

Thailand's Personal Data Protection Act Regulatory Approach

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Office of Permanent Secretary acting as
Office of Personal Data Protection Committee
Ministry of Digital Economy and Society

March 4, 2021





กระทรวงดิจิทัล

เพื่อเศรษฐกิจและสังคม

Key Priorities in 2021

สำนักงานคณะกรรมการ
คุ้มครองข้อมูลส่วนบุคคล

Establishment of Personal Data Protection Committee and the Office

Development of Draft Subordinate Regulations

Development of Master Plan on Personal Data Protection

Development of Draft Guidelines for Data Controllers and Data Processors

Establishment of Personal Data Protection Committee and the Office

1

Personal Data Protection Committee (PDPC)



Cabinet approved a chairperson and 9 qualified members



Pending announcement in Royal Gazette

- Develop Master Plan
- Issue Subordinate Regulations
- Issue Guidance or Guidelines
- Interpret and render rulings

2

Supervisory Committee of Personal Data Protection Office

Selection process for a chairperson and 6 qualified members will be prescribed by PDPC

- Issue internal rules on finance, personnel, operation and audit
- Approve budget and operation plan
- Appoint Secretary General

3

Personal Data Protection Office

Appointment of a Secretary General will be prescribed by Supervisory Committee

- Promote and Support
- Provide consultation
- Approve BCR
- Issue training curriculum



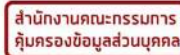

Draft Subordinate Regulations (1/2)

Categorized into 3 groups based on the importance and urgency

Group 1

Public Hearing was held on February 15 – 28, 2021

- 1 Rules and Procedures on Consent
- 2 Rules and Procedures on Privacy Notice
- 3 Appropriate Measures for processing sensitive personal data
- 4 Cross-Border Data Transfer Mechanism
- 5 Responsibility of Data Controller on Record of Processing ,
Right of Access Handling and Data Breach Notification
- 6 Security Safeguards
- 7 Data Protection Officer designation
- 8 Procedures on Complaints Management and Administrative Liability



สำนักงานคณะกรรมการคุ้มครองข้อมูลส่วนบุคคล (สคส.) ร่วมกับ ศูนย์บริการวิชาการแห่งจุฬาลงกรณ์มหาวิทยาลัย (Unisearch) โดยสนับสนุนของคณะนิติศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย


ขอเรียนเชิญ

สัมนารับฟังความคิดเห็นโครงการจัดทำร่าง กฎหมายลำดับรองภายใต้พระราชบัญญัติ คุ้มครองข้อมูลส่วนบุคคล พ.ศ.2562 (กฎหมายลำดับรองกลุ่ม 1)

- 15-18 กุมภาพันธ์ 2564 (7 รอบ)
- แต่ละรอบ แบ่งตามกลุ่มธุรกิจเป้าหมาย (จำกัดเฉพาะผู้ลงทะเบียน)
- สัมมนาออนไลน์ ผ่าน Zoom Meeting

ครอบคลุมเรื่องดังต่อไปนี้
Consent, Privacy Notice, Responsibilities of Controllers, Cross-Border Transfer, Data Protection Officers, Security Measures, Complaint Process, Sensitive Data

สอบถามเพิ่มเติม
Email : pdpapublichearing@gmail.com



After public hearing of Group 1, consultants will submit summary and draft notifications to the acting Office of Personal Data Protection Committee.

Once PDPC has been established, the draft notifications shall be discussed at PDPC 1st meeting. PDPC could advise the second round of public hearing after they review the documentations.

Group 2

- 1 Scope clarification
- 2 Collaboration with other regulators
- 3 Data subject's rights
- 4 Responsibility of Data Processors
- 5 PDPC's administrative procedures

Group 3

- 1 Personal data processing with AI
- 2 Standard and Certification
- 3 International Collaboration
- 4 Local Representative
- 5 Internal administrative procedures

Draft Master Plan on Personal Data Protection

Master Plan on Personal Data Protection includes

- 1 Measures on promotion and protection of personal data.
- 2 Measures on raising public awareness, capacity building and skills development on personal data protection in both public and private organizations.
- 3 Measures on promotion of research and development of technology relating to personal data protection and secure use.
- 4 Operational plan on promotion and protection of personal data.



Public Hearing will be held **virtually** with different geographic stakeholders

March 15	Bangkok Metro area
March 16	Northern provinces
March 17	North Eastern provinces
March 18	Eastern provinces
March 19	Southern provinces

Draft Guidelines for Data Controllers and Data Processors

Vertical Sector Guidelines

potential sectors are under study

- | | |
|-------------------------------|------------------|
| 1 Healthcare | 2 Tourism |
| 3 Education | 4 Retail |
| 5 E-Commerce | 6 Transportation |
| 7 Real Estate and Management | |
| 8 Government Agency | |
| 9 Local Administrative Agency | |

Existing Industrial Guidelines

- 1 Thai Bank Association
- 2 Thai Life Assurance Association
- 3 Association of Investment Management Companies
- 4 Thai General Insurance Association
- 5 Association of Thai Securities Companies

1 - 3 already submitted to the acting Office for consultation



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คุ้มครองข้อมูลส่วนบุคคล



Thank you

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