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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERINTAH PERLINDUNGAN DATA PERIBADI (GOLONGAN PENGGUNA DATA) 2013

PERSONAL DATA PROTECTION (CLASS OF DATA USERS) ORDER 2013



DISIARKAN OLEH/
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AKTA PERLINDUNGAN DATA PERIBADI 2010

PERINTAH PERLINDUNGAN DATA PERIBADI (GOLONGAN PENGGUNA DATA) 2013

PADA menjalankan kuasa yang dijalankan oleh seksyen 14 Akta Perlindungan Data Peribadi 2010 [*Akta 709*], Menteri, atas syor Pesuruhjaya, membuat perintah yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Perintah ini bolehlah dinamakan **Perintah Perlindungan Data Peribadi (Golongan Pengguna Data) 2013**.

(2) Perintah ini mula berkuat kuasa pada 15 November 2013.

Golongan pengguna data

2. Pengguna data yang tergolong dalam mana-mana golongan pengguna data yang dinyatakan dalam Jadual hendaklah berdaftar di bawah Akta.

JADUAL

[Perenggan 2]

GOLONGAN PENGGUNA DATA

1. Komunikasi
 - (a) Pemegang lesen di bawah Akta Komunikasi dan Multimedia 1998 [*Akta 588*].
 - (b) Pemegang lesen di bawah Akta Perkhidmatan Pos 2012 [*Akta 741*].
2. Perbankan dan institusi kewangan
 - (a) Bank berlesen dan bank pelaburan berlesen di bawah Akta Perkhidmatan Kewangan 2013 [*Akta 758*].
 - (b) Bank islam berlesen dan bank islam antarabangsa berlesen di bawah Akta Perkhidmatan Kewangan Islam 2013 [*Akta 759*].

(c) Institusi kewangan pembangunan di bawah Akta Institusi Kewangan Pembangunan 2002 [*Akta 618*].

3. Insurans

(a) Penanggung insurans berlesen di bawah Akta Perkhidmatan Kewangan 2013.

(b) Pengendali takaful berlesen di bawah Akta Perkhidmatan Kewangan Islam 2013.

(c) Pengendali takaful antarabangsa berlesen di bawah Akta Perkhidmatan Kewangan Islam 2013.

4. Kesihatan

(a) Pemegang lesen di bawah Akta Kemudahan dan Perkhidmatan Jagaan Kesihatan Swasta 1998 [*Akta 586*].

(b) Pemegang perakuan pendaftaran suatu klinik perubatan swasta atau klinik pergigian swasta di bawah Akta Kemudahan dan Perkhidmatan Jagaan Kesihatan Swasta 1998.

(c) Pertubuhan perbadanan yang didaftarkan di bawah Akta Pendaftaran Ahli Farmasi 1951 [*Akta 371*].

5. Pelancongan dan hospitaliti

(a) Orang berlesen yang menjalankan atau mengendalikan suatu institusi latihan pelancongan, pengendali pelancongan berlesen, agen pelancongan berlesen, atau pemandu pelancong berlesen di bawah Akta Industri Pelancongan 1992 [*Akta 482*].

(b) Orang yang menjalankan atau mengendalikan suatu premis penginapan pelancong berdaftar di bawah Akta Industri Pelancongan 1992.

6. Pengangkutan

- (a) Malaysian Airlines System (MAS).
- (b) Air Asia.
- (c) MAS Wings.
- (d) Air Asia X.
- (e) Firefly.
- (f) Berjaya Air.
- (g) Malindo Air.

7. Pendidikan

- (a) Institusi pendidikan tinggi swasta berdaftar di bawah Akta Institusi Pendidikan Tinggi Swasta [*Akta 555*].
- (b) Sekolah swasta atau institusi pendidikan swasta berdaftar di bawah Akta Pendidikan 1996 [*Akta 550*].

8. Jualan langsung

Pemegang lesen di bawah Akta Jualan Langsung dan Skim Anti-Piramid 1993 [*Akta 500*].

9. Perkhidmatan

- (a) Suatu syarikat berdaftar di bawah Akta Syarikat 1965 [*Akta 125*] atau seorang yang mengikat perkongsian di bawah Akta Perkongsian 1961 [*Akta 135*] yang menjalankan perniagaan seperti yang berikut:
 - (i) undang-undang;
 - (ii) audit;
 - (iii) perakaunan;
 - (iv) kejuruteraan; atau
 - (v) arkitek.

- (b) Suatu syarikat berdaftar di bawah Akta Syarikat 1965 atau seorang yang mengikat perkongsian di bawah Akta Perkongsian 1961, yang menjalankan perniagaan runcit dan perniagaan borong yang ditakrifkan di bawah Akta Kawalan Bekalan 1961 [*Akta 122*].
- (c) Suatu syarikat berdaftar di bawah Akta Syarikat 1965 atau seorang yang mengikat perkongsian di bawah Akta Perkongsian 1961, yang menjalankan perniagaan agensi pekerjaan swasta di bawah Akta Agensi Pekerjaan Swasta 1981 [*Akta 246*].

10. Hartanah

- (a) Pemaju perumahan berlesen di bawah Akta Pemajuan Perumahan (Kawalan dan Pelesenan) 1966 [*Akta 118*].
- (b) Pemaju perumahan berlesen di bawah Enakmen Pemajuan Perumahan (Kawalan dan Pelesenan) 1978, Sabah.
- (c) Pemaju perumahan berlesen di bawah di bawah Ordinan Pemaju Perumahan (Kawalan dan Perlesenan) 1993, Sarawak.

11. Utiliti

- (a) Tenaga Nasional Berhad.
- (b) Sabah Electricity Sdn. Bhd.
- (c) Sarawak Electricity Supply Corporation.
- (d) SAJ Holding Sdn. Bhd.
- (e) Air Kelantan Sdn. Bhd.
- (f) LAKU Management Sdn. Bhd.
- (g) Perbadanan Bekalan Air Pulau Pinang Sdn. Bhd.
- (h) Syarikat Bekalan Air Selangor Sdn. Bhd.
- (i) Syarikat Air Terengganu Sdn. Bhd.
- (j) Syarikat Air Melaka Sdn. Bhd.
- (k) Syarikat Air Negeri Sembilan Sdn. Bhd.
- (l) Syarikat Air Darul Aman Sdn. Bhd.

(m) Pengurusan Air Pahang Berhad.

(n) Lembaga Air Perak.

(o) Lembaga Air Kuching.

(p) Lembaga Air Sibu.

Dibuat 11 November 2013
[KPKK/PUU 800-1/7; PN(PU2)712]

DATO' SRI AHMAD SHABERY CHEEK
Menteri Komunikasi dan Multimedia

PERSONAL DATA PROTECTION ACT 2010

PERSONAL DATA PROTECTION (CLASS OF DATA USERS) ORDER 2013

IN exercise of the powers conferred by section 14 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 (Class of Data Users) Order 2013**.

(2) This Order comes into operation on 15 November 2013.

Class of data users

2. A data user who belongs to any class of data users as specified in the Schedule shall be registered under the Act.

SCHEDULE

[Paragraph 2]

CLASS OF DATA USERS

1. Communications

(a) A licensee under the Communications and Multimedia Act 1998 [*Act 588*].

(b) A licensee under the Postal Services Act 2012 [*Act 741*].

2. Banking and financial institution

(a) A licensed bank and licensed investment bank under the Financial Services Act 2013 [*Act 758*].

(b) A licensed islamic bank and licensed international islamic bank under the Islamic Financial Services Act 2013 [*Act 759*].

- (c) A development financial institution under the Development Financial Institution Act 2002 [*Act 618*].

3. Insurance

- (a) A licensed insurer under the Financial Services Act 2013.
- (b) A licensed takaful operator under the Islamic Financial Services Act 2013.
- (c) A licensed international takaful operator under the Islamic Financial Services Act 2013.

4. Health

- (a) A licensee under the Private Healthcare Facilities and Services Act 1998 [*Act 586*].
- (b) A holder of the certificate of registration of a private medical clinic or a private dental clinic under the Private Healthcare Facilities and Services Act 1998.
- (c) A body corporate registered under the Registration of Pharmacists Act 1951 [*Act 371*].

5. Tourism and hospitalities

- (a) A licensed person who carries on or operates a tourism training institution, licensed tour operator, licensed travel agent or licensed tourist guide under the Tourism Industry Act 1992 [*Act 482*].
- (b) A person who carries on or operates a registered tourist accommodation premises under the Tourism Industry Act 1992.

6. Transportation

- (a) Malaysian Airlines System (MAS).
- (b) Air Asia.
- (c) MAS Wings.

- (d) Air Asia X.
- (e) Firefly.
- (f) Berjaya Air.
- (g) Malindo Air.

7. Education

- (a) A private higher educational institution registered under the Private Higher Educational Institutions Act 1996 [*Act 555*].
- (b) A private school or private educational institution registered under the Education Act 1996 [*Act 550*].

8. Direct selling

A licensee under the Direct Sales and Anti-Pyramid Scheme Act 1993 [*Act 500*].

9. Services

- (a) A company registered under the Companies Act 1965 [*Act 125*] or a person who entered into partnership under the Partnership Act 1961 [*Act 135*] carrying on business as follows:

- (i) legal;
- (ii) audit;
- (iii) accountancy;
- (iv) engineering; or
- (v) architecture.

- (b) A company registered under the Companies Act 1965 or a person who entered into partnership under the Partnership Act 1961, who conducts retail dealing and wholesale dealing as defined under the Control Supplies Act 1961 [*Act 122*].

- (c) A company registered under the Companies Act 1965 or a person who entered into partnership under the Partnership Act 1961, who carries on the business of a private employment agency under the Private Employment Agencies Act 1981 [Act 246].

10. Real estate

- (a) A licensed housing developer under the Housing Development (Control and Licensing) Act 1966 [Act 118].
- (b) A licensed housing developer under the Housing Development (Control and Licensing) Enactment 1978, Sabah.
- (c) A licensed housing developer under the Housing Developers (Control and Licensing) Ordinance 1993, Sarawak.

11. Utilities

- (a) Tenaga Nasional Berhad.
- (b) Sabah Electricity Sdn. Bhd.
- (c) Sarawak Electricity Supply Corporation.
- (d) SAJ Holding Sdn. Bhd.
- (e) Air Kelantan Sdn. Bhd.
- (f) LAKU Management Sdn. Bhd.
- (g) Perbadanan Bekalan Air Pulau Pinang Sdn. Bhd.
- (h) Syarikat Bekalan Air Selangor Sdn. Bhd.
- (i) Syarikat Air Terengganu Sdn. Bhd.
- (j) Syarikat Air Melaka Sdn. Bhd.
- (k) Syarikat Air Negeri Sembilan Sdn. Bhd.
- (l) Syarikat Air Darul Aman Sdn. Bhd.
- (m) Pengurusan Air Pahang Berhad.
- (n) Lembaga Air Perak.
- (o) Lembaga Air Kuching.
- (p) Lembaga Air Sibiu.

Made 11 November 2013
[KPKK/PUU 800-1/7; PN(PU2)712]

DATO' SRI AHMAD SHABERY CHEEK
Minister of Communications and Multimedia