

## Comments

<b>Section</b>	<b>Provision</b>	<b>Comments</b>
3.3.1	The PDPO will maintain a baseline regime that applies to all private sector organisations, including small businesses that have low annual turnover, to ensure a minimum data protection standard across the private sector.	<p>What will be the definition of SMALL BUSINESSES, will it be dependent on revenue? Number of employees?</p> <p>Suggesting that the reference of the “baseline” will be the type and number of personal data collected and the regularity of the processing of personal data.</p>
4.5	“an organisation must appoint a person to be responsible for ensuring that it complies with the PDPO, typically referred to as a data protection officer (“DPO”); “	<p>Will the PDPO provide for minimum qualifications for the DPO.</p> <p>Will an entity which is a part of a group of companies be allowed to have a common DPO?</p> <p>Will there be a registration of DPO and will it be mandatory?</p>
4.13.3	In contrast, the PDPO places the onus on the organisation to ensure that appropriate measures are taken to protect personal data transferred out of Brunei through the imposition of contractual obligations or otherwise.	<p>How will the sharing of personal data among affiliates be treated?</p> <p>If the company in Brunei is an affiliate of a company that resides outside of Brunei, what will be the limitation of transfer of data?</p> <p>Will PDPO prescribe model contract clauses?</p>
5.4.7	An organisation does not have to respond to any access request: Xxx (d) for information that is trivial; or	Will the PDPO provide guidance of what can be considered request for trivial information?
8.1	The PDPO may provide for the establishment of a DNC regime. Individuals may request for their telephone numbers to be added to the DNC Registry if they do not wish to receive telemarketing messages via phone call, text message	<p>Kindly confirm that the DND regime is applicable only when an entity will be sending TELEMARKETING MESSAGES and will not apply to service messages sent in the course of providing the service to the customer.</p> <p>Suggest also that a guidance or definition of what can be considered as telemarketing messages</p>

## Conclusion

In conclusion, we hope that this will help in crafting and set out a general framework for data protection laws in Brunei Darussalam to provide for the protection of individuals’ personal data by private sector organizations (including both commercial and non-commercial organizations) which seek to collect, use, disclose or otherwise process such personal data for their purposes; and to facilitate cross-border flows of personal data, which will further the development of the digital economy in Brunei Darussalam.