

Submission on PDPC's Public Consultation on Proposed Advisory Guidelines on the Personal Data Protection Act for NRIC Numbers

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Summary of Major Points:

1. For various reasons (as outlined below), Financial Institutions need to collect, use and disclose individuals' NRIC numbers. If it is not clear to the public that these reasons qualify as "required under the law", we may end up in disputes with individuals who refuse to let us have their NRIC numbers when they want to enter into a financial relationship with us. Clarity on what is covered under "required under the law" or a specified exception for financial transactions, would be useful.
2. Even if we could issue a unique number or code to a customer (for verification purpose), we will still need to collect the NRIC number for the reasons stated in detail below.
3. Having organizations issuing their own unique number or code to every single customer does not seem to be practical: the customer will be saddled with many different numbers or codes to remember.
4. Using a telephone number or email address as an alternate for verification may be feasible for short term contracts or fleeting transactions. They will not work for cases of long-tail obligations as telephone numbers and email addresses can change over time.

Questions posed by PDPC:

No	Question from PDPC	Response from MSIG Insurance
Question 1	<p>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>	<p>All Financial Institutions (FIs) are subject to AML/CFT laws and are required to perform pre and post transaction checks to look out for money laundering and terrorism financing. NRIC number is the unique identifier to sieve out "false positives" or name match.</p> <p>Would this qualify as "required under the law"?</p> <p>Further, financial contracts are usually of long-tail in nature, and fraud is not uncommon. Again, NRIC number is the unique identifier used for fraud investigation, detection and prevention. FIs are also frequently requested/directed by government agencies to assist in fraud investigations. We currently use the NRIC number to identify true matches for such investigations.</p>
Question 2	<p>What are your views on the proposed criteria for limiting the retention of individuals' physical NRIC to instances where:</p>	<p>We collect a copy of an individual's NRIC in the following circumstances:</p> <p>- for Maid Insurance, to verify the identity of the individual for the execution of a counter-indemnity</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>	<p>- where an insured requests us to amend their name on an issued policy</p> <p>- where we are requested to make refund of premium to a third party</p> <p>We could get into disputes with individuals who may not want to let us have their NRIC numbers when these advisory guidelines are issued.</p> <p>An exception for financial transactions would be welcome to avoid such disputes.</p>
Question 3	<p>Are there common scenarios or additional issues (e.g. updating of information systems) that these advisory guidelines should address?</p>	<p>A question we have is the expected protocol on the deletion or purging of NRIC numbers, after its use is no longer required.</p>
Question 4	<p>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>	<p>The proposed “sunrise” period of 1 year may not be sufficient for companies with limited resources to address the proposed guidelines.</p> <p>What is PDPC’s expectation on the treatment of NRIC numbers already collected prior to the issue of the new guidelines? Would these need to be purged from organisations’ information systems within 1 year as well? How extensive should the purging be, if such NRIC numbers have been saved in the cloud facilities of service providers?</p>

Conclusion:

An exception for financial transactions would be appreciated, in view of the nature and tenure of the relationship between a financial institution and a customer, and the other obligations and legal requirements placed on financial institutions.

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