



NATIONAL
PRIVACY
COMMISSION



BAGONG PILIPINAS

20
23

ANNUAL REPORT



**TAKING THE
CENTERSTAGE IN
THE PRIVACY ARENA**

PROACTIVE AND PROGRESSIVE NPC

ANNUAL REPORT
2023

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List of Acronyms

AA	Accountability Agent	LEO	Legal and Enforcement Office
ACE	Accountability, Compliance and Ethics	LGBT+	Lesbian, Gay, Bisexual, and Transgender +
AdOp	Advisory Opinion	MCC	Model Contractual Clause
AP	Activity and project	MCLE	Mandatory Continuing Legal Education
APEC	Asia-Pacific Economic Cooperation	MOA	Memorandum of Agreement
APP	Annual Procurement Plan	MOOE	Maintenance and Other Operating Expenses
APPA	Asia Pacific Privacy Authorities	MOU	Memorandum of Understanding
ARTA	Anti-Red Tape Authority	MPBF	Miscellaneous Personnel Benefit Fund
ASEAN	Association of Southeast Asian Nations	MS	Microsoft
BAC	Bids and Awards Committee	MWSS	Metropolitan Waterworks and Sewerage System
BNU	Breach Notifications Unit	NCDA	National Council on Disability Affairs
BPO	Business Process Outsourcing	NCR	National Capital Region
BSP	Bangko Sentral ng Pilipinas	NCSC	National Commission of Senior Citizens
BTr	Bureau of the Treasury	NCERT (CERT-PH)	National Computer Emergency Response Team
CAR	Cordillera Administrative Region	NDS	Notice of Documents Submission
CBPR	Cross-Border Privacy Rules	NPC/Commission	National Privacy Commission
CBS	Cash Budgeting System	NPCRS	National Privacy Commission Registration System
CCU	Compliance Check Unit	NTC	National Telecommunications Commission
CDO	Cease and Desist Order	OLA	Online Lending Applications
CHED	Commission on Higher Education	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	OSAEC	Online Sexual Abuse or Exploitation of Children
CO	Capital Outlay	OSV	On-Site Visit
COA	Commission on Audit	OTP	One-time Passwords
CODI	Committee on Decorum and Investigation	PAGCOR	Philippine Amusement and Gaming Corporation
COE	Council of Europe	PAP	Program, Activity, and Project
CORD	Center for Organization Research and Development	PAR	Property Acknowledgement Report
COS	Contract-of-Service	PAW	Privacy Awareness Week
CSC	Civil Service Commission	PBB	Performance-based Bonus
CSE	Common-use Supplies and Equipment	PCC	Philippine Competition Commission
CSI	Civil Service Institute	PCV	Petty Cash Vouchers
DA	Department of Agriculture	PCW	Philippine Commission on Women
DAP	Development Academy of the Philippines	PDBN	Personal Data Breach Notification
DBM	Department of Budget and Management	PDD	Policy Development Division
DBNMS	Data Breach Notification Management System	PDP	Philippine Development Plan
DFA	Department of Foreign Affairs	PDPC	Personal Data Protection Commission
DICT	Department of Information and Communications Technology	PGF	Pension and Gratuity Fund
DIT	Documentation Information Team	PIAD	Public Information and Assistance Division
DMF	Data Management Framework	PIC	Personal Information Controller
DPA	Data Privacy Act of 2012	PIP	Personal Information Processor
DPO	Data Protection Officer	PNP	Philippine National Police
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
FAQ	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
GFMIC	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
IBP	Integrated Bar of the Philippines	SO	Special Order
ICT	Information and Communications Technology	SOGIESC	Sexual Orientation, Gender Identity and Expression and Sex Characteristics
IEC	International Electrotechnical Commission	SPMS	Strategic Performance Management System
ILCDB	ICT Literacy and Competency Development Bureau	T3	Train The Trainers
IPEC	Indo-Pacific Economic Framework for Prosperity	TWG	Technical Working Group
IRR	Implementing Rules and Regulation	UN	United Nations
ISO	International Organization for Standardization	UP	University of the Philippines
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
LDDAP-ADA	List of Due and Demandable Accounts Payable - Advice to Debit Accounts	WTO	World Trade Organization

DICT Secretary's Message



We commend the National Privacy Commission (NPC) for leading impactful initiatives and swiftly responding to data breaches, all of which are chronicled in this FY 2023 Performance Report.

Trust is the cornerstone of our shared aspiration of a prosperous and inclusive Bagong Pilipinas. It is imperative that Filipinos feel secure when engaging in digital transactions and the industry feels confident about conducting their business in the country. This is why the role of the NPC in ensuring that entities in both the public and private sectors have data protection safeguards in place has grown in both prominence and necessity.

In treading the Fourth Industrial Revolution, the NPC assumes a strategic role in bolstering the Philippines' position as a competitive digital economy. In an era where frontier technologies, such as artificial intelligence, internet of things, and smart cities, are drivers for socio-economic growth, the Commission's significance could not be overstated. It bears the noble responsibility of ensuring that these breakthrough innovations are undergirded with quality and ethical data governance.

Rest assured that the DICT will continue extending its support to the NPC as it builds on its successes and continues its dedicated service to the people. Let us unite towards building a trusted, secure, and progressive Bayang Digital— a future where every Filipino's privacy and digital safety are paramount.

Thank you and more power to the NPC!

HON. IVAN JOHN E. UY
Secretary, DICT

Privacy Commissioner's Note



As the Philippines continues to expand its digitalization efforts in the government as ordered by no less than President Ferdinand R. Marcos, Jr., the National Privacy Commission (NPC) consistently ensures that our right to privacy is upheld and protected, implementing a multi-pronged approach to engage key stakeholders.

This year, we focused on strengthening communication and collaboration with data subjects, personal information controllers (PICs), and personal information processors (PIPs) through public advocacy campaigns, international engagements, and proactive enforcement of data privacy regulations.

Furthermore, the NPC conducted a thorough surveillance of PICs and PIPs to ensure its compliance with the Data Privacy Act of 2012 (DPA) and various issuances of the Commission. In 2023 alone, we conducted more than 670 compliance checks, privacy sweeps, notice of document submissions, and on-site visits.

To provide a clear and accessible guide for data subjects, PICs, and PIPs, we have issued Circulars, Advisories, and Advisory Opinions to provide guidelines on identification cards, consent, legitimate interest, and other relevant courses under the Data Privacy Competency Program. We also published the NPC schedule of fees and implemented amendments to certain provisions of the NPC 2021 Rules of Procedure.

In addressing the data privacy concerns across various sectors, the NPC intensified its public education and awareness campaigns. Such includes DPA Briefing Sessions, *Kabaatang Digital* Caravans, Young Privacy Advocates Annual Summit, and PSST! (Privacy, Safety, Security, and Trust Online) Webinars that deals with data privacy of women, and data privacy in the context of education, healthcare, and cybersecurity.

Driven by our vision of becoming a world-class regulatory agency committed to excellence, the NPC has made significant progress in data privacy both domestically and internationally. This is a direct result of collaborative efforts with our stakeholders and the tireless dedication of the NPC workforce.

As we move forward into 2024, the NPC remains resolute in our endeavor to champion data privacy rights and shall continue in our noble pursuit to cultivate a culture of privacy and responsible data stewardship in the Philippines. Building upon our successes, we will remain a beacon of trust, accountability, and empowerment, dedicated to promoting a more secure and sustainable digital future for all Filipinos.

On top of these achievements, the NPC remained vigilant in addressing pressing privacy issues in the Philippines, particularly in response to the PhilHealthLeak incident, which affected millions of Filipinos. The NPC launched the "Naleak ba ang PhilHealth data ko?" Portal to provide

ATTY. JOHN HENRY D. NAGA
Privacy Commissioner

Deputy Privacy Commissioner's Message



The year 2023 marked a pivotal moment in the ongoing journey of digital transformation and data privacy. The National Privacy Commission (NPC) strengthened its commitment to upholding the fundamental human right to privacy and prioritizing individuals' control over their data.

In 2023, the NPC played a crucial role in addressing privacy concerns and enforcing data protection laws. The Commission received 202 complaints from data subjects for regular complaint proceedings, reflecting growing public awareness and concern over data privacy. Additionally, the NPC initiated 3 *sua sponte* investigations to proactively address significant privacy issues, demonstrating its dedication to safeguarding privacy rights.

Further showcasing its commitment to accessibility and responsiveness, the NPC addressed 11,557 privacy concerns via emails, calls, or personal visits. This high volume of interactions underscores the Commission's role as a vital resource for the public, offering guidance and resolution on a wide range of privacy issues while reinforcing its mission to protect and empower data subjects.

Building on these efforts, the NPC launched a special project that further reinforced its dedication to protecting personal data and enhancing privacy rights. In collaboration with the Department of Information and Communications Technology (DICT) and under the e-Gov initiative, the NPC introduced the Data Security and Privacy Quick Response (DSPQR) Project, also known as the Security and Privacy Response and Investigation Taskforce (SPRINT), in November 2023. This project aims to establish an efficient process for receiving, monitoring, and swiftly

responding to data security and privacy concerns. Demonstrating its effectiveness, the DSPQR Project docketed 502 data privacy and security concerns from November 3 to December 22, 2023. Set for continuous implementation through 2024, it ensures a robust framework for promptly addressing privacy issues and enhances cooperation between the NPC and DICT to support e-Gov applications and address public data security and privacy concerns.

The significant strides in data protection and privacy enforcement by the NPC this year reinforced its role as a guardian of personal data and privacy rights. Through various projects and initiatives, the NPC ensured that individuals have greater control over their data and that privacy concerns are addressed promptly and efficiently. The launch of the DSPQR Project exemplifies this commitment, establishing a proactive approach to data security and privacy issues.

As we move through 2024, our concerted efforts will continue to shape 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.

We remain steadfast in our commitment to continuous improvement and look forward to advancing data privacy with determination and optimism.

ATTY. NERISSA N. DE JESUS
Deputy Privacy Commissioner

Deputy Privacy Commissioner's Message



In 2023, the National Privacy Commission remained steadfast in its commitment to uphold the fundamental human right to privacy. Our efforts focused on buttressing the fundamental concepts of data privacy and protection. Through these initiatives, we sought to empower data subjects and those who process personal data in effectively navigating data privacy considerations in the face of emerging technologies.

One such initiative was the issuance of the Circular on the Data Privacy Competency Program. The Program emphasized the importance of strengthening data privacy education, particularly given the results of a survey that shows a limited understanding of the data privacy landscape and related concepts, especially outside Metro Manila. Feedback also suggested that the Commission's previous approach was too legalistic. As such, the Commission revisited its data privacy education program and developed an improved and institutionalized approach to ensure a practical and operational approach for as many people as possible. Through the Data Privacy Competency Program, we hope to democratize access to quality data privacy education, making it relevant and useful for anyone seeking to have a better understanding of the law and its application.

Further, the Commission proactively engaged stakeholders through various Calls for Public Input and Public Consultations. This highlights the Commission's recognition that it has limited visibility on the issues encountered by Personal Information Controllers (PICs) and Personal Information Processors (PIPs). Through this collaborative process, the Commission hopes to increase stakeholder accountability by issuing guidelines and regulations drawn from the practical experiences and insights of those directly impacted by them. One outcome of these consultations was the Guidelines on Consent. Since consent is considered the most relied-upon basis for processing personal data, the Circular outlines the requisites and defines what constitutes valid consent. It also sets out the obligations of PICs regarding the different general principles of privacy. The Circular introduced the concepts of just-in-time consent and a layered privacy notice. These require PICs to carefully consider the specificity of information provided to data subjects, which should be clearly provided when consent is obtained.

Building on this, the Commission published the Guidelines on Deceptive Design Patterns. This

Advisory reminds PICs not to use deceptive methods, such as dark patterns, or any form of coercion, compulsion, threat, intimidation, or violence in obtaining the consent of the data subject. Following the general privacy principles of transparency and fairness, this Advisory emphasizes that the manner in which something is communicated should be as important as the matter that is being communicated.

Another related issuance is the Guidelines on Legitimate Interest. This addresses the issue of PICs overusing consent and passing the burden to the data subject to validate and legitimize the processing that they do. When PICs and third parties rely on legitimate interest as a lawful basis for processing personal data, they must guarantee that (1) the legitimate interest is established; (2) the means to fulfill the legitimate interest is both necessary and lawful; and (3) the interest is legitimate and lawful, and it does not override fundamental rights and freedoms of data subjects.

Aside from these things, the Commission clarified other concepts through its Decisions, Resolutions, and Orders. For instance, the Commission discussed what constitutes "serious harm" under the third requisite of mandatory data breach notification. In several breach notification matters, the Commission explained that "serious harm" means that the consequences and effects to any affected data subject are significant based on the surrounding circumstances of a breach. Looking ahead, there will be additional concepts that are going to be fleshed out through decisions on specific matters.

In closing, I emphasize that the success of these initiatives depends on the continued collaboration between the government, industries, and data subjects. Recognizing the unique challenges different sectors face, this approach ensures that guidelines are meaningful and effective in protecting and understanding the fundamental right to privacy. By working together and developing a good understanding of the basics, I am confident we can build trust, address emerging challenges, and shape a privacy-centric future positioned for growth and success.

ATTY. LEANDRO ANGELO Y. AGUIRRE
Deputy Privacy Commissioner

Executive Director's Message



The year 2023 was a prolific period for the National Privacy Commission. Through strategic initiatives and partnerships, we have made remarkable strides in implementing Republic Act No. 10173, also known as the "Data Privacy Act of 2012" (DPA). Our collective efforts have been instrumental in advancing the data privacy and protection landscape in the country. We have moved forward from the foundations we built post-pandemic, and we continue to aim for a sustainable culture of privacy in the country. Amidst our achievements, we recognize the need for innovation to address the demands of a tech-driven society wherein technology and data are intertwined with our day-to-day lives.

The Commission is likewise committed to continue creating opportunities for the private and public sector through the implementation of globally-recognized standards. This, in turn, makes our institution aptly armed with the necessary tools in data privacy and protection not just within the confines of our country but also on a global scale. We will continue to collaborate with all relevant sectors, harnessing the power of technology while safeguarding the fundamental right to privacy and cybersecurity.

Cybersecurity plays a crucial role in ensuring the protection of data privacy and upholding effective data governance practices. It encompasses the measures and protocols put in place to safeguard sensitive information from breaches or malicious activities in digital environments. In the context of data privacy, cybersecurity helps in securing personal and confidential data from unauthorized access.

As our society continues to be aware of their rights and obligations under the DPA, we anticipate the increase of complaints, compliance reports, and the Commission's issuances, indicating the growing awareness and exercise of rights by our data subjects.

This 2023 Annual Report serves as a testament to the NPC's impactful journey, highlighting its aspirations, struggles, and triumphs. Aligned with the "Bagong Pilipinas" and the 8-Point Socioeconomic Agenda of the Marcos Administration, the NPC remains steadfast and devoted to continuing its commitment and dedication to pursue prosperity, progress, and economic development.

I am confident that the NPC shall continue to answer the clarion call of the Filipino people and serve our country with integrity under the leadership of our Privacy Commissioner Atty. John Henry D. Naga, Deputy Privacy Commissioner Atty. Leandro Y. Aguirre, Deputy Privacy Commissioner Atty. Nerissa N. De Jesus, along with our dedicated directors, officers, and the people who help build our esteemed institution. We will continue to make a meaningful impact in the lives of our fellow Filipinos.

Finally, I am thankful for the continued support of DICT Secretary Ivan John E. Uy and President Ferdinand R. Marcos Jr., who remain staunch advocates for the protection of the data privacy rights of the Filipino people. Through their leadership, we draw inspiration to be of continued service to our nation.

ATTY. IVIN RONALD D.M. ALZONA
Executive Director

PPO Director's Message



The Privacy Policy Office (PPO) is witness to the recognition by both local and foreign policymakers that the world is now in the age of globalization and digitalization. What was once a topic relegated as a side note, data privacy is now a major talking point in international trade agreements as well as in legislation.

E-Commerce, for example, has recently been acknowledged as one of the next drivers of economic growth for the Philippines, which resulted in the passage of the Internet Transactions Act of 2023. The anticipated interconnectivity that will result therefrom will necessarily bring forth a rapid increase in the volume of data being used, accessed, exchanged, and transferred within the country and without. All actors will have to rely on data to effectively participate in the global market; data that is to be supplied by individual consumers. Hence, trust among the actors in the flow of data is essential. And trust can only be maintained if safety, reliability, and responsibility is ensured, all of which are traits embodied in the principles of data privacy.

For its part, the PPO has made contributions in building a policy framework to ensure that the data privacy milieu in the Philippines fosters and reinforces trust in the use of data and technology from and among its stakeholders, the most notable of which are:

1. NPC Advisory No. 2023-01 on Guidelines on Deceptive Design Patterns, which provides guidance on the nature of deceptive design patterns, its impact on processing of personal

data based on the data subject's consent, and how to prevent the use thereof.

2. NPC Circular No. 2023-04 on Guidelines on Consent, which aims to elaborate on what constitutes valid consent under the DPA, and how it should be obtained and managed.
3. NPC Circular No. 2023-07 on Guidelines on Legitimate Interest, which clarifies how to properly rely on legitimate interest under Section 12(f) of the DPA for the processing of personal information.
4. Others in the pipeline but which are anticipated to be released soon are the: Advisory on the Comparison of various Contractual Clauses in the ASEAN and several other jurisdictions for transfers of personal data across jurisdictions; Advisory on the processing of Children's Personal Data, Circular on Closed-Circuit Television (CCTV) Systems; and Circular on the use of Body-Worn Camera.

As always, the PPO has also responded to close to two hundred (200) queries of various complexities and requests for comments on proposed legislation and other government issuances.

The foregoing is a testament of the NPC's agility to meet the call of the present global environment.

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

DASCO Director's Message



In an era defined by digital innovation and the rapid evolution of technology, protecting personal data has emerged as one of the paramount challenges of our time. With unparalleled dedication and resolve, the National Privacy Commission (NPC) has risen to the challenge of being custodians of privacy and guardians of individual rights. This is prominently reflected in the NPC 2023 Annual Accomplishment Report, which not only highlights the efforts and commitment of the Commission in performing our mandate but also underscores the tangible impact of our work on your security and privacy.

The Data Security and Compliance Office (DASCO) has been tirelessly proactive in safeguarding the privacy and security of citizens' data.

Our focus in 2023 has been on developing policies, advisories, and assessments of emerging technologies to ensure the protection of personal data and that Personal Information Controllers (PICs) and Personal Information Processors (PIPs) comply with the Data Privacy Act of 2012 (DPA). Notable ones are the circulars on the security of personal data in the government and the private sector and prerequisites for the Philippine Privacy Mark Certification Program (PPM), guidelines on privacy engineering, and guidelines for the data privacy regulatory sandbox. Our team also participates in local and international standardization efforts to ensure that we keep at par with international best practices. This proactive approach should reassure you of our unwavering commitment to your data security.

We have also continuously monitored the compliance of PICs and PIPs through our digital platforms, such as the National Privacy Commission Registration System (NPCRS) and Data Breach Notification Management System (DBNMS), which was shortlisted for the Global Privacy Assembly (GPA) Global Privacy and Data Protection Awards 2023 under innovation category. Our team continuously conducts On-Site Visits (OSV) to assess whether PIC and PIP have

implemented data privacy and protection measures in their data processing systems. This continuous monitoring ensures that your data is always under our protection, giving you a sense of constant security.

Furthermore, the National Economic and Development Authority (NEDA) has endorsed NPC project "Managed Service for an Advanced Data Management and Process Analytics Digital Platform" for funding to the tune of P2.3B and was certified as a Priority Project and Program (PPP) under the NEDA's Priority Investment Program (PIP). The said project was initiated and proposed by the DASCO in 2022-2023.

The project aims to provide a Digital Platform capable of Artificial Intelligence (AI) and Machine Learning (ML) that will manage and automate the registration of data processing systems, data breach notifications, and compliance check audits. It also aims to provide a highly secured data repository for registered data processing systems and data analytics to aid in ensuring compliance with the data privacy act and its recent regulations.

As we look forward to 2024, we will remain vigilant and adaptable to emerging threats and challenges. We will continue to fulfill our mandates and uphold our commitment to protecting citizens' data.

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

LEO Director's Message



Data privacy is more crucial than ever in today's data-driven world because it upholds individual rights and promotes trust in online transactions. Protecting personal information, fostering connections, abiding by the law, promoting innovation, and ensuring individual liberty all depend on data privacy. Giving personal data privacy top priority promotes a safe and moral personal data environment that is advantageous to both individuals and organizations.

2023 saw further growth and innovation brought about by the swift digitization efforts, but there will also be a greater risk of personal data breaches and vulnerabilities in personal data processing systems. Security breaches occur when someone gains unauthorized access to, destroys, loses, alters, or discloses personal information. These incidents frequently result in identity theft, fraud, credit card duplication, blackmail, and reputational harm to both people and businesses. Data protection is more crucial than ever as businesses depend more and more on digital data, which is leading to an increase in security breaches. Thus, this is where the NPC is very much needed and important.

For 2023, the Legal and Enforcement Office (LEO) and the NPC Fees Committee lead the drafting of NPC Circular No. 2023-01 on the Schedule of Fees and Charges of the National Privacy Commission. This Circular is issued to allow the collection of fees to reduce or minimize government spending while allowing the continued performance of services to the public through efficient resource management and in recognition of the cost recovery principle.

The Commission continues to perform one of its functions to handle complaints and launch

investigations through the LEO. It also keeps making sure that its rulings and directives are followed. Additionally, a continuous monitoring program is being implemented to ensure that Personal Information Controllers (PICs) are adhering to the Commission's decisions, orders, and resolutions. The Commission continues to be prudent implementation of the Cease-and-Desist Orders (CDOs) and Temporary Bans through cooperation with the pertinent government agency or agencies, platforms, different mobile application stores, and internet domain hosts.

The LEO personnel have continued to adhere to the NPC's mandate. In carrying out our duties in the Commission, we have remained exemplary in our unwavering professionalism, unwavering determination, and wholehearted dedication.

This Annual Report completely presents the NPC's 2023 performance to its stakeholders. The accomplishments and initiatives of NPC for 2023 show how NPC steadfastly fulfills its responsibility regarding the security of personal data.

We truly value each and every stakeholder's cooperation. In this era of digital revolution, data privacy protection is more important than ever.

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

FAO Director's Message



As we gather to reflect on the past year, I am filled with immense pride and gratitude. Our journey has been one of resilience, adaptability, and unwavering commitment to our mission.

The Finance and Administrative Office has played a pivotal role in ensuring the smooth functioning of the National Privacy Commission (NPC), and I want to express my heartfelt appreciation to each one of you, most especially to our Privacy Commissioner, John Henry D. Naga.

Your indubitable leadership placed the NPC as a world-class organization in the implementation of data privacy.

In the face of challenges, we have not only persevered but thrived. Our accomplishments are a testament to our collective dedication on the following areas:

1. **Financial Stewardship:** Despite the complexities of the global landscape, we have managed our resources judiciously. Our financial prudence has allowed us to continue our critical work without compromise.
2. **Efficiency and Streamlining:** We've streamlined processes, embraced digital transformation, and optimized our administrative functions. Our commitment to efficiency has directly contributed to the NPC's effectiveness.
3. **Team Spirit:** Our team spirit is our greatest asset. The way we collaborate, support one another, and celebrate each other's victories exemplifies the true spirit of unity.

4. **Service Excellence:** Whether it's handling budget allocations, managing procurement, managing human resources, or ensuring compliance, our team consistently delivers excellence. Our dedication to service is unwavering.
5. **Resilience in Adversity:** The challenges we faced were not insurmountable—they were opportunities for growth. We adapted, learned, and emerged stronger.

As we move forward, let us continue to uphold the highest standards of integrity, excellence, transparency, and accountability. Our work directly impacts the privacy rights of millions of individuals, and that responsibility weighs heavily on our shoulders. But it also fuels our passion and purpose. Let this annual accomplishment report be a celebration of our collective efforts—a testament to our commitment to safeguarding privacy, promoting trust, and advancing digital rights. Together, we are architects of change, guardians of privacy, and champions of a safer digital world.

Thank you for your untiring and staunch dedication. Let us march into the future with renewed vigor, knowing that our work matters and that our impact is profound and sincere.

Remember, our achievements are not just numbers on a report; they represent lives impacted, rights protected, and a brighter digital future. Let us continue to strive for excellence and make a difference.

With gratitude and optimism,

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

Foreword

The National Privacy Commission (NPC/Commission) was created under Republic Act No. 10173 otherwise known as the "Data Privacy Act of 2012" (DPA) to address modern day issues such as: (a) protecting the privacy of individuals while ensuring the 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 compliance of the country with the international standards set for data protection.

His Excellency President Ferdinand Marcos Jr. emphasized the importance of securing data while encouraging free flow of information in his 2nd State of the Nation Address on July 24, 2023, and highlighted the focus of the Philippine government to aspire to protect digital users and consumers from identity theft, phishing, other online scams, through essential systems and safeguards, such as cybersecurity, data privacy, consumer complaint mechanisms and financial literacy campaigns.

Amidst the rapid global digitization, the country's Commission remains committed to operate on a hyper-scale to fulfill its mandate as the data protection authority. As such, the NPC is at the forefront of the government's program to strengthen Filipino's trust in industries and services related to the processing of personal information. The call for the Commission to fully deliver and continuously improve its services is critical. Many of which are underpinned by the Commission's prompt response to privacy complaints and concerns reported to the agency.

In return, the Commission advocates for the modernization and digitalization of its services to make transactions more efficient and to improve service quality by streamlining transactions, boosting service quality, and ensuring free data flow with adequate safeguards. This led to a sustained 91% average satisfactory rating of support for all privacy plans and policies established from stakeholders since 2018-2022. More of the priority NPC initiatives are provided in detail in this Annual report.

This Annual Report in sum contains the NPC's performance from January 2023 to December 2023 and its objectives vis-à-vis the desired outputs. Specifically, the Annual Report reflects on the following:

- CY 2023 Major Thrusts and Priority Programs and Projects (PAPs)
- Highlights of Accomplishments
- Salient Features of Major Items and Brief Description of Programs Activities and Projects

MANDATE

The National Privacy Commission is the country's privacy watchdog; an independent body mandated to administer and implement the Data Privacy Act of 2012 and to monitor and ensure compliance of the country with international standards set for data protection.

MISSION

We shall continuously deliver services to:

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

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

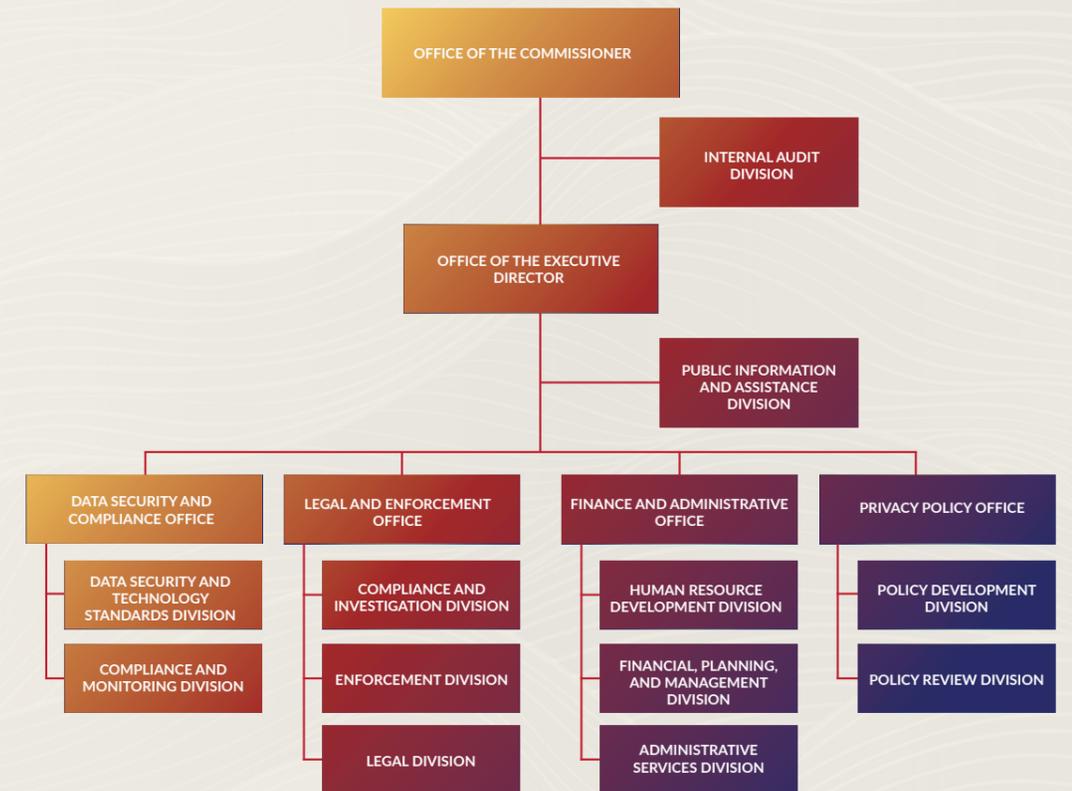
As the Philippines' data privacy authority, the National Privacy Commission is committed to protect the personal information of data subjects and to foster a culture of privacy towards a competitive, knowledge-based, and innovative nation.

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!

NPC Organizational Structure



POWERS AND FUNCTIONS

The NPC has the following powers and functions:

- a. **Rule Making.** The Commission develops, promulgates, reviews, and amends rules and regulations for the effective implementation of the DPA.
- b. **Advisory.** The Commission is the advisory body on matters affecting the protection of personal data.
- c. **Public Education.** The Commission undertakes necessary or appropriate efforts to inform and educate the public about data privacy, data protection, and fair information rights and responsibilities.
- d. **Compliance and Monitoring.** The Commission performs compliance and monitoring functions to ensure effective implementation of the Rules and Regulations of the DPA, or the "Rules", and other issuances.
- e. **Complaints and Investigations.** The Commission adjudicates complaints and investigations on matters affecting personal data: Provided, that in resolving any complaint or investigation, except where an amicable settlement is reached by the parties, the Commission acts as a collegial body.
- f. **Enforcement.** The Commission performs all acts as may be necessary to effectively implement the DPA, these Rules, and its other issuances, and to enforce its Orders, Resolutions, or Decisions, including the imposition of administrative sanctions, fines, or penalties.

THE YEAR IN REVIEW



THE BEST OF 2023:

A YEAR OF CHAMPIONING DATA PRIVACY AND PROTECTION

The National Privacy Commission's (NPC) 2023 was a year marked by significant progress, driven by its impactful achievements in public awareness, international recognition, and innovation. Positioning itself as a leader in data privacy protection on both the local and global stage, the NPC reached millions of Filipinos through its educational and compliance campaigns. The Commission's resolute commitment to data protection was further demonstrated by their swift and effective response to multiple data breaches throughout the year. Notably, the NPC made history by becoming the first fee-funded Secretariat of a premier global forum for data protection and privacy authorities.

As a privacy regulatory authority, the NPC remains at the forefront of promoting a culture of privacy in the Philippines by spearheading innovative and strategic programs, policy development, and collaboration with various stakeholders. This 2023 Annual Report highlights the accomplishments of the NPC in championing data privacy and protection throughout the country.

The NPC believes that an informed public is essential for building a culture of privacy. This

was affirmed by the Commission through the resounding success of its education campaigns and initiatives. One of which is Privacy Awareness Week (PAW) 2023, celebrated in May with the theme *'Empowering DPOs and Protecting Personal Data Privacy Rights of Filipinos.'* This event showcased the critical role of Data Protection Officers (DPOs) in promoting responsible processing of personal data and sharing best practices for promoting and protecting data privacy rights among Filipinos. It brought

together more than 800 privacy advocates and professionals, reinforcing the collaborative effort needed to strengthen data privacy awareness and practices.

Fostering a privacy-conscious society means involving the youth in privacy discussions and initiatives. The NPC raised youth awareness of data privacy and online safety through its data privacy campaign, *Kabataang Digital (KD) Caravan* and Young Privacy Advocates Annual Summit, with the theme *"Matalino, Mapagmatyag, at Mapanuri,"* held from September to November 2023. It visited more than eight hundred (800) elementary and high school students from various schools in Metro Manila, aiming to provide basic knowledge on the implications of the digital environment related to children's privacy rights and to promote online safety and age-appropriate use of online platforms and technologies.

In pursuit of strengthening data privacy knowledge and compliance among personal information controllers (PICs), the NPC cooperated with the Data Privacy Council in conducting Data Privacy Roadshow 2023 in Pampanga, Cebu City, Davao City, and Laguna from September to December 2023. The roadshow gathered more than 1,120 DPOs, Compliance Officers for Privacy (COPs), and heads of organizations from various regions of the country to enhance data privacy awareness of both public and private sectors, empower DPOs, boost companies' compliance with the Data Privacy Act of 2012 (DPA) and NPC's issuances, and establish regional points of contact for data privacy while bolstering sectoral participation.

The NPC is committed to upholding the principles of good governance. Consistent with its vision and missions, the NPC continuously performs its mandate with passion and utmost integrity in fulfilling regulatory and statutory obligations in public service for the benefit of the Filipino people. In 2023, the NPC received its second consecutive unmodified opinion from the Commission on Audit (COA) affirming the fairness of the presentation of the NPC's Financial Statements for the Calendar Year 2022.

True to its dedication to quality management and providing services to its stakeholders at par

with international standards, the Commission maintained its International Organization for Standardization (ISO) 9001:2015 certification after successfully passing its 2nd Surveillance Audit conducted in December 2023.

The NPC is taking a spotlight in the global privacy arena. In 2023, the NPC made history as it solidified its position as a global leader in data privacy and protection. It was appointed as the first Fee-Funded Secretariat of the Global Privacy Assembly (GPA) with more than one hundred thirty (130) data protection and privacy authorities worldwide.

Furthermore, two of its innovative initiatives, KD and Data Breach Notification System (DBNMS), were shortlisted for the GPA Global Privacy and Data Protection Awards 2023, bearing the flag of Asia as the only Asian country with a nomination.

This just reflects the international recognition of its capabilities and the trust placed in its ability in advancing global data privacy and protection efforts.

"From our appointment as the first Fee-Funded Secretariat of the GPA to the inclusion of our initiatives on the shortlist of awardees, the international recognition of NPC's endeavors stands as an affirmation of our commitment to advancing global standards for data privacy and protection. We are optimistic that this is just the beginning, and our initiatives will continue to gain momentum on a broader global scale, inspiring further acknowledgment and collaboration." - Privacy Commissioner Atty. John Henry D. Naga

These accomplishments for the year 2023 stand as a testament to the NPC's resolute dedication to fostering a privacy-conscious society, both within the borders of the Philippines and on the global privacy arena. As we look to the future, the NPC remains committed to its mission, poised to continue what has been started with innovation, collaboration, and unwavering integrity. The strides we made in 2023 are milestones that transcend borders, advocating for privacy in an increasingly interconnected world.

INTENSIFIED REGULATORY AND ENFORCEMENT SERVICES

COMPLAINTS AND INVESTIGATION DIVISION (CID)

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 Data Privacy Act 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 x x x.”

Among the CID’s core functions are:

- a. To receive complaints and institute investigations regarding a violation of the Data Privacy Act of 2012;
- b. To investigate security breaches; and
- c. To prepare a fact-finding report based on the complaint and its investigation and recommend appropriate action to the Commission.

In 2023, the CID received two hundred two (202) complaints from data subjects for regular complaints proceedings, instituted three (3) *sua sponte* investigations, seventy-seven (77) inquiries under the Quick Response and Special Cases (QRSC), and responded to 11,557 privacy concerns that are lodged through emails, calls, or those that personally come to the office.

The CID was the lead division involved in the conceptualization, proposal, and eventual implementation of the Data Security and Privacy Quick Response (DSPQR) Project. This project is in collaboration and funded by the Department of Information and Communications Technology (DICT), under the e-Gov initiative. This project aims to establish an effective process wherein

data security and privacy concerns brought before the two agencies may be received, monitored, and quickly responded to. The CID started implementation of this project in November 2023 and is planned for continuous implementation through 2024.

Complaints Handling

Investigating complaints for privacy violations filed directly by data subjects constitute one of the CID’s core functions. 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.

In 2023, the CID received and processed two hundred two (202) new complaints for various data privacy violations such as: Online lending-related complaints, against private companies, individuals/ professionals, real estate industry, banking, and business process outsourcing. Of the 2,127,000 (202) complaints filed, fifty-two

(52) case investigations have been concluded and the corresponding fact-finding reports have been submitted.

In the processing of complaints filed before the CID, one hundred thirty one (131) orders and preliminary conferences were conducted. During the preliminary conference the parties discuss whether alternative dispute resolution may be availed, whether discovery is reasonably likely to be sought, proposals for simplification of issues, and possibility of obtaining stipulations or admissions of facts and/or documents to avoid unnecessary proof. If the parties opted to avail of alternative dispute resolution, they are referred to the Legal Division, otherwise, after all the agendas are discussed or the non-appearance of parties for the two settings of the preliminary conference, the parties are ordered to submit their simultaneous memoranda.

The CID was also able to complete seven hundred twelve (712) fact-finding reports on complaints which were submitted for decision to the Office of the Director for Legal and Enforcement or to the Commission En banc for adjudication.

A review of the complaints filed in 2023 shows a significant drop in the number of complaints involving online lending applications (“OLA”) from one hundred fourteen (114) in 2022 to only thirty-seven (37) in the current year. These thirty-seven (37) OLA-related complaints only accounts for 18.3% of the total complaints filed in 2023. To recall, OLA-related complaints are 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 to shame and humiliate them into making payments for their loans.

Quick Response Investigations

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. The QRSC Team ensures privacy

concerns are identified and remediated even if no data subject raises a complaint. Some of the QRSC’s inquiries eventually ripen into full-blown *sua sponte* investigations.

Some of the notable QRSC Inquiries: PNP recruitment data leak, Philhealth Ransomware attack, and the unauthorized disposal of PhilSys Identification cards.

Breach Investigations

The CID also resolved breach notification cases. In 2023, the CID concluded investigations on and submitted Final Breach Notification Evaluation Reports on an additional 116 breach notification for adjudication of the Commission En banc.

IT related trainings

As part of the capacity building, the CID IT personnel attended various trainings on the field of Cybersecurity and Digital Forensics.

For Digital Forensics, the personnel attended End-User trainings on the use of the Digital Forensic Investigation Software (Encase) last 10 August 2023, a 2-day training on the use of the Web Application Vulnerability Assessment Software (Burpsuite Pro) last 07-08 November 2023, and training on the use of a Cloud based Service Analyzer Software (Cellebrite) last 09 November 2023. The CID IT personnel also attended a training on Mobile Security testing on 30 August 2023, provided by the Highly Technical Consultant of the CID.

For Cybersecurity related trainings, the CID IT personnel attended the training on the Basics of Cybersecurity Incident Response and Handling on 28 July 2023, as well as the Basics of Ethical Hacking in 24 November 2023, which were both hosted by the DICT. Training on Incident Response (IR) Intrusion Validation was also provided to the personnel in 31 August 2023 by the Highly Technical Consultant of the CID.

Engagement of the CID with a Highly Technical Consultant

To ensure that the investigation and case handling processes of the CID are up to par with the processes of law enforcement agencies, the CID engaged the services of a Highly Technical Consultant. The Consultant, who was engaged for six (6) months, conducted the following activities:

- a. Reviewed the tools/requirements/support outline/drafting/applications procedure, policies, or manuals and skills development outline review
- b. Reviewed the existing Technical Report templates for Digital Forensics procedure, Online Lending applications, and System Breach Cases.
- c. Drafted a Technical and Investigation Operations Framework
- d. Drafted a Skills Roadmap for the CID personnel
- e. Provided training to the CID personnel

Other trainings

The CID also participated in different trainings and seminars 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 attended the Technical Writing training session, conducted last 17 November 2023 which focused on improving proficiency in writing technical reports. Another training is on Records and Filing Management which highlighted the importance of data protection and preservation of public documents.

The SPRINT Project

The CID spearheaded the implementation of the project entitled Digital Security and Privacy Quick Response (DSPQR) under its Complaints Handling and Investigation Program pursuant to the Memorandum of Agreement signed between the Department of Information and Communications Technology (DICT) and the National Privacy Commission (NPC) on 25 October 2024. This project officially commenced on 03 November 2023.

The DSPQR project with the brand Security and Privacy Response and Investigation Taskforce (SPRINT) has responded to a total of five hundred twenty four (524) concerns from the general public through phone calls, emails and walk-in. Most of the monitored cyber security and privacy issues were further investigated in coordination with the National Computer Emergency Response Team (NCERT) (CERT-PH) of the DICT and other concerned government agencies..

ENFORCEMENT DIVISION (EnD)

The EnD's Role in the Data Privacy Framework

The Data Privacy Act of 2012 provides that the Commission shall perform all acts necessary to effectively implement the Act, Rules, and its other issuances, and to enforce its Orders, Resolutions, or Decisions, including the imposition of administrative sanctions, fines, or penalties.

The EnD's role, as part of the Legal and Enforcement Office (LEO), is to continuously coordinate with local and international organizations for the facilitation of data privacy protection. The EnD is likewise tasked with issuing compliance or enforcement orders, enforcing the award of indemnity, issuing cease and desist orders, recommending cases to the Department of Justice (DOJ) for criminal prosecution.

In the year 2023, the Division highlights its commitment to building an enforcement network for cross-border applications while continuing to be equipped with the latest legal practices and emerging technological trends.

Navigating Through Cross-Border Enforcement Issues

The National Privacy Commission (NPC), through EnD, participated in the Global Privacy Enforcement Network (GPEN) focusing on dark commercial patterns. Here, the speakers presented the Organization for Economic Cooperation and Development (OECD) Committee on Consumer Policy's report on dark commercial patterns and discussed the US Federal Trade Commission's recent activities in dark patterns, including its recent staff report and public enforcement matters.

On 02 August 2023, the EnD participated in the GPEN or Unauthorized Access to Credit Data in the TE Credit Reference System. Speaker Ms. Hermina Ng discussed how Softmedia Technology Company Limited (Softmedia) and the TE Credit Reference System, and Loan Management Systems offered them to both money lending companies and borrowers. These systems facilitated the handling of credit data. Softmedia utilized separate cloud servers for each of these systems and a mobile application to store the gathered information.

Softmedia argued that once a Hong Kong ID (HKID) number is converted into a code, the

transformation is permanent. The original HKID number of a borrower is not accessible within the TE Credit Reference System, instead, the database holds a collection of codes linked to relevant credit information. Consequently, Softmedia concluded that the TE Credit Reference System lacks any identifiable "personal data" on the borrowers.

The ruling on this topic serves as an essential guiding principle for purposes of local enforcement. The Commissioner argued that due to the distinct and unchanging attributes of an HKID number, coupled with the consistent generation of the same code when a specific HKID number is input into the TE Credit Reference System, this code essentially functions as an identification label given by Softmedia to a borrower for its internal processes. As this label can distinctively pinpoint the borrower, it essentially serves as a "personal identifier." Thus, the investigation revealed that the complainant's personal data was accessed, processed, or used without his authorization.

On 05 April 2023, Atty. Rodolfo S. Cabatu, Jr., Chief of EnD, presented at the GPEN, wherein he discussed the Enforcement of Temporary Ban and Cease and Desist Orders (CDO) of the NPC. Atty. Cabatu highlighted the CDO against a political survey platform in 2021, citing numerous violations under the Data Privacy Act. He also noted several temporary bans during that same year, ordering the immediate removal of four (4) online lending applications (OLAs) due to multiple allegations of the unauthorized use of personal information. The presentation probed into NPC's actions to enforce these orders while identifying its challenges.

Atty. Cabatu likewise participated as a presenter at Decode 2023, organized by Trend Micro. DECODE is an annual cybersecurity conference hosted in the Philippines, set to attract 500 IT professionals. Its primary objective is to demystify or "decode" the complexities of the evolving threat landscape, highlight industry trends, and introduce cutting-edge technologies. The aim is to empower attendees to safeguard their organizations' digital infrastructures and ignite their passion for continuous learning. This event, offered free of charge, aligns with Trend Micro's commitment to bridging the existing skills gap within the cybersecurity industry.



14 November Decode 2023, EDSA Shangri-La, Manila.¹

On 08 May 2023, the EnD conducted a collaboration meeting with the Personal Information Protection Commission of Japan (PPC), to promote info-sharing regarding the two (2) government agencies in the Philippines and Japan. The commissions discussed their functions and jurisdictions. Here, Atty. Cabatu discussed the following:

- A. Taking down of websites if the domain host is within and without the Philippines;
- B. Situation which entails cross-border enforcement. This may be done by Cross Border Privacy Enforcement Arrangement (CPEA); and
- C. Other methods are through networking like GPA and GPEN.

He also highlighted the essence of the Memorandum of Understanding (MOU) if NPC has an existing MOU with the country of the domain host and provided that it is within the scope of the MOU; The coordination between the PPC (Japan) and the Philippines (NPC) holds great potential for strengthening privacy protection and promoting responsible data practices in both countries.

By establishing channels of communication, sharing knowledge and best practices, and fostering collaborative efforts, the PPC and NPC can contribute to a more robust

and harmonized approach to personal data protection. Also, it would facilitate the exchange of information on emerging privacy challenges, technological advancements, and regulatory developments.



National Privacy Commission (NPC) in the Philippines, led by Atty. Rodolfo S. Cabatu, Jr. and Atty. Jose Mendoza, and the Personal Information Protection Commission (PPC) in Japan, led by Mr. Kimura Nobuyuki

Overall, the collaboration between the two agencies would enable a more effective response to cross-border data flows and transnational privacy violations. By aligning their enforcement strategies, investigative techniques, and legal frameworks, the PPC and NPC can strengthen their ability to investigate and act against organizations that mishandle personal data across national borders.

Training, Legal Trends, and Emerging Technologies

To provide public service, public awareness and to empower women against cybercrime, EnD's Ms. Jessica Ramos participated in Women Against Cybercrime as one of the guest speakers.

The seminar focuses on how to equip women against cybercrime to address the pressing issue of gender-based cybercrime and empower women to navigate the digital world safely. By raising awareness, providing education and resources, and fostering a supportive network, this initiative creates an environment where women are equipped to protect themselves, assert their digital rights, and combat cyber threats effectively.

Through the collective efforts of individuals, organizations, and communities, we can dismantle the barriers that hinder women's online safety and promote inclusivity, equality, and empowerment.

To better understand the criminal aspect of the DPA, EnD, with the Department of Justice – National Prosecution Service (DOJ-NPS) arranged its first-ever DPA training and Case Conference for the criminal prosecution of the NPC Cases. Here, Atty. Joan Medalla lectured on the overview of DPA and its salient features. She also discussed some NPC Circulars and/or issuances while Atty. Camille Gonzales discussed the summary of some cases with recommendations for criminal prosecution.

From November 9 to 12, 2023, the Women's Alliance for Security and Peace (WSAP) conducted its flagship project, The HERSAFE (Her Empowerment, Rights, Security, Advocacy, Freedom, and Equality) at the Richmond Hotel in Ortigas.



Mr. Simeon Tolentino (CID), PLTCOL. Jay Guillermo (PNP-ACG), Atty. Camille Gonzales (EnD), Mr. Christian Ian Lim (EnD), and Mr. Anton Biraol Oliver Jamiero (CMD), [in order, from left to right].

Three (3) members of EnD, Atty. Joan Therese Medalla, Atty. Camille Angelica Gonzales, and Ms. Jessica Loida Ramos were among the thirty (30) participants chosen from a pool of three hundred sixty (360) applicants that represents diverse sectors including Government Agencies, Local Government Units, Academe, and Start-Up communities.



Members of the EnD with participants at HERSAFE.

This year's edition of the HERSAFE conference focused on the role of women in the field of cybersecurity highlighting the indispensable role of women in advancing technology and safeguarding digital spaces. The event likewise pointed out the crucial role of diversity and inclusivity in the cybersecurity landscape that calls for further collaboration and grassroots participation to address growing concerns.

The HERSAFE Cybersecurity Training Program 2023 was conducted in partnership with numerous organizations including the U.S. Embassy of the Philippines and the United Nations Office of Drugs and Crime.

As part of a Global Community that fights for our rights, on May 3, 2023, EnD participated in the discussion of the Privacy Enhancing Technologies (PET). Here, the resource speaker discussed that PETs have emerged as crucial tools in today's data ecosystem, providing innovative solutions to protect privacy and foster trust. Through techniques such as anonymization, differential privacy, homomorphic encryption, and data minimization, PET addresses challenges related to data sharing, consent, and unauthorized access.

By implementing PET, organizations can demonstrate their commitment to safeguarding individuals' privacy rights, complying with regulations, and promoting transparency and

accountability. While PET is not without limitations, its integration represents a significant step towards building a trustworthy data environment where privacy is upheld, data is secured, and individuals can confidently participate in the digital landscape.

As the field of PET continues to evolve, ongoing research, evaluation, and advancements will be essential in addressing emerging privacy concerns and ensuring the continued effectiveness of these technologies.

On May 10 and 11 of 2023, EnD participated in the "AI Summit PH 2023: Redefining the Future of AI". Among the discussions here are related to the initiative or concept that envisions the use of artificial intelligence (AI) technology to drive sustainable development and promote social equity in the Philippines.

This concept aims to harness the power of AI to address various challenges and opportunities across different sectors in the country, with a focus on achieving sustainable and inclusive growth.

The panelists also talked about the significance and the potential to accelerate progress toward a sustainable and equitable future. The Sustainable Development Goals (SDGs), as adopted by the United Nations, are a set of series of interconnected goals aimed at addressing global challenges, such as poverty, hunger, gender equality, and climate change.

The forum likewise talked about getting started with data literacy and inclusion. The speakers provided the process of developing a solid understanding of data and its implications, as well as ensuring that everyone has access to and can effectively participate in the data-driven decision-making process. It involves fostering data literacy and promoting inclusivity in the context of data-driven initiatives.

On May 23, 2023, the EnD held a meeting with the US Embassy, represented by Ms. Mitch Clutton. During the meeting, they discussed the arrangements for the Joint Cyber-Security Working Group (JCSWG) topic scheduled for July 2023. The EnD will be organizing its annual JCSWG discussion to raise awareness about

¹ Pictures taken by Trend Micro.



Ms. Ginggay Hontiveros – Malvar discussing the SGDs.

privacy. This JCSWG event is an initiative aimed at fostering collaboration and cooperation between various entities involved in cybersecurity..

One of its objectives is information sharing which serves as a platform for the exchange of vital cybersecurity-related information, including emerging threats, best practices, and technological advancements. By sharing knowledge and experiences, participating entities can enhance their collective understanding and response to cyber threats. Through its collaborative efforts, the JCSWG aims to strengthen the cybersecurity landscape, foster international cooperation, and ensure a safer digital environment for individuals, organizations, and nations.

On August 22, 2023, the EnD attended the US-PH Joint Cybersecurity Working Group (CSWG) wherein the event discussed Cyber Defense Assistance (CDA) focusing on the current challenges in Ukraine. Several resource speakers were invited to discuss and panel the unique challenges it presents to cybersecurity stakeholders. It likewise discussed the types of cyber threats and lessons learned from Ukraine and how they might apply to the Asia-Pacific Region, specifically to the Philippines.

Speaker Dr. Greg Rattray discussed the essence of CDA. He explained that CDA refers to cyber support activities provided to friendly or allied nation-states under threat of an actual attack from a hostile nation-state. Unlike traditional cyber capacity building, CDA is geared toward achieving specific national security objectives.



Undersecretary Jeffrey Ian Dy, Ms. Lauren Seawright, Mr. Ankur Rawat, Dr. Greg Rattray, and Mr. Tood Spire (in order, from left to right)

While general capacity building does not always center on a specific threat, CDA is responsive to discrete geopolitical risks. It is unique in another important way. Unlike other national security efforts, such as counterterrorism and nonproliferation, the private sector is indispensable to its delivery and success. CDA activities include:

- A. Vulnerability Management;
- B. Security Information and Event Management (SIEM);
- C. Distributed Denial of Service (DDOS);
- D. Access to Intelligence Platforms;
- E. Attack Surface Monitoring (ASM);
- F. Executive Engagement for Information;
- G. Malware and Technical Attack Forensics;
- H. Compromise Assessment and Incident Response (CAIR);
- I. Endpoint Detection and Response (EDR) and Anti-Virus Technology;
- J. Security Operations Centers (SOCs) design; and
- K. Industrial Control System (ICS).

In the case of the Ukraine conflict, the Cyber Defense Assistance Collaborative (CDAC), a volunteer group drawn from Western cybersecurity companies and organizations, provided a significant level of cyber defense assistance. The CDAC organizations' efforts to provide coordinated threat intelligence, technology capabilities, support services, and advice to assist Ukraine's government and critical infrastructure entities offer valuable lessons going forward.

The panelists focused on the application of CDAC to the Philippines and how to establish CDA which we must learn from Ukraine. These are the following:

- A. Need to establish early connections and trust between recipients and providers;
- B. Need to identify, assemble, and organize capability providers; and
- C. Need to align activities and establish priorities.

Among the panelists, Department of Information and Communications Technology (DICT) Undersecretary Jeffrey Ian Dy (Usec. Dy) focused on the DICT's preparation for Cyber Defense and its grey areas, such as the lack of implementing laws that will thoroughly guide the CDAC. Usec. Dy explained that there is a need for a robust CDA program in the Philippines, which represents a pivotal step towards safeguarding the nation's digital landscape and ensuring its resilience in the face of evolving cyber threats.

As the world becomes increasingly interconnected, the Philippines, like many other nations, is confronted with an escalating array of cyber risks that have the potential to disrupt critical infrastructure, compromise sensitive information, and undermine national security.

The Competency of Lawyers and IT personnel was likewise established, significant risks were determined, and action plans were in place for proper risk mitigation. The EnD's overall conformance was established according to the audit.

Building A Better EnD

The Enforcement Division (EnD), as part of the Legal and Enforcement Office (LEO), passed the second surveillance audit for its ISO 9001:2015 certification from SOCOTEC Certification Philippines, Inc., last December 15, 2023, at the Philippine International Convention Center (PICC), Pasay City.



All members of the Legal and Enforcement Office.

The audit was attended by representatives of LEO together with Director Maria Theresita E Patula (Atty. Patula). The EnD was represented by its very own Division Chief, Atty. Rodolfo S. Cabatu Jr. The audit was conducted to ensure conformity with management systems standards and fulfillment of requirements between recertification audits.

In its assessment of the EnD, the auditors from SOCOTEC Certification Philippines, Inc., commented on the effective implementation of the established process and noted that controls were effectively implemented.

As part of its commitment to the Commission and the public, the EnD took part in the LEO year-end assessment and strategic planning focusing on the execution of operations for FY2024. The strategic planning aimed to finalize the planning documents made during the Operational Planning last October 25-27, 2023, and assess the initial implementation of the Data Security and Privacy Quick Response Program launched last December 1, 2023.



Director Patula and Atty. Cabatu with the rest of the Enforcement Division.

Atty. Patula opened the activity by highlighting the EnD's role in handling Court of Appeals (CA) cases and the effective implementation of the Cease-and-Desist Orders and Temporary Ban orders.

The EnD was likewise assigned to negotiate with the Office of the Solicitor General (OSG) to limit the scope of its representation of government agencies found by the Commission violating the Data Privacy Act of 2023.

Moving forward, the EnD plans to conduct the following: a.) Joint Cybersecurity Coordination Activity, b.) MOA with the OSG, c.) Continue liaising with the DOJ, d.) Streamline fees process and e.) Conduct additional training for the enforcement of fees and fines.

The EnD and Compliance Monitoring Division (CMD) held a meeting to address the issue of fake NPC Certification of Registration and other Government-issued Certifications. CMD received information that a certain Micro Lending Company is presenting its services as legitimate by displaying its registration with various Government Institutions, including the NPC Registration of Personal Data Processing System.

Acting on this matter, the EnD promptly arranged a meeting with Philippine National Police-Anti-Cybercrime Group (PNP-ACG), through PLTCOL. Jay D. Guillermo, after receiving the information. The meeting resulted in coordination with different bodies to investigate possible money laundering activities. Additionally, regular coordination meetings between PNP-ACG, Securities and Exchange Commission (SEC), and NPC were suggested to enhance the reporting of relevant cases and information-sharing to ensure the enforcement of their respective mandates.

To effectively enforce the Commission's directives, EnD also conducted a meeting with the DICT, through Free-WIFI, to understand the latter's functions, scope, and jurisdiction regarding the action to take down an online website that violates the Data Privacy Act of 2012 (DPA).

2023 Enforcement by The Numbers

In certain instances, whenever warranted, the Commission recommended to the DOJ prosecutions, and has imposed penalties such as payment of nominal damages, temporary ban, cease and desist orders, and warnings, among others.

The Commission has awarded nominal damages to vindicate the complainant's

data privacy rights in eleven (11) instances. The respective respondents have already paid damages to the complainants in ten (10) out of the 12 cases.

The Commission is also empowered by the DPA, upon finding that the processing will be detrimental to national security and public interest, to impose temporary or permanent bans on the processing of personal information, as well as to issue cease and desist orders (CDO).

As of 2023, all the Temporary Bans on the Processing of Personal Data issued by the Commission pertain to Online Lending Applications (OLAs). In 2019, the Commission ordered the issuance of a Temporary Ban against twenty-six (26) OLAs. These are the following:

1. Cash Bus;
2. Cash Flyer;
3. Cash Warm;
4. Cashafin;
5. Cashaku;
6. Cashope;
7. Cashwale;
8. Credit Peso;
9. Flash Cash;
10. JK Quickcash Lending;
11. Light Credit;
12. Loan Motto;
13. Moola Lending;
14. Sell Loan;
15. One Cash;
16. Pautang Peso;
17. Pera Express
18. Peso Now;
19. Peso Tree;
20. Peso.ph;
21. Pesomine;
22. Pinoy Cash;
23. Pinoy Peso;
24. Qcash;
25. SuperCash; and
26. Utang Peso

The EnD is presently monitoring fourteen (14) ongoing cases where Temporary Ban Orders on personal data processing are still in effect. The other ninety-three (93) cases have already been resolved, and their Temporary Ban Orders have been lifted.

Row Labels	Count of Status	%
Dismissed - Lifted Temporary Ban Order	93	86.92%
With Temporary Ban Order	14	13.08%
Grand Total	107	100.00%

Table 1: OLA cases involving the Status of Temporary Ban Order

The EnD has judiciously enforced these Temporary Ban Orders through constant coordination with government agencies, different mobile application 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
Total	5	

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.

Meanwhile, 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.

Lastly, the day-to-day responsibilities of the Division in making sure proper enforcement is observed through the following case documents:

2023 Document Submissions	
Breach Notification Digest	24
Case Brief	32
Compliance Letter	34
Entry of Judgement	77
Final Enforcement Assessment Report	37

The EnD remains committed to effectively implementing the Commission's Decisions, Resolutions, and Orders (DROs) and complying with the relevant laws, regulations, and rules. EnD adopts a proactive stance in enforcing the Data Privacy Act of 2012.

LEGAL DIVISION (LD)

The Legal Division (LD) of the National Privacy Commission (NPC) 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 National Privacy 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.

For 2023, the LD remains grateful to the support of the Top Management in granting requests for personnel and other necessary financial allocations to be able to perform its duties and responsibilities effectively and efficiently. The LD operates through its two (2) informal sections - the Policies, Internal Affairs and External Relations Section and the Alternative Dispute Resolution and Litigation Section. It is composed of five (5) plantilla personnel, and five (5) Contracts of Service performing the following functions: Legal Assistant I (2); Mediation Support Officer (2) and Legal Researcher III (1).

In this Report, it is evident that the LD was able to deliver over and beyond its four (4) enumerated functions, was able to introduce process improvements to ensure efficient public service to its internal and external stakeholders and implement projects and activities for personnel development and advocate compliance with the Data Privacy Act within the Division.

Truly, in 2023, despite budget constraints for all departments and agencies of the government of the Philippines, the LD remained steadfast in its commitment to deliver quality services to the Commission and its stakeholders. The LD welcomed the challenges and the outpour of work and deliverables with open arms -- improvised, adjusted and developed mechanisms to improve and respond to uncertainties..

I. Mediation Proceedings

A. 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 Complaints and Investigations Division (CID) to the LD. By December 2022, twenty-three (23) cases were settled and forwarded to the Adjudication Team. Meanwhile, parties of fifty-six (56) cases failed to reach amicable settlement and were referred back to CID for resumption of complaint proceedings.

Six (6) pending cases from 2022 were carried over to 2023. For 2023, thirty-two (32) new cases for mediation were forwarded by the CID to the LD. By the end of year, thirteen (13) cases were settled and forwarded to the Adjudication Team. On the other hand, twenty-five (25) cases did not end in an amicable settlement and were referred back to CID for resumption of the complaint proceedings.

There are no cases pending resolution by end of 2023.²

	Number of Cases
2022 Cases	6
Settled Cases	13
Non-Settled Cases	25
On- Going	0
Total:	38

Note that cases are tagged by the year they are received by LD from CID for conduct of mediation, and not by the year when they are filed with NPC as a complaint.

B. Number of Conferences Conducted

In 2023, a total of one hundred five (105) conferences were conducted by LD. Note that a case can undergo several conferences before it reaches resolution.

On average, it takes about two (2) conferences before a case is resolved i.e., whether through settlement or non-settlement - this is less than the average conferences in 2023. More particularly, it takes about two (2) conferences before settlement takes place and three (3) conferences before a case terminates due to failure to amicably settle.

	Number of Conferences (including confirmatory conferences)
January	8
February	11
March	11
April	14
May	12
June	12
July	13
August	11
September	2
October	8
November	2
December	1
Total	105

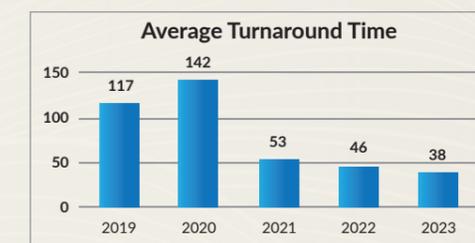
AVERAGE NO. OF CONFERENCES BEFORE RESOLUTION	
Settled	2
Non-Settled	3
On Average	2.5

C. Average Turnaround Time

By the end of 2023, the average turnaround time for a case to be resolved is seventy-six (76) days.

In 2019, it was one hundred seventeen (117) days; in 2020, it was one hundred forty-two (142) days; in 2021, fifty-three (53) days³; and, in 2022, it was forty-six (46) days.

In 2023, the average turnaround time for a case is thirty-eight (38) days.



It must be noted that under the 2021 Rules of Procedure, the mediation period is sixty (60) calendar days from the preliminary mediation conference (PMC) and may be extended by the mediation officer for good cause shown for another thirty (30) calendar days, resulting to a total of ninety (90) calendar days.

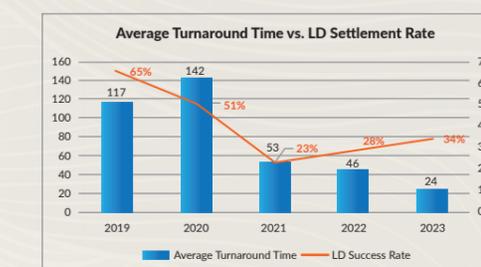
The average turnaround time is counted from the date of the PMC until the date of the confirmation conference (if settled) or date of last conference when parties decide to non-settle. In 2024, LD will also measure and record the time it takes for a case to be formally endorsed to the Adjudication Team.

D. Settlement and Non-Settlement Rates

	Settlement Rate	Non-Settlement Rate
2019	65.09%	34.91%
2020	50.88%	49.12%
2021	22.95%	77.05%
2022	28%	72%
2023	34%	66%
5-Year Average	40.18%	59.82%

Instead of indicating a success rate, the terms Settlement and Non-Settlement Rates are used in this Report to show that the resolution of a case is not only measured in terms of settlement, but also even when non-settlement occurs. The 5-year average of LD's settlement rate stands at 40.18%.

Below is a combination graph that lays down the average turnaround time vis-à-vis LD's success rate from 2019-2023:



Examining the data, the average turnaround time of cases in 2019-2022 was eighty-nine and a half (89.5) days and the settlement rate was 41.75%. In 2023, the turnaround time decreased significantly, and the settlement rate increased compared to the previous year. This runs contrary to the prevailing theory that when there are more non-settled cases, the turnaround time shortens (because non-settled cases are resolved faster). But the statistics this year show that non-settled cases had more conferences.

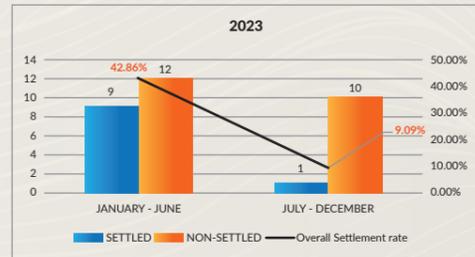
This might be attributed to the fact that, in 2023, we received multiple cases involving the

² One (1) case was received in December 2023 and the Preliminary Mediation Conference (PMC) is scheduled in January 2024. Note that the mediation period is reckoned from the date of the PMC.

³ Kindly note that there was a typographical error in the 2021 Report. Instead of "22", it should be "53".

same company that all ended in settlement. And because the cases had almost the same facts and were treated almost similarly by the Respondent in terms of settlement proposal, this made the process easier and faster.

E. Number of Mediation Cases and Settlement Rate after Mediation Fee Implementation



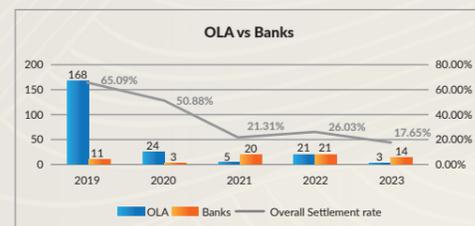
Before the Circular on Fees, which required the payment of mediation fee, was implemented on June 8, 2023, the LD received a total of twenty-one (21) cases for mediation (nine (9) ended with settlement, while twelve (12) ended with non-settlement). On the other hand, after the publication of the NPC fee, the LD only received eleven (11) cases for mediation (one (1) ended with settlement while, ten (10) ended with non-settlement).

The LD would need additional data to arrive at a more reliable analysis and conclusion in relation to these matters.

F. Online Lending Applications (OLA) and Banks

There has been a significant decrease in the number of OLA cases while an emergence of complaints against banks and other financial institutions is evident.

The graph below shows the total number of cases involving OLA entities and banks from 2019 to 2023 alongside the overall rate of settlement. Evidently, in both categories, the numbers have significantly decreased.



The following tables provide further details on the resolution of cases involving OLA and banks:

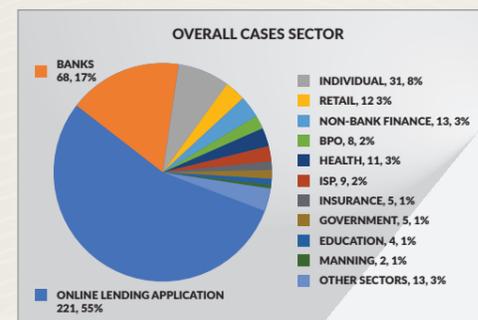
ONLINE LENDING APPLICATIONS (OLA)				
	Settled	Non-Settled	Next Hearing	Overall
2019	114	54	0	168
2020	14	10	0	24
2021	0	5	0	5
2022	4	15	2	21
2023	2	1	0	3
Total:	132	84	2	218

BANKS				
	Settled	Non-Settled	Next Hearing	Overall
2019	2	9	0	11
2020	0	3	0	3
2021	4	16	0	20
2022	6	14	1	21
2023	1	13	0	14
Total:	12	54	1	68

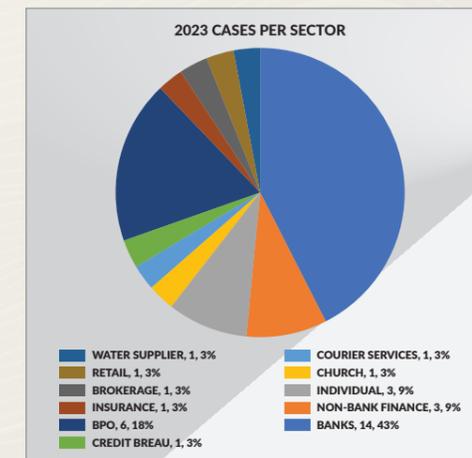
Here, it is shown that, in 2023, cases involving banks tend to end in non-settlement; while, for OLA entities, it is the opposite.

G. Other Sectors

Excluding cases filed against OLA entities and banks, from 2019-2023, the sectors with the greatest number of mediated cases remain to be Retail, Health and Telecommunications/Internet Service Providers. Nevertheless, it is important to note that there is also a rise in the number of cases against Individuals that reached mediation.



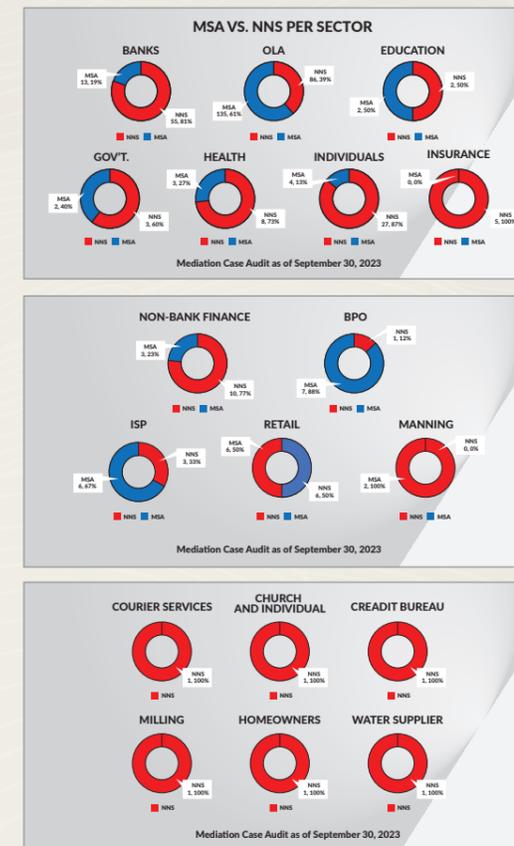
In 2023, most of the mediated cases are against banks and business processing outsourcing (BPO). Note, however, that six (6) of the eight (8) cases against BPO involve the same company.



That said, the LD is looking into the benefits of having a training that would help personnel become more familiar with bank and BPO processes and documents. Such knowledge and skills can be used in facilitating the resolution of cases and improving the results of mediation.

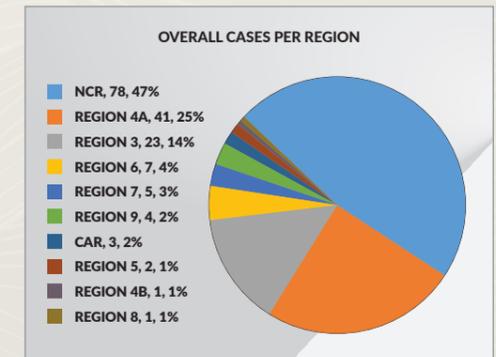
H. Settlement vs. Non-Settlement Per Sector

For a more detailed presentation, figures below show the settlement (MSA) and non-settlement (NNS) cases under each sector:



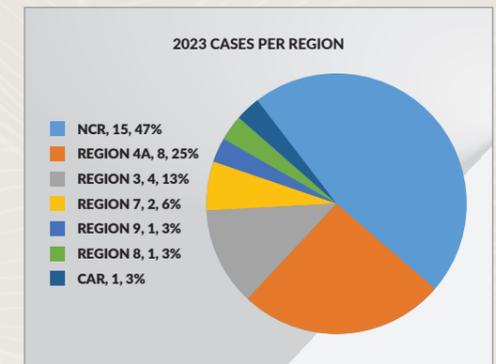
I. Per Region

Overall, most of the cases received by LD involve parties from the National Capital Region (47%), Region 4A (25%) and Region 3 (14%).



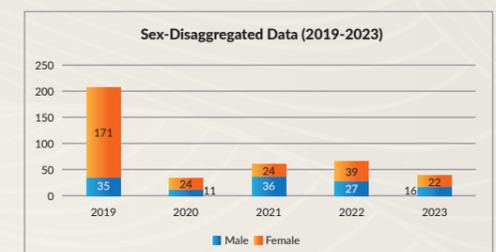
In 2023, the farthest location of parties which were noted are Bohol (Region 7), Davao Del Sur (Region 9) and Baguio City (Cordillera Administrative Region).

Note that it was in 2021 when 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 face-to-face meetings.



J. Sex Disaggregated Data

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



The LD continues to advocate for gender sensitivity and women empowerment. The NPC Mediation Code of Conduct institutionalizes this advocacy and formalizes the accountability of all members of the Mediation Team.

II. Certificate of No Pending Case

A. Total number of requests and released CNPC per Quarter of 2023

All of the requests received in 2023 have been accomplished. The following table details the number of requests per quarter:

QUARTER	Numbers of Request
1 st . Quarter	67
2 nd Quarter	45
3 rd Quarter	46
4 th Quarter	87
Total:	245

B. Sex- Disaggregated Data

Gender	Numbers
Male	128
Female	117
Total:	245

C. Average Turnaround Period

In 2023, LD monitored the time it takes for a CNPC to be issued from the time the request is received and acknowledged by LD. This may happen in a matter of minutes (i.e., less than an hour), of hours (i.e., between 1-8 hours), or even days (i.e., more than 8 hours). The average turnaround time for the LD to issue the requested CNPC to the end-user is three (3) working days from receipt of the request.

The timing was done for each step in the whole process, to wit:

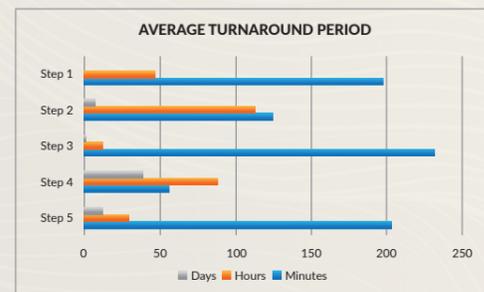
Step 1: From the time the request is received and acknowledged by the Legal Assistant to its submission to an Attorney III/IV

Step 2: From the time the request is received by an Attorney III/IV to its submission to the Chief of the LD

Step 3: From the time the draft CNPC is received by the LD Chief to its submission to the LEO Director

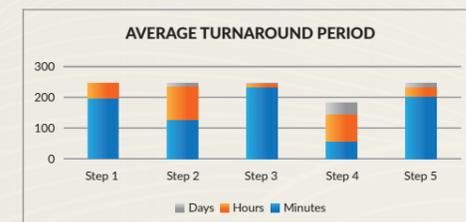
Step 4: From the time the draft CNPC is received by the LEO Director to its return to the LD Chief

Step 5: From the time the signed CNPC is received by the LD Chief to its release to the requestor.



As shown in the above graph, in most instances, it only takes minutes for a request to be completely processed. In general, each step likewise is completed in a matter of minutes only, except for Step 4 when the LEO Director returns the signed CNPC to the LD Chief.

On the other hand, the graph below shows a comparison of the number of requests that took only minutes versus those that needed hours or even days per step of the process. It is evident that, in Step 3 (i.e., when the draft CNPC is received by the LD Chief to its submission to the LEO Director), there are significantly more requests that take only minutes than hours.



D. Purpose for Requesting CNPC

Since 2022, the LD has been tracking the purposes for which CNPCs are requested. These data are expected to be helpful in further streamlining, and even automating, the process for requesting and releasing of CNPCs.

PURPOSE	NO. OF REQUESTS
Processing of clearance	86
Nomination for PRAISE	63
Revalidation of passport	37
Application for official passport	16
Terminal Leave	12
Fidelity bond	10
Monetization of leave credits	10
Reappointment of NPC Commission officers	5
Study leave	3
Attend course training	2
Application for a diplomatic passport	1
Claim for separation benefit from GSIS	1
Application for leave	1
Total:	245

III. Legal Opinions

In 2023, the LD issued seventeen (17) legal opinions which provided assistance and responded to the legal inquiries and matters that required interpretation of laws and procedures.

YEAR	Number of Legal Opinions issued
2021	27
2022	18
2023	17

The average turnaround time for 2023 Legal Opinions is five and a half (5.5) working days out of the twelve (12) working days processing deadline.

YEAR	Average Turnaround Time (out of 12 working days)
2022	9 days
2023	5.5 days

Apart from the Legal Opinion, the Legal Division likewise prepared communication letters and other related documents as indicated in the recommendations of the Division to facilitate the efficiency of delivery of service within and even outside of the Commission.

IV. Contract Reviews

In 2023, the Legal Division issued fifty-six (56) contract reviews and proposed revised contracts/ other related documents such as letter-reply and the like.

YEAR	Number of Contract Reviews issued
2021	45
2022	69
2023	56

The average turnaround time for 2023 Contract Reviews is four (4) working days out of the ten (10) working days processing deadline.

YEAR	Average Turnaround Time (out of 10 working days)
2022	5 days
2023	4 days

V. Pleadings

As instructed by the Legal and Enforcement Office (LEO) Director, the LD facilitated the preparation and drafting of all documents related to the civil case of the NPC against South Union Liner. The following documents were transmitted and endorsed to the Office of the Solicitor General (OSG) in March 2023:

- Revised Complaint for Damages
- Revised Judicial Affidavits of Witnesses
- Consolidated documents for evidence

On May 2023, the Office of the Privacy Commissioner (OPC), through the LEO Director, ordered the LD to facilitate the drafting of the Complaint against *Angelo Macabare y Igesias*, also known as *Angelo Iglesias*. In relation to this, the LD prepared the following documents and attended the following hearings in the Regional Trial Court of Pasay City, Branch 111:

- Complaint Affidavit
- Special Power of Attorney
- September 07, 2023 Hearing/Pre-Trial and Arraignment
- October 04, 2023 Hearing/Pre-Trial and Arraignment

VI. Circulars and Policies

The LD was involved in the drafting of two (2) circulars for 2023, namely: Circular on Administrative Fees and the Circular on Amendments to the 2021 Rules of Procedure.

- A. Circular on Administrative Fees
 - Submission of the Regulatory Impact Assessment
 - Publication of the Circular on Administrative Fees
- B. Circular on the Amendments to 2021 Rules of Procedure
 - Conducted the second public hearing (March 2023)
 - Submitted the draft Circular on the Amendments to 2021 Rules of Procedure (versions 6-20)
 - Submitted the Regulatory Impact Assessment

Moreover, the Legal Division initiated the drafting and issuance of the following policies and issuances:

- A. Internal Guidelines on Administrative Fines
- B. NPC Mediation Code of Conduct
- C. NPC Rules of Procedure (Rule on Mediation)
- D. LD Citizen's Charter Revision
- E. Legal Division Internal Policy on Redaction of Mediation-Related Documents
- F. Legal Division Citation Guide version 1

VII. Participation in Committees, Events, and other Activities

The members of the LD, on top of their core functions under the Division, likewise participated in the following committees and activities:

- APEC CBPR System Working Group Meetings
- APEC CBPR Accountability Agent Committee
- DTI TBAM REITI Meetings

- APEC TBAM Senior Officials' Meetings (DESG and DPS Meetings)
- PhilSys Technical Working Groups
- Magna Carta Committee
- Bids and Awards Committee and Technical Working Group
- SALN Review and Compliance Committee
- Quality Management System Teams (Documented Information Team and Process Quality Review Team)
- Internal Affairs Committee
- Gender and Development Committee
- Privacy Awareness Week Committee
- Health and Safety Committee
- Committee on Anti-Red Tape
- Fees Committee
- SIM Card Registration Law IRR Technical Working Group

Atty. Ana Carmel Erika V. Reblora (Atty. Reblora) of the LD participated and served as resource speaker in the following Data Privacy Orientations and lectures for external stakeholders:

- Trinity University of Asia: *Safeguarding Student Privacy and Data Security - Data Privacy Awareness*
- Pascual Laboratories: *Data Privacy Seminar for Pascualab and Subsidiaries*
- Mariano Marcos Memorial Hospital and Medical Center: *Data Privacy Act in The Workplace: Orientation on Data Privacy*
- VRP Medical Center: *Data Privacy in Hospital Industry*
- Mariveles Mental Wellness and General Hospital: *Security Incident and Data Breach Management Training*
- Our Lady of Lourdes Hospital: *DPA Talk for Physicians*
- Lung Center of the Philippines: *DPA Orientation*
- Tagum Global Medical Center Inc.: *Data Privacy Seminar*
- The Medical City Clinic: *Data Privacy and Protection Seminar*

Atty. Mendoza of the LD, as member of the APEC CBPR Committee and representative of the NPC to APEC CBPR and Global CBPR Forum working group meetings and conferences, served as a resource speaker for the following panel sessions:

- CBPR Workshop: Regulator Panel (Japan)
- APEC Digital Trade Policy Dialogue: building Conducive Regulatory Environment to Maximize the Flow and Impact of Data Physical (Palm Springs, California, United States of America)
- APEC First Senior Official Meeting DESG-Data Privacy Sub-Group (Palm Springs, California, United States of America)
- Workshop on Facilitating Cross Border Data Flows in Southeast Asia (Singapore)
- APEC Third Senior Official Meeting DESG-Data Privacy Sub-Group (Seattle, Washington, United States of America)
- Global CBPR Forum: CBPR 2.0 (San Diego, California, United States of America)

VIII. Trainings Attended

Members of the LD were able to attend the following trainings for 2023:

- Orientation on 2017 Omnibus Rules of Appointments and Other Human Resource Actions
- Training on the Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations
- Analytical Decision Making and Problem-Solving Skills
- Training on Technical Writing
- Quality Management System (QMS) ISO Trainings

IX. Conclusion

It is evident that the LD has reached greater heights and has overwhelming achievements, not only in terms of its core functions and outputs, but also its own service improvements, personal capability enhancement, and career growth. The LD learned how to be more resilient to challenges, innovative in finding ways to solve problems and be self-sustaining, despite the uncertainties brought about by post-pandemic recovery measures and budget constraints.

The LD commits to continue its efficient and effective delivery of services for the NPC and its stakeholders, render public service over and beyond its mandate and live up to the expectations of the Commission. The accomplishments of the LD will not be possible without the contributions, hard work, and dedication of all LD personnel. With the support of the management, the LD is confident that it will sustain its excellent performance in the years to come.

BROADENED REACH OF DATA PRIVACY COMPLIANCE

COMPLIANCE AND MANAGEMENT DIVISION (CMD)

Part of the mandate of the Commission is to administer and implement the provisions of the Data Privacy Act of 2012 (DPA), monitor, and ensure compliance of the country with international standards set for data protection and ensure compliance of personal information controllers (PIC) and personal information processors (PIP) with the provisions of the DPA.

The Compliance and Monitoring Division (CMD) is continuously working with the PICs and PIPs, whether in the private or government sectors, not only in regulating but also providing support in complying with the DPA. The various units of the CMD oversee these activities and initiatives, namely: Compliance Checks Unit (CCU) which ensures the entities' compliance with the DPA of 2012, its IRR, and other NPC regulations through the conduct of different modes of Compliance Checks as provided under NPC Circular 2018-02; Breach Notifications Unit (BNU) which receives and evaluates personal data breach notification reports under NPC Circular 16-03; Registration and Monitoring Unit (RMU) which handles the registration applications of PICs and PIPs as provided under NPC Circular 2022-04; and lastly, the Compliance Support and Advocacy Unit (CSAU) which conducts speaking engagements, seminars, and trainings on Data Privacy Act of 2012, Privacy Management Program, Security Incident Management, and Privacy Risk Assessment.

Data Protection Officer (DPO) Registration

Among CMD's mandate is to ensure that various entities belonging to identified crucial sectors are registered. In 2022, the Circular on Registration (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) was published. This provides guidelines for the PICs and PIPs in the registration of their Data Processing Systems through the National Privacy Commission Registration System (NPCRS).

The CMD also processed **three thousand forty-six (3,046) amendment requests**; and by the end of 2023, the CMD was able to issue a total of **four thousand four hundred eighty-five (4,485) Certificate of Registrations (Organizations and Individual Professionals)**.

TOP 5 Registration Sector

SECTOR	No. of New Registrants
Financial Service Activities	542
Healthcare Facilities	306
Real Estate	245
Retail/Trade	271
Education	232

Compliance Checks

The Compliance Check Unit (CCU) has the primary function of monitoring the compliance of PICs and PIPs with the DPA and other issuances of the Commission.

By the end of 2023, the CMD has successfully conducted a total of **forty (40)** on-site visits to private and government sectors; **five hundred seventy-eight (578)** Privacy Sweeps (PS), issued **nineteen (19)** Notice of Documents Submissions (NDS) and **sixty-one (61)** 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.

YEAR	TOTAL NO. OF COMPLIANCE CHECKS (OSV, PS, NDS, WL)
2023	698
2022	685
2021	641
2020	368
2019	345

Breach Handling

CMD's Breach Notifications Unit (BNU) received and initially evaluated a total of **two hundred and eighty-three (283) personal data breach notifications (PDBNs)** received through the Data Breach Notification Management System (DBNMS). The most common causes for these breaches include Human Error with a total of **one hundred thirty (130)** and Malicious Attack which has a total of **one hundred fifteen (115)**. Further, the specific causes vary from negligence in sending email blasts, lost or misplaced documents for the former, and ransomware attacks for the latter.

GENERAL CAUSES	NO.	PRIVATE	GOV'T.
Malicious Attack	130	231	52
Human Error	115		
System Glitch	10		
Malicious attack/ Human error	16		
Malicious attack/ System glitch	3		
System glitch/ Human error	9		
Total	283		

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 and eight (1,008)** email inquiries were acted upon.

TOTAL INQUIRIES RESOLVED	NO.
Simple	929
Complex	79
TOTAL	1,008
Registration	552
Renewal	129
General Inquiry	110
Complaint	147
Reports (ASIR, etc.)	39
Breach Notification	25
Request for Training	4
Miscellaneous	2

Furthermore, the CMD also conducted a total of one hundred and eleven (111) speaking engagements on personal data privacy compliance both to public and private sectors.

ENSURED WORLD CLASS DATA PRIVACY POLICY AND STANDARDS ESTABLISHED IN THE COUNTRY

DATA SECURITY AND TECHNOLOGY STANDARDS DIVISION (DSTSD)

Issuance of Standards and Guidelines for Data Protection

In 2023, the Data Security and Technology Standards Division (DSTSD) finalized two (2) circulars, both of which received approval and were signed by the Commission. Additionally, the DSTSD is currently developing an advisory and is working on another circular.

The first approved Circular titled "Prerequisites for the Philippine Privacy Mark (PPM) Certification Program" (NPC Circular 2023-05) aims to assess how organizations process personal information and implement appropriate data protection measures and policies not only conforming with the Data Privacy Act of 2012 (DPA), but also with international data protection standards. Furthermore, this program will also allow data subjects to identify trustworthy organizations who process their data in a privacy-respecting manner.

This program's goal is to prepare the Accreditation Body, the Certification Bodies, and applicant organizations through a phased and staggered approach. This involves certification of ISO/IEC 27001, followed by ISO/IEC 27701, and finally, conformity with the PPM criteria set by the NPC. The Commission approved this Circular on 25 October 2023 and is scheduled for publication on 15 March 2024.

The second approved Circular, titled "Security of Personal Data in the Government and the Private

Sector" (NPC Circular 2023-06) calls for periodic review, gap analysis, and continuous improvement of the rules issued by the Commission. This Circular takes into account continued relevance, applicability, dynamic nature of the Commission's operations, technological advancements, evolving data processing, and the ever-changing landscape of cyber security and data privacy. This Circular, which repeals the NPC Circular 16-01, expands its previous scope from being limited to the Government to now include the private sector. It also harmonizes changes in certain provisions and generalizes security requirements. The Circular was approved by the Commission last December 01, 2023, and is slated to be published on March 15, 2024.

In the pipeline, the DSTSD is working on an Advisory titled "Guidelines on Privacy Engineering for systems life cycle processes. The Advisory lays out several strategies in integrating data privacy from the beginning to the end of systems and software engineering life cycle processes. Although initially drafted as a Circular, it has been restructured into an Advisory for better applicability.

At present, the DSTSD is in the process of drafting a Circular titled "Guidelines for the Data Privacy Regulatory Sandboxing". This Circular pertains to promote responsible innovations to data processing involving the use of novel technologies such as Artificial Intelligence, Biometrics, and Privacy-Enhancing Technologies. The Circular aims to help the NPC stay abreast with emerging technologies

and their potential impacts on privacy. Its main objective is to protect the rights of data subjects and enhance the NPC's regulatory capabilities by using the insights gained to shape its regulatory intervention such as technical reports, advisories and circulars. This circular is currently in the initial phase of development in coordination with the Policy Review Division (PRD).

Development of ISO/IEC Standards on Privacy Technologies and Identity Management

The DSTSD has been actively involved in the standards development initiatives of the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). As part of the Joint Technical Committee (JTC) 1 focusing on Information Technology and specifically the Sub-Committee 27 (SC 27) dedicated to Information security, cybersecurity, and privacy protection through our national standards body, the Bureau of Philippine Standards (BPS), the DSTSD has made significant contributions to the development of international and Philippine National Standards at various stages. Additionally, the DSTSD is part of the Working Group 5 (WG 5) which focuses on Identity Management and Privacy Technologies. The DSTSD regularly participates in the SC 27 Plenary and WG 5 Working Group Meetings to express Philippine positions on data protection standards.

In the BPS' mirror committee, the Technical Committee 60 (TC 60) and Sub-Committee 1 (SC1), the DSTSD regularly contributes to the standards development initiatives as participating members in shaping Philippine National Standards on information security, cybersecurity and privacy protection.

It is worth noting that the DSTSD has taken on notable role as co-editor of the following ISO/IEC/ JTC 1/ SC 27/WG 5 projects such as:

- ✓ ISO/IEC 27557:2022 - Information security, cybersecurity and privacy protection - Application of ISO 31000:2018 for organizational privacy risk management (Published)
- ✓ ISO/IEC TS 27560:2023 - Privacy technologies - Consent record information structure (Published)
- ✓ ISO/IEC TR 27563:2023 - Security and privacy in artificial intelligence use cases - Best practices (Published)

- ✓ ISO/IEC Draft International Standard (DIS) 27562 - Privacy for fintech services
- ✓ ISO/IEC Preliminary Work Item (PWI) 6087 - Digital authentication: Risks and mitigations

Moreover, the DSTSD was tasked with the following significant responsibilities:

- ✓ WG 5 Liaison Officer to the Global Privacy Assembly (GPA)
- ✓ GPA Liaison Representative to WG 5
- ✓ SC 27 Advisory Group on Strategy (AG 5) Member

Assessment Of Existing and Emerging Technologies

The DSTSD initiated the development of assessments for both existing and emerging technologies that deal with data processing. The first initiative is the creation of Whitepaper on Artificial Intelligence (AI). With the rapid development of AI, this technology is prevalent in different sectors such as healthcare finance and transportation. As AI systems become more sophisticated and capable of processing large amounts of personal information, the potential of AI to be misused also increases. Therefore, the Whitepaper, which is currently under development, aims to delve the significance of data privacy in AI, discuss the key challenges and opportunities, and provide recommendations for the Commission and organizations to implement sound data protection practices on AI.

The second initiative is the development of a Technical Report on Privacy Enhancing Technologies (PETs). In an era where data drives significant advancement across various sectors, concerns about data misuse, unauthorized processing persist. PETs have emerged as a means towards unlocking the value of data while ensuring individual privacy. The technical report, which is currently in progress, discusses the evolving data privacy landscape, challenges, opportunities, concerns and regulation-shaping discussions and recommendations to the Commission.

Lastly, the DSTSD conducted assessments of mobile applications through Data Privacy and Security Advisories (DPSAs) on the following apps:

- Yearbook AI Generator: Epik AI Photo Editor
- Lucky Star Pcsso Lotto

Coordination with Other Government Agencies, Private Sector to Identify Minimum Standards for Data Security

In order to assist the NPC in its coordination efforts with other government agencies, international organizations, and the private sector on matters relating to data security, the DSTSD, has been actively involved in various activities. These activities, which include consultation sessions and speaking engagements have been instrumental in facilitating effective collaboration:

1. Meetings of the National Cybersecurity Inter-Agency Committee (NCIAC)
2. The Workshop on the Reconstitution of National eHealth Program and Strategy and the Stakeholder Consultation for the eHealth Strategy 2023-2028
3. Ayala Group Data Privacy Training
4. Knowledge Session on Cybersecurity in Fintech and E-commerce by the Department of Information and Communications Technology (DICT)
5. IEC-NCP General Membership Assembly
6. SME Roving Academy: Data Privacy Law and Regulation Training for San Dionisio Credit Cooperative by the Department of Trade and Industry (DTI)
7. Seminar on Safeguarding Your Business: ISO/IEC 27001 Information Security Essential by DNV AS Philippine Branch
8. Peer Review of the Philippine Digital Forensics Manual Draft
9. Conversation on Data SecurIT by Akubo
10. Data Privacy and Internet Awareness Training for Barangka Credit Cooperative by the DTI
11. Materiality Assessment Interview of GCash and KPMG
12. AI Focus Group Discussion: Data Privacy, Security, Integrity, and National Standards on AI by the DICT
13. 1st Annual Philippine CERT Conference

Furthermore, the DSTSD has also accepted media interviews on various topics like TikTok App, AI Filters, and the DPA through the following programs:

1. I-Witness with Mr. Howie Severino (Think B4 U TikTok)
2. UNTV: Serbisyong Bayanihan with Ms. Annie Rentoy & Ms. Jackie Aquino
3. One Balita Pilipinas with Ms. Cheryl Cosim (AI Filters)

The DSTSD also submitted significant contributions on the following:

1. Global Data Regulation Diagnostic – The World Bank Group – Survey on Artificial Intelligence
2. Statement from DSTSD on Phishing Scams – Media Inquiry regarding Petron Phishing Scam
3. DSTSD Inputs on Canada Non-Paper regarding the proposed article on source code
4. Contributions on the National Cybersecurity Strategy 2023-2028
5. Password Guidelines for PSST! Campaign
6. Comments on the Critical Information Infrastructure Protection Act
7. Inputs on CID's request on their project proposal entitled Data Subject and Rights Protection from Online Lenders
8. Comments on the DTI-BPS regarding CET-SEA Landscape and Research Report
9. Inputs on the Aboitiz Data Innovation Letter for Regulatory Sandbox
10. Information on Ransomware Guidance
11. Inputs on the ASEAN Guide to AI Governance and Ethics
12. Additional Inputs on the FAQs for PHILHEALTH Ransomware Attack, requested by (Public Information and Assistance Division) PIAD

PRIVACY POLICE OFFICE (PPO)

The Privacy Policy Office (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.

POLICY DEVELOPMENT DIVISION (PDD)

In the face of an ever-evolving digital landscape and heightened concerns surrounding the protection of personal data, the Policy Development Division (PDD) has remained steadfast in its commitment to fortifying data privacy standards and measures to align with the National Privacy Commission's (NPC) vision of ensuring world-class data privacy standards in the Philippines.

Through the persistence and dedication of PDD personnel on policy formulation, knowledge-sharing, and other strategic initiatives, the NPC issued relevant policies and meaningful inputs that foster compliance, guide and empower stakeholders, and proactively address emerging challenges in the realm of data privacy and security.

Hence, as we reflect upon the culmination of another transformative year, the PDD takes immense pride in presenting a comprehensive overview of our noteworthy achievements for the year 2023:

Develop Standards and Policies

Circulars and Advisories

The PDD remains dedicated in developing issuances containing standards and policies that serve as guides for government agencies and the private sector in complying with the requirements of the Data Privacy Act of 2012 (DPA) to further strengthen the protection of personal data in the country. For 2023, the PDD was able to release the following issuances in coordination with various stakeholders:

1. NPC Advisory No. 2023-01 on Guidelines on Deceptive Design Patterns, which provides guidance to personal information controllers (PICs) on the nature of deceptive design patterns, and its impact on the lawful processing of personal data based on the data subject's

consent and in line with the general privacy principles. It aims to prevent the usage of deceptive design patterns on analog and digital interfaces.

2. NPC Circular No. 2023-03 on Guidelines on Identification Cards, which directs PICs issuing ID cards to ensure that only the necessary personal data are indicated therein in relation to the primary purpose of identifying the data subject. ID cards shall not contain information that is excessive. PICs shall bear the burden of demonstrating that the inclusion of a particular category of personal data is proportionate to the legitimate purpose.
3. NPC Circular No. 2023-04 on Guidelines on Consent, which applies to all PICs engaged in the processing of personal data based on the consent of the data subject. This Circular provides guidance on what constitutes valid consent, and how it shall be obtained and managed in compliance with the DPA and its IRR.
4. NPC Circular No. 2023-07 on Guidelines on Legitimate Interest, which applies to all PICs and third parties engaged in the processing of personal information based on legitimate interest under Section 12(f) of the DPA. This Circular provides guidelines for PICs and third parties relying on legitimate interest as a lawful basis to process personal information for a specific processing activity.

Likewise, other priority issuances are ongoing review and further revisions on the following topics:

- Closed-Circuit Television (CCTV) Systems
- Comparison of Contractual Clauses
- Children's Personal Data
- Body-Worn Camera
- Portable Storage Devices.

In compliance with Anti-Red Tape Authority (ARTA) requirements, the PDD conducted Preliminary Impact Assessments (PIAs) as part of the formulation of Circulars, particularly on the following issuances: Consent, ID Cards, CCTV, and Legitimate Interest. The resulting Preliminary Impact Statement (PIS) contained the identified impacts of government intervention and provided an analysis of the policy options considered by the agency in said regulations. The conduct of PIAs ensures that NPC issuances are responsive to the needs of the public, do not have undue regulatory burdens, and would not negatively impact organizations and citizens.

Complex inquiry responses

The PDD has responded to a total of three hundred forty-two (342) simple and complex inquiries through the official PPO email, delivering appropriate assistance to all stakeholders who sought clarification on matters relating to data privacy and relevance.

Similarly, the PDD has prepared a revised version of the Frequently Asked Questions (FAQs) that is being used by PIAD in addressing simple inquiries. The said FAQs is a 111-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.

PDD also provided several inputs for the proposed Sectoral Privacy Code issuance.

Manage International Commitments

The PDD is instrumental in fulfilling NPC's mandate to ensure proper coordination with data privacy regulators in other countries and private accountability agents to perform acts that are necessary to facilitate cross-border enforcement of data privacy protection.

Considering that the NPC is a member of several international networks and organizations

relating to privacy and data protection, the PDD continues to be significantly engaged in different international working groups, committees and sub-committees on privacy, data protection, digital economy, digital data governance, and e-commerce to collaborate on activities and programs aimed at strengthening the Philippines' data privacy standards.

As in previous years, the PDD has an instrumental role in NPC's international commitments milestones this 2023. These include drafting and submission of inputs on jurisdiction reports/updates, presentations, letters, comments, recommendations, resolutions, concept papers, position papers, surveys, statements, declarations, and other communication with regulators within and without the country.

In particular, the PDD has prepared, reviewed, and provided inputs on various documents and facilitated timely correspondence as part of its day-to-day work in the following:

- Asia Pacific Economic Cooperation
 - Digital Economy Steering Group
 - Data Privacy Subgroup
 - Cross-border Privacy Rules System
 - Cross-border Privacy Enforcement Arrangement
 - APEC Philippines Technical Board on APEC Matters
 - Accountability Agent nomination tasks
- Asia Pacific Privacy Authorities
 - Governance Committee
 - Communications Working Group
- Association of Southeast Asian Nations
 - Digital Data Governance Working Group
 - ASEAN Data Protection and Privacy Forum
 - ASEAN Coordinating Committee on E-Commerce
 - Other ASEAN sectoral bodies such as ASEAN Digital Senior Officials Meeting (ADGSOM)
- Global Forum Assembly (Global Cross-Border Privacy Rules Forum):
 - Membership Committee
 - Communications and Stakeholder Engagement Committee Chairperson
- Global Privacy Assembly
 - GPA Secretariat
 - Data Sharing for the Public Good Working Group

- Global Frameworks and Standards Working Group
- Digital Economy Working Group
- Digital Education Working Group
- International Enforcement Cooperation Working Group
- Digital Citizens and Consumers Working Group
- Data Protection Metrics Working Group
- Data Protection and Other Rights and Freedoms Working Group (*proposed*)
- Ethics and Data Protection in Artificial Intelligence Working Group (*proposed*)
- World Bank (WB)
- World Trade Organization (WTO)
- Indo-Pacific Economic Framework for Prosperity (IPEF)
- Close coordination with the following Philippine government agencies in all other matters requiring inputs from the NPC pertaining to data privacy and related frameworks, *i.e.*, intersections of, and promoting regulatory co-operation between, the privacy, consumer protection, competition/anti-trust, etc. regulatory spheres:
 - Department of Foreign Affairs (DFA)
 - Department of Information and Communications Technology (DICT)

- Department of Trade and Industry (DTI)
- Philippine Competition Commission (PCC)

To highlight, PDD personnel were the representatives of the Philippines and the NPC in the following international conferences and events:

- Second Consultative Workshop for the Study on ASEAN Digital Economy Framework Agreement (DEFA)
 - Jakarta, Indonesia (14 February 2024)
 - Bangkok, Thailand (18-19 May 2023)
- Workshop on Facilitating Cross-border Data Flows in Southeast Asia, Singapore (2-3 March 2023)
- Workshop on Global CBPR Forum at One Year: Challenges and Opportunities, London, United Kingdom (18-20 April 2023)
- 44th Plenary Meeting of the Consultative Committee of Individuals with regard to the Automatic Processing of Personal Data (14-16 June 2023)
- 12th Asia Privacy Bridge (APB) Forum, Seoul, Korea, (12-13 October 2023)



Atty. Issa Gayas at the Regional Consultative Workshop on the Study on the Digital Economy Framework Agreement (DEFA), ASEAN Secretariat, Jakarta, Indonesia



Ms. Rodaiza Nonoy, Second Consultative Workshop - Study on ASEAN Digital Economy Framework Agreement (DEFA), Amari Watergate, Bangkok, Thailand



Atty. Issa Gayas and Dir. Franklin Anthony M. Tabaquin IV at the Facilitating Cross-Border Data Flows in Southeast Asia - U.S.-Singapore Partnership for Growth and Innovation Workshop, Singapore



Atty. Issa Gayas at the Regulator Panel, Global CBPR Forum at One Year: Challenges and Opportunities workshop, with UK Information Commissioner's Office, Bermuda Office of the Privacy Commissioner, Infocomm Media Development Authority, Singapore, and Centre for Information Policy Leadership (CIPL), held in London, United Kingdom



Atty. Mark Pura and Dir. Franklin Anthony M. Tabaquin IV, 44th Plenary meeting Consultative Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention 108) Strasbourg, France



Atty. Issa G. Gayas, 12th Asia Privacy Bridge Forum, Hosted by Yonsei's University Barun ICT Research Center, the Personal Information Protection Commission of Korea, the Korea Internet and Security Agency, and the Korea CPO Forum

Negotiate Agreements

The PDD provided the necessary support for the NPC to fulfill its mandate of negotiating and contracting with other data privacy authorities of other jurisdictions and facilitating cross-border enforcement cooperation. This includes bilateral agreements with data privacy regulators, memberships in international privacy bodies/networks, international enforcement cooperation, and supplemental agreements to an existing commitment, as follows:

- Inputs on the draft Memorandum of Understanding between the NPC and Office of the Data Protection Commissioner, Dubai International Financial Centre (DIFC)

Recommend Laws/ Amendments to Philippine Privacy Laws

In 2023, the PDD continued its efforts on drafting a proposed bill amending the Data Privacy Act of 2012. These amendments include clarifying the scope, definitions, powers of the Commission, lawful criteria for processing, among others. Additionally, the PDD regularly reviews the DPA's Implementing Rules and Regulations (IRR) to identify repealed provisions and updated IRR for website posting.

The PDD also prepared comments on behalf of the Commission on proposed legislations including comments on various Senate Bills on the use of CCTV.

- Global Cooperation Arrangement for Privacy Enforcement (CAPE)
- Global Online Safety Regulators Network - application as Observer
- GPA Global Cross Border Enforcement Cooperation Agreement (proposed)
- Draft Collaboration Plan for the MOU (PH NPC and SG PDPC)
- Inputs on the draft Memorandum of Understanding between the NPC and KVKK (Turkish Data Protection Authority), Türkiye

Engagement with stakeholders in the government and other sector activities

In crafting consistent data privacy standards and policies, the PDD has regularly participated with numerous undertakings, requiring extensive coordination with government agencies and the private sector on their privacy and data protection concerns.

These include inter-agency coordination with the Department of Foreign Affairs, Department of Trade and Industry, Department of Information and Communications Technology, National Telecommunications Commission, Philippine Competition Commission, and the Philippine National Police.

The PDD is also a member of the following external committees and technical working groups (TWG):

- PhilSys Inter-Agency Committee (IAC): Use Cases and Authentication IAC and Communications IAC
- SIM Registration IRR TWG
- Community-Based Monitoring System (CBMS)
- National Anti-Money Laundering and Countering the Financing of Terrorism Coordinating Committee (NACC) – Financial Intelligence, Law Enforcement, and Prosecution Sub-Committee (FILEPSC)
- National Strategy for Financial Inclusion (NSFI) Financial Inclusion Steering Committee (FISC) Open Data Core Group
- Technical Working Group (TWG) on the proposed Watchlist Assistance Support Program (WASP)

The PDD has also demonstrated unwavering commitment in 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.

US FTC, DTI, and NPC Workshop on Emerging Technological Sector Issues in Consumer Protection and Privacy Investigations and Enforcement

The PDD led in the overall coordination for the preparation and conduct of the workshop on emerging technological sector issues in consumer protection and privacy investigations and enforcement in coordination with the Department of Trade and Industry and the Federal Trade Commission of the United States.

PDD personnel performed the following tasks in relation to the workshop:

- Agenda for the Workshop (Day 1-5)
- NPC Opening Message
- Day 3-4 Program Script
- Day 3-4 Hosting
- Printing of workshop materials and program
- NPC presentation for Day 3
- NPC preparation for Day 5 panel
- Post-Event Report - clean text (Day 3 and 5) as NPC assigned lead, and notes for Day 1, 2, and 4



US FTC, DTI, and NPC - Workshop on Emerging Technological Sector Issues in Consumer Protection and Privacy Investigations and Enforcement, Makati City, Philippines

Client Satisfaction Survey

The PDD received a rating of 3.12 – Satisfactory for January-June and 4.00 – Excellent for the 3Q of 2023.

Specifically for speaking engagements, the PDD earned an Excellent rating for all key performance indicators, namely: (1) Content, (2) Organization of Content, (3) Presentation Skills, and (4) Q&A.

Other support functions, internal events, and public education

Finally, PDD personnel has also performed additional roles to further advance the NPC's commitment to protect the personal data of data subjects and to foster a culture of privacy through the following:

- Serving as Resource speakers in DPA Orientations and DPO Briefings/Trainings/Webinars
- Active participation as committee members in the implementation of the Quality Management System (QMS) in the NPC
- Drafting of various Quality Management System (QMS) documents such as Operations Manual, Process Risk Assessment, and Corrective Action Reports
- Review of necessary documents as part of the Bids and Awards Committee (BAC)
- Collating of inputs from the Calls for Public Input
- Preparing Post-Activity and Post-Meeting Reports for further reference
- Active participation in internal meetings for the following:

- Assets and Property Inventory Committee
- APEC CBPR AA Nomination
- Bids and Awards Committee
- Committee on Anti-Red Tape
- Fees Committee on Administrative Fees and Charges
- Gender and Development Focal Point System TWG
- Health and Safety Committee
- Human Resource Development Committee
- Human Resource Merit Promotion and Selection Board (End User)
- Internal Affairs Committee
- Interim Management Information Systems Unit
- Performance-Based Bonus (PBB) TF and Creation of Sub-Committees/Focal Persons – National Competition Policy
- Program on Awards and Incentives for Service Excellence Committee
- Property, Plant, and Equipment Inventory Committee
- Quality Management System: Deputy QMR, Process Quality Review Team, Documented Information Team, and Workplace Improvement Team
- Screening Committee on Entitlement to Hazard Allowance and Other Magna Carta Benefits
- Senior Citizen, Youth, PWD committees
- 8888 Permanent Action Team

POLICY AND REVIEW DIVISION (PRD)

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

Advisory Opinions and Complex Inquiry responses

The PRD published close to thirty (30) Advisory Opinions on matters involving the interpretation of the DPA, its IRR and other issuances, and its applicability to specific circumstances. These Advisory Opinions addressed pressing privacy concerns involving law enforcement activities, access and disclosure to civil registry documents, questions on soft opt-in consent and fraud prevention initiatives, among others.

PRD also responded to seventy-four (74) complex inquiries on data privacy matters from stakeholders throughout the country on issues ranging from concerns on homeowners' association delinquent dues to taking pictures of data subjects' identification cards for verification purposes, as well as concerns on data sharing and the release of civil registry documents.

Law Reform and Legislative intervention

The PRD prepared various Position Papers and Comments on behalf of the Commission on proposed legislation filed before Congress, both from the House of Representatives and the Senate of the Philippines and likewise represented the NPC before various committee meetings and hearings.

The PRD submitted eighteen (18) comments/position papers to Congress concerning the data privacy implications on various pending legislation, most of which included recommendations for improvements on language and style on the proposed legislation. Some of the significant House and Senate bills reviewed include: The Online Philippine Pharmacy Act (OPPA), E-Governance Act, Internet Transactions Act, CCTV Act, Regulating the Use of Financial Accounts Scamming Act, and Magna Carta for Taxpayers.

PRD personnel were also invited to the signing of the Implementing Rules and Regulations of "The Protection of Children Against Online Sexual Abuse and Exploitation (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act" (Anti-OSAEC and CSAEM Act) on 18 May 2023.



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

- House Committee on Science and Technology
- Senate Committee on Public Order and Dangerous Drugs
- House Committee on Information Communications and Technology
- Senate Committee on Ways and Means;
- House Committee on Local Government

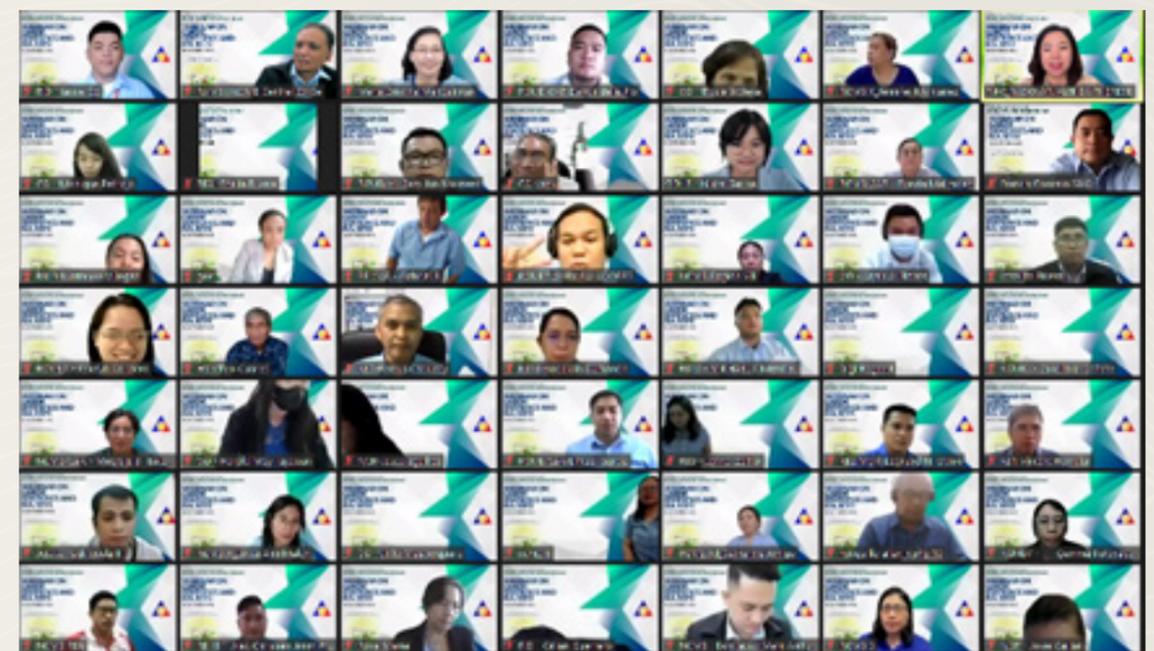
Other support functions, internal events, and public education

Members of the PRD were also tapped as resource speakers in several DPA Orientation and DPO Briefings/Trainings/Webinars, requested by various companies and organizations, who wish to know and learn more about data privacy and the DPA.

PRD personnel extended their assistance as far as Baler, Aurora to members of the Aurora Pacific Eco

Zone and Freeport Authority (APECO) last August 2023 and provided an orientation on the basic concepts of the Data Privacy Act of 2012.

Participation in internal events, meetings, and trainings such as the Privacy Awareness Week (PAW) 2023, *Kabataang Digital*, NPC Townhalls, QMS Trainings and Meetings, GAD activities, PPO Technical Competencies meetings, and various internal committee meetings form part of PRD's support functions for the benefit of NPC.



OFFICE OF DEPUTY PRIVACY COMMISSIONER DE JESUS

Decisions, Resolutions and Orders

The Commission through the Office of Deputy Privacy Commissioner De Jesus have reviewed five (5) Decisions, thirty (30) Resolutions, and forty-six (46) Orders (DROs). A total of eighty-one (81) DROs has been reviewed and drafted.

Digital Security and Privacy Quick Response

In accordance with the Memorandum of Agreement (MOA) linked between the Department of Information and Communications Technology (DICT) and the National Privacy Commission (NPC) on October 25, 2023, the NPC has initiated the Digital Security and Privacy Quick Response (DSPQR) Project, operating under the brand “Security and Privacy Response and Investigation Taskforce (SPRINT)”. This project aims to enhance cooperation between the NPC and DICT to support eGov Application of the DICT and respond to data security and data privacy concerns of the public.

To sustain and ensure the smooth operation of the aforementioned project, the Office of the Deputy Privacy Commissioner Atty. Nerissa N. De Jesus, assisted the NPC in collaboration with the DICT to allocate a budget amounting to twenty million six hundred sixty thousand and six hundred seventy-seven pesos, (₱20,660,677) to be downloaded to NPC for the implementation of the project. As a result, a total of five hundred two (502) data privacy and security concerns were docketed for the period covering November 03 to December 22, 2023.

“The SPRINT Project provided another avenue from which data security and privacy concerns of the public have been lodged and efficiently triaged to specific units within the NPC, DICT, and other NGAs. The SPRINT channel served as a one-stop portal where the public can communicate their concerns and complaints to various government units without needing to make an exhaustive search as to which unit can appropriately address the public’s concern.”

EMPOWERED DATA SUBJECTS

PUBLIC INFORMATION AND ASSISTANCE DIVISION (PIAD)

- A. **PUBLIC ASSISTANCE.** PIAD received and acted upon various inquiries and requests. Notably, the division responded to six thousand six hundred eight (6,608) email inquiries, and six hundred twenty-nine (629) phone inquiries, addressed one hundred eighty-three (183) FOI requests and handled one thousand six hundred fourteen (1,614) complaints via 8888 Citizens’ Complaints. PIAD also coordinated and processed two hundred fifty-one (251) invitations for DPA orientations.
- B. **PUBLIC INFORMATION.** PIAD issued thirty-five (35) press releases, press statements, and announcements. Additionally, four hundred three (403) updates were posted on social media platforms, resulting in a total engagement or reach of three hundred sixty-six thousand three hundred sixty-seven (366,367). Likewise, gathered six hundred twenty (620) participants during the annual Privacy Awareness Week, including DPOs, PICs, and PIPs. Furthermore, ten (10) webinars were conducted, comprising seven (7) DPA briefings and three (3) PSST! Events, with a total of one thousand ninety-five (1,095) online attendees. Held three onsite events: *Kabataang Digital* (KD) Caravan and Young Privacy Advocates Annual Summit 2023 in Metro Manila, drawing a total of seven hundred eighteen (718) students, including teachers. In total, three thousand thirty-two (3,032) participants attended both onsite and webinar events conducted in 2023..

PUBLIC INFORMATION		
Particulars	Total	Reach/Engagement
PRs/Press Statements/Announcements	35	n/a
SOCMED Posts	403	366,367
Webinars	7 DPA briefings - online <ul style="list-style-type: none"> • 23 Feb 2023 (357 pax) • 20 April 2023 (268 pax) • 21 & 27 June 2023 (240 pax) • 12 July 2023 (103 pax) • 18 Dec 2023 AM & PM (137 pax) 	1,095 participants

PUBLIC INFORMATION		
Particulars	Total	Reach/Engagement
Webinars	3 PSST! – online <ul style="list-style-type: none"> 13 Sept 2023 – Health (129 pax) 04 Oct 2023 – Cybersecurity (245 pax) 23 Aug 2023 – Education (149 pax) March 2023 – Women’s Month (76 pax) 	599 participants
2023 Privacy Awareness Week	1 PAW – onsite	800 participants including NPC employees
Kabataang Digital – onsite	3 schools <ul style="list-style-type: none"> 27 Sept 2023 / Gregorio Perfecto National High School (150 pax) 08 Nov 2023 / Philippine Science High School (214 pax) 28 Nov 2023 / Manila Central University – AM & PM sessions (354 pax) 	718 students

- C. **SOCIAL MEDIA MANAGEMENT.** There is an average increase of 17.34% in social media engagement compared to the previous year, with a notable rise in followers, particularly on Facebook and Instagram, which are the main social media platforms used for information dissemination.
- D. **WEBSITE MONITORING.** The New NPC website was officially launched during 2023 PAW but it was already available online since May 22, 2023.
- F. **INTERNAL SERVICES.** The following are the internal services provided by PIAD to other NPC units/divisions/offices.

INTERNAL SERVICE REQUESTS		
Particulars	Received	Acted Upon
Website Request Automation System (WRAS)	353	353
Multimedia Request Automation System (MRAS)	72	72
SocMed Request Automation System (SRAS)	69	69
Privacy Express issued	12	12

EFFICIENT AND EFFECTIVE DELIVERY OF SERVICE

QUALITY MANAGEMENT SYSTEM (QMS)

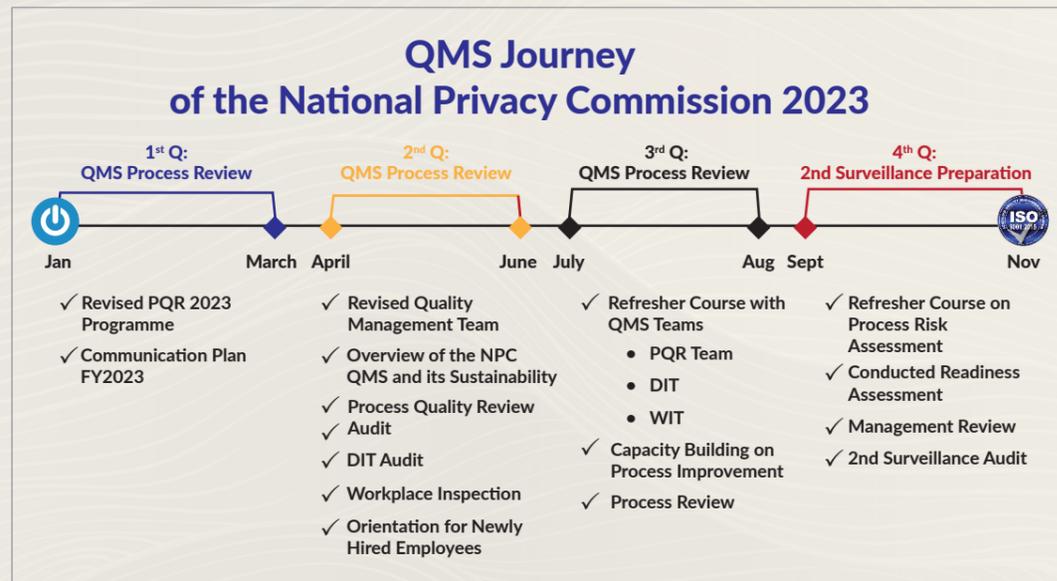
In compliance with the Executive Order (EO) No. 605, s. 2007, Institutionalizing the Structure, Mechanisms and Standards to Implement the Government Quality Management Program, Amending for the Purpose Administrative Order No. 161, s. 2006, the National Privacy Commission (NPC) started its Quality Management System (QMS) Certification Journey last December 2019 and the NPC was certified for International Organization for Standard (ISO) 9001:2015 Certification last December 31, 2021 by SOCOTEC Certification Philippines, Inc. (ISO Certifying Body). The Commission continues to endeavor for organizational excellence to sustain its ISO 9001:2015-certified Quality Management System. In the 3-year implementation of its QMS, the NPC has undergone enhancements, and organizational changes and has taken appropriate actions.

Status of Performance

The highlights of sustaining the QMS Implementation of the NPC are the following:

- Overview of the NPC’s QMS and its Sustainability
- Session on the Documentation of the Processing of the Service Request Delivery with Fees
- Orientation on NPC’s QMS for Newly Hired Personnel
- Capacity Building on Process Improvement - Review of NPC’s QMS Introduction to Process Improvement and Lean Methodology
- Capacity Building on Process Improvement - Root Cause Analysis (related to Corrective Actions) Eliminating NVAs
- Refresher Course on Process Quality Review
- Refresher Course on Control of Documented Information
- Refresher Course on Process Risk Assessment
- Conduct of Management Review
- Learning Sessions with 1st Surveillance Auditees
- Learning Session with Potential 2nd Surveillance Auditees
- Conduct a Readiness Assessment
- Conduct of the 2nd Surveillance Audit

Figure 1. QMS Journey of the National Privacy Commission



3rd Management Review

As part of our ongoing efforts to operationalize the programs, activities, and projects of the NPC and ensure their successful implementation for Fiscal Year (FY) 2024, the Financial Planning and Management Division (FPMD) and the Quality Management Team conducted a three-day NPC Operational Planning for FY 2024 and the 3rd Management Review from October 25th to 27th, 2023 at the NPC (October 25) and at TRYP by Wyndham Mall of Asia in Manila, Pasay City (October 26- 27).

The objectives of the 3rd Management Review are the following:

- Assess the overall performance of NPC from 2022 to the third quarter of FY 2023.

- Identify the factors that affected NPC's performance from the first to the third quarter of FY 2023.
- Craft a comprehensive program of actions for the 4th Quarter of FY 2023.
- Revisit and update, if necessary, the NPC's FY 2023-2028 Strategic Plan.
- Recommend the NPC's operational directions for the ensuing year 2024-2025, aligning them with the Commission's goals and objectives.

Figure 2 below provides a status of the identified ten (10) action items from the conducted 3rd Management Review. Eight (8) action items were completed and only two (2) are still in progress/pending:

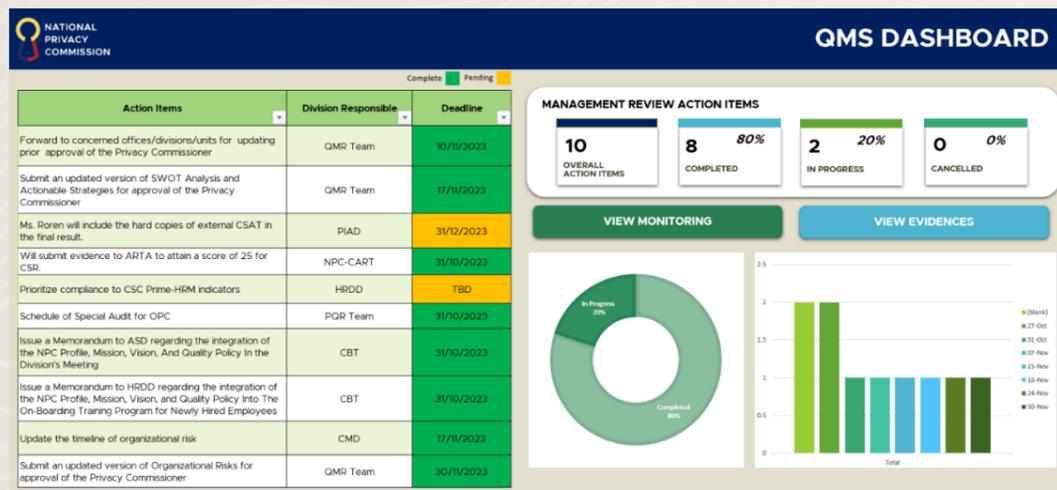


Figure 2. 3rd Management Review Action Items

2nd Surveillance Audit

The NPC was recommended to maintain the certification for the International Organization for Standard (ISO) 9001:2015 Certification by SOCOTEC Certification Philippines, Inc. (ISO Certifying Body) after the 2nd Surveillance Audit that was conducted on December 15, 2023. The Auditors found that the NPC processes adhere to the requirements of its functions and the quality management system implemented and sustained.

The Summary of the findings/results of the 2nd Surveillance Audit are the following:

A. Conformities

Legal and Enforcement Office

Effective implementation of the established process was evident during the audit of the Complaints and Investigation Division and Enforcement Division. Controls were effectively implemented as well.

Finance and Administration Office - Financial Planning and Management; Administrative Services Division; Human Resource Development Division

The established recruitment process was effectively implemented. Compliance with the CSC requirement was also evident. Trainings were identified as per training needs assessment and evaluation of training effectiveness was conducted consistently. Monitoring and maintenance of the service vehicles and the facility were also effectively implemented as per established procedures. Overall conformance was established.

Office of the Privacy Commissioner - Data Privacy Competency Program (Phil-DPO Program)

Compliance with applicable clauses of the standard was seen in the audit of the Phil-DPO program/Data Privacy Competency Program (DPCP). The controls established by the old Phil-DPO and the change management to be accounted for its full transition to DPCP were seen during the audit. Corresponding risks and opportunities about identified issues by the newly established program and during the transition period were considered and controlled appropriately, each with corresponding controls seen. Although not yet

monitored, there are also seen corresponding quality objectives set already, and action plans established. Proper allocation of resources, particularly manpower, was also noted.

Control of Documented Information

In summary, the organization is evident in adhering to the ISO 9001:2015 standards. Effective control of documented information, records, and external documents was noted during the time of the audit, and the auditee is evident to be knowledgeable in the controls established by the organization. Quality policy and appropriate use of accreditation marks were also verified during the time of the audit.

Internal Audit

All audits are conducted by qualified and competent personnel who are independent of the activity to be audited. An audit program was presented for taking into consideration the status and importance of the processes and areas to be audited as well as the result of the previous audits. The audit criteria, scope, and frequency are defined in the audit plan. The audit findings are brought to the attention of the concerned personnel through the issuance of CAR. The Internal audit report was reported to the top management during the management review.

Management Review

Overall, the organization provided appropriate and adequate evidence of the implementation of QMS 9.3. Required Management Review inputs and outputs were noted in the provided minutes of the meeting. Evidence of participation of the Top Management was also noted. The overall effectiveness of the QMS was effectively assessed through provided analyses per MR Input requirements, and continuous support and leadership of the Top Management, through RD and Division Chiefs, were seen through the provided resources as indicated in the MR Outputs.

B. Non-Conformities

None

C. Observations

For the Human Resources Development Division: There is a need to improve the timely submission of the Learning Application Plan as per Privacy Commission Order No. 015 dated September 1, 2020, which is fifteen (15) days after attending the L&D intervention.

For the General Services: Although there is no vehicle breakdown recorded, the Preventive Maintenance procedure of service vehicles needs to be updated regarding the frequency of PM activity.

There is a need to document the periodic checking of service vehicles every 10th day of the month.

As there is a recent reconstitution of the DPCP Committee, to be revisited next audit: monitoring of the measurable targets established per implementation of DPCP.

D. Opportunities for Improvement

For the Enforcement Division: Consistent updating of the Compliance Letter processing turnaround time can be further improved.

For the Human Resources Development Division: The recruitment process monitoring tool can still be improved.

For the Data Privacy Competency Program: Since there is an ongoing development of the Data Privacy Competency Program, the DPCP Committee may utilize this opportunity to establish and update their Operations Manual on the contingency plans per identified potential nonconforming outputs, particularly in the licensing, monitoring, and examinations.

For the Quality Management Representative Team: Analysis of the results of performance ratings, as discussed in the Management Review,

can still be improved, by providing a comparison of the performances per rating period, if applicable.

QMS Implementation for FY 2024

A Recertification Audit means that the NPC's QMS will undergo evaluations on its continued fulfillment of all the requirements of the ISO 9001:2015 (including legal and statutory requirements), the effectiveness of the NPC's QMS proactively responding to the inevitable changes using the PDCA/Continuous Improvement processes embedded in the QMS and the 3-year performance of the NPC Quality Management System, since its Stage 2 certification.

The capacity-building sessions will employ the following methodologies and activities:

- Onsite learning sessions will be conducted for topics that may require actual review of documents, processes, and standard implementations. These may be conducted for several hours per day, depending on the design of the capacity building.
- Onsite Lectures and Workshops: Interactive discussions between the resource persons and participants with practical and theoretical content and examples. Also, related workshop exercises to produce relevant outputs. Process documentation will also be done with this assistance.
- Coaching sessions will be conducted to guide the organization in producing the required outputs, as well as to prepare the personnel for the actual audit.
- Learning assessments on completion of some of the capacity-building sessions, participants will be evaluated on the subjects covered, using pre- and post-learning assessments.

ENSURED EFFECTIVE AND EFFICIENT FINANCIAL RESOURCES MANAGEMENT

FINANCIAL, PLANNING AND MANAGEMENT DIVISION

NPC Sustained 'Unmodified Opinion' from COA for 3rd Successful Year

The National Privacy Commission (NPC) has consistently received an Unmodified Opinion from the Commission on Audit (COA) for the third consecutive year as concluded in its Annual Audit Report (AAR) received on 25 June 2024. This reflects the Commission's dedication to maintaining transparency, efficiency, and accountability in financial management.

The COA audited all the financial statements of the NPC, which comprise the Statement of Financial Position as of December 31, 2023, and the Statement of Financial Performance, Statement of Cash Flows, Statement of Changes in Net Assets/Equity and Statement of Comparison of Budget and Actual Amount for the year then ended, and Notes to Financial Statements including a summary of significant accounting policies and other explanatory information.

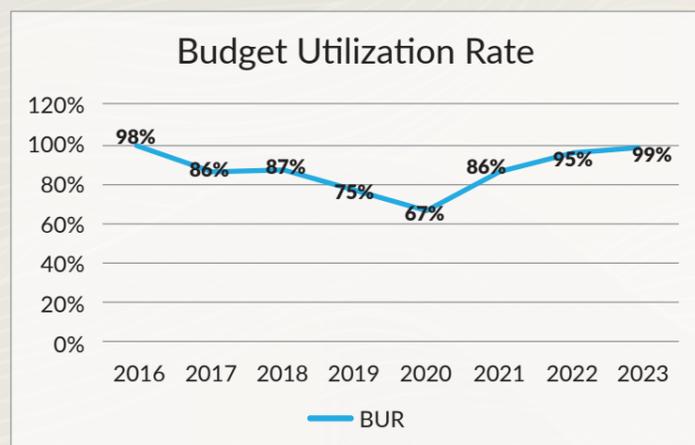
According to the Independent Auditor's Report, "...the accompanying financial statements present fairly, in all material respects, the financial position of the National Privacy Commission as at (of) December 31, 2023, and its financial performance, cash flows, changes in net asset/equity, and status of budget in relation to the actual amounts utilized/dispensed for the year then ended in accordance with the International Public Sector Accounting Standards (IPSAS)."

The Financial, Planning and Management Division (FPMD), headed by its Chief, Ms. Marilou C. Leelian

has remained steadfast in its commitment to deliver its role in the continued efficient fiscal management and optimal fund utilization of the Commission towards the fulfillment of its mandate and compliance with government statutory requirements.

Additionally, the Commission is qualified for the FY 2022 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 throughout the 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.

FINANCIAL PERFORMANCE



YEAR	ALLOTMENT	OBLIGATION	DISBURSEMENT	BUR (%)	
	(in thousand pesos)	(in thousand pesos)	(in thousand pesos)	as to Obligation	as to Disbursement
2016	27,712	27,034	21,885	98%	81%
2017	207,808	177,816	100,263	86%	56%
2018	159,434	139,344	128,222	87%	92%
2019	246,960	185,941	145,769	75%	78%
2020	230,475	155,054	144,774	67%	93%
2021	241,295	207,954	181,817	86%	87%
2022	240,698	229,653	216,185	95%	94%
2023	279,854	276,929	265,578	99%	96%

Based on the above figures, the NPC budget has increased significantly since its enactment in 2016. During the last eight (8) years, the Commission has had an average annual budget allocation of Php 204,280 million. The annual Budget Utilization Rate (BUR) of the agency has an average of 87%, however, there is a slight decrease in financial

performance from 2019-2020 due to the COVID-19 pandemic. Following this unprecedented event, the NPC ensured to deliver its fiscal target which reflects the high absorptive capacity of the agency. As of 31 December 2023, the agency has an annual ending BUR of 99% or Php. 276,929 million in obligations.

EXPENSE CLASS	TOTAL ALLOTMENT (in thousand pesos)	TOTAL OBLIGATIONS (in thousand pesos)	TOTAL UNOBLIGATED (in thousand pesos)	BUR
PS	153,973	153,830	142	100%
MOOE	125,532	122,753	2,778	98%
CO	350	345	5	99%
TOTAL	279,854	276,929	2,925	99%

2023 Budget Utilization Rate (BUR) under General Administration and Support (GAS)

The Finance and Administrative Office (FAO) under GAS provides overall administrative management support to the NPC operation. Activities under GAS include general management and supervision, administrative services, human resource development, and planning, budget, and financial management.

Based on the FY 2023 GAA, the table below shows budget allotment amounting to Php 166,659 million classified under GAS garnered an average of 99% BUR or Php 165,123 million as to obligation as of December 31, 2023:

GAS	TOTAL ALLOTMENT	TOTAL OBLIGATIONS	TOTAL UNOBLIGATED	BUR
PS	101,528	101,386	142	100%
MOOE	65,131	63,738	1,394	98%
CO	-	-	-	-
TOTAL	166,659	165,123	1,536	99%

2023 Budget Utilization Rate (BUR) under Operations

Based on the FY 2023 GAA, under the Regulatory and Enforcement Program, the table below shows budget allotment amounting to Php 113,195 million

classified under Operations and garnered an average of 99% BUR or Php 111,806 million as to obligation as of December 31, 2023.

OPERATIONS	TOTAL ALLOTMENT	TOTAL OBLIGATIONS	TOTAL UNOBLIGATED	BUR
PS	52,444	52,444	-	100%
MOOE	60,401	59,016	1,385	98%
CO	350	345	5	99%
TOTAL	113,195	111,805	1,390	99%

OVERALL FINANCIAL PERFORMANCE

FY 2023 Current Appropriations

In accordance with 2023 GAA (RA 11936), the Commission received a total adjusted allotment of Php 279,854 million and out of the said allotment a total of Php 276,929 million was obligated. Subsequently, a total of Php 265,578 was disbursed from these obligations. The NPC financial performance rate reached 99% as to obligations and 96% as to disbursements under the cash-budgeting system.

The NPC received an additional PS allotment of Php 49,654 million under Special Purpose Funds (SPF) which are composed of:

- Miscellaneous Personnel Benefits Fund (MPBF) which consists of Php 26,490 million intended for the payment of FY 2022 Magna Carta Benefits (Php 22,748 million) and FY 2021 Performance-Based Bonus (Php 3,742 million);
- Pension and Gratuity Fund (PGF) intended for the payment of Monetization of Leave Credits (MLC) and Terminal Leave Benefits (TLB) amounting to Php 1,973 million; and
- MPBF intended for payment of Salaries and Other Personnel Benefits amounting to Php 21,191 million.

Allotment Class	Amount
PS	88,860
MOOE	127,319
CO	4,000*
TOTAL (GAA 2023)	220,179
Additional Allotment Received:	
RLIP	10,021
SPF	49,654
Total Allotment Received	279,854

*Out of the total Php 4,000 million allocated for Capital Outlays, Php 3,650 million was realigned to MOOE following approvals from both the OP and the DBM.

EXPENSE CLASS	TOTAL ALLOTMENT	TOTAL OBLIGATIONS	TOTAL UNOBLIGATED	BUR
MOOE	9,701	9,300	401	96%
CO	559	447	112	80%
TOTAL	10,261	9,747	514	95%

FY 2022 Continuing Appropriations

In accordance with the Republic Act No. 11639 or the FY 2023 General Appropriations Act, the validity of the Maintenance and Other Operating Expenditure (MOOE) and Capital Outlay (CO) were extended for release, obligation, and disbursement until December 31, 2023.

Out of the remaining total allotment Php 10.261 million for FY 2022 continuing appropriations, a total amount of Php 9,747 million was obligated. Thus, the data shows that NPC has garnered a total of 95% BUR as to obligations as of 31 December 2023.

GAA-Performance Information				
Regulatory and Enforcement Program	2022		2023	
	Targets	Actual	Targets	Actual
Organizational Outcome (OO)/Performance Indicators				
Outcome Indicators				
1. Percentage of stakeholder who rated the privacy plans and policies as satisfactory or better.	75%	89.38%	75%	94%
2. Number of private sectors and government agencies checked for DPA compliance.	400	562	400	690
Output Indicators				
1. Number of Public Information / Education Projects implemented.	12	24	12	23
2. Percentage of requests for technical assistance responded to within the prescribed time frame.	80%	99.25%	80%	91%
3. Percentage of complaints and investigations resolved	70%	99.75%	75%	100%
4. Number of international membership or cooperation entered.	3	23	3	33
OVERALL ACCOMPLISHMENT AVERAGE	248.82%		306%	

BUDGET AND FINANCIAL ACCOUNTABILITY REPORTS (BFARs)

NPC was able to accomplish the timely submission of 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, 2023).

In the transition towards Cash Budgeting System (CBS), the NPC ensures the implementation-readiness of proposals through better procurement planning, programming of projects and activities, and coordination among 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. NPC also enhances its

monitoring of priority outputs and results, factoring in the “new normal” setting.

NPC likewise properly monitors 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.

PHYSICAL ACCOMPLISHMENTS

According to GAA performance measures under the REGULATORY AND ENFORCEMENT PROGRAM, NPC is guided by two (2) outcome indicators and four (4) output indicators with corresponding targets and accomplishments, as shown in Table 1.0. This is reflected in the agency's Physical Performance Measures 2023 to which all targets per indicator are accomplished by December 31, 2023. The Agency has a total average of 306%, a significant increase from the previous year's (2022) percentile of 248.82%. Summed below are details of NPC actual accomplishments of various sub-programs, activities, and projects for the period January to December 2023.

EMPOWERED, COMPETENT, MOTIVATED, RECOGNIZED, AND REWARDED NPC WORKFORCE

HUMAN RESOURCE DEVELOPMENT DIVISION

As a support arm of the Commission, the Human Resource Development Division (HRDD) has been consistent in its method of delivering its mandate, as it maximized the team's capacity to introduce various innovations on the hiring of applicants, developing the employees' skills and potentials, and maintaining their efficiency and effectiveness for the benefit of the whole organization. The team maintained the principle of being a "people's team" where sound/equitable judgements amid in all situations is ensured.

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

One hundred nine (109) Plantilla personnel and one hundred twenty-six (126) COS employees were hired from January to December 2023. Five hundred twenty-five applicants for 58 Plantilla positions were screened from January 2023 to October 2023. In collaboration with the HRMPSB, a speedy and effective recruitment was held during the 3rd quarter of CY 2023. The HRDD also facilitated the hiring of 416 Contract of Service (COS) personnel to augment manpower. This measure enabled the organization to function effectively and at full capacity, hence, equates to the productivity of the whole Commission. 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.

As a regular practice, the HRDD covers the process from hiring to the firing of employees. It is appreciated

that no incident of firing or termination has occurred in NPC – instead the employees either resigned or transferred to another agency for employment. The Division facilitated the processing of clearances and benefits of seventy-four (74) resigned/transferred employees from January 2023 to November 2023.

Personnel Performance Commitment

Through Special Order No. 086 s. 2023, the Strategic Performance Management System (SPMS) focal persons and their alternates (*per office*) were designated to assist in the implementation, review, and enhancement of SPMS within the organization. Also, an online briefing cum re-orientation on SPMS was conducted last July 10, 2023, for enhancement purposes.

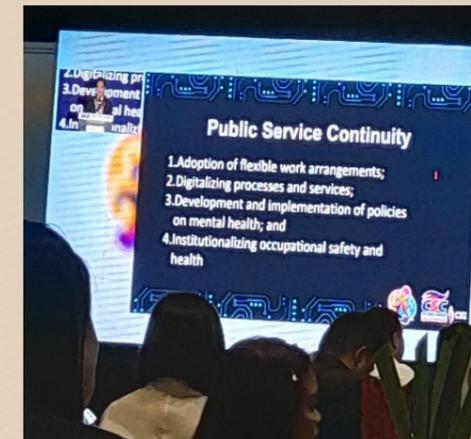
Learning and Development Program

One of the primary tasks of the HRDD is to help the Commission enhance the skills of its personnel to encourage them to perform better in their roles and uplift their confidence. The Division facilitated the provision of the following seminars/trainings to the designated NPC personnel:

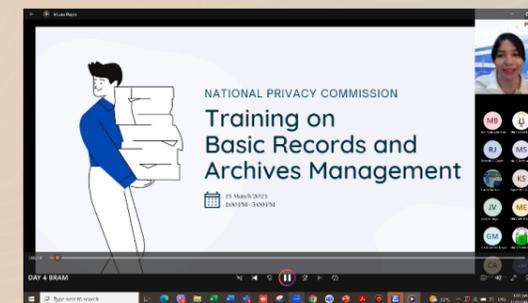
The HRDD conducted seven (7) external and internal trainings to various NPC personnel which includes

Mandatory Continuing Legal Education (MCLE), Orientation cum Workshop on Building Statistics on Volunteerism facilitated by National Economic and Development Authority (NEDA), Updates on Strategic Performance Management System (SPMS)

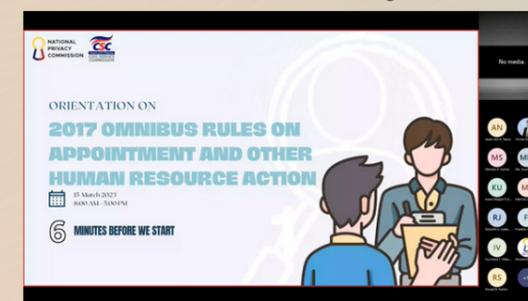
Implementation in Government and Performance-Based Bonus Implementation Status, and 2017 Omnibus Rules on Appointments and Other Human Resource Actions.



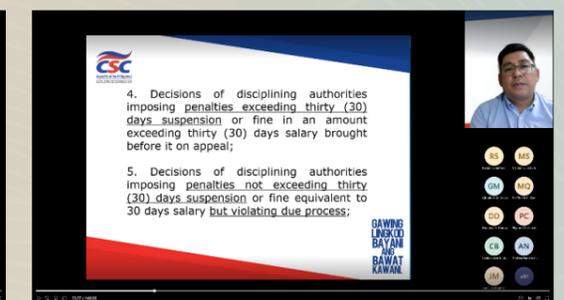
2023 Public Sector HR Symposium



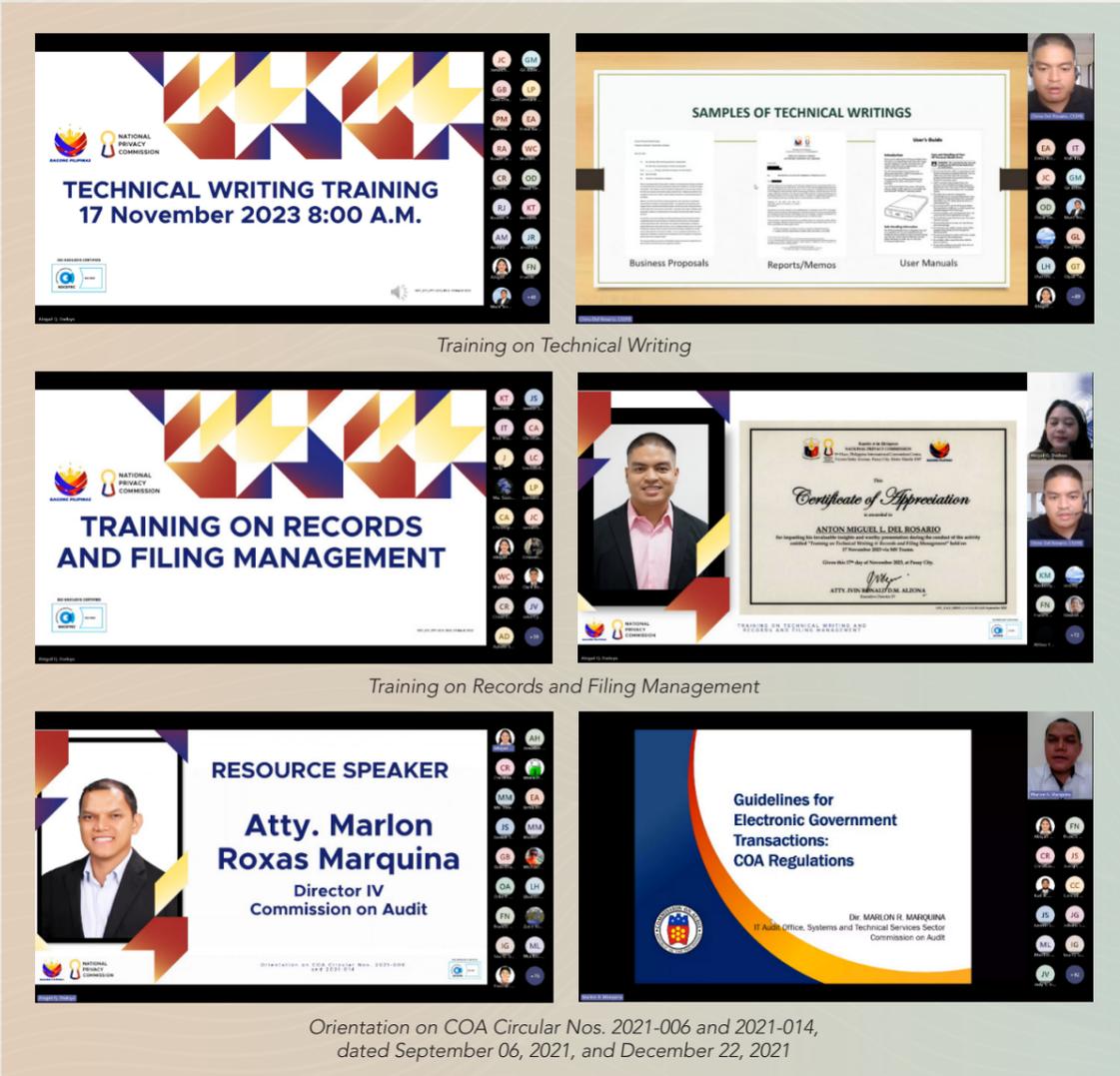
Training on Basic Records and Archives Management



2017 Omnibus Rules on Appointments and Other Human Resource Actions



Training on 2017 Rules on Administrative Case in Civil Service



Training on Technical Writing

Training on Records and Filing Management

Orientation on COA Circular Nos. 2021-006 and 2021-014, dated September 06, 2021, and December 22, 2021

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

To uplift the morale and productivity of the NPC workforce, various programs and activities 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

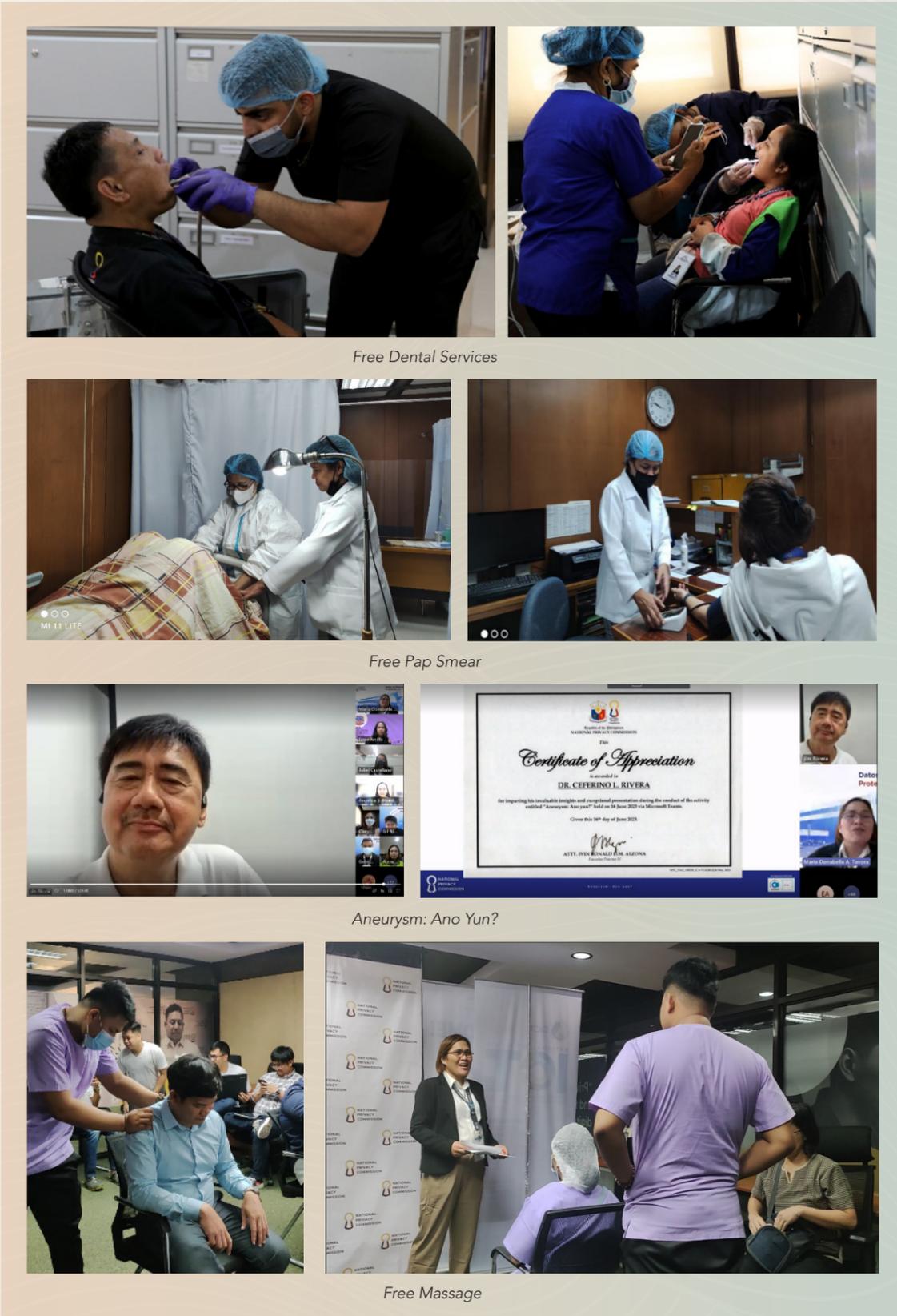
The HRDD ensured the on-time processing of compensation and benefits to help alleviate challenges caused by the difficult times. As the division understands that “a service delayed is a service denied”, payrolls and leave benefits were prepared/processed on time. Likewise, to ease up

the acquisition of daily time record (DTR) the division continued distributing automated copies.

Further, the division immediately notified the workforce on the financial needs of fellow employees, whether due to illness or demise of loved ones.

Employee Welfare Programs

The HRDD values both the intelligence quotient (IQ) and emotional intelligence quotient (EQ), as they provide eminent effect to high performance and personal leadership. Hence, activities were conducted under the Employee Welfare Program for CY 2023 which covered various dimensions, namely: physical, emotional, mental, spiritual, psychosocial, and financial.



Free Dental Services

Free Pap Smear

Aneurysm: Ano Yun?

Free Massage



DING! Ang bato



Free! Eye Check-Up



Obesity Awareness: Healthy Food Options



A Life of Purpose



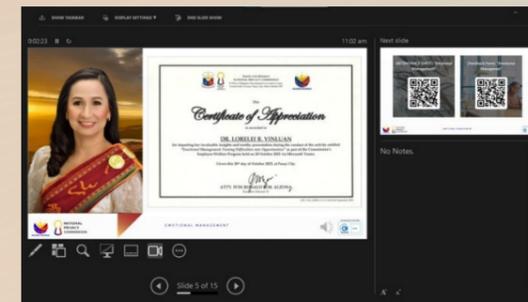
Pag-IBIG Loyalty Card Capturing



Zumba



Emotional Management II



Obesity Awareness: Healthy Food Options



Rewards and Recognition Program

The HRDD facilitated the implementation of the Annual Rewards and Recognition Program. Under the Program on Awards and Incentives for Service Excellence (PRAISE), planned and unplanned (*Gantimpala Agad*) awards were granted to deserving employees in the NPC. Certificates of recognition to the recipients of the *Gantimpala Agad* Awards were given during the weekly Flag Raising Ceremony.

Likewise, the recipients of the planned awards were conferred during the Employees Appreciation and General Assembly held on December 13, 2023, at 2:00 to 10:00 PM at the Bayview Park Hotel, Manila, to formally honor and celebrate accomplishments of the NPC's workforce over the past year. The event aims to boost morale and is a wonderful opportunity to show gratitude to employees for their dedication and hard work.

The table below summarizes the awards and the number of personnel recognized for FY 2023.

Title of Award	Number of Recognized Employees
Gantimpala Agad Award	
Recognition of efforts and excellent services based on the 1 st Quarter Internal	8
Remarkable contribution in creating a transformative PhilHealth Leak portal	8

The established motivational scheme called “Sincere Appreciation and Notable Achievements (S.A.N.A.) Wall” where all NPC officials and employees can post short notes of appreciation to fellow NPC workers and congratulate or recognize their notable achievements is continuously being recognized. The posted notes are announced during the conduct of Flag Ceremony every week, and a small token is

given by the HRDD to those who are recognized. This activity may look modest but the recognition itself may boost the morale of the recipient. This exemplifies an employee’s simple action may have a significant impact to the requestor. To quote Julie Bevacqua, “in order to build a rewarding employee system, you need to understand what matters most to your people”.

Type of Award	Group	Title of Award	Name of Awardee
Best Employee Award	Operations	Best Privacy Lawyer	Reblora, Ana Carmel Erika V.
		Best Public Assistance Practitioner	Martinez, Cleo R.
		Best Privacy Complaint Investigator	Francisco, Reginald L.
		Best Privacy Compliance Assessor	Monsanto, Cleto E.
		Best Privacy Policy Advisor	Pura, Mark Jeson L.
		Best Data Security Implementer	Plandor, Lennard A.
		Best Privacy Breach Responder	Venenoso, Amor G.
		Best COS Worker - Technical	Banag, Gobi Drake Perez

Best Employee Award	Support	Best Administrative Support	Abainza, Fionamae Hilda V.
		Best Administrative Aide	Siacor, Joseph M.
		Best COS Worker - Support	Arcilla, Erma Tenorio
		Best IT Support	Sola, Romeo Jr. P.

Exemplary Leadership Award	Rellosa-Saguiguit, Rasiela Rebekah D.L.
Best Organizational Unit Award	Legal Division
	Financial, Planning and Management Division
	Public Information and Assistance Division

Type of Award	Group	Title of Award	Name of Awardee
Public Service Award			Mendoza, Ma. Josefina E.
Best GAD Implementer			Legal Division
			Complaints and Investigation Division
			Public Information and Assistance Division
Loyalty Award			Paragas, Teresa

Employee Relations and Discipline

The HRDD always aims for zero case of violation in terms of discipline within the organization, thus it continuously promotes awareness on RA 6713 “An Act Establishing a Code of Conduct and Ethical Standards for Public Officials and Employees” and the “2017 Rules on Administrative Cases in the Civil Service” through the conduct of seminars and issuance of advisories. The Division believes that the employees can work professionally if provided with harmonious work surroundings and enhanced work relationships. The HRDD strives to guide the employees than to police them.

Management of Personnel Records and Statistics

As effective records management is significant in the organization’s smooth operations, the Division has developed a monitoring tool and conducted digitization of documents for easy retrieval and tracking of documents.

Aside from the regular tasks, the HRDD personnel also ensure that they do their part being “privacy

advocates” even in their simple ways - protecting their own personal information and sharing their knowledge about data privacy to friends, relatives, and neighbors.

Overall, the HRDD employees worked as a team which enabled them to perform well despite the complexity of tasks. The Chief has molded each member of staff to be an HR generalist – one who knows the processes within the division. She also instilled the value of pitch in among the team members. She played as the conductress for the group to work in harmony and synchrony to come up with effective outputs - all anchored from the “One NPC, One Team!” principle.

The hard work and dedication of the team were compensated each time the top management commends the HRDD on the initiatives and activities being facilitated specifically in relation to the employee health and wellness and other employee engagement activities. In addition, the positive effects of HR activities on the lives of the NPC employees inspire the team to perform to the next level.

ADMINISTRATIVE SERVICES DIVISION

With sound leadership demonstrated through provision of adequate support, constructive guidance, and appropriate empowerment, the Administrative Services Division was able to accomplish its primary task of providing the necessary and appropriate administrative support to the Commission’s initiatives towards fulfillment of its mandates, as highlighted in the following detail.

	Accomplishments
Procurement Unit	<ul style="list-style-type: none"> 100% of the 254 Purchase Requests (PRs) were successfully processed and purchased either thru Petty Cash Fund or by way of Bids and Awards Committee’s procurement process. 100% of the 57 Contracts/MOAs/Purchase Orders were successfully processed.

	Accomplishments
Supplies Unit	<ul style="list-style-type: none"> 100% of the 418 Requisition and Issue Slips (RIS) were successfully processed, either by release of requested supplies if readily available or by issuance of Certification of Non-Availability of Supplies (CNAS). Periodic Physical Count of Inventories of Supplies and Materials last July 13, 2023 were successfully conducted. 100% of available supplies programmed in the approved APP-CSE FY 2023 were successfully released/distributed to divisions/offices per quarter.
Property Unit	<ul style="list-style-type: none"> 100% or a total of 18 Property Acknowledgment Reports (PARs) were successfully processed and issued to requesting units/employees. Annual Physical Count of Property, Plant and Equipment last January 27, 2023 were successfully conducted.
Cashier Unit	<ul style="list-style-type: none"> 100% or a total of 7,844 payees/suppliers were successfully paid thru Check and LDDAP-ADA with a total amount of Php270,479,393.19 100% or a total of 186 collections were successfully deposited to the Bureau of the Treasury thru Landbank Malacañang 100% or a total of 221 Petty Cash Vouchers were successfully transacted/served. 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. 100% or 12 accountable public officers are successfully applied for Fidelity Bond
General Records Unit	<ul style="list-style-type: none"> 100% or a 4,521 incoming documents (internal/external) were successfully processed in accordance with the nature of the documents. 100% or a total of 2,696 requests for mailing/hand deliveries were successfully mailed/hand delivered upon receipt from requesting units/divisions/offices. 100% or a total of 897 internal issuances were successfully disseminated thru email upon receipt from requesting units/divisions/offices
General Services Unit	<ul style="list-style-type: none"> Transportation services was successfully provided to employees and requesting units for the following purposes: <ul style="list-style-type: none"> Shuttle Service from residence to Office and vice versa Shuttle Service to conduct on-site visits and on-site investigations conducted by CMD and CID, respectively Shuttle service to employees having health-related emergencies Shuttle services are also extended to family members for health-related emergencies Preventive maintenance regularly conducted for each NPC motor vehicle Continuous provision of Security and Janitorial Services in the NPC office Provision of Pest Control and Disinfection Services to safeguard the health of NPC employees from illnesses caused by pests, bacteria and viruses

GENDER AND DEVELOPMENT COMMITTEE

Executive Order No. 273 directs all national government offices and instrumentalities and local government units to take appropriate steps to ensure full implementation of the policies, strategies, programs, and projects outlined in the Philippine Plan for Gender-Responsive Development, and in consonance with Joint Memorandum Circular No. 2013-01 approving the implementing Rules and Regulations on the Localization of the Magna Carta of Women. This initiative aims to inspire and support development policy and practice, for social justice and gender equality.

Pursuant to aforementioned Executive Order and in accordance with Section 36 of Republic Act 9710 or the “Magna Carta of Women”, all government agencies are tasked to adopt gender mainstreaming as a strategy to promote women’s human rights and eliminate gender discrimination in their respective workplace. Pursuant to this, Gender and Development (GAD) programs addressing gender issues and concerns shall be designed and implemented based on the mandate of government agencies. To this end, the National Privacy Commission (NPC) ensures the effective implementation of the agency’s GAD programs, activities and projects, as well as the compliance of all repertorial requirements of oversight agencies.

During the third quarter of 2023, the NPC GAD Focal Point System (FPS) was reconstituted under Privacy Commission Special Order 066 s. 2023 which functions as the committee for planning, budgeting, monitoring and evaluation for gender and development, the creation and/or strengthening of gender and development focal points, and the generation and maintenance of gender statistics and sex-disaggregated databases to aid in planning, programming, and policy formulation.

Then and there, NPC GAD FPS launched a total of four activities during the whole duration of CY 2023 in pursuant to aforementioned laws and their implementing rules and regulations.

National Women’s Month 2023

Throughout the month of March 2023, the NPC enthusiastically joined in the nationwide celebrate of Women’s Month with theme of “WE (Women and Everyone) for gender equality and inclusive society” with the central idea of promoting gender equality and creating a society that is inclusive of all genders. To continuously support this annual advocacy, the NPC’s Gender and Development Focal Point System - Technical Working Group (GAD FPS-TWG) conducted a month-long series of GAD-related activities in line with the 2023 NWMC through the online conference. There were a total of 9 activities and event to commemorate and celebrate the National

Women’s Month as follows: (a) The NWMC Kickoff Ceremony: Seminar on Magna Carta of Women (MCW) or the RA 9710 on March 07 2023 provided opportunities to raise gender equality and inclusivity awareness, (b) The Lecture on Cervical Cancer and Prostate Cancer Awareness and the Free Pap Smear Test which was conducted in coordination with Human Resource Development Division (HRDD) on March 10, 2023 and March 17, 2023, respectively, highlighted the importance and values of Gender and Health related initiatives, (c) The Gender and Development Town Hall Meeting which was held twice (March 13 and March 20) during NWMC 2023 presented discussions on 2023 GAD Plans and Budget for the execution and implementation activities and initiatives consistent with the Philippine Development Plan 2023-2028, (d) The Privacy Safety Security and Trust Online (PSST) “Juana Talks: *Usaping Data Privacy para sa Kababaihan*” in coordination with Public Information and Assistance Division (PIAD), and NWMC Culminating Ceremony: Seminar on empowering Women Against Cybercrime held on March 29 and March 31 focused on making women knowledgeable on how to guard and assert their personal data privacy rights strengthening resilience against cybercrime, and lastly (e) the Purple Wednesdays held every Wednesday of NWMC and #WePaintPurple: Paint for Gender Equality and Inclusive Society implied as an act of solidarity to the causes of National Women’s Month. The month-long series of events and activities was involved by a total of one hundred thirty-three (133) participants, both officials and employees.



Virtual and Onsite Photo Opportunity during NWMC 2023 Kickoff Ceremony- Seminar on Magna Carta of Women- 07 March 2023



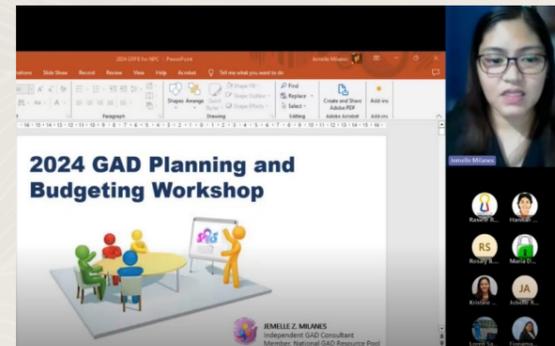
Image 2: Procedure of the free Pap Smear Test- 17 March 2023

FY 2024 Gender and Development (GAD) Plans and Budget Preparatory and Post-Planning Activities

In the month of September, GAD FPS-TWG, GAD Consultant and the NPC GAD Program Implementers, conducted the annual GPB workshop in the form of online meeting participated by GAD Committee chairpersons, member, secretariats and a resource speaker from Philippine Commission on Women. The pre-planning activity and workshop discussions elaborated on the following matters: (a) Essential Elements in GAD Planning and Budgeting, (b) General Guidelines in GAD Plan and Budget Preparation, (c) Allowable and Prohibited Expenses to be charged or attributed to the GAD Budget, (d) Filling out the HGDG Checklist, (e) Major Challenges in Gender Mainstreaming in NPC, and (f) Recommendations to each division. This is to ensure the Commission's long-term commitment to advocating equal opportunities and rights between men, women, and LGBTQIA+ members, as well as empowering women, in adhering to the Philippine Commission on Women's policy by allocating at least five percent (5%) of its budget to GAD-related PAPs.



Purple Wednesdays Winner: Division with the highest number of participants wearing the color purple every Wednesday of the NWMC



JC 2012-01	OUTLINE	Revised Guidelines
1. PURPOSE	1. PURPOSE	1. PURPOSE
2. POLICY GUIDELINES	2. POLICY GUIDELINES	2. LEGAL FRAMEWORK
3. GENERAL GUIDELINES IN GAD PLANNING AND BUDGETING	3. GENERAL GUIDELINES IN GAD PLANNING AND BUDGETING	3. GENERAL GUIDELINES ON GAD PLANNING AND BUDGETING
4. ESSENTIAL ELEMENTS IN GAD PLANNING AND BUDGETING	4. ESSENTIAL ELEMENTS IN GAD PLANNING AND BUDGETING	4. ESSENTIAL ELEMENTS IN GAD PLANNING AND BUDGETING
5. STEPS IN FORMULATING THE GAD PLAN	5. STEPS IN FORMULATING THE GAD PLAN	5. FORMULATING THE GAD PLAN
6. COSTING AND ALLOCATION OF THE GAD BUDGET	6. COSTING AND ALLOCATION OF THE GAD BUDGET	6. ALLOCATION AND UTILIZATION OF THE GAD BUDGET
7. SCHEDULE TO BE OBSERVED IN GAD PLANNING AND BUDGETING	7. SUBMISSION, REVIEW AND ENDORSEMENT OF AGENCY PLANS AND BUDGETS	7. SUBMISSION, REVIEW AND ENDORSEMENT OF AGENCY PLANS AND BUDGETS
8. SUBMISSION, REVIEW AND ENDORSEMENT OF AGENCY GAD PLANS AND BUDGETS	8. IMPLEMENTATION AND MONITORING OF THE GAD PLAN AND BUDGET	8. IMPLEMENTATION AND MONITORING OF THE GAD PLAN AND BUDGET
9. IMPLEMENTATION AND MONITORING OF THE GAD PLAN AND BUDGET	9. PREPARATION AND SUBMISSION OF GAD AR	9. PREPARATION AND SUBMISSION OF GAD AR
10. PREPARATION AND SUBMISSION OF GAD AR	10. GAD FUNDS AUDIT	10. GAD FUNDS AUDIT
11. GAD FUNDS AUDIT	11. SPECIFIC ROLES OF PCW, NEDA, DBM, BWC-BARMM and LWUA	11. SPECIFIC ROLES OF PCW, NEDA, DBM, BWC-BARMM and LWUA
12. SPECIFIC ROLES OF PCW, NEDA and DBM	12. REPEALING CLAUSE	12. REPEALING CLAUSE
13. REPEALING CLAUSE	13. EFFECTIVITY	13. EFFECTIVITY
14. EFFECTIVITY		

Workshop proper started by sharing the revised PCW-NEDA-DBM Joint Circular No. 2012-01. The major changes in this Joint Circular were the Schedule to be Observed in GAD Planning and Budget the inclusion of BARMM.



NPC employees participating the #WePaintPurple: Paint for Gender Equality and Inclusive Society

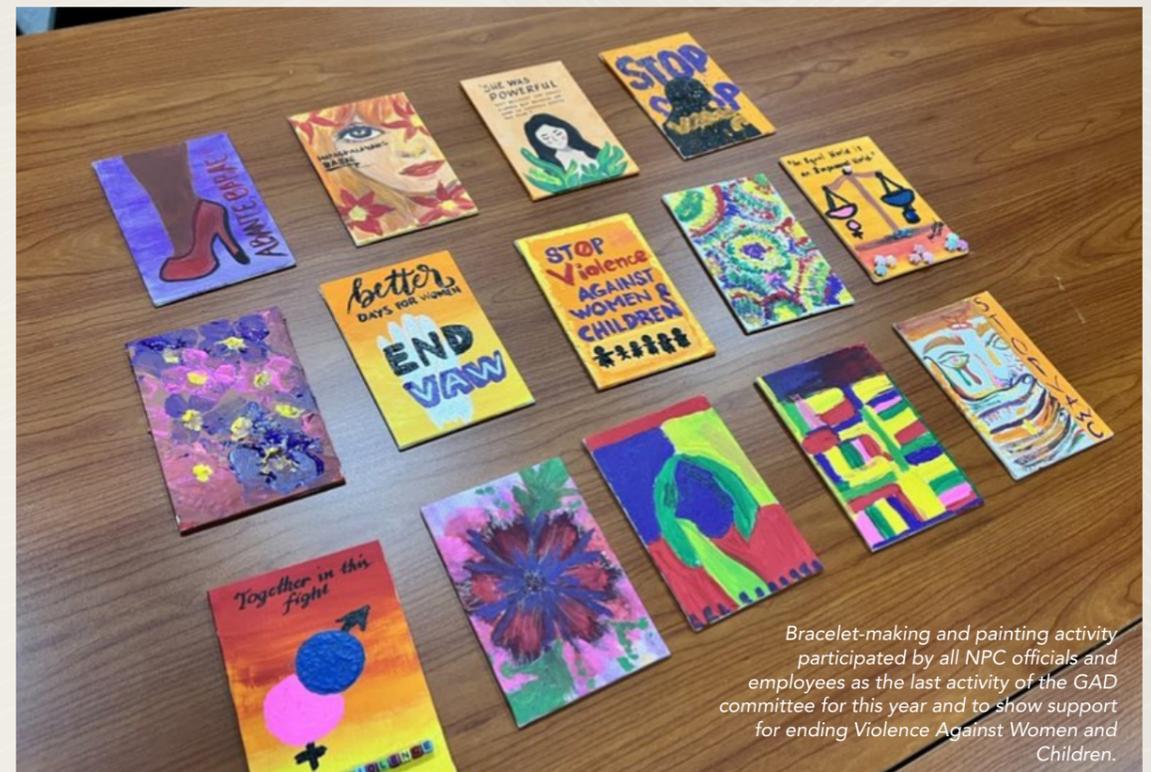


Image 6: Ribbon-cutting Ceremony of the Orange Exhibit which displayed the milestones of NPC since 2019 when it began participating in the global campaign to end VAWC, up to the present led by Atty. Rashy and Commissioner John Henry D. Naga

18-Day Campaign to End Violence Against Women and Children (VAWC)

November 25 to December 23, 2023 was dedicated to the National Observance of the 18-Day Campaign to End Violence Against Women and Children (VAWC) with the theme, "Time to Click Stop! United Against Technology-related Gender-based Violence." The Commission's Campaign for FY 2023 focused more on the technologically related gender-based issues, as well as the basic preventive actions every

woman and girl should acquire against the increasing number of perpetrators both physically and virtually through discussion of the critical aspects of the Safe Spaces Act during the Kick-Off Ceremony of the 18-Day Campaign held on November 28, 2023 and conducting a seminar entitled Gender-Fair Language Seminar on December 6, 2023 which focused on the use of gender-fair language in written and verbal conversations, which was attended by a total of ninety-five (95) participants.



Bracelet-making and painting activity participated by all NPC officials and employees as the last activity of the GAD committee for this year and to show support for ending Violence Against Women and Children.



The GAD FPS-TWG presented a short video on the GAD activities conducted for FY 2023.

Year-End Townhall Meeting FY 2023

On December 19, 2023, the townhall's agenda covered the accomplishment report and highlights the GAD Activities conducted during the FY 2023 which were composed of the two (2) client-focused activities, seven (7) organization-focused activities, and seven (7) NPC programs attributed to GAD. The year-end townhall meeting was participated by seventy-four (74) females and sixty-seven (67) males totaling one hundred forty-one (141) participants.

Looking ahead, the NPC GAD FPS-TWG remains dedicated to advancing its mission and objectives

in line with national mandates and international standards. Moving forward, the committee aims to continue its efforts in gender mainstreaming, planning, budgeting, monitoring, and evaluation for gender and development. The Commission remains committed to championing gender equality, promoting women's rights, and fostering a workplace environment that is inclusive to all. Through sustained collaboration, advocacy, and action, the NPC endeavors to contribute to the realization of a society where social justice and gender equality prevail.

COMMITTEE FOR PERSONS WITH DISABILITIES (PWDs)

The National Privacy Commission (NPC) acknowledges the rights of Senior Citizens (SCs), Persons with Disabilities (PWDs), and the youth sector as protected by Republic Act (R.A.) No. 7277, an "Act Providing for the Rehabilitation, Self-Development and Self-reliance of Disabled person and their Integration into the Mainstream of Society and for Other Purposes"; R.A. No. 9442, the "Act Amending to R.A. No. 7277, Magna Carta for Disabled Persons, and for Other Purposes"; R.A. No. 9994, the "Expanded Senior Citizens Act of 2019"; and R.A. No. 8044, the "Youth in Nation-Building Act of 1995". In alignment with these statutes, the NPC has undertaken initiatives to ensure that members of these sectors have an equitable opportunity to actively engage in mainstream society, under the principles outlined in the Data Privacy Act of 2012. These ventures manifested to a total attribution of FIFTY-TWO THOUSAND FIFTY PESOS AND SIXTY-FIVE CENTS ONLY composed of 46,997.65 Personnel Services (PS) and 5,053.00 Maintenance and Other Operating Expenses (MOOE).

Creation of the NPC Committee for PWD and Reconstitution of the NPC Committee on SCs

Pursuant to R.A. No. 7277 Section 40, "Role of National Agencies and Local Government Units", and R.A. No. 9442 SEC. 5., the NPC created its Committee for PWDs consisting of one (1) Chairperson, one (1) Vice-Chairperson, seven (7) Members, and three (3) Secretariats. This Committee is in charge of recommending policies and guidelines that ensure compliance with data privacy and protection standards in the PWDs sector; initiating projects and activities intended to protect the right to data privacy of PWDs; coordinating with the National Commission on Disability Affairs (NCDA) and other government and non-government organizations concerning the PWDs sector; providing holistic support to NPC personnel belonging to the PWDs sector; and performing other related functions as may be directed by the Privacy Commissioner.⁴

While in compliance with the provisions of R.A. No. 9994, the NPC Committee on SC under the Privacy Commission Personnel Order (PCPO) No. 84, s. 2018 is amended to PCPO No. 040, s. 2022 "Reconstitution of the National Privacy Commission Committee on Senior Citizens". This committee consists of one (1) Chairperson, one (1) Vice-Chairperson, six (6) Members, and three (3) Secretariats. This Committee is responsible for initiating projects and activities beneficial to the SCs, recommending policies and programs intended to protect the basic right to data privacy of SCs; developing an effective and innovative approach to address emerging concerns of SCs; coordinating with the National Commission on Senior Citizens (NCSC) and other government and non-government institutions involved in SCs programs; and performing other related functions as may be directed by the Privacy Commissioner.



⁴ Privacy Commission Special Order (PCSO) No. 042, s. 2022, "Creation of the National Privacy Commission for Persons with Disability" dated 02 September 2022.

Data Protection for All: Empowering Senior Citizens and Persons with Disabilities with Data Privacy Know-how

On August 11, 2023, the NPC Committee on SCs and PWD in coordination with the Local Government Unit of San Mateo, Rizal conducted an orientation about the Data Privacy Act of 2012 from 8:00 a.m. to 12:00 p.m. at San Mateo Elementary School. The event drew nearly one hundred participants, including forty-five (45) SCs (10 male, 35 female) and forty-eight (48) PWDs (16 male, 32 female).



The NPC was represented by a delegation led by its Chairperson, Atty. Manuel C. Satuito (Atty. Satuito). The program entitled “Data Protection for All: Empowering Seniors and PWDs with Data Privacy Knowledge” is designed to foster a secure online environment for SCs and PWDs. Its objectives include increasing awareness about privacy rights, risks, and threats aligned with current digital trends among these groups. The session also served as an informational resource, providing practical tips for SCs, PWDs, and their caretakers on safeguarding personal data. This encompassed guidance on what information to share or withhold from relevant organizations and empowering them to exercise their rights as data subjects when their personal information is compromised.



The program commenced with an inaugural prayer, followed by renditions of the Philippine National Anthem and the San Mateo hymn. Mr. John Robert Melad, the acting Municipal Planning and Development Coordinator, managed the facilitation.



The official briefing started with a welcome address by Mr. Jose Enrique P. Desiderio, the municipal administrator of San Mateo. He extended a hospitable greeting to NPC officials/representatives and conveyed appreciation for their dedicated public service in his hometown, particularly for SCs and PWDs. Mr. Desiderio further recognized the paramount importance of upholding the rights to personal data privacy and underscored the active role of the elderly population in enhancing their digital awareness to counter emerging privacy threats.

Mr. Cleo R. Martinez (Mr. Martinez), Information Technology Officer II (ITO II) from the NPC Compliance and Monitoring Division (CMD), provided an overview of Republic Act No. 10173, also known as the Data Privacy Act of 2012 (RA 10173). He discussed how, in the contemporary era, SCs and PWDs stand out as particularly vulnerable groups to digital scams and identity theft due to their limited knowledge and experience in safeguarding personal information, both physically and online. He delved into the mission of the NPC and illustrated sample cases demonstrating the adverse effects of problematic data collection on businesses. Subsequently, he conducted a comprehensive explanation of key terminologies, the data life cycle, the lawful processing of data, and the rights of data subjects. He then elucidated the three Data Privacy Principles—Transparency, Legitimate Purpose, and Proportionality—and outlined the penalties organizations may face in the event of unlawful acts.



Subsequent to Mr. Martinez’ discourse, Mr. Manolo G. Manuel (Mr. Manuel), Information Systems Analyst III also from NPC CMD, delivered another presentation comprising practical recommendations for safeguarding the personal information of SCs and PWDs. He imparted essential practices and procedures aimed at fortifying the security of data belonging to his fellow senior citizens. He underscored that certain individuals within these groups might have encountered analogous concerns, given that SCs and PWDs frequently share information, either knowingly or unknowingly, which could be exploited by online predators.



Upon the conclusion of the program, a specific timeframe was assigned for participants to pose inquiries regarding privacy-related matters. A considerable number of questions raised delved into sensitive privacy issues, covering topics such

as practices of sharing information, instances of online harassment experienced by PWDs, the secure utilization of the national ID, mechanisms for reporting complaints, and related subjects.



Mr. Martinez, Mr. Manuel, and Atty. Satuito adeptly addressed these concerns with clarity and insight, delivering comprehensive responses. Their demonstrated expertise and experience in the field ensured that attendees received well-informed and satisfactory answers to their privacy-related inquiries.

Atty. Manuel C. Satuito, Director IV of the Finance and Administrative Office and Chairperson of the NPC Committee on SCs and PWDs, delivered a concluding message expressing gratitude to both participants and organizers for their active engagement in the event. Seizing the opportunity, he emphasized the paramount importance of integrating the insights garnered from the data privacy seminar into their daily lives.

Acknowledging that the attendees belong to vulnerable sectors, Atty. Satuito underscored the escalating need for privacy awareness, recognizing its crucial role in safeguarding individuals from potential online predators seeking to exploit their personal information for illicit purposes.

The culmination of the event was punctuated by a meaningful gesture: the reciprocal exchange of certificates of appreciation. These certificates were exchanged between the Local Government Unit of San Mateo, Rizal, and representatives from the NPC. This symbolic act signified a collaborative and shared commitment to advancing privacy education and awareness within the community.

YOUTH COMMITTEE

Under Section 37, General Provisions, of Republic Act No. 11936, known as the “General Appropriations Act FY 2023,” all agencies of the government are encouraged to provide allocations for youth development projects and activities within the framework of the Philippine Youth Development Plan. The goal of the Philippine Youth Development Plan is to promote the youth’s active and meaningful participation in society.

Consistent with Republic Act No. 10173, known as the “Data Privacy Act of 2012 (DPA)” and Republic Act No. 8044, known as the “Youth in Nation-Building Act of 1995,” the National Privacy Commission, through the Committee on Youth, recognizes the rights of the youth, including their data privacy rights.

In line with this, the NPC continues its flagship program, “Kabataang Digital Campaign”, with a theme of *Matalino, Mapagmatyag, at Mapanuri* under the *Privacy, Safety, Security, and Trust (PSST!) Online Communication Campaign* for the promotion of a safe online environment for the youth. It aims to build



The Kabataang Digital Team right after the conduct of the first leg of KD Caravan at Gregorio Perfecto High School composed of its Division Chief, Ms. Roren Marie Chin (fifth from the left) and its staff.

a culture of privacy among the youth by enjoining school officials and parents in educating their children on appropriate digital citizenship, promoting safe choices, and elaborating the risks attendant to the digital environment and their impact on children’s privacy rights.

Kabataang Digital Caravan: Matalino, Mapagmatyag, at Mapanuri

The NPC, through the Public Information and Assistance Division (PIAD), launched its *Kabataang Digital (KD) 2023 Campaign* with the theme of “*Matalino, Mapagmatyag, at Mapanuri.*” The KD Caravan was held from September to November 2023 at various schools within Metro Manila. The first leg of the campaign was conducted at the Gregorio Perfecto High School. The second and last leg were held at the Philippine Science High School, and Manila Central University.



Ms. Kristine Danica Adis discussing the safe use of mobile phones and gadgets, along with best practices while prioritizing data privacy protection to GPHS students.

Ms. Roren Marie M. Chin, the Division Chief of PIAD, emphasized the objectives of the KD Caravan in tackling the growing concerns about the online safety of Filipino youth. She stated that with each day, more Filipino children are accessing the internet exposing them to potential online risks. She emphasized that it is a collective responsibility to ensure that children have the awareness and tools necessary to navigate the online world safely.



Ms. Jerilyn Mae Argana (center) and Mr. Reiven Paul Cahanding (far-right) gave entertaining pop quizzes, actively participated by GPHS students.



The KD Team with PSHS Teachers

On September 27, 2023, the first leg of KD Caravan 2023 was held at the Gregorio Perfecto High School from 1:00 P.M. to 4:00 P.M. A total of 150 high school students attended the Caravan, comprised of seventy-three (73) males and seventy-seven (77) females.

The second leg of KD Caravan took place at the **Philippine Science High School (PSHS)** on November 08, 2023 from 8:00 A.M. to 5:00 P.M. A total of 214 senior high school students attended the Caravan, comprising of 130 males and 84 females.

Lastly, the KD 2023 Campaign was concluded at the Manila Central University where the *Kabataang Digital: Matalino, Mapagmatyag, at Mapanuri Young Privacy Advocates Annual Summit 2023* was conducted. The Annual Summit was held on November 2023, from 8:00 a.m. to 5:00 p.m. wherein a total of three hundred fifty-four (354) elementary and high school students attended the Summit composed of one hundred sixty-eight (168) males and one hundred eighty-six (186) females.

The first two KD Caravans followed the same flow of the program while the Annual Summit held at the Manila Central University divided the program’s discussion into two parts: Kids Session and Teens Session to accommodate the two age groups of the attendees.

The Campaign was officially commenced by the Privacy Commissioner, Atty. John Henry D. Naga, who delivered a compelling message to the students. He emphasized the importance of being smart, vigilant, and discerning when navigating the complex world of the internet. Furthermore, he reminded the students to exercise caution before clicking and encouraged them to seek guidance with their teachers and parents.



PSHS students paying close attention to the message being delivered by Privacy Commissioner Naga.

The key officers of PIAD facilitated a three-part discussion anchored towards the online safety and privacy protection of teenagers. Ms. Ma. Aiza Patricia G. Acoba, Information Officer I from PIAD, started the discussion by providing a comprehensive overview of the DPA tailored for teenagers in her presentation *“Stay Smart, Stay Safe: A Teen’s Guide to the Data Privacy Act.”* She highlighted the significance of exercising caution when sharing personal information online. Meanwhile, Ms. Kristine Danica S. Adis, Information Officer III also from PIAD, delivered valuable insights on securely navigating mobile applications in her presentation *“App-solutely Informed: Safely Navigating Mobile Applications,”* emphasizing best practices for mobile phone and gadget usage to safeguard data privacy. Lastly, Ms. Kate D. Lo, PIAD’s Public Relations Officer I, discussed *“Your Data, Your Rights: Understanding Data Subject Rights,”* addressing the rights of data subjects, specifically geared to tackling high school students’ experiences.

focused on *“Social Media Traps: Protection from Online Predators,”* wherein she highlighted the risks of oversharing personal information, interacting with strangers, and engaging in online activities that could compromise their safety.

Towards the event’s end, pop quizzes were given to students to engage them further with the discussion. For the closing remarks, Deputy Privacy Commissioner Atty. Nerissa N. De Jesus delivered her message, highlighting the importance of digital footprint and data, reminding the youth that they have control over it.

Overall, the NPC successfully concluded its KD 2023 Campaign. Last September 2023, the KD Campaign received international recognition by being shortlisted for the Global Privacy Assembly (GPA) Global Privacy and Data Protection Awards 2023 under the Education and Public Awareness Category. As

As for the Manila Central University, aside from the three-part discussion for the teens, a kids’ session was also conducted. During this session of the Summit, recorded lectures by student representatives were played. Ava Patdu covered the topic of *“Data Privacy for Kids,”* stressing the importance of seeking parental guidance when navigating the online landscape. Meanwhile, Laurie Montellano’s presentation



PSHS students reciting the Kabataang Digital Oath led by the KD team.



The NPC-KD Team with Ms. Maria Eloisa C. Reyes, Principal of Basic Education Department and MCU Faculty.

Privacy Commissioner Atty. John Henry D. Naga said, “As Privacy Commissioner and a parent, promoting a safe online environment for our children is not just a professional commitment but a personal one as well. The *Kabataang Digital* campaign is an embodiment of our dedication to empower the youth with the sufficient knowledge and skills needed for responsible and secure online practices.”



To conclude, the NPC shall continue to gear up for its KD Regional Caravan for 2024, a comprehensive initiative set to cover various regions across the Philippines together with the Young Privacy Advocates Summit to be held on November 2024. The said campaign is projected to gather more than one thousand (1,000) youth participants from across the country.

The NPC’s Committee on Youth shall likewise continue with its mandate to formulate policies, strategies, programs, and activities that will address data privacy issues and concerns specific to the youth sector.

Moving forward, the NPC intends to conduct more activities intended of society’s marginalized and vulnerable sectors across the country. In 2024, the Committee plans to conduct American Sign Language (ASL) and Filipino Sign Language (FSL) trainings for NPC frontline employees and personnel. Another series of Data Privacy seminars specific for elderly, differently abled person and youth will also be part of the Annual Privacy Awareness Week. The NPC recognizes their invaluable roles and strives to further strengthen its program for SC, PWD and Youth.

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