The Data Privacy Act of 2012
Impact and Significance
To Local Government Units

RAYMUND ENRIQUEZ LIBORO
PRIVACY COMMISSIONER AND CHAIRMAN
December 11, 2017
What the law is all about

How it will affect you
The Data Privacy Act makes it mandatory for all data collectors — whether public or private — to protect the security, integrity and confidentiality of all the personal information they collect. **By doing this, we help usher in a truly knowledge-driven economy.**

SENATOR EDGARDO ANGARA
1995
The world’s largest taxi company, owns no vehicles.
The world’s most popular media owner, creates no content.
The world’s most valuable retailer, has no inventory.
The world’s largest accommodation provider, owns no real estate.
Technology eliminates the Middleman

UBER  FACEBOOK  ALIBABA  AIRBNB

DATA as the common Denominator
TECHNOLOGY connects PEOPLE...

...With Vehicles
To People who want Vehicles

...With Content
To People who want Content

...With G&S
To People who want G&S

...With a place
To People who want A place

UBER
FACEBOOK
ALIBABA
AIRBNB
Forbes Most Valuable Brands

2007 versus 2017

Exxon Mobil
Petrochina
General Electric
China Mobile
ICBC
Microsoft
Royal Dutch
GazProm
AT&T

Apple
Google
Microsoft
Facebook
Coca Cola
Amazon
Disney
Toyota
McDonalds
Samsung
ROOT CAUSES OF BREACH

- Malicious or criminal attack: 24%
- System Glitch: 47%
- Human Error: 29%
1998: Yahoo refuses to buy Google for $1 million.
2002: Yahoo realizes its mistake and tries to buy Google for $3 billion. Google says “Give us $5 billion”, Yahoo says no.
2008: Yahoo refuses to be sold to Microsoft for $40 billion dollars.
2016: Yahoo sold for $4.6 billion to Verizon.
Ashley Madison let off with $1.66m fine over huge hack

Customers receive nothing from settlement with US Federal Trade Commission, which decided owner Ruby Corp was unable to pay full $17.5m penalty

The owner of hacked infidelity website Ashley Madison will pay a sharply discounted $1.66m penalty to settle US investigations into lax data security and deceptive practices.

The remainder of a $17.5m settlement was suspended based on privately held Ruby Corp's inability to pay.

"I recognise that it was a far lower number frankly than I would have liked," said Federal Trade Commission chairwoman Edith Ramirez. "We want them to feel the pain. We don't want them to profit from unlawful conduct. At the same time we are not going to seek to put a company out of business."
55M at risk in ‘Comeleak’

By: Tina G. Santos • Reporter / @santostinaINQ

Philippine Daily Inquirer / 12:44 AM April 23, 2018

DECEPTIVE CALM The Comelec office at Palacio del Gobernador in Intramuros, Manila, after office hours. The Comelec says the hacking of its website will not compromise the integrity of national elections on May 9.
EDWIN BACASMAS
PROCESSING PERSONAL INFORMATION CAN CREATE PROBLEMS FOR INDIVIDUALS

- Loss of trust
- Loss of self-determination
  - Loss of autonomy
  - Loss of liberty
  - Exclusion
  - Physical harm
- Discrimination
  - Stigmatization
  - Power imbalance
- Economic loss
Public school teacher in debt because of identity theft

Published February 26, 2016 10:48pm

A public school teacher may be a victim of identity theft as he owes three banks P800,000 for loans he did not apply for, according to a report by John Consulta on GMA-7’s “24 Oras” on Friday.

__Joseph Banton__ said he received notifications from three banks saying that he borrowed a total of P800,000 in salary loans. He denied applying for the loans.

However, ____ remembered posting a photo of his Professional Regulation Commission (PRC) ID online.

"T'asa pagpasok ko po sa public (school), pagbigay ng papel ko, pinost din po sa FB (Facebook) sa sobrang tuwa ko po," he said.

"Wala naman akong ginagawang masama," he added.
Survey Results

Importance of The Rights of A Data Subject, Philippines, June 2017

- Important: 12%
- Undecided: 3%
- Not Important: 85%

Net* +83

*Based on the SWS Survey: "FILIPINO PUBLIC OPINION ON DATA PRIVACY AND ATTITUDES AND BEHAVIOUR TOWARDS INTERNET USAGE" June 17-21, 2017 National Survey
Survey Results

Extent of Liking or Not Liking to Know Where The Personal Information They Have Provided During Transaction or Application Will Be Used, Philippines, June 2017

94%

Net* +89

*Based on the SWS Survey
“FILIPINO PUBLIC OPINION ON DATA PRIVACY AND ATTITUDES AND BEHAVIOUR TOWARDS INTERNET USAGE”
June 17-21, 2017 National Survey
Nature of Complaints (as of October 23, 2017)

<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>NO. OF COMPLAINTS</th>
<th>PERCENTAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNAUTHORIZED PROCESSING</td>
<td>56</td>
<td>30%</td>
</tr>
<tr>
<td>IMPROPER DISPOSAL</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>UNAUTHORIZED ACCESS/INTENTIONAL BREACH</td>
<td>7</td>
<td>4%</td>
</tr>
<tr>
<td>UNAUTHORIZED DISCLOSURE</td>
<td>6</td>
<td>4%</td>
</tr>
<tr>
<td>RIGHTS OF DATA SUBJECT</td>
<td>13</td>
<td>7%</td>
</tr>
<tr>
<td>SECURITY OF PERSONAL INFORMATION</td>
<td>33</td>
<td>18%</td>
</tr>
<tr>
<td>GENERAL INQUIRY</td>
<td>16</td>
<td>14%</td>
</tr>
<tr>
<td>CYBERCRIME</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>THEFT</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>CONSUMER PROTECTION</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>CREDIT CARD</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>DRONE</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>187</td>
<td>100%</td>
</tr>
</tbody>
</table>

Unauthorized processing is the most common category with 30% of complaints.