



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

**PRIVACY POLICY OFFICE
ADVISORY OPINION NO. 2019-002¹**

4 January 2019



**Re: DISCLOSURE OF IDENTITY IN CONFIDENTIAL REPORTS
AND INVESTIGATIONS**

Dear ,

We write in response to your inquiry on whether the management of your agency violated your rights or existing laws when they maliciously disclosed your identity to the persons involved in the alleged corruption in your office, which you have earlier reported through a letter captioned "CONFIDENTIAL REPORTS."

The Data Privacy Act of 2012 (DPA)² provides the criteria for lawful processing of personal information and sensitive personal information in Sections 12 and 13, respectively. Disclosure of personal data may be permitted where one of the criteria provided in said sections is met. In this instance, given the limited information, it is difficult to determine whether such lawful criteria exists.

Hence, the determination of the propriety of the disclosure of your identity would have to depend on the circumstances of the particular case, including information on the internal rules and regulations of your agency and that of the Presidential Complaint Center on the handling of corruption accusations. Laws and regulations other than the DPA would also be applicable.

Should you wish to pursue a complaint with the National Privacy Commission, you may compile all the supporting documents and send the complaint to complaints@privacy.gov.ph. For further information, kindly refer to our website at <https://www.privacy.gov.ph/mechanics-for-complaints/>.

This opinion is rendered based on the information you have provided, considering that an advisory opinion does not serve to adjudicate issues between parties or provide a standing

¹ Tags: disclosure; confidential report; criteria for lawful processing; complaint

² 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).

rule in an actual controversy.³ Additional information may change the context of the inquiry and the appreciation of the facts.

For your reference.

Very truly yours,

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

Noted by:

(Sgd.) RAYMUND ENRIQUEZ LIBORO
Privacy Commissioner and Chairman

³ See: National Privacy Commission, Rules of Procedure on Requests for Advisory Opinions, Circular No. 18-01 [NPC Circular 18-01], § 2 (September 10, 2018).