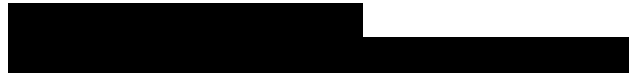




Republic of the Philippines  
NATIONAL PRIVACY COMMISSION

**PRIVACY POLICY OFFICE  
ADVISORY OPINION NO. 2018-088<sup>1</sup>**

26 November 2018



**Re: DENIAL OF REQUEST FOR DISCLOSURE OF THE  
PERSONAL DATA SHEET BY THE CITY OF SAN JUAN**

Dear ,

We write in response to your letter which sought to clarify whether the denial of your request for a certified true copy of the Personal Data Sheet (PDS) of your co-employee for record purposes and to prove that an act of perjury is committed, is in accordance with the Data Privacy Act of 2012 (DPA)<sup>2</sup> and NPC Advisory No. 2017-02 - Access to Personal Data Sheets of Government Personnel.<sup>3</sup>

We note that the decision of the San Juan City Human Resource Development Department to deny your request took into consideration the principles enunciated in the DPA and is consistent with the recommendations set by NPC Advisory No. 2017-02 on resolving a pending request for access to a PDS. This includes a statement from the City Human Resource Development Department of the City of San Juan, which you have attached, that a preliminary investigation is now being conducted by the Civil Service Commission (CSC) and docketed as Case No. D-1520001918 concerning your co-employee.

We wish to emphasize that access to or disclosure of the PDS of a particular government employee may be regulated despite its nature as a public record and/or public document. Each government agency may provide for certain rules or a set criteria against which a request for such document shall be assessed. A certified true copy of a Personal Data Sheet (PDS) of any government employee necessarily contains sensitive personal information such as civil status, blood type and other health information, GSIS, PAG-IBIG and PHILHEALTH No., information about the employee's family which may include information about minor children, among others. Thus, the disclosure of a certified Personal Data Sheet should be shown as necessary for the purpose of the requesting party, and such purpose must not be contrary to law, morals, and public policy.

---

<sup>1</sup> Tags: Personal Data Sheet, access, public concern, right to information

<sup>2</sup> An Act Protecting Individual Personal Information in Information and Communications Systems in the Government and the Private Sector, Creating for this Purpose a National Privacy Commission, and for Other Purposes [Data Privacy Act of 2012], Republic Act No. 10173 (2012).

<sup>3</sup> National Privacy Commission, Access to Personal Data Sheets of Government Personnel, Circular No. 17-02 [NPC Circular 17-02] (April 3, 2017).

We also note the statement in your letter that you have knowledge of the contents of the PDS of your co-employee as encoded in the Human Resource Information System (HRIS). In general, the HRIS of any agency should only be accessed by authorized personnel, and any access without clearance or authority may be considered unauthorized access or intentional breach depending on attendant circumstances.

This opinion is based solely on the information you have provided. Additional information may change the context of the inquiry and the appreciation of facts.

For your reference.

Very truly yours,

**(Sgd.) IVY GRACE T. VILLASOTO**  
OIC-Director IV, Privacy Policy Office

Noted by:

**(Sgd.) IVY D. PATDU**  
Officer-in-Charge and  
Deputy Privacy Commissioner  
for Policies and Planning