Protección de datos en la travel rule

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Transmitir el nombre, la dirección y el número de identificación de un cliente a una entidad extranjera constituye una transferencia internacional de datos personales. En Singapur, la obligación de limitación de transferencias de la PDPA (Personal Data Protection Act, la ley de protección de datos personales) exige que la organización transmitente se asegure de que el destinatario esté sujeto a obligaciones jurídicamente exigibles de proteger los datos con un nivel comparable al de la PDPA, salvo que se aplique una excepción.[1] La excepción para las transferencias exigidas por la ley ampara la transmisión misma cuando la PSN02 la impone. No ampara la elección de un canal inseguro ni la transmisión a una contraparte incapaz de proteger los datos. Las entidades deberían asegurarse de que las condiciones de su red de travel rule impongan obligaciones de protección de datos a todos los participantes, y deberían documentar esa evaluación. En el lado suizo, la Ley federal de protección de datos (DSG/LPD) de 2023 impone requisitos comparables, que se analizan en la parte D, capítulo X.

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Notas

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

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