

## **PRACTICAL GUIDANCE TO QUERIES ON NRIC NUMBERS BY A UNION**

1. A Union (the “Union”) has sought guidance from the Personal Data Protection Commission (the “Commission”) on the application of the Advisory Guidelines on the Personal Data Protection Act (“PDPA”) for NRIC and other National Identification Numbers (“NRIC Advisory Guidelines”) to specific operational and business processes of the Union. The guidance sought relates to whether the Union may collect individuals’ NRIC numbers at the outset when signing up as union members (“members”) to form part of their profile information, rather than as and when there is a need to provide a particular service to the member that requires his or her NRIC number.
2. For the avoidance of doubt, the Commission seeks to provide guidance under the Personal Data Protection Act 2012 (“PDPA”) only and the Commission’s guidance is not to be construed as providing any guidance in relation to any other laws. Further, the guidance relating to the PDPA as set out in this document has been scoped to address the specific situation based on the information provided by the Union.
3. This guidance should be read in conjunction with the NRIC Advisory Guidelines and Technical Guide to the Advisory Guidelines on NRIC Numbers.

### **Application of the NRIC Advisory Guidelines**

4. Under the NRIC Advisory Guidelines<sup>1</sup>, organisations are generally not allowed to collect, use or disclose an individual’s NRIC number unless it is required under the law or necessary to accurately establish or verify the identity of the individual to a high degree of fidelity<sup>2</sup>. If necessary to do so, organisations may collect, use or disclose an individual’s NRIC number with notification and consent.
5. Based on the information provided by the Union, there are two services that members are entitled to receive at the onset of their membership that require the provision of their NRIC numbers; namely, insurance coverage and financial subsidies for skills training. In addition, members are also entitled to receive an

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<sup>1</sup> The NRIC Advisory Guidelines clarify how the PDPA applies to organisations’ collection, use and disclosure of NRIC numbers (or copies of NRIC), as well as the retention of physical NRICs. The treatment for NRIC numbers also applies to Birth Certificate numbers, Foreign Identification Numbers (“FIN”), and Work Permit numbers and passport numbers. The treatment for retention of physical NRIC applies to other identification documents containing the NRIC numbers or other national identification numbers (e.g. driver’s licence, passport and work pass).

<sup>2</sup> Please refer to the NRIC Advisory Guidelines available on PDPC’s website for more details.

array of services such as legal consultation, job placement and education grants as and when the need for these services arise during their term of membership.

6. The Commission notes that the collection of individual's NRIC numbers would be necessary to accurately establish or verify the identity of members to a high degree of fidelity for insurance coverage and financial subsidies. Given that members are automatically enrolled in the Union's insurance scheme, the Commission takes the view that the Union may, as part of its business process, collect the NRIC numbers of members at the outset when they sign up for the membership, to be used for the purposes of providing these services to the members.
7. For prospective members, the Union is reminded to notify members of the stated purposes<sup>3</sup> and to obtain their consent to collect, use or disclose their NRIC numbers. The Union should also be prepared to provide justification<sup>4</sup> to members on request as to why the collection, use or disclosure of their NRIC numbers is necessary for the purposes.
8. For existing members, the Union does not need to notify and re-obtain consent for the collection, use or disclosure of their NRIC numbers since consent would have been obtained previously in compliance with the PDPA, unless the Union intends to use or disclose members' NRIC numbers for purposes outside the scope of the existing consent. Where there is no need to notify and re-obtain consent, as good practice, the Union may wish to make available information on the purposes of the collection, use and disclosure of members' NRIC numbers.
9. Where the Union has collected NRIC numbers in accordance with the NRIC Advisory Guidelines, the Union may use the member's NRIC number as an internal identifier to link the member across the various services and processes that the Union offers. However, the Union should not use NRIC numbers as the primary identifier for transactions with their members, including on physical membership cards. The Union should adopt alternative identifiers that can meet their business purposes and operational needs. For example, the Union may consider using an organisation-issued number, the member's full name or partial NRIC number (i.e. last 3 digits and checksum of the NRIC number) as the primary identifier. NRIC numbers stored are part of the member's profile and should be

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<sup>3</sup> Section 14(2)(a) provides that organisations must not, as a condition of providing the product or service, require the individual to consent to the collection, use or disclosure of his or her personal data beyond what is reasonable to provide the product or service.

<sup>4</sup> Section 12(a) and 12(d)(i) provides that an organisation shall develop and implement policies and practices that are necessary for the organisation to meet the obligations of the organisation under the PDPA, and make them available on request.

used only when it is necessary to verify the identity of the member for specific transactions that require establishing identity to a high degree of fidelity.

10. Given the risks and potential impact of any unauthorised use or disclosure of personal data associated with the individual's NRIC number, the Union, in collecting members' NRIC numbers, must provide a greater level of security to protect NRIC numbers in its possession or under its control. Examples to minimise the unauthorised use or disclosure of individuals' NRIC number include employing technological solutions to scan the physical NRICs into software systems to capture and store the NRIC numbers in a secure manner.
11. The Union must also cease to retain the personal data as soon as the purpose for which it was collected is no longer necessary for business or legal purposes. The Union should review the NRIC numbers in its possession or under its control to determine if the data is still needed, and should not keep the data "just in case" when it is no longer necessary for the purposes for which the personal data was collected for any legal or business purposes.

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