

PRACTICAL GUIDANCE TO QUERIES ON NRIC NUMBERS **BY AN ASSOCIATION**

1. An Association (the “Association”) 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 Association. The guidance sought relates to whether the Association may collect individuals’ NRIC numbers at the outset when individuals sign up as 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.

Application of the NRIC Advisory Guidelines

2. Under the NRIC Advisory Guidelines¹, 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 fidelity². If necessary to do so, organisations may collect, use or disclose an individual’s NRIC number with notification and consent.

Membership Application and Provision of Services

3. Based on the information provided by the Association, membership is only available to specific groups of individuals and the Association would need to seek verification from a public agency (or agencies) on whether an individual applying for membership is eligible. In addition, the payment of membership fees for some of its members also requires coordination with a public agency (or agencies).
4. Given the above, the Commission is of the view that the collection, use and disclosure of an individual’s NRIC number for membership application would be necessary to accurately establish or verify the identity of the individual to a high degree of fidelity.

¹ 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).

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

5. In terms of services provided by the Association, it includes legal consultation, education grants, discounted insurance schemes and services provided in partnership with a bank. The Commission notes that the collection, use or disclosure of NRIC numbers would similarly be necessary to establish or verify the identity of members in order to provide these services.

Requirement by Public Agency

6. The Commission further notes that the Association provides members certain services as part of its operations or nationwide initiatives for which the collection, use or disclosure of NRIC numbers is required by a public agency. The Commission would like to clarify that an organisation that is required to collect, use or disclose NRIC numbers for a public agency's purposes, is not required to assess whether the purposes are in accordance with the NRIC Advisory Guidelines, and may collect the NRIC numbers for the purposes as required by the public agency.

PDPC's Practical Guidance

7. Given the above, the Commission takes the view that the Association may, as part of its business process, collect the NRIC numbers of individuals at the outset when they sign up for the membership, where it is necessary for the purposes of assessing applicants' qualification for membership, and for provision of services to its members.
8. In collecting the NRIC numbers of individuals signing up for membership, the Association is reminded to notify members of the purposes³ and to obtain their consent to collect, use or disclose their NRIC numbers for these purposes. The Association should also be prepared to provide justification⁴ to members on request as to why the collection, use or disclosure of their NRIC numbers is necessary for the purposes.

³ 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.

⁴ 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.

9. For existing members, the Association 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 Association intends to use or disclose members' NRIC numbers for purposes outside the scope of the existing consent. Nonetheless, as good practice, the Association may wish to make available information on the purposes of the collection, use and disclosure of members' NRIC numbers.
10. The Association should not use NRIC numbers as the primary identifier for transactions with their members. The Association should adopt alternative identifiers that can meet their business purposes and operational needs. For example, the Association may consider using its own membership number as the primary identifier. NRIC numbers stored are part of the member's profile and should be used only when required under the law or when necessary to verify the identity of the member for specific transactions that require establishing identity to a high degree of fidelity.
11. Given the risks and potential impact of any unauthorised use or disclosure of personal data associated with the individual's NRIC number, the Association, 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 numbers include employing technological solutions to scan the physical NRICs into software systems to capture and store the NRIC numbers in a secure manner.
12. The Association must also cease to retain the personal data as soon as the purpose for which it was collected is no longer being served by its retention, and retention is no longer necessary for business or legal purposes. This includes the NRIC numbers of individuals who apply for membership but do not become members or who have ceased their membership with the Association. The Association 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".

13. For the avoidance of doubt, the Commission provides 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 Association.

14. This guidance should be read in conjunction with the NRIC Advisory Guidelines and Technical Guide to the Advisory Guidelines on NRIC Numbers.

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