

## RFID: Malaysia's privacy at the crossroads?

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### Abstract

Malaysia is the first (1<sup>st</sup>) country in the world which has deployed e-passports since 1998 embedding the RFID technology with the ability to record the travel history (time, date, and place) of entries and exits from the country. This data surveillance gives luxurious rights for enforcement authorities to tracking down Malaysians' movement under the sun without privacy barriers. Thanks to the technology *albeit* the Personal Data Protection Bill (PDP) is yet to be passed by the Parliament.

This paper will explore the predictions for Malaysia's privacy actors based on the RFID growth. The usage of this technology has created privacy alarms. It is conceded that in the absence of much awaited PDP and extensive deployment of RFID technology, it has in a way, triggered series of privacy and data surveillance arguments without appropriate guidance and solutions for Malaysia's IT industry growth. Paradoxically, due to the rampant growth of IT business; privacy and data surveillance issues have been left underdeveloped. On another hand, Malaysia's IT market remains overzealous and bullish ignoring to draw a clear line between technology and the law. The latter has urged this paper to concede three (3) potential predictions for Malaysia's RFID actors when PDP would have been passed by the Parliament.

The first (1<sup>st</sup>) prediction surrounds potential readiness for RFID deployment, usage and strategy towards complying privacy and data protection terms when the legislation will take place. This paper will appraise the actors' readiness in the context of data surveillance strategy and suggests a concerted effort for effective implementation. A cursory benchmark of best practices of a complied RFID management in the UK and EU will be painstakingly appraised. The second (2<sup>nd</sup>) prediction surrounds possible strategic legal risk management by the RFID actors. It will cursorily appraise selected comparative arguments of RFID technology versus privacy from the UK and EU's contours. The third (3<sup>rd</sup>) prediction surrounds potential compliance costs that need to be pre-empted by these actors. On the latter, this paper will examine possible best practice of compliance strategies for Malaysia. Whilst outlining these predictions, it also pre-empt potential risks, liabilities and the need for Malaysia to initiate such model of RFID regulations by inferring to the EU's present efforts.