



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

***PROGRAMS/PROJECTS/ BENEFICIARIES AND STATUS OF IMPLEMENTATION
as of 31 March 2023**

PDP Chapter	MAJOR PROGRAM	BENEFICIARIES	RATIONALE OF THE PROGRAM	STATUS OF IMPLEMENTATION (On-going)
<ul style="list-style-type: none"> • Chapter 3: <u>Reduce Vulnerabilities and Protect Purchasing Power</u> • Chapter 10: <u>Promote Competition and Improve Regulatory Efficiency</u> • Chapter 13: <u>Ensure Peace and Security, and Enhance Administration of Justice</u> • Chapter 14: <u>Practice Good Governance and Improve Bureaucratic Efficiency</u> 	<p>1. Compliance and Monitoring Program</p>	<ul style="list-style-type: none"> • Government (e.g., NGAs, SUCs, LGUs, and GOCCs). • Private sector including MSMEs and high-risk private institutions. • Personal Information Controllers (PICs) and Personal Information Processors (PIPs) – organizations and individual professionals who collect and process personal data. • Data Protection Officers (DPOs). 	<p>This sub-program is conceptualized pursuant to the mandate of the National Privacy Commission (NPC) to administer and implement the provisions of the Data Privacy Act of 2012 (DPA), and to monitor and ensure compliance of the country with international standards set for data protection, to ensure compliance of PICs and PIPs with the provisions of the DPA. Aside from monitoring the compliance of government agencies or instrumentalities on their security and technical measures and managing the registration of data processing systems, the NPC thru its Compliance and Monitoring Division (CMD) conducts privacy compliance sweeps/checks and aids in matters relating to data protection at the request of a national or</p>	<p>Under the Enhanced Data Privacy Compliance and Monitoring Program, a total of 166 compliance checks for DPA compliance were conducted on the first quarter of FY 2023, comprised of the following:</p> <ul style="list-style-type: none"> A. 15 compliance visits: <ul style="list-style-type: none"> 1. 7 for January 2. 4 for February 3. 4 for March B. 146 organizations were checked for DPA compliance thru privacy sweeps composed of 132 from the private sector and 14 from the government. C. 5 entities - privacy sweep was conducted thru document submission.

			<p>local agency and private entity or any individual.</p> <p>The Commission, through the CMD is continuously working with PICs and PIPs whether in the private or government sectors, not only in regulating but also providing support in complying with the DPA. This is done by the CMD through its various units which is to oversee the registration of PICs and PIPs, ensuring that minimum standards are being implemented to ensure data protection, responding to data breach notifications, developing system requirements, and providing support to enable the PICs and PIPs to better integrate the provisions of the DPA in their day-to-day operations among others.</p>	<p>Other significant accomplishments include:</p> <ul style="list-style-type: none"> a) 644 DPOs were registered with the NPC which are composed of 599 organizations and 45 individual professionals with a total of 4,941 DPOs registered; b) 142 certificates of registration with complete requirements were issued which reached a total cumulative data of 6,721 certificates issued; c) 20 Warning letters were issued to which 11 letters are addressed to government agencies and 9 letters for private sectors; and d) 95 Data Breach Notifications were acted upon, in which the top causes are negligence (35%), hacking (17%), email blast (9%), and other reasons (17%).
	<p>2. DPO and Industry Development Program</p> <p>(Enhanced DPO ACE Training and Certification Program)</p>	<ul style="list-style-type: none"> • DPOs • PICs and PIPs • Data Subjects 	<p>The Data Protection Officer Accountability, Compliance and Ethics (DPO ACE) Program serves as a cornerstone of the NPC's strategic objective to "Build Capacity." The program aims to further accelerate the capabilities of DPOs by equipping them with the relevant privacy and data protection knowledge and skills necessary to manage effectively in a risk-based and comprehensive manner the</p>	<p>In consonance with the new chairperson of the NPC Phil-DPO Program under the supervision of the Deputy Privacy Commissioner, Atty. Leandro Angelo Y. Aguirre, there is an ongoing redirection of the program to further provide training activities focusing on developing the capabilities of DPOs in the country.</p>

			<p>compliance of their organization to the Data Privacy Act of 2012. This training and certification program is based on the Commission's Five (5) Pillars of Data Privacy Accountability and Compliance Framework as well as international laws and standards that find application within the Philippine setting.</p> <p>As the training arm of the NPC, Phil-DPO conducts DPO ACE trainings in preparation for the certification examinations. Phil-DPO also conducts DPO briefings as introductory courses for learnings, and DPO summits for intermediate level of trainings.</p> <p>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 DPOs and data privacy enthusiasts who wanted to know more about the Data.</p> <p>The DPO ACE Training Program, which aims to capacitate interested participants in understanding the basics of the DPA and other NPC issuances focused on conducting trainings with the government sector in partnership with several national government agencies.</p>	<p>The new program will be launched during the commemoration of the FY 2023 Privacy Awareness Week (PAW) this coming May 2023. Accomplishments under the establishment of the new program:</p> <ul style="list-style-type: none"> a) Published a press release related to the conduct of the DPO ACE level 1 exam; b) Requested for Legal Opinion on Licensing Agreements; c) Drafted and reviewed the circulars for the new Phil-DPO program; d) Reviewed the draft MOU between DAP, DILG, and NPC; and e) Published the Call for Input from T3 partners on the DPO ACE and T3 Programs.
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	<p>3. Complaints Handling and Enforcement Program</p>	<ul style="list-style-type: none"> The beneficiaries of this program are the data subjects and/or complainants. 	<p>The NPC, with its quasi-judicial power, is authorized to address complaints and institute investigations in relation to violations of the DPA and other issuances of the Commission, including violations of the rights of data subjects and other matters affecting personal data and security breaches. This sub-program is also anchored to the Philippine Development Plan 2023-2028 where the NPC pursues a fair, consistent, and efficient approach in the handling of complaints of violations of personal data privacy and security, among others. The program seeks to ensure the continued protection of every male and female data subject's personal information by making their right to file a complaint easier to exercise and less costly.</p> <p>The NPC thru its Complaints and Investigation Division, handles complaints and institutes investigations regarding violations of RA 10173 and other related issuances, including violations of the rights of data subjects and other matters affecting personal data and security breaches; summon witnesses and require the production of evidence by a subpoena duces tecum for the purpose of collecting the information necessary to perform its function under the purpose of collecting the information necessary to perform its function under the</p>	<p>For the first quarter of FY 2023, the Complaints and Investigation Division (CID) 100% acted upon all privacy concerns received totaling to 2,239 comprised of walk-ins (3%), e-mails (86%), and phone calls/messages (11%).</p> <p>Other significant accomplishments as of 31 March 2023 were as follows:</p> <ol style="list-style-type: none"> The CID received 48 complaints through walk-in or electronic mail. These complaints are being reviewed by investigation officers, with 17 of them relating to Online Lending Applications (OLA). Overall, 136 decisions for outright dismissal were delivered through mail (60%) and e-mail (40%), 253 orders were sent via mail (43%) and e-mail (57%). 37 preliminary conferences were conducted for the first quarter of FY 2023 of which 4 were OLA cases and 33 were non-OLA cases. 7 compliance letters, 3 enforcement letters, 1 supplemental Enforcement Action Report, (EAR), and 3 final EAR were prepared and issued.
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			<p>law; facilitate settlement of complaints through the use of alternative dispute resolution processes and adjudicate on other matters affecting personal data and security breach. With the high-profile data breaches and complaints on the privacy risks associated with digital technology, the NPC endeavors to accelerate its complaints handling, case investigation, and enforcement program where a majority of concerns focus on personal information and security breaches and the surge in individual complaints of privacy harassments from online lender and breaches on personal information. Moreover, there were also the so-called "privacy concerns" that were received mostly through the email address complaints@privacy.gov.ph.</p>	<p>e. The Enforcement Division (EnD) recommended a permanent ban on the processing of personal information against 3 websites operated by Pilipinas 2022 and imposition of an administrative fine amounting to PhP 50,000.00.</p> <p>f. 30 Cases and Desists Orders (CDO) were issued to various OLAs enforcing temporary bans.</p> <p>g. The NPC, through the EnD, continues to strengthen its monitoring and enforcing of CDO against 5 organizations. The NPC also bolsters its efforts in implementing Temporary Bans against online lending companies and their applications.</p>
	<p>4. Privacy Advocacy Program</p>	<ul style="list-style-type: none"> • Data subjects • PICs & PIPs (organizations & individual professionals who collect & process personal data) • DPOs • Privacy advocates 	<p>In cognizant of the need to directly engage covered organizations, both in the private and government sector, individual professionals, and the citizens, the National Privacy Commission (NPC) strengthens its advocacy program by embarking nationwide awareness campaign through the conduct of briefings and a series of training on Data Privacy Act and other related issuances to promote data privacy of the stakeholders and the citizens for them to know and understand their rights</p>	<p>9 activities and projects were implemented in the first quarter of FY 2023 as part of the Data Privacy Act (DPA) nationwide awareness campaign, as follows:</p> <ol style="list-style-type: none"> 1. 1 DPA briefing was conducted on 23 February 2023 via MS Teams with an average customer satisfaction rating of 94%; 2. 1 Privacy, Safety, Security and Trust Online (PSST) entitled <i>Juana Talks: "Usapang Data Privacy para sa Kababaihan"</i> was conducted

			<p>which are protected under the Data Privacy Act of 2012.</p> <p>The Privacy Promotion Program aims to educate data subjects on their rights as data subjects and their responsibilities as digital citizens, likewise, Personal Information Controllers (PICs) and Personal Information Processors (PIPs) contribute to fully engage and empower women and men of all ages as data subjects (<i>PDP Chapter 2: Promote Human and Social Development</i>); increase the competitiveness, innovativeness and resiliency of PICs and PIPs from various industries/sectors (<i>PDP Chapter 3: Reduce Vulnerabilities and Protect Purchasing Power</i>); and reduce citizen's vulnerability to data privacy risks including identity theft/fraud, financial loss, loss of employment or business opportunity, discrimination, embarrassment and physical risks to safety (PDP Chap. 3)</p> <p>The program's goal is also to integrate gender-related concerns into activities so that both men and women can participate and benefit from development in a way that is equitable, sustainable, free of violence, respectful of human rights, supportive of self-determination, and actualization of human potential. The number of men and women data subjects who benefitted from the programs and initiatives are collected and maintained.</p>	<p>during the celebration of Women's Month on 29 March 2023 from 1:00 p.m. to 4:00 p.m. streamed live through Microsoft (MS) Teams, Facebook, and YouTube with 75 participants wherein 52 were female and 23 were male. This activity was led by 4 women-attorneys from NPC-Deputy Privacy Commissioner's Office (DPC), Compliance and Monitoring Division (CMD), and Legal Division (LD) to deliver the opening remarks, discussions, and closing remarks respectively. The discussion revolved around the ways in which women can protect their personal data in using various women-centric applications and systems such as shopping apps and reproductive health apps for pregnancy and menstrual period tracking;</p> <p>3. 8 international engagements and other cooperation activities such as conventions, meeting sessions, and conferences with the Asia Pacific Privacy Authorities (APPA) Forum, Asia Pacific Economic Cooperation (APEC), APEC Cross-border Privacy Rules (CBPR), Global Privacy Assembly (GPA), and Association of Southeast Asian Nations (ASEAN) transpired from January to March FY 2023;</p> <p>4. 5 press releases and statements issued;</p>
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	4. Privacy Policy and Standards	<ul style="list-style-type: none"> • DPOs • PICs and PIPs 	The NPC's Privacy Policy Office (PPO) and Data Security and Technology and Standards Division (DSTSD) exercise NPC's Rule making function. In such capacity, PPO and	A. Provision of Legislative Comments (7)

	<p>Development Program</p>	<ul style="list-style-type: none"> • Data Subjects 	<p>DSTSD develop issuances such as circulars, advisories, advisory opinions, bulletins, and guidelines for acceptable standards, and other forms of issuances which are publicly circulated or published to serve as guidelines and reference for the government and private sector in their compliance with the Data Privacy Act or Republic Act 10173. The PPO also aids NPC stakeholders, both in the private and the public sector, in the interpretation of the Data Privacy Act and other NPC issuances by rendering Advisory Opinions, and by conducting the review of Data Sharing Agreements and similar documents. Meanwhile the DSTSD renders technical evaluation of technologies, emerging technological concepts, and privacy standards-related guidance in the form of Tech Bulletin and Tech Advisories.</p> <p>On a government-wide scale, the NPC through the two divisions also provide comments on pieces of legislation and executive enactments that tend to intersect with data privacy. The interventions of NPC are integral to ascertain that data privacy, and all its principles, are always considered in state policies and objectives.</p>	<p>7 legislative comments/position papers commented and issued on the implication of data privacy of proposed national or local statutes, regulations, or procedures, specifically on Senate Bill Nos. 948 and 437, House Bill Nos. 4829, 6344, 9608, and 8453, and What You See is What You Get Act.</p> <p>B. Issuance of Advisory Opinions (10)</p> <p>10 advisory opinions issued this first quarter of FY 2023 on the implications and interpretation of the provisions of the RA10173, its IRR, NPC issuances, and other data privacy laws.</p>
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	<p>5. International Cooperation Program</p>	<ul style="list-style-type: none"> • Data subjects • PICs and PIPs • DPOs • Privacy advocates 	<p>The Commission is fully committed to strengthening its international coordination and collaboration activities with international entities to adopt/observe standard practices and issuances related to data protection and privacy. The Commission has been heavily involved in its international commitments with the Association of South-East Asian Nations (ASEAN), the Asia Pacific Economic Cooperation (APEC), the Global Privacy Assembly (GPA) (formerly the International Conference of Data Protection and Privacy Commissioners (ICDPPC), and various international working groups.</p> <p>In recognition of the Commission's expertise in data privacy in the Asia Pacific region, the Commission has also served as the Philippines' representative at a number of</p>	<p>International coordination and collaboration activities with international entities are continuously strengthened to adopt/observe standard practices and issuances related to data protection and privacy, with the following highlights:</p> <p>Eight (8) international engagements and other cooperation activities such as conventions, meeting sessions, and conferences with Data Privacy entities and government instrumentalities as well as other ICT-related international coordination transpired from January to March 2023. These are as follows:</p>

			<p>international conferences, not only as an attendee but also as an esteemed panelist.</p>	<ol style="list-style-type: none"> 1. Asia Pacific Privacy Authorities (APPA) Forum <ul style="list-style-type: none"> ○ APPA Governance Committee Meetings on 11 January, 15 February, and 15 March 2023 2. Asia-Pacific Economic Cooperation (APEC)/APEC- Cross-border Privacy Rules (CBPR) <ul style="list-style-type: none"> ○ First Senior Officials' Meeting and Related Meetings (SOM 1) organized by the Asia-Pacific Economic Cooperation (APEC) on 16-21 February 2023; ○ Webinar on Toward Freer Safe and Trusted Flow of Data in the Asia-Pacific Region on 22 February 2023; and ○ Fifteen (15) APEC CBPR Meetings 3. Association of South East Asian Nations (ASEAN) <ul style="list-style-type: none"> ○ One (1) Consultative Workshop on the ASEAN Digital Economy Framework Agreement on 13 February 2023, and
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**for Transparency Seal under item IV. Projects, Programs and Activities, Beneficiaries and Status of Implementation*

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