

1 NPC Circular 20-__

2
3 **SUBJECT : 2020 RULES OF PROCEDURE OF THE NATIONAL PRIVACY**
4 **COMMISSION**

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6 *Pursuant to the authority vested in the National Privacy Commission through Section 7(b) of*
7 *Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012," to receive*
8 *complaints and institute investigations on matters affecting any personal information, the*
9 *following 2020 Rules of Procedure of the National Privacy Commission are hereby prescribed and*
10 *promulgated, repealing for this purpose NPC Circular No. 16-04 (Rules of Procedure) dated 15*
11 *December 2016 and NPC Circular No. 18-03 (Rules on Mediation before the National Privacy*
12 *Commission) dated 18 December 2018.*

13
14 **RULE I**
15 **GENERAL PROVISIONS**

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17 **SECTION 1. Title.** - These Rules shall be known as the "2020 NPC Rules of Procedure".

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19 **SECTION 2. Liberal construction.** - Any doubt in the interpretation of any provision of
20 these Rules shall be liberally interpreted in a manner mindful of the rights and interests
21 of the data subject about whom personal information is processed.

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23 **SECTION 3. Scope.** - These Rules shall apply to the receipt, investigation and resolution
24 of complaints filed before the NPC, *sua sponte* investigations, and breach investigations.

25
26 **SECTION 4. Definition of Terms.** -

- 27
28 a. **AFFIRMATIVE DEFENSES** - shall refer to a defense in which the respondent
29 introduces evidence which, if found to be credible, will negate liability under the
30 Data Privacy Act of 2012, even if it is proven that the respondent in fact committed
31 the alleged acts.
32
33 b. **BREACH INVESTIGATION** - shall refer to an investigation conducted by the
34 NPC with respect to a data breach notification triggered by the applicable rules
35 promulgated by the Commission.
36
37 c. **COMMISSION** - shall refer to the Privacy Commissioner and the two (2) Deputy
38 Privacy Commissioners, acting as a collegial body.
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40 d. **COMPLAINT INVESTIGATION** - shall refer to an investigation conducted by
41 the NPC with respect to a formal complaint filed by a data subject or his/her
42 representative for violation of the Data Privacy Act of 2012.
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- 1 e. **COURIER** - shall refer to any private mail carrier accredited by the Supreme
2 Court, the NPC, or by international conventions by which the Philippines is a
3 signatory.
4
- 5 f. **DATA SUBJECT** - refers to an individual whose personal information is
6 processed.
7
- 8 g. **DIGITAL SIGNATURE** - refers to any distinctive mark, characteristic and/ or
9 sound in electronic form, representing the identity of a person and attached to or
10 logically associated with the electronic data message or electronic document or
11 any methodology or procedures employed or adopted by a person and executed
12 or adopted by such person with the intention of authenticating or approving an
13 electronic data message or electronic document.
14
- 15 h. **EVALUATING OFFICER** - may refer to a member of the Compliance and
16 Monitoring Division (CMD) or a special committee or task force that may or may
17 not include members from the CMD created by order of the Commission.
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- 19 i. **INVESTIGATING OFFICER** - may refer to a member of the Complaints and
20 Investigation Division (CID) or a special committee or task force created that may
21 or may not include members from the CID created by order of the Commission.
22
- 23 j. **MEDIATION** - refers to the voluntary process in which a mediation officer
24 facilitates communication and negotiation, and assists the parties in reaching a
25 voluntary agreement regarding a dispute.
26
- 27 k. **MEDIATION OFFICER** - refers to the personnel assigned or designated by the
28 Commission to conduct mediation.
29
- 30 l. **NPC** - shall refer to the National Privacy Commission created under the Data
31 Privacy Act of 2012.
32
- 33 m. **PERSONAL INFORMATION** - refers to any information whether recorded in a
34 material form or not, from which the identity of an individual is apparent or can
35 be reasonably and directly ascertained by the entity holding the information, or
36 when put together with other information would directly and certainly identify an
37 individual.
38
- 39 n. **RULES** - shall refer to the 2020 NPC Rules of Procedure unless otherwise stated.
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- 41 o. **SUA SPONTE INVESTIGATION** - shall refer to an investigation initiated by the
42 NPC on its own for possible violation by one or more entities of the Data Privacy
43 Act of 2012.

1
2 **SECTION 5. *Enforcement Powers.*** – The Commission may use its enforcement powers
3 in the course of investigations to order cooperation of the subject of the investigation or
4 other interested individuals or entities; or to compel appropriate action to protect the
5 interests of data subjects.

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7 **RULE II**
8 **COMPLAINTS**
9

10 **SECTION 1. *Who may file complaints.*** – Data subjects who are the subject of a privacy
11 violation or personal data breach and his/her representative may file complaints for
12 violations of the Data Privacy Act of 2012: *Provided*, that the representative is authorized
13 by a special power of attorney to appear in behalf of the data subject.

14
15 One or more data subjects may be represented by a single juridical entity: *Provided*, that
16 the person filing the complaint must be authorized by a special power of attorney to
17 appear and act in behalf of the data subjects: *Provided further*, the same person must also
18 be authorized by a Board Resolution and Secretary’s Certificate to appear and act in
19 behalf of the juridical entity.

20
21 **SECTION 2. *Exhaustion of remedies.*** – No complaint shall be given due course unless it
22 has been sufficiently established and proven that:

- 23
24 1. the complainant has informed, in writing, the personal information controller
25 (PIC), personal information processor (PIP), or concerned entity of the privacy
26 violation or personal data breach to allow for appropriate action on the same; and
27
28 2. the PIC, PIP, or concerned entity did not take timely or appropriate action on the
29 claimed privacy violation or personal data breach, or there is no response from the
30 PIC, PIP, or concerned entity within fifteen (15) calendar days from receipt of
31 information from the complainant.
32

33 The NPC may waive any or all of the requirements of this Section at its discretion upon
34 (a) good cause shown, properly alleged and proved by the complainant; or (b) if the
35 allegations in the complaint involve a serious violation or breach of the Data Privacy Act
36 of 2012, taking into account the risk of harm to the affected data subject, including but
37 not limited to:

- 38
39 i. when there is great and irreparable damage which can only be prevented or
40 mitigated by action of the NPC;
41
42 ii. when the respondent cannot provide any plain, speedy or adequate remedy to the
43 alleged violation; or

1
2 iii. the action of the respondent is patently illegal.

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4 **SECTION 3. Form and contents of the complaint.** – The complainant shall file two (2)
5 original copies of the complaint and as many copies as there are respondents. The
6 complaint should be in the proper form, as follows:
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- 8 1. The complaint must be in writing, signed by the party or his or her counsel, and
9 verified.
- 10 2. The complaint must specify the identity of the individual claiming to be the subject
11 of a privacy violation or the person so damaged or injured by a data breach, who
12 shall be referred to as the complainant.
- 13 3. The complaint shall include the complainant’s contact information, and where the
14 complainant or duly authorized representative may be served with orders,
15 issuances, or communications, including an electronic mail address if available.
- 16 4. The complaint must identify the person, entity or organization complained of,
17 who shall be referred to as the respondent: *Provided*, that in the case of juridical
18 persons, the responsible officers may also be included as respondents if they
19 participated in, or by their gross negligence, allowed the commission of the alleged
20 violation of the Data Privacy Act of 2012. If not known, the complainant shall state
21 the circumstances that may lead to the identity of the respondent.
- 22 5. The complainant shall also provide in the complaint, if known: (a) respondent’s
23 contact information; and (b) where respondent may be served with orders,
24 issuances, or communications from the NPC.
- 25 6. The complaint shall include a narration of the material facts and supporting
26 testimonial or documentary evidence, if any, all of which show: (a) the violation
27 of the Data Privacy Act of 2012, its Implementing Rules and Regulations, or NPC
28 issuances; or (b) the acts or omissions allegedly committed by respondent and in
29 the case of juridical persons, employees or agents who committed the offense
30 while acting within the scope of his employment and with at least some intent to
31 benefit the employer, amounting to a privacy violation or personal data breach.
- 32 7. The complaint must include any and all reliefs sought by the complainant.
- 33 8. The complainant shall attach any and all correspondence with respondent on the
34 matter complained of and include a statement of the action taken by respondent
35 to address the complaint, if any, showing compliance with the immediately
36 preceding Section.
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2 9. The supporting documents shall consist of copies of any documentary evidence
3 and the affidavits of witnesses, if any, including those affidavits necessary to
4 identify the documents and to substantiate the complaint.
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6 10. A certification against forum shopping must accompany the complaint. The
7 complainant shall certify under oath in the complaint, or in a sworn certification
8 annexed and simultaneously filed with the pleading: (a) that he or she has not
9 commenced any action or filed any claim involving the same issues in any court,
10 tribunal or quasi-judicial agency and, to the best of his or her knowledge, no such
11 other action or claim is pending with such court, tribunal or quasi-judicial agency;
12 (b) if there is such other pending action or claim, a complete statement of its
13 present status; and (c) if he or she should thereafter learn that the same or similar
14 action or claim has been filed or is pending, he or she shall report that fact within
15 five (5) calendar days therefrom to the NPC.
16

17 Failure to comply with the proper form and contents of the company may be cause for
18 outright dismissal under Section 1(1), Rule IV: *Provided*, an application that does not
19 comply with the foregoing requirements may be acted upon if it merits appropriate
20 consideration on its face, or is of such notoriety that it necessarily contains sufficient leads
21 or particulars to enable the taking of further action.
22

23 **SECTION 4. *Filing fees.*** - No further action on a complaint shall be made unless the
24 appropriate filing fees have been paid, except when: (a) the complainant is the
25 government, or any agency or instrumentality, and government-owned and controlled
26 corporations organized and existing under their own charter; excluding government-
27 owned and controlled corporations organized and incorporated under the Corporation
28 Code; (b) the complaint is filed by an indigent complainant as defined in the Rules of
29 Court or as otherwise prescribed by NPC through an advisory; or (c) the NPC, upon
30 motion by the requesting party, waives this requirement based on discretion and for good
31 cause shown.
32

33 **SECTION 5. *Where to file complaints.*** - A complaint may be filed at any office of the
34 NPC.
35

36 **SECTION 6. *Evaluation.*** - An investigating officer shall be assigned by the NPC to
37 conduct the proceedings.
38

39 **SECTION 7. *Consolidation of cases.*** - Except when consolidation would result in delay
40 or injustice, the NPC may upon motion or in its discretion consolidate two (2) or more
41 complaints involving common questions of law or fact and/or same parties.
42
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**RULE III
FILING AND SERVICE**

SECTION 1. *Modes of filing.* – The filing of pleadings and other submissions shall be made through any of the following modes:

- a. Submitting personally the original copy, plainly indicated as such, to the NPC;
- b. Sending them by registered mail;
- c. Sending them by courier; or
- d. Transmitting them by electronic mail as may be authorized by the Commission.

In the first case, the receiving NPC officer or employee shall endorse on the pleading the date and hour of filing. In the second and third cases, the date of the mailing of motions, pleadings, and other submissions, as shown by the post office stamp on the envelope or the registry receipt, shall be considered as the date of their filing. The envelope shall be attached to the record of the case. In the fourth case, the date of electronic transmission shall be considered as the date of filing.

All pleadings and other submissions other than the complaint must be accompanied by an affidavit of service to the other party/parties.

Illegible, erroneous, and otherwise malfunctioning submissions by electronic mail shall not be considered by the NPC.

SECTION 2. *Modes of service.* – Unless otherwise stated, pleadings, motions, and other submissions shall be served personally or by registered mail, courier, or electronic mail as may be authorized by the Commission.

Service by electronic mail made by one party to another may only be made if the party recipient consents to such mode of service or by order of the Commission. The party recipient, within five (5) calendar days from receipt of the electronic mail, may move *ex parte* that the party sender resubmit the electronic mail due to illegibility or error in the first submission.

SECTION 3. *Presumption of service.* - There shall be presumptive notice to a party of a hearing or conference if such notice appears on the records to have been mailed at least twenty (20) calendar days prior to the scheduled date of hearing.

SECTION 4. *Unknown respondent or unknown whereabouts.* –In cases where the respondent is unknown, or whenever his or her whereabouts are unknown and cannot

1 be ascertained by diligent inquiry, service may, by leave of the investigating officer or
2 Commission, be effected upon him or her by publication in a newspaper of general
3 circulation in such places and for such time as the investigating officer or Commission
4 may order. The complainant shall bear the cost of the publication.
5

6 **SECTION 5. *Extraterritorial service, when allowed.*** – When the respondent does not
7 reside and is not found in the Philippines, service may, by leave of the investigating
8 officer or Commission, be effected out of the Philippines by personal service or as
9 provided for in international conventions to which the Philippines is a party; or by
10 publication in a newspaper of general circulation in such places and for such time as the
11 investigating officer or Commission may order, in which case a copy of the order to
12 comment shall be sent by registered mail to the last known address of the respondent, or
13 in any other manner the investigating officer or Commission may deem sufficient. The
14 complainant shall bear the cost referred to in this Section.
15

16 **SECTION 6. *Security of filing and service by electronic mail.*** Any party who files and
17 serves by electronic mail shall, to the best of his or her ability, affix his or her digital
18 signature to the electronic mail. The Commission may, through a public advisory and
19 upon its discretion, require the mandatory application of this Section.
20

21 **SECTION 7. *Conventional service, when mandatory.*** – Documents not readily amenable
22 to electronic scanning must be filed and served conventionally. In no instance may filing
23 and service be done partly by electronic means and partly by conventional means.
24

25 The investigating officer or Commission, in their discretion and on a case to case basis,
26 may demand that the parties file and serve their submissions conventionally.
27

28 **SECTION 8. *Service of judgments, final orders, or resolutions of the NPC.*** – Judgments,
29 final orders, or resolutions shall be served either personally, by registered mail, by
30 courier, or by electronic mail: *Provided*, that service by electronic mail shall only be made
31 if the party recipient consents to such mode of service or by order of the Commission.
32

33 **RULE IV**
34 **PRE-INVESTIGATION PHASE**
35

36 **SECTION 1. *Outright dismissal, when allowed.***– Within thirty (30) calendar days from
37 receipt of the complaint, the investigating officer may give the complaint due course or
38 dismiss the complaint without prejudice on any the following grounds:
39

- 40 1. The complaint is insufficient in form or did not comply with Section 3, Rule II of
41 these Rules, unless failure to do so is justified or excused with good cause;
42

- 1 2. The complainant did not give the respondent an opportunity to address the
2 complaint, unless failure to do so is justified;
- 3
- 4 3. The complaint does not pertain to a violation of the Data Privacy Act of 2012 or
5 does not involve a privacy violation or personal data breach; or
- 6
- 7 4. There is insufficient information to substantiate the allegations in the complaint.
- 8

9 **SECTION 2. *Amendment of complaint, when allowed.*** – Complainant may substantially
10 amend the complaint as a matter of right at any time before respondent has filed a
11 comment, in which case the respondent shall be provided a copy and granted a fresh
12 period to submit his or her comment. Substantial amendments after the respondent has
13 filed a comment may only be done upon motion and with leave filed with the
14 investigating officer.

15

16 **SECTION 3. *Submission of comment.*** – Upon finding that the complaint may be given
17 due course, respondent shall be required to file a comment within fifteen (15) calendar
18 days from receipt of the order. A copy of the complaint, together with its supporting
19 evidence, shall be attached to the order to comment.

20

21 A complaint may be submitted for resolution if respondent does not file a comment
22 within the period provided. Nevertheless, respondent shall have access to the evidence
23 on record.

24

25 **SECTION 4. *Content of the comment.*** – The respondent shall raise all of his or her
26 defenses in his or her comment. No motions to dismiss shall be entertained: *Provided*, the
27 investigating officer, in its discretion, may treat the motion to dismiss as the respondent’s
28 comment.

29

30 **SECTION 5. *Special affirmative defenses.*** –In case the respondent, in its comment, raised
31 that:

- 32 (1) The NPC has no jurisdiction over the subject matter;
- 33
- 34 (2) The action is barred by a prior judgment;
- 35
- 36 (3) There is another action pending between the same parties for the same cause;
- 37 or
- 38 (4) The action has otherwise prescribed:
- 39
- 40
- 41

1 The investigating officer shall resolve the matter within the thirty (30)-day period before
2 the preliminary conference. No appeal or motion for reconsideration may be taken for an
3 order denying the affirmative defenses raised by the respondent.
4

5 If the investigating officer favors the dismissal of the complaint for any of the grounds
6 stated in the first paragraph, he or she shall recommend the same to the Commission
7 through a Fact-Finding Report under Section 3, Rule VII of these Rules.
8

9 **SECTION 6. *Prohibited pleadings and motions.*** – The following pleadings and motions
10 shall not be allowed in the complaint proceedings:
11

- 12 1. motions to dismiss the complaint;
- 13
- 14 2. motions for a bill of particulars;
- 15
- 16 3. motions to declare respondent in default;
- 17
- 18 4. dilatory motions for postponement;
- 19
- 20 5. replies or rejoinders, except if the preceding pleading incorporates an actionable
21 document;
- 22
- 23 6. third-party complaints;
- 24
- 25 7. interventions; and
- 26
- 27 8. appeal or motion of reconsideration from any interlocutory order of the
28 investigating officer.
29

30 **SECTION 7. *Authority of the investigating officer to rule on motions.*** – The investigating
31 officer may directly rule on motions that do not fully dispose the case on the merits. No
32 appeal or motion for reconsideration may be taken for any interlocutory order made by
33 the investigating officer but may be taken as an issue once the case has reached the
34 Commission for adjudication under Rule VIII of these Rules.
35

36 **RULE V**
37 **PRELIMINARY CONFERENCE**
38

39 **SECTION 1. *Order to confer for preliminary conference.*** – No later than thirty (30) days
40 from the lapse of the reglementary period to file comment, the investigating officer shall
41 hold a preliminary conference to determine:
42

- 43 (1) whether alternative dispute resolution may be availed by the parties;

1
2 (2) whether discovery of electronically-stored information is reasonably likely to
3 be sought in the proceeding;

4
5 (3) simplification of issues;

6
7 (4) possibility of obtaining stipulations or admissions of facts and of documents to
8 avoid unnecessary proof; or

9
10 (5) such other matters as may aid in the prompt disposition of the action.

11
12 **SECTION 2. *Referral to alternative dispute resolution or mediation.*** - If alternative
13 dispute resolution is availed by the parties, the investigating officer shall refer the case to
14 the mediation officer, in which case Rule VI of these Rules shall govern.

15
16 **SECTION 3. *Failure of the parties to appear, effect.***- The failure of either of the parties
17 to appear during the preliminary conference without justifiable reason shall cause the
18 conference to be reset once, and upon failure of the party concerned once again to appear,
19 said party shall be deemed to have waived his/her rights to the benefits hereto.

20
21 **SECTION 4. *Discovery of electronically-stored information, process.*** - If discovery of
22 electronically-stored information is reasonably likely to be sought in the proceeding, the
23 parties shall discuss:

- 24
25 1. issues relating to the preservation of the information;
- 26
27 2. the form in which each type of information will be produced;
- 28
29 3. the period within which the information will be produced;
- 30
31 4. the method for asserting or preserving claims of privilege or of protection of the
32 information;
- 33
34 5. the method for asserting or preserving confidentiality and proprietary status of
35 information relating to a party or person not a party to the proceeding;
- 36
37 6. whether allocation of the expense of production among the parties is appropriate;
38 and
- 39
40 7. any other issue relating to the discovery of electronically-stored information.

41
42 The investigating officer may issue an order governing the discovery of electronically-
43 stored information pursuant to:

- 1
- 2 a. a motion by a party seeking discovery of the information or from which discovery
- 3 of the information is sought; or
- 4
- 5 b. a stipulation of the parties and of any person not a party from which discovery of
- 6 the information is sought.
- 7

8 The investigating officer may impose sanctions on a party for failure to provide
9 electronically-stored information, except if the party proves that the information was lost
10 as a result of the routine, good-faith operation of an electronic information system in
11 accordance with existing policies.

12

13 Any party may move *ex parte* requesting for the production of electronically-stored
14 information and for permission to inspect, copy, test, or sample such information. The
15 party on which the said request is served must respond within ten (10) calendar days, or
16 in such timely manner as to preserve the integrity of the electronically-stored
17 information. With respect to every item or category in the request, the response must
18 state that inspection, copying, testing, or sampling of the information will be permitted;
19 otherwise, the objection to the request and the reasons therefor.

20

21 The party requesting the production may specify the form in which the electronically-
22 stored information is to be produced. Unless the parties otherwise agree or the
23 investigating officer otherwise orders: (1) if a request for production does not specify a
24 form for producing a type of electronically-stored information, the responding party shall
25 produce the information in a form in which it is ordinarily maintained or in a form that
26 is reasonably usable; and (2) a party need not produce the same electronically-stored
27 information in more than one form.

28

29 A party may object to the discovery of electronically-stored information from sources that
30 the party identifies as not reasonably accessible because of undue burden or expense. In
31 its objection, the party shall identify the reason for the undue burden or expense. In a
32 motion to compel discovery or for a protective order relating to the discovery of
33 electronically-stored information, a party objecting to discovery bears the burden of
34 proving that the information is from a source that is not reasonably accessible because of
35 undue burden or expense.

36

37 Despite a showing that electronically-stored information would come from a source that
38 is not reasonably accessible because of undue burden or expense, the investigating officer
39 may still order discovery of such information if the party requesting shows that the likely
40 benefit of the proposed discovery outweighs the likely burden or expense, taking into
41 account the amount in controversy, the resources of the parties, and the importance of
42 the requested discovery in resolving the issues. The investigating officer may set
43 conditions for discovery of the information, including allocation of the expense.

1
2 The investigating officer shall limit the frequency or extent of discovery of electronically-
3 stored information, even from a source that is reasonably accessible, if it is found that:

- 4
5 a. it is possible to obtain the information from some other source that is more
6 convenient, less burdensome, or less expensive;
7
8 b. the discovery sought is unreasonably cumulative or duplicative;
9
10 c. the party seeking discovery has had ample opportunity by discovery in the
11 proceeding to obtain the information sought; or
12
13 d. the likely burden or expense of the proposed discovery outweighs the likely
14 benefit, taking into account the amount in controversy, the resources of the parties,
15 the importance of the issues, and the importance of the requested discovery in
16 resolving the issues.
17

18 **SECTION 5. *Preliminary conference order.*** – Within fifteen (15) calendar days from the
19 termination of the preliminary conference, the investigating officer shall issue an order
20 which shall recite in detail the matters taken up.
21

22 **RULE VI**
23 **ALTERNATIVE DISPUTE RESOLUTION**
24

25 **SECTION 1. *Willingness to mediate.*** – During the preliminary conference or at any stage
26 of the proceedings but before rendition of decision by the Commission, the parties by
27 mutual agreement may signify their interest to explore the possibility of settling the
28 dispute by mediation.
29

30 **SECTION 2. *Application for mediation.*** – The parties shall jointly file with the
31 investigating officer or Commission, as the case may be, an Application for Mediation
32 manifesting their earnest commitment to engage in a meaningful settlement process and
33 their willingness to abide by these Rules and the orders issued by the assigned mediation
34 officer. No application for mediation shall be approved without payment of the
35 mediation fee.
36

37 **SECTION 3. *Mediation fees.*** – The mediation fee in an amount prescribed by the NPC in
38 a separate issuance shall be paid by the parties upon the filing of the Application for
39 Mediation.
40

41 Parties may be exempted from the payment of the mediation fee under the same grounds
42 as Section 4, Rule II of these Rules.
43

1 **SECTION 4. *Order to mediate, when issued.*** – The investigating officer or Commission,
2 as the case may be, shall issue an Order to Mediate, which shall state the following: (a)
3 the approval of the Application for Mediation; (b) the suspension of the complaint
4 proceedings for sixty (60) days pending the mediation proceedings; (c) the name of the
5 assigned or designated mediation officer who shall preside over the mediation
6 proceedings; and (d) the date, time, and place when the parties shall appear before the
7 mediation officer for the preliminary mediation conference. Copies of the Order to
8 Mediate shall be furnished to the mediation officer and the parties.

9
10 **SECTION 5. *Preliminary mediation conference.*** – The mediation officer shall receive the
11 appearances of the parties and inform them of the mediation process and the manner by
12 which the proceedings will be conducted. The mediation officer shall stress the benefits
13 of an early settlement of the dispute and endeavor to achieve the most fair and
14 expeditious settlement possible.

15
16 Each party shall be allowed to make a brief statement of their respective position and
17 preferred outcome. The mediation officer shall explore common ground for settlement
18 and suggest options for the parties to consider.

19
20 When necessary, the parties shall agree on the schedule of the next mediation conference
21 and the mediation officer shall issue an order therefor.

22
23 **SECTION 6. *Separate caucuses and subsequent conferences.*** – The mediation officer may,
24 with the consent of both parties, hold separate caucuses with each party to enable a
25 determination of their respective real interest in the dispute; provided, that each party
26 shall be afforded equal time and/or opportunity to ventilate such interest and
27 motivation. The mediation officer may call such conferences/caucuses as may be
28 necessary to facilitate settlement.

29
30 The mediation officer shall hold in confidence any matter disclosed during the separate
31 caucuses and shall exercise reasonable prudence and discretion in the safeguarding of
32 such information.

33
34 **SECTION 7. *Personal appearance by the parties.*** – Individual parties are required to
35 personally appear during mediation conferences. Representatives may appear on behalf
36 of individual parties: *Provided*, that they are authorized by special power of attorney to
37 appear, offer, negotiate, accept, decide, and enter into a mediated settlement agreement
38 without additional consent or authority from the principal. If the party is a partnership,
39 association, corporation, or a government agency, the representative must be authorized
40 by a notarized Secretary's Certificate, Board Resolution, or any equivalent written
41 authority to offer, negotiate, accept, decide, and enter into a mediated settlement
42 agreement.

1 If the representative is not equipped with a proper special power of attorney, Secretary's
2 Certificate, Board Resolution or equivalent, he or she may still appear on behalf of his or
3 her principal: *Provided*, that the other party consents to such appearance; *Provided further*,
4 the representative undertakes to bring his or her authority to appear during the next
5 mediation conference; *Provided finally*, no mediation settlement may be signed by any
6 representative without a proper special power of attorney, Secretary's Certificate, Board
7 Resolution or equivalent.
8

9 **SECTION 8. *Failure of parties to appear, effect.*** – If any of the parties fail to appear
10 without prior notice and justifiable reason for two (2) consecutive mediation conferences
11 at any stage of the mediation, the mediation officer may order the termination of the
12 mediation proceedings and refer the same for the resumption of the prior proceedings:
13 *Provided*, in case of doubt that the party's absence is justified, the mediation officer may
14 order for another caucus or conference. The mediation officer may require the non-
15 appearing party to explain why said party should not be required to pay treble costs
16 incurred by the appearing party, including attorney's fees, in attending the mediation
17 conferences/caucuses, and be henceforth permanently prohibited from requesting
18 mediation at any other stage of the complaint proceedings before the NPC.
19

20 **SECTION 9. *Presence of lawyers in mediation.*** – Lawyers, upon the discretion of the
21 mediation officer, may attend the mediation conferences in the role of an adviser and
22 consultant to their clients and shall cooperate with the mediation officer towards securing
23 a settlement of the dispute. They shall help their clients comprehend the mediation
24 process and its benefits and assist in the preparation of a mediated settlement agreement
25 and its eventual enforcement.
26

27 **SECTION 10. *Venue.*** – Mediation proceedings shall be conducted within the NPC
28 premises. Upon request of both parties, the mediation officer may authorize the conduct
29 of a mediation conference at any other venue, provided that all related expenses,
30 including transportation, food, and accommodation, shall be borne by both parties. If a
31 change of venue is requested by one party, it must be with the other's conformity and
32 they shall agree on the terms of handling the expenses.
33

34 **SECTION 11. *Mediation period and extension.*** – The mediation officer shall endeavor to
35 achieve a mediated settlement of the dispute within sixty (60) days from the preliminary
36 mediation conference.
37

38 Upon reasonable ground to believe that settlement may yet be achieved beyond the initial
39 mediation period of sixty (60) days, the period to mediate may be extended for another
40 thirty (30) days by the mediation officer for good cause shown. Copies of the notice
41 and/or order to extend the proceedings shall be furnished the investigation officer or the
42 Commission, as the case may be.
43

1 **SECTION 12. *Mediated Settlement Agreement.*** – A mediated settlement agreement
2 following successful mediation shall be jointly prepared and executed by the parties, with
3 the assistance of their respective counsel, if any. The execution of a mediated settlement
4 agreement shall terminate the mediation proceedings. The mediation officer shall certify
5 that the contents of the agreement have been explained, understood, and mutually agreed
6 upon by the parties, and that the provisions are not contrary to law, public policy, morals,
7 or good customs.
8

9 **SECTION 13. *Confirmation by the Commission.*** – The mediation officer shall issue a
10 resolution submitting the mediated settlement agreement to the Commission within ten
11 (10) calendar days from signing. The Commission shall issue a resolution confirming the
12 mediated settlement agreement within fifteen (15) days from submission of the resolution
13 and mediated settlement agreement. Copies of the resolution issued by the Commission
14 shall be furnished to the parties, the investigating officer, and the mediation officer.
15

16 **SECTION 14. *Effect of confirmed Mediated Settlement Agreement.*** – A confirmed
17 mediated settlement agreement shall have the effect of a decision or judgment on the
18 complaint, and shall be enforced in accordance with the NPC’s rules and issuances,
19 without prejudice to the power of the Commission to initiate *sua sponte* investigation.
20

21 **SECTION 15. *Failure to reach settlement.*** – If the parties are unable to arrive at a
22 settlement of their dispute, or it becomes apparent that a settlement, given the disparity
23 of the respective positions of the parties, is not likely or achievable within the sixty (60)
24 day mediation period or the reasonable extension of such period under Section 11 of this
25 Rule, the mediation officer may declare the mediation unsuccessful and terminate the
26 proceedings by issuing a Notice of Non-Settlement of Dispute and furnishing copies to
27 the investigating officer and the parties.
28

29 **SECTION 16. *Resumption of complaint proceedings.*** – Upon receipt of the Notice of
30 Non- Settlement of Dispute issued by the mediation officer, the investigating officer or
31 Commission, as the case may be, shall issue an order lifting the suspension of the
32 complaint proceedings, which shall resume as a matter of course. Copies of the order,
33 including the notice of the next hearing date of the complaint proceedings, shall be
34 furnished to all the parties.
35

36 **SECTION 17. *Confidentiality of proceedings.*** – The mediation conferences shall be held
37 in private. Persons other than the parties, their representatives, counsel, and the
38 mediation officer may attend only with the consent of the parties and upon approval by
39 the mediation officer. Anyone present during a mediation conference shall not disclose
40 any information obtained during the conference to any other person, nor utter the same
41 through other means.
42

43 The mediation proceedings and all related incidents shall be kept strictly confidential,

1 and all admissions or statements shall be inadmissible for any purpose in any proceeding,
2 unless otherwise specifically provided by law. However, evidence or information that is
3 otherwise admissible or subject to discovery does not become inadmissible or protected
4 from discovery solely by reason of its use in mediation.
5

6 No transcript or minutes of the mediation proceedings shall be taken, and the personal
7 notes of the mediation officer, if any, shall likewise be inadmissible nor cognizable in any
8 court, tribunal, or body for whatever purpose and shall be securely destroyed upon
9 termination of the mediation proceedings.
10

11 **RULE VII**
12 **INVESTIGATION PHASE**
13

14 **SECTION 1. *Examination of systems and procedures.***- Upon termination of the
15 preliminary conference, the investigating officer shall decide whether there is a necessity
16 to further investigate the circumstances surrounding the privacy violation or personal
17 data breach.
18

19 The investigating officer shall not be limited to the pleadings, allegations, issues and
20 evidence submitted before him or her. Investigations may include on-site examination of
21 systems and procedures, subject to the issuance of a proper authority from the NPC.
22 Upon request of the investigating officer, on-site examination of systems and procedures
23 may be undertaken by technical personnel who shall be authorized by the Commission
24 to conduct highly technical and highly sensitive forensic examinations.
25

26 In the course of the investigation, the complainant and/or respondent may be required
27 to furnish additional information, document or evidence, or to produce additional
28 witnesses. The parties shall have the right to examine the evidence submitted, which they
29 may not have been furnished, and to copy them at their expense.
30

31 **SECTION 2. *Submission of simultaneous memoranda.*** - The investigating officer shall
32 require the parties to submit simultaneous memoranda discussing and summarizing
33 their respective causes of action, claims, and defenses within fifteen (15) calendar days
34 from written notice. The memoranda must also include, in simple tabular form, a list of
35 all the evidence presented by the party and purpose to his/her claim or defense. Failure
36 to submit the memorandum within the period provided shall be considered a waiver of
37 such opportunity.
38

39 **SECTION 3. *Fact-Finding Report.*** - Within thirty (30) calendar days from the last day of
40 the reglementary period to file memoranda, the investigating officer shall submit to the
41 Commission a Fact-Finding Report, including the results of the investigation, the
42 evidence gathered, and recommendations. Within ten (10) days from submission of the

1 Fact-Finding Report to the Commission, both parties shall be furnished of the notice that
2 the case has been submitted for decision of the Commission.

3
4 **SECTION 4. *Withdrawal of the complaint.***– At any period before the submission of the
5 Fact-Finding Report, the complainant may withdraw the complaint upon approval of the
6 investigating officer and upon such terms and conditions as the latter may deem proper.
7 The investigating officer may recommend either the dismissal of the case, with or without
8 prejudice, or the application of the Commission’s power to initiate *sua sponte*
9 investigations.

10
11 **RULE VIII**
12 **DECISION**
13

14 **SECTION 1. *Action on the recommendations of the Investigating Officer.*** – The
15 Commission shall review the evidence presented, including the Fact-Finding Report and
16 supporting documents. On the basis of the said review, the Commission may: (1)
17 promulgate a Decision; (2) issue interlocutory orders on matters affecting personal data;
18 or (3) order the conduct of a clarificatory hearing or the submission of additional
19 documents, if in its discretion, additional information is needed to make a Decision. No
20 motion for clarificatory hearing shall be entertained. In case the Commission finds that a
21 clarificatory hearing is necessary, the following shall be observed:

- 22
23 a. The parties shall be notified of the schedule for clarificatory hearing at least five
24 (5) calendar days from schedule;
25
26 b. The Commission may require additional information and/or compel attendance
27 of any person involved in the complaint;
28
29 c. The parties shall not directly question the individuals called to testify but may
30 submit their questions to the Commission for their consideration;
31
32 d. The parties may be required to submit their respective memoranda containing
33 their arguments on the facts and issues for resolution.
34

35 **SECTION 2. *Additional issues to be raised before the Commission.*** – Upon motion, both
36 parties may raise as issue during adjudication interlocutory orders and decisions issued
37 by the investigating officer, evaluating officer, special committee or task force as the case
38 may be. The Commission, in its discretion, may resolve the issues separately or jointly
39 with the merits of the case.
40

41 Once a given case has reached the Commission for adjudication, the investigating officer,
42 evaluating officer, special committee or task force shall transmit to the Commission any
43 pleadings, motions, and other submissions erroneously filed subsequent to the transfer

1 of the main case to the Commission. Subject to the discretion of the Commission, these
2 pleadings, motions and other submissions may form part of the main case.

3
4 **SECTION 3. *Rendition of decision.*** – The Decision of the Commission shall resolve the
5 issues raised in the complaint on the basis of all the evidence presented and its own
6 consideration of the law. The decision may include enforcement orders, including:

- 7
8 a. an award of indemnity on matters affecting personal data protection, or rights of
9 the data subject, where the indemnity amount to be awarded shall be determined
10 based on the provisions of the Civil Code;
11
12 b. permanent ban on the processing of personal data;
13
14 c. a recommendation to the Department of Justice for the prosecution and imposition
15 of penalties specified in the Act;
16
17 d. compel or petition any entity, government agency or instrumentality to abide by
18 its orders or take action on a matter affecting data privacy;
19
20 e. impose fines for violations of the Act or issuances of the NPC; or
21
22 f. any other order to enforce compliance with the Data Privacy Act of 2012.
23

24 **SECTION 4. *Appeal.*** – The decision of the Commission shall become final and executory
25 fifteen (15) calendar days after receipt of a copy by both parties. One motion for
26 reconsideration may be filed, which shall suspend the running of the said period. Any
27 appeal from the Decision shall be to the proper courts, in accordance with law and rules.
28

29 **RULE IX**
30 **BAN ON PROCESSING OF PERSONAL DATA**
31

32 **SECTION 1. *Temporary ban on processing of personal data.*** – Upon filing of the
33 complaint or at any time before the decision of the Commission becomes final and
34 executory, a complainant may apply for the imposition of a temporary ban on
35 respondent’s processing of personal data through motion.
36

37 **SECTION 2. *Suspension of complaint proceedings.*** – An application for a temporary ban
38 on processing of personal data shall have the effect of suspending the complaint
39 proceedings until such application has been finally resolved.
40

41 **SECTION 3. *Requisites for temporary ban.*** – A temporary ban on processing of personal
42 data may be granted only when:
43

- 1 1. it is necessary in order to preserve the rights of the complainant or to protect
2 national security or public interest, or if it is necessary to preserve and protect the
3 rights of data subjects;
- 4
- 5 2. the motion shows facts entitling the complainant to the relief demanded;
- 6
- 7 3. unless exempted from the payment of filing fees as provided for in these Rules,
8 the complainant shall file with the NPC a bond in an amount to be fixed by the
9 investigating officer executed to the party or person so banned from processing
10 personal data; and
- 11
- 12 4. the parties are heard in a summary hearing.
- 13

14 **SECTION 4. *Notice of summary hearing.***– Upon receipt of the motion, the investigating
15 officer shall issue a notice of hearing to the parties. The notice to respondent shall include
16 a copy of the receipt of the bond, if applicable.

17
18 The notice of hearing shall indicate the scheduled date and venue for the hearing, and a
19 statement that respondent may appoint a duly authorized representative to appear at the
20 hearing in order to protect its interests. The complainant shall shoulder the cost of
21 personal service and ensure that the notice of hearing is received by respondent at least
22 a day before the scheduled date. If personal service is impracticable, the notice of hearing
23 shall be sent by complainant to respondent through private courier. Upon service, the
24 complainant shall file with the investigating officer an affidavit of service attesting that
25 service was properly made upon the respondent or respondents, as the case may be.

26
27 **SECTION 5. *Summary hearing.*** – The summary hearing shall consist of the personal
28 submission by the parties and their witnesses of their respective judicial affidavits in
29 accordance with Sections 3 and 4 of A.M. No. 12-8-8-SC dated 4 September 2012 (Judicial
30 Affidavit Rule).

31
32 The parties shall identify and mark as exhibit their documentary or object evidence.
33 Should the parties or their witnesses desire to keep the original document or object
34 evidence in their possession, after the same have been identified, compared with the
35 original, marked as exhibit, and authenticated, they may state for the record that the copy
36 or reproduction attached to the judicial affidavit is a faithful copy or reproduction of the
37 original.

38
39 **SECTION 6. *Submission of position papers or other pleadings as alternative to summary***
40 ***hearing.*** – The investigating officer may, upon motion or on its discretion, may compel
41 the parties to submit simultaneous position papers in lieu of a summary hearing.

1 **SECTION 7. *Decision on the temporary ban.*** – Within thirty (30) calendar days from the
2 conclusion of the summary hearing, the investigating officer shall decide on the
3 application for a temporary ban on processing of personal data.
4

5 **SECTION 8. *Duration of temporary ban.*** – When issued, the temporary ban on
6 processing of personal data shall remain in effect until the final resolution of the main
7 case, or upon further orders by the Commission or other lawful authority.
8

9 **SECTION 9. *Permanent ban on processing of personal data.***– If, after the termination of
10 the complaint proceedings, it appears that complainant is entitled to have a permanent
11 ban on respondent’s processing of personal data, the investigating officer shall include in
12 their Fact-Finding Report a recommendation to the Commission for the issuance of an
13 order for a permanent ban on processing of personal data.
14

15 **RULE X**
16 ***SUA SPONTE INVESTIGATION***
17

18 **SECTION 1. *Commencement.***– The Commission may order an investigation of the
19 circumstances surrounding a possible data privacy violation or personal data breach in
20 cases of, but not exclusive to, matters that arose from pending cases before the NPC,
21 reports from the daily news, trends or academic studies, information gathered from
22 corroborated and substantiated anonymous tips, or reports from other offices of the
23 Commission.
24

25 **SECTION 2. *Temporary and permanent ban on processing of personal data.*** – A
26 temporary or permanent ban on processing of personal data may be imposed on the
27 subject of a *sua sponte* investigation in order to protect national security or public interest,
28 or if it is necessary to preserve and protect the rights of data subjects, in accordance with
29 Rule IX of these Rules.
30

31 **SECTION 3. *Assignment of investigating officer or special committee or task force.*** –
32 The Commission may, when it deems proper, assign an investigating officer or create a
33 special committee or task force which shall be specifically assigned by the NPC to conduct
34 the proceedings.
35

36 **SECTION 4. *Conduct of sua sponte investigation.*** – The investigating officer or special
37 committee or task force shall investigate the circumstances surrounding the privacy
38 violation or personal data breach. Investigations may include on-site examination of
39 systems and procedures. In the course of the investigation, the parties subject of the
40 investigation may be required to furnish additional information, document or evidence,
41 or to produce additional witnesses.
42

1 **SECTION 5. *Sua sponte Fact-Finding Report.*** – Within thirty (30) calendar days from
2 the termination of the investigation, the investigating officer or special committee or task
3 force shall submit to the Commission a Fact-Finding Report, which shall include the
4 results of the investigation, the evidence gathered, and any recommendations.

5
6 **SECTION 6. *Order to comment.*** – Upon receipt by the Commission of the Fact-Finding
7 Report, the respondent identified after the conduct of the preceding investigation shall
8 be provided a copy of the Fact-Finding Report and given an opportunity to submit an
9 answer. In cases where the respondent or respondents fail without justification to submit
10 an answer or appear before the NPC when so ordered, the Commission shall render its
11 decision on the basis of available information under Rule VIII of these Rules.

12
13 **SECTION 7. *Existence of a complaint during sua sponte investigation and vice versa,***
14 ***effect.*** – If, during the proceedings of a *sua sponte* investigation, a formal complaint
15 relating to the same act or omission for violation of the Data Privacy Act of 2012 is filed
16 against the respondent, the complaint proceedings shall follow the normal procedure
17 under these Rules: *Provided*, that the complaint proceedings shall not suspend the *sua*
18 *sponte* proceedings, or vice versa: *Provided further*, that discovery and mediation
19 proceedings under Rule V shall be available to the parties of the complaint proceedings:
20 *Provided finally*, that a mediated settlement agreement shall only terminate the complaint
21 proceedings but not the *sua sponte* investigation.

22
23 The preceding paragraph shall likewise apply if the complaint proceedings occurred first
24 and the NPC wishes to initiate a *sua sponte* investigation thereafter.

25
26 **RULE XI**
27 **BREACH INVESTIGATION**

28
29 **SECTION 1. *Procedure for personal data breach notification.*** – The procedure for
30 personal data breach notification and other requirements shall be governed by the Data
31 Privacy Act of 2012, Implementing Rules and Regulations, and NPC Circular No. 16-03,
32 including any of its amendments. These Rules shall apply in a supplementary character.

33
34 **SECTION 2. *Receipt of data breach notifications.*** – The CMD shall be the initial recipient
35 of data breach notifications. The CMD shall assign an evaluating officer to evaluate the
36 data breach notification.

37
38 **SECTION 3. *Preliminary requests that shall be resolved by CMD.*** – Upon receipt of the
39 data breach notification, the evaluating officer shall resolve requests from the PIC or PIP
40 for (a) extensions to notify data subjects and/or (b) extensions to file full breach report:
41 *Provided*, extensions granted by the CMD shall not exceed a cumulative period of fifteen
42 (15) working days counted from the date of the initial request.

43

1 **SECTION 4. *Preliminary requests that must be endorsed to the Commission.*** - CMD
2 shall endorse to the Commission the following requests from the PIC or PIP:

- 3
4 a. exemption or postponement to notify data subjects;
5
6 b. extensions to file full breach report and notify data subjects beyond fifteen (15)
7 working days;
8
9 c. use of alternative means of notification; or
10
11 d. other requests such as but not limited to Motions for Reconsideration involving
12 preliminary requests.
13

14 **SECTION 5. *Initial breach notification evaluation and monitoring.*** - The evaluating
15 officer shall review the completeness of the data breach notification and determine the
16 other documents needed to assess the PIC or PIP's breach management.
17

18 Moreover, the evaluating officer shall monitor the compliance of the PIC or PIP with the
19 periods in NPC Circular No. 16-04 and the subsequent extensions allowed under the
20 preceding sections.
21

22 The CMD may order the submission of additional documents from the PIC or PIP; or in
23 its discretion, apply for a Cease and Desist Order in accordance with Section 2, Rule XII
24 of these Rules.
25

26 **SECTION 6. *Final breach notification evaluation.*** - Upon receipt of all the documents
27 required to assess the PIC or PIP's breach management, the evaluating officer shall
28 prepare a Breach Notification Evaluation Report.
29

30 Upon the finding of a possible data privacy violation that needs further investigation, the
31 CMD shall transmit the Breach Notification Evaluation Report to the CID. Otherwise, the
32 CMD shall submit the same to the Commission for adjudication directly.
33

34 **SECTION 7. *Conduct of breach investigation.*** - Upon receipt of the Breach Notification
35 Evaluation Report, an investigating officer shall be assigned by the CID to determine if
36 there is a necessity to conduct an on-site or technical investigation. The investigating
37 officer shall request a proper authority from the NPC before conducting any on-site or
38 technical investigation. The investigating officer may also request assistance from
39 technical personnel from the NPC. In the course of the investigation, the complainant
40 and/or respondent may be required to furnish additional information, document or
41 evidence, or to produce additional witnesses.
42

1 **SECTION 8. *Fact-Finding Report*** - The investigating officer shall submit to the
2 Commission a Fact-Finding Report within thirty (30) calendar days from the termination
3 of the on-site or technical investigation or receipt of the Breach Notification Evaluation
4 Report, whichever is applicable.

5
6 **SECTION 9. *Order to comment***. - Upon receipt by the Commission of the Fact-Finding
7 Report, the respondent shall be provided a copy of such report and given an opportunity
8 to submit an answer. In cases where the respondent or respondents fail without
9 justification to submit an answer or appear before the NPC when so ordered, the
10 Commission shall render its decision on the basis of available information under Rule
11 VIII of these Rules.

12
13 **SECTION 10. *Failure to submit breach notification***. - Should the NPC receive news, tip,
14 or anonymous complaint that a breach occurred but the PIC or PIP did not submit any
15 notification to the NPC, the latter may use this information to initiate its *sua sponte* power
16 under Rule X.

17
18 If during the *sua sponte* investigation a breach notification was submitted by the PIC or
19 PIP, the NPC shall have the discretion to (1) continue the *sua sponte* investigation; or (2)
20 suspend said investigation through notice to the investigating officer or special
21 committee or task force and refer the breach notification to the CMD for evaluation under
22 this Rule.

23
24 **SECTION 11. *Post-breach monitoring and enforcement***. - The CMD shall monitor, and
25 if necessary enforce, the compliance of PICs or PIPs to the judgments, resolutions or
26 orders issued by the Commission with respect to any data breach related cases.

27
28 **RULE XII**
29 **MISCELLANEOUS PROVISIONS**

30
31 **SECTION 1. *Transitory provision***. - These Rules shall apply to all complaints filed after
32 its effectivity. It shall also apply to pending proceedings, except to the extent that their
33 application would not be feasible or would work injustice.

34
35 **SECTION 2. *Procedure for cease and desist orders***. - Procedure for the issuance of cease
36 and desist orders shall be governed by the appropriate circular issued and published by
37 the NPC.

38
39 **SECTION 3. *Procedure for requests for advisory opinion***. - Procedure for requests for
40 advisory opinion shall be governed by NPC Circular No. 18-01 including its
41 amendments.

42

1 **SECTION 4. *Procedure for compliance checks.*** - Procedure for the conduct of compliance
2 checks shall be governed by NPC Circular No. 18-02 including its amendments.
3

4 **SECTION 5. *Procedure for videoconferencing technology.*** - Procedure for the use of
5 videoconferencing technology for the remote appearance and testimony of parties before
6 the NPC shall be governed by NPC Advisory No. 2020-02 including its amendments.
7 Notwithstanding any provision of these Rules, the conduct of preliminary conferences,
8 summary hearings, mediation conferences, investigations, clarificatory hearings, and all
9 other hearings conducted by the concerned division and/or Commission may be
10 conducted through videoconferencing technology or through any electronic means as
11 authorized by the Commission.
12

13 **SECTION 6. *Repealing clause.*** - Except as is provided in the preceding paragraph, NPC
14 Circulars No. 16-04 and 18-03 are hereby repealed. All other issuances by the NPC which
15 are contrary to the provisions of these Rules are also hereby repealed or amended
16 accordingly.
17

18 **SECTION 7. *Amendments.*** - These Rules or any of its portion may be amended or
19 supplemented by the Commission.
20

21 **SECTION 8. *Application of Rules of Court.*** - The Rules of Court shall apply in a
22 suppletory character and whenever practicable and convenient.
23

24 **SECTION 9. *Effectivity.***- These Rules shall take effect fifteen (15) days after publication
25 in a newspaper of general circulation.

Signed _____.

RAYMUND ENRIQUEZ LIBORO
Privacy Commissioner and Chairman

JOHN HENRY DU NAGA
Deputy Privacy Commissioner

LEANDRO ANGELO Y. AGUIRRE
Deputy Privacy Commissioner

Published in _____ on _____.

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