

## Tip of the Month – June 2010

### ID Scanning in Public Places

The practice of identification (ID) scanning of personal information by operators of night clubs/other public places is becoming more prevalent in recent times. This involves scanning your identity information such as a driver's licence, passport, national insurance card or any other document that a person may use to prove his or her identity. It may also include biometric information such as fingerprints, iris scans or photographs.

It is important that any establishment that copy, scan or otherwise collect personal information comply with the provisions of the Data Protection (Privacy of Personal Information) Act, 2003 (DPA) in this regard.

#### **Key Messages**

Before collecting information from their patrons public establishments should ask themselves:-

Is this information necessary for one of my business' function or activities?

If the answer is NO, the information must not be collected. Collecting unnecessary information goes against one of the principles of the DPA.

Generally under the DPA, businesses must:-

only collect information that is necessary for their functions or activities

tell people when they collect personal information:

- why they are collecting information
- what it will be used for
- who they will pass the information onto
- how people can gain access to it
- any law that means the information has to be collected
- what the consequences are if the information is not given
- when they will destroy it

limit the ways they use or disclose the information

have robust security measures that protect the information

be open about the way they handle information they collect, and

delete the information when it is no longer necessary.

Businesses that comply with the DPA are protecting their customers' privacy and also lower the risk of privacy complaints being lodged against them.

Individuals may make a complaint to the Data Protection Commissioner if they think their personal information has been mishandled. The Data Protection Commissioner also has the power to initiate investigations into practices he considers to be of concern.

The concern about data protection and scanning is a major issue because electronically stored information can be copied, searched, used or disclosed more easily than in paper form and in ways that patrons may not expect. For example:-

creating customer databases

direct marketing

matching personal information held by other organizations which can give a detailed picture of people's day to day activities.

Remember: Good data protection practices are good for business. Avoid privacy risks. Promote trust and confidence in your business. Don't routinely scan your clients' ID.

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