

13 December 2017

To: Personal Data Protection Commission

Re: Submission of feedback for PDPC's Public Consultation on the Proposed Revised Advisory Guidelines on NRIC Numbers

With reference to the public consultation on the proposed revised advisory guidelines on NRIC numbers issued on 07 November 2017, comments from Manulife (Singapore) Pte Ltd are as follows:

Question / paragraph from Public Consultation	Our comments
COVER NOTE - PART I: INTRODUCTION	
<p>(2.2) The revised advisory guidelines address the following issues:</p> <p>a) Whether organisations may collect, use or disclose individuals' NRIC numbers or a copy of their NRIC, or retain their physical NRIC; and</p> <p>b) Other Data Protection provisions which may apply in respect of the collection, use or disclosure of NRIC numbers or copy of the NRIC, or the retention of the physical NRIC.</p>	<ul style="list-style-type: none">• If it is under the law to collect the NRIC, example under MAS 314, it shall remain in order to identify and verify each individual.
<p>Question 1: What are your views on the proposed criteria for limiting the collection, use or disclosure of individuals' NRIC numbers or copies of the NRIC to instances where:</p> <p>a) it is required under the law; and</p> <p>b) it is necessary to accurately establish and verify the identity of the individual?</p>	<ul style="list-style-type: none">• If it is under the law to collect the NRIC, example under MAS 314, it shall remain in order to identify and verify each individual at application stage and claim stage. <p>Without a copy of the NRIC, we would not be able to perform the check effectively.</p>
<p>Question 2: What are your views on the proposed criteria for limiting the retention of individuals' physical NRIC to instances where:</p> <p>a) it is required under the law; and</p> <p>b) it is necessary to accurately establish and verify the identity of the individual?</p>	<ul style="list-style-type: none">• Same response as question 1.
<p>Question 3: Are there common scenarios or additional issues (e.g. updating of information systems) that these advisory guidelines should address?</p>	<ul style="list-style-type: none">• No additional comments
<p>Question 4: What are your views on the proposed provision of up to one year from the issuance of the advisory guidelines for organisations to review and implement changes to their practices and processes involving the collection, use or disclosure of NRIC numbers or copies of the NRIC, or the retention of physical NRIC?</p>	<ul style="list-style-type: none">• We have no further comments on the 1 year proposed timing if there is no change to MAS 314.
Proposed Advisory Guidelines on the Personal Data Protection Act for NRIC Numbers	

Question / paragraph from Public Consultation	Our comments
<p>(1.5) In general, organisations should not collect, use or disclose an individual’s NRIC number or a copy of the NRIC, except in the following circumstances:</p> <p>a) Collection, use or disclosure of the NRIC number or copy of the NRIC is required under the law; or</p> <p>b) Collection, use or disclosure of the NRIC number or copy of the NRIC is necessary to accurately establish and verify the identity of the individual</p>	<ul style="list-style-type: none"> • Under MAS 314 (Prevention of Money Laundering and Countering the Financing of Terrorism – Direct Life Insurers), paragraph 6.5, it is stated that for the purposes of paragraph 6.4, a direct life insurer shall obtain at least the following information: <ul style="list-style-type: none"> (a) full name, including any aliases; (b) unique identification number (such as an identity card number, birth certificate number or passport number, or where the customer is not a natural person, the incorporation number or business registration number; (c) the customer’s – <ul style="list-style-type: none"> (i) residential address; or (ii) registered or business address, and if different, principal place of business as may be appropriate; (d) date of birth, establishment, incorporation or registration (as may be appropriate); and (e) nationality, place of incorporation or place of registration (as may be appropriate). <p>Therefore, insurer is still required to obtain a copy of the NRIC.</p> <ul style="list-style-type: none"> • There is an industry-led Guideline (LIA MU 61/15), which state the stages and purposes of collecting a copy of NRIC. • As part of our Customers Services, we use NRIC as the one of the identifiers to establish the identity before releasing any policy information. NRIC being unique identifiers will be the best option all of the rest of personal identification information (e.g. Date of Birth, Name, Address, Contact number).
<p>(1.6) Organisations can collect, use or disclose individuals’ NRIC numbers, or copy of the NRIC, without their consent if it is required under the law. Nonetheless, as good practice, organisations should notify the individual of the purpose for the collection, use or disclosure of his NRIC numbers or copy of the NRIC. Organisations must also ensure that there are adequate security arrangements to prevent any unintended disclosure of the NRIC number, including during the process of making a copy of or recording the NRIC number, and to protect copies of the NRIC kept by the organisation.</p>	<ul style="list-style-type: none"> • By requesting the individual to read the public PDPA statement, is this considered as a good practice? Will PDPC be issuing guidelines on “good practice”? • As part of our Customers Services, we use NRIC as the one of the identifiers to establish the identity before releasing any policy information. NRIC being a unique identifiers will be the best option all of the rest of personal identification information (e.g. Date of Birth, Name, Address, Contact number).
<p>(1.12) Where the collection, use or disclosure of the NRIC number or copy of the NRIC is not required under any law, an organisation should generally only do so in circumstances where it is necessary to accurately establish and verify the identity of the individual to a high degree of fidelity.</p>	<ul style="list-style-type: none"> • NRIC is only used for verification and not for recording or disclosure.

Question / paragraph from Public Consultation	Our comments
<p>(1.13) Circumstances which PDPC would consider necessary to accurately establish and verify the identity of individuals include situations or transactions where verification is necessary to prevent a risk of significant harm or impact to the individual and/or the organisation, for example entering into high value contracts such as property transactions, and applications for healthcare or travel insurance to prevent fraudulent claims. In such circumstances, it may also be considered reasonable to require consent to collect, use or disclose the individual's NRIC number to accurately establish and verify the identity of individuals, unless there is an applicable exception under the Second, Third or Fourth Schedule of the PDPA and consent is not required, as illustrated in the following example.</p>	<ul style="list-style-type: none"> • NRIC is only used for verification and not for recording or disclosure.
<p>(1.16) PDPC does not prescribe the types of identifiers that organisations should adopt in place of NRIC numbers or copy of the NRIC; organisations should assess the suitability of alternatives based on their own business and operational needs. Some alternatives that have been adopted by organisations include organisation/user-generated ID or password, tracking number, organisation-issued QR code, or monetary deposit. Organisations should also consider whether the alternatives provided are reasonable, and avoid collecting excessive personal data as an alternative to the individual's NRIC numbers or a copy of the NRIC.</p>	<ul style="list-style-type: none"> • As part of our Customers Services, we use NRIC as the one of the identifiers to establish the identity before releasing any policy information. NRIC being a unique identifiers will be the best option all of the rest of personal identification information (e.g. Date of Birth, Name, Address, Contact number).
<p>(1.21) Where an organisation retains an individual's physical NRIC or copy of the NRIC, the organisation is considered to have collected all the personal data on the physical NRIC, and is subject to the Data Protection Provisions of the PDPA in respect of that collection. The organisation should assess whether it is collecting excessive personal data contained in the NRIC for the purpose.</p>	<ul style="list-style-type: none"> • Similarly to above point, making a copy of the NRIC is necessary for AML purposes.
<p>(1.25) In certain circumstances, an organisation may merely have sight of an individual's physical NRIC and the information on it for verification purposes. PDPC may consider that there was no intention to obtain control or possession of the physical NRIC in these circumstances and hence may not consider it a collection or retention of personal data on the physical NRIC.</p>	<ul style="list-style-type: none"> • NRIC is only used for verification and not for recording or disclosure.
<p>(1.27) The Data Protection Provisions contain a number of obligations requiring organisations to develop and implement policies and practices that are necessary for the organisations to meet their obligations under the PDPA. Given the risks and potential consequences of unauthorised collection, use or disclosure of personal data associated with the individual's NRIC number, organisations are advised to regularly review their policies and processes to ensure that security arrangements are adequate in protecting NRIC numbers or physical NRIC (or copy) in their possession or under their control.</p>	<ul style="list-style-type: none"> • Will PDPC be providing clarity on the "regularly review"?

Question / paragraph from Public Consultation	Our comments
(1.29) PDPC is cognisant that organisations may require some time to review existing business practices and implement operational changes to use other identifiers or forms of collateral in place of NRIC numbers, physical NRIC or copies of the NRIC. Organisations will have a period of 12 months from the issuance of these advisory guidelines to review and implement the necessary changes to its policies and processes on the collection, use or disclosure of NRIC numbers, physical NRIC or copies of the NRIC.	<ul style="list-style-type: none"> • NRIC is only used for verification and not for recording or disclosure.

Particulars of Insurer and contact person:

- Company Name: Manulife (Singapore) Pte. Ltd.
- Address of Company: 51 Bras Basah, Manulife Centre #09-00 Singapore 189554
- Contact Person: Teo AiLing (Ai_Ling_Teo@manulife.com)

Please feel free to contact us if you need clarification on our comments.

Thank you.