

New Advisory Guidelines for Personal Data Protection Act for NRIC

On 31 August 2018, the Personal Data Protection Commission (PDPC) issued its updated Advisory Guidelines to enhance consumer protection against the indiscriminate or unjustified collection, use and disclosure of individuals' NRIC numbers and retention of physical NRICs and other national identification documents (passport, birth certificate, foreign identification and work permit numbers). As a result, organisations must review their existing systems, policies and processes and implement the necessary changes to align with the new Advisory Guidelines **before 1 September 2019**.

What do these new guidelines mean?

The new guidelines mean that organisations will generally NOT be allowed to collect, use or disclose NRIC or copies of NRIC except in special circumstances whereby there is a need to accurately establish or verify the identities of individuals to a high degree of fidelity. Organisations that continue to collect NRIC and other national identification documents can be asked at any time to justify why the collection, use or disclosure of the NRIC numbers is necessary to establish the identity of the individual to a high degree of fidelity. Organisations should generally not retain an individual's physical NRIC unless the retention of the physical NRIC is required under the law. The same applies to other national identification documents such as driver's license, passport and work pass.

Impact on our services - Union Membership

NTUC DPO sought guidance from PDPC on whether NTUC and unions may collect individuals' NRIC numbers when signing up as union members to form part of their profile information. The PDPC notes that the collection of the individual's NRIC number would be necessary to accurately establish or verify the identity of the individual to a high degree of fidelity for insurance coverage and financial subsidies. Given that members are automatically enrolled in the NTUC Gift insurance scheme, NTUC and unions may collect the NRIC numbers of members when they sign up for union membership. The PDPC may still at any point in time require us to make the necessary justifications.

Impact on Sign Up Forms

As we will continue to collect NRIC details upon sign up, we will need to make some changes to union membership application forms. NTUC and unions will add the following consent clause to the existing PDPA suite of consent clauses for all online and hardcopy Membership Application forms:

I acknowledge that the collection, use and/or disclosure of my NRIC number is necessary to accurately establish my identity to a high degree of fidelity in relation to "NTUC Gift", a group insurance policy exclusively for members of NTUC affiliated unions and associations; financial subsidies for skill upgrading and training under the Union Training Assistance Programme (UTAP) and an array of other services including but not limited to legal consultation, job placement and education grants.

Impact on existing members

For existing members, NTUC and unions do not need to notify and re-obtain consent for the collection, use and/or disclosure of their NRIC numbers since consent would have been obtained previously in compliance with the PDPA. However, as good practice, the NTUC and unions must put up the information on the purposes of the collection, use and disclosure of members' NRIC numbers at NTUC's website and unions' websites.

When can NRIC numbers be used for membership services?

Where NTUC and unions have collected NRIC numbers in accordance with the NRIC Advisory Guidelines, NTUC and unions may use the member's NRIC number as an **internal identifier** to link the member across the various services and processes that the NTUC and unions offer. **However, NTUC**

and unions should not use NRIC numbers as the primary identifier for transactions with members (e.g. registering for events, making enquiries and submitting feedback), including on physical membership cards.

With effect from **1 September 2019**, NTUC will no longer use the full NRIC number at various service touchpoints, **except for** UTAP and NTUC Gift insurance, Protection and Placement matters, and Scoot login to enjoy members' privileges. **In lieu of the NRIC number, a member will be required to provide the last 4 characters of his NRIC number together with his date of birth and mobile number** (for example, when calling the customer service hotline). **For U Portal e-Services, the login will be via the member's Singpass or email address. Unions will need to check through their union specific processes and make the necessary changes to them.**

Impact on Membership Cards

With regard to membership cards for existing members, the PDPC does not require the replacement of membership cards **issued before 1 September 2019**. As such, **we will not reprint existing membership cards. New or replacement cards issued from 1 July 2019 onwards will be issued without NRIC numbers.**

Link Points and Rebates at NTUC FairPrice

Members can continue to use existing membership cards, new membership cards or membership eCards. The eCard can be found on the MyNTUC app and members will need to have a U Portal account to login to the app. NTUC FairPrice will no longer accept the use of NRIC for the issuance of Link Points or rebates.

Security & Retention of Personal Data

Given the risks and potential impact of any unauthorised use or disclosure of personal data associated with the individual's NRIC number, NTUC and unions must provide a greater level of security to protect NRIC numbers in our possession or under our control. We must also cease to retain the personal data as soon as the purpose for which it was collected is no longer necessary for business or legal purposes. There is no fixed or prescribed duration of time for which an organisation can retain such personal data. Each organisation will need to assess for itself the duration of time for which it can legitimately retain such personal data on the ***standard of reasonableness***, having regard to the purposes for which such personal data was collected and other legal or business purposes. E.g. ongoing legal action found under contract and subject to the Limitation Act, would be 6 years. For audit purposes, it would be 7 years, if it is personal data collected for event registration, it can be 6 months to a year, provided there is no funding and there is no requirement for audit. For audit purposes, we are allowed to retain a member's personal data for 7 years after the date of the termination of his union membership. Thereafter, we must expunge the personal data from our system.