



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

***PROGRAMS/PROJECTS/ BENEFICIARIES AND STATUS OF IMPLEMENTATION
as of 30 September 2022**

MAJOR PROGRAM	BENEFICIARIES	RATIONALE OF THE PROGRAM	STATUS OF IMPLEMENTATION (On-going)
<p>1. COMPLIANCE AND MONITORING PROGRAM</p> <p>(ENHANCED DATA PRIVACY COMPLIANCE AND MONITORING PROGRAM</p> <p>– Government and Private Sector Data Privacy Resilience Program)</p>	<ul style="list-style-type: none"> • Government – NGAs, SUCs, LGUs and GOCCs; • Private sector including MSMEs and high-risk private institutions; • Personal Information Controllers & Processors (PICs & PIPs) - (organizations & individual professionals who collect & process personal data); • Data Protection Officers or DPOs 	<p>Through this program, the NPC stays fully committed its monitoring efforts to ensure strict compliance with Republic Act No. 10173 or the Data Privacy Act of 2012 under the NPC Circular No. 18-02 dated 20 September 2018 on guidelines on checking for compliance to heighten awareness and facilitate compliance among data subjects, including Personal Information Controllers (PICs) and Personal Information Processors (PIPs) through their Data Protection Officers. Aside from monitoring the compliance of government agencies or instrumentalities on their security and technical measures and managing the registration of data processing systems, the NPC thru its Compliance and Monitoring Division conducts privacy compliance sweeps/checks and aids on matters relating to data protection at the request of a national or local agency, a private entity or any individual.</p> <p>This program aims to:</p> <ul style="list-style-type: none"> • Effectively and efficiently perform one of the mandates of the Commission in monitoring the registration of all PERSONAL data processing systems; • Monitor compliance thru various forms of audit, such as, but not limited to on-site visits; • Effectively deploy awareness specifically on How to Comply with the Five (5) Pillars of Compliance including the 32-Point Compliance Checklist. 	<p>Significant accomplishments as of September 30, 2022 under this program are as follows:</p> <ul style="list-style-type: none"> • A total of 417 organizations (380 private and 37 government), were checked for DPA compliance thru privacy sweeps; 57 notices of Documents Submission and 30 Warning Letters were issued as of 3rd quarter 2022; • Thirty (30) Onsite Compliance Check Visits conducted. • 3,239 Data Protection Officers (DPOs) registered composed of 3,063 organizations and 176 individual professionals. • 5,798 certificates of registration with complete requirements issued by the end of September 2022; • Development of NPC Registration System • Thru the Compliance and Monitoring Division, the NPC received a total of 112 Data Breach Notifications – 54 in quarter III. Of these notifications, the top specific causes are Hacking (22%), Unauthorized disclosure, (9%), Unintended recipient (8%), Ransomware/Malware (8%) and email blast (8%).

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<p>2. DPO and Industry Development Program</p> <p>(Enhanced Data Protection Officers Accountability, Compliance and Ethics or DPO ACE Training and Certification Program)</p>	<ul style="list-style-type: none"> • Data Protection Officers (DPOs); • Personal Information Controllers and Processors (PICs and PIPs); • Data Subjects: 	<p>This enhancement to the DPO-ACE training and certification program aims to further develop the capabilities of Data Protection Officers (DPO) by arming them with the essential privacy and data protection knowledge and skills necessary to manage effectively the compliance of their organization to the Data Privacy Act of 2012. This is also to respond to the need of DPOs nationwide to raise their level of competency and understanding as well as build a pool of competent personnel equipped with skills at par with global standards in data privacy and protection.</p> <p>The training program is based on NPC’s 5 Pillars of Data Privacy Accountability and Compliance Framework as well as international laws and standards that find application within the Philippine setting. It is important to note also that in 2017 and 2018, at least 4 queries related to collection and processing of gender-related information were received by the Privacy Policy Office which led to the issuance of Advisory Opinions 2017-017, 2017-056, 2018-030 and 2018-78. This now underscores the important roles of DPOs to support the prevention of gender-related potential risks such as discrimination and other economic and social disadvantage.</p> <p>The enhancement shall be an additional level to the program involving the introduction and harmonization of international laws, rules and standards that find application to Philippine companies and data subjects. Participants of the DPO ACE Program who are interested in advancing their data privacy knowledge further will be treated to how the Data Privacy Act of 2012 relates to other privacy laws within the region, such as the APEC Cross Border Protection Rules (CBPR). A separate module will also be dedicated to the General Data Protection Regulation (GDPR) and the relevant directives that DPO’s and their organizations should take note of.</p>	<p>Significant accomplishments as of September 30, 2022 are as follows:</p> <ul style="list-style-type: none"> • 89.6 % rating DPO ACE Level 1 Training Program in collaboration with MWSS; 20-21 July 2022; 47 participants; • 91.6 % rating DPO ACE Level 1 Training Program in collaboration with BSP; 28 September 2022; 114 participants; • 43% or 65 out of 152 examinees passed the DPO ACE Examination; • Continuous testing and monitoring of DPO ACE Automated Examination System (AES) system features in preparation for the launch; • Development of the T3 Primer: Guidelines for T3 Accredited Training Partners. This primer aims to inform the T3P partners of their respective undertakings under the T3P program, their reportorial duties and the submission of their respective progress reports.

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<p>3. COMPLAINTS HANDLING AND ENFORCEMENT PROGRAM</p>	<ul style="list-style-type: none"> The beneficiaries of this program are the data subjects and/or complainants 	<p>The NPC thru its Complaints and Investigation Division, handles complaints and institute investigations regarding violation of RA 10173 and other issuances of the Commission, including violations of the rights of data subjects and other matters affecting personal data and security breach; summon witnesses and require the production of evidence by a subpoena duces tecum for the purpose of collecting the information necessary to perform its function under the law; facilitate settlement of complaints through the use of alternative dispute resolution processes and adjudicate on other matters affecting personal data and security breach. With the high-profile data breaches and complaints on the privacy risks associated with digital technology, the NPC endeavors to accelerate its complaints handling, case investigation and enforcement program where majority of concerns focusing on the personal information and security breaches and the surge in individual complaints of privacy harassments from online lender and breaches on personal information. Moreover, there were the so-called “privacy concerns” that were received mostly through the email address complaints@privacy.gov.ph.</p> <p>The National Privacy Commission (NPC), with its quasi-judicial power, is authorized to address complaints and institute investigations in relation to violations on the DPA and other issuances of the Commission, including violations of the rights of data subjects and other matters affecting personal data and security breach. This activity is also anchored to the Philippine Development Plan 2017-2020 where NPC pursues a fair, consistent and efficient approach in the handling complaints of violations of personal data privacy and security, among others. The program seeks to ensure the continued protection of every male and female data subject’s personal information by making their right to file a complaint easier to exercise and less costly.</p>	<p>Significant accomplishments as of September 30, 2022 under this program are as follows:</p> <ul style="list-style-type: none"> A total of 217 complaints received and docketed for the evaluation of investigating officers, 96 of these are Online Lending Application-related complaints. Of these, 290 decisions were sent to concerned parties. Likewise, a total of 6,335 privacy concerns received thru landline, mobile phones and electronic emails were received and were all acted upon as of September 2022. 557 preliminary conferences were conducted from January to September 2022 in which 322 are OLA cases and 235 are Non-OLA cases. After the conduct of the hearings, Orders were issued. 67 Compliance Letters, Enforcement letters and Enforcement Action Reports were prepared and issued. Enforcement of Temporary Bans on twenty-nine (29) Online Lending Apps (OLA) Enforcement and monitoring of Cease-and-Desist Orders on four (4) organizations From January to September, the NPC has sent 2,697 orders such as: Decisions for Outright Dismissal sent thru Mail (290), Orders Sent thru Mail (1,004), and Orders Sent thru electronic mail (1,403)

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4. PRIVACY POLICY AND STANDARDS DEVELOPMENT PROGRAM	<ul style="list-style-type: none"> • Data subjects; • Personal Information Controllers & Processors (PICs & PIPs) - (organizations & individual professionals who collect & process personal data); • Data Protection Officers or DPOs; • Privacy advocates 	<p>The NPC issues advisory opinions on privacy concerns to provide the stakeholders and the citizens guidance on significant public interest issues with data privacy and protection and to uphold the data privacy of individuals in Information and Communications Technology (ICT) systems in both public and private sectors. These advisories elaborate further on the key concepts to assist organizations and individuals' general understanding of the Republic Act No. 10173 or known as the Data Privacy Act of 2012. Likewise, the NPC addressed inquiries of various stakeholders, and reviewed privacy notice policies, data sharing agreements, and legislative bills having data privacy and protection implications.</p>	<p>FY 2022 has been a prolific year for the NPC thru its Privacy Policy Office in terms of issuances that elaborate key concepts and obligations under the Data Privacy Act of 2012 (DPA), especially with the issues that have emerged with the pandemic. These issuances also provide guidance on significant public interest issues with data privacy implications:</p> <p><u>Circular</u></p> <ul style="list-style-type: none"> • <i>Joint Administrative Order 22-01 Series of 2022 – Guidelines for online businesses reiterating the laws and regulations applicable to online businesses and consumers</i> <p><u>Advisories</u></p> <ul style="list-style-type: none"> • <i>NPC Advisory No. 2022-01 - Guidelines on Requests for Personal Data of Public Officers</i> <p><u>Advisory Opinions</u></p> <ul style="list-style-type: none"> • <i>NPC Advisory Opinion No. 2022-001: Re: PhilHealth's Publication of The List of Health Care Providers with Denied or Return-to-hospital Claims</i> • <i>NPC Advisory Opinion No. 2022-002: Re: Disclosure by Car Dealers/automotive Repair Shops of Personal Data of the Abandoned Vehicle Owners</i> • <i>NPC Advisory Opinion No. 2022-003: Re: Request for a Copy of Complaints Filed and Records in Relation Thereto</i> • <i>NPC Advisory Opinion No. 2022-004: Re: Disclosure of Incapacitated Patients and Deceased Patients' Medical Information</i> • <i>NPC Advisory Opinion No. 2022-005: Re: Request for Names and Addresses of Vehicle Owners from The Land Transportation Office</i> • <i>NPC Advisory Opinion No. 2022-006: Re: Request for Customer's Personal Data and Transaction History with a Private Courier</i> • <i>NPC Advisory Opinion No. 2022-007: Re: Transport of Physical Media Containing Personal Data</i> • <i>NPC Advisory Opinion No. 2022-008: Re: Obtaining Employment Record or Certification from the Social Security System</i> • <i>NPC Advisory Opinion No. 2022-009: Re: Publication of Former Employees' Names and Severance from Employment</i> • <i>NPC Advisory Opinion No. 2022-014: Re: Recording and Uploading of Online Classes</i> • <i>NPC Advisory Opinion No. 2022-015: Re: Use of Camera During Surveillance visits.</i> • <i>NPC Advisory Opinion No. 2022-016: Re: Request for Personal Information of OFWs Deployed in the Middle East and Other Muslim Countries</i> • <i>NPC Advisory Opinion No. 2022-017: Re: Disclosure of Personal Information for Cybersecurity Investigation</i> • <i>NPC Advisory Opinion No. 2022-018: Re: Data Subject Rights in the Philippine Identification System \</i> • <i>NPC Advisory Opinion No. 2022-019: Re: Use of Body-Worn Camera by Security Personnel</i> • <i>NPC Advisory Opinion No. 2022-020: Re: Civil Registry Document Request by a Person Other than the Owner</i>

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5. PRIVACY PROMOTION PROGRAM	<ul style="list-style-type: none"> • Data subjects; • Personal Information Controllers & Processors (PICs & PIPs) - (organizations & individual professionals who collect & process personal data); • Data Protection Officers or DPOs; • Privacy advocates 	<p>Cognizant of the need to directly engage covered organizations, both in private and government sector, individual professionals and the citizens, the NPC strengthens its advocacy program thru embarking nationwide awareness campaign through the conduct of briefings and trainings on Data Privacy Act and other related issuances to promote data privacy of the stakeholders and the citizens for them to know and understand their rights which are protected under the Data Privacy Act of 2012.</p> <p>The Privacy Promotion Program aims to educate data subjects on their rights as a data subject and their responsibilities as digital citizens, likewise personal information controllers and personal information processors regarding the contribute to fully engage and empower women and men of all ages as data subjects (PDP Chap. 5); increase the competitiveness, innovativeness & resiliency of PICs and PIPs from various industries/sectors (PDP Chap. 9); and reduce citizen's vulnerability to data privacy risks including identity theft/fraud, financial loss, loss of employment or business opportunity, discrimination, embarrassment and physical risks to safety (PDP Chap. 11)</p> <p>The program's goal is also to integrate gender-related concerns into activities so that both men and women can participate in and benefit from development in a way that is equitable, sustainable, free of violence, respectful of human rights, supportive of self-determination, and actualization of human potentials. The number of men and women data subjects who benefitted from the programs and initiatives are collected and maintained</p>	<p>Twenty-one (21) activities and projects (APs) were implemented by the third quarter of 2022 as part of the Data Privacy Act (DPA) nationwide awareness campaign being continuously implemented, as follows:</p> <ol style="list-style-type: none"> 1. Conduct of Privacy Awareness Week (PAW) 2022 with the theme "Ang PAWer ng Data Privacy Mo: Praktikal, Angkop at Wastong Pagproseso ng Datos ni Juan at Juana" last 25-26 May 2022 gathering a total of 16,106 online participants and viewers across MS Live, Facebook and YouTube with an overall satisfactory rating of 94.75% 2. State visit of H.E. Ferdinand Romualdez Marcos Jr., President of the Republic of Philippines to the Republic of Singapore held in Singapore and Signing of Memorandum of Understanding (MOU) with Singapore PDPC on September 05-08, 2022; 3. Six (6) Kabataang Digital sessions were conducted with 2214 participants from Grades 4-6. 4. Five (5) Privacy, Safety, Security and Trust Online (PSST) sessions were conducted in February and April 2022 gathering a total 63,420 participants and viewers via Facebook and Youtube. 5. Ikaw at OLA: Talakayan ukol sa Online Lending para sa mga data subjects; 23 February 2022; 50 pax; 6. Privacy at Facebook: Paano Poprotektahan ang Personal na Impormasyon 7. Teacher, Teacher! Paano ba Mapoprotektahan ang Personal Data ko Online at Offline; 4 July 2022; 4,126 pax; 97% 8. Data Not For Sale! Safety ng Personal Data sa Online Shopping; 26 August 2022; 2,134 pax; 94% 9. Text Scam o Smishing? Paano Mapoprotektahan ang sarili sa SMS Modus; 07 September 2022; 32,900 pax; 95% 10. 662 NPC Stakeholders Consultative Meetings; 11. 109 NPC Speaking Engagements by invitation;

12. NPC Social Media Campaign consist of 168 Facebook posts with 134,833 likes, 54 tweets with 5,264 Twitter followers and 44 Instagram posts;
13. 20 Advisory Opinions issued, five (5) of these were released in 3rd quarter of 2022;
14. 44,800 public assistance thru emails, walk-ins, calls, social media messages acted upon;
15. Website visits with an average of 148,010 monthly visits;
16. One (1) Public Health Emergency (PHE) bulletins - NPC Response to COVID-19;
17. Train the Trainers (T3) Program development;
18. Joint Administrative Order 22 s. of 2022 - Guidelines for online businesses reiterating the laws and regulations applicable to online businesses and consumers
19. NPC Advisory No. 2022-03 - Guidelines on Requests for Personal Data of Public Officers
20. 5 PHILDPO Training and Certification Program - events conducted;
21. 24 Press release and statements.

For technical assistance and related interventions, the following accomplishments are:

- 100% or 44,800 out of 44,800 queries, thru emails, walk-ins, calls, AskPriva App, and Social Media messages with an average satisfactory rating of 87%;
- 326 FOI Requests were processed for 2022 majority under invalid requests and eight (8) ongoing request;
- Ten (10) legislative comments/position papers entered and commented on the implication of data privacy of proposed national or local statutes, regulations or procedures; and
- Twenty (20) advisory opinions issued this year on the implications and interpretation of the provisions of the RA10173, its IRR, NPC issuances and other data privacy laws

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6. INTERNATIONAL COOPERATION PROGRAM	<ul style="list-style-type: none"> • Data subjects; • Personal Information Controllers & Processors (PICs & PIPs) - (organizations & individual professionals who collect & process personal data); • Data Protection Officers or DPOs; • Privacy advocates 	<p>The Commission is fully committed to strengthening its international coordination and collaboration activities with international entities to adopt/observe standard practices and issuances related to data protection and privacy. The Commission has been heavily involved in its international commitments with the Association of South-East Asian Nations (ASEAN), the Asia Pacific Economic Cooperation (APEC), the Global Privacy Assembly (GPA) (formerly the International Conference of Data Protection and Privacy Commissioners (ICDPPC), and various international working groups.</p> <p>In recognition of the Commission's expertise in data privacy in the Asia Pacific region, the Commission has also served as the Philippines' representative at a number of international conferences, not only as attendees but also as esteemed panelists.</p>	<p>International coordination and collaboration activities with international entities are continuously strengthened to adopt/observe standard practices and issuances related to data protection and privacy:</p> <ul style="list-style-type: none"> • State visit of H.E. Ferdinand Romualdez Marcos Jr., President of the Republic of Philippines to the Republic of Singapore held in Singapore and Signing of Memorandum of Understanding (MOU) with Singapore PDPC on September 05-08, 2022 • International Association of Privacy Professionals (IAPP) Asia Forum 2022, Centre for Information Leadership (CIPL) and Singapore PDPC Joint Roundtable Discussion, and Regulators Xchange on 17-22 July 2022 • Candidature of the Republic of the Philippines for the International Telecommunications Union-Plenipotentiary Conference (ITU-PP-22) on September 24 to October 06, 2022. As per PCTO No. 033 s., 2022 dated September 12, 2022 • 38th Meetings of ISO/IEC JTC 1/SC 27/WG 5 (Identity Management and Privacy Technologies) to be held in Luxembourg, Western Europe on September 24 to October 02, 2022 • Two (2) Asia Pacific Privacy Authorities (APPA) Forum • Six (6) ASEAN, Australia, New Zealand Free Trade Agreement (AANZFTA) • Three (3) ASEAN meetings • Three (3) Global Privacy Assembly Meetings • United Nations (UN) Ad Hoc Committee Meetings

**for Transparency Seal under item IV. Projects, Programs and Activities, Beneficiaries and Status of Implementation*

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