



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

1 **NPC Circular No. 2023 - __**
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DATE : _____

SUBJECT : **GUIDELINES ON IDENTIFICATION CARDS ISSUED BY
PRIVATE SECTOR PERSONAL INFORMATION
CONTROLLERS**

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4 **WHEREAS**, personal information controllers (PICs) in the private sector issue physical or
5 digital identification cards (ID cards) to their respective data subjects for identity verification
6 in relation to the provision of goods and services as well as the implementation of safeguards
7 for electronic systems and physical premises, among others;

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9 **WHEREAS**, the National Privacy Commission (NPC) recognizes that such processing activity
10 may have a legitimate purpose and a lawful basis for processing under Sections 12 and 13 of
11 the Data Privacy Act of 2012 (DPA);
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13 **WHEREAS**, Section 11 of the DPA allows the processing of personal and sensitive personal
14 information (collectively, personal data) subject to compliance with the requirements of the
15 DPA and other laws allowing disclosure of information to the public, and adherence to the
16 general principles of privacy;
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18 **WHEREAS**, the principle of proportionality requires that the processing of personal data shall
19 be adequate, relevant, suitable, necessary, and not excessive in relation to a declared and
20 specified purpose, and that personal data shall be processed only if the purpose of the
21 processing could not be reasonably fulfilled by other means;
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23 **WHEREAS**, pursuant to Section 7 of the DPA, the NPC is charged with the administration
24 and implementation of the provisions of the law, which includes ensuring the compliance by
25 PICs with the provisions of the DPA, and carrying out efforts to formulate and implement
26 plans and policies that strengthen the protection of personal data in the country, in
27 coordination with other government agencies and the private sector;
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29 **WHEREAS**, Section 9 of the Implementing Rules and Regulations of the DPA (IRR) provides
30 that the Commission shall, among its other functions, develop, promulgate, review or amend
31 rules and regulations for the effective implementation of the law;
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33 **WHEREFORE**, in consideration of the foregoing premises, the NPC hereby issues this
34 Circular that prescribes the guidelines for PICs in the private sector on the issuance of ID
35 cards.
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37 **SECTION 1. *Scope.*** – This Circular shall apply to all PICs in the private sector that issues
38 ID card to their respective data subjects.

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40 For purposes of this Circular, ID cards are understood to be any physical or digital ID card
41 that identifies a data subject. ID cards include, but are not limited to, company IDs, school
42 IDs, insurance cards, membership cards, and rewards or loyalty cards.

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44 **SECTION 2. *Definition of Terms.*** – Terms used herein shall have the respective meanings
45 provided in the DPA, its IRR, as amended, and other issuances of the NPC.

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47 **SECTION 3. *Contents of ID cards; proportionality.*** – All PICs issuing ID cards shall ensure
48 that only the necessary personal data are indicated therein in relation to the primary purpose
49 of identifying the data subject.

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51 A. In the case of ID cards with additional functionalities, PICs shall ensure that all other
52 personal data that will be included are reasonable and necessary for the specified and
53 declared purposes of that specific ID card.

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55 B. Nothing in this Circular shall be construed as prohibiting the inclusion of any personal
56 data that is explicitly required by law or regulation to be indicated in an ID card issued
57 by PICs in the private sector.

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59 C. PICs shall implement reasonable and appropriate safeguards to protect personal data
60 on ID cards and shall ensure that such security features are at par with technological
61 advances, best practices, and industry standards.

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63 D. In all cases, ID cards shall not contain information that is excessive. PICs shall bear the
64 burden of demonstrating that the inclusion of a particular category of personal data is
65 proportionate to the legitimate purpose.

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67 **SECTION 4. *Penalties.*** – The processing of sensitive personal information in violation of
68 this Circular shall carry criminal, civil, and administrative liability pursuant to the provisions
69 of the DPA and related issuances of the Commission.

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71 **SECTION 5. *Interpretation.*** – Any doubt in the interpretation of any provision of this
72 Circular shall be liberally interpreted in a manner mindful of the rights and interests of the
73 data subjects.

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75 **SECTION 6. *Transitory Provisions.*** – PICs shall be given a period of ninety (90) calendar
76 days from the effectivity of this Circular to comply with the requirements provided herein.

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78 **SECTION 7. *Separability Clause.*** – If any portion or provision of this Circular is declared
79 null and void, or unconstitutional, the other provisions not affected thereby shall continue to
80 be in force and effect.

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82 **SECTION 8. *Repealing Clause.*** – All other rules, regulations, and issuances contrary to or
83 inconsistent with the provisions of this Circular are deemed repealed or modified accordingly.

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86 **SECTION 9. *Effectivity.*** – This Circular shall take effect fifteen (15) calendar days after its
87 publication in the Official Gazette or a newspaper of general circulation.

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89 **Approved:**

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Privacy Commissioner

LEANDRO ANGELO Y. AGUIRRE
Deputy Privacy Commissioner

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