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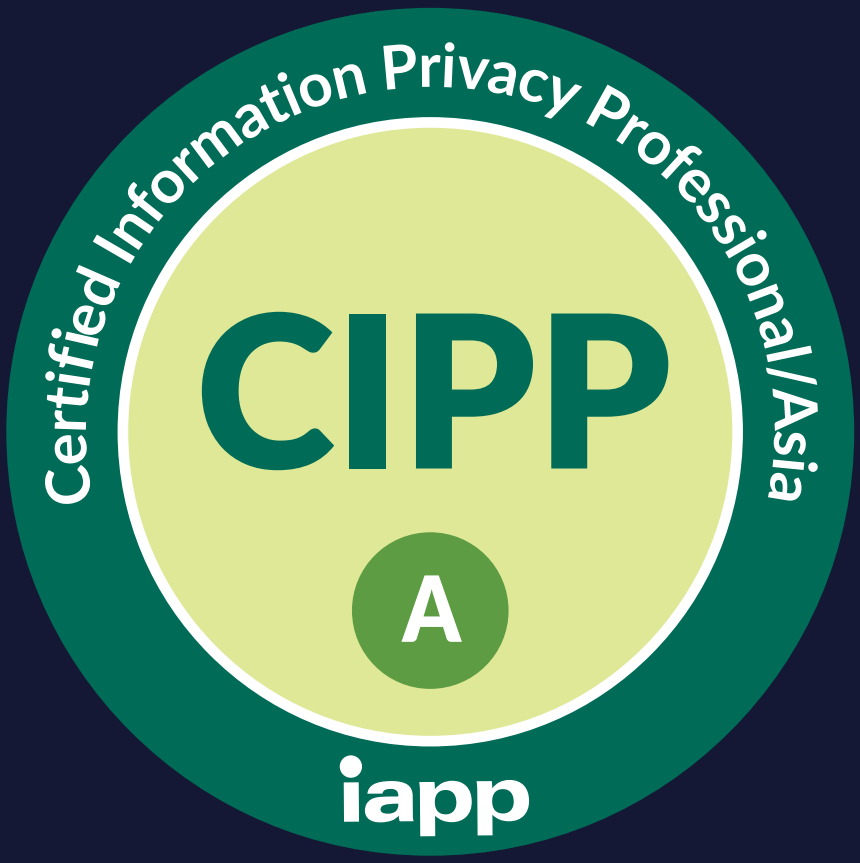


# CIPP/A
# BODY OF KNOWLEDGE

VERSION 2.0.0

EFFECTIVE DATE: 14 July 2025

# Asian Privacy Certification

## Outline of the Body of Knowledge for the Certified Information Privacy Professional/Asia (CIPP/A)

### I. Privacy Fundamentals

A. Modern Privacy Principles

a. The Organisation of Economic Cooperation and Development (OECD) 'Guidelines Governing the Protection of Privacy and Trans-border Data Flows of Personal Data." (1980)
b. The Asia Pacific Economic Cooperation (APEC) privacy principles
c. Fair Information Practices (FIPs)
d. Universal Declaration of Human Rights (1948)

B. Adequacy and the Rest of the World

a. Europe and the General Data Protection Regulation (GDPR)
b. Deemed adequate: New Zealand, Canada, Israel, Argentina, Uruguay
c. United States and the EU-U.S. Privacy Shield
d. Deemed not adequate: Australia, Mexico, Korea, Taiwan

C. Elements of personal information

a. Personal data (EU) (HK) (SG)
b. Personally identifiable information (U.S.)
c. Sensitive personal data information (IND)

d. Pseudonymisation, de-identification and anonymisation

## II. Singapore Privacy Laws and Practices

A. Legislative history and origins
   a. Singapore government and legal system
      i. Political structure
   b. Social attitudes toward privacy and data protection
   c. Surveillance and identification
   d. Constitutional protections
   e. Common law protections
   f. Sector-specific protections

B. Personal Data Protection Act 2012 (PDPA)
   a. Application and scope
      i. PDPA predecessor: National Internet Advisory Committee (NIAC) 2002 Report, *Report on a Model Data Protection Code for the Private Sector.*
      ii. Extraterritorial reach
      iii. PDPA definitions
         a. Personal data
         b. 'Business contact information'
         c. 'Data intermediary'
         d. Publicly available
         e. Survivorship
      iv. *Do Not Call Registry*
         a. 'Specified message'
      v. PDPA in an employment setting
      vi. Exemptions
         a. Public-sector
         b. Response to emergency
         c. National interest
         d. Investigations in legal proceedings
         e. Evaluative purposes
         f. Journalism and media
   b. Key concepts and practices
      i. Data protection officer
      ii. Staff training
      iii. Consent and exceptions to consent
      iv. Use
      v. Disclosure

vi. Safeguarding/Security
vii. Accountability and openness
viii. Access and correction
ix. Retention and deletion
x. Transfer out (e.g. APEC, CBPR and PRP)
xi. Data breach notification obligation

C. Enforcement
   a. Monetary Authority of Singapore
      i. Regulations and guidances
      ii. 'Notices on Prevention of Money Laundering and Countering the Financing of Terrorism'
      iii. Individual's access and rights
      iv. Protection of customer data
      v. Outsourcing
   b. *Personal Data Protection Commission (PDPC)*
   c. Decision in appealed commissioner rulings, complaints
      i. Complaint-based vs. audit-based
   d. Commissioner guidance and published positions
   e. Managing consent opt-out mechanisms: their use and limitations, consent to new purposes and documentation
   f. Penalties and sanctions
   g. Policy development and implementation
      i. Freedom of information legislation
      ii. Data transfers: doctrine of privity of contract for third-parties

## III. Hong Kong Privacy Laws and Practices

A. Legislative history and origins
   a. Hong Kong government and legal system
   b. Social attitudes toward privacy and data protection
   c. Surveillance and identification
   d. Constitutional protections
   e. Common law protections
B. Personal Data (Privacy) Ordinance (PDPO):
   a. Application and scope
      i. Meaning under PDPO
         a. Personal data
         b. Publicly available data
         c. Sensitive personal data

d. 'Prescribed consent'
e. Rights of data subject

ii. Personal Data (Privacy) (Amendment) Ordinance 2012
a. 'The New Guidance on Direct Marketing'

iii. Major Exemptions
a. Staff planning and Employment related (including Personal References)
b. Relevant process (Evaluation)
c. Crime, etc.
d. Legal proceedings, etc.
e. Legal professional Privilege and Self-incrimination
f. Health and Emergency
g. Statistics and Research
h. Journalism and news media

b. Key concepts and practices

i. Six Data Protection Principles (DPPs) and the Internet Data Guidance
1. DPP1: Data Collections
2. DPP2: Accuracy and retention
3. DDP3: Data Use
4. DPP4: Data security
5. DPP5: Openness
6. DPP6: Data access and correction

ii. Due diligence exemption and exercise
iii. Guidance on Personal Data Erasure and Anonymisation
iv. Guidance on employment matters
v. Data Transfer/Export, Ordinance Section 33
a. Data processors
b. Model contracts

C. <u>Enforcement</u>

a. *The Office of the Privacy Commissioner for Personal Data*
b. Commissioner rules
c. Commissioner guidance and published positions
i. *Octopus Rewards Ltd.*
d. Decisions in appealed commissioner rulings, complaints
e. *Personal Data (Privacy) Advisory Committee*
f. Managing consent opt-out mechanisms: their use and limitations, consent to new purposes and documentation
g. Enforcement notice
h. Policy development and implementation

i. Law reform proposals for third-party benefit exception

i. Privacy incidents: trends in commissioner expectations

## IV. India Privacy Law and Practices

A. Legislative history and origins

a. Indian government and legal system
   i. Political structure

b. Social attitudes toward privacy and data protection

c. Surveillance and identification
   i. Credit Information Companies (Regulation) Act 2005

d. Constitutional protections
   i. Article 21
   ii. The Right to Information Act 2005
   iii. The Protection of Human Rights Act 1993

e. Common law protections (e.g. 2017 Supreme Court judgment on the Right to privacy - Puttaswamy judgment)

f. Information Technology Act 2000 (IT Act) and Information Technology Amendment Act 2008 (ITAA)

B. Digital Personal Data Protection Act 2023 (DPDPA)

a. Application and scope: replaces section 43A from the Information Technology Act 2000
   i. Right to access information about personal data
   ii. Right to correction and erasure of personal data
   iii. Right of grievance redressal
   iv. Right to nominate other individuals to act on their behalf
   v. Right to withdraw consent
   vi. Children's data
   vii. Exemptions
      a. Processing of publicly available personal data
      b. Processing of personal data for research/statistical purpose (i.e., training AI)
      c. Research, archiving and statistical purposes
      d. Judicial, investigation, mergers & acquisitions purposes
      e. Non-digital data

b. DPDPA Rules
   i. Privacy notices and consent: Rules 3-4
   ii. Exemptions for state agencies to process personal data: Rule 5
   iii. Security safeguards and notification procedures for data breaches: Rules 6-7

iv. Retention period and erasure of personal data: Rule 8
v. Contact info for Data Protection Officer: Rule 9
vi. Parent/guardian consent, consent exemptions for children: Rules 10-11
vii. Annual data protection impact assessments, audits: Rule 12
viii. Right to access, correct, delete personal data: Rule 13
ix. Regulating cross-border transfer of personal data: Rule 14
x. Exemptions for research purposes: Rule 15
xi. Data Protection Board setup, Board appeal process: Rules 16-21
xii. Allows government to request information from Data Fiduciaries for purposes in the Seventh Schedule: Rule 22
xiii. Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021

C. Enforcement

a. The Ministry of Communication and Information Technology
b. The Department of Electronics and Information (DeitY)
c. The Telecom Regulatory Authority of India (TRAI) and Do Not Call Registry
    i. Banning Free Basics and Net Neutrality
d. Data Protection Board
e. Commissioner rulings, appeals and complaints
f. Penalties and sanctions
    i. DPDPA Chapter VIII
g. Commissioner guidance and published positions
h. Grievance officers
i. Managing consent opt-out mechanisms: their use and limitations, consent to new purposes and documentation
j. Policy development and implementation
    i. Data transfers: doctrine of privity of contract for third-parties
k. Public-sector exemption

## V. Common themes among principle frameworks

A. Comparing protections and principles
    i. Sensitive data protections
    ii. Children's data protections
    iii. Natural persons vs. legal persons
    iv. Data breach notification
    v. Public Registers
    vi. Surveillance

a. National identity systems
    i. SingPass
    ii. HKID
    iii. India's UIDAI
b. Legislation
a. Hong Kong: *PCPD Code of Practice on Identity Card Number and Other Personal Identifiers,* 1997

vii. Data processing and export
viii. Intermediaries
ix. Extraterritorial operations

B. Rights of the data subject
i. 'Domestic' use
ii. Breadth of exemption
    a. Hong Kong
        i. Chinese central government organisations
        ii. Media
    b. Singapore
        i. Public-sector
        ii. Public authorities
        iii. Publicly available information
        iv. 'Public agency'
        v. Business contracted by Singapore government
    c. India
        i. Public sector
        ii. Public authorities
        iii. Publicly available information
        iv. Section 17(3): Specific businesses especially exempted by government, such as 'startups'