



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

PRIVACY COMMISSION
ORDER NO. 012

SUBJECT: Supplemental Guidelines on the Sworn Statement of Assets, Liabilities, and Net Worth (SALN) and Disclosure of Business Interests and Financial Connections during Public Health Emergency

Pursuant to CSC Resolution No. 2000603 and CSC Memorandum Circular No. 13, Series of 2020, the National Privacy Commission formally adopts the guidelines stated therein and as such, approves the following supplemental guidelines to the Privacy Commission Order No. 001, Series of 2019, until such time that appropriate authorities adopt further issuances pertaining to the national state of public health emergency brought by COVID-19.

This Order shall take effect immediately.


RAYMUND ENRIQUEZ LIBORO
Privacy Commissioner and Chairperson

Supplemental Guidelines on the Sworn Statement of Assets, Liabilities, and Net Worth (SALN) and Disclosure of Business Interests and Financial Connections during Public Health Emergency

WHEREAS, the National Privacy Commission (NPC) has adopted guidelines on the review and submission of SALN Form through Privacy Commission Order No. 001, Series of 2019, dated 21 March 2019;

WHEREAS, a state of public health emergency brought upon by the outbreak of COVID-19 was declared by the President of the Philippines through Proclamation No. 922, Series of 2020, dated 08 March 2020;

WHEREAS, the Civil Service Commission (CSC) promulgated Memorandum Circular No. 13, Series of 2020, dated 22 June 2020, adopting guidelines in the filing and submission of the SALN Form for the year 2020 during the state of public health emergency;

NOW THEREFORE, the NPC adopts the following supplemental guidelines to Privacy Commission Order No. 001, Series of 2019, to harmonize with Memorandum Circular No. 13, Series of 2020:

**I
GENERAL PROVISIONS**

These guidelines shall apply *sui generis* for the year 2020 or until such time that the appropriate authorities, department and/or task force adopt further issuances pertaining to the national state of public health emergency brought by COVID-19.

These guidelines shall apply during every declared state of public health emergency in the country, and where physical filing and oath taking of SALN is not possible.

Privacy Commission Order No. 001, Series of 2019, shall remain in effect unless inconsistent herewith

**II
PRIVACY AND SECURITY**

Whenever the phrases 'e-mail' and 'electronic mail' are used in these guidelines, the concerned NPC officer or employee is enjoined to use the official e-mail address provided by the agency and not any other third-party mail server unless with prior request to and approval by the NPC SALN Review and Compliance Committee (henceforth 'RCC').

Whenever the phrase 'teleconference', 'teleconferencing', 'video conference', 'online communication', 'electronic meeting', or 'communication technology' is used, it shall refer to a video conferencing platform vetted by the appropriate unit of the NPC and approved by the Privacy Commissioner.

Whenever an officer, employee, unit, division, or office shall receive a copy of a SALN Form of another, such officer, employee, unit, division or office shall exercise the highest degree of confidentiality in their actions and observe organizational, physical and technical security measures in the handling of the SALN, such as, but not limited to,

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access control policy, retention policy and security policy. Such measures shall be observed in order to preserve the integrity and confidentiality of the SALN from its submission, review, notarization, documentation and transmittal to the repository agencies.

III ENDORSEMENT FOR ONLINE OATH TAKING

1. All NPC officers and employees who have not yet submitted their SALN Forms for the year 2020 shall completely fill out said form, sans their signature, prior the online oath taking with the Administering Officer, and submit the same to the Secretariat of the RCC. The submission may be made electronically through e-mail or through a physical copy. If made through e-mail, the declarant shall convert the same to Portable Document Format before sending it to the Secretariat.
2. All NPC officers and employees who have submitted their SALN Forms prior to the issuance of this order shall no longer be required to submit anew, except if after review by the RCC, their SALN Form are found incomplete or in improper form. In such case they shall be required to submit a properly filled out SALN Form following the preceding paragraph.
3. The date of the SALN Form shall be the date of submission to the RCC by the declarant. This is different from the date of notarization which shall be date of oath taking before the Administering Officer for endorsed declarants and date of actual notarization for cleared declarants.
4. Upon submission of all NPC officers and employees, the Secretariat shall compile and seal the SALN Forms in a long brown envelope and deliver the same to the Chairperson of the RCC. If the SALN was made electronically through e-mail, the Secretariat shall print a copy thereof for the compilation.
5. The RCC shall evaluate if each SALN Form has been submitted on time, complete and in proper form.
6. The RCC shall prepare a list of the following employees, in alphabetical order, for the Privacy Commissioner on or before 31 August 2020: (a) those who filed their SALN with complete data; (b) those who filed their SALN but with incomplete data; and (c) those who did not file their SALN.
7. The RCC shall issue a clearance/endorsement for administration of oath to the declarant and administering officer. The declarant shall have the option to have the oath administered by the NPC's Administering Officer or by a notary public.
8. Cleared declarants who opted to have their oaths administered by a notary public shall submit a scanned copy of their notarized SALN to the Human Resources and Development Division (HRDD). Each declarant is enjoined to retain an electronic copy of the signed SALN Form and the sent mail receipt to the HRDD.



IV
PROCEDURE FOR ONLINE OATH TAKING

1. The Administering Officer shall first conduct a one-on-one teleconference with endorsed declarants the identity of which is not personally known to him or her.
 - a. The declarant shall prepare a valid government ID showing his photograph and signature.
 - b. Once satisfied of the declarant's evidence of identity, the Administering Officer shall include the name of the endorsed declarant to the mass online oath taking.
2. Endorsed declarants shall prepare a copy of the SALN Form vetted by the RCC before the online oath taking.
3. The Administering Officer shall initiate an electronic meeting with all endorsed declarants by the RCC and receive their oaths. The declarants shall affirm the SALN Form as his/her free act and deed, and that the contents thereof are true and correct.
4. After the oath, declarants who have yet to sign their SALN Forms shall sign the same either electronically or through wet ink. The subscription should be made during the electronic meeting with the Administering Officer.
5. The electronic meeting shall end once all the endorsed declarants have signed their copies of the SALN.
6. The declarants shall scan their copies of the SALN Form and deliver the same through e-mail to the Administering Officer. Each declarant is enjoined to retain an electronic copy of the signed SALN Form and the sent mail receipt to the Administering Officer.
7. Once all the declarants have submitted their SALN Forms, the Administering Officer shall sign the same either by electronic signature or wet ink. The date of the signature shall reflect the date of the oath taking.
8. The Administering Officer shall scan all copies of the SALN Forms and submit the same to the HRDD. The Administering Officer is enjoined to retain an electronic copy of all SALN Forms and the sent mail receipt to the HRDD.
9. The Administering Officer shall be assisted by the HRDD in conducting a secure and convenient online oath taking for all NPC officers and employees.

V
PROCEDURE FOR ELECTRONIC TRANSMISSION TO THE CSC

Upon collation of SALN Forms of both cleared and endorsed declarants, the HRDD shall submit the collated SALN Forms with the proper repository agency physically or electronically by use of a USB flash drive or disc storage on or before 31 October 2020. In



both instances, the HRDD is required to submit a list of SALN Forms filed to the CSC, copy furnished the Privacy Commissioner.

In no instance shall submission by both electronic and physical means allowed.

VI POST-COMPLIANCE ACTION

Once the public health emergency has lifted or until such time that the appropriate authorities have promulgated appropriate issuances on the easing of community quarantine, the RCC, Administering Officer and HRDD shall compile their electronic records for possible verification measures by CSC or other appropriate agency.

Signed: 13 July 2020

RECOMMENDING APPROVAL:


ATTY. MARIA THERESITA E. PATULA
Chairperson, RCC


ATTY. IVY GRACE T. VILLASOTO
Member, RCC


ATTY. CAMHELLA F. SANDOVAL
Member, RCC