dr: \_\_\_\_\_

Position: \_\_\_\_\_

Department: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Delegate2 Mr / Ms / Mrs / Dr: \_\_\_\_\_

Position: \_\_\_\_\_

Department: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

(Print more copies for more than 2 delegates)

#### CONTACT PERSON (FOR BILLING PURPOSES)

Mr / Ms / Mrs / Dr: \_\_\_\_\_

Position: \_\_\_\_\_

Department: \_\_\_\_\_

Company: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Billing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Company Stamp: \_\_\_\_\_

Code: PDPA\_KC

#### PAYMENT METHOD


- CHEQUE  
Please post a crossed cheque payable to  
**KCOM MANAGEMENT SDN BHD**
- TELEGRAPHIC TRANSFER

|                |  |
|----------------|--|
| Account Name   | KCOM MANAGEMENT SDN BHD  |
| Name of Bank   | CIMB Bank Berhad   |
| Address        | CIMB Bank Berhad<br>24, Jalan 14/14, Seksyen 14,<br>46100 Petaling Jaya,<br>Selangor Darul Ehsan |
| Account Number | 8002-3719-09   |
| SWIFT Code     | CIBBMYKL   |

#### WAYS TO REGISTER

To register for the Course, fax, email or mail this whole page to:

 Fax: (603) 9102 1022  Tel: (603) 9102 1021

 Email: inquiry@kcom.net.my

 Mail: **KCOM MANAGEMENT SDN BHD**

B-3A-2, Block B, Jalan 2/142A  
Megan Phoenix, 56100 Cheras,  
Kuala Lumpur, Malaysia

#### VENUE DETAILS



#### Istana Hotel Kuala Lumpur

73 Jalan Raja Chulan,  
50200 Kuala Lumpur,  
Malaysia.

#### BOOKING CONDITIONS

- Registrations will be confirmed upon receipt of your completed Registration Form.
- Full payment must be made before the date of the workshop.
- If you are unable to attend, a substitute delegate is welcomed at no extra charge. Please provide the name and the title of the substitute delegate at least 2 working days prior to the Conference / Workshop. A complete set of conference documentation will be given.
- Speakers and topics are correct at the time of printing. KCOM Management reserves the right to substitute speakers and cancel or alter the content and timing of the programme for reasons beyond its control.
- Where group discounts are offered, delegates must sign up collectively.