
PERSONAL DATA PROTECTION ACT 2012 COMPLIANCE

NATIONAL UNIVERSITY OF SINGAPORE

DO NOT CALL POLICY

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THE PERSONAL DATA PROTECTION ACT 2012

NATIONAL UNIVERSITY OF SINGAPORE DO NOT CALL POLICY

Summary

- The National University of Singapore must comply with the Personal Data Protection Act 2012 and the Do Not Call regime/framework.
- There is to be **STRICTLY NO SENDING OF MARKETING MESSAGES VIA PHONE CALLS, TEXT MESSAGES OR FAX** without the specific written authorisation by the Data Protection Officer or the Data Protection Officer's designated nominee, who are contactable at the following :-telephone number: 67762835, email : data.protection.officer@nus.edu.sg and Data Protection Office, National University of Singapore, University Hall, 21 Lower Kent Ridge Road, Singapore 119077.
- The DNC regime/framework applies to messages of a marketing nature, which is generally a message where the purpose, or one of the purposes, of the message, is to advertise or promote goods or services. Refer to paragraph 8 below for further information and examples.
- All employees and students are to follow NUS' DNC policy and procedures before contacting any individuals for any marketing purpose. Refer to paragraphs 11 to 17 below for further information.
- A breach of the DNC regime/framework by you and/or NUS is a criminal offence. Should you cause NUS to be in breach of the requirements of the PDPA relating to the sending of Marketing Messages as a result of your failure to strictly adhere to this policy or as a result of your action or omission, you will be subject to disciplinary proceedings.

Introduction

1. The Personal Data Protection Act 2012 (the "**PDPA**") is intended to be a baseline law for the protection of personal data in Singapore. The Personal Data Protection Commission (the "**PDPC**") was established on 2 January 2013 to administer and enforce the PDPA. The PDPA is applicable to the National University of Singapore ("**NUS**") and NUS must comply with it.
2. A Do Not Call ("**DNC**") regime/framework will be established to enable individuals to register their Singapore telephone number(s) with the national DNC registry if they do not wish to receive marketing messages through their Singapore telephone number. The national DNC registry will be / is operated by the PDPC. This will have an immediate impact on all of NUS' telemarketing activities. The DNC regime/framework comes / has come into force on **2 January 2014**.
3. From 2 January 2014 and thereafter, all employees and students of NUS must strictly comply with this policy. For employees and students of NUS who are generally bound by and required to conform with all NUS' policies, rules and regulations (as may be in force from time to time), this policy binds each employee and student and thus each employee and student is contractually required to comply with it. **FAILURE BY THE EMPLOYEE OR STUDENT TO COMPLY WITH THIS POLICY OR A BREACH BY THE EMPLOYEE OR STUDENT OF THE TERMS OF THIS POLICY WILL SUBJECT THE EMPLOYEE OR STUDENT TO DISCIPLINARY PROCEEDINGS.**

4. A breach of the DNC regime/framework carries with it criminal liability under the PDPA. All employees and students are therefore expected to be fully aware of the do's and don'ts relating to telemarketing, the sending of marketing SMSes/MMSEs, marketing faxes and the making of marketing voice calls.
5. Further, should NUS be fined for breaches of the DNC regime/framework as a result of an action or omission of any employee or student, NUS reserves its right to claim compensation and damages from that employee or student.

Scope of the DNC regime/framework

6. Mode Of Message

The DNC regime/framework will only apply to Marketing Messages sent to a Singapore telephone number over three modes: voice calls, text messages or fax messages. For the avoidance of doubt, the DNC regime/framework will also cover Marketing Messages sent via data applications which use a Singapore telephone number, for example, Whatsapp, iMessage, Viber, etc.

7. DNC Registers

The PDPC maintains three registers for each mode of message. Individuals may register their Singapore telephone numbers on any of these registers from 2 December 2013.

8. Marketing Message

The DNC regime/framework will only apply to messages of a marketing nature ("**Marketing Messages**"), which is generally a message where the purpose, or one of the purposes, of the message, is to advertise or promote goods or services.

For example, the following messages will be considered Marketing Messages

- messages promoting Alumni events that promote the sale of goods or services by NUS and/or NUS' partners
- messages seeking new enrolment or admissions into NUS or faculties
- messages selling items where part of the proceeds go to a charity or fund-raising cause
- messages promoting joint events between NUS and other partners where goods and services are advertised or promoted
- messages advertising or promoting goods or services of external companies that have sponsored a NUS event
- messages promoting an investment opportunity in a technology start up that is collaborating with NUS' research departments and/or faculties

9. Messages NOT impacted by the DNC regime/framework

The DNC regime/framework does not apply to messages that do not fall within the above scope i.e. a message where the purpose, or one of the purposes, is **not** to advertise or promote goods or services. For example, a message sent **solely** to solicit donations for a charitable cause by the Development Office.

As with the general nature of exceptions, these are to be construed narrowly. When in doubt on whether an exception under the PDPA applies, contact the Data Protection Officer.

The Prohibitions/Requirements

10. Under the PDPA, there are 3 key requirements or prohibitions that must be complied with prior to contacting an individual with a Marketing Message through voice call, text messages or fax messages.
 - (a) **Requirement To Check With National DNC Registry** – Check with the relevant national DNC Register (voice, text or fax) prior to sending the Marketing Message. There is an exception to this requirement where the individual to be contacted has previously given his or her *clear and unambiguous consent in evidential form* to receive Marketing Messages via the respective mode of communication (voice, text or fax).
 - (b) **Requirement To Provide Contact Information** – Ensure that the Marketing Message contains clear and accurate information that identifies the organization as well as provides the organization's contact details, and also that the information in the Marketing Message is valid for at least 30 days after the individual has received the message.
 - (c) **Voice Calling Line Identity** – Ensure that if the Marketing Message is communicated over a voice call, that the calling line is not concealed.

Employees/Students Obligations

11. Following the above obligations of NUS under the PDPA, NUS has put in place policy and procedures to be adhered to by all employees and students before contacting any individual for any marketing purpose.
12. All employees and students are to follow NUS' DNC policy and procedures before contacting any individuals for any marketing purpose. When in doubt, contact the Data Protection Office (the "DPO").
13. Note that there is to be **STRICTLY NO SENDING OF MARKETING MESSAGES VIA PHONE CALLS, TEXT MESSAGES OR FAX** without the specific written authorisation by the Data Protection Officer or the Data Protection Officer's designated nominee.
14. Any individual, department or office seeking to send any marketing message via phone calls, text messages or fax shall seek authorisation from the DPO by submitting the NUS Telemarketing Authorisation Request Form to the DPO as set out at Annex A, no less than five business days prior to the intended start date of the sending of the marketing message.
15. With effect from 2nd January 2014, the individual, department or office shall not send any marketing message until it has received the specific written authorisation from the DPO. The DPO also reserves the right to request for further information as well as amendments to the form and mode of marketing and to impose other obligations/requirements on the sending of the marketing message, as may be deemed necessary by the DPO to ensure NUS' compliance with the PDPA.
16. For further information on the process to seek authorisation from the DPO and the sending of marketing messages via phone calls, text messages or fax, please refer to the process flow map set out at Annex B.
17. When the written authorisation to send marketing messages has been given by the DPO, ensure that all marketing messages provide clear and accurate information that identifies NUS and its contact details, and that the information in the message is valid for at least 30 days after

the recipient receives it. If the message is to be communicated over a phone call, ensure that the telephone number making the call is not concealed.

NUS DNC Registry

18. NUS has established an internal NUS DNC registry to centrally assist in the filtering of numbers and checking with the national DNC registry. The NUS DNC registry will be managed by the DPO and all checks with the national DNC registry will be carried out centrally by the DPO, unless otherwise delegated to a department/unit.

Clear and unambiguous consent

19. Individuals may still provide their clear and unambiguous consent to receive Marketing Messages from NUS, notwithstanding that they had registered on the national DNC Registry.
20. All individuals who intend to provide such clear and unambiguous consent to NUS shall do so by way of registration at the following website: <https://myaces.nus.edu.sg/DNC/>. Alternatively, the individual may call the following telephone number to provide his/her clear and unambiguous consent: 6776 2835.

Withdrawal of consent

21. Note that the individual can at any time withdraw such consent that he had previously given to NUS.
22. If you receive any request for withdrawal of consent by an individual to receiving Marketing Messages, you must immediately act upon it by directing the individual to withdraw his/her consent at the following website <https://myaces.nus.edu.sg/DNC/>, or by calling the following number 6776 2835.
23. For further information on the process for individuals to withdraw consent, please refer to the process flow map set out at Annex C.

Breach of DNC regime/framework

24. A breach of the DNC regime/framework is criminal. This means that if you send a Marketing Message in breach of the requirements of the PDPA, you and/or NUS would have committed a criminal offence. Apart from being a criminal offence, you and/or NUS would also have a pay a financial penalty to the authorities.
25. Should you cause NUS to be in breach of the requirements of the PDPA relating to the sending of Marketing Messages as a result of your failure to strictly adhere to this policy or as a result of your action or omission, you will be subject to disciplinary proceedings. Additionally, NUS will not hesitate to seek compensation from you for any loss or damage suffered by NUS, arising from your action or omission.

Amendments

26. NUS reserves its right to amend this policy from time to time. Any such amended policy will similarly apply to you and become part of your employment contract or acceptance record with NUS.

Data Protection Office

27. The Data Protection Officer will have designated nominee(s) within the DPO. If in doubt on any aspect of the DNC regime/framework or this policy, please do not hesitate to contact the Data

Protection Officer or such designated nominee(s) on 6776 2835 or email at dpo@nus.edu.sg, or write to the Data Protection Office, National University of Singapore, University Hall, 21 Lower Kent Ridge Road, Singapore 119077.

ANNEX A

NUS Telemarketing Authorisation Request Form

To : Data Protection Officer

1. Brief overview of campaign:
2. Purpose of solicitation:
3. Person responsible for solicitation programme:
4. Period of solicitation:
5. Mode(s) of solicitation :
6. Material(s)/script(s) to be used:
7. Indicate any third party service provider(s) to be used:
8. Telephone number(s) of individuals to be contacted:
9. Source(s) of telephone numbers:

I hereby represent and warrant that the information provided above are accurate and to my best knowledge, and that I have read and understood the provisions as set out in the NUS DNC policy.

Name :

Designation and Faculty/School/Unit/Department :

Date :

Approved by*:

Name :

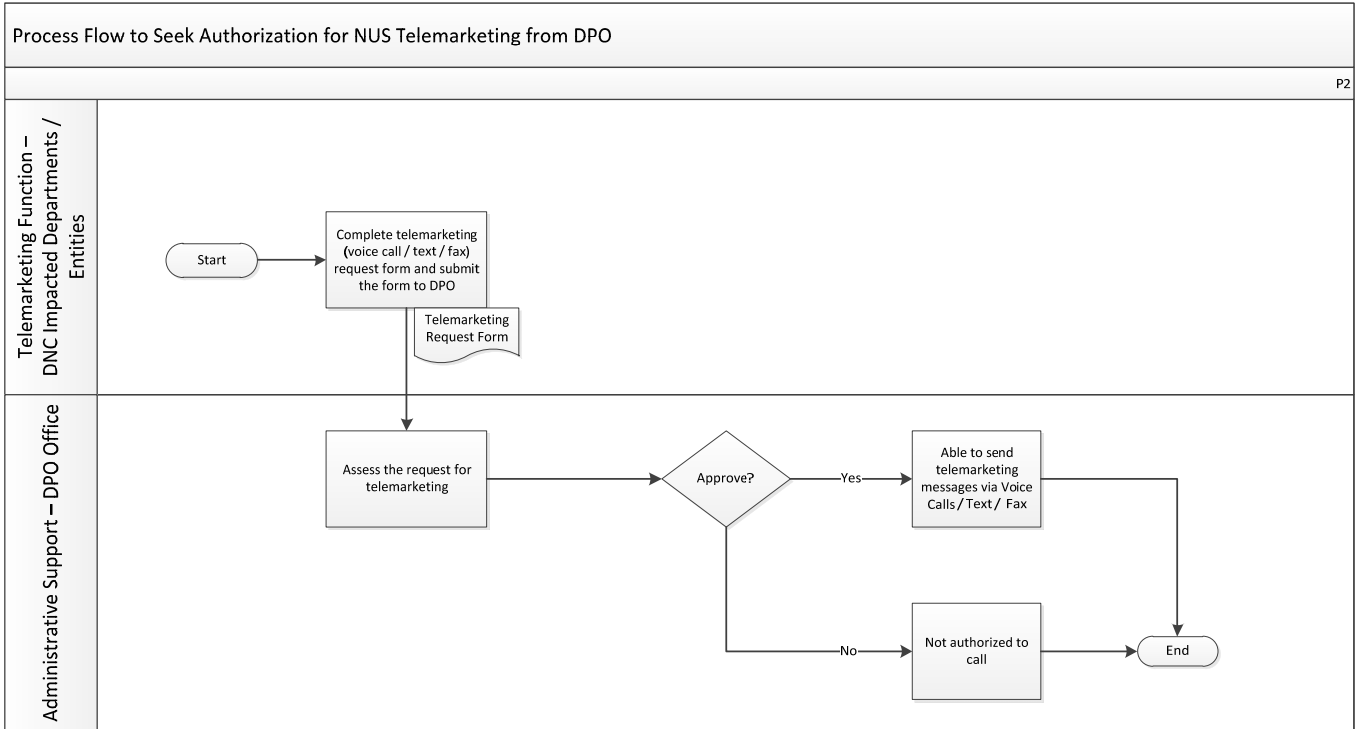
Designation and Faculty/School/Unit/Department :

Date :

(to be supported by Deans/Heads of Faculty/School/Unit/Department)*

ANNEX B

Process flow map to seek authorisation for NUS telemarketing from DPO



ANNEX C
Process flow map for an individual's withdrawal of consent

