

Annual Report



National Privacy Commission



SCALE UP:
5 Years of
Data Privacy
and Protection



PRODUCED BY

The National Privacy Commission

CONTRIBUTORS

Office of the Privacy Commissioner
Office of the Executive Director
Public Information and Assistance Division
Finance and Administrative Office
Data Security and Compliance Office
Legal and Enforcement Office
Privacy Policy Office

DESIGN AND LAYOUT

Vincent Carl B. Mendoza
Danica Mae T. Lukban

PHOTO

Lauro M. Montellano, Jr.
Vincent Carl B. Mendoza

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MESSAGE FROM DICT

To the National Privacy Commission, my colleagues, friends, ladies and gentlemen, a pleasant day to all of you.

Today we are celebrating the 5th anniversary of the National Privacy Commission. As the Philippines' data privacy authority, the NPC has been protecting our citizens' privacy and enhancing cybersecurity in the country for five years and counting.

Your Department of Information and Communications Technology (DICT)

proudly expresses its full support to the NPC. We commend the officials and employees of the National Privacy Commission for upholding the right to privacy and data protection while ensuring that the country follows the international standards for data privacy.

In the last five years, we have witnessed how the NPC has shaped itself to be an outstanding agency that embodies ethical and future-oriented work. Indeed, you have greatly contributed towards a competitive, knowledge-

based, and innovative Philippines. Since your inception, you have served as a key player in the country's march towards digital transformation.

Your DICT salutes the NPC workforce for your passion in serving our people. Your dedication to excellence has risen above the great challenges that we have faced in the last few years of the pandemic. Now, as we look back on your outstanding accomplishments with this milestone, we are also optimistic about the heights we hope to achieve in the near future.

To our data protection officers from the NPC, may you continue to lead as the trailblazers that will lead the country towards a safer digital future. Know that the DICT is behind you every step of the way during our digital transformation

journey. Together, we can create a truly ICT-enabled government and herald the age of digital transformation.

Moving forward, let us forge a stronger collaboration between all our partner advocates here today as we continue to create initiatives, programs, and measures to tackle data privacy risks for the benefit of the Filipino people.

We, at DICT, look forward to working with the NPC for years to come. Again, happy 5th Anniversary to the NPC! Thank you and *mabuhay!*

EMMANUEL REY R. CAINTIC

Acting Secretary

Department of Information and Communications



PRIVACY COMMISSIONER'S NOTES

For the year 2021, NPC has undeniably continued to blaze the trail both as an enabler and regulator. Data privacy and protection is truly challenging for the country, especially with the threat of the COVID-19 still looming in the background. Nonetheless, the Commission also remained firm with its principles from the very start of the pandemic – upholding the human rights of the data subjects. The unfamiliar situation we are in is a testament of the importance of data protection even in the middle of a national public health emergency. And the NPC certainly accomplished its primary role of being the data privacy champion.

The declaration of our President Rodrigo Roa Duterte placing the country under

the national public health emergency is in consonance with his marching order to enforce data protection and privacy laws in order to protect Filipinos in the new normal. In response, the NPC has released twenty-four (24) Public Health Emergency (PHE) bulletins from 2020-2021. These bulletins serves as the guide to our public health authorities, local governments and other stakeholders, in upholding the right to health on one hand and the right to privacy on the other.

During this year, the NPC also guided both data subjects, as well as, personal information controllers (PICs) and personal information processors (PIPs) through the road of compliance and increased privacy security measures,

while being at par to the international standards. In 2021, the NPC has been recommended to International Organization for Standardization (ISO) 9001:2015 certification. This certification marks the Commission's commitment in upholding organizational efficiency and productivity in the face of dangers to the public's data privacy rights. ISO 9001:2015 is our evidence that we are continuing to implement not only an exceptional quality management system, but an organization that meets and exceeds the requirements and expectations of stakeholders.

In proactively participating in the global privacy landscape, the NPC's leadership and participation in the Global Privacy Assembly (GPA Covid-19) Working Group is in pursuit in helping strategic objectives to advance global privacy, and working for a regulatory environment with high standards of data protection to materialize.

We persistently surveilled PICs and PIPs in their compliance with the law and ensuring sufficient security measures are in place to protect their customers and clients. With the NPC's Enhanced Compliance and Monitoring Program, the Commission has conducted a total of 1,317 compliance checks from 2018 to 2021. While, 641 privacy sweeps conducted in 2021.

Consistent with our campaign against questionable practices that exposes data subjects to privacy risks, we have investigated, penalized, and prosecuted data privacy violators. As the cases and complaints against online lending applications (OLAs) continued to rise, the Commission banned apps which have been the subject of various complaints of unauthorized use of personal data that resulted in harassment and shaming of borrowers. For 2022, the Commission

will persist to crack down, not only data privacy violators for this industry, but any industry with practices that puts data subjects in serious privacy risks and harms.

Simultaneously, we remained steady in urging PICs and PIPs in leveraging data privacy in building customer's trust and confidence to their businesses and services. Needless to say, this can be achieved through the implementation of mechanisms that allow for the rights of the data subjects to be upheld and exercised. In recognizing that data privacy as one of the foundations of a digitally-enabled economy, the NPC continues to guide to our stakeholders in their effective compliance with the law and other issuances of the Commission.

Alongside the Commission's guidance to the PICs and PIPs is our intensive awareness campaigns to empower the data subjects and arming them with knowledge in protecting their data such as Kabataang Digital and Privacy, Safety, Security, and Trust (PSST!).

To be sure, the Commission will carry out, not only the continuous implementation of these projects, but also fortifying the NPC's crusade in defending the people's right to privacy and dignity in 2022. In moving forward, everyone can anticipate that the Commission will endeavor to craft policies towards strengthened privacy regulations, build a high-trust society, and realize a privacy-empowered nation with data privacy and protection at the pinnacle of our priorities.

Atty. John Henry Du Naga
Privacy Commissioner



MESSAGE FROM FORMER PRIVACY COMMISSIONER

Despite the unprecedented global challenges of the pandemic, the National Privacy Commission, as the Philippine's data protection authority, has been vigilant and consistent in its role as an enabler and protector in these still uncertain times.

The pandemic has reshaped multiple facets of human society. Worldwide, governments, including the Philippines, continue to implement measures to prevent the spread of the disease. While the introduction of effective vaccines against the disease brought worldwide infectivity down, still, the COVID-19 virus continues its lock on the globe, and we are beginning to realize both immediate and long-term impacts the pandemic has brought on the economy, health, and lives of our people.

In this year's report, we touched on the National Privacy Commission's response in

the face of the digital leap brought about by the COVID-19 pandemic. As a responsive regulator, we clarified the role of data privacy as a partner in public health and business recovery.

With the global health crisis, personal data has never been so valuable. Covid-19 has accelerated the use of emerging concepts such as artificial intelligence, mass surveillance, facial recognition, social media, big data, internet of things to recover from the economic effects of the pandemic.

With the explosion of personal data, us propelled by new and powerful technology, the NPC has unceasingly provided guidance and key policy issuances for stakeholders to promote trust by finding that balance between maximizing the beneficial use of personal data with the help of technology and ensuring that public interest and privacy

rights and citizens' concerns are addressed.

For example, the National Privacy Commission recently hosted its DPO Summit 24 for the Technology Sector, specifically software developers, IT professionals, cybersecurity experts, and related fields.

The DPO24 is the first time we have targeted this sector to enlighten them on their duty of care and their obligations to code systems that uphold data privacy and protection at the first stages of software development.

When our IT and software developers are committed to their duty of care, we can assure our citizens that Filipino-made websites, apps, and other digital products and services are safe and can be trusted.

We also highlighted our pursuit of responsible personal data flows and the use of personal data for good in the global effort to find a lasting solution to the pandemic and ensure our country's economic recovery.

The NPC vigorously pursued and expanded its involvement in existing regulatory cooperation modes to promote responsible data flows to build trust.

In the Global Privacy Assembly, the Philippines, through NPC, was at the helm of the COVID-19 Task Force in influencing global policy discussions on data privacy during the pandemic. As the task force has concluded, the GPA created a working group to continue the valuable work and sustain the momentum. The Philippines once again led the Working Group of Data Sharing for the Public Good. We continued our engagement and collaboration to provide our stakeholders with direction in developing responsive policies that uphold privacy standards amidst the pandemic.

We also recognize crucial international cooperation on cross-border data flows. For example, the NPC has pushed for the adoption of the APEC's Cross-Border Privacy Rules (CBPR) System which is a voluntary, accountability-based system that facilitates

privacy-respecting data flows among APEC economies.

As a next step to fully implementing the CBPR System in the Philippines, the NPC is currently working toward nominating an Accountability Agent who will certify companies in the country. When businesses become CBPR-certified, they may transfer personal data safely and seamlessly across other certified companies operating in the APEC region.

The Philippines, through the NPC, likewise worked with the ASEAN Member States in developing the ASEAN Framework on Digital Data Governance, intended to enhance data management, facilitate harmonization of data regulations among ASEAN, and promote intra-ASEAN flows of data.

In 2021, the NPC committed further to harmonizing legal and regulatory landscapes in the region and developing and adopting the best data protection and privacy practice. We anticipate the unprecedented digitalization to bring more risks, threats, and potential harms to our people.

As the NPC forges ahead in leading the way as a 21st century regulator, it shall continue encouraging government and companies who use personal data to do so with accountability and responsibility so that potential risks and harms to individuals brought about by the processing of their data are reduced and minimized.

Likewise, the NPC shall continue working to ensure that citizens have someone to turn to when their data is used and abused; providing them the assurance that those who process their data will be held responsible for violating their rights as data subject's including their failure to secure the personal data entrusted to them by the people.

Raymund Enriquez Liboro
Former Privacy Commissioner



MESSAGE FROM DEPUTY PRIVACY COMMISSIONER

Over the last five years, the National Privacy Commission has offered a roadmap for data privacy and protection in the Philippines. Through insightful discussions and engagements, the Commission continues to cast a bright light on the ways by which personal data should be processed, and more importantly, how the rights of data subjects should be respected.

The Data Privacy Act of 2012 has elevated data privacy to the level of a fundamental human right. As a result, compliance with the DPA involves taking the necessary compliance steps not for its own sake but within a framework of protecting

the data subjects from very real risks. Compliance is not just about avoiding the acts punishable under the DPA. More significantly, it is about fully understanding the responsibilities of those processing personal information and how it affects the rights and freedoms of the data subjects.

This is the all-encompassing framework behind all the best practices and reportorial requirements of the NPC. Adopting this idea, where the rights and interests of the data subject are at the core of every data processing, can help build and retain trust between data subjects and personal information controllers. When we trust, we share, and it is this

trust that gives us, as data subjects, the ability to live with and minimize the vulnerability inherent in sharing. After all, personal data, even when shared, still belongs to the individual data subjects and everyone else is just a custodian.

And so, it is my fervent hope that PICs, as well as those they contract with, will not lose sight of the relationships that they create. Thinking about data privacy as based on relationships of trust means several things: it means fostering disclosure and sharing of personal information by mitigating the risks inherent in disclosure. It means rebalancing the power between the data subject and controller. It means understanding what the future expectations of the data subject might be, based on the representations to them. And it means asking how the law can strengthen relationships of trust between the parties.

From a people that has no exact word that captures the concept of the word *privacy*, I am convinced that we have progressed, and we continue to transform into a society that is more concerned about how personal data are being processed, whether they are used in a manner that is consistent with the general privacy principles of transparency, legitimate purpose, and proportionality.

And this is very important for us in the Commission because building a culture of privacy is something that requires all

of our combined efforts. For each person that learns more about their rights as data subjects and their responsibilities in handling the personal information of others, the privacy risk for several more people will be significantly reduced. I hope we all consider this shared responsibility between ourselves as data subjects, and the professional roles we play. Remember, it is with all of our continued support, awareness, and compliance that will get us to a point where privacy can be considered a real priority in the country.

Finally, appreciating the role of data privacy is an essential factor in promoting innovation in our society. Technologies will play a part in finding solutions to the many challenges we are facing today, including this pandemic where we are in. And so, I urge everyone to look at data privacy not as a barrier to innovation nor as something that conflicts with other fundamental human rights. There is significant hope that data privacy can further empower us as individuals and help shape a future where businesses, governments, and technologies contribute to a just, fair, and inclusive society.

Atty. Leandro Angelo Y. Aguirre
Deputy Privacy Commissioner



MESSAGE FROM EXECUTIVE DIRECTOR

The year 2021 is as much a challenging year for the NPC and the entire nation as it was in 2020. Nevertheless, we have been more prepared and attuned to address the needs of the public amid the new normal.

As we began the nation's progress towards economic recovery, the NPC remained relentless in serving the Filipino through policies, data privacy standards, public awareness campaigns, and coordination with relevant authorities so that personal data protection is upheld amid public health emergencies.

The NPC continued to create opportunities so that both the private and the public sector can leverage their ability to protect data for building trust among their stakeholders not only within the country, but also on world stage.

People and institutions have become more aware of their respective rights and obligations under the DPA. The complaints filed and resolved, the compliance reports, and Commission en banc issuances, all serve as testaments of NPC's stronger regulatory posture against violators of the DPA.

The 2021 Annual Report tells the story of an ever-growing and fast-developing NPC. But there is much to be done in order to realize the Philippine *Ambisyon Natin 2040* for Filipinos to enjoy a *matatag, maginhawa, at panatag na buhay*.

I am confident that the NPC will play an even bigger role under the excellent leadership of Privacy Commissioner John Henry D. Naga, Deputy Commissioner Leandro Y. Aguirre, the NPC directors, officers, and all the people behind this institution.

Finally, I am always thankful for President Rodrigo R. Duterte whose commitment to protect the digital lives of the Filipino people became our inspiration to do more and serve more this 2021 and beyond.

Atty. Ivin Ronald D.M. Alzona
Executive Director



MESSAGE FROM LEO DIRECTOR

In 2021, the world continued to navigate the challenges brought about by the COVID-19 pandemic. New strategies, technologies, and/or solutions were being adopted and/or implemented to handle existing and new threats as well as opportunities under the new normal, as a response to the pandemic. In fact, it is said that COVID-19 has accelerated the 4IR.

After a year of continuously addressing COVID-19, ways to restore health, economies, and societies were undertaken, thru resilience, recovery, and restructuring. As more advanced and emerging technologies are being adopted and implemented, more consideration is being put into the protection

of the rights of the data subjects whose personal data are being collected, processed, stored, retained, and disposed of in an information and communications systems that adopt and implement such emerging technologies and innovation to handle the pandemic.

In 2021, the Commission implemented NPC Circular No. 2021-01, otherwise known as the “2021 NPC Rules of Procedure.” The 2021 Rules of Procedure streamlines the investigation of complaints and breach cases. This Rules also took into consideration the new ways of doing things under the new normal, such as the conduct of hearings thru videoconference, to be able to continue the legal proceedings despite the pandemic.

As the Commission performs its mandate of handling and instituting investigations, it continues to handle complaints, breach cases, and sua sponte investigations. The Commission formed a Quick Response and Special Cases (QRSC) Team to quickly react, monitor, investigate, and resolve privacy concerns.

The Commission also continues to ensure that its orders and decisions are enforced. Continuous monitoring of the Personal Information Controllers’ (PICs) compliance with these orders was conducted. The Commission has judiciously enforced the Cease-and-Desist Orders (CDOs) and Temporary Bans, through coordination with the concerned government agency/ies, platforms, different mobile app stores, and website domain hosts. A Case Management System (CMS) is currently being developed, which will provide a complete case monitoring from the moment the case is filed, investigated, adjudicated, and finally closed.

As the stakeholders of the NPC adopt and implement emerging and innovative technologies in their information and communication systems under the new normal, they are also required

to understand data privacy protection on personal data collection, processing, storage, and retention. Data privacy protection and innovation are not in conflict but they are key aspects of business-to-business, business-to-customer, government-to-government, and/or government-to-stakeholder relationships.

In 2021, public hearings and dialogues with stakeholders were also conducted by the Commission on the draft Circular on Administrative Fines. This draft Circular on Administrative Fines is in coordination with the University of the Philippines Law Center (UPLC) and School of Economics to ensure that the issuance is founded on substantial legal and economic bases.

The personnel of LEO have remained true to our mandate and have adopted accordingly to deliver public service despite the uncertainties of the pandemic. We have developed mechanisms in order to adjust and continue to cater to the needs of our stakeholders. Despite the difficulty of the times, we have exhibited wholehearted dedication, enduring perseverance, and unquestionable professionalism in fulfilling our functions in the Commission.

The 2021 Annual Report comprehensively presents NPC’s performance for the said year to its stakeholders. The accomplishments and initiatives of NPC for 2021 exemplify that despite the pandemic, NPC continues to perform its mandate on data privacy protection with resilience.

Our sincere gratitude to all our stakeholders for your continued support and cooperation with NPC. In this era of digital transformation, the protection of data privacy has become very important more than ever.

Atty. Maria Theresita E. Patula
Director IV, LEO



anticipated and welcomed by all.

To maintain our presence in the arena of data privacy both nationally and internationally, we have forged partnerships with various national agencies and have strengthened international relations with foreign data privacy regulators.

We were at the podium in data privacy and security standards development in the region and have prioritized the monitoring of technological trends and the conduct of risk assessments with the protection of data subjects in mind.

As we are committed to continuously improving our processes, we started developing the NPC Registration System and the Data Breach Notification Management System, both are critical in strengthening our regulatory functions.

These, among others, are just some of ways the Commission ensures compliance of all those we regulate and the protection of data subjects as we forever remain true to our motto “Datos ng Pilipino, Protektado Ko!

Above all of that we have accomplished, we have gained more confidence in doing what we do. With the resources, knowledge, and expertise of our workforce, we soldier towards our vision to become a world class regulatory and enforcement agency that upholds the right to privacy while ensuring the free flow of information. Guided by this and our commitment to genuine public service, we can make unified efforts in building a culture of privacy founded on trust.

Atty. Rainier Anthony Milanes
OIC Director, DASCO

MESSAGE FROM OIC DIRECTOR, DASCO

In 2021, people and organizations around the world continued to endure the uncertainties brought by the COVID-19 pandemic. The use of technology and data became the country’s central response to COVID-19, with the Commission at the forefront of many significant issues that have genuine impact on individuals, the data subjects.

The Commission has intensified its compliance-checking efforts, greatly exceeding our yearly targets of the previous four years. Our compliance advocacy training and focused webinars were also highly



premier international fora, monitoring and ensuring compliance of personal data processing activities, and enforcing the provisions of the Data Privacy Act of 2012.

In terms of policy formulation and addressing data privacy concerns on the ever-changing needs of the relevant interested parties and stakeholders, the Commission, through the Privacy Policy Office, continues and remains steadfast in its goal of empowering data subjects, data protection officers, and data privacy practitioners and advocates, by creating relevant and timely policy outputs, guided by internationally accepted ideals and best practices.

Through the commitment of the lawyers, development management officers, and legal assistants of the Policy Development Division and Policy Review Division, the Commission shall continue to contribute to education, innovation, and social protection in a globally competitive knowledge economy and data-driven society.

Owing to the responsive leadership of the past and present officials and perseverance of the personnel of the Commission, the 2021 milestones and accomplishments are manifestations of a robust implementation of the data privacy law amid the challenges of the ongoing pandemic. We pledge that we will not be limited of what we have done in the past five years. We shall endeavor to create new benchmarks for safeguarding data privacy rights in the years to come.

Atty. Ivy Grace Villasoto
OIC Director, PPO

MESSAGE FROM OIC DIRECTOR, PPO

As the National Privacy Commission celebrated its fifth year this 2021, we are reminded of how the Commission has scaled up from its humble beginnings to where it is now.

In the last five years, the Commission played a crucial role in promoting data subject rights, shaping laws, rules, and regulations with data privacy implications, guiding government agencies and the private sector on matters relating to data privacy policies, standards, and requirements, leading discussions in



digitization, and streamlining of the Commission's internal and external procedures.

The huge restrictions caused by the pandemic indeed challenged the management's ability in decision-making, specifically on budget matters, and the adaptability to administrative changes aimed at securing the safety and welfare of both the workforce and stakeholders while ensuring the unhampered delivery of services. The Commission, through the Finance and Administrative Office (FAO), has designed and implemented various measures in accordance with the IATF's guidelines that include the provision of an adaptable workplace for all NPC personnel, strict implementation of health and safety protocols in the NPC office, close and diligent monitoring of employees' health status, immediate assistance to the affected personnel, the conduct of online seminars and training to invigorate the mental, emotional, physical and spiritual well-being of the NPC personnel amidst the pandemic and the implementation of alternative work arrangement. Through a collaborative effort, the Commission achieved a 243% overall physical performance rating and an 85% Budget Utilization Rating, demonstrating that it is committed to carrying out its mandate and aligning its programs through various online platforms and hybrid work arrangements.

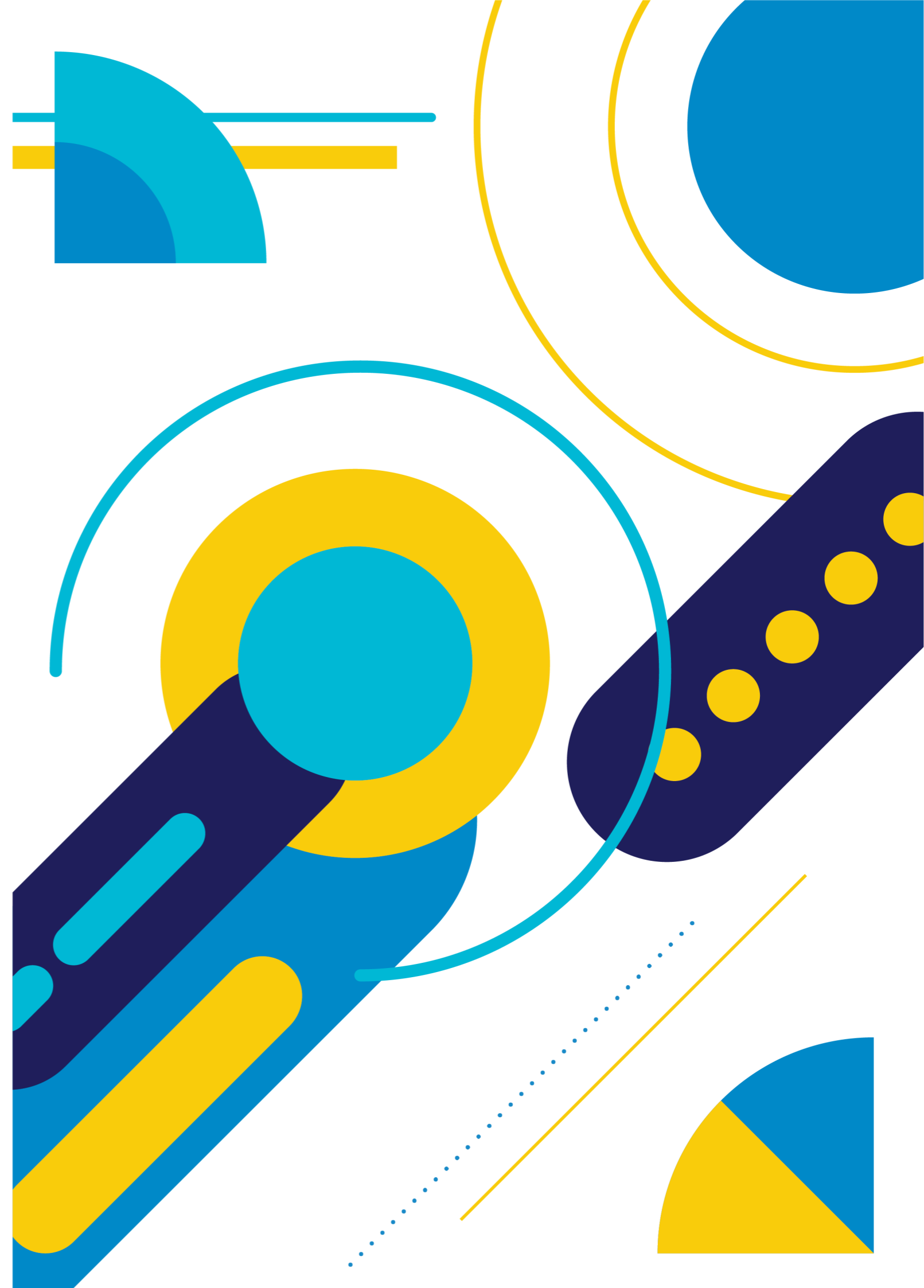
The NPC will continue to play an important role in nation-building by conserving every Filipino's personal information. Rest assured, the FAO will continue to support all the Commission's goals and maintain its position as the Commission's backbone.

Finally, this Annual Report covers many of the NPC's new initiatives for 2021. Thank you to all our stakeholders, data subjects, and partner National Government Agencies for your generous support, especially the support provided by our Privacy Commissioner, Deputy Privacy Commissioners, Directors, and the rest of the NPC family. The accomplishments of the FAO in 2021 would not be achievable without your unwavering support.

Atty. Manuel C. Satuito
Director IV, FAO

MESSAGE FROM DIRECTOR, FAO

The year 2021 was a year of progress for the National Privacy Commission, with the International Organization for Standardization (ISO) 9001:2015 Certification for the program's scope: Enforcement of the Data Privacy Act of 2021 being one of the highlights. The adoption of the ISO 9001:2015 standard would not only assist our stakeholders in receiving consistent and high-quality services but would also support the agency's 'Scaling up' initiative in continuous improvement and public service delivery. This has proved that the NPC has lived by its commitment to serve with excellence and fulfill its mandate at par with international standards, notwithstanding the global health crisis. The annual report for 2021 highlights the reforms adopted in 2021 to dramatically improve standardization,





ABOUT THE NPC

VISION

A world-class regulatory and enforcement agency upholding the right to privacy and data protection while ensuring the free flow of information, committed to excellence, driven by a workforce that is highly competent, future oriented, and ethical, towards a competitive, knowledge-based, and innovative nation.

MISSION

We shall continuously deliver services to:

1. Be the authority on data privacy, and protection, providing knowledge, know-how, and relevant technology.
2. Establish a regulatory environment that ensures accountability in the processing of personal data and promotes global standards for data privacy and protection
3. Build a culture of privacy, through people empowerment, that enables and upholds the right to privacy and supports free flow of information.

QUALITY POLICY

As the Philippines' data privacy authority, the National Privacy Commission is committed to protect the personal information of data subjects and to foster a culture of privacy towards a competitive, knowledge-based, and innovative nation.

To this end, we shall:

Nurture and empower our employees to provide competent and effective service as a technology and results-driven regulatory authority;

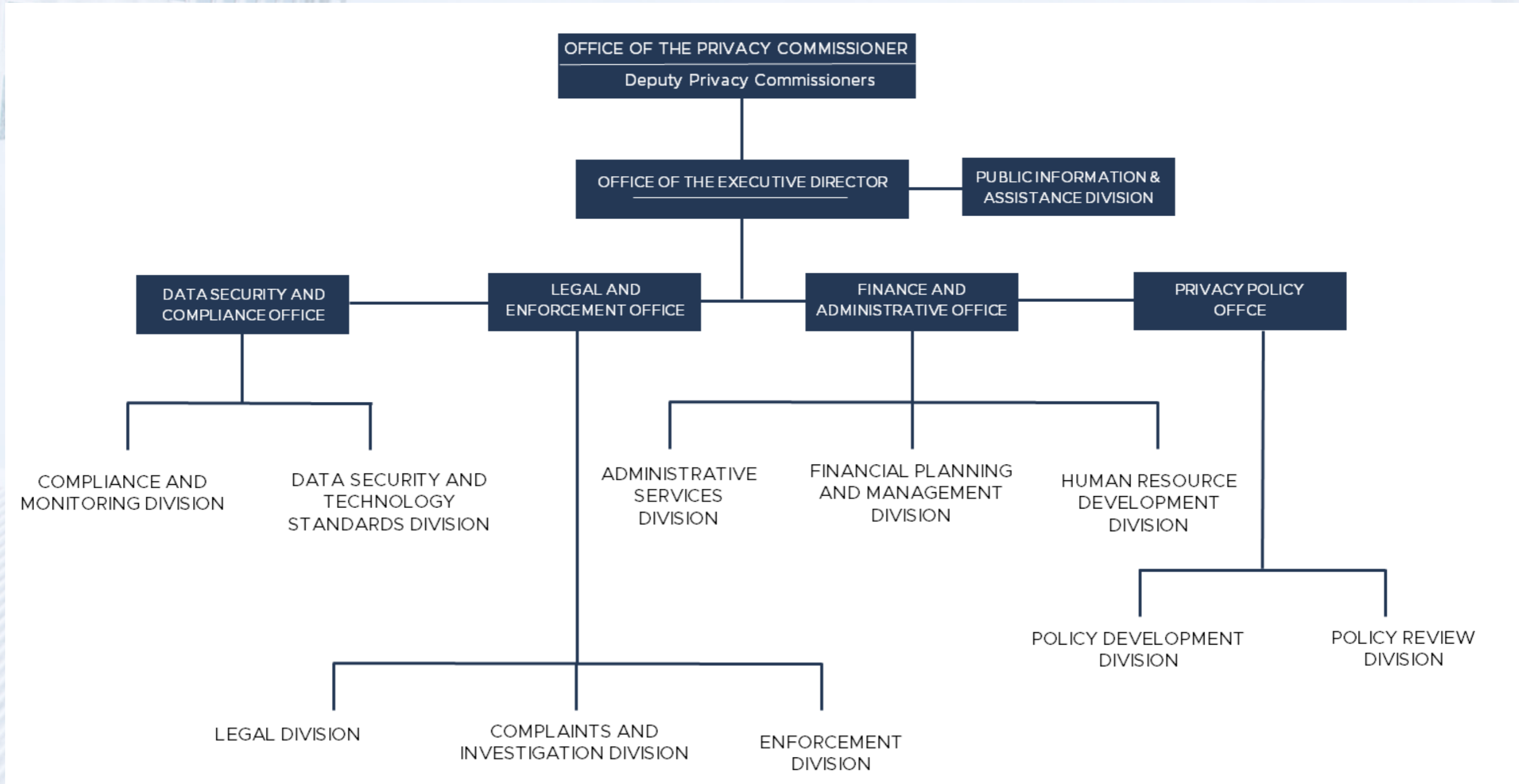
Perform our mandate with passion and utmost integrity through continually improving policies and systems at par with international standards; and,

Commit to regulatory and statutory requirements of public service for the benefit of the Filipino people.

Datos ng Pilipino, Protektado ko!



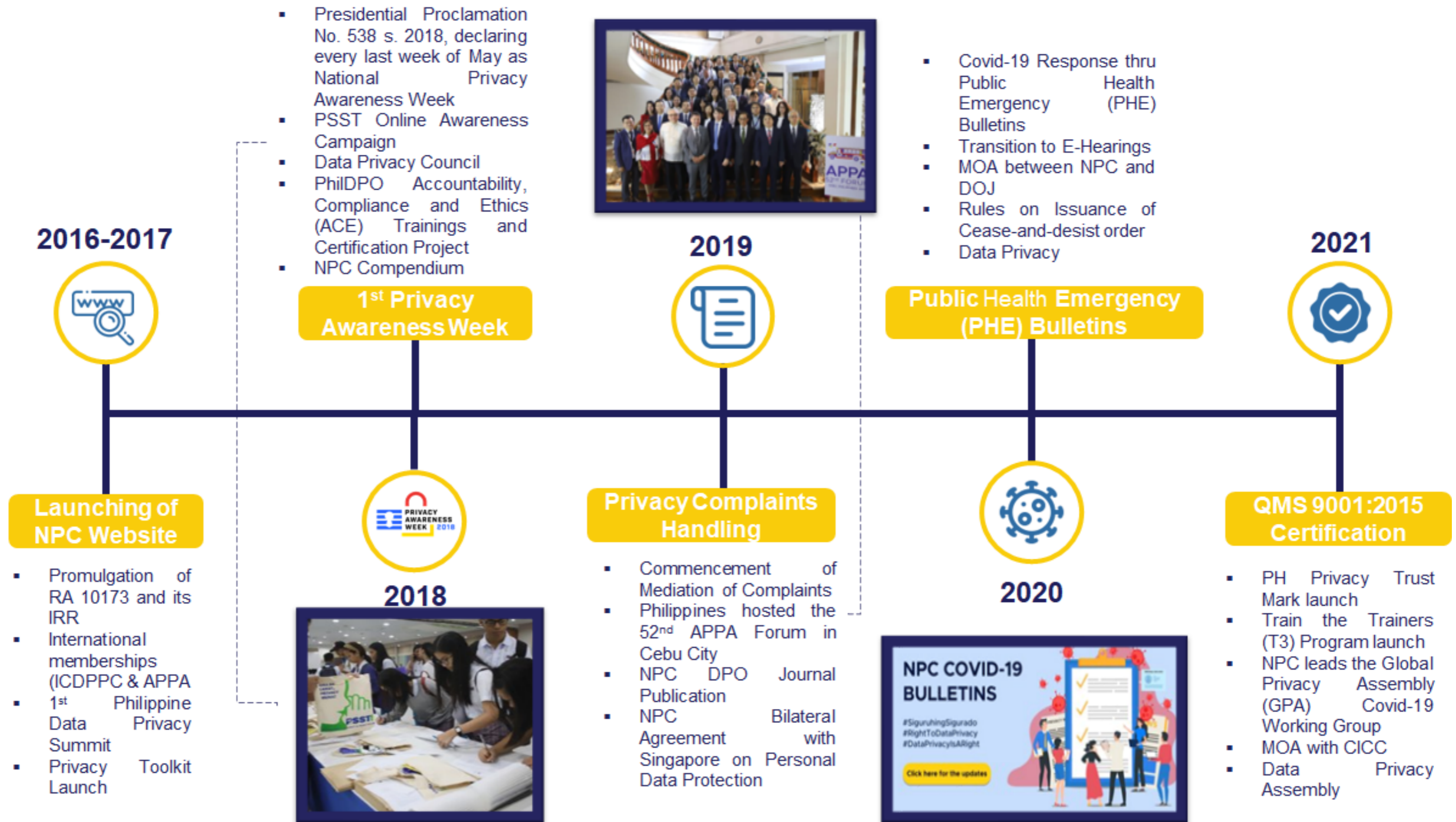
ORGANIZATIONAL STRUCTURE



IV.

2021 AT A GLANCE

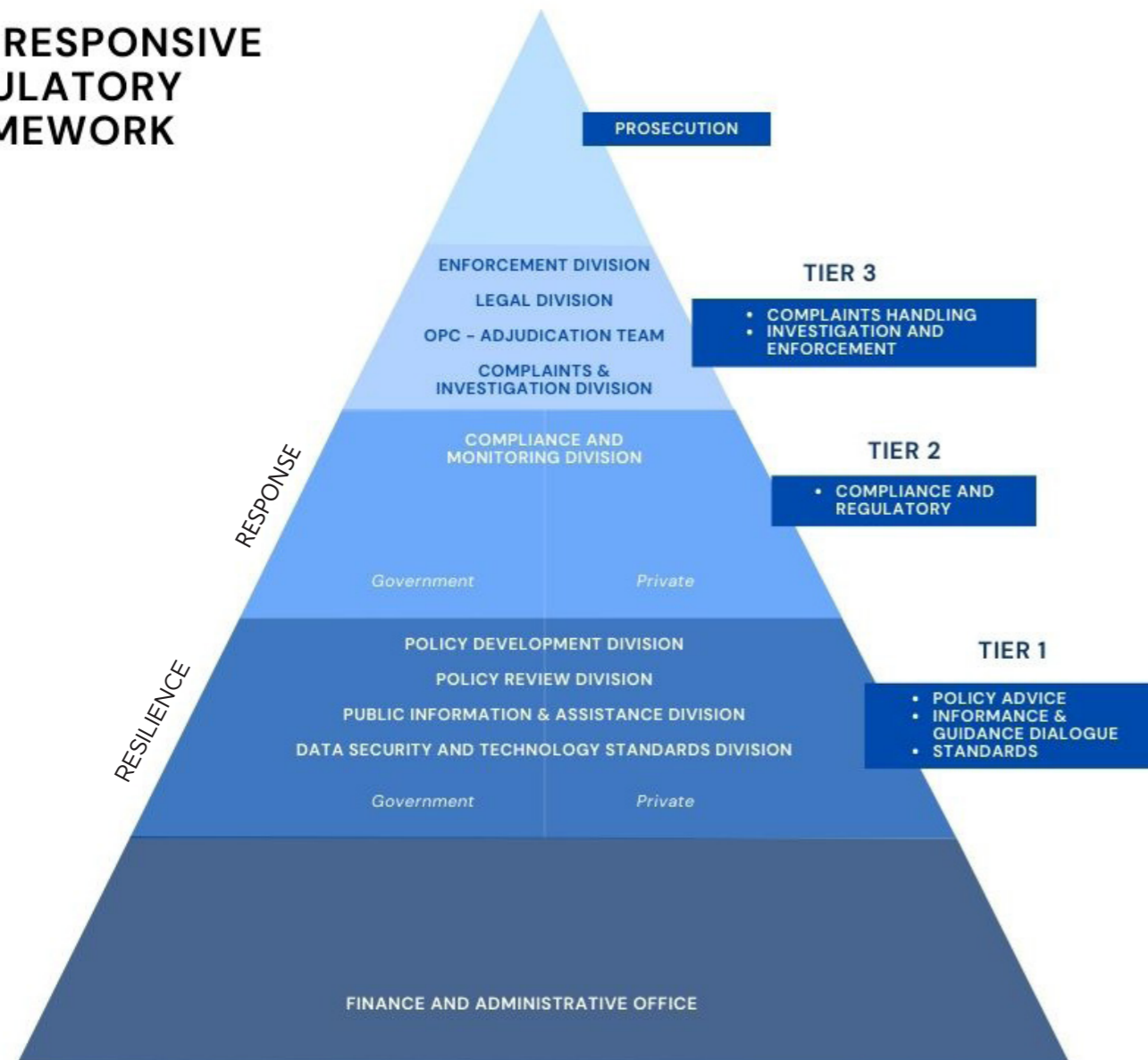
MAJOR ACCOMPLISHMENTS



MAJOR ACCOMPLISHMENTS

NPC Responsive Regulatory Framework

NPC RESPONSIVE REGULATORY FRAMEWORK



The Responsive Regulatory Framework of NPC encapsulates all functions and responsibilities its Units, Divisions, and Offices into a holistic diagram that is focused on higher national objectives. This Framework allows the NPC to remain agile in all kinds of situations, responsive to the needs of its stakeholders, all while being aligned and harmonized internally.

COVID-19 PROJECTS

Telemedicine: One of the Government's Response to the Health Care System

To address the alarming health situation brought by COVID-19 and the lack of legal framework in the practice of **Telemedicine**, the NPC strengthens its collaborative work with the Department of Health (DOH) to subject Telemedicine in a regulatory sandbox aimed to support DOH to process personal data to services that are innovative and have demonstrable public benefit) to alleviate the looming issue of safe and alternative access to health care facilities through information and communications technology (ICT). Issued were **three (3) DOH-NPC Joint Circulars** comprising of No. 001 on Guidelines on the Use of Telemedicine in Covid-19 Response and Processing, No. 002 on Disclosure of Covid-19 Related Data for Disease Surveillance and Response, and N. 003 Guidelines on the Monitoring and Evaluation on the Use of Telemedicine in Covid-19 Response.

APEC CBPR and Nomination of Accountability Agent

In 2020, the Philippines became the ninth APEC member to be enrolled into the APEC cross-border privacy rules system or CBPR. At present, NPC is working towards nominating an accountability agent who will certify companies. When businesses become CBPR certified, they will safely and seamlessly transfer personal data across other companies operating in the APEC region.

From these efforts, it is evident that the NPC aims for global standards and strives to enable cross-border digital flow to shore up economic gains for our country.

ASEAN Data Management Framework and Model Contract Clauses

In 2021, the ASEAN Digital Ministers (ADGMIN) approved the ASEAN Model Contract Clauses (MCC) and ASEAN Data Management Framework (DMF) which are initiatives under the ASEAN Framework on Digital Data Governance.

To properly provide guidance on the adoption of tools which harmonize data management and cross-border transfer standards across the ASEAN, the NPC issued NPC Advisory No. 2021-02 on 28 June 2021, an initiative that will help Philippine businesses unlock more gains in the fast expanding digital economy across the ASEAN.

The MCCs are voluntary standards that businesses in the economic bloc can adopt in legally

MAJOR ACCOMPLISHMENTS

NPC Responsive Regulatory Framework

binding contracts to ensure the protection of customer data when transferred across different jurisdictions. Given the different levels of development among ASEAN member states, companies are allowed to modify the MCCs in a way that does not contradict the clauses, as well as domestic laws on privacy and protection.

The DMF, on the other hand, is a voluntary and non-binding guidance for ASEAN businesses to establish a data management system and governance structure that appropriately safeguard different kinds of data.

The DMF identifies six areas that need robust measures to ensure the confidentiality, integrity and availability of data throughout its lifecycle. These areas are on:

- a) Governance and oversight
- b) Policies and procedural documents
- c) Data inventory
- d) Impact / Risk assessment
- e) Controls
- f) Monitoring and continuous improvement

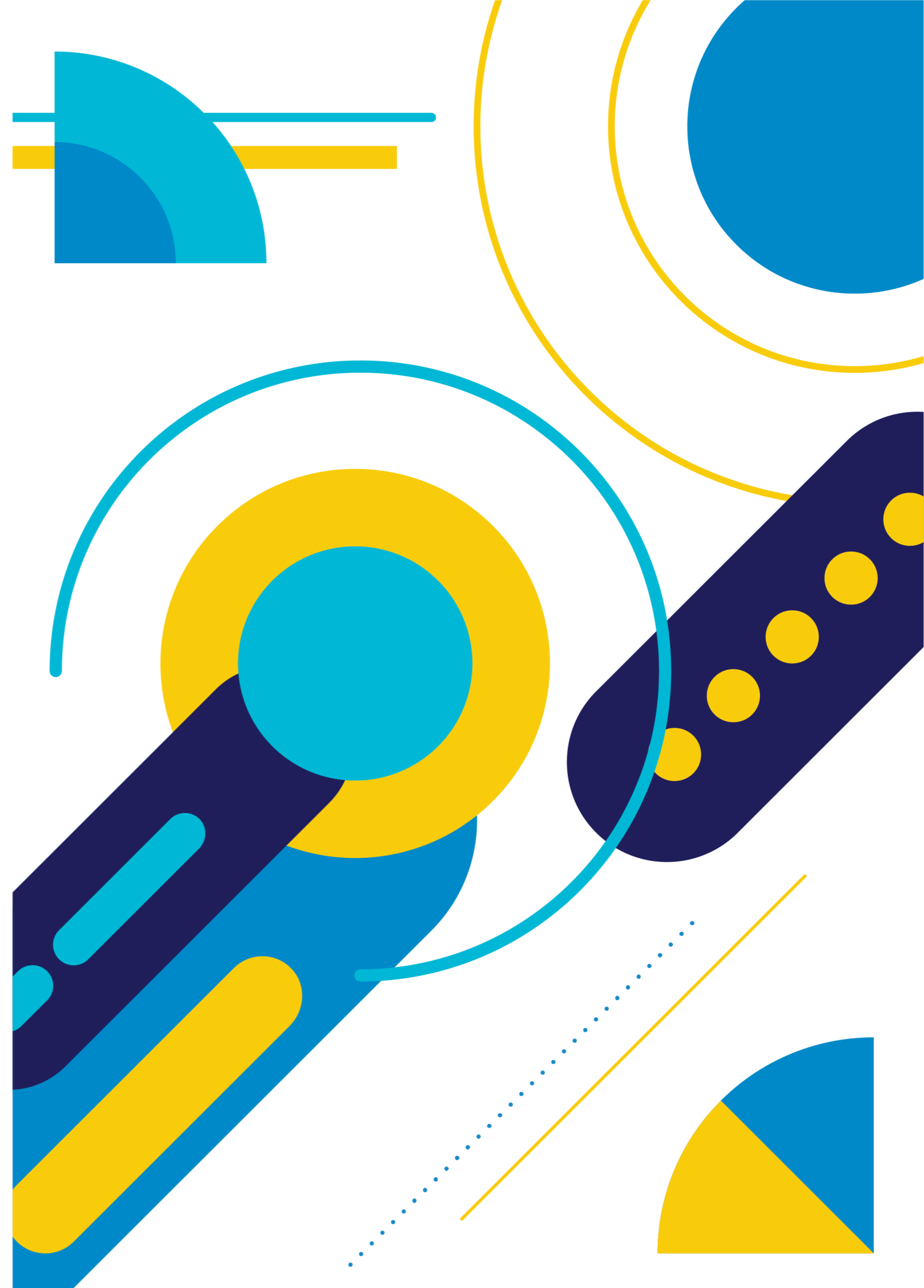
Privacy Commissioner Raymund E. Liboro urged the local businesses to explore these new tools and usher in the burgeoning ASEAN internet economy.

Bilateral Agreement with UK ICO

The NPC recently signed a memorandum of understanding (MoU) with the data privacy authority in the United Kingdom, the Information Commissioner's Office (ICO), last 13 January 2021, to formalize our bilateral partnership, and ensure a robust data privacy environment while fostering innovation and business growth. Under the MoU, initial areas of cooperation between NPC and UK ICO include the conduct of education and training programs; joint research projects; exchange of intelligence information—excluding personal data—involving potential or ongoing investigations of breaches and other security incidents in our respective jurisdictions.

NPC's partnerships with more experienced privacy authorities like the UK ICO helps the Commission in gaining first-class insight on privacy protection and regulation and eventually achieve its goal of embedding a deep culture of respect for privacy rights in the Philippines.

The NPC continues to target more bilateral partnerships for stronger capacity in policymaking, awareness enforcement and investigation.





2021 HIGHLIGHTS OF ACCOMPLISHMENTS

A. DATA PRIVACY PROMOTION PROGRAM

PUBLIC INFORMATION AND ASSISTANCE DIVISION

Public education is one of the NPC's core functions vested by Republic Act No. 10173 or the Data Privacy Act (DPA) of 2012. Within NPC, the Public Information and Assistance Division (PIAD) is tasked with conducting programs and producing content to educate the public on data privacy, data protection, and fair information rights and responsibilities.

Public education and awareness are central to establishing data privacy's relevance to the Commission's stakeholders – data subjects and PICs and PIPs alike. Therefore, similar to previous years, PIAD in 2021 disseminated information materials through the NPC official website and social media channels.

Press releases, social media materials, DPA videos, and public health bulletins were released to stakeholders as part of PIAD's contribution to the Commission's efforts to build a robust culture of data privacy in the Philippines.

I. Information Materials

PIAD published 58 press releases and statements in 2021 on our social media platforms (Facebook and Twitter) and official website. These materials were also released to the Commission's media partners via email and Viber.

The majority of these are about the implications of personal data misuse and abuse on data privacy and how PICs and PIPs can avoid them. Below are some samples:

- Privacy Commission commends local government's latest push towards data privacy compliance
- NPC is set to impose administrative fines
- Online sellers told to protect customers' personal data from unauthorized disclosure and improper disposal
- COVID-19 software developers invited to NPC data privacy assembly

Five of the information materials are public health bulletins that were issued to address the pressing need for guidance in personal data collection and processing amid the pandemic:

- NPC PHE Bulletin No. 21 – Preventive Data Privacy Practices Against Smishing
- NPC PHE Bulletin No. 20 – Processing of vaccination cards for promos, raffles, or discounts
- NPC PHE Bulletin No. 19 – Personal data processing for the COVID-19 vaccination program
- NPC PHE Bulletin No. 18 – Online Raffles and Other Games of Chance: Ensuring Proper Safeguards in the Collection of Personal Data
- NPC PHE Bulletin No. 17 – Update on the Data Privacy Best Practices in Online Learning

2021 HIGHLIGHTS OF ACCOMPLISHMENTS

DATA PRIVACY PROMOTION PROGRAM

PIAD uses Media Meter, a media monitoring service, to track and stay informed about the Commission's stakeholders and the data privacy landscape. A total of 12,349 pickups and mentions on television, online articles, dailies, radio, tabloids, and blogs were monitored by PIAD via Media Meter.

II. Public Assistance

Despite the pandemic's adverse effects on face-to-face interactions, PIAD continues to provide immediate assistance to stakeholders' inquiries and concerns. The team set up a dedicated email address for specific concerns such as reporting the breach, filing complaints, requesting compliance support, and submitting an annual report.

In 2021, PIAD received and addressed a total of 5,035 inquiries and requests made via email, Facebook, calls, and walk-ins.

III. Awareness Campaign

As the authority on data privacy and to empower our citizens, the Commission brought its events online to adjust to the new normal. Mainly conducted via Microsoft Teams, the NPC gathered a total of **16,619 stakeholders** in 2021.

PIAD initiated **13** separate DPO briefing sessions joined by **2,019** attendees from the Overseas Workers Welfare Administration and Manila International Airport Authority, among others.

On November 25, 2021, PIAD held Kabataang Digital, the Commission's advocacy campaign promoting children's online safety. Under the slogan "Matalino, Mapagmatyag, at Mapanuri," the Annual Young Privacy Advocates Summit encourages data protection by enjoining school officials and parents to educate their children on appropriate digital citizenship, promote safe choices, and elaborate the implications of the digital environment for children's privacy rights.

The summit, which gathered **13,700 participants and viewers**, was divided into two sessions: the morning session discussed basic data privacy knowledge for kids in Grades 1-6. In contrast, the afternoon session catered to students in junior high school up to college and revolved around more serious topics on data privacy such as digital citizenship and influence of social media to teenagers, and data privacy rights and best practices on using the internet and social media platforms.

Additionally, PIAD held **eight** PSST! (Privacy, Safety, Security, and Trust) Campaigns attended by more than **900 participants** from PAREF Northridge and the Bank of the Philippine Islands, among others.

In terms of online presence, the NPC also continued its social media campaigns and addressed various issues through social media posts. PIAD regularly crafts content advising the public on what they can do to protect themselves against data privacy abuses and what data controllers must follow to comply with the law's provisions.

2 EASY TIPS TO SECURE YOUR PERSONAL DATA ON FACEBOOK

1 CHANGE YOUR PASSWORD

- Go to your Account button on the upper right side of your Facebook page.
- From the drop-down list, choose Settings & Privacy then choose Settings.
- On the left pane, choose Security and Login.
- Go to change password and click edit. When creating a new password, you can do the following to create strong and hack-proof passwords:
 - Put together 4 random words or generate random characters such as badfishtimeumbrella or #rt65q!2B0!ydl
 - Use at least 12 characters for your passwords.
 - Do not recycle the same password you used from another account.
 - Avoid using single dictionary words or spatial patterns – like qwerty or asdfg – repeating letters, or sequences – abcabcabc or 12345
 - Avoid substituting letters with common numbers and symbols – awesome to 4w3s0m3
 - Do not use mobile numbers, years, zip codes
- When you have now changed and created a stronger password, you may also change your email address to further secure your account.

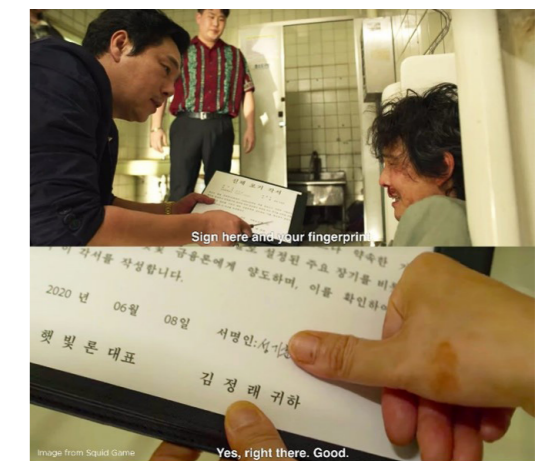
2 LIMIT PERSONAL INFORMATION YOU SHARE

- Next, review your personal information on Facebook.
- Go to your profile to check the information you have on your account on the About tab:
 - Review if the details indicated in your Work and Education information are necessary.
 - Limit who can see your contact and basic information on your profile such as your mobile number, email address, and birth

Who Can See What You Share
We'll walk through the options to make sure your settings are right for you.

- Profile information
- Posts and Stories
- Blocking

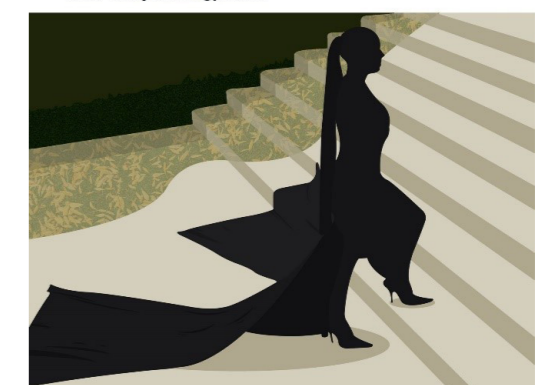
NATIONAL PRIVACY COMMISSION | [privacy.gov.ph](https://www.privacy.gov.ph) | [privacy.gov.ph](https://www.facebook.com/privacygovph) | [privacy.gov.ph](https://www.instagram.com/privacygovph) | [privacyPH](https://twitter.com/PrivacyPH)



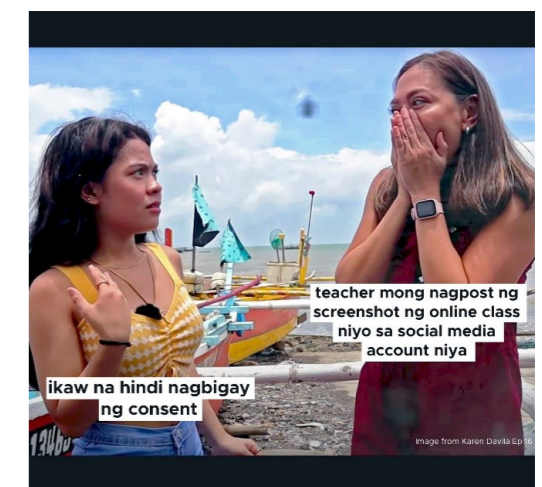
Sign here and your fingerprint. Yes, right there. Good.

NATIONAL PRIVACY COMMISSION | [privacy.gov.ph](https://www.privacy.gov.ph) | [privacy.gov.ph](https://www.facebook.com/privacygovph) | [privacy.gov.ph](https://www.instagram.com/privacygovph) | [PrivacyPH](https://twitter.com/PrivacyPH)

Teacher: Students, please turn on your cameras.
Ikaw na ayaw magpakita:



NATIONAL PRIVACY COMMISSION | [privacy.gov.ph](https://www.privacy.gov.ph) | [privacy.gov.ph](https://www.facebook.com/privacygovph) | [privacy.gov.ph](https://www.instagram.com/privacygovph) | [PrivacyPH](https://twitter.com/PrivacyPH)



teacher mong nagpost ng screenshot ng online class niyo sa social media account niya
ikaw na hindi nagbigay ng consent

NATIONAL PRIVACY COMMISSION | [privacy.gov.ph](https://www.privacy.gov.ph) | [privacy.gov.ph](https://www.facebook.com/privacygovph) | [privacy.gov.ph](https://www.instagram.com/privacygovph) | [PrivacyPH](https://twitter.com/PrivacyPH)

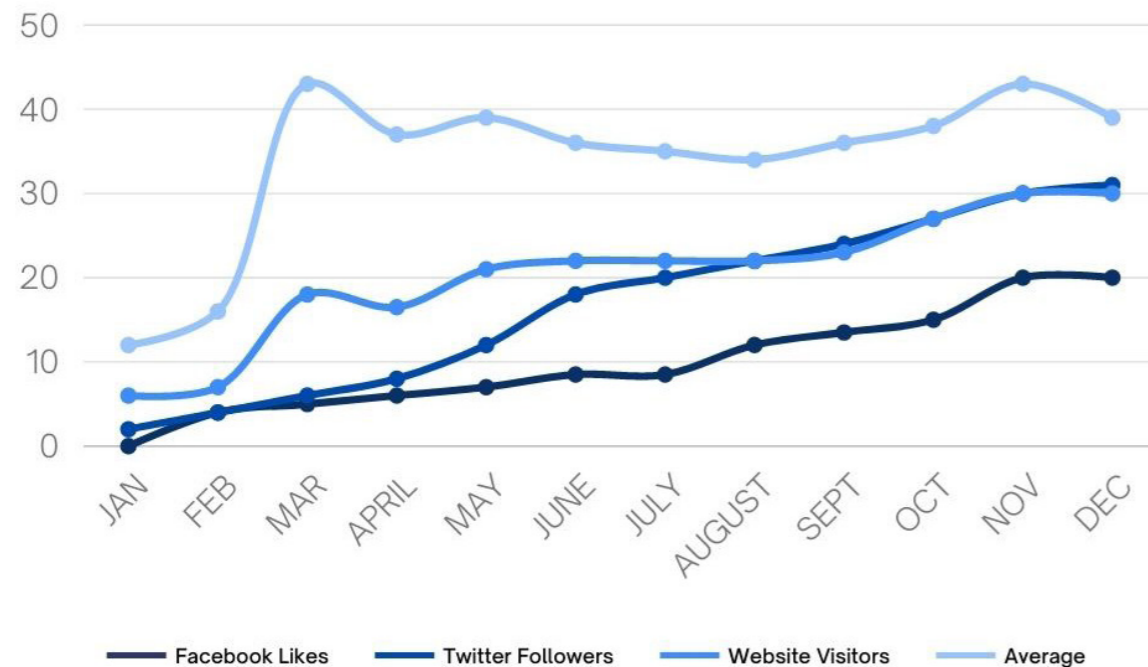
Samples of social media posts PIAD produced in 2021

The effectiveness of these campaigns is also reflected by the number of followers, likes, and visitors we received on these platforms. NPC's online platforms achieved an average of **30.70%** year-on-year growth in 2021. By the end of 2021, NPC's Facebook page (@privacy.gov.ph) reached **124,248 likes (20.78% growth)** while Twitter (@PrivacyPH) reached **4,510 followers (31.99% growth)**. The website, meanwhile, got **177,014 visitors (39.34% growth)**.

2021 HIGHLIGHTS OF ACCOMPLISHMENTS

DATA PRIVACY PROMOTION PROGRAM

NPC Social Media Growth



Quick Figures

Multimedia arts production	21 requests acted upon within timeline
Visual communication campaign (online information and awareness)	172 materials published
Website content publication	333 queries/requests received and acted upon within timeline
Freedom of Information (FOI)	189 FOI requests processed
News monitoring	15 news monitored forwarded to the concerned unit

B. INTERNATIONAL COOPERATION

The NPC remains fully committed to strengthen 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), and various international working groups. The Commission has likewise acted as Philippines' representatives

in various international conferences, not only as attendees but also as esteemed panelists, in recognition of the Commission's expertise in data privacy in the Asia Pacific region.

For 2021, international collaboration activities with international entities are strengthened to adopt/observe standard practices and issuances related to data protection and privacy were made as follows:

- MOU Signing between NPC and United Kingdom's Information Commissioner's Office (ICO)/12-Jan;
- Global Privacy Assembly (GPA) Covid-19 Working Group Meetings;
- WhatsApp Meeting with Hong Kong Singapore and Macao/19-Jan;
- Council of Europe (COE) 40th Anniversary of Data Protection Convention 108/28-Jan;
- IAPP Data Privacy Day: A Fireside Chat/28-Jan;
- US Embassy/NPC Market Landscape/ Registration Guidance/ 22-Jan;
- CIPL/NPC Contract Meeting/ 03 Feb;
- Meeting with Amazon Web Services/23 Feb;
- ASEAN Digital Data Governance Meetings;
- APEC Related Meetings;
- GPEN Pacific Calls;
- International Forum and Privacy & Data Protection May 19, 2021;
- Joint EU-Singapore Webinar on Cross Border Data Flows, May 25, 25, 2021;
- Asia Pacific Privacy Authorities Forums June 16-18, 2021/December 1-3, 2021;
- OECD-GPA-UN SRP Online Workshop on One Year Later: Addressing the Data Governance and Privacy Implications of the COVID-19 Pandemic and the Road to Recovery June 21-23, 2021
- Asia Tech x Singapore (ATxSG) Summit July 14, 2021
- World Health Organization (WHO) Meeting with GPA September 2, 2021
- FPF Asia Pacific Inaugural Event Singapore. September 16, 2021
- ASEAN Data Protection and Privacy Forum (ADPPF) Meeting September 27, 2021
- 2nd Ministerial Conference on Civil Registration and Vital Statistics (CRVS) in Asia and the Pacific November 16-18, 2021

C. DPO AND INDUSTRY DEVELOPMENT PROGRAM

PHIL DPO

One year into the pandemic, the PHIL-DPO team continued with its online modular training via animated video presentations followed by a question-and-answer panel discussion. This shift to online modular training, which began in the 2nd semester of 2020 allowed the PHIL-DPO team to continue reaching out to eager data protection officers (DPOs) and data privacy enthusiasts who wanted to know more about the Data Privacy Act.

For 2021, the DPO ACE Level 1 Training Program targeted participants from the government sector to take part in the day-long online seminar providing the essentials of the Data Privacy Act. The financial sector, consisting mostly of DPOs and data privacy enthusiasts from fintech organizations to online lending applications to banks, were also given an opportunity to attend the DPO ACE Program arranged especially with the help of their sectoral adviser.

2021 HIGHLIGHTS OF ACCOMPLISHMENTS

DPO AND INDUSTRY DEVELOPMENT PROGRAM

The Train the Trainers (T3) Program was also officially launched in October 2021, wherein interested trainers, whether individual or institutional are given the chance to be recognized by the NPC launch their own training programs, patterned after the DPO ACE Level 1 Training Program. The T3 Program approved ten (10) institutional trainers and three (3) individual trainers in its initial launch to augment the DPO ACE Training Program and reach more interested participants.

D. COMPLIANCE AND MONITORING PROGRAM

Compliance and Monitoring Division

Function

The Compliance and Monitoring Division (CMD), a division under the Data Security and Compliance Office (DASCO), is tasked to (1) ensure the compliance of PICs and PIPs with the DPA; (2) monitor the compliance of other government agencies in terms of security and technical measures, and recommend actions to meet minimum data protection standards pursuant to the DPA; (3) assist stakeholders on matters relating to data protection; (4) assist Philippine companies doing business abroad to respond to data protection laws and regulations; (5) adopt and manage a registration system of data processing systems; (6) assist in the compilation of agency system of records and notices, including index and other finding aids, for publication; and manage requests for off-site access in government data processing systems.

To carry out these functions, the CMD implements major initiatives including the NPC Registration System, Compliance Checks, Data Breach Notification Handling, Compliance Advocacy and Compliance Support.

Registration Statistics

CMD continued to deliver unhampered public service for companies and agencies wanting to register their Data Protection Officers (DPOs) to show initial compliance with the DPA of 2012.

The DPO registration continued and ended strong with 1,498 new registrations of Data Protection Officers and processing systems. It also processed 1,092 amendments to registrations and issued 419 renewals of registrations and requests for Certificates of Registrations.

By the end of 2021, the CMD was able to issue 2,581 Certificates of Registration.

Top 5 Registrant Sector

SECTOR	# of NEW Registrants
Health Facilities	135
Real Estate	126
Business Process Outsourcing	125
Retail / Direct Marketing	108
Manning Agencies	75

Worthy to note is the effective information campaign of the Commission in the health sector, making it possible for 135 new health facilities to register with the Commission. This is a welcome development considering that the health sector plays a vital role in the current fight against the pandemic without compromising their data subject's privacy rights.

Compliance Checks

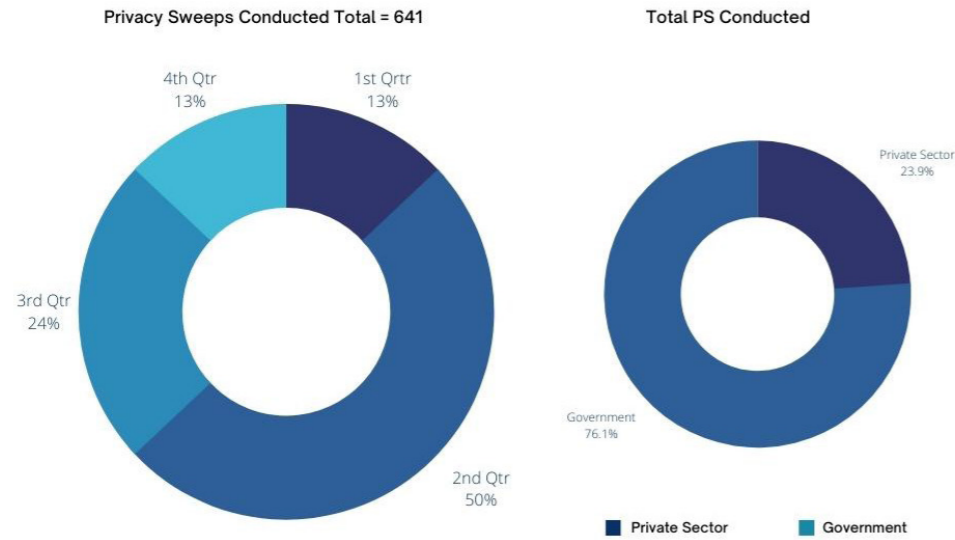
The CMD has largely exceeded its yearly target, compared to years 2019 and 2020, as it continues to intensify its compliance checks efforts. By the end of 2021 and despite the pandemic situation, CMD's proactive approach is evident with 641 PICs undergoing compliance checks. Most compliance checks were done to government entities and LGUs launching their respective COVID-19 vaccine websites pursuant to the Commission's approach to ensure that data subject rights are protected despite the ongoing pandemic. On the other hand, the private entities comprise of the 20 sectors identified by the Commission as crucial.

Year	Total No. of Compliance Checks
2021	641
2020	368
2019	345

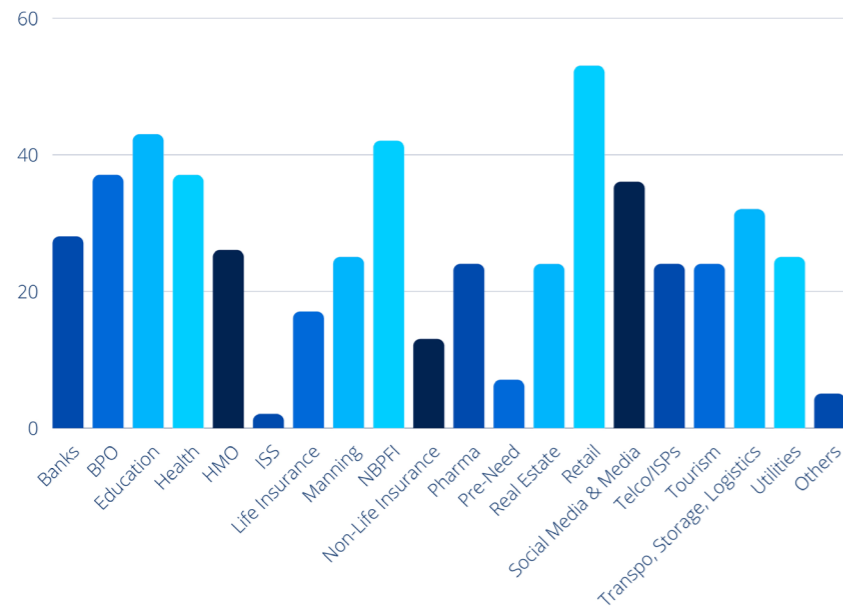
2021 HIGHLIGHTS OF ACCOMPLISHMENTS

COMPLIANCE AND MONITORING PROGRAM

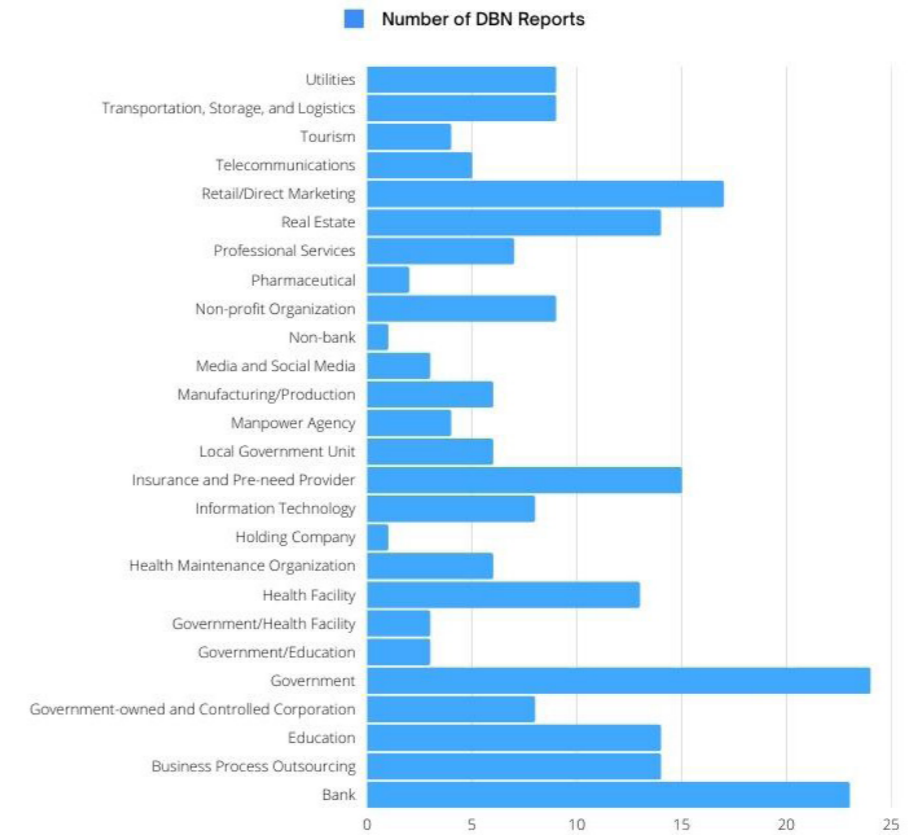
PRIVACY SWEEPS - BREAKDOWN



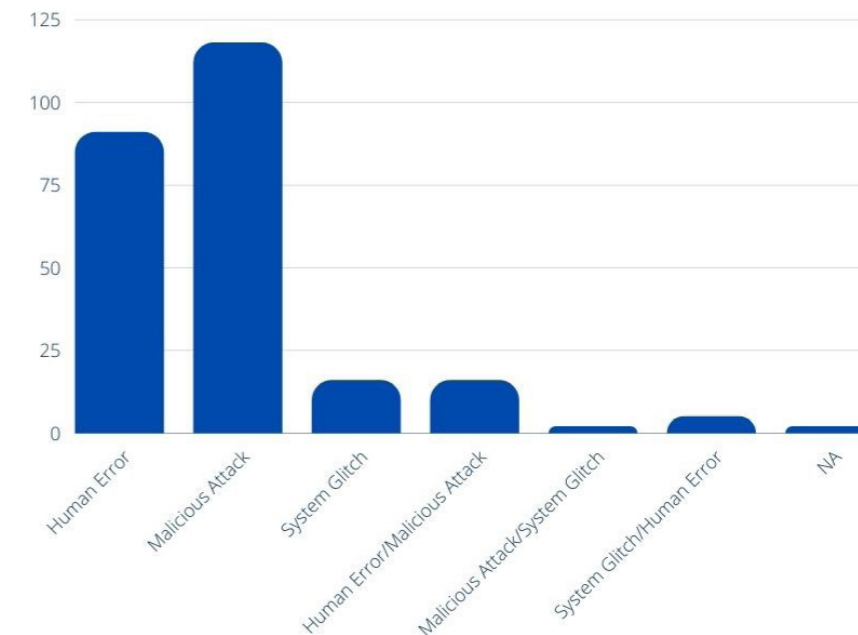
PRIVACY SWEEPS (PRIVATE) - BREAKDOWN PER SECTOR



NUMBER OF DBN REPORTS



GENERAL CAUSES

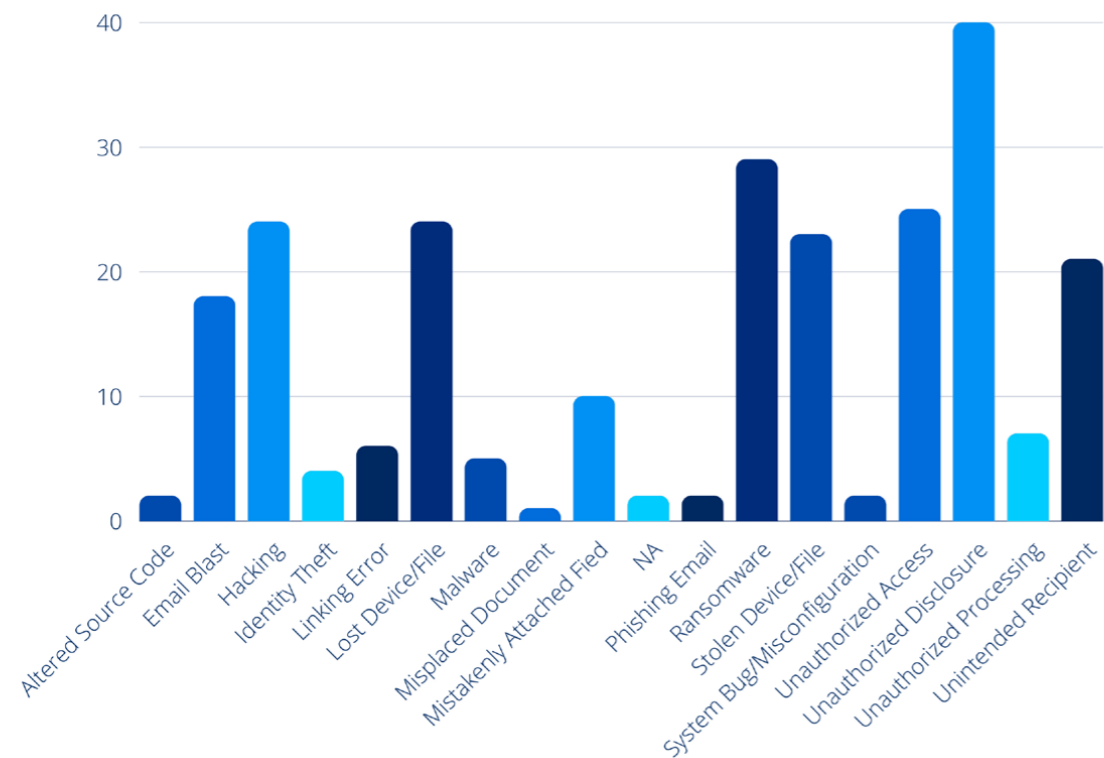


Breach Handling

In 2021, the CMD received 245 Data Breach Notifications (BNs), 82% of which came from the private sector while 18% came from the government sector. The top private sectors comprising the biggest chunk of the 2021 BNs are from the banking sector, which represented 9% of the total BNs received, 7% from the non-bank financial institutions and 6% from the retail sector. From the BNs reported, the top causes were from unauthorized disclosure, ransomware/malware, lost device, stolen device, and unintended recipient.

2021 HIGHLIGHTS OF ACCOMPLISHMENTS

COMPLIANCE AND MONITORING PROGRAM



CMD has also started the development of its Data Breach Management System (DBNMS) which will provide a secure and reliable portal for the submission of the Annual Security Incident Reports (ASIR) and BNs of PICs/PIPs and facilitate the easy tracking of the same. The DBNMS enables automatic notification of PICs/PIPs through the web portal and via linked account email for subsequent Orders and other action items needed in relation to the case. It shall likewise provide an assessment tool for users to know if they should submit a Mandatory Personal Data Notification or to include the security incident in their Annual Security Incident Report. Lastly, the System shall have a dashboard to enable the PICs and PIPs to monitor case status of their submissions in real time.

Compliance Support Email Statistics Year 2021

BY TOPIC	QUANTITY
Renewal	968
Registration	1028
Compliant	526
General Inquiry	384
Miscellaneous	5
Request for training	75
Common DPO	1
Breach Notification	3
Report (ASIR, etc.)	48
TOTAL	2973

Compliance Support

True to its mandate of supporting PICs and PIPs in complying with the DPA, the CMD has been able to attend to 2,973 inquiries, ranging from various topics, thus:

Compliance Advocacy

In response to numerous complaints against online lending applications (OLAs), the CMD held its first ever OLA Symposium which tackled the salient provisions of the DPA, compliance and legitimate lending practices. The symposium was held last Sept. 13, 2021, via Microsoft Webinar from 9:00AM to 3:30PM with more than 100 participants from the various lending entities in attendance. Through the symposium, the CMD aims to reach out to legitimate lending entities to help them implement data protection in their day-to-day operations while at the same time weeding out unscrupulous OLAs.

Noting that much is still desired in terms of compliance by various government agencies and local government units, the CMD initiated the first DPA Compliance Workshop Series last 1 December 2021 with the data protection officers, compliance officers, officers, executives and personnel of various local government units (LGUs). The seminar aims to equip privacy practitioners in the LGUs to ensure that data protection is implemented across the country.

Aside from the various CMD-initiated advocacy activities, the CMD was also able to attend to 63 speaking engagements for 2021. This includes Data Privacy Seminar for the Department of Budget and Management (DBM), Armed Forces of the Philippines (AFP),

Department of Information and Communications Technology (DICT), Philippine Statistics Authority (PSA), Department of Interior and Local Government (DILG), Food and Drugs Administration (FDA), Philippine Navy, Department of Trade and Industry (DTI), and National Tax Research Center (NTRC).

Symposium for Online Lending Apps and Entities
VIA MICROSOFT WEBINAR

September 13, 2021
9:00 am to 3:30 pm

- DPA Seminar for Lending Entities
- Public consultation on the amendments to NPC circular 20-01 (guidelines on the processing of personal information for loan processing)
- Seminar on DPA compliance and legitimate lending practices

REGISTER YOUR SLOT!

For inquiries, email us at compliance.support@privacy.gov.ph subject [INQUIRY] OLA Symposium

NATIONAL Privacy Commission | [privacy.gov.ph](https://www.privacy.gov.ph)

CMD INITIATED ADVOCACY ACTIVITY

DPA Compliance Workshop Series No. 1
Creating a Privacy Notice

Date : 1 December 2021 | (9:00 – 3:00 PM)
Participants : Data Protection Officers, Compliance Officers, other professionals, officers, executives, and employees from various LGUs.

Workshop

- Registration form for non-member/branch LGUs
- Content Training Form/Outline
- Checklist
- Application form for Non-branch LGUs
- Checklist
- Application form for Business
- Checklist
- Or any problem that you want

2021 HIGHLIGHTS OF ACCOMPLISHMENTS

PRIVACY POLICY AND STANDARDS DEVELOPMENT PROGRAM

E. PRIVACY POLICY AND STANDARDS DEVELOPMENT PROGRAM

THE POLICY REVIEW DIVISION 2021 COMPREHENSIVE HIGHLIGHTS OF ACCOMPLISHMENTS

The Policy Review Division (PRD) is responsible for the preparation of advisory opinions and interpretation of the provisions of the DPA, its Implementing Rules and Regulations (IRR) and other issuances of the NPC. The PRD is also tasked with the preparation of comments or position papers on the implications of proposed national or local statutes, regulations, or procedures on data privacy. Lastly, the PRD provides assistance to external stakeholders on matters involving data privacy.

2021 was a year of adapting to the new normal with minimal to zero physical interaction. This brought about new challenges in the field of data privacy and paved the way for PRD to guide the private and public stakeholders to further strengthen their respective data privacy policies.

The following are the accomplishment highlights of PRD for the year 2021:

Advisories and Bulletins

Some of the relevant occurrences of 2021 were, among others, the development of the vaccination program and the filing of Certificates of Candidacy for the 2022 national and local elections. These are matters of great public interest with the corresponding data privacy implications. Hence, the following were issued:

1. NPC Advisory No. 2021-03: Guidelines on the Processing of Personal Data for Election Campaign or Partisan Political Activity. The Advisory, initially drafted by the Key Privacy Theme leader for the 2022 Elections from the PRD, provided guidance on issues about, among others, the legitimacy of personal data processing related to election campaigns, transparency to data subjects, and implementation of appropriate and reasonable security measures.
2. NPC PHE Bulletins:
 - NPC PHE BULLETIN No. 17: Update on the Data Privacy Best Practices in Online Learning, which provided for recommended practices which may be implemented for online/blended/synchronous learning, developed with inputs from other regulators such as the Department of Education and Department of the Interior and Local Government;
 - NPC PHE Bulletin No. 18: Online Raffles and Other Games of Chance: Ensuring Proper Safeguards in the Collection of Personal Data, which reminded all businesses, organizations, and individuals collecting personal information for purposes of raffles and giveaways as a response to the pandemic in order to help individuals in need to keep in mind the data privacy rights and consider less privacy-intrusive means of collecting personal data;
 - NPC PHE Bulletin No. 19: Personal data processing for the COVID-19 vaccination program, which provided guidance on the collection, use and disclosure of personal data by

- different entities for different uses such as the health authority, the local government units (LGUs) and private sector to support the governments vaccination program;
- NPC PHE Bulletin No. 20 Processing of vaccination cards for promos, raffles, or discounts, which reminded PICs wishing to reward vaccinated individuals by offering them promos, raffles, or discounts if one can submit a vaccine card.

International commitments

The PRD regularly participated in the Bureau and Plenary meetings of the Committee on Convention 108+ of the Council of Europe (COE). Likewise, the PRD prepared a roadmap with the proposed steps for the Philippines' possible accession to the Convention.



Plenary meeting - COE Committee on Convention 108+

Advisory Opinions and complex inquiry responses

The PRD have also published forty-five (45) Advisory Opinions on matters involving the interpretation of the DPA, its IRR and other issuances, and its applicability to specific circumstances. These advisory opinions addressed various concerns relevant to the times such as, among others, processing of vaccination data, processing of data through electronic means, data sharing among government agencies, and unauthorized publication of photographs.

Correspondingly, PRD, together with the Policy Development Division (PDD), delivered timely assistance to stakeholders who sought clarification and guidance on data privacy matters through the release of one hundred and fifty-two (152) complex inquiry responses through the official PPO email.

Data Sharing and Outsourcing Agreements review

PRD reviewed a total of seven (7) data sharing agreements (DSAs) and one (1) outsourcing agreement in 2021. Most of the agreements were from the public sector in relation to the creation of mandated registries.

Law reform and legislative interventions and other government issuances

The PRD, together with the PDD, prepared various position papers and comments on behalf of the Commission on proposed legislations from both the House of Representatives and the Senate of the Philippines, and represented the NPC in various committee meetings and hearings.



22
 comments/
 position
 papers

Twenty-two (22) comments/position papers were submitted to Congress on the data privacy implications of various proposed bills, including recommendations for improvements on language and style.



29
 guidance
 on several
 issuances

Some of the significant proposed bills reviewed include the proposed amendments to the DPA, the Expanded Anti-Trafficking Act of 2012, Bill on Digital Payments, the Value-Added Tax (VAT) e-Billing Act, General Tax Amnesty Act of 2019, Protection of children against online sexual abuse and exploitation (OSAEC), the SIM Card Registration Act, Freedom of Information (FOI) Act and E-Governance Act of 2020.

Twenty-nine (29) comments and other guidance on several issuances, such as executive orders (EOs), joint administrative orders (JAOs), circulars and memorandum of agreements (MOAs), were prepared and provided to various government agencies. The notable issuances were, among others, FOI MCs on Anonymization and Retention, Guidelines for Online Business and Consumers, Digital Vaccination Certificate (VaxCertPH), National Health Data Repository (NHDR) and the Implementation of the 1980 Hague Convention on the Civil Aspects of International Child Abduction



Meeting with the Office of Sen. Angara for the DPA amendments bill

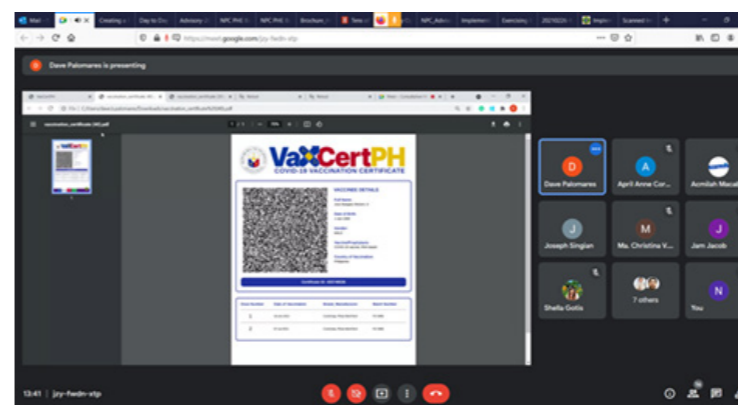
Assistance to stakeholders

PRD has been providing assistance to various data privacy concerns of stakeholders such as:

- PhilSys Policy and Coordination Council (PSPCC) and Inter-Agency Committee (IAC) Subgroups (Communications, Use Cases and Authentication, Legal Affairs, Registration and Validation) Meetings
- Stakeholder consultations with the Department of Trade and Industry and comments on e-commerce initiatives and issues in the Philippines
- Participation in the National Business One Stop Shop (NBOSS) and Central Business Portal endeavors
- Participation in the Sub-TWG meetings of the VaxCertPH

- Inter-Agency Consultations spearheaded by the Anti-Red Tape Authority (ARTA) on data sharing between and among various agencies pursuant to their respective mandates

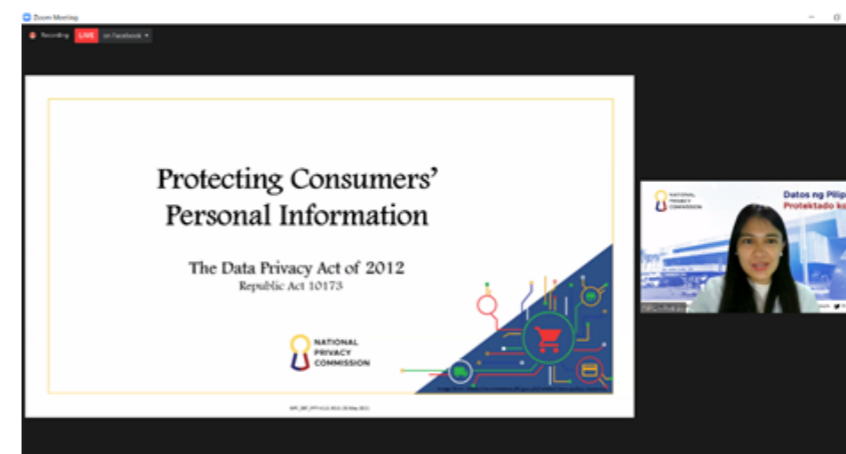
The lawyers of PRD also act as sector advisers for most of the identified sectors. Consequently, they have actively participated in DP Council meetings and other stakeholder consultations and responded to different queries from the data protection officers, compliance officers for privacy, and other privacy advocates from their respective sectors.



Sub-TWG meetings of the VaxCertPH



Consultation meeting with the Department of Education



DTI Consumer Care Webinar

2021 HIGHLIGHTS OF ACCOMPLISHMENTS

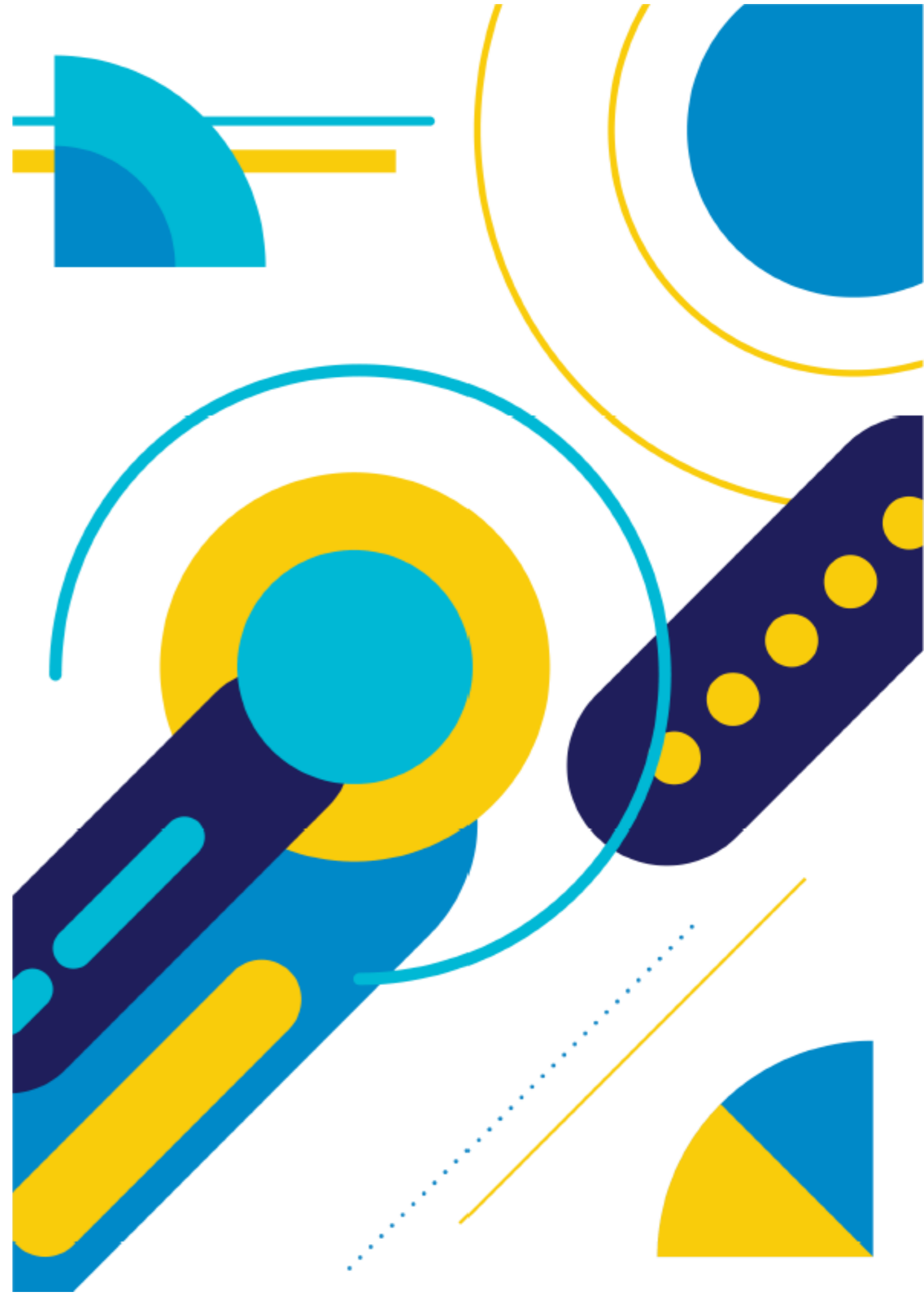
PRIVACY POLICY AND STANDARDS DEVELOPMENT PROGRAM



PNP Privacy Impact Assessment webinar

Other support functions, internal events, and public education

- Resource speakers in seventy-nine (79) DPA Orientation and DPO Briefings/Trainings/Webinars
- Key facilitators in DPO ACE trainings and certification program sessions
- Participation in internal events, meetings, and trainings such as Privacy Awareness Week (PAW) 2021, Kabataang Digital, CAAT Conferences, NPC Townhalls, QMS Trainings and Meetings, BAC Meetings and Trainings, Budget and Planning meetings, GAD activities, PPO Technical Competencies meetings, Key Privacy Themes meeting, Human Resource Development Merit Promotion and Selection Board (HRMPSB) meetings, employee wellness sessions, technical sharing sessions, and various internal committee meetings
- Completed trainings on data privacy certifications (i.e., Certified Information Privacy Professional/Europe (CIPP/E) and Certified Information Privacy Manager (CIPM)) and various leadership seminars
- Invaluable contributions and preparations for the installation of the Quality Management System (QMS) in the NPC as members (PQRT, SPQR, WIT) leading to the issuance of the Certification that NPC is ISO 9001:2015 compliant for the Enforcement of the DPA
- Approval of PRD Operations Manual v.2 and completion of other QMS-related requirements



THE POLICY DEVELOPMENT DIVISION 2021 HIGHLIGHTS OF ACCOMPLISHMENTS

The Policy Development Division (PDD) has constantly endeavored to lead and promote the Commission's goal of ensuring world class data privacy standards in the Philippines and enabling data privacy resilience of stakeholders. For 2021, the PDD has achieved the following milestones and accomplishments:

Circulars and Advisories

The PDD has always been committed in understanding the concerns of the public as the issuances were crafted based on the increasing demand for better and accountable personal data processing, especially during this time of the pandemic. Hence, various significant concepts and requirements under the DPA were further elaborated on these specific issuances:



1. **NPC Advisory No. 2021-01** on Data Subjects Rights which further elaborated on the rights of data subjects relevant to the processing of their personal data, providing relevant guidance on how these rights may be exercised and the concomitant obligations of personal information controllers in relation to these rights.



2. **NPC Advisory No. 2021-02** on the Guidance for the Use of the ASEAN Model Contract Clauses and ASEAN Data Management Framework, which aims to provide additional guidance to supplement the ASEAN Model Contractual Clauses and ASEAN Data Management Framework as to how PICs and PIPs in the Philippines may use these in their respective personal data processing.



3. **NPC Advisory No. 2021-03** on the Guidelines on the Processing of Personal Data for Election Campaign or Partisan Political Activity, which was crafted in collaboration with the Key Privacy Theme leader for the 2022 Elections from the PRD. This lays down the obligations of political parties, candidates, aspirants, party-list groups or organizations and their nominees, and information society service providers on the matter of processing personal and sensitive personal information (collectively, personal data) for election campaigns or partisan political activities.

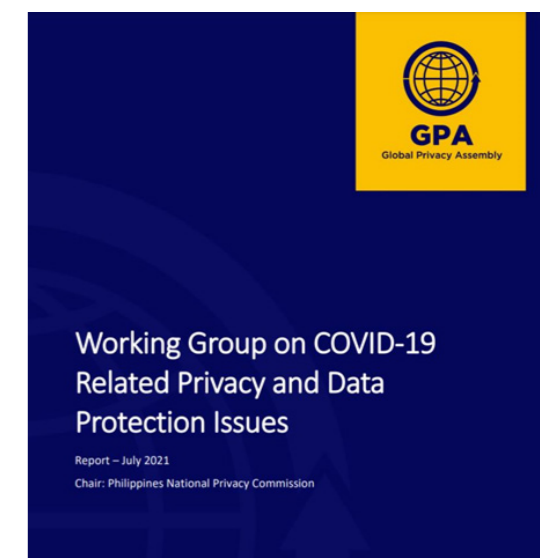


4. **NPC Circular No. 2021-02** on the Guidelines on the Processing of Personal Data During Public Health Emergencies, which recognizes the processing of personal data in response to public health emergencies as part of a public health measure while emphasizing the principles of transparency, legitimate purpose, proportionality, as well as the safeguards, data subject rights, compliance and accountability for such processing.

International commitments

Just like the past years, the PDD is leading the Philippines' and NPC's international commitments with the Asia Pacific Economic Cooperation (APEC), Asia Pacific Privacy Authorities (APPA), Association of Southeast Nations (ASEAN), Global Privacy Assembly (GPA), and various international working groups on privacy, data protection, digital economy, digital data governance, and e-commerce.

The PDD has played a key role in NPC's efforts in leading the GPA's Working Group on COVID-19 related privacy and data protection issues. Through this role, NPC steered various discussions for GPA members about the development of pandemic-responsive policies that uphold privacy standards. These include the Executive Committee Joint Statement on the use of health data for domestic and international travel purposes, Compendium of Best Practices in Response to COVID-19 (Part II), and various capacity-building activities with key stakeholders, such as the OECD and CIPL. The NPC also drafted and sponsored the resolution on data sharing for the public good which was adopted by the GPA community during its 43rd Assembly.



GPA COVID-19 Working Group Report



43rd GPA hosted by National Institute for Transparency, Access to Information and Personal Data Protection (INAI) Mexico

2021 HIGHLIGHTS OF ACCOMPLISHMENTS
 PRIVACY POLICY AND STANDARDS DEVELOPMENT PROGRAM

Likewise, the PDD led the efforts on launching the call for Accountability Agent applicants for the APEC Cross-Border Privacy Rules (CBPR) System which aims to nominate an Accountability Agent who will certify that the privacy policies and practices of participating companies or organizations are compliant with the CBPR System requirements.

Notwithstanding the fact that the ongoing pandemic has yet again made in-person meetings not possible this year, PDD lawyers continued to actively represent the Philippines and NPC in numerous virtual international meetings, conferences, and other events held online by the following: APEC, APPA, ASEAN, GPA, bilateral meetings with other jurisdictions, and other international meetings, events, and webinars with the WHO, OECD, CIPL, among others.



The 55th APPA Forum hosted by the Personal Information Protection Commission of the Republic of Korea



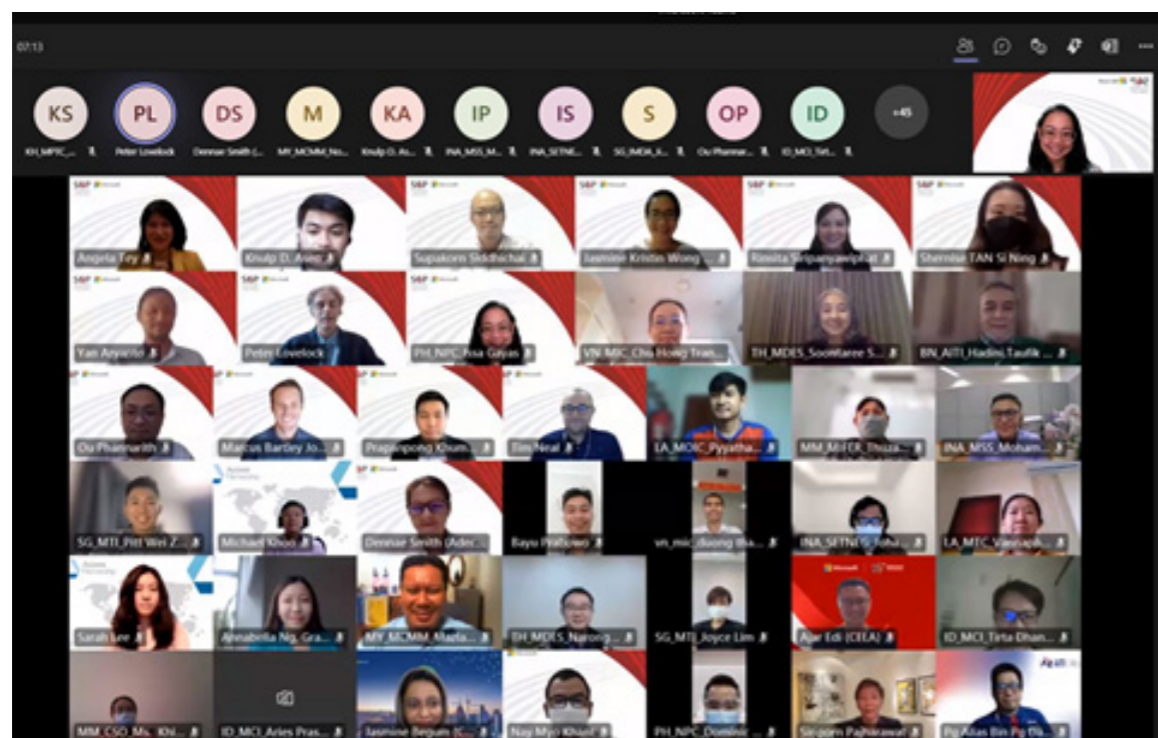
The 56th APPA Forum hosted by the Information and Privacy Commissioner for British Columbia



APEC DPS Meeting



Privacy Roundtable 2021



SCP Training

Likewise, PDD has prepared, reviewed, and provided inputs on various international documents, resolutions, questionnaires, frameworks, reports, roadmaps, work programs, surveys, contract clauses, implementation matrices, indices, speeches, presentations and slide decks, policy statements, compendium, workplans, press releases, articles, agreements, concept notes, programs, and other significant interventions.

Advisory Opinions and complex inquiry responses

The PDD has contributed three (3) Advisory Opinions on matters involving the interpretation of the DPA, its IRR and other issuances, and its applicability to specific circumstances. These advisory opinions addressed pressing issues and concerns directly affecting the public at large and gave light to the data privacy implications of government actions and private sector transactions.

Likewise, the PDD has responded to sixty-five (65) complex inquiries through the official PPO email, delivering timely assistance to all stakeholders who sought clarification on matters relating to data privacy.

Law reform and legislative interventions

The PDD has prepared comments on behalf of the Commission on proposed legislations from both the House of Representatives and the Senate of the Philippines, and represented the NPC in various committee meetings and hearings. In particular, four (4) comments/ position papers were submitted to Congress on the data privacy implications of the proposed Sim Card Registration Act, Philippine Data Interconnectivity Act, Open Data Act, and No Calls and No Text Registry Act, as well as the recommendations to improve the language and style used.

The PDD has also provided comments on various proposed policies involving other government agencies such as the following:

- Draft IRR for the Adoption of Advance Passenger Information (API) System
- Including the language for Article 10 (Personal Data Protection) introduced by Poland in its draft of the proposed Agreement between the Philippines and Poland on Transfer of Sentenced Persons
- Draft Agreement on Cooperation between the Department of the Interior and Local Government of the Republic of the Philippines and the Ministry of the Interior of the Russian Federation

Engagement with stakeholders in the government and sector activities

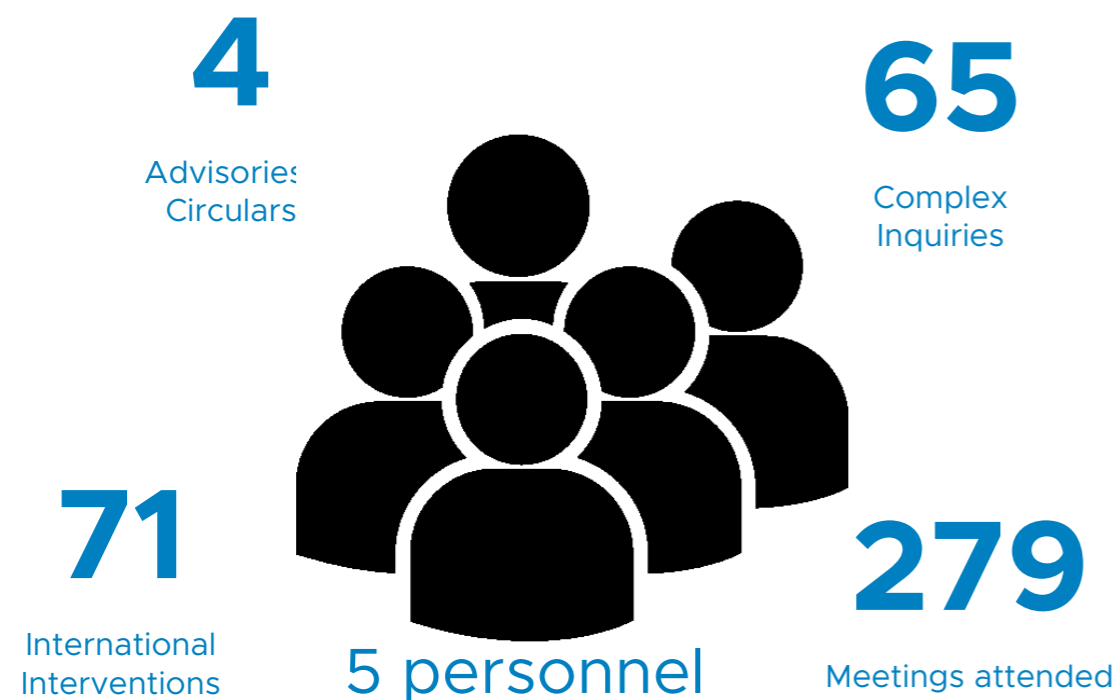
The PDD has also been at the forefront in terms of notable participation and coordination with stakeholders in the government on their privacy and data protection concerns. These include interagency coordination on the following:

- PhilSys Policy and Coordination Council (PSPCC) and Inter-Agency Committee (IAC) Subgroups (Communications, Use Cases and Authentication, Legal Affairs, Registration and Validation) Meetings
- Community-Based Monitoring System (CBMS) Technical Working Group (TWG) on Data

Sharing and Privacy Meetings

- Meetings with UP Law Center regarding the proposed study on contact tracing applications
- Stakeholder consultations with the Department of Trade and Industry and comments on E-commerce initiatives and issues in the Philippines
- Resource speakers in DPA Orientation and DPO Briefings/Trainings/Webinars
- Key facilitators in DPO ACE trainings and certification program sessions
- Invaluable contributions and preparations for the installation of the Quality Management System (QMS) in the NPC as team head The PDD has also demonstrated unwavering commitment in providing appropriate guidance as sectoral advisers through responses to different queries from the data protection officers, compliance officers for privacy, and other privacy advocates via different communication channels. Similarly, the PDD has actively participated in DP Council meetings and other stakeholder consultations.

Summary of PDD's performance for 2021

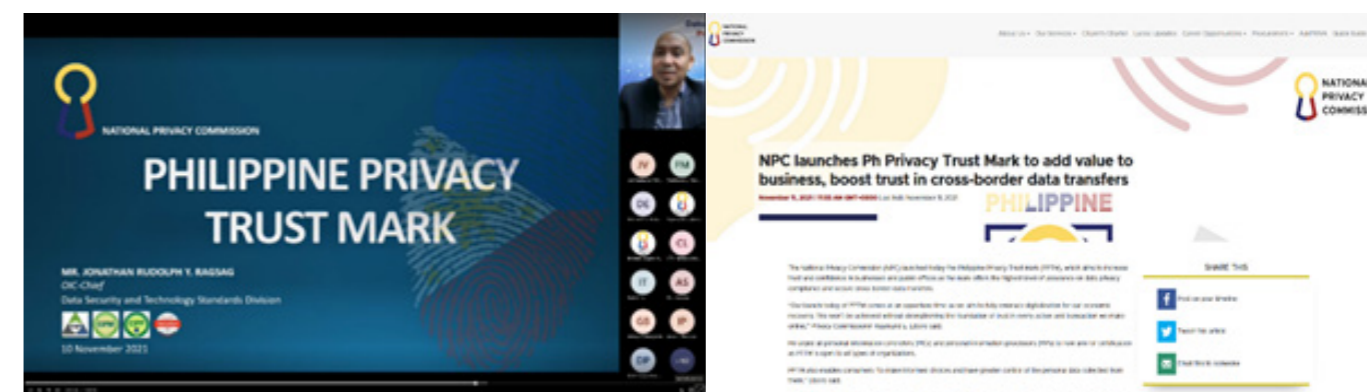


DATA SECURITY AND TECHNOLOGY STANDARDS DIVISION

ABOUT THE DIVISION

The Data Security and Technology Standards Division (DSTSD) of the DASCO) identifies the minimum standards for data security, develops standards for physical and technical security measures for data protection, identifies and analyzes technological trends and developments in electronic platforms and digital media, conducts risk assessment of existing and emerging technology on the protection of personal information in the digital world, and issues guidelines on security measures for data protection.

PHILIPPINE PRIVACY TRUST MARK CERTIFICATION PROGRAM



The Philippine Privacy Trustmark (PPTM) is a certification program developed by the DSTSD to assess public and private organizations that implement a data privacy and protection management system to protect the personal information that they process. The program is established to evaluate organizations processing of personal information and implement proper data protection measures and policies through a management system. On one hand, it enables organizations to reduce their risks and demonstrate their compliance with the DPA. On the other hand, it allows data subjects to identify organizations which they can trust with their personal data. Qualified Certification Bodies who choose to be certified should undergo a recognition process with the NPC. CBs shall show how competent they are through submissions of necessary documents and requirements to be certified. These would then be evaluated by a CB based on the Data Privacy and Protection Management System – Requirements (DPPMS).

Once certified, eligible organizations may use the mark in their operations. The PPTM can demonstrate how compliant the organizations are through the evident application of the DPA in their systems which can build trust for the data subjects. Thus, it will signify that an organization can handle and improve the data subject's data privacy and security. The key benefits of an organization having certified in the PPTM includes the ability to build data privacy and protection management system and enhancing its trust through having strong information security and privacy.

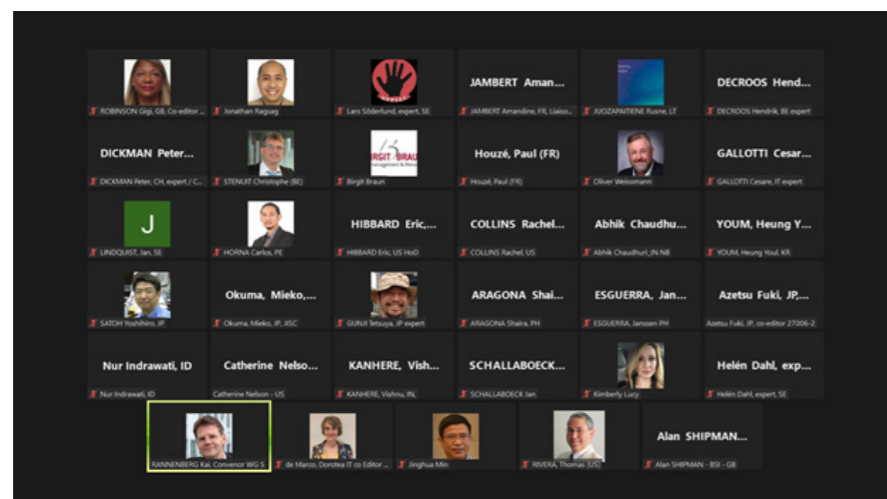
2021 HIGHLIGHTS OF ACCOMPLISHMENTS

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The PPTM aims to: 1) evaluate an organization's demonstration of operational compliance with the DPA through risk management; 2) assess an organization's demonstration of having the proper organizational, physical, and technical security measures to ensure data protection; 3) help organizations add value to their operations and establish trust with both their internal and external clients; 4) guide data subjects in identifying organizations that they can trust with their personal data; and 5) provide adequate support on cross-border data transfers.

The PPTM was launched in November.

INTERNATIONAL COORDINATION



Representatives from the DSTSD continued their active participation in the International Organization for Standardization (ISO) / International Electrotechnical Commission (IEC) Joint Technical Committee (JTC) 1 (Information technology) / Sub-Committee (SC) 27 (Information security, cybersecurity and privacy protection) and Working Group (WG) 5 (Identity management and privacy technologies) by submitting significant contributions to the development of international standards at various stages and attending the SC 27 Plenary and WG 5 Working Group Meetings in April and October.

It is worth noting that former Privacy Commissioner Raymund Enriquez Liboro and the DSTSD have taken on special roles and responsibilities in SC 27 & WG 5 such as:

- SC 27 Chair's Advisory Group Member
- SC 27 Advisory Group on Strategy (AG-S / AG 5) Member
- SC 27 Liaison Representative to the Global Privacy Assembly (GPA)
- WG 5 Ad hoc group commenting on the next draft of ISO Working Draft (WD) / Committee Draft (CD) 31700 (Consumer protection – Privacy by design for consumer goods and services) Member
- ISO/IEC 1st Draft International Standard (DIS) 27557 (Organizational privacy risk management) Co-Editor
- ISO/IEC 4th WD Technical Specification (TS) 27560 (Consent record information structure) Co-Editor
- ISO/IEC 2nd WD 27562 (Privacy for fintech services) Co-Editor
- ISO/IEC 1st WD Technical Report (TR) (Impact of security and privacy in AI use cases) Co-Editor
- PWI 6087 (Digital Authentication Guidelines: Risks and Mitigations) Co-Editor

The DSTSD also participated and contributed on the following:

- ISO/IEC WD TS 27561 - Privacy operational model and method for engineering (POMME)
- ISO/IEC WD Technical Report - Impact of security and privacy in AI use cases
- ISO/IEC WD TS - Guidance on addressing privacy protection for artificial intelligence systems

In addition, the 4th ASEAN Data Protection and Privacy Forum (ADPPF) was held last September. It provided a comprehensive platform for exchanging data privacy, updated laws and regulations; and discussing practical exercises on ASEAN Data Management Framework and ASEAN Model Contractual Clauses as well as ASEAN Certification development. The 4th ADPPF also facilitated and promoted regional cooperation and cross-fora collaboration to engage with external stakeholders in sharing their experiences and views on data protection, emerging challenges, tools, and mechanisms in enabling trusted cross border data flows. The DSTSD participated in the forum, prepared the NPC's presentation on Key Data Protection Developments in the Philippines, and contributed on the released Advisory on ASEAN Data Management Framework and Model Contractual Clauses.

Moreover, the DSTSD OIC-Chief, acting on behalf of the Privacy Commissioner, is the GPA Representative to the ISO/IEC JTC 1 SC 27/WG 5.

2021 HIGHLIGHTS OF ACCOMPLISHMENTS

PRIVACY POLICY AND STANDARDS DEVELOPMENT PROGRAM

NATIONAL ENGAGEMENTS

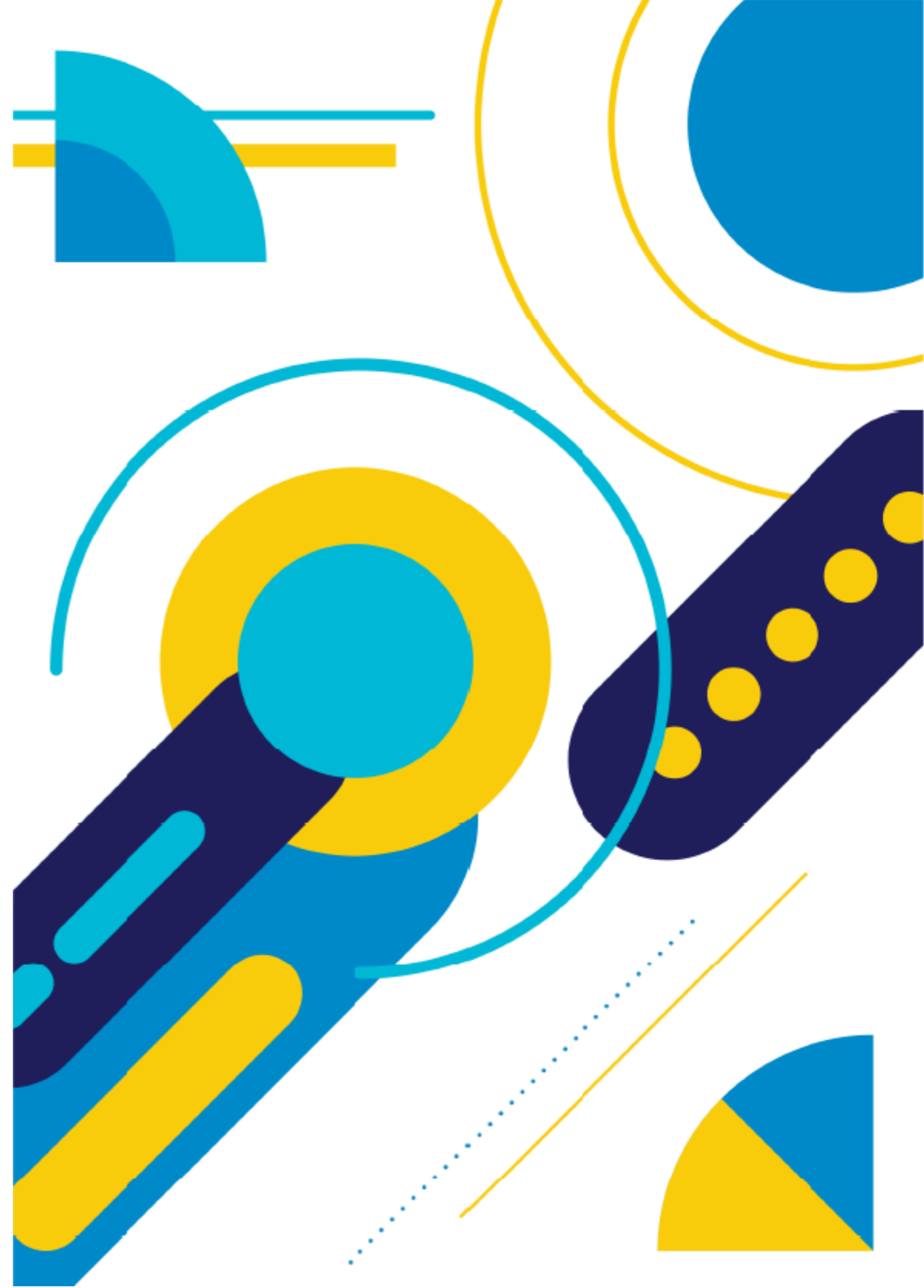
To support the NPC in performing its function of coordinating with other government agencies and the private sector on data security, the DSTSD helped in developing and securing our national ID – the Philippine Identification System (PhilSys) – by including privacy & security provisions in the implementation plan, providing risk assessment guidance, continuously giving advice in the Inter-Agency Committee (PhilSys-IAC) meetings & workshops, and supporting the Privacy Commissioner in the PhilSys Policy and Coordinating Council (PSPCC) meetings.

Furthermore, to help in the important national initiatives in the protection of personal data in the country, the DSTSD assisted the Privacy Commissioner in fulfilling the NPC's tasks and duties as a member of the National Cybersecurity Inter-Agency Committee (NCIAC) where the committee is tasked to assess cybersecurity risks and vulnerabilities in the Philippines and issue security protocols for all government employees about handling, storing, and distributing documents & communications.

STANDARDS DEVELOPMENT

Among its primary functions, the DSTSD is tasked in developing standards for physical and technical security measures for data protection. Towards this end, it has been at the forefront of the DTI-BPS/TC 60 (the mirror committee of ISO/IEC JTC 1 in the country) in deliberating and acting on ISO/IEC Standards on Information Security, Cybersecurity and Privacy Protection along with other agencies such as the Department of Information and Communications Technology (DICT), Bangko Sentral ng Pilipinas (BSP), Philippine Economic Zone (PEZA), Social Security System (SSS), and industry experts: 24 endorsed standards, one standard approved for circulation to stakeholders, and 27 standards approved for adoption as Philippine National Standards (PNS). TC 60 is chaired by the Privacy Commissioner.

Also, the DSTSD, with the guidance of Privacy Commissioner John Henry Naga, issued advisories on the adoption of a set of international standards (ISO/IEC 29100, ISO/IEC 29151, ISO/IEC 24760, and ISO/IEC 29134) that apply to all types and sizes of organizations or entities acting as personal information controllers (PICs) and personal information processors (PIPs), including public and private companies, government, and non-profit organizations.



2021 HIGHLIGHTS OF ACCOMPLISHMENTS

PRIVACY POLICY AND STANDARDS DEVELOPMENT PROGRAM

Each of these international standards is approved for adoption as a Philippine National Standard (PNS) by the Bureau of Philippine Standards, upon the recommendation of the Subcommittee on Information Security, Cybersecurity and Privacy Protection (SC 1) and the Technical Committee on Information Technology (BPS/TC 60). BPS/TC 60, to which the NPC is a participating member on identifying and reviewing standards for data protection, oversees the review and adoption of relevant international standards in the Philippines.

The PNS ISO/IEC 29100 standard on privacy framework can be applied by PICs and PIPs in their risk management process, privacy policies, privacy controls, and privacy principles and in designing, implementing, and operating information and communication technology projects.

PICs and PIPs may refer to the PNS ISO/IEC 24760-series of standards framework to properly manage the identity information of individuals, organizations, or information technology components that operate on behalf of individuals or organizations.

PNS ISO/IEC 29134 covers the conduct of privacy impact assessments (PIAs) and the structure and content of a PIA report. This standard will align organizations with international best practices in conducting a PIA. It served as the basis for the NPC Advisory 17-03 (Guidelines on PIAs).

PNS ISO/IEC 29151 will help PICs and PIPs enhance the security controls they use to protect personal data. It guides how best to mitigate the privacy risks identified in a PIA by enforcing information security policies.

PIC and PIPs adopting the international standards on security techniques should implement these on top of their compliance with the Data Privacy Act of 2012, the law's implementing rules and regulations, and other issuances of the NPC.

TECHNOLOGICAL TRENDS AND RISK ASSESSMENT

With the emergence of digital solutions due to the COVID-19 pandemic, DSTSD analyzed a total of 15 apps & websites, the personal data they collect, and the permissions they require.

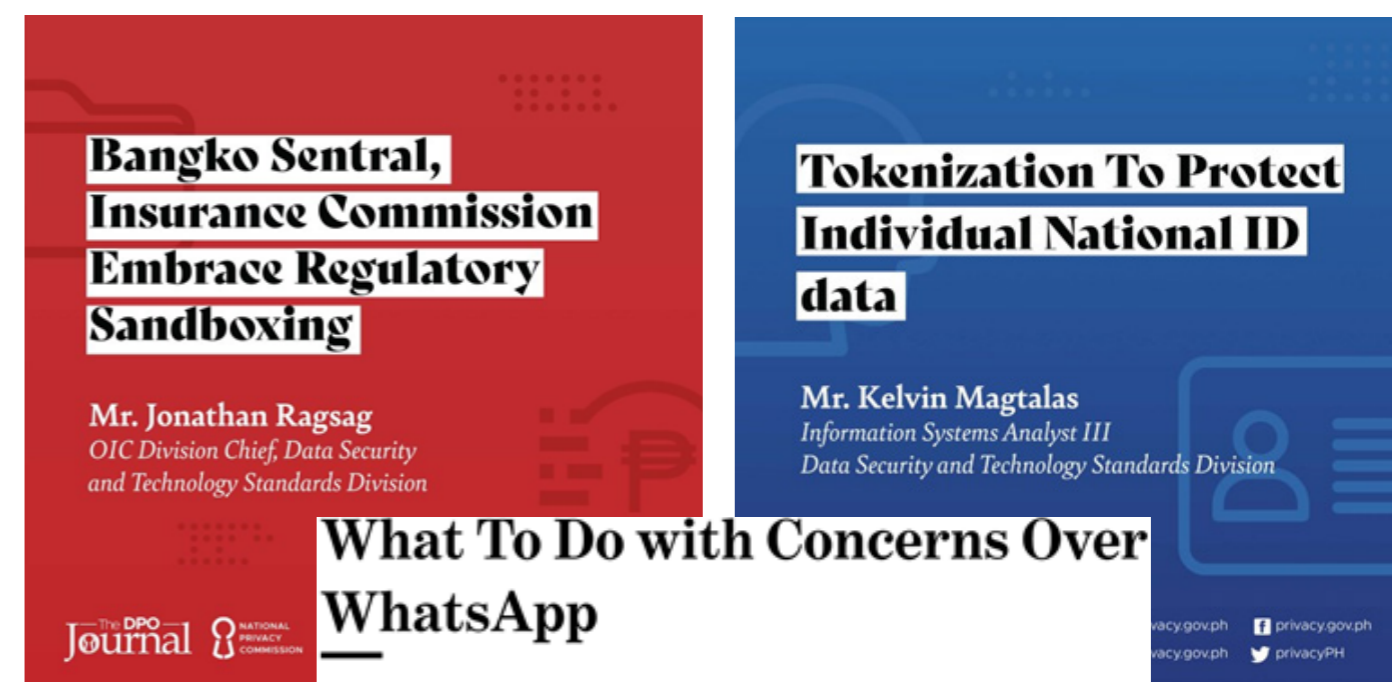


15
Apps & websites
analyzed

SECTORAL ENGAGEMENTS

One of the NPC's main initiatives is sectoral engagement. Its purpose is to help equip the DPOs with the necessary skills that they require in ensuring privacy. The DSTSD helped plan, organize, and facilitate or presented in events for sectoral engagement such as the 5th National Data Privacy Conference (or Privacy Awareness Week 2021 Virtual Conference), DP Council Stakeholders' Assemblies, and sectoral meetings.

DPO JOURNAL



PRIVACY AND SECURITY ADVISORIES

To provide timely privacy and data protection guidelines, the DSTSD trailblazed in providing security measures when security incidents and personal data breaches are likely to occur. A total of four Data Privacy and Security Advisories (DPSAs) and four Guidelines on Security Measures were issued and released.

2021 HIGHLIGHTS OF ACCOMPLISHMENTS

PRIVACY POLICY AND STANDARDS DEVELOPMENT PROGRAM

The DPO Journal is a quarterly newsletter where the NPC can give various updates on the latest news, events, blog posts, advisories, guidance, circulars, and decisions relating to privacy and data protection.

For 2021, the DSTSD released three DPO Journal articles.

ANNUAL SECURITY INCIDENTS

The DSTSD has successfully compiled 120 annual security incident reports from public and private organizations for 2021. These reports consist of physical, email, and online reports.

F. COMPLAINTS HANDLING AND ENFORCEMENT PROGRAM

LEGAL DIVISION

The Legal Division of the National Privacy Commission is directed to perform four (4) distinct functions: First, to provide legal assistance to the Commission through legal opinions and contract reviews; second, to act as general counsel in cases against the Commission, its officers and employees; third, to assist in alternative dispute resolution of complaints; and fourth, to perform such other functions as may be assigned by the Office of the Privacy Commissioner.

As the Philippines is still battling with the COVID-19 pandemic, the Legal Division remained true to its mandate and has adopted accordingly to deliver public service despite the uncertainties. The Legal Division has developed mechanisms in order to continue and adjust to cater to the needs of the public and ensure that justice is served efficiently and effectively. Despite the difficulty of the times, the Legal Division has exhibited wholehearted dedication, enduring perseverance, and unquestionable professionalism in fulfilling its mandate of providing legal services to its stakeholders.

For the year 2021, the Legal Division has released a total of twenty-seven (27) legal opinions and forty-five (45) contract reviews and proposed revised contracts. Salient legal opinions include procurement-related concerns, imposition of fines and the applicability and effect of the Magna Carta for Scientists, Engineers, Researchers and Other Science and Technology Personnel in Government to the NPC.

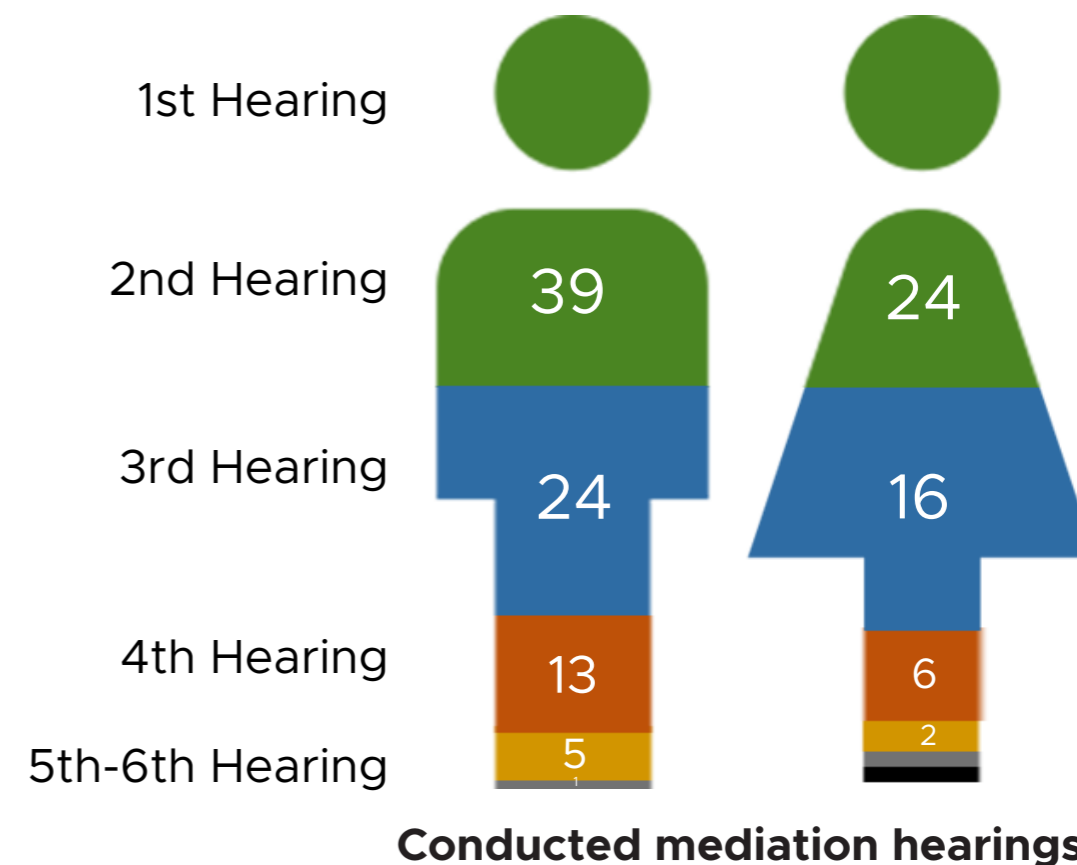
The Legal Division has also drafted Agreements between the Commission and the Cybercrime Investigation and Coordinating Center (CICC), Civil Service Commission (CSC), Securities and Exchange Commission (SEC), and the Commission on Elections (COMELEC); and reviewed Agreements between the Commission and other government agencies such as the Philippine Competition Commission (PCC) and the Personal Data Protection Commission (PDPC) of the Republic of Singapore.

The Division likewise spearheaded the drafting of the Circular on Administrative Fines, conducted public consultations and coordination with the University of the Philippines Law Center (UPLC) and School of Economics to ensure that the issuance is founded on sufficient legal and economic bases. The Circular will be issued by the first semester of 2022.

With the shift to alternative work arrangements, community quarantine restrictions and limitation on public transportation, the Legal Division conducted online mediation conferences at least thrice a week to continue its duty to encourage and endeavor to amicably settle disputes and come up with a mediated settlement agreement. Atty. Ana Carmela Erika V. Reblora, the lead mediation officer, together with the mediation support officers and legal assistants conducted a total of one hundred thirty-one (131) conferences to attend to forty-eight (48) out of fifty-nine (59) mediation cases referred to the Legal Division for 2021. There are eleven (11) cases that are still scheduled for further hearings in 2022.

Cases referred for Mediation Conference

	FEMALE	MALE	
Settled	5	9	14
Non-Settlement	14	21	34 (1 Case Spouses)
Next Hearing	5	6	11
TOTAL:			59



2021 HIGHLIGHTS OF ACCOMPLISHMENTS

COMPLAINTS HANDLING AND ENFORCEMENT PROGRAM

As can be seen on the graph below, the Legal Division has settled twenty-four percent (24%) or 14 cases, while fifty-seven percent (57%) or thirty-four cases resulted in non-settlement.

To facilitate the processing of clearance, training nominations, special leaves and other personnel affairs, the Legal Division has issued a total of two hundred (200) certificates of no pending case. This includes those nominations for the first ever Program on Awards and Incentives for Service Excellence (PRAISE) of the National Privacy Commission.

Amidst the pandemic and overwhelming schedule of mediation hearings, Atty. Reblora from the Legal Division was still able to conduct seven (7) online briefings on data privacy to specific stakeholders, particularly the health sector.

These events included participation in panel discussions, serving as resource speaker in conferences and orientations



to capacitate their participants on the provisions of the law and its implication to their service and sector in general. Apart from the main functions, members of the Legal Division are similarly involved in internal committees (i.e., Magna Carta Committee, Internal Affairs Committee, Committee on Decorum and Investigation, Fees Committee, Bids and Awards Committee, Gender and Development Committee, and the Quality Management System Committee, to name a few), inter-agency taskforces and international coordination activities.

For 2021, there were a total of three hundred forty-nine (349) meetings attended in between drafting policies, issuances and conducting online mediation conferences. Notably, Atty. Ma. Josefina E. Mendoza from the Legal Division represents the Commission in the Asia Pacific Economic Cooperation (APEC) meetings, specifically in the APEC Cross Border Privacy Rules

System (CBPRS) working group meetings, the Data Privacy Sub-Group (DPS) meetings and the APEC Digital Economy Steering Group (DESG).

The Division participates actively in all Gender and Development (GAD) activities spearheaded by the GAD Committee. Atty. Rasiele Rebekah DL. Rellosa-Saguiguit of the Legal Division serves as the Chairperson of the GAD Focal Point System (FPS) Technical Working Group (TWG). Core functions of the Division, including the conduct of mediation conference, is attributed to GAD activities, as well as those orientations provided by the Legal Division personnel on the Use of Gender Fair Language in the Workplace and Orientation on the Safe Spaces Act. True to its active and dedicated participation, the Legal Division was awarded First Place under the Best GAD Implementer category during the PRAISE Awards.



Other than these, the Legal Division also attended virtual seminars organized by the Human Resource and Development Division (HRDD) including those on mental health, stress management, disaster preparedness and complete staff work. There were also learning sessions and orientations conducted by the Health and Safety Committee (HSC) on the COVID-19 pandemic, vaccinations and booster shots. For our newly hired legal assistants, the HRDD also provided them with orientations to familiarize them with the NPC and other administrative requirements. Lawyers in the Legal Division were able to attend the Mandatory Continuing Legal Education (MCLE) sessions as part of their requirements in the legal profession.

Part of the NPC's journey to being an International Standards Organization (ISO) accredited agency, Atty. Rellosa-Saguiguit and Atty. Mendoza of the Legal Division have been assigned as the head of the Process Quality Review Team and Documented Information Team, respectively. They have been working closely with the consultants of the NPC, the Director of the Legal and Enforcement Office (LEO) and NPC's Quality Management Representative, Atty. Maria Theresita E. Patula and the Quality Management System Secretariat.

Moreover, the Division, in its thrust to grow and learn from each other, together, have been holding coaching and mentoring sessions for the mediation support officers and legal assistants, reporting on privacy issues, conducting case audits, and weekly meetings to check-in and ensure the physical, mental, and emotional well-being of every member of the Division. The Division has maximized the use of the online platform to update each other, orient and consult on issues encountered both in and out of work.

With the recent and constant mutation of strains of the COVID-19 virus, the end of this pandemic is still uncertain. The entire world is still finding ways to cope and live with current situation. Everyone is taking it one day at a time, one step at a time. The Legal Division, together with the rest of the

LEO headed by Atty. Patula, have been supporting one another in achieving objectives, meeting targets and finding solutions to challenges encountered along the way. Anchored in dedication and commitment, the Legal Division will continue working hard, as a team, to constantly emerge victorious, dream bigger, and aim higher in the service of the National Privacy Commission and its stakeholders for 2022.

ENFORCEMENT DIVISION

ABOUT THE DIVISION

The Enforcement Division (EnD), under the Legal and Enforcement Office (LEO), is organized to manage enforcement and all related actions that the Commission may need to ensure compliance with its decisions, orders, and resolutions. This may include compelling any entity, government agency, or instrumentality to abide by its orders or act on a matter affecting data privacy, award of indemnity on matters affecting personal information, issuance of cease-and-desist orders, imposition of a temporary or permanent ban on the processing of personal information, and recommendation for prosecution and imposition of criminal penalties specified in the Data Privacy Act of 2012.

Towards this end, it assists the Office of the Privacy Commissioner in the formulation of policies and procedures to ensure timely and efficient enforcement of its orders, including coordination with other government agencies.

The Division also prepares reports and statistics on the disposition of complaints and resolution of any investigation based on the Decisions of the Commission; and, in cases, it deems appropriate, causes the publication of the said report in coordination with the Public Information and Assistance Division (PIAD). Lastly, the Office performs such other functions as may be assigned by the Office of the Privacy Commissioner.

PERFORMANCE AND ACHIEVEMENTS

In the year 2021, EnD was instrumental in helping the Commission achieve its strategic objectives. It showcased various accomplishments which exemplified the division's commitment to strengthening regulation and enforcement and empowering data subjects.

Strengthened Enforcement Powers

For the first time since its inception, in 2021, the Commission has awarded damages in favor of the affected data subjects. In five out of six of these cases, EnD has already enforced the payment of damages. The remaining case is subject to an appeal to the Court of Appeals. This shows the Division's resolve to ensure that data subject rights are protected.

Last year, the Commission remained steadfast in its goal of protecting users against unauthorized processing of personal information of certain online lending companies (OLCs). It issued temporary bans on the processing of personal information against four OLCs.

EnD has judiciously enforced these temporary bans through constant coordination with the National Telecommunications Commission (NTC), different mobile app stores, including Google, and website domain hosts. Continuous monitoring of the Personal Information Controllers' (PICs) compliance with these orders is also being conducted. As such, the mobile applications of said OLCs are no longer accessible online.

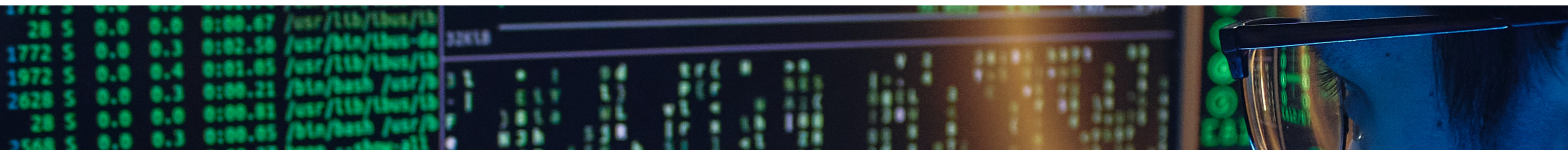


EnD meets with DOJ-NPC Task Force for prosecution of DPA Cases

In addition to this, EnD also ensured that all the previous temporary bans were being enforced. In one case, EnD sought the compliance of an OLC, which has been meted by a temporary ban on the processing of personal information in 2019.

For cease-and-desist orders (CDO), on the other hand, the Commission issued one against an election-related website. EnD also enforced this order and ensured that the original website subject of the CDO was taken down. Any and all violations of the directives of the Commission in reference to the CDOs and temporary bans are dealt with by this Division through service of Compliance Letters and Enforcement Letters to the PICs involved.

As for the recommendation for prosecution of cases involving criminal provisions of the DPA, EnD remained in constant coordination with the Department of Justice regarding the preparation of complaints and witness affidavits.



Court of Appeals upholds NPC Decisions

Aside from beefed-up enforcement of the DPA, 2021 is also a big year for the NPC as a quasi-judicial agency as it is the first year wherein a DPA case reached the appellate court.

In *Manila New Life Church Inc. (MNLCI) v. Pieceland Corporation (Pieceland)*, the Court of Appeals (CA) upheld the ruling of the NPC and denied the appeal filed by the respondents. The case stemmed from a complaint filed by the members of MNLCI against the alleged unauthorized processing of their personal information. The NPC ruled that the respondents' actions in requiring the data subjects to submit passports, government-issued IDs, and colored pictures are disproportionate to the purpose they seek to achieve. As such, it ruled that the respondents violated Section 25(b) of the DPA.

In a much-welcomed Decision, the CA upheld this ruling. According to the appellate court, the consent requirement under DPA was not satisfied, and the existence of legitimate interest immaterial against prohibition on processing of sensitive personal information. The CA also increased the amount of nominal damages from Php 1,000.00 to Php 20,000.00 for specific MNLCI members that filed the complaint.

NPC's recommendation to prosecute Pieceland and its responsible officers for DPA violations is likewise upheld. Pieceland is also ordered to delete the sensitive personal information they collected from the data subjects.

For cases like this filed before appellate courts, the Memorandum of Agreement with the Office of the Solicitor General (OSG) facilitated by the EnD proved to be helpful. The NPC-OSG Task Force handles concerns for legal advice and representation in litigations, among others. As such, the EnD, together with the OSG, prepared pleadings in defense of the Commission in appellate courts.

In yet another case, *In Re: Comelec Data Breach*, the NPC recommended the prosecution of a former Commission on Elections Commissioner for an alleged access of personal information due to negligence. The respondent filed a Petition for Review questioning this Decision. However, the CA dismissed the petition for being a wrong remedy. The respondent filed a Motion for Reconsideration against the CA decision, but it was likewise denied.

BEST PRACTICES AND INITIATIVES

Hosting of the JCSWG Meeting

For four years in a row, the EnD has been successfully co-hosting a meeting for the Joint Cybersecurity Working Group. This year, in partnership with the U.S. Embassy in Manila and the Better Access and Connectivity (BEACON) program, the EnD hosted a meeting entitled "VaxCertPH: Information Security in Public Health." The virtual discussion was

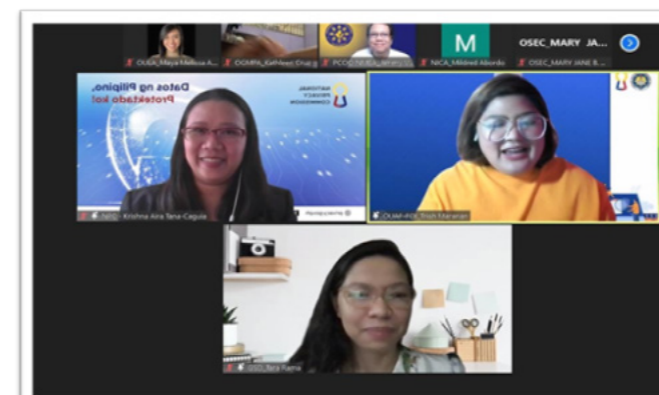
convened to discuss data privacy and cybersecurity concerning the VaxCertPH program, a national program intended to utilize a digital platform to augment efforts in vaccination and promote data-based public health involvement.



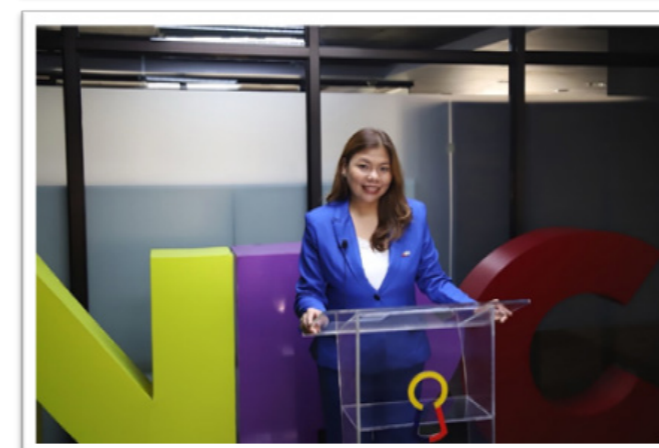
DPA Briefings, Orientations and Summits

As part of the Commission's continuing mandate to empower data subjects through public education, the EnD, through its team of dedicated lawyers, continued to initiate and conduct DPA briefings to various audiences. This year, EnD attended twenty-five (25) consultations, briefings, and seminars aimed at educating the public regarding the DPA and their rights as a data subject.

Moreover, the EnD also assisted the Commission in its flagship events such as the Privacy Awareness Week and Kabataang Digital.



Atty. Krishna Aira Tana-Caguia delivers a data privacy orientation.



Atty. Joan Therese Medalla hosts the Privacy Awareness Week 2022.



Atty. Rodolfo Cabatu Jr. gets interviewed on radio regarding enforcement of Cease and Desist Order against an Online Political Survey Platform.

Best Practices

The EnD was able to draft case digests and is currently issuing Entry of Judgments for all Closed cases.

Presently, the EnD is maintaining its case monitoring tracker, which makes it easier to monitor case status and generate statistics. Together with the entire Legal and Enforcement Office (LEO), the EnD will, after migration of its data in the new case monitoring tracker, link the latter to the LEO End-to-End Case Management System currently being developed, which makes it easier to monitor case status and generate statistics. Together with the entire Legal and Enforcement Office (LEO), the EnD will, after migration of its data in the new case monitoring tracker, link the latter to the LEO End-to-End Case Management System currently being developed, which will provide a complete case monitoring from the moment the case is filed, investigated, adjudicated and finally closed.

Further, the Division also participated in several capacity-building activities such as the Lean Six Sigma Training, Certified Information Privacy Manager Training, Training-Fellowship-Capstone Bootcamp, The Role of Cybersecurity in National Economic Development, Seminar on Completed Staff Work, Workshop on Basic Disaster Preparedness and Response Procedures, among many others.

Overall, even with the challenges that the country continues to face during this pandemic, the EnD has never failed to perform its duties - assessing parties' compliance with the Commission's orders, submitting pleadings before appellate courts, sending enforcement and compliance letters, coordinating with other agencies, and conducting research and investigations on implementation of sanctions on cases for and beyond enforcement - bearing in mind the Commission's established missions in protecting the fundamental human right to privacy.

COMPLAINTS AND INVESTIGATION DIVISION

The Complaints and Investigation Division (CID) is a division under the Legal and Enforcement Office (LEO) which carries out the Commission's mandate under Section 7 (b) of the Data Privacy Act to "[r]eceive complaints, institute investigations, facilitate or enable settlement of complaints through the use of alternative dispute resolution processes, adjudicate, award indemnity on matters affecting any personal information, prepare reports on disposition of complaints and resolution of any investigation it initiates, and, in cases it deems appropriate, publicize any such report x x x."

Among the CID's core functions are:

- a. To receive complaints and institute investigations regarding a violation of the Data Privacy Act of 2012;
- b. To investigate security breaches;
- c. To prepare a fact-finding report based on the complaint and its investigation, and recommend an appropriate action to the Commission; and
- d. Such other functions as may be assigned by the Office of the Commissioner.

Complaints Investigation

Receiving complaints and investigating matters involving personal data are CID's core functions. The number of complaints, breach investigations, and sua sponte investigations docketed by the CID in 2021 are as follows:



359
complaints filed



243
breach cases reported



23
Sua Sponte investigations instituted

2021 HIGHLIGHTS OF ACCOMPLISHMENTS
COMPLAINTS HANDLING AND ENFORCEMENT PROGRAM

Notable for 2021 is the significant increase in privacy concerns addressed by the CID, which are mostly received through emails: 8,487 privacy concerns in 2021 compared to 4,228 in 2020.

In relation to investigating complaints filed before the Commission, the CID has issued 1,941 orders and resolutions. Even with its limited number of plantilla employees functioning as investigating officers, the CID managed to conduct 506 preliminary conferences and submit a total of 607 fact-finding reports: 27 of which were elevated for adjudication of the Commission, while 580 fact-finding reports were submitted to the LEO Director for decision, pursuant to the delegation of authority issued by the Commission En Banc.

The CID was successful in 2 out of 3 applications for Cease-and-Desist Order filed with the Commission En banc. It was determined that the processing of personal information of Lisensya.info and Pilipinas2022.org presented grave and irreparable injuries to data subjects.

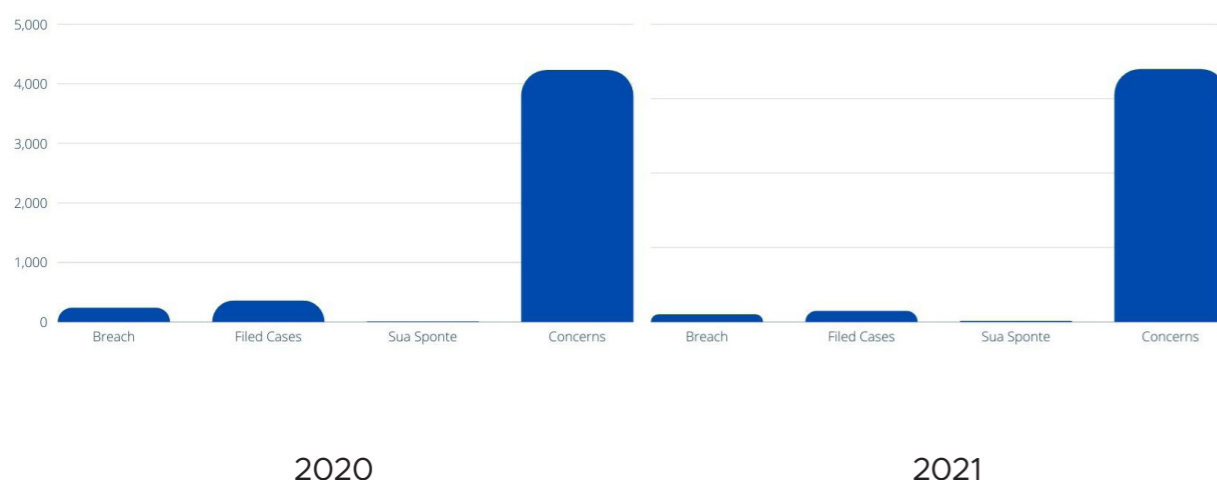


Figure 1. Comparison of complaints and concerns 2020 to 2021.

Project Decongestion 2.0

In keeping with the Commission’s efforts to provide timely and effective public service, the CID implemented Project Decongestion 2.0 phase 2, which is a continuation of efforts to resolve 2,243 pending cases from 2016 to July 2020.

As of end 2021, all the 1,437 cases in the initial stage of investigations at the start of the Project in July 2020 have progressed to the next stages of investigation. Hearings have been concluded for 385 cases, and the preparation and review of fact-finding reports is being undertaken for 468 cases. Of the cases still under investigation, 253 cases have been evaluated and are awaiting the respondents’ comments and preliminary conferences. A total of 1,077 cases have been resolved and closed with complete supporting fact-finding reports and decisions, with 49 cases elevated to the Commission for adjudication since the start of the project in July 2020.

To complement the decongestion efforts, fifty (50) contractual of service personnel have been onboarded since July 2021 as case decongestion officers and support staff. Several of the case decongestion officers were assigned to other concerned offices and divisions to aid in the end-to-end decongestion of cases. These case decongestion officers and support staff also handle the cases filed in 2021, the sua sponte investigation, the quick response and special cases (QRSC), and the cases on online lending applications, simultaneously with the 2016 to July 2020 cases assigned to them.

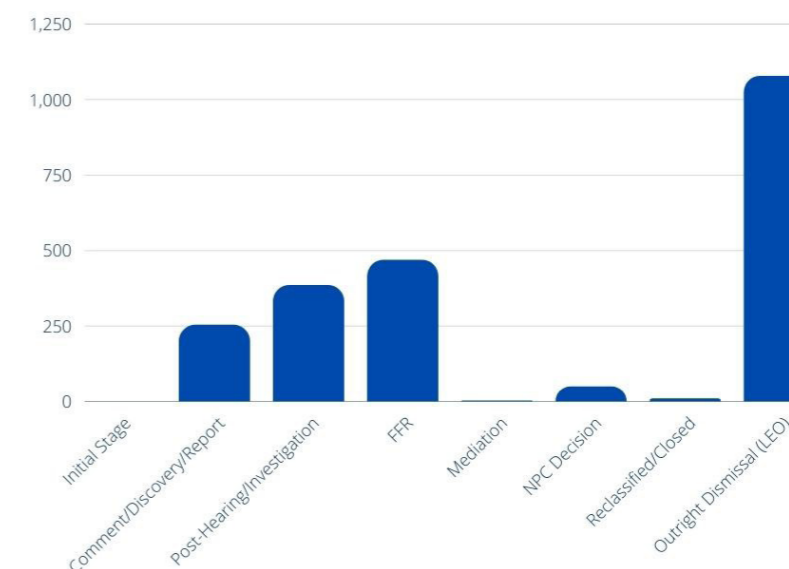


Figure 1. Summary of actions taken under Project Decongestion 2.0.

To decongest breach investigations filed in 2017 and 2018, the CID has issued 226 orders, resolutions, and letters. The CID was also able to submit 10 fact-finding reports for adjudication. On the other hand, 6 cases have been closed or reclassified after investigations showed that no personal information was involved or that no actual breach had occurred.

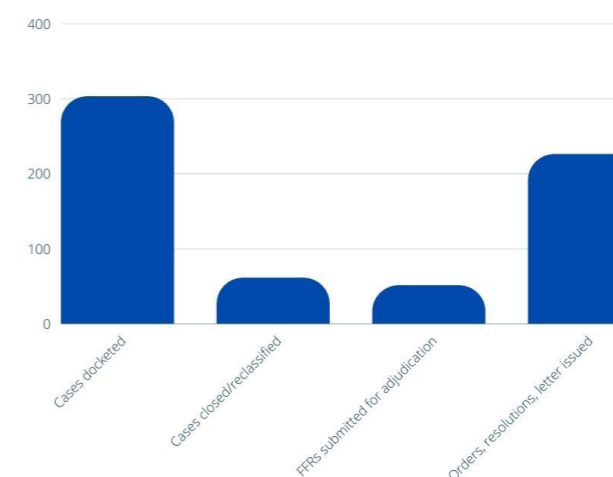


Figure 2. CID actions on breach cases.

Quick Response Investigations

A Quick Response and Special Cases (QRSC) Team was formed under the CID to aid the Commission in quickly reacting to, monitoring, investigating, and resolving privacy concerns that affect large segments of the community or which can cause privacy panics. Implementing Special Order No. 29, series of 2021, the CID pooled personnel from the Project Decongestion 2.0 complement, to form the QRSC Team composed of both IT and legal personnel, to

provide quick analysis, initial coordination, issuance of notices to explain, and triaging of privacy concerns through reports submitted to the Office of the Privacy Commissioner within eight (8) hours from notice.

The CID's QRSC Team investigated 132 cases for 2021, producing 147 orders, notices to explain, and letters. 164 initial reports and supplemental reports have been submitted to the Office of the Privacy Commissioner as part of its investigations.

Investigations for Online Lending Applications

The CID spearheaded the Commission's efforts to investigate the money lenders operating through online lending applications (OLA), who coerce borrowers, through harassment and publicly shaming, into paying their debts. From May to December 2021, through its Sua sponte investigation, the CID has submitted to the Commission four (4) fact-finding reports with application for temporary ban on the processing of personal data against online lenders. In the course of investigations, the CID has filed three (3) replies and comments, and issued four (4) supplemental reports and four (4) orders. More investigation on OLAs were commenced by the CID in 2021.

Other Division Accomplishments

The CID understands that training is necessary to equip its personnel with the knowledge and skills for the thorough conduct of investigations. For 2021, several CID personnel have participated in both technical and legal trainings and seminars, including: Digital Forensics and Cybercrime Investigation, Penetration Testing and Forensic Software Training, CompTIA A+ Training Series, RootCon Hacking Conference, Countering Terrorist Travel, API and PNR Basics Training, and Mandatory Continuing Legal Education. The CID also began the implementation of NPC Circular No. 2021-01, otherwise known as the "2021 NPC Rules of Procedure."

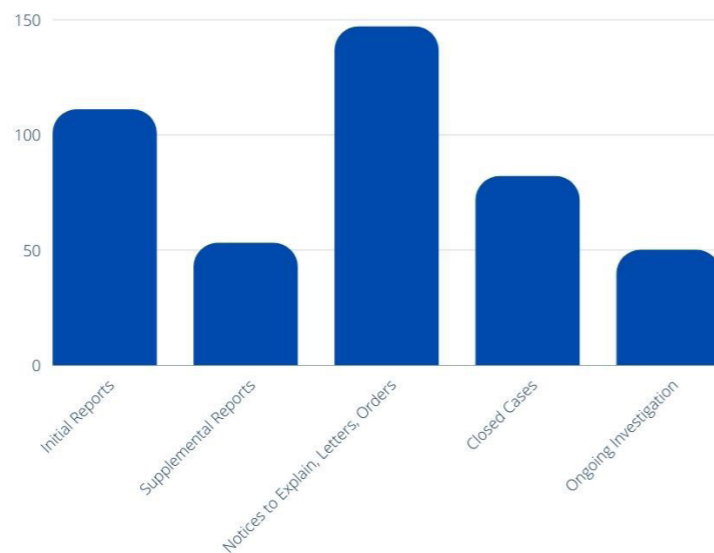


Figure 3. Summary of CID actions taken on Quick Response Cases

The 2021 Rules of Procedure streamlined the CID's investigation of complaints by introducing preliminary conferences and expanding the procedure for alternative dispute resolution, as well as identifying the specific duties and responsibilities for each responsible party in the investigation and adjudication process.

G. INTERNAL MANAGEMENT

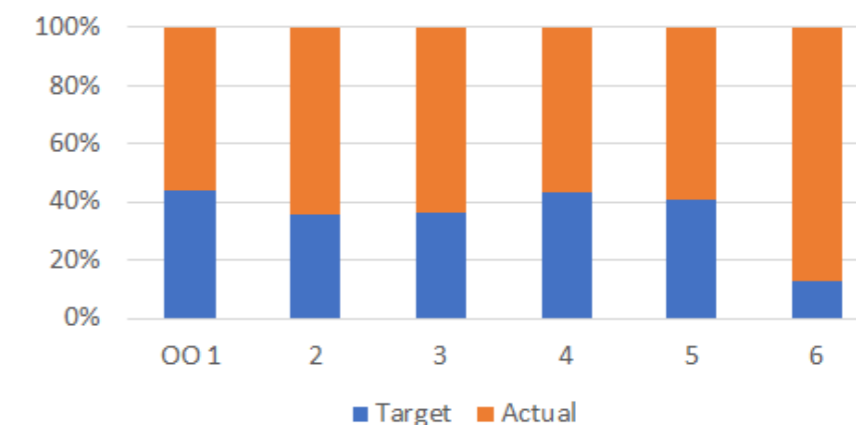
The support to operations team led by NPC Executive Director, Atty Ivin Ronald D.M. Alzona, thru the Finance and Administrative Office (FAO) headed by Director, Atty. Manuel C. Satuito remained fully committed to providing utmost continued support to all the offices and divisions through their functions and deliverables to reach common goals. To be fully committed in serving the public amid the COVID-19 pandemic, the team ensured that the Commission continues to deliver its mandate as the country's privacy watchdog and enhance its quality of service to ensure the Filipinos remain in full control of their personal information through tech-driven interventions and programs.

Physical Performance

The tremendous effort and dedication of the officials and employees have allowed the Commission to move past the challenges of today and delivered prompt and efficient services to the stakeholders and data subjects through a more responsive and relevant NPC Programs. Having garnered 243% overall physical accomplishment rating, the NPC has significantly accomplished its physical targets consistent with the policies of the Duterte

Administration as embodied in the 0-10 Point Socioeconomic Agenda and Philippine Development Plan (PDP).

PHYSICAL PERFORMANCE (Target vs. Actual)



ORGANIZATIONAL OUTCOME (OO) / PERFORMANCE INDICATORS (PIs)	Targets	Actual	Rating accomplishment
REGULATORY AND ENFORCEMENT PROGRAM			
Outcome Indicators			
1. Percentage of stakeholder who rated the privacy plans and policies as satisfactory or better.	75%	95.26%	127%
2. Number of private sectors and government agencies checked for DPA compliance.	350	641	183%
Output Indicators			
1. Number of Public Information / Education Projects implemented.	12	21	175%
2. Percentage of requests for technical assistance responded to within the prescribed time frame	75%	99%	132%
3. Percentage of complaints and investigations resolved	65%	94%	144%
4. Number of international membership or cooperation entered.	3	21	700%
TOTAL AVERAGE RATING			243%

Financial Performance

Particular	2021		2020	
	Amount	Percentage	Amount	Percentage
Allotments	241,295	100%	59,422	100%
Obligations	207,954	86%	50,223	85%
Disbursements	182,170	88%	40,293	80%
Unobligated/ Balance	33,341	14%	9,199	15%

*Note: Obligations BUR = Obligations/Allotments
Disbursements BUR = Disbursements/Obligations
Balance = based on Obligations incurred 2021 Continuing Appro*

In FY 2021, the Commission received a total of Php215.132 million allotment under the General Appropriations Act of 2021 (RA 11518) inclusive of the Retirement and Life Insurance Premium (RLIP) amounting to Php 6.549 million. In addition of the allotment per GAA 2021, a total of Php 29.444 million was received under Personnel Services (PS) which composed of Additional PS Requirements (under Miscellaneous Personnel Benefit Fund), Monetization of Leave Credits (under Pension and Gratuity Fund), FY 2020 Magna Carta Benefits and other employee benefits sourced from Maintenance and Other Operating Expenses (MOOE) such as Collective Negotiation Agreement Incentive (CNAI) and Service Recognition Incentive (SRI). The reduction in the MOOE amounting to Php3.281 million is due to modifications of funds to cover the other employee benefits in accordance with the set rules and guidelines of the Department of Budget and Management (DBM).

*Additional PS Allotment	12,874,701.00
PS Deficiency – SARO – BMB-E-21-0012269	1,167,654.00
RLIP-SARO-BMB-E-21-0012308	10,397,648.00
Magna Carta 2020-SARO-BMB-E-0010773	1,317,386.00
MLC-SARO BMB-E-21-0013094	41,803.00
MLC-SARO BMB-E-21-0013188	232,175.00
MLC-SARO BMB-E-21-0008010	73,679.00
MLC-SARO BMB-E-21-0010510	2,362,500.00
CNAI 2021	58,208.00
MLC-SARO BMB-E-21-0013422	918,000.00
TOTAL	29,443,754.00

As shown in Table B, the adjusted Total Allotment received for FY 2021 was Php 241.295 million comprising of additional allotment for PS in the amount of PHP 29,443,754.00. With the total adjusted amount of Php 241.295 million, the Php 207.594 million was obligated which is equivalent to overall Budget Utilization Rate (BUR) of 86% (see Table A).

FY 2022 Operational Planning

The FY 2022 Operational Planning was successfully conducted last 8-9 November 2021 (onsite and virtual). Fifty-one (51) NPC employees participated in the activity comprising of the Privacy Commissioner, Deputy Privacy Commissioners, Directors, Division Chiefs, Assistant Division Chiefs, Project Leaders, Executive Assistant Officers, Planning and Budget Officers, Accountants, and other Division representatives.

The FY 2022 Operational Planning served as a fundamental challenge for the NPC where it paved the way to strengthening a culture based on the values of decision-making, accountability, openness to challenges and seamless attainment of the NPC strategic objectives such (a) as empowered data subjects, (b) enabled data privacy resilience of stakeholders, (c) ensured world



data privacy standards, (d) strengthened regulatory and enforcement services, (e) effective and efficient systems and processes, (f) ensured efficient and effective financial and logistical resources, and (g) motivated, rewarded, and competent staff. The importance of developing a timeline and making intelligent projections on programs (financial and physical) for FY 2022 helped in determining that the inputs from each office/division would ensure that all employees are working for the same goals with measurable outcomes to achieve the NPC’s vision and performance of its mission.

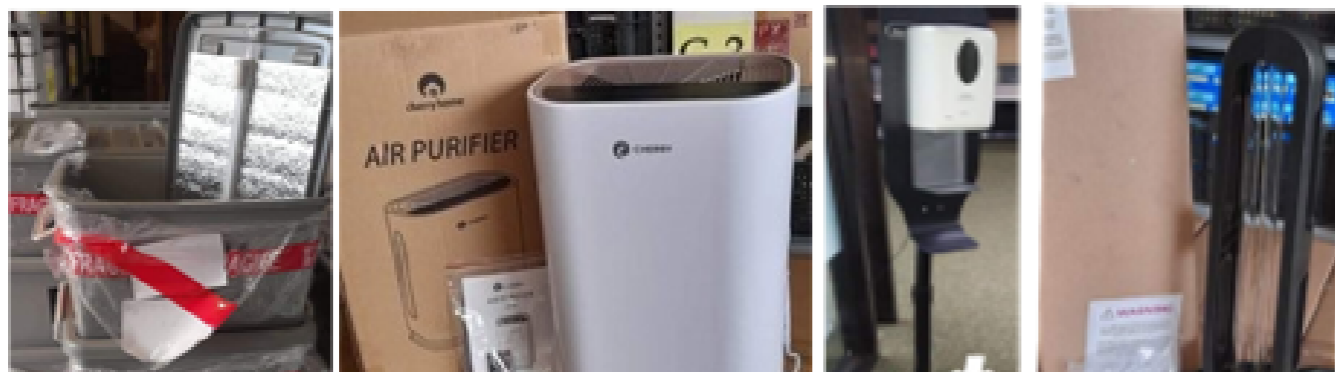
A. Administrative Services

The Administrative Services Division (ASD) is one of the core pillar divisions of the NPC which facilitated the procurement of plans, properties and equipment of the Commission. The Division took the lead in the planning, management and procurement of Information Technology and office equipment as well as furniture and fixtures, among others. To keep a clean and well-maintained and secured office, the ASD procured and monitored the janitorial and security services. Further, in accordance with the functional statement of the NPC, the ASD provided the following policy guidance

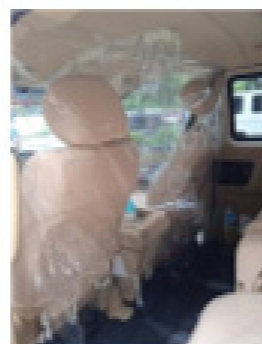
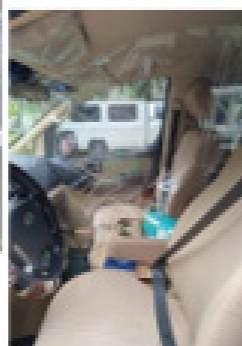
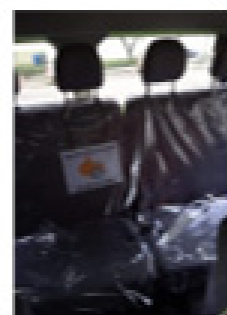
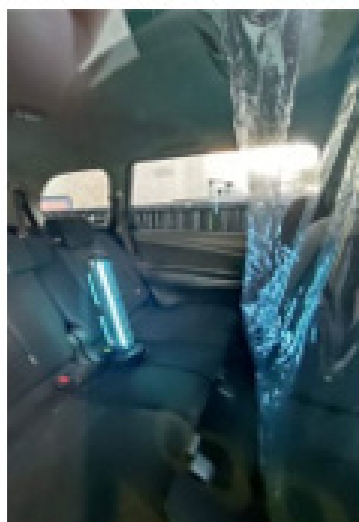
Responsible Unit	Accomplishment
Procurement Unit	<ul style="list-style-type: none"> 128 received Purchase Request were successfully processed and forwarded to Bids and Awards for procurement processing 142 Contracts/MOAs/Purchase Orders were successfully processed upon receipt of BAC documents
Supplies Unit	<ul style="list-style-type: none"> 502 of Requisition and Issue Slips (RIS) were successfully processed (released of available supplies/issuance of CNAS) upon receipt of approved RIS 1 - Periodic Physical Count of Inventories of Supplies and Materials last July 21, 2021 was successfully conducted 100% of available supplies programmed in the approved APP-CSE FY 2021 were successfully released/distributed to divisions/offices per quarter.
General Records Unit	<ul style="list-style-type: none"> 3,855 incoming documents (internal/external) were successfully processed in accordance with the nature of the documents 2,797 request for mailing were successfully mailed/delivered upon receipt from requesting units/divisions/offices
Cashier Unit	<ul style="list-style-type: none"> 971 Commission issuances were successfully processed and disseminated upon receipt from requesting units/divisions/offices 7,209 payees/suppliers were successfully paid with a total amount of Php218,451,897.20
Property Unit	<ul style="list-style-type: none"> 31 collections were successfully deposited to the Bureau of the Treasury thru Landbank 101 Property Acknowledgment Reports (PARs) were successfully processed and issued to requesting units/employees
General Services Unit	<ul style="list-style-type: none"> Transportation services was successfully provided to employees and requesting units for the following purposes: <ul style="list-style-type: none"> Shuttle Service from residence to Office and vice versa Shuttle to NAS for scheduled PCR Testing Shuttle to COVID-19 Vaccination Locations (1st and 2nd dose) Shuttle services are also extended to family members for health-related emergencies Continuous provision of Security and Janitorial Services in the NPC office Provision of Pest Control and Disinfection Services to safeguard the health of NPC employees from illnesses caused by pests, bacteria and viruses

Provision of COVID-19 Measures

- Provision of COVID-19 Supplies and Equipment as additional precautionary measure to help prevent the spread or transmission of the virus in the workplace.



- Daily Disinfection of Motor vehicles before and after shuttle service
- Installation of plastic barriers and print posters inside the shuttle service vehicles as preventative measures for COVID-19



B. Human Resource Development

The Human Resource Development Division (HRDD) known to be the “People Team” plays a vital role in ensuring that the NPC workforce is properly supervised and protected for the benefit of the whole organization. The major tasks of the division include:

- Recruit the right people for the right positions
- Create a safe and conducive work environment
- Help build harmonious relationship between the top management and the employees
- Ensure the equitable benefits and compensations are given to the employees
- Help enrich the talents and skills of the workforce through projects and programs
- Compliance to laws and policies

Faced with challenges brought by the pandemic, the HRDD strategically embraced innovation, technology, and analytics as it needed to sustain the employees’ morale,

productivity, and retention amid the global health crisis, hence programs and interventions were applied to fit the present demands. Capacitating for resilience was one of the key priorities of the HRDD as uninterrupted public service must be provided to the people even during disaster. The implementation of Alternative Work Arrangement (AWA), maximizing the use of technology, application of health and safety programs, and other related activities helped address the situation, thus continuity of effective services was ensured.

I. HIGHLIGHTS OF THE ACCOMPLISHMENTS

A. CSC’s Program to Institutionalize Meritocracy and Excellence in Human Resource Management (PRIME-HRM) COMPLIANCE

Amidst the pandemic, the HRDD continued to toil for the attainment of the Strategic HRM, the highest maturity level under CSC-PRIME HRM¹ in which the systems, competencies and practices are at the forefront of adopting programs, procedures, and standards for all the core HRM areas. The division customized policies on all HR systems that include Recruitment, Selection, and Placement (RSP), Performance Management (PM), Learning and Development (L&D), and Rewards and Recognition (R&R) in which all processes are aligned towards compliance to CSC’s PRIME HRM under Maturity Level 2 (Process-defined) which from 0% to 76%² of the indicators from CY 2020 to 2021 were attained.

Relative to the foregoing, the following issuances were crafted and implemented:

- NPC Competency-Based Recruitment, Selection and Placement Guidelines under Privacy Commission Order No. 005 s. 2021
- NPC Strategic Performance Management System (NPC-SPMS) under Privacy Commission Order No. 008 s. 2021
- Policy Guidelines on Program on Awards and Incentives for Service Excellence (PRAISE) of the National Privacy Commission under Commission Order No. 010 s. 2021

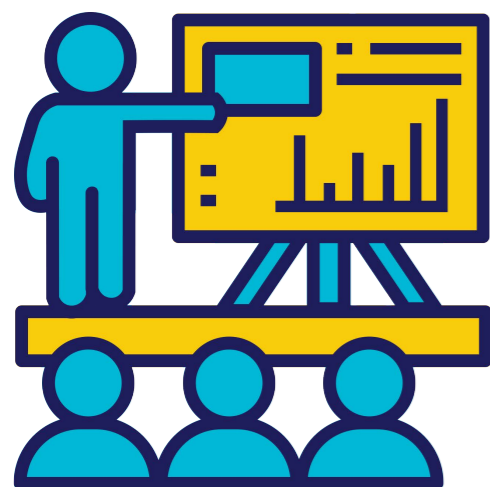
B. DEVELOPMENT OF COMPETENCY FRAMEWORK

NPC Competency Framework, one of the HRDD’s priority programs was signed by the former Privacy Commissioner Raymund Enriquez Liboro during the celebration of the 2021 Employees’ Appreciation Day held last 21 December 2021. The said document is highly significant in defining the knowledge, skills and attributes needed by NPC Personnel.



¹Enhanced PRIME-HRM Assessment Tool
²Self-Assessment Result

C. LEARNING AND DEVELOPMENT



50

External Trainings

8

In-house Trainings

Developing talents is one of the core functions of HRDD and through the following Competency-Based Learning and Development Programs, it raised the bar of the knowledge and skills of NPC Workforce.

With the implementation of the L&D, 100% or all NPC personnel were provided L&D intervention that includes attendance to series of technical sharing sessions facilitated by the L&D Team comprising of the following:

130

Plantilla



128

COS

D. RECRUITMENT, SELECTION, AND PLACEMENT

Onboarding activities were conducted to ensure that the newly hired employees are prepared before taking their posts.

Part of the activities is to ensure that all newly hired personnel are equipped of the gender-related policies. Gender Awareness and Gender Sensitivity Training was held last 27 September 2021 via virtual in-house training.

Fraction of maintaining a resilient and effective workforce is ensuring that the best possible candidates are hired, hence the HRDD together with the Human Resource Merit Promotion and Selection Board (HRMPSB) conducted the online interview of applicants.

This strategy has been efficient during talent sourcing and placement of vacancies. The Division with the help of the HRMPSB was able to attain 85.71% in terms of filling up of vacancies.

Staffing Status	Authorized	Filled	Unfilled
Plantilla	130	90	40
Contract of Service	128	114	14
TOTAL	258	204	54

E. DIGITALIZATION PROGRAM

To adjust to the present trend, the HRDD implemented the Digital Service Request Form and the Digital Internal Customer Satisfaction Feedback Form in consonance with the requirements of the Quality Management System (QMS).

The Human Resource Management Information System (HRMIS) from the Department of Science and Technology was installed last 20 October 2021 to store accurate data that can help speed up the division's daily operations.

In addition, the HRDD through the effort of the Finance and Administrative Office (FAO) Director adopted the Electronic Data Management System (eDMS) from the Local Government of Carmona, Cavite and was installed last 03 November 2021. The eDMS helps ensure the safety of electronic records and information.

The HRDD also conducted inventory of at least 30% of its total records holdings in compliance with the requirements of the National Archives of the Philippines, QMS and Civil Service Commission relative to PRIME-HRM, and as a preparatory activity prior to deployment of HRMIS and eDMS

The HRDD also conducted inventory of at least 30% of its total records holdings in compliance with the requirements of the National Archives of the Philippines, QMS and Civil Service Commission relative to PRIME-HRM, and as a preparatory activity prior to deployment of HRMIS and eDMS.

F. EMPLOYEE WELFARE PROGRAMS AND COMPENSATION AND BENEFITS



Understanding the financial needs of the employees, salaries and benefits were processed on time. The division also prepared the supporting documents for the 2020 Magna Carta benefits which were approved and released to 48 technical personnel. There is an on-going appeal for the non-technical positions while documents for 2021 Magna Carta were also prepared and submitted to FPMD.

To ensure that individual capabilities of personnel are maintained even during remote work, the HRDD acted as a significant partner in the pursuit of their wellness on the following dimensions: (1) environmental, (2) intellectual, (3) physical, (4) occupational, (5) emotional, (6) financial, (7) social, and (8) spiritual by spearheading the conduct of the following programs : Annual Physical and Health Examination (APHE), Occupational Health and Safety Workshops, Mental Health Programs, COVID-19 Response Program, and TGIF!. The following COVID-19 response actions were implemented: (1) monitoring of the Daily Health Assessment Survey; (2) reminders on health protocols;

(3) assistance to the affected personnel including processing of reimbursement of their RT-PCR Tests (4) access to vaccination sites wherein **99%** of NPC personnel were vaccinated, including the outsourced support services of the agency; (5) access to free swab tests thru the Armed Forces of the Philippines with swab testing site at the Ninoy Aquino Stadium; (6) distribution of health kits; and (7) customization of policies and adoption of alternative working arrangement.

The division facilitated the conduct of the APHE last 6-7 December 2021, wherein a total of **80 plantilla personnel** were able to avail.

The following TGIF! activities were also conducted to help break the monotony while providing knowledge on how to stay in shape during the pandemic:

- Zumba session on 23 July 2021
- Seminar on Healthy Lifestyle in the New Normal on 06 August 2021
- PhilHealth Orientation on 27 August 2021
- Self-Love in celebration of the Mental Health and Suicide Prevention Month on 10 September 2021
- Zumba session on 24 September 2021
- Soul Talk on 08 October 2021

pursuant to Republic Act No. 11036 “Mental Health Act of 2018 and its Implementing Rules and Regulations” and the CSC Memorandum Circular 04 s. 2020, the HRDD facilitated the conduct of seminars/workshops related to Mental Health awareness/ education activities: (1) Pandemya: Kaya pa ba? Part1 & 2, which discussed strategies on how to cope with stress during this time of pandemic (03 August and 29 September 2021); (2) Psychosocial management: Basic counselling skills for self and others (27 October 2021); and (3) Therapy Regression: Healing the Child Within (01 December 2021).

In addition, writeshops on disaster risk assessment, capacity, resources need assessment, and SWOT analysis were conducted to come up with a comprehensive Standard Operating Procedures to address the identified hazards in the workplace pursuant to *CSC-DOH-DOLE Joint Memorandum Circular No. 1 series of 2020 “Occupational Safety and Health (OSH) Standards for the Public Sector”*. First aid kits including stretchers and wheelchairs were also procured and were strategically placed in the office in case of medical emergencies.

Disaster go-bags was provided to all employees which contains items that they can use during emergencies/calamities.



2021 HIGHLIGHTS OF ACCOMPLISHMENTS

INTERNAL MANAGEMENT

G. REWARDS AND RECOGNITION

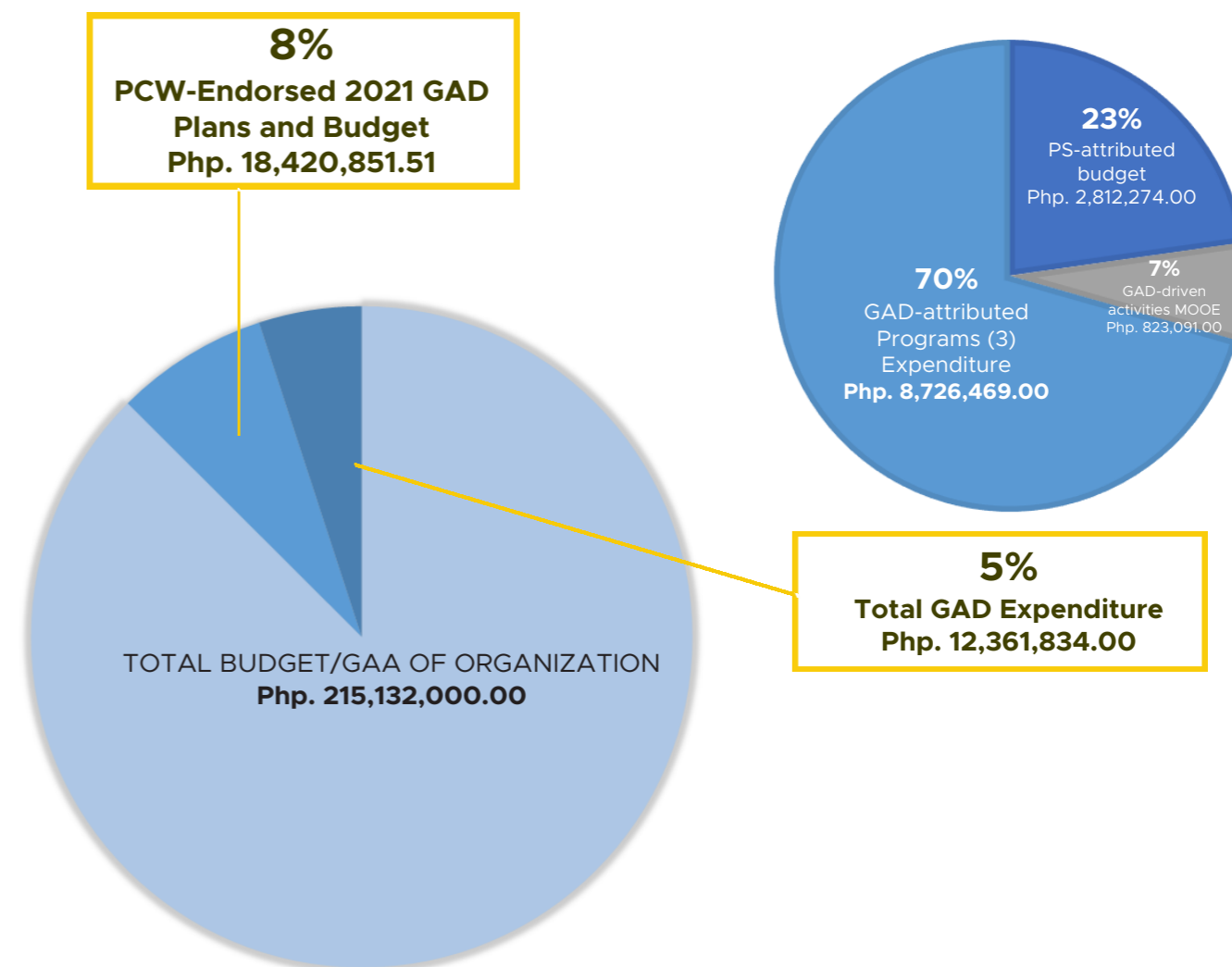
As part of the program and pursuant to the Policy Guidelines on Program on Awards and Incentives for Service Excellence (PRAISE), the division spearheaded the conduct of the 2021 Employees' Appreciation Day last 21 December 2021 in which twenty (20) awards by category were given to deserving NPC officials and personnel that included the HRDD who garnered the following awards: "Best Organizational Unit", "Exemplary Leadership Award" and "Best COS-Support". It was also during this event that the support of stakeholders which contributed to the success of the NPC were recognized.



2021 PRAISE AWARDEES		
Type of Award	Title of Award	Name of Awardee
Best Employee Award	Attorney/Lawyer	Atty. Krishna Aira A. Tana-Caguia
	Data Privacy Practitioner	Atty. Krishna Aira A. Tana-Caguia
	COS Worker – Technical	Alicia O. Magtaan
	Investigator	Atty. Michael R. Santos
	Compliance Checker	Atty. Amor G. Venenoso
	Policy Advisor	Atty. Ivy Grace T. Villasoto
	Data Security Implementer	Kelvin S. Magtalas
	Administrative Officer – Support	Ms. Fionamae Hilda V. Abainza
	Support Group – Technical	Susana O. Abada
	Driver	Virgilio A. Gullilat
	COS Worker – Support	Rowie Jade D. Alvarez
	IT Staff	Lennard A. Plandor
	Exemplary Leadership Award	
Best Organizational Unit	Grand Winner	Human Resource Development Division
	First Runner-Up	Complaints and Investigations Division
	Second Runner Up	Public Information and Assistance Division
Public Service Award	Public Service Award	Atty. Maria Theresita E. Patula
Best GAD Implementer	Grand Winner	Legal Division
	First Runner-up	Compliance and Monitoring Division
	Second Runner-up	Public Information and Assistance Division
Father of Philippine Data Privacy	Father of Philippine Data Privacy	RAYMUND ENRIQUEZ LIBORO
Loyalty Award	Loyalty Award	

2021 GENDER AND DEVELOPMENT (GAD) PROGRAM

As a firm advocate of women empowerment and gender equality, the NPC thru the Gender and Development Focal Point System (GFPS) successfully conducted the following activities in accordance to the 2021 GAD Plans and Budget (GPB) endorsed by the Philippine Commission on Women (PCW).



TOTAL BUDGET/GAA OF ORGANIZATION	215,132,000.00
PCW=Endorsed 2021 GAD Plans and Budget	18,420,851.51
GAD-related Activities	
<i>PS-attributed budget</i>	2,812,274.00
<i>GAD –driven activities MOOE</i>	823,091.00
GAD-attributed Programs (3) Expenditure	8,726,469.00
Total GAD Expenditure	12,361,834.00
% of GAD Expenditure of the Agency	5.746%

ISO 9001: 2015 (Quality Management System) Certification

Overview

In compliance with Executive Order (EO) NO. 605, Institutionalizing Structure, Mechanisms and Standards to Implement the Government Quality Management Program Amending for the Purpose Administrative Order No. 161, S. 2006, the NPC started its Quality Management System (QMS) Certification Journey last December 2019.

From December 2019 to March 2020, the NPC finished seven (7) modules of its QMS implementation. Prior to the declaration of the COVID-19 global pandemic in March 2020, the NPC was able to produce several outputs required by the ISO 9001:2015 standards, such as but not limited to, the Operations Manual version 1 of the NPC processes covered by the scope of its ISO 9001:2015 (QMS) implementation as well as the Process Risks Assessment.

Targeting to achieve the ISO 9001:2015 (QMS) Certification in December 2021, the Commission, in February 2021, decided to go on full swing in the preparation for said certification.

Status of Performance

The highlights of the NPC QMS implementation in 2021 are the following:

- Understanding the ISO Standards – QMS Principles, Clause 4.0-Clause 8.0
- Understanding the ISO Standards – Clause 9.0 and Clause 10.0
- Capacity Building on Quality Management System (QMS) Implementation Training
- Capacity Building on Control of Documented Information Training
- Capacity Building on Housekeeping/Workplace Improvement Training
- Capacity Building on Competence Building Training
- Capacity Building on Internal Quality Audit for Process Quality Review
- Capacity Building on Internal Quality Audit for Answering CARs
- Capacity Building on the Conduct of the Management Review
- 1st Management Review
- Capacity Building on the Review of Operations Manuals v2.0
- QMS Orientation for Newly Hired Employees
- NPC Simulation Audit (Gap Assessment)
- Coaching Session with QMS Teams and Process Owners (Discussed the NPC Simulation Audit (Gap Assessment) Findings/Results and Process Risks Assessment)
- Finalization of CSAT Mechanism
- QMS Orientation on the Preparation for ISO External Audit Stage 1&2
- ISO External Audit Stage 1
- Discussion on ISO External Audit Stage 1 Findings
- ISO External Audit Stage 2

The figure 1 below provides an overview to the QMS Journey of the National Privacy Commission as of CY2021:

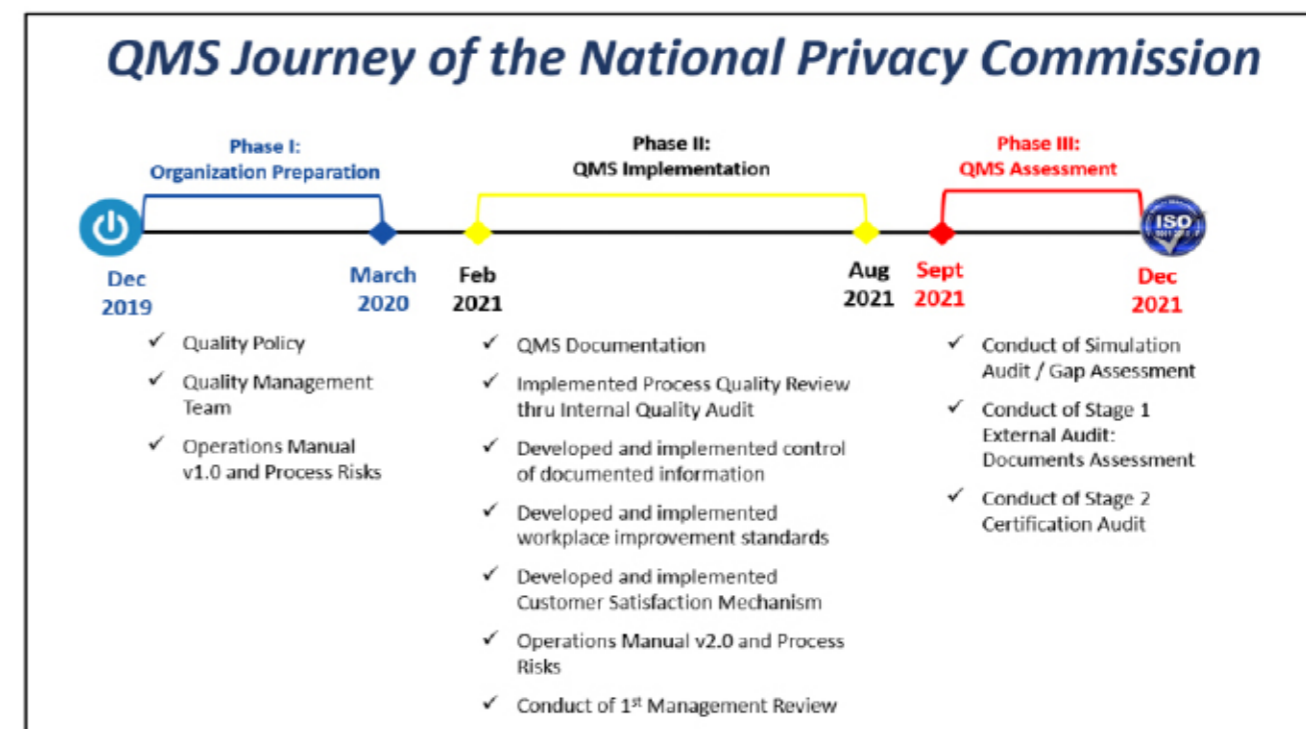


Figure 1. QMS Journey of the National Privacy Commission

Simulation Audit (Gap Assessment) of the NPC

Last September 8-10 and 15, 2021, the NPC underwent Simulation Audit (Gap Assessment) on the implementation of its QMS (ISO 9001:2015). Said Simulation Audit was conducted by third-party certified auditors for ISO 9001:2015. The aim of such Simulation Audit was to determine the over-all readiness of the NPC for the ISO 9001:2015 Certification Audit.

The Simulation Audit was completed using selective sampling of pieces of evidence of QMS implementation. Said audit assessed the effectiveness of the QMS implementation based on the combination of records and data, observed practice and operations, and NPC personnel's knowledge and understanding of the requirements of the QMS. The observations and findings raised were based on the interview with the Process Owners and the pieces of evidence shared during the time of audit.

After the Simulation Audit, it was determined the NPC is considered Partially Certifiable on its QMS implementation. It was stated in the Simulation Audit Report that there was familiarity with the QMS requirements. There was just a need to conduct re-echoing of important aspects of the QMS and that 100% of the requirements can be fulfilled if given sufficient time to prepare/implement planned counter-measures to make up for possible nonconformities or improvement concerns.



WHAT'S TO COME?

Palace appoints new PH privacy commissioner

Malacañang has appointed Atty. John Henry Du Naga as the new privacy commissioner of the National Privacy Commission (NPC), effective December 14, 2021, for a term of three years.

Incoming Commissioner Naga will succeed Privacy Commissioner Raymund Enriquez Liboro, whom the former worked with as Deputy Privacy Commissioner.

Commissioner Liboro congratulated his erstwhile deputy for his appointment and expressed support for his leadership. "I thank President Rodrigo Duterte for appointing Atty. John Henry Du Naga as the new Privacy Commissioner. With Atty. Naga's appointment, I know that I am passing the baton to capable hands. I have great confidence that the new Privacy Commissioner will further cement the National Privacy Commission as a body committed to advancing data privacy and protection," Liboro said.

Appointed as the country's first Privacy Commissioner in March 2016 and having finished two consecutive terms, Liboro fast-tracked data protection policy development in the country by issuing the Data Privacy Act's Implementing Rules and Regulations and essential policy circulars and advisories.

In October 2018, Commissioner Liboro put the country on the global scene by earning the Philippines a voting seat on the exclusive 5-member executive committee of the Global Privacy Assembly (GPA).

In 2019, the NPC, through Commissioner Liboro chaired the first-ever ASEAN Data Protection and Privacy Forum and hosted the 52nd Asia Pacific Privacy Authorities Forum. Since 2020, the NPC has issued public health bulletins to guide personal information controllers and data subjects at a time of unprecedented and rampant data collection in response to the COVID-19 pandemic. In addition, under Commissioner Liboro's leadership, the NPC was tasked with spearheading the COVID-19 task force of the GPA, which aimed to examine current privacy concerns and drive practical responses to privacy issues emerging from the pandemic.

This year, Commissioner Liboro focused on leveraging privacy to boost economic recovery, enabling trust and confidence in our industries to protect data privacy. As a result, the NPC successfully launched the NPC Philippine Privacy Trust Mark in November, a mechanism for companies to apply for demonstrable proof of excellence.

New role and same goal

As Deputy Privacy Commissioner since December 2019, Naga has considered consistency as the key to his work in both regulatory framework and ethical governance. He pushed



WHAT'S TO COME? NEW ROLE AND SAME GOAL

for fair policies, technology standards, and other initiatives that promote privacy and data protection in the country.

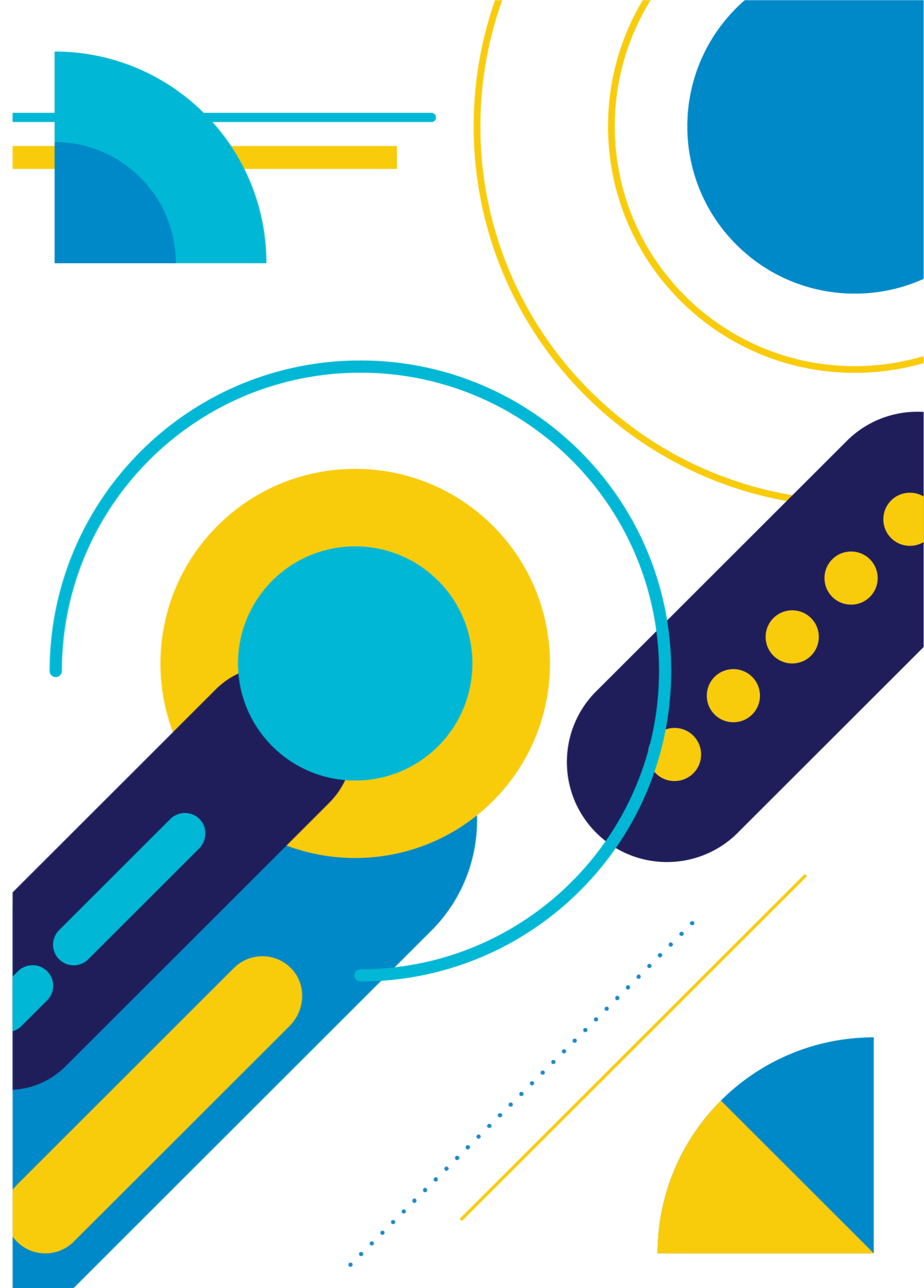
“As I take this new role as Privacy Commissioner, my focus is to ensure the efficient and effective enforcement of the law and the protection of data subjects’ rights and interests,” said the new privacy chief. “Compliance is not just for the organization. It is also for the people, for our country. To protect one another through compliance is the first step to national stability and security,” he added.

The incoming Commissioner was briefly designated as NPC’s Data Protection Officer, who enhanced the agency’s internal policies and procedures in data protection and standards. He also headed the Data Security and Compliance Office, spearheading the agency’s mandate to monitor government and the private sector to ensure compliance with the DPA and provide assistance on matters relating to data protection at the request of a national or local agency, a private entity, or any person.

Before his appointment at the Philippines’ privacy body, Naga was the Assistant Secretary of the Department of Information and Communications Technology (DICT). During his stint at the DICT, he pushed for several information and communication technology (ICT) bills as the Legislative Liaison. In addition, he became the representative of the Department in various international ICT organizations.

In June 2018, he was appointed as the DICT Undersecretary for Management and Operations and was responsible for the overall internal management of the Department. He also headed the Technical Working Groups for the Entry of the 3rd Telecommunications Player, the Common Tower Policy, the Tripartite agreement with the National Grid Corporation of the Philippines (NGCP) and Transco. Further, he was instrumental in securing the Landing Party Agreement with the Bases Conversion and Development Authority (BCDA) and Facebook, giving the Philippines 2 terabyte internet capacity. In February 2019, he led the Development and Innovations cluster of the DICT that was in charge of implementing the National Broadband Plan, National Government Portal, and the Philippine Identification System (PhilSys).

The incoming ‘Commissioner’s career in providing public service started when he became a two-term provincial board member in the Province of Masbate. After passing the bar, he provided legal services as he handled high-profile labor, telecommunications, and corporate law cases.



VII.

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as of 31 December 2021

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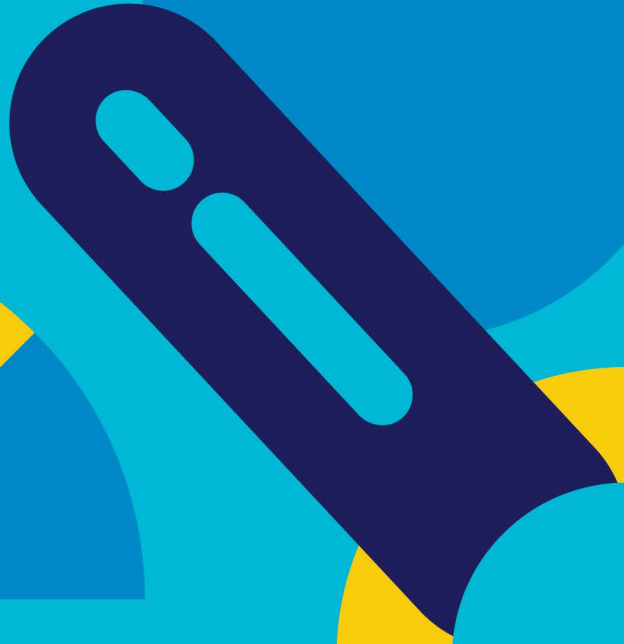
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