



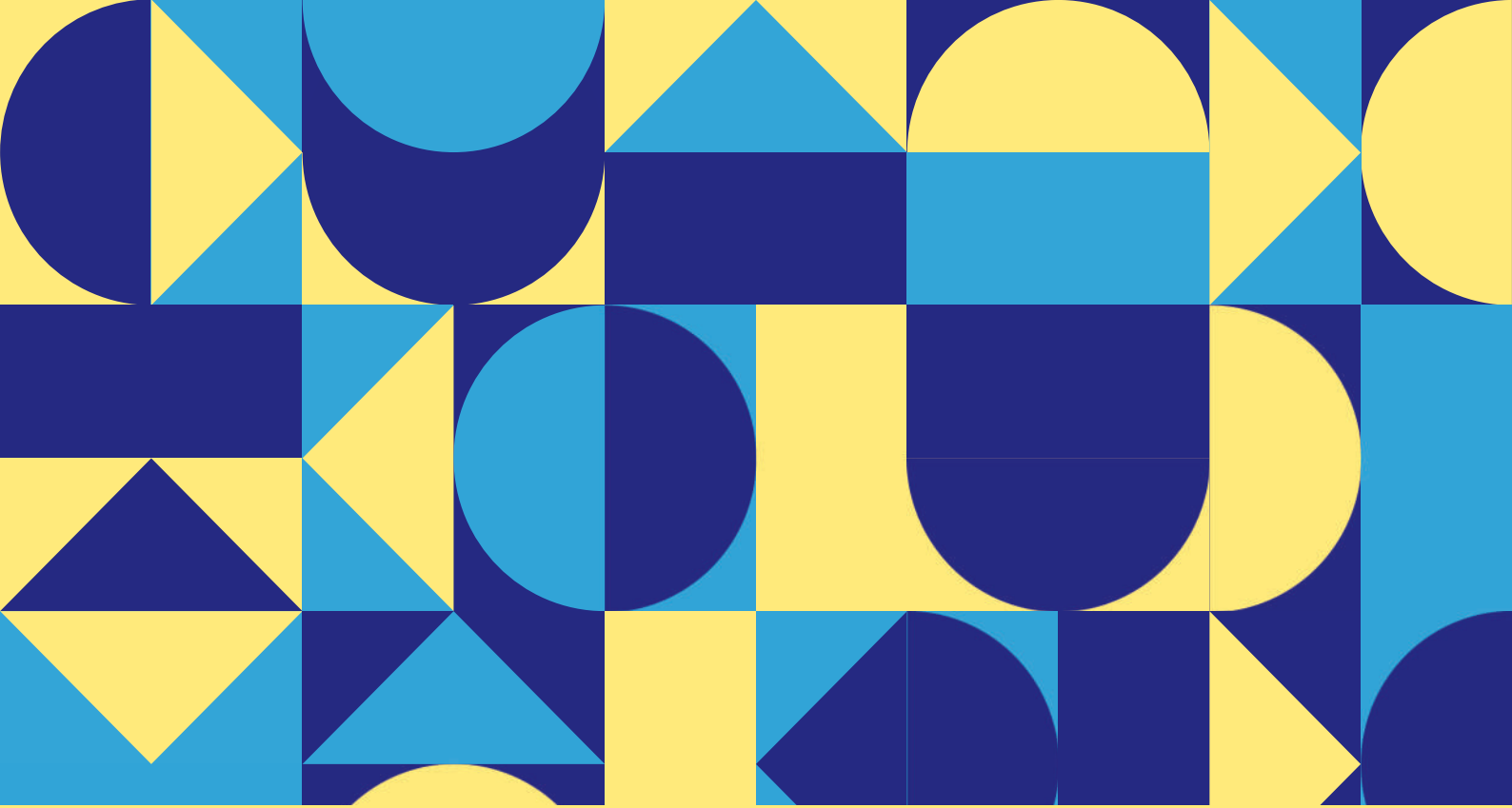
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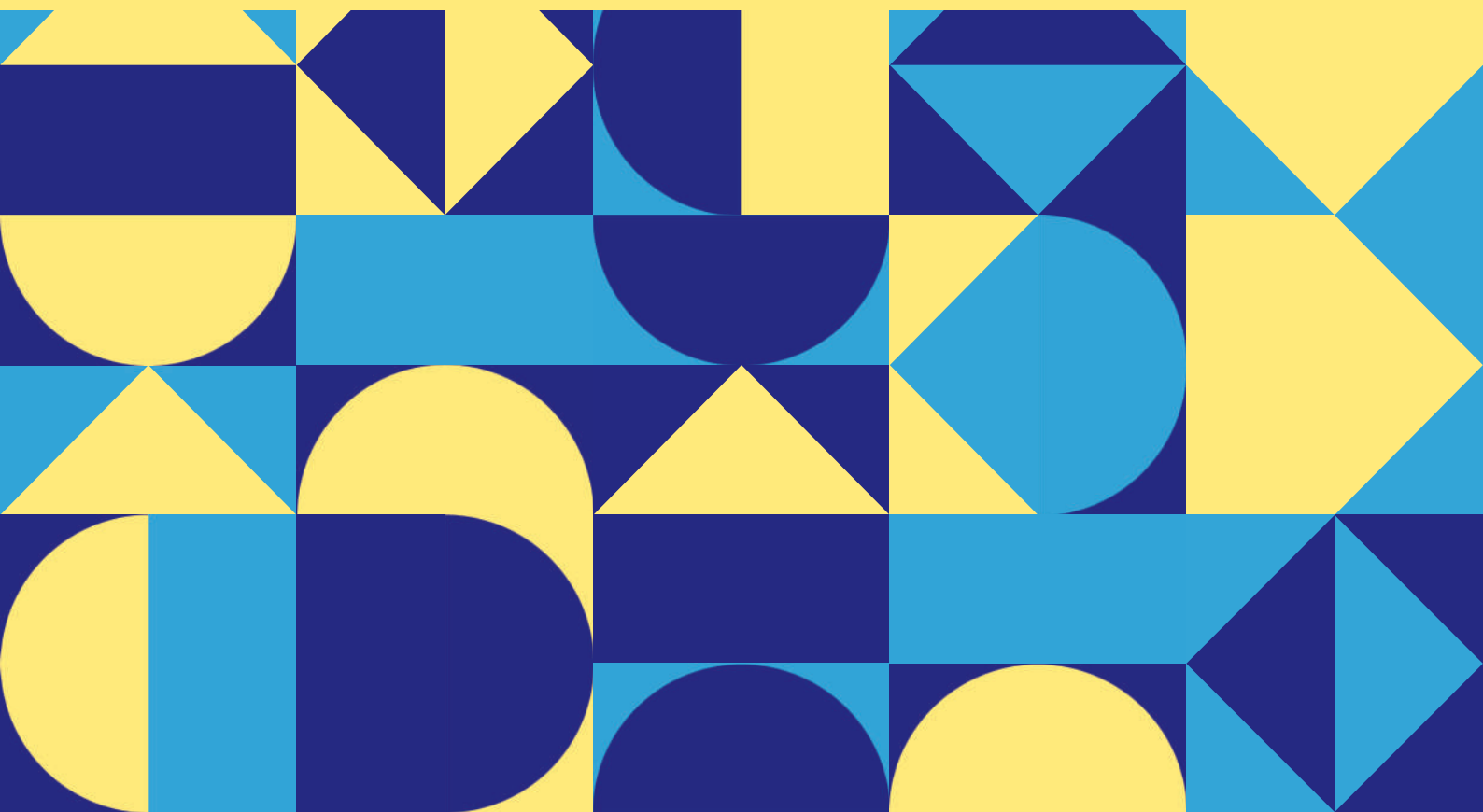
**NATIONAL PRIVACY  
COMMISSION**

**ANNUAL REPORT**





**Progressing PH towards a  
Modern Culture of Privacy:  
Stronger and Better NPC**



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# List of Acronyms

AA	Accountability Agent	LDDAP-ADA	List of Due and Demandable Accounts Payable - Advice to Debit Accounts
ACE	Accountability, Compliance and Ethics	LEO	Legal and Enforcement Office
AdOp	Advisory Opinion	LGBT+	Lesbian, Gay, Bisexual, and Transgender +
AP	Activity and project	MCC	Model Contractual Clause
APEC	Asia-Pacific Economic Cooperation	MCLE	Mandatory Continuing Legal Education
APP	Annual Procurement Plan	MOA	Memorandum of Agreement
APPA	Asia Pacific Privacy Authorities	MOOE	Maintenance and Other Operating Expenses
ARTA	Anti Red Tape Authority	MOU	Memorandum of Understanding
ASEAN	Association of Southeast Asian Nations	MPBF	Miscellaneous Personnel Benefit Fund
BAC	Bids and Awards Committee	MS	Microsoft
BNU	Breach Notifications Unit	NCDA	National Council on Disability Affairs
BPO	Business Process Outsourcing	NDS	Notice of Documents Submission
BTr	Bureau of Treasury	NPC/Commission	National Privacy Commission
CBPR	Cross-Border Privacy Rules	NPCRS	National Privacy Commission Registration System
CBS	Cash Budgeting System	NTC	National Telecommunications Commission
CCU	Compliance Check Unit	OLA	Online Lending Applications
CDO	Cease and Desist Order	OLC	Online Lending Companies
CID	Complaints and Investigation Division	OM	Operations Manual
CIPP/E	Certified Information Privacy Professional/ Europe	OO	Organizational Outcome
CL	Circular Letter	OPC	Office of the Privacy Commissioner
CMD	Compliance and Monitoring Division	OPCCB	Organization, Position Classification and Compensation Bureau
CNAS	Certificate of Non-Availability of Stocks	OSAE	Online Sexual Abuse or Exploitation
CO	Capital Outlay	OSV	On-Site Visit
COA	Commission on Audit	OTP	One-time Passwords
CODI	Committee on Decorum and Investigation	PAP	Program, Activity, and Project
COE	Council of Europe	PAR	Property Acknowledgement Report
CORD	Center for Organization Research and Development	PAW	Privacy Awareness Week
COS	Contract-of-Service	PBB	Performance-based Bonus
CSE	Common-use Supplies and Equipment	PCV	Petty Cash Vouchers
CSI	Civil Service Institute	PDBN	Personal Data Breach Notification
DBNMS	Data Breach Notification Management System	PDD	Policy Development Division
DFA	Department of Foreign Affairs	PDP	Philippine Development Plan
DICT	Department of Information and Communications Technology	PDPC	Personal Data Protection Commission
DIT	Documentation Information Team	PGF	Pension and Gratuity Fund
DMF	Data Management Framework	PIAD	Public Information and Assistance Division
DPA	Data Privacy Act of 2012	PIC	Personal Information Controller
DPO	Data Protection Officer	PIP	Personal Information Processor
DSTSD	Data Security and Technology Standards Division	PO	Purchase Order
DTI	Department of Trade and Industry	PPO	Privacy Policy Office
eBUDGET	Electronic Budget	PQR	Process Quality Review
EnD	Enforcement Division	PR	Press Release
eNGAS	Enhanced Electronic New Government Accounting System	PR	Purchase Request
EO	Executive Order	PRAISE	Program on Awards and Incentives for Service Excellence
FAO	Finance and Administrative Office	PRD	Policy Review Division
FAQ	Frequently Asked Question	PREXC	Program Expenditure Classification
FOI	Freedom of Information	PS	Privacy Sweeps
FPMD	Financial Planning and Management Division	PS	Personnel Services
FPS	Focal Point System	PSA	Private Security Agency
GAA	General Appropriations Act	PSST	Privacy, Safety, Security, and Trust
GAD	Gender and Development	PWD	Persons with Disabilities
GMIC	Government Financial Management Innovators Circle	QM	Quality Manual
GP	General Provisions	QMS	Quality Management System
GPA	Global Privacy Assembly	QRSC	Quick Response and Special Cases
HGDG	Harmonized Gender and Development Guidelines	RA	Republic Act
HRBRRWU	Human Resource Benefits, Relations, Rewards and Welfare Unit	RIS	Requisition and Issue Slips
HRDD	Human Resource Development Division	RLIP	Retirement and Life Insurance Premium
HRPPDU	Human Resource Planning, Performance, and Development Unit	SC	Senior Citizen
IAJ	Institute for the Administration of Justice	SMS	Short Message Services
ICT	Information and Communications Technology	SO	Special Order
IEC	International Electrotechnical Commission	SOGIESC	Sexual Orientation, Gender Identity and Expression and Sex Characteristics
ILCDB	ICT Literacy and Competency Development Bureau	SPMS	Strategic Performance Management System
IPEC	Indo-Pacific Economic Framework for Prosperity	T3	Train The Trainers
IRR	Implementing Rules and Regulation	TWG	Technical Working Group
ISO	International Organization for Standardization	UN	United Nations
JCSWG	Joint Cybersecurity Working Group	URS	Unified Reporting System
JTC	Joint Technical Committee	VAWC	Violence Against Women and Children
KVKK	Kişisel Verileri Koruma Kanunu	VRA	Voter's Registration Act
LACE	Leave Administration Course for Effectiveness	WG	Working Group
LBP	Land Bank of the Philippines	WIT	Work Inspection Team
LD	Legal Division	WL	Warning Letters
		WTO	World Trade Organization

# SECRETARY'S MESSAGE



With the advent of the Fourth Industrial Revolution, the role of the NPC in ensuring the compliance of our country with international standards set for data protection has now become important more than ever. As the country heads to a digital and fully connected Philippines, the need for a safe environment for Filipinos in cyberspace where they are in full control of their personal information is an utmost priority of the Marcos administration.

The rapid changes brought by digitalization must be matched with continuous improvement in securing personal information as a way of life as cybercriminals are also constantly seeking ways to exploit the vulnerabilities of our cyberspace users.

This trend has already been adopted by software manufacturers and tech giants through over-the-air software updates that ensure the security and operability of their products while being able to fix and deter attacks from hackers through security patches and software updates. The NPC must foster an environment where our people can safely navigate cyberspace.

Your commitment to instilling this ideology in our cyberspace users is reflected in your continuous knowledge-sharing activities for data protection officers and to the general public. This effort ensures that more Filipinos will become aware of their rights and the importance of securing their personal information while holding individuals and/or organizations accountable for breaches in data privacy.

Let us work side by side in getting more Filipinos online to bridge the digital divide in the country while keeping the Filipino people and their personal data safe and secure as we continue to be vigilant on the threats that may be hurled at our netizens by cyber criminals.

More power, NPC!

HON. IVAN JOHN E. UY  
Secretary, DICT

On behalf of the Department of Information and Communications Technology, I would like to congratulate the National Privacy Commission (NPC) for another year of steadfastly safeguarding the personal information of the Filipino people.

This year's theme "Progressing PH Towards a Modern Culture of Privacy: NPC Now Stronger and Better," is indeed very apt and timely as it recognizes the pressing need for the culture of privacy to evolve in the ever-changing digital era.

As people in the tech industry consider data as the new "oil" in this era of the fourth industrial revolution, data should be treated as a valuable resource that should be secured. Thus like any other valuable resource, personal data must be protected and its proper use ensured.

The late Senator Edgardo Angara envisioned this as he said in his sponsorship speech for the Data Privacy Act, "In this digital era, information is the currency of power- valuable, coveted, but at a very high risk," indeed, he saw the value and power of data way ahead of his time.

The enactment of the Data Privacy Act of 2012 was a turning point where the importance of securing personal information became a priority for Filipinos.

# PRIVACY COMMISSIONER'S NOTE

True to its commitment to uphold the right to privacy and data protection, the National Privacy Commission continued to raise the bar in effectively executing its mandate in 2022. During this year, the Commission truly developed as an agency despite its fair share of challenges and victories. We endeavored to drive the country towards a modern culture of privacy through a stronger and better NPC.

In 2022, the NPC intensified its data privacy response by strengthening its compliance efforts especially in terms of the registration of Data Protection Officers (DPOs) of various personal information controllers (PICs) or personal information processors (PIPs) and Individual Professional DPOs.

Along with this, the NPC also monitored PICs and PIPs' compliance through the conduct of On-Site Visit (OSV) to examine whether a PIC or PIP has proper program controls, organizational, and review mechanisms in place to ensure data privacy and protection in its data processing systems.

The Commission also geared towards the transition to digitized and modernized services through the launching of the Data Breach Notification Management System (DBNMS) and the NPC Registration System (NPCRS) for ease of registration. Consistent with our role as partner-regulator, we also continued to guide the data subjects in knowing their rights, and PICs and PIPs in their effective compliance with the DPA. We released Circulars, Advisories, and Advisory Opinions which serves as guide to our stakeholders in the imposition of administrative fines, exigencies in the processing of personal data for loan-related transactions, obligations of Private Security Agencies (PSAs) in handling personal data, registration requirements of the NPC, and requests for personal data of public officers, among others.

Additionally, in performance of its adjudicatory function, the Commission En Banc addressed and tabled one hundred seventy-five (175) cases wherein the Commission was able to serve all the decisions, resolutions and orders to the respective parties.

Aside from these, the NPC did not only prevail in championing data privacy in the Philippines, it also persisted to participate and contribute in the international data privacy scene. We renewed our cooperation with Singapore through the signing of a Memorandum of Understanding between the NPC and Singapore's Personal Data Protection Commission (PDPC) during the State Visit of President Ferdinand R. Marcos, Jr. to Singapore last September 2022.

We also took part in the initial steps in establishing the Global Cross Border Privacy Rules (CBPR) Forum which intends to establish the Global Cross Border Privacy Rules and Privacy Recognition for Processors Systems. Moreover, as part of our international commitments, the NPC actively participated during the 57th and 58th Asia Pacific Privacy Authorities (APPA) Forum. The Commission has also been in full support of our mother agency, the Department of Information and Telecommunications Technology (DICT), during the International Telecommunications Union Plenipotentiary 2022, which has been a success through the able leadership of DICT Secretary



Ivan E. Uy. Among others, we also participated in the 44th Global Privacy Assembly where the NPC discussed developments in the International Standardization Organization (ISO) and the Asia-Pacific Economic Cooperation (APEC) as GPA Observer to these organizations.

At the same time, the NPC remained steady in serving the public through its public assistance through various channels such as AskPriva, info@privacy.gov.ph, and events@privacy.gov.ph. Hand-in-hand with this, the NPC also amplified its awareness campaigns through DPA briefing sessions, Kabataang Digital Summit, and PSST! (Privacy, Safety, Security, and Trust) which tackled various data privacy concerns in relation to various technologies, platforms, and situations that our kababayans are facing. Our PSST! Discussed topics such as online lending applications, Facebook, students' online and offline data security, online shopping, smishing, and data privacy of Senior Citizens and Person with Disabilities (PWDs).

Indeed, 2022 was the year that NPC demonstrated its commitment in defending every Filipinos' fundamental human right to privacy while empowering PICs and PIPs to be active partners in data privacy. Certainly, the NPC's success would not be possible without the support from our stakeholders, and more importantly, through the efforts and dedication of NPC's workforce.

In 2023, the NPC will keep moving forward, not only with the same passion to protect our citizens' data, but also with a conscious effort to bring our accomplishments to the next level. By drawing authority from the Data Privacy Act of 2012 (DPA), the NPC will continue to champion data privacy and deliver world-class public service that every Filipino is entitled to.

ATTY. JOHN HENRY D. NAGA  
Privacy Commissioner and Chairman

# DEPUTY PRIVACY COMMISSIONER'S MESSAGE



Proactive initiatives led to the registration of 1,670 new Personal Information Controllers (PICs), Personal Information Processors (PIPs), and professional Data Protection Officers (DPOs), while also processing 2,047 amendment requests and 711 renewal applications. These actions underscore our commitment to effective data management. Compliance measures included 42 On-Site Visits and 543 Privacy Sweeps, resulting in 63 Notice of Documents Submissions and 45 Warning Letters issued to non-compliant entities.

In the legal domain, our Enforcement Office managed 8,571 concerns, initiating 279 new complaints and resolving 1,436 cases. These efforts led to the issuance of 35 Decisions, 60 Resolutions, and 45 Orders.

Significantly, 2022 saw the introduction of the Data Breach Notification Management System (DBNMS) and the NPC Registration System (NPCRS). These systems have streamlined breach notification and registration processes, improving our operational efficiency.

Furthermore, we placed a strong emphasis on cultivating robust partnerships both locally and internationally. We renewed our Memorandum of Agreement with Singapore's Personal Data Protection Commission (PDPC) and fostered closer collaborations with key domestic partners like the Philippine Competition Commission (PCC) and the Cybercrime Investigation and Coordinating Center (CICC).

Reflecting on 2022, the NPC's achievements highlight our unwavering commitment to data subject rights and supportive engagement with PICs and PIPs. These successes have been fueled by the tireless efforts of our team, whose commitment has guided and propelled our initiatives.

As we progress through 2023, our concerted endeavors will persist in shaping the data privacy landscape. Our shared objective is to forge a future where personal privacy and digital innovation coexist harmoniously, establishing the groundwork for a secure digital future. The journey continues as we persistently pursue advancements in data privacy, propelled by a steadfast commitment to continuous improvement. Let us move forward with determination and optimism.

ATTY. NERISSA N. DE JESUS  
Deputy Privacy Commissioner

In the context of digital transformation, 2022 witnessed a significant change towards more responsible data usage and privacy practices. Personal data, previously exploited without proper oversight, is now acknowledged as an individual's valuable asset, managed with consent, transparency, and adaptability. The events of the past year have highlighted a clear trend towards regulated data usage and a decline in unregulated practices. This shift also marks the beginning of an era focused on transparency and granting individuals greater control over their data.

In this transformative landscape, the National Privacy Commission (NPC) has positioned itself at the forefront of this change, aligning its strategies and actions with global movements that prioritize individuals' control over their data.

In 2022, the NPC's policy initiatives were highlighted by the release of four key Circulars aimed at strengthening data privacy protocols, which encompassed guidance on administrative fines, alterations to data processing guidelines for loan-related transactions, guidelines for Private Security Agencies regarding data handling, and norms for the registration of personal data processing systems. Moreover, 28 Advisory Opinions were published, tackling a broad range of data privacy issues across numerous sectors such as governmental operations, private transactions, online education methodologies, and COVID-19 related protocols.



# DEPUTY PRIVACY COMMISSIONER'S MESSAGE



This Annual Report presents an overview of the National Privacy Commission's achievements in 2022. This report reflects our continued commitment to protect and uphold the fundamental human right to privacy. Through strategic initiatives, policy development, and collaborative engagement with various sectors, we strive to enhance the compliance of Personal Information Controllers (PICs) and empower more individuals in the exercise of their rights.

In our Decisions, the Commission emphasized the paramount duty of PICs to implement adequate organizational, physical, and technical measures to secure the personal information of data subjects and prevent potential data breaches. We stressed that this responsibility requires a proper consideration of the impact of these measures on the rights and freedoms of data subjects. Additionally, the implementation of security measures should be an ongoing obligation of PICs, rather than a one-time effort.

To further promote the adoption of these measures, the Commission issued guidelines on administrative fines. These fines are not intended to burden companies with additional costs, but rather, it seeks to incentivize PICs to take the necessary steps to ensure that they are compliant with the DPA. In determining the specific range of fines, the Commission sought to strike a balance between data protection and the rights to privacy of data subjects, while also fostering further growth and innovation.

The Decisions of the Commission also emphasized the significance of providing timely and adequate notification to affected data subjects in the event of a breach. We underscored that such notification enables data subjects to take the necessary precautions against potential harm resulting from the breach. To facilitate the compliance of PICs with this obligation, we launched the Data Breach Notification and Management System, aiming to encourage prompt and comprehensive submission of breach reports. This system serves as a platform for PICs to enhance their personal data breach management policies and procedures continuously.

In its various issuances, the Commission also elaborated on the general privacy principles of transparency, legitimate purpose, proportionality, accuracy, data minimization, accountability, and fairness. Specifically, this idea of fairness pertains to how PICs relate to their data subjects, ensuring not only that individuals are treated in a reasonably equal manner, without unjust



bias or unlawful discrimination, but also that PICs only handle personal data in ways that their data subjects would reasonably expect. This principle helps to ensure that the processing of personal data will not bring any unjustified adverse effects on the data subjects.

Finally, the Commission acknowledges the importance of a collaborative approach in providing relevant information and guidance to PICs. This year, we initiated a Call for Public Input to gather insights from various sectors regarding the specific issues and challenges they face within their organizations. We specifically sought inputs, concrete examples, and use cases from PICs who rely on Consent, Contract, and Legitimate Interests as lawful bases for processing personal data. These inputs will aid us in formulating comprehensive guidelines on these criteria that we hope to issue in the following years. We look at this collaborative process as a sustainable approach to foster an efficient exchange of information and feedback for the development of data privacy standards and policies.

This Annual report discusses these and the other accomplishments and initiatives of the Commission. Together, I know that we will achieve our goal of a culture of privacy that is positioned for success and innovation.

ATTY. LEANDRO ANGELO Y. AGUIRRE  
Deputy Privacy Commissioner

# EXECUTIVE DIRECTOR'S MESSAGE



In order to deter abuses with data processing systems, the Commission has promulgated key policies, most notably the NPC Circular 2022-01 or the “Guidelines on Administrative Fines.” This policy answers the clamor for stronger stances against willful violators of the Data Privacy Act of 2012 while ensuring that those trying to comply will be given varying levels of relief. To fight against the continued abusive practices of some online lenders, the Commission likewise enhanced its Guidelines on Processing of Personal Data for Loan-related transactions through NPC Circular 2022-02, among other notable policies this year.

The combined compliance initiatives and policy support have undoubtedly caused positive impacts on violations of data subject rights. A review of the complaints filed this year shows an almost 40% drop in complaints against online lenders. Our complaints handling arm has shown significant efficiency in handling complaints, and this is in part due to the technical and soft skills they have gained in the investigation process, cybersecurity techniques, and relevant courses.

For willful violators of the Data Privacy Act, the NPC has not shirked in its obligation to impose fines, issue cease and desist orders, and temporary bans on data processing both physically and online, among others.

While doing all of the foregoing initiatives, the NPC likewise plays its role as an educator to the people. We have sustained our data privacy promotion programs, public assistance, awareness campaigns, PSST, Kabataan Digital, Privacy Awareness Week, and the Philippine Phil-DPO Development Programs. As shown by the reports, the Commission has exceeded its targets by employing innovative ways to reach our stakeholders aside from the conduct of physical activities.

Finally, the NPC has remained to be an international leader in data protection. The signing of the Memorandum of Understanding with the Personal Data Protection Commission, Singapore’s data protection authority, our continued membership and participation in the Council of Europe, the Asia Pacific Economic Cooperation, International Association of Privacy Professionals, the APEC CBPR system, Global GDPR declarations, and the Global Privacy Assembly highlight our commitment to adopt international standards in data protection with the aim of bringing the world’s best data practices into the Philippines.

Among all these, I confidently say the people behind the NPC and our strong and agile management have been instrumental in propelling us forward despite the challenges we faced as we recovered from the impacts of the COVID-19 pandemic. The support of this Administration, and the marching orders of His Excellency President Ferdinand Marcos Jr. is also powerful motivator for us to serve better and broader.

We maintain that data privacy is an ingredient of trust. It permeates through the lives of individuals to business opportunities and the greater demands of governance. This is why we commit to outdoing this year’s successes this 2023.

ATTY. IVIN RONALD D.M. ALZONA  
Executive Director

The National Privacy Commission has always been driven by a solemn commitment to building a nation where information is freely processed, exchanged, and shared within safe and protected environments. This 2022, we furthered this commitment by enhancing our regulatory priorities while catering to the growing demands for public information, capacity-building, and international cooperation.

With the launch of the NPC Online Registration System and the NPC Circular 2022-04 or the “Registration of Personal Data Processing System, Notification regarding Automated Decision-Making or Profiling, Designation of Data Protection Officer, and the National Privacy Commission Seal of Registration,” the Commission has modernized, streamlined, and incentivized the registration process, which is crucial for our regulatory efforts. By year-end, the Commission has issued a record number of more than 4,000 Certificates of Registration dominated by job-creating industries in the Philippines, particularly in health, real estate, marketing, manpower agencies, and business process outsourcing.

The Commission has also intensified the way it conducts compliance. Our presence has been felt more than ever as we conduct targeted, on-site compliance checks in addition to online privacy sweeps.

With almost 700 compliance checks completed this year, we have gained valuable insights into on-the-ground challenges, risks, and vulnerabilities faced by personal information controllers in their respective compliance journeys. This also raised awareness that the leading cause of data breaches – traditionally human error by a far margin – is now followed closely by malicious attacks.



## PPO DIRECTOR'S MESSAGE

As several industries opened once again along with the rest of the world in 2022, the National Privacy Commission (NPC) faced an ironic situation in that technological developments and the sudden and widespread adoption of technology-based practices brought forth novel data privacy concerns. The exigencies of the times, thus, hastened the need for the NPC to adjust to a heightened sense of data privacy from several sectors of the public that were once dormant and silent.

The 2022 Annual Accomplishment Report highlights the NPC's noteworthy milestones and accomplishments, and serves as proof of the continued dedication of NPC officials and personnel to perform its mandate to administer and implement the Data Privacy Act of 2012 (DPA) for the benefit of the Filipino people.

The year 2022 is another banner year for the NPC and the Privacy Policy Office (PPO). In response to the call of His Excellency President Ferdinand Romualdez Marcos, Jr. for a digitized and agile bureaucracy in view of the "Fourth Industrial Revolution," the NPC, through the able leadership of Commissioner John Henry Du Naga, has forged agreements with key data privacy authorities worldwide to ensure the protection of the Philippines' interest in data protection especially in the area of cross-border data flows. The PPO has also contributed to key legislations that have significant data privacy implications, the more notable of which are the SIM Registration Act, Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Law and the E-Governance Act, consistent with the NPC's goal of protecting and empowering data subjects. Through its two divisions, the Policy Development Division and the Policy Review Division, the PPO has worked tirelessly to produce circulars, advisories, opinions, reviews, and other issuances that elaborate and "laymanize" key concepts and principles of the DPA.

The NPC through the PPO has likewise been in continuous coordination with all the branches of the government, other government regulatory agencies, including foreign data protection authorities, to develop policies for the protection of personal information in the government and private sector, and to facilitate cross-border enforcement of data privacy laws and regulations.

As we face another year, the PPO remains committed to provide quality and timely issuances in line with the NPC's goal to protect and empower data subjects, ensure world-class data privacy standards in the country, and enable the data privacy resilience of its stakeholders. We are confident that, in the years to come, the NPC will reach new heights and be recognized as the premiere data authority in Asia and beyond.

ATTY. FRANKLIN ANTONY M. TABAQUIN IV  
Director, Privacy Policy Office

## DASCO DIRECTOR'S MESSAGE

Indeed, we now find ourselves in an era of unprecedented and extraordinary technological progress. Technologies like artificial intelligence and machine learning, edge computing, and internet of things are continually changing our way of living and reveal a reality of unimaginable possibilities. But however, that may be, these new innovations bring imminent and present dangers to personal privacy.

The significant diminishment of control over our personal data has brought the Commission to beef up its campaign for data privacy and security in the country.

Under the leadership of Commissioner John Henry D. Naga, the Commission has geared itself to implement a robust data privacy framework in the Philippines and realize a profound level of maturity for data privacy among our countrymen.

ATTY. AUBIN ARN R. NIEVA  
Director IV,  
Data Security and Compliance Office



## LEO DIRECTOR'S MESSAGE

In 2022, the path to recovery from the COVID-19 pandemic may be more difficult but economic trends point to the possibility that the recovery process may have a favorable impact on socioeconomic development. By pursuing innovations in digital transformation, e-taxation, financial technology, debt sustainability, and the execution of digital transactions by organizations, businesses, and households, 2022 also provided opportunities to explore ways to unlock sustainable and inclusive growth opportunities for various countries around the world.

The COVID-19 epidemic has accelerated digitalization in all spheres of life, introducing dangers and opening up vulnerabilities that have increased breaches. However, the occurrence of rapid digitalization to be able to respond to the COVID-19 recovery was also characterized by ongoing data and privacy breaches. With these trends, 2022 signaled the need to be more watchful while putting data privacy and security measures in place to safeguard the rights of data subjects.

For 2022, the Commission finalized and issued the Circular on Administrative Fines. The Legal Division (LD) of the Legal and Enforcement Office (LEO) spearheaded the drafting of the Circular, 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, conduct of public hearings and dialogues with stakeholders, and the finalization of said Circular.

The aforementioned Circular on Administrative Fines acknowledges the necessity of imposing administrative fines that are reasonable and effective at deterring violations of data privacy in the public interest. It stipulates that any PICs or PIPs who transgress the following R.A. 10173, its IRR, and the Commission's issuances are all subject to administrative penalties for every violation.

The Commission continues to perform its mandate of handling complaints and instituting investigations. It also continues to ensure that its orders and decisions are enforced. Continuous monitoring of the Personal Information Controllers' (PICs) compliance with the decisions, orders, and resolutions of the Commission is also being undertaken. Through collaboration with the relevant government agency(ies), platforms, various mobile app shops, and website domain hosts, the Commission continued to judiciously execute the Cease-and-Desist Orders (CDOs) and Temporary Bans.

As the stakeholders of the NPC continue to adopt and implement emerging and innovative technologies in their information and communication systems under in this COVID-19 recovery, they are also required to implement data privacy protection on personal data collection, processing, storage, and retention. Data privacy protection is very crucial in this data-driven digital economy.

The personnel of LEO has remained true to NPC's mandate. 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.

In this data-driven era, the LEO staff has remained committed to NPC's mandate to deliver public service. To adapt and continue to meet the needs of the stakeholders of the NPC, we demonstrated unwavering dedication, unwavering determination, and undeniable professionalism in carrying out our duties in the Commission.

The NPC's performance during 2022 is thoroughly presented to its stakeholders in this Annual Report. The achievements and activities of NPC for 2022 demonstrate how NPC resolutely carries out its mandate on data privacy protection.

We sincerely appreciate the support and collaboration of all of our stakeholders. The protection of data privacy is more crucial than ever in this age of digital transformation.

ATTY. MARIA THERESITA E. PATULA  
Director IV,  
Legal and Enforcement Office

## FAO DIRECTOR'S MESSAGE

Innovativeness, resiliency, and sustainability are the key components that made the Commission deliver its mandate at par with international standards. The global pandemic has intensified the drive of the NPC to be a significant contributor to the speedy economic recovery of the nation while ensuring data protection.

The pandemic has made digital transactions more relevant and appealing – hence, the need to implement rigorous measures to combat online crimes. In support of the plans and activities of the NPC Management, the Finance and Administrative Office (FAO) has recalibrated and refocused its directions, programs, and services to adapt to the fast-changing trends and to enable an effective, efficient, and timely support to the operations.

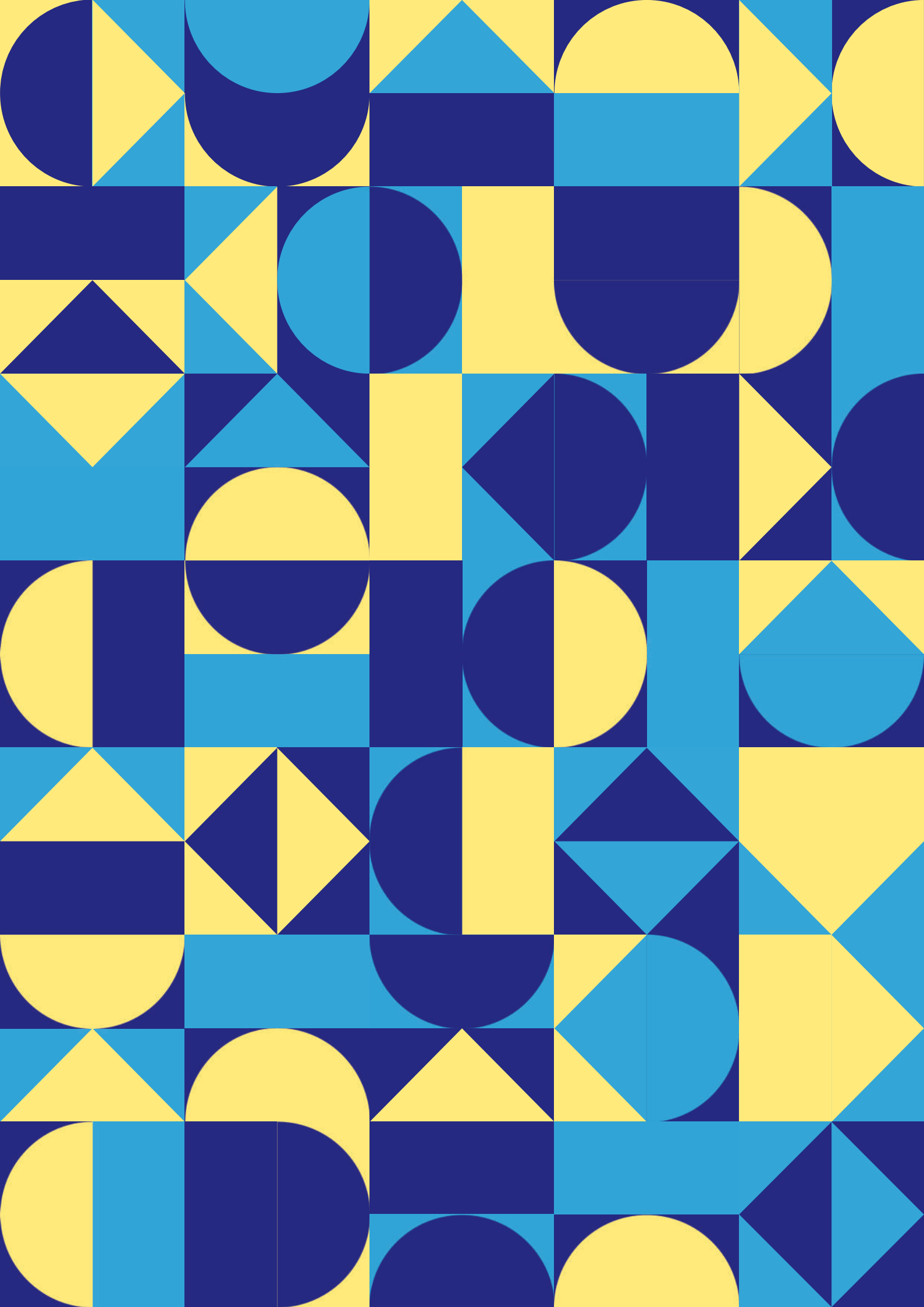
The hard work and dedication of the Financial, Planning, and Management Division (FPMD) had paid-off when the Commission On Audit (COA) was granted the NPC with "Unqualified Opinion" from CYs 2021 up to 2022, and counting. This is indeed a significant achievement of the NPC in terms of financial management. Each financial computation has its own story, which the FPMD was able to surpass with flying colors. Moreso, the QMS 9001:2015 accreditation and the FY 2021 PBB Eligibility enabled significant improvements in the provision of services to the public.

As the NPC recognizes the value of its workforce being at the forefront, the Commission, through the Human Resource Development Division (HRDD), has implemented programs that safeguard their welfare, specifically in the areas of health and safety, career development, welfare, equitable benefits, recognition, and rewards. The 2022 Annual Employee Welfare Program Plan was holistically tailored to help ensure work-life balance among employees, resulting in quality outputs and increased productivity - a healthy and happy workforce contributes to the strength and success of every organization. It was also ensured that the right people were hired for the right positions, properly on-boarded, and oriented to help attain work efficiency. A total of 32 Plantilla and 57 Contract of Service (COS) personnel were hired from January to December 2022.

On the other hand, the Administrative Services Division ensured that all logistical assistance was extended to all offices to fully maximize its prowess for attaining the mission and vision of the Commission. Procrastination has no place in serving the Commission's stakeholders.

Rest assured, the FAO will relentlessly support the Commission in providing quality services for the benefit of the Filipino people. Once again, we sincerely thank the Privacy Commissioner, Deputy Privacy Commissioners, Executive Director, Directors, and NPC family for their unwavering support.

ATTY. MANUEL C. SATUITO  
Director IV  
Finance and Administrative Office





# ABOUT US

The National Privacy Commission (NPC/ Commission) was created under Republic Act No. 10173 (RA 10173) otherwise known as the Data Privacy Act of 2012 (DPA). The DPA is a 21<sup>st</sup> century law to address 21<sup>st</sup> century issues such as: (a) protecting the privacy of individuals while ensuring free flow of information to promote innovation and growth; (2) regulating the processing of personal data (i.e., collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction); and (3) ensuring that the Philippines complies with international standards set for data protection through the Commission.

The Updated Philippine Development Plan (PDP) 2017-2022 remains anchored on 0-10 points Socioeconomic Agenda of the Duterte Administration as well as the policies, strategies, programs and legislative priorities in support and consistent with President Ferdinand R. Marcos, Jr.'s PDP 2023-2028 and 8-point Socioeconomic Agenda. These medium term plans are geared towards the Sustainable Development Goals 2030 and the Ambisyon Natin 2040, when everyone hopes to live a Matatag, Maginhawa at Panatag na buhay, and where there will be zero poverty. Adjustments were made on the framework of the updated plan to integrate strategies in responding to the 'new normal'

The Commission has demonstrated its effectiveness as a regulator and pioneer in data protection and information governance, especially during the time of the pandemic.

This unprecedented event has altered the global environment, which has affected the Philippine digital economy. Even while Information and Communications Technology (ICT) is recognized as a crucial tool for nation-building, the rapid shift online has led to new cybersecurity and data privacy issues due to the increased usage and access to personal data.

The Commission has played a key role in providing guidance and assistance to governments and other relevant stakeholders on how to appropriately handle and share personal data in the COVID-19 pandemic response, including contact tracing efforts and vaccine deployment.

This report details recent developments in effectively resolving Online Lending Applications (OLA)-related complaints concerns such as creation of a Quick Response and Special Cases unit to immediately aid the commission in resolving these privacy concerns. The Commission has positively addressed these issues and has consistently enhancing efforts to protect the personal information and digital lives of every Filipino.



# MISSION

We shall continuously deliver services to:

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



# 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.

# 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!**



THE YEAR







Part A:  
**Intensifying Data Privacy  
Response in the Era of Rapid  
Technological Advancement**



**(A) COMPLIANCE AND MONITORING**

The Compliance and Monitoring Division (CMD) is a division under the Data Security and Compliance Office (“DASCO”) which carries out the Commission’s mandate under Section 7 (a) of the Data Privacy Act “Ensure compliance of personal information controllers...”; and 7 (e) to “monitor the compliance of other government agencies or instrumentalities on their security and technical measures and recommend the necessary action in order to meet minimum standards for protection of personal information pursuant to this Act”.

The CMD is continuously working with personal information controllers (PIC) and personal information processors (PIP), whether in the private or government sectors, not only in regulating but also providing support in complying with the DPA. This is being done by the CMD through its various units which among others, 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.

(a) Data Protection Officer (DPO) Registration

The Commission intensified its compliance efforts for 2022 to ensure that various entities belonging to identified crucial sectors were registered. This was done through the registration of the entities’ DPO.

The intensified drive yielded 1,670 new registrations of PICs/PIPs and Individual Professional DPOs. On top of this, CMD also processed 2,047 amendment requests and 711 renewal application or request for Certificate of Registration.

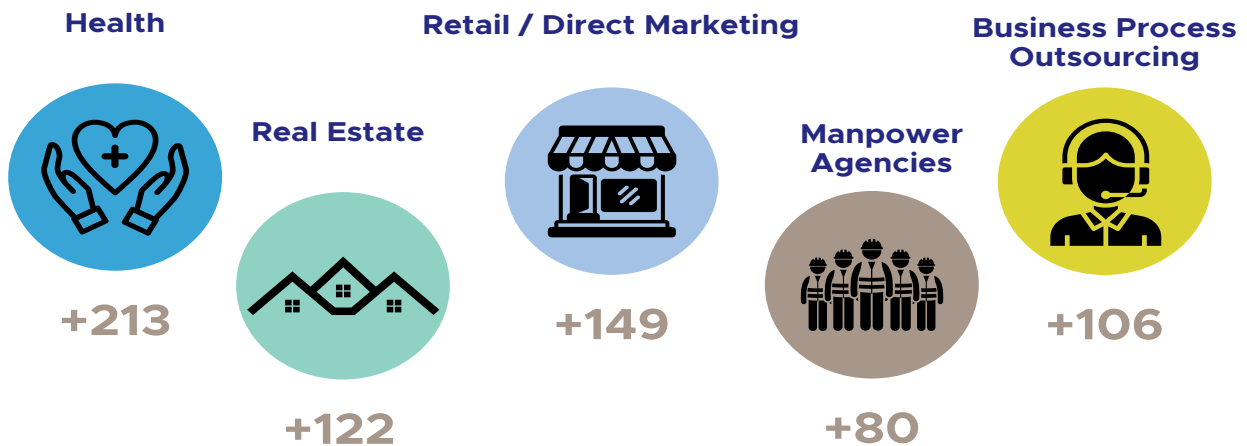
By the end of 2022, the CMD was able to issue 4,082 Certificate of Registrations.

The Commission’s effective information campaign in the health sector is notable allowing 213 additional health institutions to register. This is a welcome development considering that the health sector plays a vital role in the ongoing fight against the pandemic in order to ensure that the privacy rights of their data subjects are not compromised.

As follow through to the intensified registration drive, the CMD has begun to lay the foundation for more efficient operations through the planned roll-out of the National Privacy Commission Registration System (NPCRS) thereby assuring the PICs and PIPs to a more streamlined registration process.

In preparation for the roll-out of the system, the Commission published on 27 December 2022 its new circular on Registration of Personal Data Processing System, Notification Regarding Automated Decision-Making or Profiling, Designation of Data Protection Officer, and the National Privacy Commission Seal of Registration (NPC Circular No. 2022-04).

**TOP 5 REGISTRATION SECTOR**

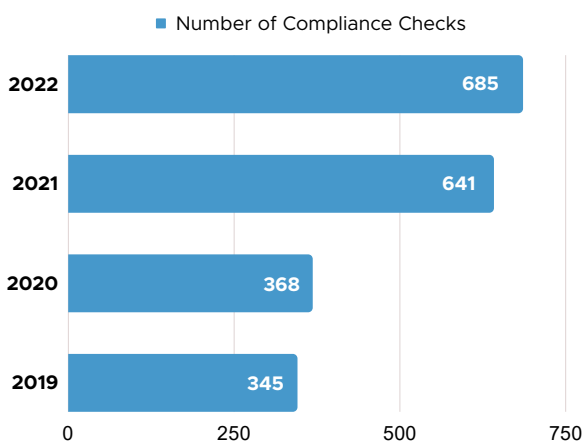


(b) Compliance Checks

The Compliance Check Unit (CCU) of the CMD has the primary function of monitoring the compliance of PICs and PIPs with the DPA and other issuances of the Commission. It has successfully spearheaded the reestablishment of the On-Site Visit (OSV) to identified PICs and PIPs with its first on-site visit on 23 March 2022.

OSVs are intended to determine whether a PIC or PIP is able to demonstrate organizational commitment, program controls and review mechanisms intended to assure privacy and personal data protection in data processing systems. It is also an opportunity for the Commission to help and guide every PIC and PIP to comply with the DPA and its related issuances.

By the end of 2022, the CMD has successfully conducted a total of forty-two (42) OSVs to private and government sectors. Meanwhile, CMD was also able to conduct five hundred thirty-four (534) Privacy Sweeps (PS) and issued sixty-three (63) Notice of Documents Submissions (NDS) and forty-five (45) Warning Letters (WL) to non-compliant PIPs/PICs. The PS, NDS and WLs are all intended to apprise PICs and PIPs of any issues concerning their compliance with the DPA.

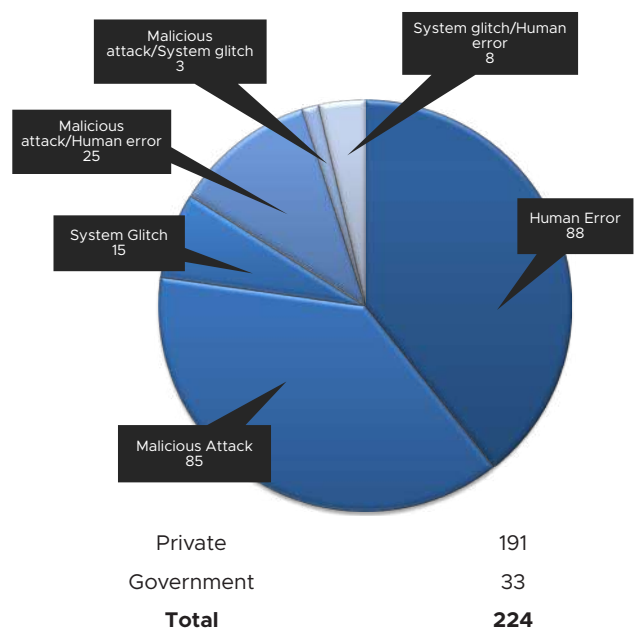


(c) Breach Handling

CMD’s Breach Notifications Unit (BNU) received and evaluated a total of two hundred and twenty-four (224) personal data breach notifications (PDBNs) received through the Data Breach Notification Management System (DBNMS). The most common causes

for breaches are Human Error and Malicious Attack which has a total of eighty-eight (88) and eighty-five (85) reports, respectively. The specific causes vary from negligence in sending email blasts, lost or misplaced documents, and ransomware attacks.

GENERAL CAUSES	NO.	
Human Error	88	
Malicious Attack	85	
System Glitch	15	
Malicious attack/Human error	25	
Malicious attack/System glitch	3	
System glitch/Human error	8	
	PRIVATE	GOVERNMENT
	191	33
<b>Total</b>	<b>224</b>	



(d) Compliance Support and Advocacy

CMD continuously provides support to PICs and PIPs by attending to their inquiries through emails and phone calls. A total of one thousand four hundred thirty-six (1436) inquiries were acted upon.

TOTAL INQUIRIES RESOLVED	NO.
Simple	1370
Complex	66
Registration	538
Renewal	375
General Inquiry	224
Complaint	216
Reports (ASIR, etc.)	53
Breach Notification	20
Request for Training	6
Common DPO	3
Miscellaneous	1
<b>Total</b>	<b>1436</b>

Likewise, CMD’s initiative in educating the public about data privacy compliance plays

a vital role in making sure that every PIC and PIP are compliant with the DPA and its related issuances. In 2022, a total of seventy-seven (77) speaking engagements were successfully conducted by the CMD. Of these speaking engagements, forty-seven (47) were conducted to the public sector, and thirty (30) to the private sector.

CMD also implemented projects such as video tutorials, video FAQs, and the shortening of the registration from seven (7) to three (3) steps as well as initiating four (4) division-initiated compliance workshops among others.

As part of its digitalization efforts, the Commission virtually held the launch of the DBNMS, an interface that facilitates the tracking and submission of Personal Data Breach Notifications and Annual Security Incident Reports. Through this system, it is easier for the PICs to submit personal data breach notifications as required by NPC Circular No. 16-03 or the Personal Data Breach Management and Annual Security Incident Reports. In this regard, submissions through email, personal filing, ordinary mail, licensed courier service, and any other mode of physical submission shall no longer be accepted.





# RULEMAKING

## (B) RULEMAKING

The Commission strives for the realization of the modern culture of data privacy in the nation through its enduring commitment to deeper understand the concerns of the relevant stakeholders and the public in order to produce issuances that are responsive.

### (a) Circulars

To strengthen the protection and security of data privacy in this digital age, the Commission issued the following Circulars:

a.1. NPC Circular No. 2022-01 or Guidelines on Administrative Fines was issued on 08 August 2022. The Circular on Administrative Fines recognizes that it is essential for the public interest to impose administrative fines that are proportionate and dissuasive of data privacy infractions. It provides that any PICs or PIPs who shall violate the following provisions of R.A. 10173, its IRR, and the issuances of the Commission shall be liable for an administrative fine for each infraction.

a.2. NPC Circular No. 2022-02 on Amending Certain Provisions of NPC Circular No. 20-01 on the Guidelines on the Processing of Personal Data for Loan-related Transactions, which aims to expound on NPC Circular No. 20-01 to respond to exigencies in the processing of personal data for loan-related transactions by lending and financing companies and other persons acting as such.

a.3. NPC Circular No. 2022-03 or Guidelines for Private Security Agencies (PSAs) on the Proper Handling of Customer and Visitor Information which provides for the obligations of Personal Information Controllers (PICs) engaging the services of PSAs, as well as the obligations of PSAs acting as PICs and Personal Information Processors (PIPs), on the proper handling of the data subjects' personal data.

a.4. NPC Circular No. 2022-04 or Registration of Personal Data Processing System, Notification Regarding Automated Decision-Making or Profiling, Designation of Data Protection Officer, and the National Privacy Commission Seal of Registration was issued on 5 December 2022 prescribing the guidelines for Personal Information Controllers (PICs) as well as Private Security Agencies (PSAs) and Security Guards acting as Personal Information Processors (PIPs) on the proper handling of data subjects' personal data.

### (b) Advisory

b.1. NPC Advisory No. 2022-01 on the Guidelines on Requests for Personal Data of



Public Officers dated 04 February 2022, was issued which authorizes personal data to be disclosed to the extent that the requested information is shown to be a matter of public

concern or interest, and which is relevant to the subject matter of the request and such disclosure is not prohibited by any law or regulation.

### (C) ADVISORY OPINIONS AND COMPLEX INQUIRY RESPONSES

The Privacy Policy Office (PPO) at the forefront of ensuring that the data privacy rules, practices, and procedures in the country remains relevant and at par with international standards. The PPO is responsible for coordinating with government regulatory agencies and foreign data privacy regulators to develop privacy policy standards for the protection of personal information in the government and private sector, and facilitate cross-border enforcement of data privacy protection. It is composed of two divisions namely, Policy Development Division (PDD) and Policy Review Division (PRD)

As stated in Sections 7 (l) and (m) of the DPA, the Policy Review Division (PRD) is responsible for the drafting of Advisory Opinions and the interpretation of the requirements of the DPA, its Implementing Rules and Regulations (IRR), and other NPC issuances. The PRD is also tasked with the preparation of comments or position papers on the data privacy implications of proposed national or local statutes, or procedures. In addition, the PRD provides assistance to external stakeholders by responding to matters involving data privacy.

The Policy Development Division (PDD)

remained steadfast in its efforts in leading and advancing the Commission's goal of ensuring world-class data privacy standards in the Philippines and enabling data privacy resilience of stakeholders.

In 2022, the PPO published twenty-eight (28) Advisory Opinions on matters involving the interpretation of the DPA, its IRR, and other issuances, as it applies to various concerns of different sectors. These Advisory Opinions addressed privacy concerns relevant to the times and affecting the public at large. The concerns revised revolve around the data privacy implications of government actions and private sector transactions such as the use of cameras during surveillance visits, recording and uploading of online classes, various inquiries regarding disclosure of Covid-19 swab results, and processing of personal data by governmental entities pursuant to their respective mandate.

The more notable Advisory Opinions discussed issues involving; disclosure of students' personal data for case build-up purposes, government employee 201 files, the concept of free flow of data, disclosure of personal data through an official government database, obtaining civil registry documents, and

disclosure of land titles and related documents for the establishment of legal claims.

Likewise, the PPO has responded to more than 300 complex, delivering timely assistance to all stakeholders who sought clarification on matters relating to data privacy. These include inquiries pertaining to processing by government entities and instrumentalities, monitoring of employees, right to privacy of a public figure, DPA implication of some provisions of the Voters' Registration Act (VRA), prescriptive period, automated decision

making, voice printing clarification, and data privacy breach, and many others.

Furthermore, the PDD has prepared a revised version of the Frequently Asked Questions (FAQs) that is being used by the Public Information and Assistance Division (PIAD) to address simple inquiries. The said FAQs is an 85-page document consisting of a vast collection of questions and answers gathered from 2017 up to the present which aims to support PIAD's public assistance mandate.

**(D) LAW REFORM AND LEGISLATIVE INTERVENTIONS**

The Policy and Review Division (PRD) prepared various Position Papers and Comments on behalf of the Commission on proposed legislation from the House of Representatives and the Senate of the Philippines. The PRD also represented the Commission in various committee meetings and hearings before both houses of Congress. Close to thirty (30) comments/position papers were submitted to Congress on the data privacy implications of various bills.

Some of the significant pending legislation reviewed include the Protection of Children Against Online Sexual Abuse or Exploitation (OSAEC); SIM Registration Act; Taxpayers' Bill of Rights; the Internet Transactions Act (2022); Law Enforcement Body-Worn Camera Act; Electronic Toll Collection System Measures; Delivery Platform Riders Protection Act; and E-Governance Act of 2020.

The PRD personnel also participated in the following Senate and House of Representatives Plenary, Committee, and TWG Hearings and Meetings:

- a.1. House of Representatives Committee on Public Safety
- a.2. Senate Committee on Labor
- a.3. Senate Tax Study and Research Office on
- a.4. Senate Committee on Trade, Commerce, and Entrepreneurship join with Ways and

Means;

- a.5. Finance Technical Working Group
- a.6. Meeting with the Department of Information and Communications Technology regarding the Consolidation of E-Government and E-Governance bills.

The PDD also prepared comments on behalf of the Commission on proposed legislation from both the House of Representatives and the Senate of the Philippines and represented the Commission in various committee meetings and hearings.

In particular, comments and position papers were submitted to Congress on the data privacy implications of the proposed No Calls, No Text, No Emails Registration System Act, Anti-Spam Act, Republic Act No. 11934 or the SIM Registration Act, including its Implementing Rules and Regulations (IRR), among others.

The PDD likewise drafted the bills amending the DPA, one for the broader amendments, clarifying the scope, definitions, powers of the Commission, lawful criteria for processing, among others, and another version for the piecemeal amendments which focus on the strengthening of the regulatory powers of the NPC. Further, the PDD reviewed the DPA's Implementing Rules and Regulations (IRR) to identify repealed provisions and updated IRR for website posting.



## **(E) ENGAGEMENT WITH STAKEHOLDERS IN THE GOVERNMENT AND PRIVATE SECTOR ACTIVITIES**

In the formulation of data privacy standards, the PDD continuously coordinates with government agencies and the private sector to formulate and implement plans and policies to strengthen the protection of personal data in the Philippines.

This entails inter-agency coordination with the Department of Foreign Affairs (DFA), Department of Trade and Industry (DTI), Department of Information and Communications Technology (DICT), National

Telecommunications Commission (NTC), Philippine Competition Commission (PCC), Philippine National Police (PNP), among others.

The PPO has also demonstrated unwavering commitment to providing appropriate guidance as point persons for various sectors through responses to different queries from the data protection officers, compliance officers for privacy, and other privacy advocates through different communication channels.

## **(F) ALTERNATIVE DISPUTE RESOLUTIONS**

The Commission has the mandate to receive 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. In addition, the Commission may issue cease and desist orders or impose a temporary or permanent ban on the processing of personal information when the circumstances require.

In 2022, the Commission En Banc has conducted eighteen (18) adjudication meetings, five (5) special adjudication meetings, and one (1) clarificatory hearing. During the adjudication meetings, the Commission En Banc has addressed and tabled one hundred seventy-five (175) cases which were elevated and endorsed by the Legal Division (LD), Complaints and Investigation Division (CID), and CMD. Notably, the Commission En Banc increased to sixteen percent (16%) its addressed cases compared to the year 2021.

Of the cases that were endorsed to the Commission En Banc, fifty-two (52) cases involve breach issues, twenty-six (26) are cases initiated through sua sponte investigation, three (3) arose due to compliance check and one (1) case for the issuance of a cease-and-desist order.

In the year 2022, the Commission En Banc was

able to close and dismiss sixty-two (62) cases. Further, four (4) cases were recommended for criminal prosecution as the Commission En Banc has probable cause to believe that the DPA was violated. The Commission also awarded damages to three (3) cases tabled for adjudication this year.

For internal stakeholders, the Commission En Banc was able to issue forty-eight (48) memoranda to address adjudicatory matters.

By the end of 2022, the Commission was able to send out all the decisions, resolutions and orders to the respective parties.

As part of its digitalization efforts, the Commission En Banc's Adjudication Secretariat was able to scan and archive one hundred percent (100%) of the case records received since 2017.

Overall, the Commission envisions improving and providing better adjudicatory services to stakeholders. The Commission aims to address and resolve more cases for the year 2023. The Commission remains committed to ensuring that PICs and PIPs are compliant with the law and that data subjects' fundamental right to privacy is upheld.



## (G) COMPLAINTS AND INVESTIGATION

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 4 (b) of the DPA to “[receive] 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 [the] 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 DPA;
- b. To investigate security breaches; and
- c. To prepare a fact-finding report based on the complaint and its investigation, and recommend appropriate action to the Commission.

In 2022, the CID received 279 complaints from data subjects for regular complaints proceedings, instituted 17 *sua sponte* investigations, 77 inquiries under the Quick Response and Special Cases (QRSC), and responded to 8,571 privacy concerns.

Investigating complaints for privacy violations filed directly by data subjects constitute one of the CID’s main tasks. The complaints proceedings start with a complaint filed by a data subject, which is subjected to investigation, including preliminary conference and discovery proceedings, and an opportunity for the respondent to be heard through a verified comment, and the eventual issuance of a fact-finding report with a recommendation to the Commission based on the evidence adduced by the parties.

Apart from the 279 new complaints filed before the CID in 2022, the CID was also able to issue 1,038 fact-finding reports which were resolved at the level of the Legal and Enforcement Office Director. On the other hand, 45 complaints were submitted to the Commission En Banc for adjudication. Preliminary conferences for 629 cases have been concluded by the end of 2022.

A review of the complaints filed in 2022 shows a significant drop in the number of complaints involving online lending applications (OLA) from 197 in 2021 to 114 in the current year. These are often cases filed by data subjects who have obtained loans from OLA operators that allegedly committed privacy violations by contacting the data subjects’ contacts without consent and using the data subjects’ personal

information in order to shame and humiliate them into making payments for their loans. In 2022, 114 of the complaints filed are related to online lending applications accounting for 41% of the total complaints filed. While 165 pertained to other privacy violations.

The CID was also able to successfully secure a Cease and Desist Order from the Commission En Banc in the case of Complaints and Investigation Division – National Privacy Commission vs. PH-Check.com docketed as CID CDO 22-001, which involves a personal information controller that scraped personal information from the Department of Trade and Information’s (DTI) Business Name Registration System. In that particular case, the CID was able to prove that PH-Check.com’s act of scraping information from DTI was in violation of Sections 11 and 16 of the DPA and could cause grave and irreparable injury to the data subjects. As a result, the Commission En Banc ordered the PH-Check.com to cease and desist from the processing of personal data on its website. This case was prompted by a letter-complaint from the DTI.

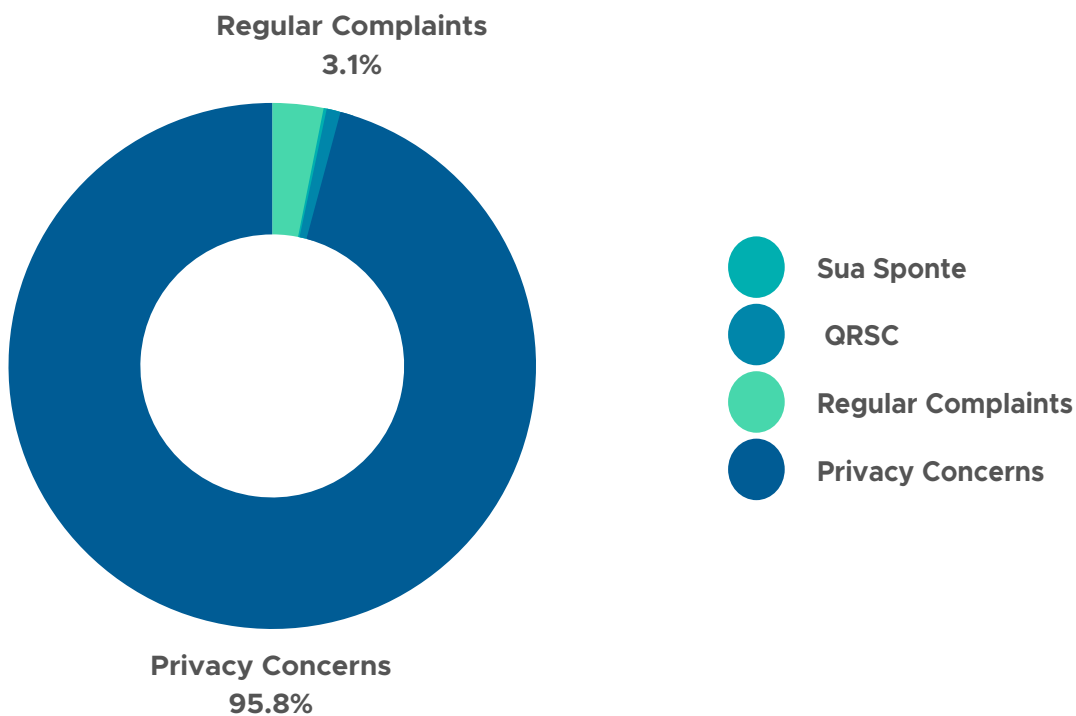
The CID also has a QRSC Team to aid the Commission in quickly reacting to, monitoring, inquiring, and resolving privacy concerns that affect large segments of the community or which can cause privacy panics. Implementing Special Order No. 29, series of 2021, the CID

formed 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 QRSC Team is able to ensure that privacy violations are identified and remedied even if no data subject raises a complaint. The QRSC’s inquiries can eventually ripen into full-blown sua sponte investigations.

With information from the QRSC’s inquiry to the SIM registration, docketed as QRSC22-077, the Commission, through the leadership of Commissioner Naga, prevailed upon the Telecommunication Companies to remove or separate the consent for processing of personal data unrelated to the SIM Registration under R.A. No. 11934. The team also conducted inquiries with the Overseas Workers Welfare Administration and DMCI Homes, Inc. which led to the parties’ filing of breach notification reports.

The CID also resolved breach notification cases. In 2022, the CID was able to conclude investigations on an additional 41 breach notification cases that have been submitted to the Adjudication Team for resolution.

The CID’s swift action in cases including NPC Case No. 22-007 and NPC Case No. 21-360



also merited messages of appreciation directly from the complainants in the said cases. In NPC Case No. 22-007, the CID’s actions helped the data subject secure an apology and damages from the personal information controller for the alleged unauthorized disclosure of the data subject’s medical records. In NPC Case No. 21-360, on the other hand, the CID’s actions helped the data subject access redress for possible privacy violations in relation to an OLA operator.

The CID also participated in different trainings and seminars in order to ensure that the CID’s personnel are equipped with both technical skills and soft skills that will allow it to resolve the complaints filed before it, investigate sua sponte cases, and effectively communicate with its stakeholders. The CID’s personnel were able to attend trainings including the Training Course on Service Process Streamlining held in June 2022, the Comprehensive Course on Mediation held in July 2022, a Vulnerability Assessment Workshop held from January to February

2022, and Training on Customer Service Satisfaction and Handling Customers held in February 2022.

**(H) ENFORCEMENT**

The government, being the protector of the rights of the people, has the inherent supreme power to enforce such laws that will promote the public interest. As an inherent attribute of sovereignty that essentially extends to all public needs, police power grants a wide panoply of instruments through which the State, as *parens patriae*, gives effect to a host of its regulatory powers. Among these rights that need to be protected, especially in our fast-paced lives saddled by emerging technologies, are our privacy rights.

The Supreme Court, in the case of *Gerochi v. Department of Energy*, held that the power to “regulate” means the power to protect, foster, promote, preserve, and control, with due regard for the interests, first and foremost, of the public, then of the utility of its patrons.



Image [from left to right] Engr. McCloven Querubin (NPC), Ms. Lauren Seawright (FBI), Atty. Adel Tamano (DITO), Atty. Roy Ibay (SMART), Atty. Irish Krystle Almieda (GLOBE), Dep. Comm. Jon Paulo Salvahan (NTC), and Atty. Santiago Tiongco III (NPC) as panelists



To protect Filipinos’ data privacy rights, the DPA mandated the NPC to implement its provisions and to monitor and ensure compliance of the country with international standards set for data protection. The Enforcement Division (EnD) then ensures that all the orders, resolutions, and decisions of the Commission towards this objective are enforced.

(a) Applying Sanctions

In certain instances, the Commission has imposed penalties such as recommendations for prosecution, payment of nominal damages, temporary ban, cease and desist orders, and warnings, among others to 26 OLA.

Meanwhile, in 2021, the Commission issued four (4) Orders for Temporary Ban on the Processing of Personal Data against the following:

1. NPC SS 21-006 In re: Wefund Lending Corporation (JuanHand);
2. NPC SS 21-007 In re: Cash8 Lending Corporation (Cashjeep);
3. NPC SS 21-008 In re: Populus Lending Corporation (Pesopop); and
4. NPC SS 21-009 CID vs Joywin Lending Investors (Lemon Loan).

The Commission has lifted the Temporary Ban on the Processing of Personal Data in three

cases: (1) JuanHand (NPC SS 21-006); (2) CashJeep (NPC SS 21-007); and (3) Joywin (NPC SS 21-009). EnD is currently monitoring the twenty-seven (27) remaining cases with existing Temporary Ban Orders on the processing of personal data.

The EnD has judiciously enforced these Temporary Ban Orders through constant coordination with government agencies, different mobile app stores and platforms, including Google, and website domain hosts. Continuous monitoring of the personal information controllers’ compliance with these orders is also being conducted.

To date, the mobile applications of all OLAs with existing Temporary Ban Orders are no longer accessible online.

The Commission has likewise issued a CDO for the following cases:

Cease and Desist Orders		
Case No.	Case Title	Year
NPC CC 20-001	In re: Grab	2020
NPC SS 20-001	In re: Familyhan Credit Corp	2020
In re: Lisensya.info	In re: Lisensya.info	2020
CID-CDO-21-003	In re: Pilipinas2022.ph	2021
CID-CDO-22-001	In re: PH-check.com	2022
<b>Total</b>	<b>5</b>	

The CDOs are currently enforced and monitored by the EnD. The database in question in the Familyhan case, along with the

websites, Lisensya.info, Pilipinas2022.ph and PH-check.com are generally no longer publicly accessible.

To date, the Commission has recommended twelve (12) cases for criminal prosecution. EnD is currently preparing the respective complaint-affidavits for eventual filing in the appropriate courts.

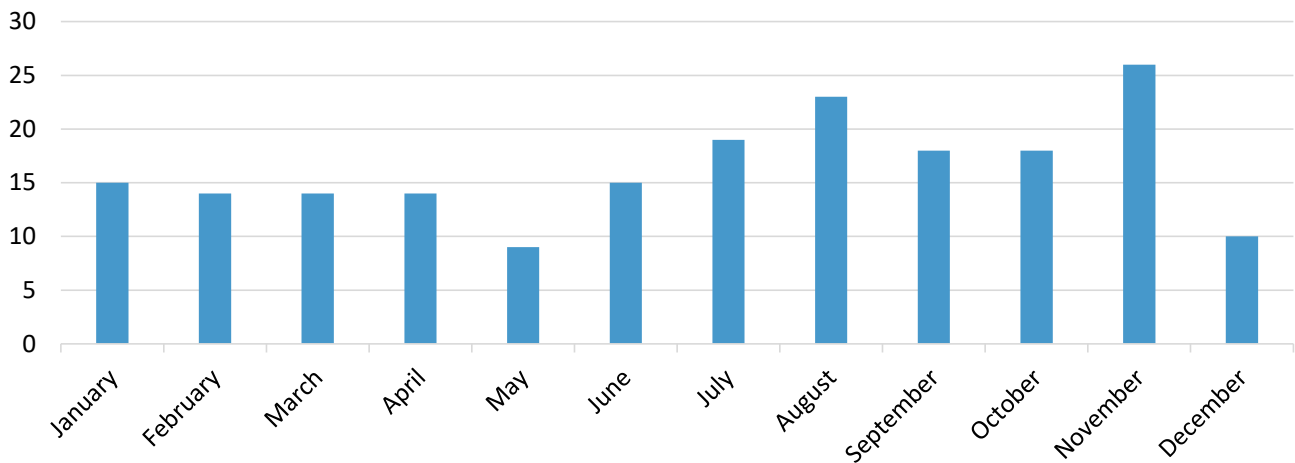
(b) Staying Safe Online

To cultivate public awareness of data privacy,

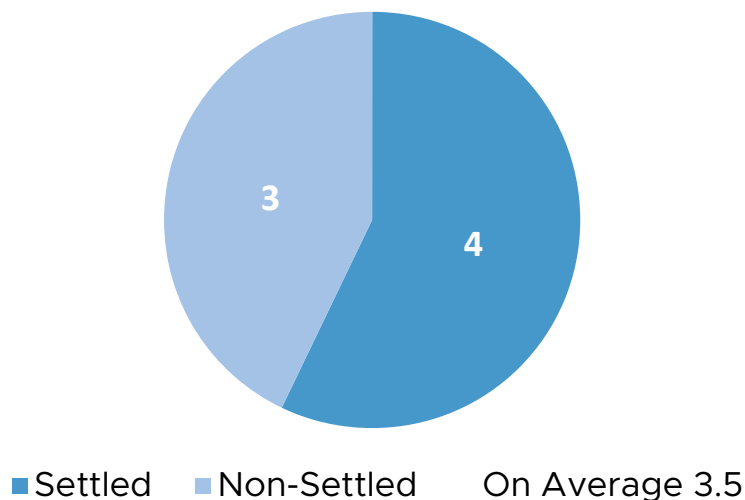
and to pursue initiatives that will empower our citizenry to safeguard their private data against unscrupulous groups and individuals, EnD is actively participating in the US-PH Joint Cybersecurity Working Group (JCSWG).

Over the last year, countless Filipinos have fallen victim to the disastrous effect of phishing scams perpetuated through Short Message Services (SMS). The anonymity of this rampant smishing is the primary weapon used by the attackers. To address the issue, the SIM Registration Act was enacted.

### Number of Conferences (including confirmatory conferences)



### Average No. of Conference Before Resolution



**(I) MEDIATION**

The Legal Division (LD) of the Commission is mandated to perform four (4) functions,

namely: (1) To provide legal assistance to the Office of the Commissioner and different Offices of the Commission, including evaluation of laws and rules affecting the operations of the Commission, and preparation and review

of agreements to which the Commission is a party; (2) Act as general counsel in cases against the Commission, its officers and employees, in all actions taken in their official capacity before judicial or administrative bodies, and coordinating with the Department of Justice or the Office of the Solicitor General as may be necessary; (3) Assist in alternative dispute resolution of complaints; and (4) Perform such other functions as may be assigned by the Office of the Commissioner.

The LD operates through its two (2) sections – the Policies, Internal Affairs, and External Relations Section; and the Alternative Dispute Resolution and Litigation Section. This division is composed of three (3) plantilla personnel, and six (6) Contracts of Service performing the following functions: Legal Assistant I (2); Mediation Support Officer (2); and Legal Researcher III (2).

With its present complement, the LD was able to deliver on its duties and introduce process improvements to ensure efficient public service to its internal and external stakeholders.

(a) Mediation Proceedings

a.1. Number of Cases Handled

Fifteen (15) pending cases from 2021 were carried over to 2022. For 2022, sixty-nine (69) new cases for mediation were forwarded by the CID to the LD. By December 2022, twenty-three (23) cases were settled and forwarded to the Adjudication Team while parties in fifty-six (56) cases that failed to reach an amicable settlement and were referred back to CID for resumption of complaint proceedings.

There are five (5) pending cases undergoing mediation proceedings by the end of 2022 and are scheduled to continue until 2023.

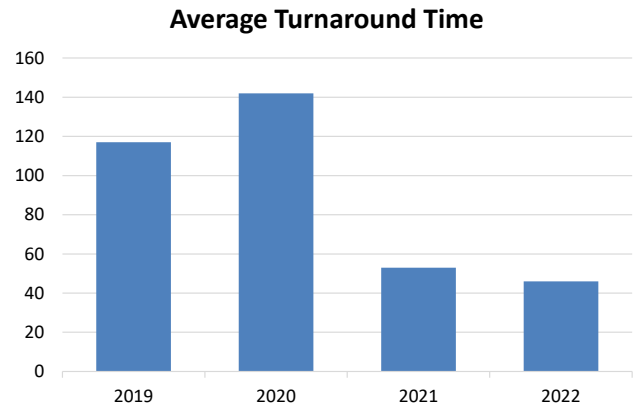
a.2. Number of Conferences Conducted

For 2022, a total of 195 conferences were conducted by LD. The average number of conferences held before a case is resolved, whether through settlement or non-settlement, is three to four (3-4) conferences. For settled cases, it takes three (3) conferences before

settlement takes place. On the other hand, four (4) conferences are conducted before a case terminates due to failure to amicably settle.

a.3. Average Turnaround Time

The average turnaround time throughout the for a case to be resolved is 90 days. In 2019, it was 117 days; in 2020, it was 142 days; and, in 2021, 53 days. For 2022 the average turnaround time for a case is forty-six (46) days.



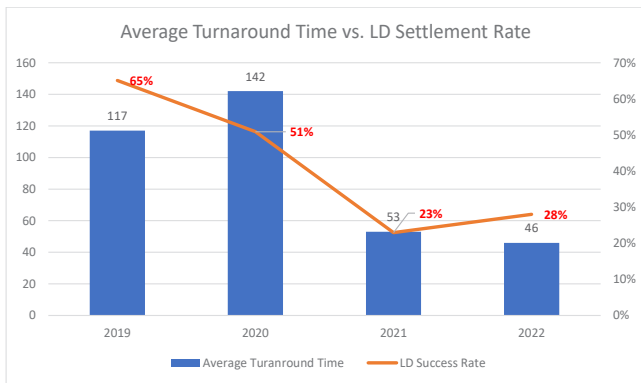
As of this writing, the average turnaround time for a case to be resolved is 90 days. In 2019, it was 117 days; in 2020, it was 142 days; and, in 2021, 53 days . For 2022 the average turnaround time for a case is forty-six (46) days.

a.4. Settlement and Non-Settlement Rates

	Settlements (Mediated Settlement Agreement)	Non-Settlements (Notice of Non-Settlement)
2019	(65.09%)	(34.91%)
2020	(50.88%)	(49.12%)
2021	(22.95%)	(77.05%)
2022	(28%)	(72%)
4-Year Average	41.73%	58.27%

The 4-year average of Mediation settlement rate stands at 41.73%.

Below is a combination graph that lays down the average turnaround time vis-à-vis LD’s settlement rate from 2019-2022:



Examining the data, it can be concluded that these two variables are somehow directly proportional to each other. Comparing the statistics from 2019 and 2020 to that from 2021 and 2022, it can be seen that while the average turnaround time in the earlier years were longer, the settlement rate was nevertheless higher. Meanwhile, in 2021 and 2022, while the average turnaround time became shorter, the settlement rate was lower.

The reason that can be posited for the difference is that, on average, non-settled cases are resolved faster. As soon as the parties decline to accept the demands of either side, the case is already declared as a non-settlement. Meanwhile, settled cases take a while and sometimes even exhaust the whole 90-day period especially if the mediation officer sees potential in the case. This usually happens when parties are represented by their

legal counsels who take time conferring with their principals, or companies which require additional layers of approval of the terms of settlement from various divisions and officials.

Moreover, the conduct of face-to-face mediation in 2019 and 2020 could have contributed to the higher settlement rate. It can be surmised that when one puts in more time and effort as when they have to personally appear before the Commission and incur corresponding costs, they will naturally be more eager to maximize the time and exhaust all possible settlement terms.

On the other hand, due to the shift to online mediation conferences in 2021 and 2022, there was a shorter turnaround time because parties are more available to appear and attend online conferences due to its convenience, especially for those in provinces and other regions.

As mentioned in 2021 report, “a shorter turnaround time does not necessarily equate to successful mediation. Hence, a balance between the quantity (i.e., turnaround time) and quality (i.e., settlement rate) of aspect of mediation must be achieved.” This then led to the recommendations made by LD. In 2022, this inference still stands as evidenced by the data above.

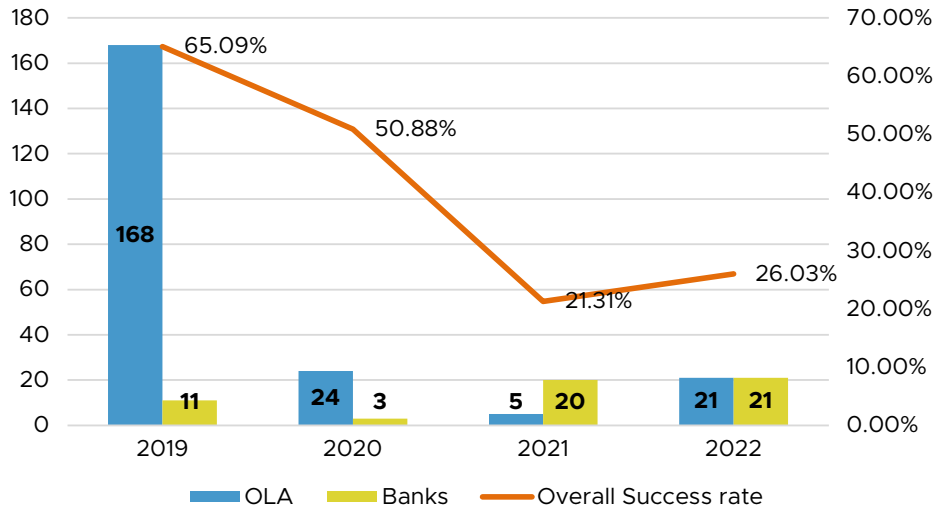
(b) Online Lending Applications and Banks

ONLINE LENDING APPLICATIONS (OLA)				
	Settled	Non-Settled	Next Hearing	Overall
<b>2019</b>	114	54	0	168
<b>2020</b>	14	10	0	24
<b>2021</b>	0	5	0	5
<b>2022</b>	4	15	2	21
<b>Total:</b>	<b>132</b>	<b>84</b>	<b>2</b>	<b>218</b>

BANKS				
	Settled	Non-Settled	Next Hearing	Overall
<b>2019</b>	2	9	0	11
<b>2020</b>	0	3	0	3
<b>2021</b>	4	16	0	20
<b>2022</b>	6	14	1	21
<b>Total:</b>	<b>11</b>	<b>42</b>	<b>1</b>	<b>55</b>



## OLA vs Banks



The year 2019 saw the emergence of cases involving Online Lending Application (OLA) companies. Overall, these so-called “OLA cases” are likely to be settled which then contributes to LD’s higher success rate in the earlier years.

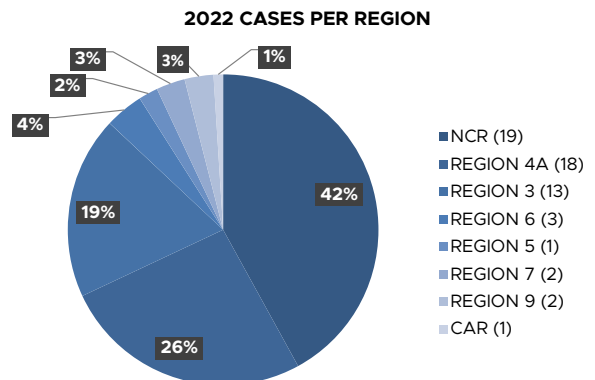
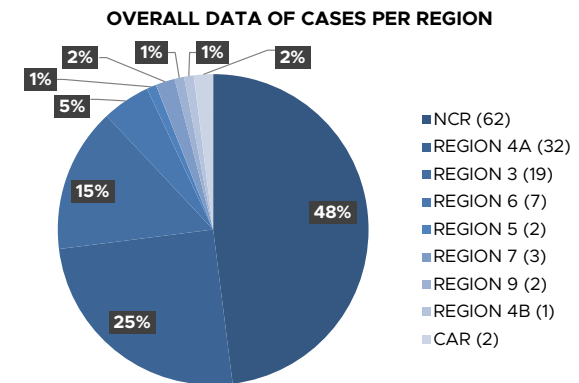
However, it has been observed that there has been a significant decrease in the number of OLA cases while being slowly replaced by complaints against banks and other financial institutions. Contrarily, bank cases tend to end with non-settlement.

In 2022, the LD has observed the following common issues which cause non-settlement:

- In general, banks tend to refuse the complainant’s demand for a refund mainly due to the existence of one-time passwords (OTPs) sent to the account holder to verify the transaction. Since the OTPs were provided, the banks recognized such transactions as valid and authorized by the account holder;
- The demands of parties have evolved to be more complex, not merely a demand for monetary compensation but involved a number of other matters (i.e. public apology, educational plan, etc.), to which some of the parties are not amenable to, thereby making it an all-or-nothing demand, leading to a non-settlement;
- The failure to fully understand the nature of mediation, and thus the failure to explore other possible settlement terms aside from monetary compensation;

- The parties’ unjustified failure to appear before the mediation conference for two (2) consecutive meetings; and
- The parties’ decision to negotiate and settle the case on their own, and outside of NPC’s mediation services.

### b.1. Per Region



In 2021, LD began monitoring the regions from where complainants are located. This was done

to gather evidence of the benefits and risks of conducting online mediation conferences in place of the face-to-face meetings.

Overall, most of the cases received by LD involve parties from the National Capital Region (48%), Region 4A (25%) and Region 3 (15%). Notably, in 2021, LD met stakeholders from Davao Del Norte, Zamboanga and even one who is incarcerated at the Muntinlupa City Jail.

In 2022, the farthest location of parties were noted to be Negros Occidental (Region 6), Davao Occidental (Region 9) and Baguio City (Cordillera Administrative Region).

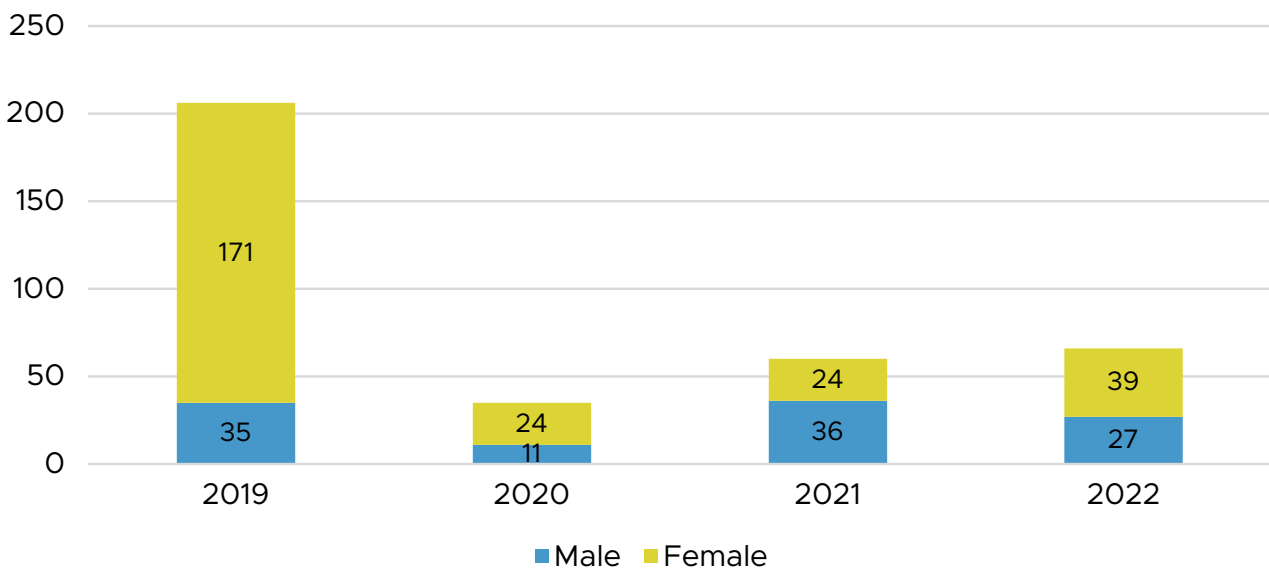
b.2. Sex Disaggregated Data

Overall, there are more female than male complainants who submitted their cases for mediation.

It must be noted that LD has, at one point last year, encountered a real-life application of gender-sensitivity principles. In relation to this, Atty. Rellosa-Saguiguit recommended that, when facilitating the preliminary mediation conference, LD should ask parties how they prefer to be called. This has been implemented by the mediation team since then.

Additionally, during the second quarter of 2022, LD had a study session on the NPC Code of Conduct for NPC Mediation Officers and gender sensitivity.

### Sex-Disaggregated Data (2019-2022)





# STAYING SAFE ONLINE: DATA PRIVACY AWARENESS

## (A) Data Privacy Promotion Program

As forefront in public education and awareness, the Commission through its PIAD continued to carry out its function as stated in section 7 (k) of the DPA which is to “ Provide assistance on matters relating to privacy or data protection at the request of a national or local agency, a private entity or any person”. One of its primary is to conduct programs and produce content to educate the public on data privacy, data protection, and fair information rights and responsibilities.

### (a) Press Release

Press releases and statements were drafted and released to address issues and concerns from the public or update our stakeholders regarding developments and programs within the Commission. For 2022, PIAD drafted and released 29 PR and statements which can be accessed through NPC’s social media pages or website.

The majority of these are about the updates on NPC’s programs and issuances, developments on SIM card registration, and implications of personal data how PICs and PIPs can avoid them. Below are some samples:

- NPC launches user-friendly online system for faster and easier data breach notification management and reporting;

- NPC conducts on-site compliance checks to determine level of compliance with the DPA;
- NPC issues Circular on Administrative Fines for data privacy infractions;
- Statement of Privacy Commissioner John Henry Naga on unsolicited text messages containing users’ names;
- NPC issues an Order to Telcos to cooperate on investigation of smishing attacks;
- PH, Singapore renew stronger ties in personal data protection;
- Press Statement of NPC on the SIM Card Registration Bill;
- Statement of Privacy Commissioner John Henry Naga on Selfie Verification in Sim Card Registration

### (b) Public Assistance

PIAD continues to provide immediate assistance to stakeholders’ inquiries and concerns through various channels such as AskPriva, info@privacy.gov.ph, and events@privacy.gov.ph. In 2022, PIAD addressed a total of 4421 inquiries and requests made via email, Facebook, calls, and walk-ins.

### (c) Awareness Campaign

To empower our citizens on their data privacy rights, the Commission continues to bring its events online. In 2022, the Commission gathered a total of 63,521 stakeholders in 2021

through PIAD-initiated events.

PIAD conducted five (5) separate DPA briefing sessions from October to November 2022 joined in by 596 attendees. The DPA briefing seeks to provide a venue wherein Data Protection Officers can familiarize themselves better with a fundamental data privacy principles, including various administrative policies issued by the Commission.

On November 25, 2022, PIAD held Kabataang Digital, the Commission’s advocacy campaign promoting safe online environment for the youth. With a theme of, “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 gathered 2,518 participants and viewers from kids and teens session. The morning session is meant for kids (Grades 1-6) with age ranging from 6-12 years old with the goal to provide basic knowledge and information on data privacy. The afternoon session catered to students in junior high school up to college and revolved around more serious topics on data privacy such as promoting safe social media interaction, balancing privacy with applications use, and knowing data privacy rights.

Additionally, PIAD held six (6) PSST! (Privacy, Safety, Security, and Trust) Campaigns attended by 63,521 participants from different sectors addressing different issues such as:

- Ikaw at OLA
- Privacy at Facebook: Paano Poprotektahan ang Personal na Impormasyon
- Teacher, Teacher! Paano ba Mapoprotektahan ang Personal Data ko Online at Offline?
- Data Not For Sale! Safety ng Personal Data sa Online Shopping
- Text Scam o Smishing? Paano Mapoprotektahan ang sarili sa SMS Modus
- Age is not just a Number, it’s also your Personal Data: Tamang Pagiingat sa

## Personal na Datos ng Senior Citizens at PWDs

In terms of online presence, the Commission 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.



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 2.37% year-on-year growth in 2022. By the end of 2022, NPC’s Facebook page (@privacy.gov.ph) reached 136,419 followers (8.92% growth) while Twitter (@PrivacyPH) reached 5369 followers (15.99% growth). The website, meanwhile, got 198,652 visitors (10.89% growth).



Privacy Awareness Campaign (Print/Digital Materials)



**(B) Privacy Awareness Week 2022**

Pursuant to Presidential Proclamation No. 527 signed by President Rodrigo Roa Duterte in 2018, Privacy Awareness Week (PAW) was celebrated on May 25-26, 2022 to continuously inform and educate the public about data privacy and data protection, as part of the Commission’s efforts in protecting personal data and ensuring the Philippines’ compliance with compliance with international standards

set for data protection.

As part of the NPC’s efforts to continuously engage its stakeholders, the following topics were discussed in the 2-day celebration of PAW;

Day 1:

1. “Dapat May Alam: Alamin at Unawain ang Iyong Karapatan”
  - a. Orientation on the Data Privacy Act of 2012 and Rights of the Data Subject
  - b. Security of Personal Information and Penalties under the Data Privacy Act
  - c. Roles and Responsibilities of a Data Protection Officer
2. “Dapat Protektado: Angko na Proteksyon ng Iyong Personal na Datos”
  - a. #ATM (At the Moment): Life tips on how to share your information safely on the different social media platforms
  - b. Return-to-Normal, School Edition: Protecting Data Privacy
  - c. Track the Vax: All Things VaxCertPh
  - d. Establishing Trust in Online Lending

Day 2:

1. Digital Banking: How to keep your online banking accounts safe and protected
2. Ensuring child safety in the online world
3. Cybercrime in the Philippines: Emerging trends, prevention, prosecution and remedies

In the same event, the Commission conducted the awards ceremony where it recognized data privacy leaders and advocates and their outstanding data privacy practices that have paved the way, facilitated, and implemented data privacy awareness initiatives and other projects and activities in line with the DPA.



The winners are as follows:

1. Privacy Management Program Award for BPO Sector was awarded to KMC MAG Solutions, Inc.;
2. Privacy Management Program Award for Retail and Manufacturing Sector was awarded to Universal Leaf Philippines, Inc.;
3. Privacy Management Program Award for Non-Bank Financial Sector was awarded to HC Consumer Finance Philippines, Inc. (Home Credit);
4. Privacy Management Program Award for Government Sector was awarded to Philippine Amusement and Gaming Corporation (PAGCOR);
5. Privacy Management Program Award for Bank Sector was awarded to Development Bank of the Philippines;
6. Privacy Management Program Award for Utility Sector was awarded to Manila Electric Company; and
7. Privacy Management Program Award for Education Sector was awarded to University of the Philippines Diliman
8. Privacy Advocate of the Year was awarded to Ms. Abigail G. Javier, the DPM Supervisor and Compliance Officer for Privacy of the Universal Leaf Philippines.
9. Data Protection Officer of the Year was awarded to Atty. Maria Concepcion A. Gloria-Rubio, the Data Protection Officer Ace 2, of PAGCOR.
10. The special award of Exemplary Leadership for Privacy Award was presented to former Privacy Commissioner Mr. Raymund E. Liboro



**(C) PHIL DPO Development Program**

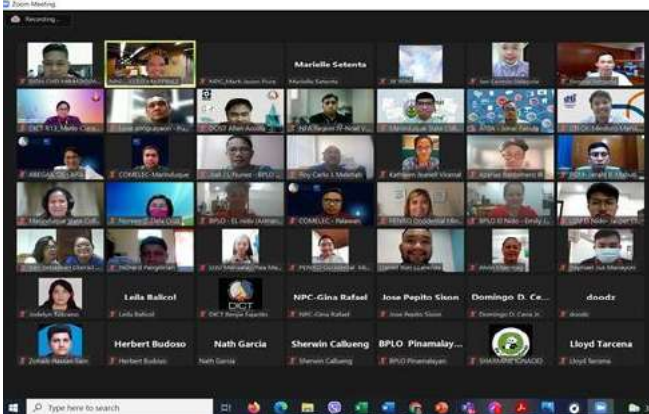
The DPO ACE Training Program, which aims to capacitate interested participants in understanding the basics of the DPA and other Commission issuances focused on conducting trainings with the government sector in partnership with several national government agencies.

By year-end of 2022, PHIL DPO was able to conduct eight (8) DPO ACE Level 1 Trainings. These trainings were a mixture of online modular training and face-to-face training programs, observing proper health protocols.

	<b>Date of Training</b>	<b>Number of Participants</b>
Commission on Higher Education (CHED) – LLS (Bataan)	April 20-21, 2022	57
DICT Mindanao Cluster 3	April 29, 2022	237
DICT Region IV-B	June 22-23, 2022	136
Commission on Higher Education (CHED) – LLS (Iloilo)	June 28-30, 2022	48
Metropolitan Waterworks and Sewerage System (MWSS)	July 20-21, 2022	47
Bangko Sentral ng Pilipinas (BSP)	September 28, 2022	114
DICT Region IV-A and IV-B	October 18, 2022	250
Department of Agriculture (DA) (Cebu)	October 25-27, 2022	52

Through the collaborative efforts from the NPC and partner agencies, participants have successfully completed the seven (7) modules of the DPO ACE Level 1 Training to help them in their journey towards understanding the DPA and ensuring compliance of their respective agencies with Commission issuances and directives.







**(D) T3 Program (Training the Trainers Program)**

With the initial success of the DPO Level 1 Certification, the PHIL-DPO Program expanded its efforts in reaching out to more DPOs and privacy enthusiasts through accreditation of qualified trainers who are also knowledgeable on key concepts involving the DPA and other Commission issuances. After a rigorous screening of interested applicants, the following were the approved individual and institutional training partners accredited under the T3 Program:

Since the launch of the T3 partners' accreditation last October 2021, most of the IPTs started their roll out of trainings in 2022

showcasing their ability to demonstrate, expertise, and educate the public on key concepts and correct interpretation of the DPA, its Implementing Rules and Regulations (IRR), and other Commission issuances.

With the extension of the T3 Program until 30 April, 2023, the Commission hopes to expand its coverage to train more Data Protection Officers (DPOs) and privacy enthusiasts who can help personal information controllers, personal information processors and data subjects know more about data privacy and comply with the provisions of the DPA.

**List of Training Partners**

**IPTs (Institutional Privacy Trainers)**

 <p><b>Development Academy of the Philippines</b>                  The Development Academy of the Philippines is a Government-Owned and Controlled Corporation established in 1973 with original charter created by Presidential Decree 205, amended by Presidential Decree 1061 and further amended by Executive Order 288.  <a href="#">View Webpage &gt;&gt;</a></p>	 <p><b>People Management Association of the Philippines (PMAP)</b>                  The Preeminent Organization of People Managers and HR Practitioners in the country The People Management Association of the Philippines (PMAP) is a strictly professional, non-stock, not-for-profit organization of over 1,800 member companies and individual management executives engaged or interested in human resource management (HRM) and industrial relations (IR) work. Founded in 1956, PMAP continues the tradition of its forefathers in advancing the profession, the science and the art of HRM. With twenty-nine (29) Chapters throughout the Philippines, PMAP has built a solid reputation as a premier national association proven by the success of its various advocacies, programs and initiatives.  <a href="#">View Webpage &gt;&gt;</a></p>
 <p><b>Lights Consultancy, OPC (Lights Institute)</b>                  The LIGHTS Institute is a research and consulting firm built around the pillars of law, technology, and human rights. Our current focus area is privacy and data protection. We also design and deliver instructional courses in support of our management consultancy work.  <a href="#">View Webpage &gt;&gt;</a></p>	 <p><b>Privacy Key Specialists PH, Inc.</b>                  Privacy Key Specialists is a consulting services firm composed of lawyers, IT and communications specialists for business and data privacy, privacy protection and compliance. We believe in the importance of data privacy and are committed to protecting your personal data. We also co-hosted DPO 23 for security and protection service providers &amp; was a finalist in the DPO 2021 excellence awards  <a href="#">View Webpage &gt;&gt;</a></p>



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 "The Research and Consultancy Link to Philippine Business Opportunities" Founded in 1967 as a think tank applying economic insights to address business needs, CRC has grown to become one of the Philippines' most important research and advisory firms. It has continuously provided innovative business advice, tapping a diverse pool of experts across a tapestry of different fields, including infrastructure and industry; energy; transportation and logistics; food and agribusiness; health and wellness; digital technology and analytics; and education.  
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**Data Privacy and Consulting, Inc.**

**ADM & Partners**  
 ADM is your data privacy partner. We are engaged in data privacy protection, awareness, compliance, and consultancy services. Our goal is to help individuals enforce their privacy rights, to ensure that organizations comply with data privacy rules, and to develop privacy professionals.  
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### APTs (Accredited Privacy Trainers)



**DR. ROLANDO R. LANSIGAN**  
 Dr. Rolando R. Lansigan is a privacy practitioner since 2016 being the first Chief of the Compliance and Monitoring Division of the National Privacy Commission. Has trained more than 1,000 Certified Data Protection Officers (DPOs) and has spoken to more than 300 conferences and seminars in national and international Data Privacy events. As an advocate of data privacy, he believes that "compliance to data privacy laws is an investment, not an expense".  
**Email:** rrlansigan@gmail.com



**ATTY. KARL JOHN A. BAQUIRAN**



**ATTY. KAYZER ALDRIN Z. SABA**  
 Since 2017, Atty. Kayzer Aldrin Z. Saba, through KZS Law Office, has been providing seminars and trainings on Data Privacy Compliance to schools, human resource practitioners, non-profit organizations, and banks. Atty. KZS is a legal practitioner in the field, and currently serves as the DPO and Data Protection Unit Head of a universal bank in the country. His mission has always been to make the DPA understandable to different sectors by contextualizing his discussions on an industry-level.  
**Email:** kayzer.aldrin.saba@gmail.com  
**Contact #:** 09663220496

# UNIVERSAL COORDINATION ON DATA PRIVACY: COURSE IN THE FUTURE

## (A) INTERNATIONAL COMMITMENTS

The Commission is responsible in facilitating cross-border enforcement of data protection. It involves recommendation and development of standards for organizational security measures for protection of personal information, including negotiation of contracts with other data privacy authorities of other countries for cross-border application and implementation of respective privacy laws. The Commission has represented the Philippine government in various international coordination and collaboration activities with international entities that are continuously strengthened to adopt/observe standard practices and issuances related to data protection and privacy, composed of the following highlights:

1. Signing of Memorandum of Understanding (MOU) with Singapore PDPC and NPC

The Memorandum of Understanding (MOU) on cooperation in personal data protection reaffirms existing relations and strengthens cooperation between the Philippines and Singapore in personal data protection

to engender trust and facilitate trusted cross-border data flows.

The MOU aims to foster closer collaboration and cooperation in personal data protection, particularly in the exchange of information on best practices and areas of mutual interest, and the facilitation of links between our governments and international industry organizations in the Philippines and Singapore in the area of personal data protection and data privacy.

The Commission drafted and reviewed the MOU and coordinated with the Department of Foreign Affairs and the Personal Data Protection Commission (PDPC) of Singapore to ensure that the MOU remains to be responsive to the ever-evolving data privacy milieu in both countries. This led to the execution of the MOU during the State Visit of His Excellency Ferdinand R. Marcos, Jr. to Singapore last September 2022 and high-level meetings between Privacy Commissioner John Henry D. Naga and Commissioner Lew Chuen Hong of PDPC, Singapore.



*Signing of MOU with Singapore*

## 2. ASEAN Webinar on MCCs and DMF

The Commission together with Personal Data Protection Commission of Singapore and Authority for Info-communication Technology Industry of Brunei held a virtual workshop which provided businesses with an introduction on the ASEAN Data Management Framework (DMF) and Model Contractual Clauses (MCCs) last November 2022.

The webinar aimed to enhance the understanding of businesses on these initiatives and how these can benefit them. Atty. Issa Gayas was one of the speakers during the webinar where she provided an insightful lecture on the ASEAN MCCs for Cross Border Data Flows.

## 3. Council of Europe

The COE is an organization that upholds human rights through international conventions such as the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention 108) which has been modernized with the adoption of the Amending Protocol and is now known as the Modernized Convention 108+ (Convention 108+).

NPC representatives Atty. Erlaine Vanessa D. Lumanog and Atty. Natassia L. Fortea

attended the 2022 Data Protection Day which also coincided with the 41st anniversary of Convention 108. The COE organized a special event for an opportunity to hold an exchange on the state of play of Convention 108+ and its advantages and challenges, under the context of promoting the ratification of Convention 108+.

The speakers of the event proceeded to give their presentations with the following themes: Convention 108+ as the guarantor of keeping human beings' position as subject and not mere objects of algorithmic deduction, control or surveillance (the general principles and rules of data protection are fully compatible and reconcilable with other fundamental rights and relevant public interests); Convention 108+ as a viable tool to facilitate international data transfers while guaranteeing an appropriate level of protection for individuals globally; and Convention 108+ as a bridge between legal regimes and continents. The presentations were then followed by exchanges of views.



The PRD Lawyers also attended the 55th Bureau Meeting of the Consultative Committee of the Convention for the protection of individuals with regard to the automatic processing of personal data. The following topics were discussed in the meeting:

- a. Convention 108+ State of play
- b. Evaluation and review mechanism under Convention 108+
- c. Digital Identity
- d. Inter-state exchanges of data for Anti-Money Laundering/Countering Financing of Terrorism, and tax purposes
- e. Interpretation of Article 11 of the Modernized Convention 108
- f. Contractual clauses in the context of transborder data flows
- g. Cooperation with other Council of Europe bodies and entities
- h. Major developments in the fields of data protection

NPC representatives attended the 43rd Plenary Meeting of the Consultative Committee on Convention 108+ Convention for the Protection of Individuals with Regard to the Processing of Personal Data in Strasbourg, France.



#### 4. Asia Pacific Economic Cooperation (APEC)

The Asia-Pacific Economic Cooperation (APEC) is a regional economic forum was established in 1989 to leverage the growing interdependence of the Asia-Pacific. APEC's 21-member economies aim to create greater prosperity for the people of the region by promoting balances, inclusive, sustainable, innovative and secure growth and by accelerating regional economic integration. The Global CBPR Forum Working Group Meeting was attended by NPC officials and personnel

##### 4.a. APEC CBPR System Accountability Agent Nomination

Since the Philippines became part of the APEC Cross-Border Privacy Rules (CBPR) System, the Commission has put out calls for nomination for an Accountability Agent (AA) for the Philippines.

Through the NPC CBPR Committee, the Commission led the evaluation and review of AA application documents with the aim of nominating an Accountability Agent who will certify that the privacy policies and practices of participating companies or organizations are compliant with the CBPR System requirements.

##### 4.b. Global CBPR Declaration

In April 2021, the Philippines joined like-minded jurisdictions in launching the Global Cross Border Privacy Rules (CBPR) Forum. The Global CBPR Forum intends to establish the Global Cross Border Privacy Rules and Privacy Recognition for Processors Systems, data

privacy certifications that would facilitate organizations to demonstrate compliance with internationally recognized data privacy principles and standards.

The Commission has been taking an active part in the work of establishing the Global CBPR forum, including participating in working

group discussions and coordinating with relevant national government agencies for the Philippines' participation in the said forum.

Since the forum's launch, it has had two (2) workshops where the Commission has taken part as panelists on regulatory cooperation and CBPR implementation.



*Workshop on Global Cooperation on Data Privacy and the CBPR System: The Path Forward – Honolulu, Hawaii, USA*



*The Global CBPR Forum: Realizing Our Shared Vision workshop – Seoul, South Korea*

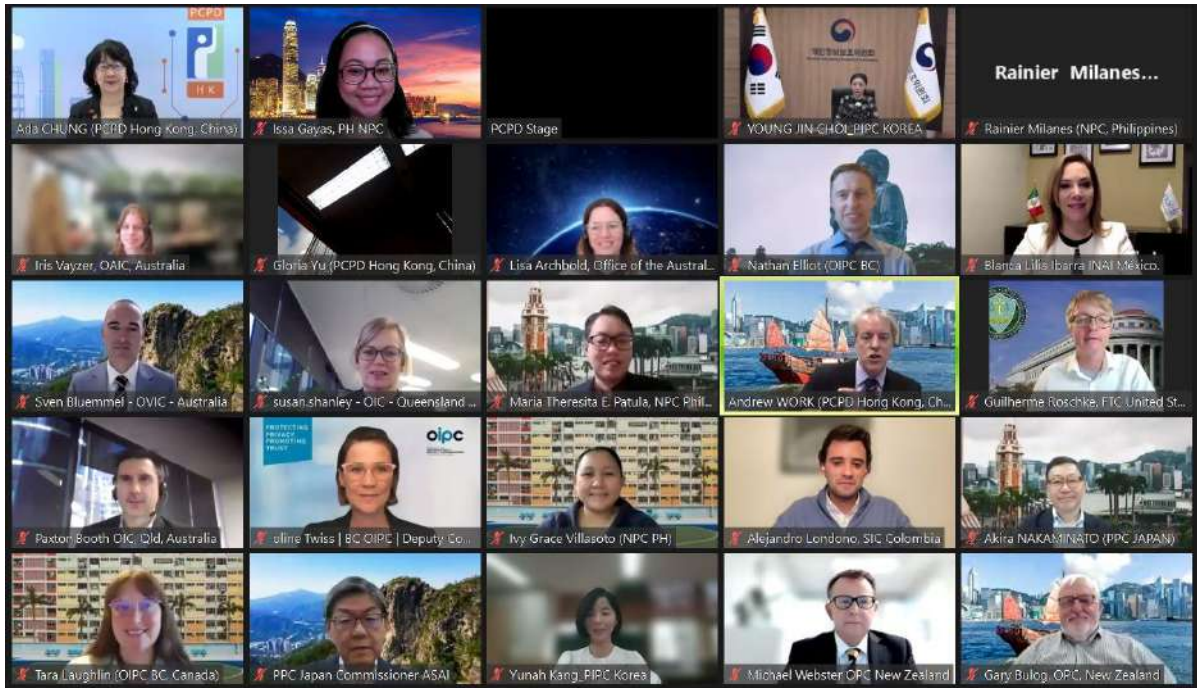
5. Asia Pacific Privacy Authorities (APPA) 57th and 58th Forum

with one another for enhanced cooperation and collaborations.

Officials and personnel of the Commission attended the 57th Forum hosted by the Office of the Privacy Commissioner for Personal Data, Hong Kong, China virtually and the 58th Forum hosted by the Personal Data Protection Commission in Singapore.

Key discussion themes during the forums included emerging technologies, cross-border privacy rules, children’s online privacy, and privacy enhancing technologies, guidance and outreach, and enforcement and legislative developments. The Commission made necessary coordination with the APPA Secretariat and the Governance Committee during the planning of both forums.

The discussions focused on global privacy issues, regulatory developments, and enforcement experiences, and reconnected



57th APPA Forum



58th APPA Forum



58th APPA Forum

#### 6. Global Privacy Assembly (GPA)

The Commission participated in the 44th Global Privacy Assembly (GPA) hosted by the Turkish Personal Data Protection Authority (KVKK), held in-person in Istanbul, Türkiye, with the theme “A Matter of Balance: Privacy in The Era of Rapid Technological Advancement.”

Aside from the attendance at the primary sessions, Atty. John Henry Naga, Privacy

Commissioner together with other NPC representatives, attended various side meetings and engagements with other data protection authorities and the private sector at the sidelines of the conference. PDD personnel likewise represent the Commission in various GPA working groups:

- Data Sharing for the Public Good
- Global Standards and Frameworks
- Digital Economy
- Digital Education



- International Enforcement Cooperation
- Digital Citizens and Consumers



44th Global Privacy Assembly



44th Global Privacy Assembly

## 7. ISO/IEC Standards on Privacy Technologies and Identity Management

The Commission thru its Data Security and Technology Standards Division (DSTSD) continued its active participation in the standards development initiatives of 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 the DSTSD has taken on notable roles and responsibilities as co-editor of the following ISO/IEC/JTC 1/ SC 27/WG 5 projects, such as:

- Organizational Privacy Risk Management;
- Consent Record Information Structure;

- Impact of AI on Security & Privacy Use-Cases;
- Privacy for fintech services;
- Digital Authentication Guidelines: Risks and Mitigations;
- ISO/IEC JTC 1/SC 27/WG 5 (Identity management and privacy technologies) Liaison statement to Global Privacy Assembly (GPA) on Identity Management, Privacy Technology, and Biometrics; and
- GPA Liaison Statement to the ISO/IEC JTC 1/SC 27/WG 5 on GPA products in 2021-2022.
- 
- The Commission has prepared, reviewed, and provided inputs on various documents as part of its day-to-day work such as:
- 
- Global Privacy Assembly (GPA) Working Group surveys, reports, and resolutions;
- CBPR Working Group documents and work plan;
- United Nations (UN) Ad Hoc Committee Meetings
- Requests from other government agencies relating to APEC, ASEAN, IPEF, and WTO documents

## (B) COORDINATION WITH OTHER GOVERNMENT AGENCIES, PRIVATE SECTOR TO IDENTIFY MINIMUM STANDARDS FOR DATA SECURITY

To support the NPC in coordinating with other government agencies and the private sector on data security, the Commission's DSTSD helped develop and secure our national ID – the Philippine Identification System (PhilSys). The DSTSD provided privacy & security provisions in the implementation plan, risk assessment guidance, continuously advising 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 vital national initiatives in protecting 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). The NCIAC, composed of multiple government agencies, assesses cybersecurity risks and vulnerabilities in the Philippines and issues security guidelines for all public servants on handling, storing, and distributing documents and communications.

On critical national policies involving Information and Communications Technology (ICT), the DSTSD has also submitted contributions to the SIM Registration Act and its IRR. Since there have been multiple reports of serious harm from the proliferation of spam Short Message Services (SMS) text messages, the law hopefully curtails this kind of social engineering attack. It would strengthen attribution and the enforcement side to accurately catch the criminals behind social engineering, spam, or phishing campaigns.

The Commission has also submitted significant contributions to the E-Government and E-Governance Bills in ensuring data privacy has due consideration in the draft texts. Said laws are essential for innovation and improving the delivery and security of digital services for Filipino(s).

# PART B:

# NPC NOW STRONGER AND BETTER



**(A) Internal Management**

(a) Human Resource Development Division

The pandemic has challenged the Human Resource Development Division (HRDD) to become more innovative in designing and implementing programs that will support the advocacy of the Commission of keeping a safe, healthy, and active workforce while ensuring that the right people are hired for the right positions, provided with equitable benefits, encouraged to pursue career development and their excellence are given recognition and rewards.

The division comprising of two (2) units, namely: Human Resource Planning, Performance, and Development Unit (HRPPDU) and Human Resource Benefits, Relations, Rewards and Welfare Unit (HRBRRWU) adhered to the objectives, policies and targets of the Commission to significantly contribute to the strength of the organization:

**A. Human Resource Planning, Performance, and Development Unit (HRPPDU)**

The HRPPDU handles the recruitment, selection and placement, performance management and learning and development including separation of personnel, request for practicing profession and internship program.

- Recruitment/Hire Personnel

In collaboration with the Human Resource Merit Promotion and Selection Board and in accordance with the existing policies and guidelines of Civil Service Commission, thirty-two(32)Plantillapersonnelandfifty-seven (57) COS employees were hired from January to December 2022. The division ensured that the newly hired employees were properly on-boarded, oriented, and capacitated to help them attain efficiency in their respective tasks and responsibilities.

- Personnel Performance Commitment

The division conducted several coaching and technical assistance sessions on the Commission Strategic Performance

Management System (SPMS) to guide the employees in the performance of their functions aligned with the NPC’s vision, mission, and strategic priorities.

- Learning and Development Program

To enhance the competencies of the NPC workforce, at least one learning and development intervention per year was provided to each employee in accordance with the existing policies and guidelines of the Civil Service Commission and other oversight agencies. Sixteen (16) external and nine (9) in-house trainings were facilitated by the HRDD in 2022. A total of 46 employees benefited from the said trainings.

**B. Human Resource Benefits, Relations, Rewards and Welfare Unit (HRBRRWU)**

To uplift the morale and productivity of the NPC workforce, various programs and undertakings were implemented by the division related to employee welfare, employee relations and discipline, compensation/benefits, rewards, and recognition.

- Compensation and Benefits/Processing of Leave and Attendance

For a precise and speedy processing of salaries, compensation, and benefits, compliant with the existing rules and regulations of the CSC, COA, DBM and other oversight agencies, an automated system for the computation of total work hours was implemented last September 2022.

- Employee Welfare Programs

Due to the pandemic, the division implemented several Employee Welfare Programs anchored on the said health crisis to ensure that the NPC workforce could perform their work in high morale amid the challenges. The 2022 Annual Employee Welfare Program Plan included health and safety, physical, mental, emotional, spiritual, financial, and social welfare, as the holistic approach can help ensure work-life balance among employees resulting to quality outputs and increased productivity.

**Rewards and Recognition Program**

The HRDD, in collaboration with the Program on Awards and Incentives for Service Excellence (PRAISE) Committee, successfully recognized the 2022 NPC awardees for their outstanding performance, innovative ideas and suggestions, and exemplary behavior during the 2022 Annual Employees Appreciation Day and NPC General Assembly held last 09 December 2022. The following awards were given:

**PRAISE AWARDEES**

Type of Award	Group	Title of Award	Name of Awardee
Best Employee Award	Operations	Best Privacy Lawyer	Atty. Gayas, Issa G
		Best Public Assistance Practitioner	Adis, Kristine Danica S
		Best Privacy Complaint Investigator	Tolentino, Simeon Jr. I.
		Best Compliance Assessor	Atty. Monsanto, Cleto E.
		Best Privacy Policy Advisor	Atty. Puzon, Anna Benjieline
		Best Data Security Implementer	Ragsag, Jonathan Rudolph Y.
		Best Data Security Implementer	Ragsag, Jonathan Rudolph Y.
		Best Privacy Breach Analyst	Dela Cruz, Conrad D.
		Best COS Worker – Technical	Fuentes, Chantal Mari C,
Best Employee Award	Support	Best Administrative Support	Enriquez, Mark G.
		Best Administrative Aide	Siacor, Joseph M.
		Best COS Worker - Support	Anasarias, Hannah T.
		Best IT Staff	Ramos, Jessica Loida L.
Exemplary Leadership Award			Atty. Milanes, Rainier Anthony M.
Best Organizational Unit Award			HRDD – Employee Welfare Section
			Financial Planning and Management Division
			Compliance and Monitoring Division
Public Service Award			Atty. Patula, Maria Theresita E.
Best GAD Implementer			DASCO-CMD
			OED-PIAD
			OPC-PhilDPO



**ADMINISTRATIVE SERVICES DIVISION**

	<b>Accomplishment</b>
<b>Procurement Unit</b>	<ul style="list-style-type: none"> <li>• 100% or a total of 105 received Purchase Request were successfully processed and forwarded to Bids and Awards for procurement processing</li> <li>• 100% or a total of 98 Contracts/MOAs/ Purchase Orders were successfully processed upon receipt of BAC documents</li> </ul>
<b>Supplies Unit</b>	<ul style="list-style-type: none"> <li>• 100% or a total of 457 of Requisition and Issue Slips (RIS) were successfully processed (released of available supplies/issuance of CNAS) upon receipt of approved RIS</li> <li>• Periodic Physical Count of Inventories of Supplies and Materials last July 12, 2022 were successfully conducted</li> <li>• 100% of available supplies programmed in the approved APP-CSE FY 2022 were successfully released/distributed to divisions/offices per quarter.</li> </ul>
<b>General Records Unit</b>	<ul style="list-style-type: none"> <li>• 100% or a 5,486 incoming documents (internal/external) were successfully processed in accordance with the nature of the documents</li> <li>• 100% or a total of 3,814 requests for mailing/hand deliveries were successfully mailed/hand delivered upon receipt from requesting units/divisions/offices</li> <li>• 100% or a total of 821 internal issuances were successfully disseminated thru email upon receipt from requesting units/divisions/offices</li> </ul>
<b>Cashier Unit</b>	<ul style="list-style-type: none"> <li>• 100% or a total of 7328 payees/suppliers were successfully paid thru Check and List of Due and Demandable Accounts Payable - Advice to Debit Accounts (LDDAP-ADA) with a total amount of Php250,990,463.79</li> <li>• 100% or a total of 27 collections were successfully deposited to the Bureau of the Treasury thru Landbank Malacañang</li> <li>• 100% or a total of 158 Petty Cash Vouchers were successfully transacted/served</li> <li>• 100% of monthly cash/payment reports required by the Commission on Audit were successfully prepared and submitted to the Accounting Section within the prescribed period</li> </ul>

<p><b>Property Unit</b></p>	<ul style="list-style-type: none"> <li>• 100% or a total of 198 Property Acknowledgment Reports (PARs) were successfully processed and issued to requesting units/employees</li> </ul>
<p><b>General Services Unit</b></p>	<ul style="list-style-type: none"> <li>• Transportation services was successfully provided to employees and requesting units for the following purposes:             <ul style="list-style-type: none"> <li>• Shuttle Service from residence to Office and vice versa</li> <li>• Shuttle Service to conduct on-site visits and on-site investigations conducted by CMD and CID, respectively</li> <li>• Shuttle service to employees having health-related emergencies</li> <li>• Shuttle services are also extended to family members for health-related emergencies</li> </ul> </li> <li>• Preventive maintenance regularly conducted for each NPC motor vehicle</li> <li>• Continuous provision of Security and Janitorial Services in the NPC office</li> <li>• Provision of Pest Control and Disinfection Services to safeguard the health of NPC employees from illnesses caused by pests, bacteria and viruses</li> </ul>

**ADDITIONAL PROPERTY AND EQUIPMENT PROCURED FOR GENERAL PURPOSE**



WORKSTATIONS FOR NPC EMPLOYEES



MULTI-FUNCTION PRINTERS (3 UNITS)



FLOOR STANDING AIR CONDITIONER (4 UNITS)





SOUND SYSTEM

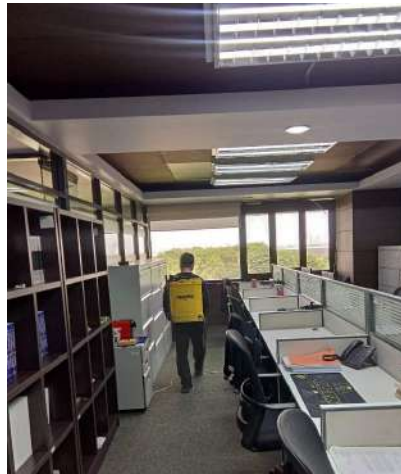
HIGH VOLUME  
SCANNERS (16 UNITS)

CONFERENCE TABLES

### GENERAL SERVICES



GENERAL CLEANING AND  
DISINFECTION



PEST CONTROL SERVICE



REGULAR CLEANING,  
DISINFECTION AND  
INSPECTION OF MOTOR  
VEHICLES

### REPORTING PREPARATION ACTIVITIES

PHYSICAL COUNT  
OF PROPERTY,  
PLANT AND  
EQUIPMENT



PHYSICAL COUNT  
OF INVENTORIES  
OF SUPPLIES AND  
MATERIALS



### NEW LOCATION OF GENERAL RECORDS UNIT



## (B) Quality Management System (QMS)

In compliance with the 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 Commission started its Quality Management System (QMS) Certification Journey last December 2019 and the Commission was certified for International Organization for Standardization (ISO) 9001:2015 Certification last 31 December 2021 by SOCOTEC Certification Philippines, Inc. (ISO Certifying Body) after two (2) audit stages that were undertaken on December 13 and 20, 2021, respectively.

The Commission has continued and sustained the implementation of its Quality Management System (QMS) ISO 9001:2015 for FY2022.

The activities for FY 2022 were the following:

- Maintenance and Assessment of the implemented Quality Management System (QMS)
- Updating of the Functional Unit Processes
- Conduct of PQR, WIT, DIT
- Management Review
- 2nd Surveillance Audit

The figure 1 below provides an overview to the QMS Journey of the Commission as of 31 December 2022:



Figure 1. QMS Journey of the National Privacy Commission



- Preparation for the 2nd Surveillance Audit/s
- Conduct Training with lectures, coaching sessions, and workshops
- Ensure the consistency of QMS implementation in the Commission

**(C) NPC GENDER AND DEVELOPMENT PROGRAM**

The NPC GAD mainstreaming initiatives in 2022 have incorporated gender perspectives and concerns across all facets of NPC-organized activities, promoting a culture of gender-responsiveness within the Commission. This approach has made NPC’s policies, programs, and services gender-sensitive and responsive to the needs and rights of both male and female employees. Noteworthy aspects of the FY 2022 GAD-related initiatives are:

- (a) FY 2023-2028 Strategic Plans and Budget and FY 2023 GAD Plans and Budget Workshop

**1st Surveillance Audit**

The Commission was recommended to maintain the certification for International Organization for Standard (ISO) 9001:2015 Certification by SOCOTEC Certification Philippines, Inc. (ISO Certifying Body) after the 1st Surveillance Audit that was conducted on 18 November 2022.

The Auditors found that the NPC processes adhere to the requirements of its functions and the quality management system implemented and sustained.

**QMS Implementation for FY 2023**

The Commission continues to sustain the implementation of its Quality Management System. The activities for FY 2023 are the following:

- Review of the Customer Satisfaction Guidelines to be aligned with the ARTA Guidelines in Customer Satisfaction Assessment
- Check on the need to update the Operations Manual and the Quality Manual
- PQR, DIT, WIT, Audit

One of the significant collaborative initiatives undertaken by the Financial, Planning, and Management Division and GAD Focal Point System was the conduct of the FY 2023-2028 Strategic Plans and Budget and FY 2023 GAD Plans and Budget Workshop, which was attended by sixty-six (66) officials and program implementers, comprising of thirty (30) males and thirty-six (36) females. The three-day workshop involved discussions and brainstorming sessions to identify priority areas, allocate budgets, and set targets for the next five (5) years.

The inclusion of GAD planning and budgeting during the last day’s session indicates that the Commission is committed to gender equality and ensuring that all programs, activities, and projects (PAPs) are gender-responsive. In addition to crafting the activities for the GAD Plans and Budget for FY 2023, the participants were briefed on the adoption of GAD mainstreaming and the use of the PCW HGDG (Harmonized Gender and Development Guidelines) tool, which are aimed at equipping/enhancing program implementers with the necessary knowledge and skills to promote gender equality and women’s empowerment.

(b) FY 2022 Women’s Month Celebration

During the FY 2022 Women’s Month Celebration, the Commission conducted seven (7) GAD-related activities, which provided an opportunity to raise awareness, promote

gender equality, and empower women. The events aimed to educate NPC employees about the challenges women face and their rights, with one hundred-eleven (111) officials and employees participating, including a balanced gender representation of forty-five (45) males and sixty-six (66) females.



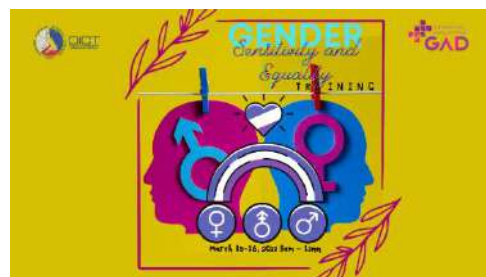
(c) Observance of the 18-Day Campaign to End Violence Against Women and Children

Four (4) GAD-related activities were conducted in observance of the 18-Day Campaign to End Violence Against Women and Children (VAWC). These activities provided an opportunity to increase public awareness about the prevalence and impact of violence against women and children and to promote primary prevention measures that address the root causes of violence, including gender inequality and discrimination. The event also aimed to empower women and promote gender equality by encouraging women’s participation and leadership in preventing and responding to violence, and challenging gender stereotypes and norms that contribute to violence.

A total of one hundred fifty-two (152) officials and employees participated in the events, with a balanced gender representation of seventy-seven (47) males and seventy-five (75) females.

(d) DICT-Organized Activity – Gender Awareness and Sensitivity Training

On March 15-16 and 24, 2022, a total of one hundred forty-three (143) employees from the NPC, including seventy-three (73) males and seventy (70) females, participated in an activity organized by the DICT-HRDD. The purpose of the activity was to promote awareness and understanding of gender issues and concerns, and to foster sensitivity towards the needs and experiences of individuals in the LGBT+ community. The training also aimed to eliminate gender-based violence by raising awareness of its different forms, root causes, and how to prevent and respond to it.



(e) Launching of Gender and Development Corner in the website

The NPC also launched a Gender and Development Corner website on December 12, 2022, during the kick-off activity of the 18-day campaign to End Violence Against Women

and Children (VAWC). The GAD corner aims to provide information and resources on GAD issues and updates on NPC's GAD initiatives. In addition, ten (10) materials related to gender equality and women's rights, and NPC-organized activities on GAD were updated in the physical GAD corner at NPC.

(f) GAD-related Meetings

During FY 2022, 90% of the members of the GADFPS TWG attended eight (8) meetings held on February 04, February 15, March 10, July 18, September 22, November 03, November 17, and December 09. In addition, the Committee on Decorum and Investigation (CODI) held one (1) meeting on May 12, 2022, with ten (10) attendees (3 males and 7 females).

Moreover, a GAD Townhall/Semi-Annual Meeting was held on August 1, 2022, which was attended by one hundred sixty-nine (169) officials and employees, comprising of seventy-seven (77) males and ninety-two (92) females. The meeting provided an opportunity for discussion and updates on GAD initiatives, accomplishment reports, and related matters.

Overall, the Commission acknowledges the significance of addressing gender-related concerns and promoting a deeper understanding of gender and development issues. To this end, the Commission through the Gender and Development Focal Point System (GAD FPS) has adopted the Gender and Development (GAD) mainstreaming initiative, which is implemented at all stages of development and across various aspects of its operations.

**(D) Programs for Senior Citizen's, Persons with Disabilities, and the Youth**

The Commission recognizes the rights of senior citizen, persons with disabilities, and the youth sector as guaranteed under the Republic Act No. 9442 or the Magna Carta for Disabled Persons; Republic Act No. 9994 or the Expanded Senior Citizens Act of 2019; and Republic Act No. 8044 or the Youth in Nation-Building Act of 1995. In support of these, the Commission conducted activities which aims to provide members of these sectors, an equal opportunity to participate fully into the mainstream of society consistent

with the mandate of the DPA. These initiatives resulted to an overall attribution of 1.25% or Php. 3,005,246.70 of the Php. 240,698,000.00 Budget of the Commission.

(a) *Senior Citizen (SC) & Persons with Disabilities (PWD)*

On 16 December 2022, the Commission as part of its PSST! (Privacy, Safety, Security, and Trust) Campaigns conducted a webinar entitled "Age is not just a number it's also your Personal Data: *Tamang Pagiingat sa Personal na Datos ng Senior Citizen at PWDs*". This webinar aimed to be a source of information and practical tips for senior citizens and PWDs and their caretakers on how they can protect their personal data, specifically on what details they should or should not give to relevant organizations, as well as to exercise their rights as data subjects when their personal information is compromised. It was live-streamed on MS Live, Facebook and YouTube Live with representatives from the National Commission of Senior Citizens (NCSC), National Council on Disability Affairs (NCDA) and other attendees of the civil society. Thirty-four percent (34%) of the 101 participants are members of the SC and PWD sector with a total of 89% average satisfactory rating.

(b) *Program for Youth*

As part of the continuous awareness campaign of the NPC, the Public Information and Assistance Division (PIAD) has currently been implementing the "Kabataang Digital: Youth Protection Online Project" the Commission's advocacy campaign promoting safe online environment for the youth. This project seeks to raise awareness among children, their parent and/or guardians, school authorities, and relevant entities regarding children's privacy rights, risks and possible harm when using Information and Communications Technology.

With a theme of, "*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 gathered 2,518 participants and viewers from kids and teens session. The morning session is meant for kids (Grades 1-6) with age ranging from 6-12 years old with the goal to provide basic knowledge and information on data privacy. 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 promoting safe social media interaction, balancing privacy with applications use, and knowing data privacy rights.

On top of these activities, the Commission has established the following committees to serve as the focal person in formulating policies, strategies, programs, and activities that will address data privacy issues and concerns specific to their sector:

1. Special Order No. 040 s. 2022: Reconstitution of the National Privacy Commission Committee on Senior Citizens
2. Special Order No. 041 s. 2022: Reconstitution of the National Privacy

3. Commission Committee on Youth Special Order No. 042 s. 2022: Creation of the National Privacy Commission Committee on Persons with Disability

**(E) Physical and Financial Performance**

(a) 2022 Physical Accomplishments

The tremendous effort and dedication of the officials and employees has allowed the Commission to move past the challenges of the pandemic and into the ‘new normal’ of providing prompt and efficient services to stakeholders and data subjects through more responsive and relevant NPC Programs.

Through the Commission’s Regulatory and Enforcement Program, sub-programs, activities, and projects and per performance measures under FY 2022 General Appropriation Act, the Commission was able to achieve **248.82% average rating** in its physical targets in accordance with its Organizational Outcome (OO) and in harmony with the NPC’s strategic objectives.

GAA-Performance Information		
Regulatory and Enforcement Program	2022	
Organizational Outcome (OO)/Performance Indicators	Targets	Actual
Outcome Indicators		
1. Percentage of stakeholder who rated the privacy plans and policies as satisfactory or better.	75%	<b>89.38%</b>
2. Number of private sectors and government agencies checked for DPA compliance.	400	<b>562</b>
Output Indicators		
1. Number of Public Information / Education Projects implemented.	12	<b>24</b>
2. Percentage of requests for technical assistance responded to within the prescribed time frame.	80%	<b>99.25%</b>
3. Percentage of complaints and investigations resolved	70%	<b>99.75%</b>
4. Number of international membership or cooperation entered.	3	<b>23</b>

According to GAA performance measures under the REGULATORY AND ENFORCEMENT PROGRAM, the Commission is guided by two (2) outcome indicators and four (4) output indicators with corresponding targets and accomplishments, as shown in Table 1. Summed up below are details of NPC actual accomplishments of various sub-programs, activities, and projects for the period January to December 2022

Outcome Indicator 1 - Percentage of Stakeholder who rated the privacy plans and policies as satisfactory or better.

**75% Target**

A total average of **89.38%** satisfactory rating was garnered by the Commission thru the information and educational drive conducted in FY 2022 comprising of (a) 84.50% for the 1st qtr; (b) 93.85% for the 2nd qtr; (c) 89.4% for the 3rd qtr; and (d) 89.77% for the 4th qtr.

For the fourth quarter, the Commission received a total average rating of 89.77%, composed of the following activities:

- (a) 89.4% rating DPO ACE Level 1 Training Program in collaboration with DICT Region IV (A&B); 18 October 2022; 250 participants;
- (b) 90.2% rating DPO ACE Level 1 Training Program in collaboration with Department of Agriculture; 24-28 October 2022; 52 participants;
- (c) 92% rating of Five (5) DPO Briefing sessions conducted with 596 stakeholders oriented
- (d) 89% Age is not just a Number, it's also your Personal Data: Tamang Pagiingat sa Personal na Datos ng Senior Citizen at PWDs; 16 December 2022
- (e) 91% rating Kabataang Digital Session 304 participants (f) 87% rating for requests/inquiries received and acted upon

**Outcome Indicator 2 - Number of private sectors and government agencies checked for DPA Compliance**

**400 Target**

Under the Enhanced Data Privacy Compliance and Monitoring Program, a total of **562 compliance** checks for DPA compliance were conducted for FY 2022, comprising of:

- (a) 35 compliance visits (commenced in April 2022) and 527 organizations were checked for DPA compliance through privacy sweeps composed of 477 from the private and 50 from the government sector, including 58 via documents submission.

Other accomplishments include:

- (a) 878 Data Protection Officers (DPOs) registered with the Commission composed of 832 organizations and 46 individual professionals with an overall total of 4,297 DPOs registered;
- (b) 475 certificates of registration with complete requirements issued which reached a total cumulative data of 6,579 certificates issued;
- (c) 54 Warning letters and 57 notices of Documents submission were sent;
- (d) 182 Data Breach Notifications acted upon with 70 in 4th qtr. Of these notifications, the top specific causes are Hacking (22%), Unauthorized disclosure, (9%), Unintended recipient (8%), Ransomware/Malware (8%) and email blast (8%).

**Output Indicator 1 - Number of Public Information/Education Projects implemented.**

Twenty-four (24) activities and projects (APs) were implemented in FY 2022 as part of the DPA nationwide awareness campaign to promote data privacy of the stakeholders and the citizens for them to know and understand their rights which are protected under the DPA, as follows:

**Output Indicator 2 - Percentage of Stakeholder who rated the privacy plans and policies as satisfactory or better.**

**80% Target**

Per cumulative FY 2022 report, a total average of **99.25%** of requests for technical assistance were acted upon.

For the 4th quarter, the following accomplishments were achieved thru technical assistance and related interventions:

- (a) (a) 100% or 50,576 out of 50,576 queries, thru emails, walk-ins, calls, AskPriva App, and Social Media messages with an average satisfactory rating of 87.35%;
- (b) (b) Three hundred eighty-two (382) FOI Requests were processed for 2022

majority under invalid requests and eight (8) ongoing request;

- (c) (c) Twenty-one (21) legislative comments/position papers entered and commented on the implication of data privacy of proposed national or local statutes, regulations or procedures; and
- (d) (d) Twenty-six (26) advisory opinions issued this year on the implications and interpretation of the provisions of the RA10173, its IRR, NPC issuances and other data privacy laws.

**Output Indicator 3 - Percentage of complaints and investigations resolved**

**70% Target**

For FY 2022, **99.75% of complaints** were handled by the Commission thru its Complaints and Investigation Division.

- (a) For FY 2022, the CID received 279 complaints through walk-in or electronic mail. These complaints are being reviewed by investigation officers, with 114 of them relating to Online Lending Applications.
- (b) Overall, 624 decisions were delivered through mail for outright dismissal,

1,174 orders were sent via mail, and 1,670 were sent via e-mail.

- (c) 629 preliminary conferences were conducted from January to December 2022 in which 367 are OLA cases and 262 are non-OLA cases.
- (d) 77 Compliance Letters, Enforcement letters and Enforcement Action Reports were prepared and issued.
- (e) 32 OLA – Enforcement on Temporary Bans were issued.
- (f) The Commission continues to strengthen its endeavors in monitoring and enforcing the Cease-and-Desist Orders (CDO) against the five (5) organizations. The Commission also bolsters its efforts in implementing the Temporary Bans against online lending companies (OLC) and their applications

**Output Indicator 4 - Number of international membership or cooperation entered**

**3 Target**

International coordination and collaboration activities with international entities are continuously strengthened to adopt/observe standard practices and issuances related to data protection and privacy, as outlined in the following highlights:



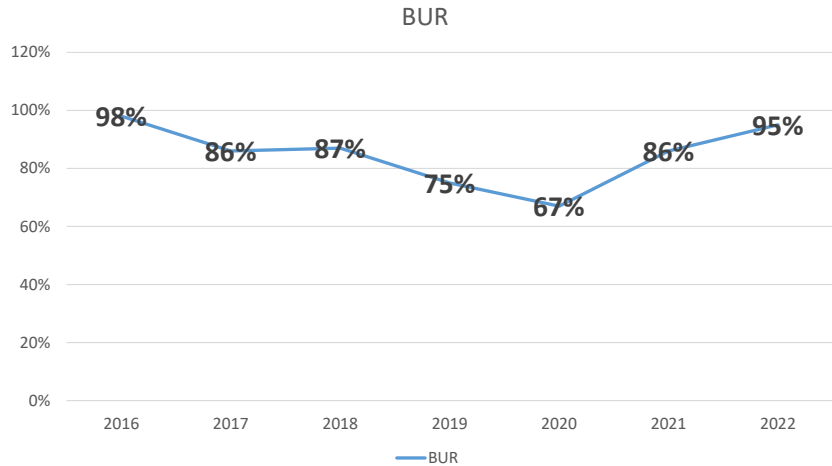


# Overall Financial Performance

## 95%

IMPROVED  
FINANCIAL  
PERFORMANCE

86%  
31 December 2021
▶
95%  
31 December 2022



In terms of the financial performance of the agency, we have satisfactorily delivered the utilization of the funds as shown in the historical BUR presented on the screen. Just last year we have ended with 95% Budget Utilization Rate a significant increase as compared with the previous years.

of Kabataang Digital training and Certification for Data Protection Officers (DPO), and the implementation of recently developed/launched systems under the Compliance and Monitoring Program, Data Breach Notification Management System, Registration System, and Compliance Check Monitoring System.

## 1. FY 2022 Current Appropriations

In accordance **2022 GAA (RA 11639)**, the Commission received a total/ adjusted allotment of **PHP 274.039 Million** and out of the said allotment a total of **PHP 291.784 Million** was obligated. The Commission’s financial performance rate reached **95%** as to obligations under the cash-budgeting system.

In addition to the allotment per GAA 2022 of **PHP 228.556 Million**, the Commission received additional PS allotment of **PHP 3.250 Million** for Magna Carta Benefits for FY 2021, **PHP 6.267 Million** for Pension and Gratuity Fund for payment of Monetization of Leave Credits and Terminal Leave Benefits and **PHP 2.625 Million** for FY 2022 PS Deficiency Request which has a fund source from Unprogrammed Appropriations.

The 2022 PAPs were successfully implemented as a result of the shift in the use of various online platforms and digitization activities. This includes the Caravans, DPA Advocate Summits, PHILDPO Accountability, Compliance, and Ethics (ACE) Trainings, release and publication of Circular/s and two (2) Advisories, the conduct

Allotment	Amount*
Personnel Services (PS)	97,098
Maintenance and Other Operating Expenses (MOOE)	126,986
Capital Outlay (CO)	4,472
<b>GAA 2022 (including RLIP)</b>	<b>222,556</b>
Miscellaneous Personnel Benefit Fund (MPBF)	3,250
Pension and Gratuity (PGF)	6,267
Unprogrammed Appropriations	2,625
<b>Total Allotment Received</b>	<b>240,698</b>
<i>*in Thousand Pesos</i>	

## 2. FY 2022 GAA vs. FY 2023 GAA

Per FY 2023 GAA, the Commission received a total allotment of Php. 220,179 Million, a decrease of Fifty-Eight Thousand Pesos (Php 58,000) as compared to FY 2022 Current Appropriations of Php. 220.237 Million as shown on the comparative tables below:

	FY 2023 BUDGET (GAA)				FY 2022 BUDGET (GAA)			
	PS	MOOE	CO	TOTAL	PS	MOOE	CO	TOTAL
<b>Agency Specific</b>	<b>88,860</b>	<b>127,319</b>	<b>4,000</b>	<b>220,179</b>	<b>88,779</b>	<b>126,986</b>	<b>4,472</b>	<b>220,237</b>
GAS	47,325	64,658	0	111,983	49,753	64,658	0	114,411
Operations	41,535	62,661	4,000	108,196	39,026	62,328	4,472	105,826
				0				
<b>RLIP</b>	<b>7,996</b>	<b>0</b>	<b>0</b>	<b>7,996</b>	<b>8,319</b>	<b>0</b>	<b>0</b>	<b>8,319</b>
GAS	4,259			4,259	4,609	0	0	4,609
Operations	3,737			3,737	3,710	0	0	3,710
<b>TOTAL</b>	<b>96,856</b>	<b>127,319</b>	<b>4,000</b>	<b>228,175</b>	<b>97,098</b>	<b>126,986</b>	<b>4,472</b>	<b>228,556</b>

Personal Services (PS), Maintenance and Other Operating Expenses (MOOE), and Capital Outlays (CO) comprise of the portion of the expenditure program for the delivery of goods and services.

For Personal Services (PS), the allotment for FY 2022 has increased by .1% amounting to Eighty-One Thousand Pesos (Php 81,000.00). This is due to the net increase of Employee Benefits as compared to FY 2022. For MOOE, the allotment has increased by .3% amounting to Three Hundred Thirty-Three Thousand Pesos **(Php 333,000.00)**. However, for CO, the allotment has decreased by 11% amounting to Four Hundred Seventy-Two Thousand Pesos **(Php 472,000)**.

### 3. Budget and Financial Accountability Reports (BFARs)

The Commission was able to accomplish the timely submission of financial accountability reports and budgetary requirements to the Department of Budget and Management, Commission on Audit, and Legislative Offices in compliance with the pertinent Sections of the General Provisions (GP) of the annual General Appropriations Act (GAA), COA-DBM Joint Circular No. 2013-1 dated March 15, 2013 and COA-DBM JO No. 2014-1 dated July 2, 2014 on prescribed BFAR forms and the corresponding submission timelines, including encoding at the DBM Unified Reporting System (URS) pursuant to DBM Circular Letter (CL) No. 2016-11 dated December 6, 2016, and in accordance with the agency schedule provided under DBM CL No. 2018-9 dated September 6, 2018 and other related provisions (please see attached BFARs as of December 31, 2021).

In the transition towards Cash Budgeting

System (CBS), the Commission ensures the implementation-readiness of programs through better procurement planning, programming of projects and activities, and coordination among office and other oversight agencies. Budget proposals are anchored on more concrete program plans and designs that outline key procurement and implementation milestones, including specific project locations and beneficiaries. Not to mention, the Commission maintains and enhances its monitoring of priority outputs and results, factoring the “new normal” setting.

The Commission continues to monitor the annual preparation of the budget in consonance with the principle which requires all government spendings to be justified anew each year. This principle ensures that government entities continuously evaluate and review the allocation of resources to project/ activities for cost efficiency and effectiveness.

## VIII. A Better Path Lies Ahead

Moving forward to the next five (5) years under the Marcos administration, the Commission remains committed to fulfill its mandate, goals, and commitments to serve the public as the forefront of the government’s program to strengthen Filipino citizens’ trust in the data management of industry and services in relation to the handling of personal information and security breaches.

As digitalization has expanded exponentially due to the COVID-19 outbreak, this has created an ecosystem that may have implications on data privacy and the rights and freedoms of data subjects. Thus, the Commission will continue to strengthen its intervention efforts as well as develop and expand more programs through the use of digital platforms, in order to better serve the public in accordance with the government’s directive of adopting programs

and projects geared toward economic development, with its overall goal under the Philippine Development Plan 2023-2028: A Plan for Economic Transformation, to invigorate job creation and poverty reduction by steering the economy back to its high growth path and, more importantly, through economic transformation for a prosperous, inclusive, and resilient society.

As a regulatory agency tasked to implement a 21st-century law aimed to address 21st-century problems, the NPC, shall remain steadfast in its commitment to be future-oriented in order to address developing concerns in the digital age and to be agile and flexible on emerging concepts, trends, and technologies that intersect with data privacy that may fall under NPC’s mandate.

### **PROPOSED MODIFICATIONS IN ORGANIZATION, STAFFING, SYSTEMS, AND PROCEDURES, MANAGEMENT, REFOCUSING OF FUNCTIONS, REPRIORITIZATION, MONITORING, ETC**

#### **FY 2023-2028 Strategic Plans**

The key outcomes of the FY 2023–2028 Strategic Planning in 2022, enabled the Commission to strategize, with NPC management and key personnel collaborated to define and/or improve strategic objectives, organizational outcomes, and outputs. The outputs for the annual increase in targets were indicated in the **FYs 2023–2028 Strategic Plans** in alignment with the cross-cutting strategies outlined in the **PDP 2023–2028**, such as digitalization, dynamic innovation, enhanced connectivity (physical and digital), and greater collaboration with other agencies. To broaden the reach of DPA awareness and compliance, complaints handling, and enforcement initiatives, the programs’ projects and activities were enhanced and expanded in anticipation that the resources (including additional manpower) would be increased.

#### **COA’s “Unqualified Audit Opinion,” QMS 9001:2015 Accreditation, and FY 2021 PBB Eligibility**

The Commission being the recipient of COA’s “unqualified audit opinion” and QMS 9001:2015 accreditation resulted in significant

improvements for the timely and courteous delivery of services to the public. However, the Commission’s hands are tied in setting up targets beyond its financial and manpower capabilities. The overachievements from the pre-determined targets per GAA were the result of hard work and diligence, many are working beyond office hours. Hence, the Commission is steadfast in its commitment to fulfill its mandate and to ensure timely, effective, and efficient response as a regulatory commission to data privacy breaches and concerns in order to sustain the expansion of NPC’s big-ticket programs and various new interventions in line with the new normal.

Notably, the Commission is qualified for the FY 2021 Performance-based Bonus (PBB), having obtained 90 points based on the official AO25 PBB criteria and conditions. With highly qualified, dynamic, innovative, diligent, and self-motivated professionals and employees committed to serving the public with excellence and hard work, the NPC’s earnest efforts to improve internal procedures to effectively and efficiently serve the public have successfully reinvented itself to accomplish so much in six (6) years. The Commission stands ready to meet future challenges and opportunities with

the same zeal and vision that have enabled it to successfully implement its programs, activities, and projects over the last years since its creation in 2016.

### **NPC Reorganizational Plan**

The Commission seeks to address hard-to-fill positions and reinforce the NPC organizational structure in order to ensure the continuity of the Commission's big-ticket programs, initiatives, and activities, including program expansion and other digitization interventions. The current organizational structure is being reviewed and evaluated in preparation for the proposal of Reorganization Plan, which aims to expand the staff complement of the Commission. The Reorganization Plan will be submitted by the end of the first semester of 2023 for DBM - Organization, Position Classification and Compensation Bureau (OPPCB) assessment and approval. As a regulatory institution, the Commission strives to continue respond to the volume data privacy breaches and concerns in a timely, effective, and efficient manner.

### **2024 PREXC Structure for FY 2024 to 2028**

Taking appropriate actions by ensuring alignment of the programs under the Marcos administration's 8-Point Socio Economic Agenda, which is geared towards contributing to the achievement of the goals of the PDP 2023-2028, the NPC, through the Finance and Administrative Office (FAO)-FPMD has already drafted the proposed **NPC Program Expenditure Classification (PREXC) Budget Structure for FY 2024** onwards, reflecting additional and adjusted performance indicators, its outcome and output indicators, and the Commission's big-ticket Regulatory and Enforcement Program with 11 sub-programs and 200 projects and activities, including its digitalization initiatives both in operations and support.

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