

Comments on PDPC's Public Consultation on the Proposed Revised Advisory Guidelines on NRIC Numbers

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Abstract

This paper summarised our comments on both the Proposed Advisory Guidelines on the Personal Data Protection Act for NRIC Numbers and the Proposed Technical Guide to NRIC Advisory Guidelines. Proposals are provided for PDPC's consideration to give additional guidance to the proposed criteria for collecting, using or disclosing of NRIC number or a copy of the NRIC as well as retention of the physical NRIC. Additionally, clarification is sought on specific areas such as the dependency of the proposed criteria for collecting, using or disclosing of NRIC number or a copy of the NRIC, as well as the requirement to replace NRIC number for identifying individuals.

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

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?

SCB Response:

- 1) We would like to clarify if the above 2 proposed criteria should be interpreted on an "either or" basis as stated in section 1.5 of the Proposed Advisory Guidelines on the PDPA for NRIC Numbers rather than on "and" basis as stated in this consultation paper.
- 2) Apart from the examples that are proposed in the advisory guidelines, we propose that PDPC provide broad-based principles to organisations for further guidance as there could be many circumstances that organisations will need to collect, use or disclose individual's NRIC numbers or copies of the NRIC. Some examples of broad-based principles that will require accurate establishment and verification of the identity of the individual from the banks' perspective include:
 - a) bank's risk management activities e.g. recording of NRIC numbers for identity verification of vendors/contractors who will be working onsite at restricted office premise;
 - b) Activities performed to fulfil bank's obligation to regulatory requirements such as AML/CFT requirements, tax compliance/evasion management.

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?

SCB responses:

We would like to propose for PDPC to provide more granular criteria in assessing circumstances that should not result in retaining individual's physical NRIC apart from the above (a) and (b) criteria which are currently the same as that for limiting collection, usage or disclosure of NRIC number or copy of the NRICs. The reason being that by fulfilling the (a) and (b) criteria for limiting collection, usage or disclosure of NRIC number or copy of the NRICs may already inadvertently allow for retention of the physical NRIC. Hence, there is no further guidance to organisations on what are the other factors to consider not to retain the physical NRIC.

Question 3: Are there common scenarios or additional issues (e.g. updating of information systems) that these advisory guidelines should address?

SCB Response:

The Proposed Technical Guide to NRIC Advisory Guidelines (“Technical Guide”) stated that organisations should avoid the use of NRIC number as user names or unique identifiers in applications, websites and other public-facing systems.

In view of the Technical Guide, we would like to seek confirmation from PDPC on the following:

- a) Organisations are allowed to store NRIC number in the backend systems/applications for valid reasons after fulfilling the proposed criteria in Question 1 and 2.
- b) Organisations are allowed to use the NRIC number as unique identifier (regardless of primary or secondary key in database) for internal processes e.g. checking sales leads against internal DNC list, as internal processes fall outside the scope of the Technical Guide.

If our above understanding is incorrect, we request for clarification on the scope of the Technical Guide, the meaning of unique identifier as well as the associated risks of using NRIC numbers as unique identifier in an organisation’s internal process.

If the organisation has to use NRIC number as the unique identifier as a last resort (i.e. there is no other appropriate alternative), we request that the organisation be allowed to use the NRIC number under such exception circumstance.

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?

SCB Response:

This will depend on the above responses as to whether the organisation is still allowed to use NRIC number as unique identifiers (not as user names) for valid reasons (e.g. internal processes) on the basis that the organisation fulfilled the proposed criteria (a) and (b) for the collection, use or disclosure of individuals’ NRIC numbers or copies of the NRIC. Otherwise, there may be significant impact to the organisation’s process and systems/applications that will require more time to review and implement changes.