La protection des données dans la travel rule

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Transmettre le nom, l'adresse et le numéro d'identification d'un client à un établissement étranger constitue un transfert transfrontière de données personnelles. À Singapour, l'obligation de limitation des transferts prévue par le PDPA (Personal Data Protection Act, la loi sur la protection des données personnelles) impose à l'organisation qui transfère de s'assurer que le destinataire est tenu par des obligations juridiquement contraignantes de protéger les données selon un niveau comparable à celui du PDPA, sauf exception.[1] L'exception relative aux transferts imposés par la loi couvre la transmission elle-même lorsque PSN02 l'exige. Elle ne couvre ni le choix d'un canal non sécurisé ni la transmission à une contrepartie incapable de protéger les données. Les établissements devraient veiller à ce que les conditions de leur réseau travel rule imposent des obligations de protection des données à tous les participants et consigner leur évaluation. Côté suisse, la loi fédérale sur la protection des données (LPD) de 2023 impose des exigences comparables, examinées dans la partie D, chapitre X.

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Notes

1. Personal Data Protection Act 2012, section 26 (transfer of personal data outside Singapore) et Personal Data Protection Regulations 2021, reg. 10 (conditions for transfer). ↩

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