



กระทรวงดิจิทัล
เพื่อเศรษฐกิจและสังคม

สำนักงานคณะกรรมการ
คุ้มครองข้อมูลส่วนบุคคล

Personal Data Protection Act 2019

Soontaree Songserm
Office of Personal Data Protection Committee

February 24, 2021

Personal Data Protection Act 2019 (PDPA)

Enacted on 27 May 2018. Fully enforced on 1 June 2021

Building Trust in Digital Economy



Comprehensive protection

- ▶ Covering both public and private entities
- ▶ Protecting both online and offline activities

Connecting with Global Standards



Accommodate universal principles

- ▶ Transparency, consent and necessity
- ▶ Lawful grounds of processing
- ▶ Ensuring rights of data subjects
- ▶ Cross-border transfer principles

Better Governance and Enforcement



Independent regulator

- ▶ Personal data protection committee (PDPC) promotes data privacy and provides guidance and rules.



Personal Data Protection Act, B.E. 2562 (2019)



The **objectives** of this law are to efficiently **protect** personal data and put in place effective remedial measures for data subjects whose rights to the protection of personal data are violated.

Effective : May 27 2020

The Royal Decree

Defining Organizations and Businesses of which Personal Data Controllers are exempted from the Applicability of the Personal Data Protection Act B.E. 2563 (2020)”

Effective : May 27 2020 – May 31, 2021

Notification of MDES

Personal Data Security Standard B.E. 2563 (2020)

Effective : July 18 2020 – May 31, 2021

TH PDPA Key Principles



Consent, Notification and Purpose
section 19,20,21,22,23,25

Accountability
Ch.6 and 7

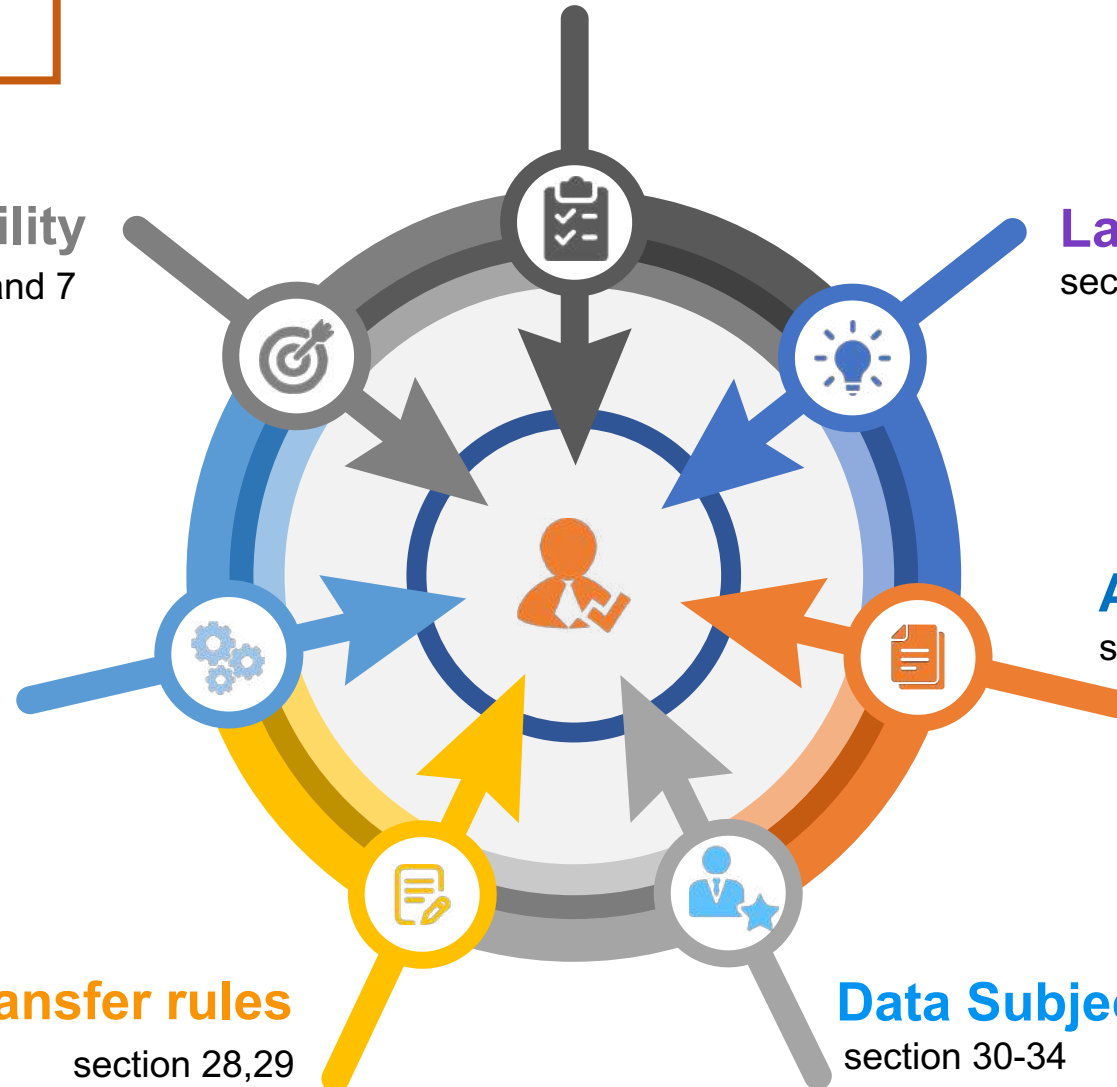
Lawful basis of processing
section 24,26

Security safeguards and Retention
section 37

Accuracy of personal data
section 35, 36

Cross-border transfer rules
section 28,29

Data Subject Rights
section 30-34



Definition & Lawful Basis



Definition

Personal Data – any information relating to a person, which enables the identification of such person directly or indirectly.

Data Controller – a person or a juristic person with the power to make decisions on the collection, use or disclosure of personal data.

Data Processor – a person or a juristic person who collect, use or disclose personal data on behalf of a Data Controller.

Lawful Basis

- Consent
- Historical documents, Scientific research
- Vital Interest
- Contract
- Public Task
- Legitimate Interest
- Legal Obligation

Data Subject's Rights

- Right to be informed
- Right of access
- Right to data portability
- Right to object
- Right to be forgotten
- Right of restrict processing
- Right of rectification

Cross-border Data Transfer



International data transfer is **allowed** as long as foreign stakeholders have **adequate data protection standard** which is aligned with the rules defined by Personal Data Protection Committee.

Exceptions

Law Compliance

Data Subject's Consent

Contract

Vital Interest

Binding Corporate Rules

Other Mechanisms

Other Instruments

Binding Corporate Rules

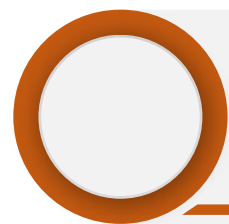
[Standard Contractual Clauses]

[Certification]

[ISO standard]



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Thank you

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