The Public Consultation Paper (PCP) No. 1/2017 entitled **Personal Data Protection (Transfer Of Personal Data To Places Outside Malaysia) Order 2017** is intended to solicit feedback from data users and/or relevant parties pertaining to the whitelist places for transfer of personal data outside Malaysia. This step is in line with the requirements of subsection 129(1) of the Personal Data Protection Act 2010 [Act 709]. The Order is a ‘living document’ in which, as and when required; addition of places to the list will be done accordingly. Among the criteria considered by the Personal Data Protection Commissioner (the Commissioner) in preparing a list of those places are:

i. Places that have comprehensive data protection law (can be from a single comprehensive personal data protection legislation or otherwise a combination of several laws and regulations in that place);

ii. Places that have no comprehensive data protection law but are subjected to binding commitments (multilateral/bilateral agreements and others);

iii. Places that have no data protection law but have a code of practice or national co-regulatory mechanisms.

The Commissioner welcomes the feedback to this paper and suggestion of other criteria (if any) for coming up with the list as stated in the consultation paper.

**INSTRUCTIONS TO DATA USERS AND RELEVANT PARTIES**

Data users and/or relevant parties are required to:
i. Read carefully the contents of the Public Consultation Paper No. 1/2017;

ii. Write your feedback in Appendix A; and

iii. Send your feedback to pcpdp@pdp.gov.my

Please download the documentation here. The deadline for sending your feedback is on the 4th of May 2017 (Thursday). For any question/enquiry regarding the consultation paper, you may contact Ms. Siti Dinar binti Othman at 03 8911 7924/ Mr. Mohamad Sazli bin Haji Sidek Mohammad at 03 8911 7922.

ACKNOWLEDGEMENT

The Commissioner acknowledges and thank you for the feedback submitted.

Personal Data Protection Commissioner
Malaysia
WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

xxx 2017
xxx 2017
P.U. (A)

PERINTAH PERLINDUNGAN DATA PERIBADI
(PEMINDAHAN DATA PERIBADI KE TEMPAT DI LUAR MALAYSIA) 2017

PERSONAL DATA PROTECTION (TRANSFER OF PERSONAL DATA TO PLACES OUTSIDE MALAYSIA) ORDER 2017

DISIARKAN OLEH/
PUBLISHED BY
JABATAN PEGUAM NEGARA/
ATTORNEY GENERAL’S CHAMBERS
AKTA PERLINDUNGAN DATA PERIBADI 2010

PERINTAH PERLINDUNGAN DATA PERIBADI (PEMINDAHAN DATA PERIBADI KE TEMPAT DI LUAR MALAYSIA) 2017

PADA menjalankan kuasa yang diberikan oleh subseksyen 129(1) Akta Perlindungan Data Peribadi 2010 [Akta 709], Menteri, atas syor Pesuruhjaya membuat perintah yang berikut:

Nama dan permulaan kuat kuasa

   (2) Perintah ini mula berkuat kuasa pada XX XXX 2017.

Tempat di luar Malaysia bagi pemindahan data peribadi
2. Tempat-tempat yang ditentukan oleh Menteri bagi pemindahan data peribadi mengenai seorang subjek data di luar Malaysia adalah seperti yang dinyatakan di dalam Jadual.

JADUAL
[Perenggan 2]
TEMPAT-TEMPAT PEMINDAHAN DATA PERIBADI

Tempat-tempat yang berikut telah ditentukan oleh Menteri bagi pemindahan data peribadi di luar Malaysia:

   (a) Negara-negara anggota European Economic Area (EEA)
   (b) United Kingdom
   (c) Amerika Syarikat
   (d) Kanada
   (e) Switzerland
(f) New Zealand
(g) Argentina
(h) Uruguay
(i) Andorra
(j) Faeroe Islands
(k) Guernsey
(l) Israel
(m) Isle of Man
(n) Jersey
(o) Australia
(p) Jepun
(q) Korea
(r) China
(s) Hong Kong
(t) Taiwan
(u) Singapura
(v) Filipina
(w) Dubai International Financial Centre (DIFC)

Dibuat xxx 2017

[JPDP.(S)/500-1/1/1(   ); PN(PU2)712/II]

DATUK SERI PANGLIMA DR. MOHD SALLEH TUN SAID KERUAK

Menteri Komunikasi dan Multimedia
PERSONAL DATA PROTECTION ACT 2010

PERSONAL DATA PROTECTION
(TRANSFER OF PERSONAL DATA TO PLACES OUTSIDE MALAYSIA) ORDER 2017

IN exercise of the powers conferred by subsection 129(1) of the Personal Data Protection Act 2010 [Act 709], the Minister; upon the recommendation of the Commissioner, makes the following order:

Citation and commencement
1. (1) This order may be cited as the Personal Data Protection (Transfer of Personal Data To Places Outside Malaysia) Order 2017.

(2) This Order comes into operation on xx XXX 2017.

Places outside Malaysia for the transfer of personal data
2. The places determined by the Minister for the transfer of any personal data of a data subject outside Malaysia are as set out in the Schedule.

SCHEDULE
[Paragraph 2]
PLACES OF PERSONAL DATA TRANSFER

The following places have been determined by the Minister for the transfer of personal data outside Malaysia:

(a) European Economic Area (EEA) member countries
(b) United Kingdom
(c) The United States of America
(d) Canada
(e) Switzerland
(f) New Zealand
(g) Argentina
(h) Uruguay
(i) Andorra
(j) Faeroe Islands
(k) Guernsey
(l) Israel
(m) Isle of Man
(n) Jersey
(o) Australia
(p) Japan
(q) Korea
(r) China
(s) Hong Kong
(t) Taiwan
(u) Singapore
(v) The Philippines
(w) Dubai International Financial Centre (DIFC)

Made xxx 2017

[JPDP.(S)/XXX-X/X/XXX; PN(PU2)712/II]

DATUK SERI PANGLIMA DR. MOHD SALLEH TUN SAID KERUAK

Menteri Komunikasi dan Multimedia
PART 1- GENERAL INFORMATION

I. Entities : Data User/Data Subject/Issuer of Industrial License

II. Industry : 

III. Company : 

IV. Contact person/number/e-mail (optional) : 

PART 2 – FEEDBACK

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<th>NO.</th>
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<th>JUSTIFICATION</th>
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**Thank you**