

PRACTICAL GUIDANCE TO QUERIES ON NRIC NUMBERS BY A PAYMENT SERVICE PROVIDER

1. A payment services provider (the “Organisation”) 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”). The guidance sought relates to whether the Organisation may collect individuals’ NRIC numbers to enable accurate verification of customers’ identity when individuals apply for its automatic top-up service.

Circumstances surrounding the automatic top-up service

2. The Organisation provides services through a mobile application, including an automatic top-up service where a customer may request for a predetermined amount to be automatically added when the existing amount in his or her account when falls below a certain value.
3. The Organisation had detected a large number of fraudulent activities in relation to its automatic top-up service involving the unauthorised use of credit cards, as well as incomplete or fictitious personal data used to register for the accounts. As a result, the unverifiable personal data provided in fraudulent activities were unable to provide any leads for investigations. In view of the high incidence of fraudulent activities, the Organisation planned to institute an additional step in the application of the automatic top-up service intended to verify the identity of an applicant. It had assessed that the collection of customers’ NRIC number at the application of the automatic top-up service, via MyInfo¹, was necessary to accurately verify the identity of the individual in order to deter fraudulent activities and facilitate investigations.
4. The Organisation planned to obtain the customer’s consent to retrieve his or her personal data from MyInfo as this was a secured platform that provided Government-verified personal data. In this process, the customer will be required to login via SingPass, thereby verifying his or her identity.

¹ Designed by the Government, MyInfo is a service that enables citizens and residents to manage the use of their personal data for simpler online transactions. Users control and consent to the sharing of their data, and can view a record of past usage.

PDPC's Practical Guidance

5. The NRIC Advisory Guidelines² state that organisations may only collect, use or disclose an individual's NRIC number where it is required under the law or where necessary to accurately establish or verify the identity of the individual to a high degree of fidelity³. Where it is necessary to do so, organisations may collect, use or disclose an individual's NRIC number with notification and consent of the individual.
6. Taking into consideration the facts of the case, the Commission accepts the Organisation's justification that the collection of customers' NRIC numbers through MyInfo for the application for its automatic top-up service is necessary to accurately identify its customers as the incomplete or fictitious personal data had hampered past investigative efforts to identify perpetrators.
7. The Organisation has a large customer-base, and in certain cases, it needs to interact with other service providers (e.g. credit card issuers, mobile telecommunications operators and other electronic payment service providers) in order to provide its payment services to its customers effectively. The risk of inaccurate identification of customers increases if it is unable to use the national identification numbers when necessary. A known scenario is the detection, deterrence and investigations into fraudulent automatic top-up transactions on its payment network, where individuals or syndicates have committed fraud involving significant amounts. The Commission accepts that the inability of the Organisation to identify a customer accurately poses significant harm and impact to the Organisation. The ability to make use of a verified NRIC number will assist in investigations into fraudulent activities on the Organisation's payment network.
8. In collecting the NRIC numbers of customers applying up for its automatic top-up service, the Organisation should notify customers of the purposes⁴ and obtain

² 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).

³ Please refer to the NRIC Advisory Guidelines available on PDPC's website for more details.

⁴ 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.

their consent for the collection, use or disclosure of their NRIC numbers. The Organisation should also be prepared to provide its justification⁵, on request, to customers for why the collection, use or disclosure of their NRIC numbers is necessary for the purposes.

9. For existing customers, the Organisation does not need to re-obtain their consent for the collection, use or disclosure of their NRIC numbers for the automatic top-up service, if consent had previously been obtained in compliance with the PDPA. Nonetheless, as good practice, the Organisation may wish to make available information on the purposes of the collection, use and disclosure of customers' NRIC numbers, for example in the Organisation's data protection policy updates sent through its mobile application notification or e-mail to customers.
10. The Commission notes that the Organisation had reviewed its operational processes and replaced customers' NRIC numbers with their mobile and/or e-mail addresses as the primary identifier for its transactions with customers in accordance with the NRIC Advisory Guidelines. The Commission emphasises that this present Guidance does not detract from the NRIC Advisory Guidelines, and the Organisation should continue to use mobile numbers and/or e-mail addresses as the primary identifier when transacting with its customers. Use of customers' NRIC numbers should be limited to customer interactions where it is necessary to verify the identity of the customer accurately, for purposes such as investigations into fraudulent activities on its payment network.
11. For the avoidance of doubt, the Commission seeks to provide guidance under the 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 organisation.
12. 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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⁵ 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.