

TECHNOLOGY, MEDIA AND TELECOMMUNICATIONS & DATA PROTECTION

New Guidelines Issued on Data Protection Officers' Competency Expectations, Training, and Certification

Introduction

The [Personal Data Protection \(Amendment\) Act 2024](#) ("**Amendment Act**") introduced a new obligation for organisations (both data controllers and data processors alike) to appoint and register a Data Protection Officer ("**DPO**") where they meet the relevant criteria or thresholds set out in the [Appointment of Data Protection Officer Guideline](#) ("**DPO Appointment Guideline**"). This new requirement officially came into effect on 1 June 2025.

For further details on the key requirements under the DPO Appointment Guideline, you may refer to our February 2025 Legal Update titled "[Launch of Personal Data Protection Guidelines for Data Protection Officer Appointment and Mandatory Data Breach Notification](#)".

On 1 August 2025, the Personal Data Protection Commissioner ("**Commissioner**") issued three additional guidelines aimed at clarifying the expected competencies, training standards, and professional development pathways for appointed DPOs. These are:

1. the [Data Protection Officer Competency Guideline](#) ("**DPO Competency Guideline**");
2. the [Management of Data Protection Officer Training Service Providers Guideline](#) ("**DPO Training Providers Guideline**"); and
3. the [Data Protection Officer Professional Development Pathway & Training Roadmap](#) ("**DPO Development Roadmap**")

(collectively, "**New Guidelines**").

This Legal Update seeks to provide a brief overview of the key provisions set out under these New Guidelines.

Overview of the Key Requirements under the Guidelines

1. Key Requirements under the DPO Competency Guideline

The DPO Competency Guideline sets out additional guidance regarding the competencies, knowledge and skillsets expected of DPOs:

Item	Explanation
Two-Tier Competency Structure	<p>The DPO Competency Guideline identifies two tiers of competency:</p> <ul style="list-style-type: none"> <u>Fundamental Tier</u>: This represents the baseline level of competency that all DPOs are expected to meet. It sets out the minimum core competencies required to perform the functions and responsibilities of a DPO effectively; and <u>Advanced Tier</u>: DPOs at this level are expected to possess higher-level competencies, including all those under the Fundamental Tier, along with additional capabilities to manage and lead more complex, strategic, and organisation-wide responsibilities.
When is a Fundamental Tier or Advanced Tier DPO required?	<p>The appointing organisation is responsible for assessing whether it requires a DPO with Fundamental Tier or Advanced Tier competencies. This assessment should be based on the size, complexity, and risk exposure of the organisation's personal data processing activities.</p>
What if the appointed DPO does not meet all the requisite competency expectations?	<p>The guideline <u>does not</u> require a single individual to fulfil all the competency expectations outlined for either the Fundamental or Advanced Tier.</p> <p>Instead, the expectations may be met through the support of a team, drawing from a combination of internal resources and/or external consultants.</p> <p>Alternatively, organisations may consider providing the appointed DPO with appropriate training and development opportunities to ensure they are well-equipped to carry out their responsibilities effectively.</p>
Competency Expectations - Fundamental Tier	<p>For the Fundamental Tier, the DPO Competency Guideline adopts a Knowledge, Skill, and Ability ("KSA") model¹ to outline a list of core competencies across six key competency areas. The competency areas are derived from the statutory responsibilities of DPOs as set out in the DPO Appointment Guideline.</p> <p>The six core competency areas and examples of the competency expectations under each area are as follows:</p>

¹ The KSA model categorises the competency expectations for each competency area into three aspects: (i) Knowledge – what a DPO must understand and be familiar with; (ii) Skill - What a DPO must be able to do; and (iii) Ability - the DPO's capability to apply knowledge and skills in practical settings.

Item	Explanation
	<ul style="list-style-type: none"> • <u>Advisory & Support</u>: E.g. Understand DPO's Personal Data Protection Act ("PDPA") duties, explain them clearly, review contracts, and help translate legal requirements into action; • <u>Risk Management & Assessment</u>: E.g. Identify and assess data protection risks, support Data Protection Impact Assessments (DPIAs)/Transfer Impact Assessments (TIAs), and recommend mitigation strategies and breach response steps; • <u>Compliance Oversight & Monitoring</u>: E.g. Monitor how personal data is handled, ensure policies align with PDPA, and support breach notifications and compliance reviews; • <u>Audit & Reporting</u>: E.g. Maintain PDPA-compliant records, support internal audits, and report personal data risks and retention practices to management; • <u>Communications & Stakeholder Engagement</u>: E.g. Communicate PDPA obligations clearly, raise internal awareness, and embed data protection into day-to-day operations; and • <u>Regulatory & Data Subject Management</u>: E.g. Manage regulator interactions, ensure compliance with PDPA registration and notification duties, and handle data subject requests professionally.
Competency Expectations – Advanced Tier	<p>For the Advanced Tier, the DPO Competency Guideline requires DPOs to fulfil all Fundamental Tier competency expectations with a high degree of independence and expertise.</p> <p>In addition, the Advanced Tier includes a set of higher-level competencies, which include the ability to:</p> <ul style="list-style-type: none"> • independently lead and implement organisation-wide compliance strategies, ensuring alignment with the PDPA; • translate complex legal and regulatory requirements into tailored internal policies and procedures; • drive cultural change and embed privacy-by-design principles throughout organisational operations; and • assess and review emerging technologies, including artificial intelligence (AI) and big data processing models, for potential data protection risks.

2. Key Requirements under the DPO Training Providers Guideline

The DPO Training Providers Guideline aims to regulate the DPO training landscape by setting standards for training service providers who are offering training courses or programmes for DPOs ("**Training Providers**"), and by outlining the Commissioner's plans to introduce a future recognition framework for such Training Providers:

Item	Explanation
Potential Future Recognition Framework for Training Providers	<p>The Commissioner plans to introduce a potential recognition framework for Training Providers in the future. Training Providers that meet the specific criteria and requirements, yet to be determined by the Commissioner, may apply for formal recognition status, which will be valid for a specified period.</p> <p>There may also be a future requirement for DPOs to undergo training through recognised Training Providers once the recognition framework is in place.</p> <p><u>At this juncture, the DPO Training Providers Guideline does not specify a timeline for when this proposed recognition framework will be implemented.</u></p>
Minimum Training Standards	<p>Currently, there are no recognised Training Providers, as the details of the <u>proposed recognition framework have not yet been finalised.</u></p> <p>Nonetheless, the DPO Training Providers Guideline outlines minimum training standards, including core content requirements that should be covered in any DPO training programme. These include the following key elements:</p> <ul style="list-style-type: none"> • <u>Legal and regulatory knowledge:</u> In-depth understanding of the requirements under the PDPA and relevant personal data protection practices, including awareness of other applicable data protection laws; • <u>Operational and risk awareness:</u> Familiarity with the organisation's operations and personal data processing activities, to enable identification and management of associated data protection risks; • <u>Professional conduct and organisational influence:</u> Development of personal attributes and capabilities to promote a culture of data protection within the organisation; • <u>Scope of responsibilities:</u> Clear understanding of the DPO's responsibilities to the organisation, data subjects, and the Commissioner; and • <u>Independence and resource awareness:</u> Understanding the principles of DPO independence and the importance of having adequate resources to perform the role effectively. <p>Pending the finalisation and implementation of the proposed recognition framework, the DPO Training Providers Guideline encourages Training Providers to align their training programmes with the minimum training standards outlined in the guideline.</p>

Item	Explanation
What does the DPO Training Providers Guideline mean for appointing organisations and DPOs?	While the formal recognition framework for Training Providers is not yet in place, appointing organisations and DPOs should ensure that any DPO training undertaken is aligned with the content requirements outlined by the Commissioner in the DPO Training Providers Guideline.

3. Key Requirements under the DPO Development Roadmap

The DPO Development Roadmap sets out a prospective future certification pathway aimed at supporting the capacity building and professional development of appointed DPO:

Item	Requirements
Two-Tier Training Pathway	In alignment with the DPO Competency Guideline, the DPO Development Roadmap outlines a two-tier certification pathway for DPO – Fundamental Tier and Advanced Tier.
Prospective Professional Certification Pathway	<p>The certification pathway is part of the Commissioner's longer-term initiative to formalise the role of DPOs in Malaysia. The roadmap contemplates both short-term and long-term forms of recognition:</p> <ul style="list-style-type: none"> • <u>Short-term recognition</u>: Issuance of certificates of completion for training at the Fundamental or Advanced Tier level; and • <u>Long-term recognition</u>: Award of formal professional certification as a Certified DPO (Fundamental or Advanced Tier). <p>The roadmap also indicates that DPOs may be required to undergo training through a recognised Training Provider and sit for formal certification examinations administered by the Commissioner.</p> <p>Alternatively, the roadmap provides that international certifications may also potentially be considered for recognition towards Certified DPO (Advanced) status, subject to further determination by the Commissioner.</p>

Concluding Remarks

The New Guidelines provide further clarity on the Commissioner's expectations for appointed DPOs, both in terms of ensuring that appointed DPOs are equipped with the necessary skillsets to effectively discharge their responsibilities under the PDPA and the DPO Appointment Guideline, as well as the Commissioner's broader direction for DPO training, professional development, and certification in the future.

While much of the content in the New Guidelines outlines the Commissioner's longer-term plans for the future, there are several steps that organisations and appointed DPOs can already consider at this juncture:

1. **Assessing DPO Tier Requirements:** Organisations can evaluate whether they require a Fundamental or Advanced Tier DPO based on the nature, scale, complexity, and risk exposure of their personal data processing activities;
2. **Competency Readiness:** Organisations should assess whether their appointed DPOs meet the competency expectations outlined in the New Guidelines, whether at the Fundamental Tier or Advanced Tier. Where gaps in competencies are identified, organisations should consider how these can be addressed, whether through additional support from internal resources, external consultants, or a combination of both; and
3. **DPO Training Alignment:** Organisations that enrol their DPOs in third-party training programmes should ensure that such training is aligned with the Commissioner's prescribed minimum training standards and content requirements, to ensure that the training equips the DPO to meet the Commissioner's expectations and perform their role effectively.

We trust the above provides a useful update on the key requirements in the New Guidelines. Should you require any assistance or clarification in relation to the above, or any matter relating to personal data protection, please feel free to contact us at your convenience.

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