

AI & Data Protection Series

Data privacy considerations in APAC AI legal regime

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Our speakers



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List of webinars and dates

- 27 May: Data privacy considerations in AI model training
- 12 June: AI and GDPR purpose limitation requirements
- 24 June: AI-related Data Protection Impact Assessments (DPIAs)
- 22 July: Data privacy considerations in APAC AI legal regime**
- 9 September: AI and individuals' rights under the GDPR**
- 23 September: Automated decision making and profiling**
- 7 October: Marrying GDPR and AI governance**
- 21 October: AI and biometric data/special category data**
- 4 November: AI and data security**
- 18 November: GDPR considerations in contracting for AI solutions**

Data privacy in APAC

Today's topics

Overview of AI legal regime in APAC jurisdictions

- China
- Hong Kong
- Singapore
- Indonesia
- Korea

Data privacy considerations in developing and deploying AI

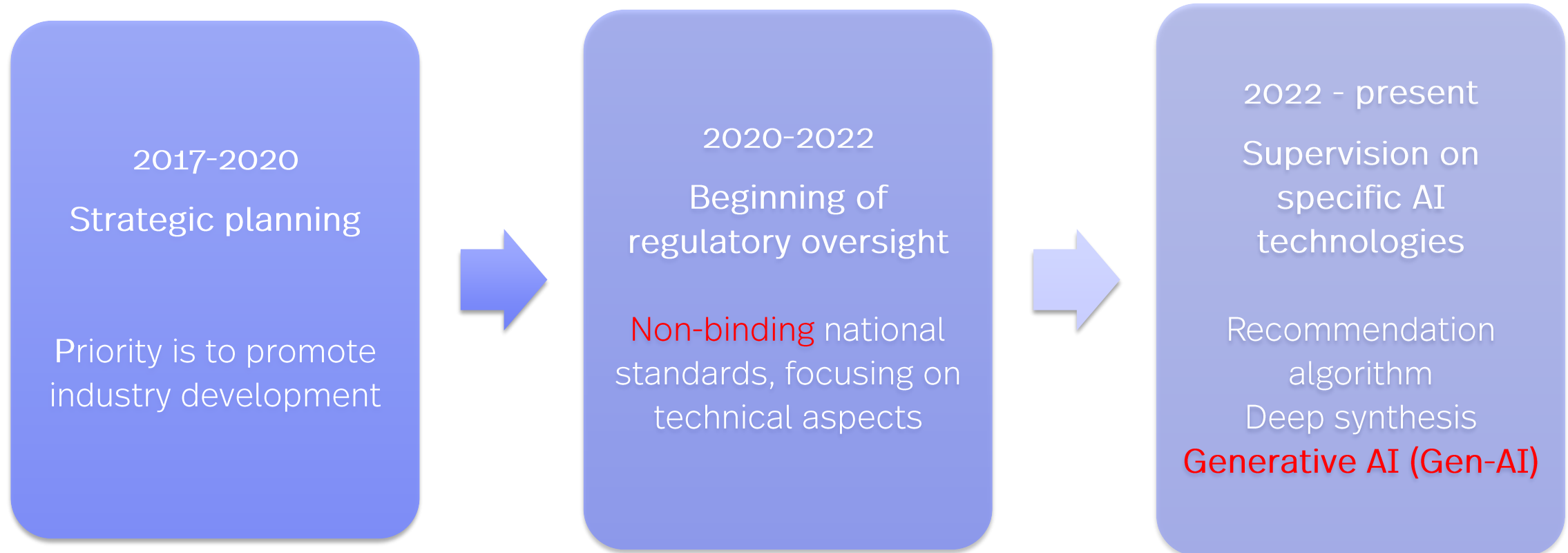
Overview of AI legal regime

Summary

- Two groups
 - Comprehensive AI law vs. piecemeal regulations and soft guidelines
- Common themes
 - Ethical development and responsible use
 - Transparency and disclosure
 - Risk assessment and human oversight
 - Personal data protection

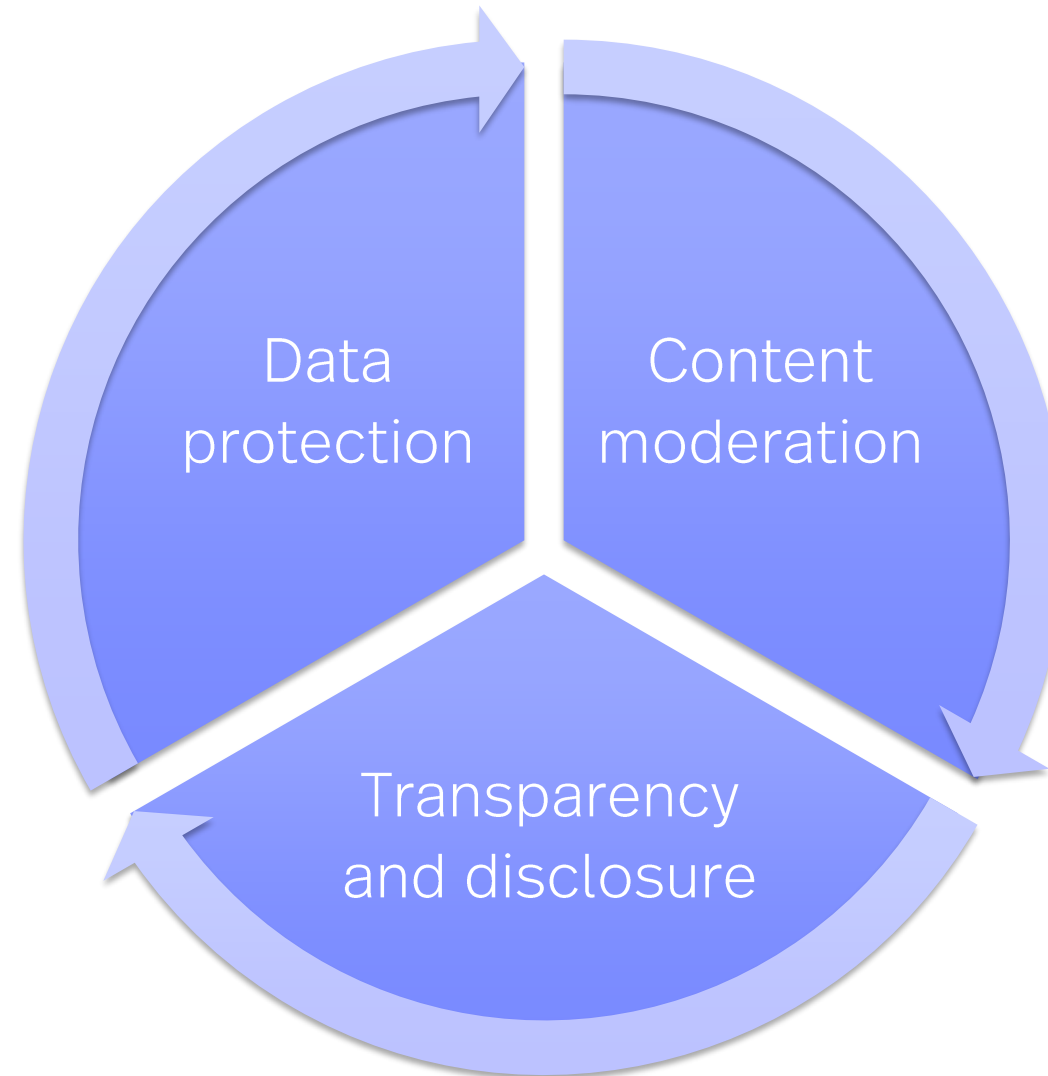
Overview of AI legal regime - China

Three phases



Overview of AI legal regime - China

Key themes



Overview of AI legal regim

Hong Kong

- No binding AI legislation; best-practice guidance
- The Office of the Privacy Commissioner for Personal Data (PCPD)
 - Guidance on the Ethical Development and Use of Artificial intelligence (August 2021)
 - Artificial Intelligence: Model Personal Data Protection Framework on AI (11 June 2024)
 - Checklist on Guidelines for the Use of Generative AI by Employees (March 2025)
- Sectoral guidance in financial sector
 - Hong Kong Monetary Authority (HKMA)
 - The Securities and Futures Commission (SFC)

Overview of AI legal regime

Singapore

- No comprehensive AI legislation; soft guidelines
- Updated AI Model Governance Framework for traditional AI and Gen-AI (May 2024)
 - 9 proposed dimensions to support and foster a trusted AI ecosystem
- Advisory Guidelines on use of Personal Data in AI Recommendation and Decision Systems (March 2024)
 - When to rely on exceptions under the PDPA when using personal data to develop AI systems
 - Recommended data handling and accountability measures when deploying AI systems
- Information Paper on Artificial Intelligence Model Risk Management (December 2024)

Overview of AI legal regime

Indonesia

- Draft AI specific regulation on the horizon
- MOCI's Circular Letter on AI Ethical Guidelines (December 2023)
 - Ethical guidelines on the use of AI from a data protection perspective
- OJK's Guidelines for AI Use among Financial Institutions (April 2025)
 - Responsible development and implementation of AI technologies within the banking sector
 - Key requirements in relation to data governance and security

Overview of AI legal regime

Korea: AI Basic Act, Asia's first comprehensive AI legislation

- Similar regulatory approach to the EU AI Act
- Risk-based, tiered obligations
 - High-impact AI systems vs. Gen-AI systems
- **Minimum** obligation to inform users of the use of AI and **enhanced** obligations to implement safety and reliability standards, risk management plans, human oversight and impact assessments
- Extra-territorial effect
- Penalties for non-compliance

AI developers

Data privacy considerations

- Data minimisation principle
- Lawful bases for processing personal data in developing and training AI
 - Sensitive personal data
- Transparency and disclosure
- Performing data protection impact assessments
- Responding to data subject rights requests
- In-house AI tools

AI deployers

Data privacy considerations

- Due diligence on AI model development and training
- Understanding the model's functionality and limitations
- Relying on lawful bases to process personal data using AI
- Performing data protection impact assessments
- Responding to data subject rights requests
- Acceptable AI use policies and AI literacy trainings for staff

Useful resources

CtrlTransfer



Digital Regulation Tracker



AI Literacy Programme



Next session > 9 September: AI and individuals' rights under the GDPR