

University of New South Wales Law Research Series

**DATA PROTECTION LAW A COMPARATIVE
ANALYSIS OF ASIA PACIFIC AND EUROPEAN
APPROACHES**

ROBERT WALTERS, LEON TRAKMAN AND BRUNO ZELLER

(Springer, 2019)
[2019] UNSWLRS 78

UNSW Law
UNSW Sydney NSW 2052 Australia

E: unswlrs@unsw.edu.au

W: <http://www.law.unsw.edu.au/research/faculty-publications>

AustLII: <http://www.austlii.edu.au/au/journals/UNSWLRS/>

SSRN: <http://www.ssrn.com/link/UNSW-LEG.html>

Robert Walters · Leon Trakman
Bruno Zeller

Data Protection Law

A Comparative Analysis of Asia-Pacific
and European Approaches

 Springer

<https://www.springer.com/gp/book/9789811381096>

This book provides a comparison and practical guide for academics, students, and the business community of the current data protection laws in selected Asia Pacific countries (Australia, India, Indonesia, Japan Malaysia, Singapore, Thailand) and the European Union.

The book shows how over the past three decades the range of economic, political, and social activities that have moved to the internet has increased significantly. While the book demonstrates that in some jurisdictions that the protection of personal data is viewed in the context of protecting a human right, the book also demonstrates that there are increasingly economic factors that need to be considered. That is, various models and legal frameworks have emerged that provide a level of privacy protection over the Internet. The models and legal frameworks also, in part, taken a subtle but important focus by enabling data protection law to be an effective tool to further protect privacy. Moreover, depending on the state or jurisdiction, the model adopted will be heavily influenced by their past, economic and religious backgrounds. Thus, what has also emerged is a framework that protects personal data, but also, takes a business friendly approach, to promote the digital economy.

This technological transformation has resulted in the collection of personal data, its use and storage across international boundaries at a rate that governments have been unable to keep pace.

The book highlights challenges and potential solutions related to data protection issues arising from cross-border problems in which personal data is being considered as intellectual property, within transnational contracts and in anti-trust law.

More importantly, the book also discusses the emerging challenges in protecting personal data and promoting cyber security.

The book provides a deeper understanding of the legal risks and frameworks associated with data protection law for local, regional and global academics, students, businesses, industries, legal profession and individuals.

Table of contents

1. **Problem Definition, Structure and Methodology**
2. **Law, Technology and Digital Economy**
3. **European Law**
4. **Singapore**
5. **Australia**
6. **India**
7. **Indonesia**
8. **Malaysia**
9. **Thailand**
10. **Japan**
11. **Jurisdictional [Comparative] Differences**
12. **Intellectual Property**
13. **Competition Law and Personal Data**
14. **Conflict of Laws, Transnational Contracts in Personal Data**
15. **Personal Data and Cybersecurity [Crime]**
16. **International & Regional Institutions**
17. **What Is at Issue and A Possible Pathway Forward**