



**SINGAPORE TELECOMMUNICATIONS LTD**

**SUBMISSION TO THE PERSONAL DATA PROTECTION COMMISSION**

**IN RESPONSE TO THE**

**PUBLIC CONSULTATION FOR PROPOSED ADVISORY GUIDELINES ON THE  
PERSONAL DATA PROTECTION ACT FOR NRIC NUMBERS**

**DATE OF SUBMISSION: 18 DECEMBER 2017**



## SINGAPORE TELECOMMUNICATIONS LTD

### SUBMISSION TO THE PERSONAL DATA PROTECTION COMMISSION IN RESPONSE TO THE PUBLIC CONSULTATION FOR PROPOSED ADVISORY GUIDELINES ON THE PERSONAL DATA PROTECTION ACT FOR NRIC NUMBERS

#### 1. INTRODUCTION

- 1.1. Singapore Telecommunications Limited and its related companies (**Singtel**) are licensed to provide info-communications services in Singapore. Singtel is committed to the provision of state-of-the-art info-communications technologies and services in Singapore.
- 1.2. Singtel has a comprehensive portfolio of products that includes voice and data services over fixed, wireless and Internet platforms. Singtel provides services to both corporate and residential customers and is committed to bringing the best of global info-communications to its customers in the Asia Pacific and beyond.
- 1.3. Singtel is also a leading Internet service provider (**ISP**) in Singapore and has been at the forefront of Internet innovation since 1994, being the first ISP to launch broadband services in Singapore. It is licensed to offer IPTV services under a nationwide subscription television licence granted by the Info-communications Media Development Authority of Singapore (**IMDA**).
- 1.4. Singtel refers to the Public Consultation Paper for Proposed Advisory Guidelines on the Personal Data Protection Act for NRIC Numbers issued by the Personal Data Protection Commission (**PDPC**) on 7 November 2017 (**Consultation Paper**).
- 1.5. Singtel welcomes the opportunity to make this submission on the Consultation Paper and would be pleased to clarify any of the views and comments made in this submission, as appropriate.
- 1.6. This submission is structured as follows:  
Section 2 – Executive Summary;  
Section 3 – Specific Comments; and  
Section 4 – Conclusion.

## 2. EXECUTIVE SUMMARY

- 2.1. Through the Consultation Paper, the PDPC has proposed a number of changes to the current Advisory Guidelines on the Personal Data Protection Act for NRIC Numbers.
- 2.2. Singtel recognises that since the introduction of the Advisory Guidelines on Selected Topics (**Guidelines**), practical application of the Guidelines have revealed uncertainties regarding the collection, use and disclosure of NRIC numbers, and the collection of physical NRICs for business purposes. As such, Singtel welcomes the PDPC's review of the Advisory Guidelines for NRIC Numbers, and is generally supportive of the following proposals that have been raised by the PDPC:
- limiting the collection, use or disclosure of individuals' NRIC numbers or copies of the NRIC to instances where it is (a) required under the law; or (b) it is necessary to accurately establish and verify the identity of the individual; and
  - limiting the retention of individuals' physical NRIC to instances where it is (a) required under the law; or (b) it is necessary to accurately establish and verify the identity of the individual.
- 2.3. However, Singtel would welcome further guidance from the PDPC in relation to what circumstances would be considered necessary to accurately establish and verify the identity of individuals.

## 3. SPECIFIC COMMENTS

### **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:*

- (a) it is required under the law; and*
- (b) it is necessary to accurately establish and verify the identity of the individual?*

- 3.1. Under the existing advisory guidelines, the PDPA allows organisations to use NRIC numbers collected for reasonable purposes for which consent has been obtained validly under the PDPA.<sup>1</sup>

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<sup>1</sup> PDPC Advisory Guidelines On The Personal Data Protection Act For Selected Topics, chapter 6 para 6.8.

- 3.2. The PDPC is proposing to limit the collection, use or disclosure of individuals' NRIC numbers or copies of the NRIC to two circumstances that the PDPC has identified: (a) it is required under the law; or (b) it is necessary to accurately establish and verify the identity of the individual.
- 3.3. While Singtel is generally supportive of the proposal to limit the collection, use or disclosure of individuals' NRIC numbers or copies of the NRIC to these two limbs, it is not clear if the second limb provides sufficient clarity as to the circumstances in which it will apply.
- 3.4. At the outset, "circumstances necessary to accurately establish and verify the identity of individuals" is capable of wide interpretation and is not limited to instances where there is a risk of significant harm or impact to the individual and/or organisation. In determining whether a circumstance falls within the ambit of the second limb, would this be based on an objective standard or a subjective assessment by organisations?
- 3.5. If organisations are given the flexibility to assess the circumstances that qualify under the second limb, Singtel would welcome further clarity on what considerations organisations should take into account when making such assessments. Do organisations apply the same test of reasonable business purpose under the existing scheme?<sup>2</sup> If so, it is unclear how the second limb differs from the existing reasonable purpose test. For example, internal business practices may require documentary evidence in the form of a photocopy of an individual's NRIC to be collected for subsequent audit purposes and fraud checks. As long as there is a reasonable business purpose to justify the need for accurately establishing and verifying an individual's identity, Singtel submits that the PDPC should consider this to be meeting the requirements under the second limb.

**Question 2**

*What are your views on the proposed criteria for limiting the retention of individuals' physical NRIC to instances where:*

- (a) it is required under the law; and*
- (b) it is necessary to accurately establish and verify the identity of the individual?*

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<sup>2</sup> PDPC Advisory Guidelines On The Personal Data Protection Act For Selected Topics, chapter 6 para 6.8.



- 3.6. The PDPC is proposing to limit the retention of individuals' physical NRIC to two circumstances that the PDPC has identified: (a) it is required under the law; or (b) it is necessary to accurately establish and verify the identity of the individual.
- 3.7. Singtel is generally supportive of the proposal, but raises the same concerns as above in regards to the second limb.

**Question 3**

*Are there common scenarios or additional issues (e.g. updating of information systems) that these advisory guidelines should address?*

- 3.8. In example 1.18 of the Consultation Paper, the PDPC highlighted a case study in which the collection, use or disclosure of NRIC numbers or a copy of the NRIC is not required under any law and alternatives to the NRIC as an identifier may be adopted. While Singtel acknowledges that in this case use of vehicle numbers is a reasonable alternative, there may exist circumstances in which there is no reasonable alternative to an individual's NRIC number. For example, in order to protect against fraud and fulfil auditing requirements, an organisation may be required to collect, use and disclose, and subsequently retain a photocopy of the individual's NRIC as documentary evidence under the second limb.
- 3.9. Singtel submits the following scenarios for consideration and seeks the PDPC's confirmation that these scenarios would continue to be allowed under the proposed amendments.
  - a. Redemption of prizes: In the case of prize redemptions, while it may be sufficient at the point of redemption to only sight the NRIC to verify the identity of the person redeeming the prize, a photocopy of the individual's NRIC may need to be retained as documentary evidence for subsequent audit purposes. Where the redemption is done by proxy, the letter(s) of authorisation and/or a photocopy of the NRIC of the person making the redemption may need to be retained as well.
  - b. Collection of cheques: Similar to redemption of prizes, while it may be sufficient to only sight the NRIC to verify the identity of the recipient at the point of collection, a photocopy of the recipient's NRIC may need to be retained as documentary evidence for subsequent audit purposes. Where the collection

is done by proxy, the letter(s) of authorisation and/or a photocopy of the NRIC of the person making the collection may need to be retained as well.

- c. Registration of interest for new products (e.g. launch of new mobile phone): The NRIC number may be collected during the registration of interest stage and used for credit rating checks as well as subsequent purchase verification.
- d. Delivery of online purchases: The recipient of a delivery is required to verify his identity before the package can be released to him. Singtel currently employs the use of a One-Time Password PIN to do so. However, in the event that this verification method fails, the courier will instead sight the NRIC, and record the NRIC number and date of issue in the delivery order form as proof of delivery.
- e. E-wallets: The individual's NRIC number is collected and used for the purpose of verifying authorisation of payment [by comparing it against the NRIC tied to the billing account used]. There is no subsequent storage of the NRIC information once the verification process is complete.
- f. Merchant on-boarding and agreements: Where a new merchant is on-boarded, the merchant is required to produce the ACRA form for verification purposes. The NRIC number is a mandatory field in the ACRA form which is collected and retained by the organisation for records purposes. Similarly, a photocopy of the NRIC of the individual signing a new merchant agreement may need to be retained as documentary proof that an authorised person has signed the agreement on behalf of the merchant.

- 3.10. In many of the cases highlighted above, collection use and disclosure, and subsequent retention of the NRIC number or photocopy of the NRIC is for the purpose of due diligence, to avoid fraud and to comply with auditing requirements. Singtel submits that these are necessary and reasonable business purposes, and should be included in the advisory guidelines.

**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?*

- 3.11. The PDPC has proposed to allow organisations a period of 12 months from the issuance of the revised advisory guidelines, to review and implement the necessary changes to



its practices and processes involving the collection, use or disclosure of NRIC numbers, physical NRIC or copies of the NRIC.

- 3.12. Singtel is generally supportive of this timeframe. However, the PDPC should extend this provisional period on a case-by-case basis for organisations who require additional time to implement the changes.

#### **4. CONCLUSION**

- 4.1. Singtel appreciates the opportunity to contribute to the consultation process on this important area of public policy.
- 4.2. Singtel generally supports the proposals made by the PDPC and would encourage it to further develop the advisory guidelines and provide further detail to organisations in respect of the circumstances considered necessary to accurately establish and verify the identity of the individual.
- 4.3. We look forward to engaging further with the PDPC on this important matter.