

This is a summary of the decision of the Commissioner.

IN THE MATTER OF:-

Complainant {Ex-Officer in Charge of a parastatal body}

VERSUS

Respondent {Current Officer in Charge of the parastatal body}

The Data Protection Office received a complaint whereby Complainant claimed that Respondent had copied a letter regarding refund of overpayment with an annexure containing his personal data (such as salary and allowances) to some unconcerned parties, who had nothing to do with the matter.

This office initiated an enquiry and took up the matter with Respondent. However, in his statement, Respondent brought forward valid arguments to demonstrate legitimate grounds for the parties to be in copy of the letter. Thus, Complainant was informed of same and was requested to notify this office in writing and provide all concrete evidences if he had other issues regarding the complaint before a said deadline, otherwise the enquiry will be closed. In his reply, Complainant attempted to rebut Respondents' arguments but did not add anything new to the investigation to show that the disclosure was unlawful and detrimental to his privacy, and informed that this was done deliberately to tarnish his reputation. As such, Complainant was advised to instead lodge a civil case for defamation to the appropriate court.

No further reply was obtained from Complainant.

The Data Protection Commissioner decided as follows:-

After a careful analysis of submissions from both parties which is the established procedure laid down by this office to gather founded and substantiated evidence regarding any enquiry lodged, I am of the view that no breach of the Data Protection Act has been proved, namely sections 28(b) (iv) and/or (v), which indicate that consent is not required where the processing is necessary:-

- for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; or
- for the performance of any task carried out by a public authority, respectively, given that it concerns a parastatal body operating under the aegis of a particular Ministry.