



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

Overview of the Data Privacy Act

Ivy D. Patdu

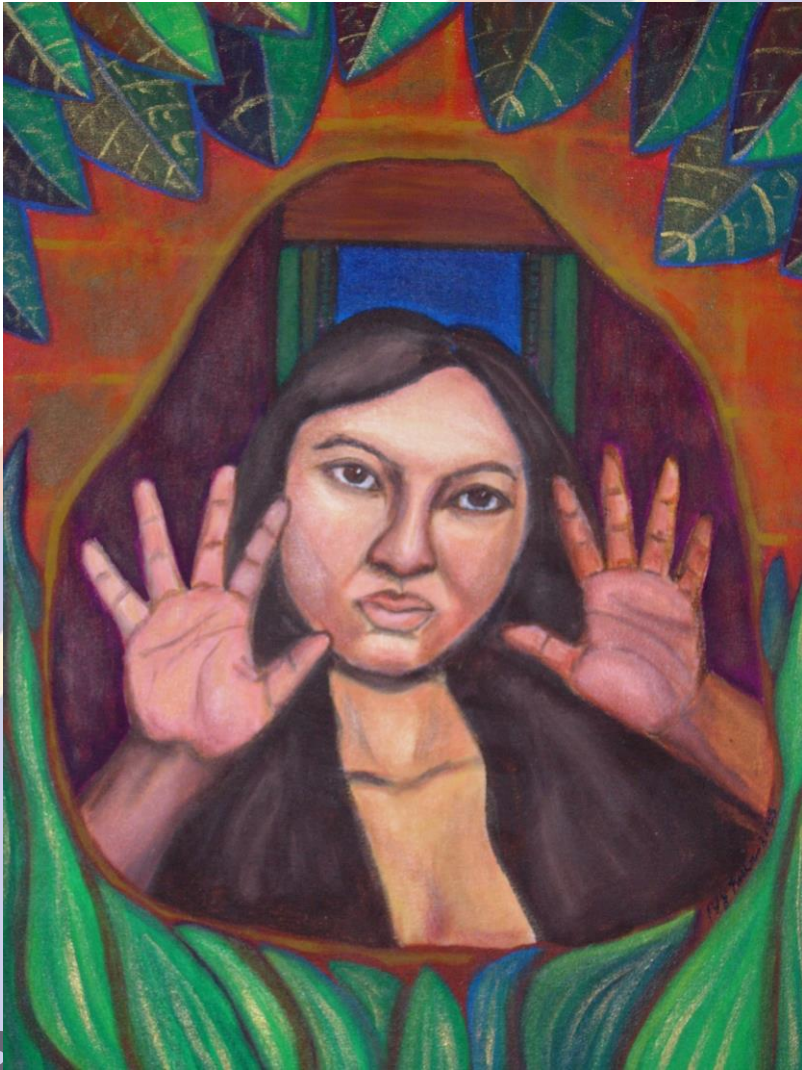
National Privacy Commission

PROPERTY OF NATIONAL PRIVACY COMMISSION



LOCAL GOVERNMENT UNITS

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Right to privacy

“the right to be let alone -
the most comprehensive of
rights and the right most
valued by civilized men”

[Brandeis J, dissenting in *Olmstead v. United States*, 277 U.S. 438 (1928)].



Which of the Following will you be willing to share with someone you just met?

Home Address

Diary

Credit Card Billing Statement

Browsing History

Phone Messages

Facebook Password

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DSWD training of field staff for “Listahanan” ongoing

April 20, 2015 | by Criselda David Philippine News Correspondent | 0



Available at <http://bayanihannews.com.au/2015/04/20/dswd-training-of-field-staff-for-listahanan-ongoing/> (last accessed June 14, 2017)

Freedom of Information



Photo available at <http://pcoo.gov.ph/photo14-112416/> (last accessed Feb. 22, 2017).



Republic of the Philippines
Department of Health
Philippine Registry for Persons with Disabilities (PRPWD)
v 2.0

Republic Act no. 9442

Verification ▾

Downloads ▾

Login

Available at <http://pwd.doh.gov.ph/login.php> (last accessed June 14, 2017)



Researchers at the University of Nottingham in the UK created a system that scanned patients' routine medical data and predicted which of them would have heart attacks or strokes within 10 years. When compared to the standard method of prediction, the AI system correctly predicted the fates of 355 more patients.

Source: Available at <https://spectrum.ieee.org/the-human-os/biomedical/diagnostics/ai-predicts-heart-attacks-more-accurately-than-standard-doctor-method>

AI Predicts Heart Attacks and Strokes More Accurately Than Standard Doctor's Method

By [Eliza Strickland](#)

Posted 1 May 2017 | 17:00 GMT





Share



Local governments urged to go digital

Michelle Ong, ABS-CBN News

Posted at Aug 16 2017 12:23 PM

MANILA - Local government should automate front line services to increase their competitiveness, the co-chairman of the National Competitiveness Council said Wednesday.

"Front line services now are on your phone, in your pocket. You get services through phone apps. Challenge is to see more mobile phone apps for city permits, licensing and transactions that we have to go through," NCC co-chairman Guillermo Luz said.

<http://news.abs-cbn.com/business/08/16/17/local-governments-urged-to-go-digital>



Business Permit

Realty Taxes

Social Services, Programs

LGU Employees Records

Sheryl, Are You Scared to Use a Computer?, available at <http://georyl.com/2012/04/are-you-scared-to-use-a-computer/>



“In this digital era, information is the currency of power – valuable, coveted, but at a very high risk.”

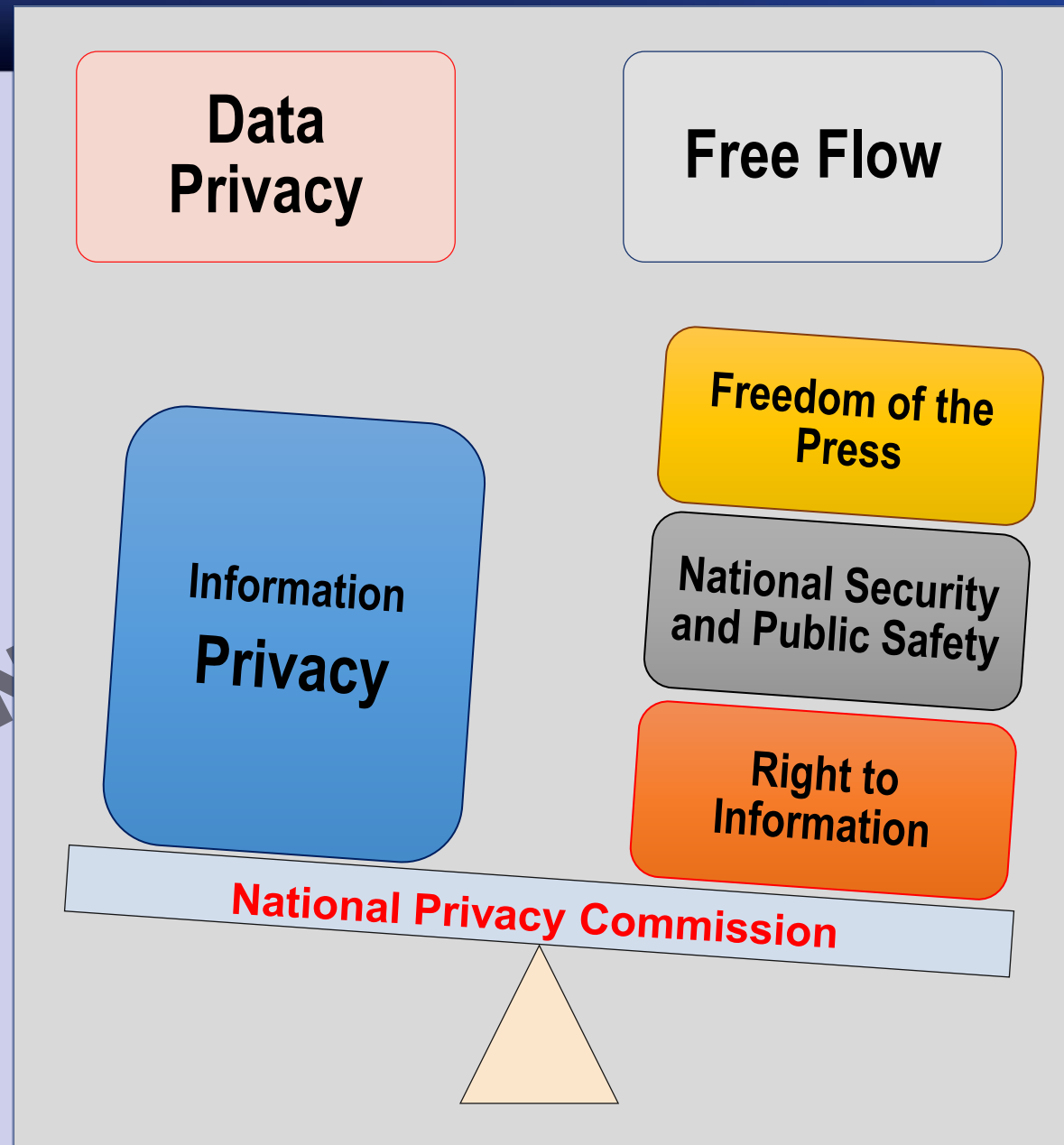
-Senator Edgardo Angara, sponsorship speech for the Data Privacy Act





Data Privacy Act

It is the policy of the State to protect the fundamental human right of privacy of communication while ensuring free flow of information to promote innovation and growth.



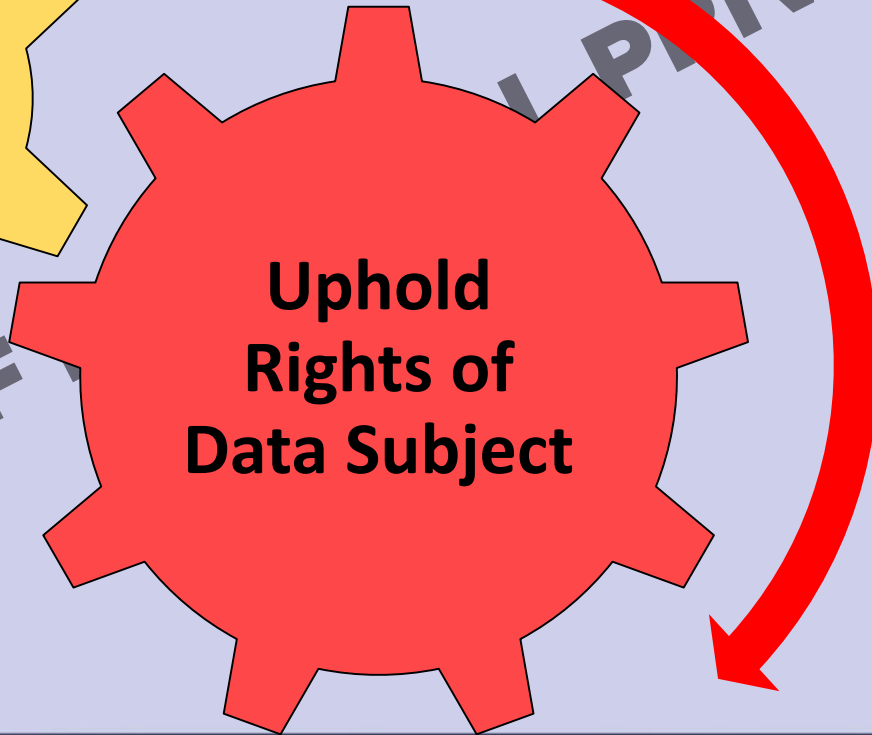
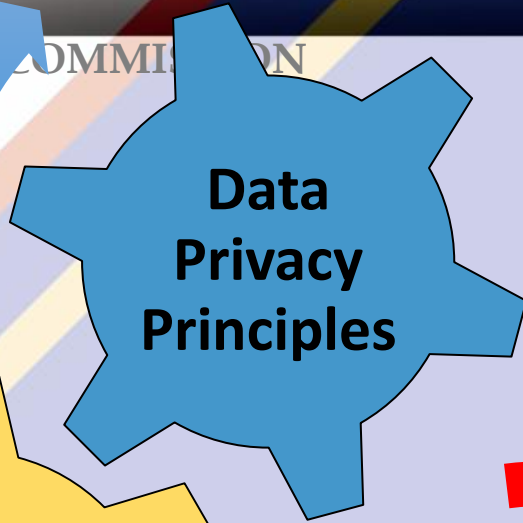
PROPERTY OF NATION



Personal Data

- Any information from which the identity of an individual is apparent
- Any information that can be put together with other information to reasonably and directly identify an individual
- Includes sensitive personal information such as your health, education, genetic or sexual life

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DATA PRIVACY ACT

PROPERTY OF

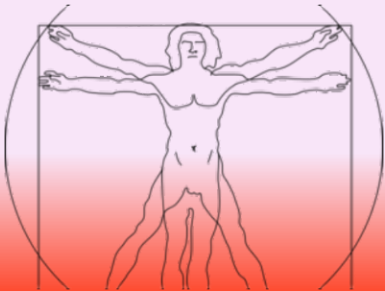


NOTICE

TRANSPARENCY



LEGITIMATE PURPOSE



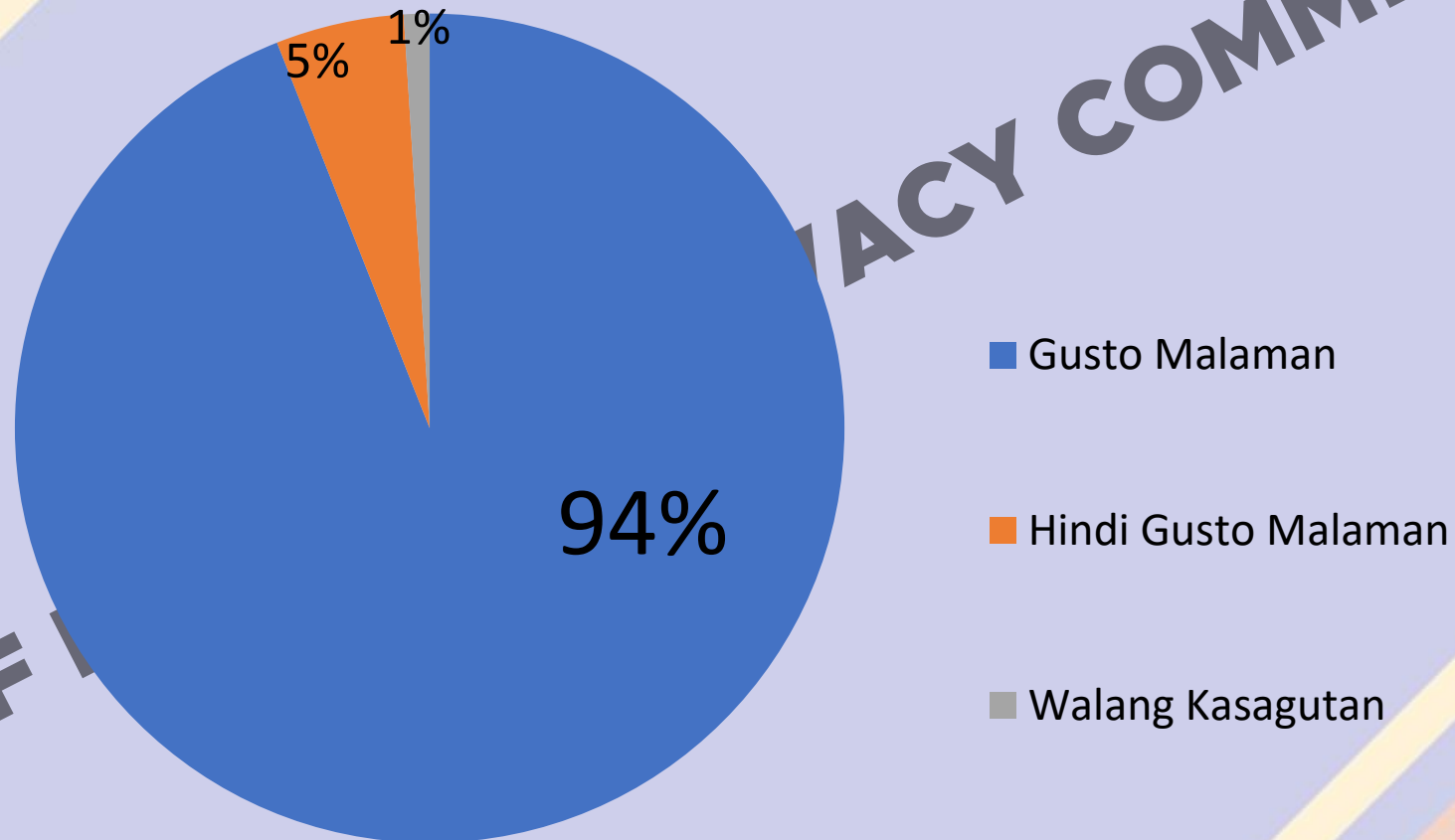
PROPORTIONALITY

PRO

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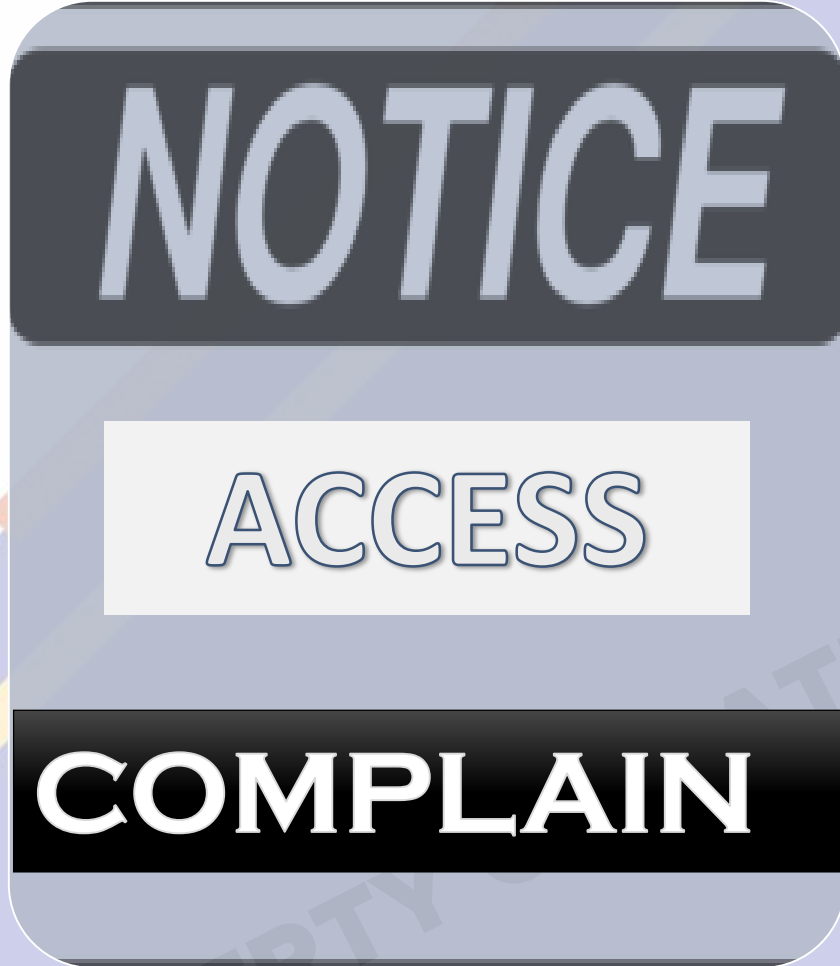
Interesado ba ang mga Pilipino na malaman kung saan ginagamit ang kanilang personal na impormasyon?



Note: No answer/Don't Know/Refused responses are not shown.

**Net figure % Likes to Know minus % Does Not like to Know, correctly rounded*

****Based on the SWS Survey "FILIPINO PUBLIC OPINION ON DATA PRIVACY AND ATTITUDES AND BEHAVIOUR TOWARDS INTERNET USAGE" June 17-21, 2017 National Survey***



Rights of Data Subjects

1. Right to Information
2. Right to Object
3. Right to Access
4. Right to Correct
5. Right to Erase
6. Right to Damages
7. Right to Data Portability
8. Right to File a Complaint

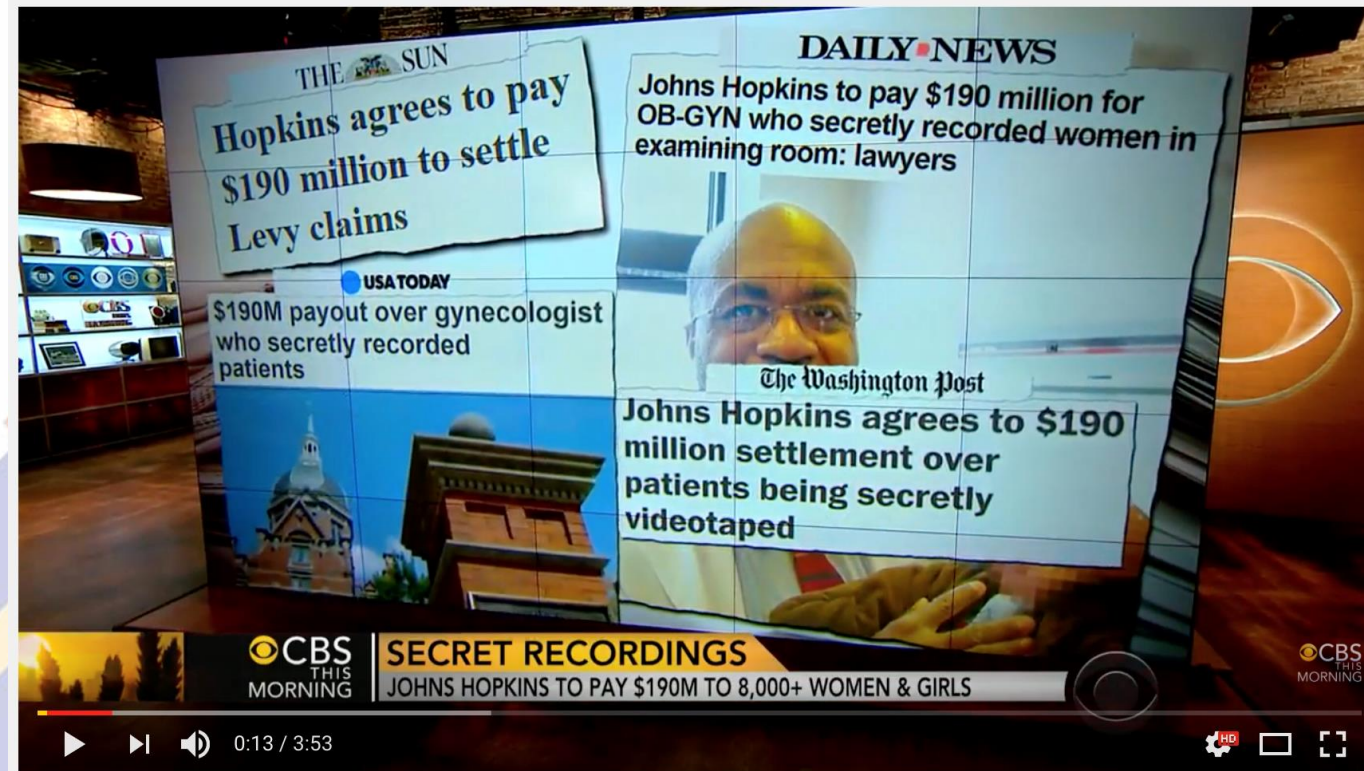
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If It's **NOT**
CLEAR
It's **NOT** Consent

- CONSENT refers to any freely given, specific, informed indication of will, whereby the data subject agrees to the collection and processing of personal information about and/or relating to him or her
- The consent shall be evidenced by written, electronic or recorded means.



Johns Hopkins Hospital to pay \$190M settlement after gynecologist secretly recorded patients

Available at <https://www.youtube.com/watch?v=iJQHWgQvDaE>

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TAXES

Sometimes, Consent is NOT necessary.



AMLA



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Collect only what's necessary





COMMISSION



 **Ninja Pepe**
Like This Page · February 8 · Edited · 

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TO ALL MY INAANAK:

Requirements to claim your GIFT:

1. Original copy of Baptismal Certificate.
2. Original Copy of NSO Birth Certificate
3. Baptismal Picture together with me.
4. Should know my Complete Name.

www.filipiknows.tv

Deadline of claiming your gift is until
December 31, 2017 only.

NO requirements will NOT be entertained.
Incomplete Requirements NO GIFT.

Merry Christmas!

FILIPINO
KNOWS

COMMISSION

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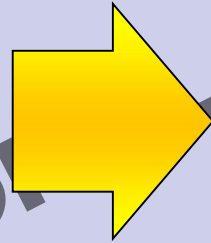
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SECURITY MEASURES

Organizational
Physical
Technical



Confidentiality
Integrity
Availability



Data Protection Officer

- Relevant privacy or data protection policies and practices
- Processing operations
- Sector or Industry

THE DPO SHOULD POSSESS SPECIALIZED KNOWLEDGE AND DEMONSTRATE RELIABILITY NECESSARY FOR THE PERFORMANCE OF HIS OR HER DUTIES AND RESPONSIBILITIES.



Picture from <http://www.computerweekly.com/news/450402719/GDPR-will-require-75000-DPOs-worldwide-study-shows>



Policies for Processing Personal Data



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TRAINING AND CAPACITY BUILDING



Villupuram nurses jump on to technological bandwagon at <http://www.thehindu.com/news/national/tamil-nadu/villupuram-nurses-jump-on-to-technological-bandwagon/article5699852.ece>

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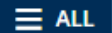
MISSION



Records room and work stations should have limited access.

Innovative Electronic Medical Record System Expands in Malawi (2014) available at <http://www.cdc.gov/globalaids/success-stories/innovativemalawi.html> (last accessed June 20, 2016).

PROV
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News / Hong Kong / Politics / DATA THEFT

Laptops containing 3.7 million Hong Kong voters' data stolen after chief executive election

Devices contained ID card numbers, addresses and mobile numbers

PUBLISHED : Tuesday, 28 March, 2017, 12:30am

UPDATED : Tuesday, 28 March, 2017, 1:42am

COMMENT:



<http://www.scmp.com/news/hong-kong/politics/article/2082566/laptops-containing-37-million-hong-kong-voters-data-stolen>





Medical group fined \$140K for tossing patients' health records into public dump

15 JAN 2013 5

Data loss, Law & order, Privacy



- Names, Social Security numbers, and medical diagnoses for more than 67,000 Massachusetts residents in the US were tossed into a public dump as is – no redacting, no shredding, no nothing
- Records in the pile included pathology reports for people tested for various kinds of cancer, along with other test results



UK hospitals hit with massive ransomware attack

Sixteen hospitals shut down as a result of the attack

by [Russell Brandom](#) | [@russellbrandom](#) | May 12, 2017, 11:36am EDT

[f](#) SHARE [t](#) TWEET [in](#) LINKEDIN



Peter O'Conner / Flickr

Sixteen hospitals shut down as a result of the attack

The result has been a wave of canceled appointments and general disarray, as many hospitals are left unable to access basic medical records. At least one hospital has canceled all non-urgent operations as a result.

Russell Brandom, UK hospitals hit with massive ransomware attack (May 12, 2017), available at <https://www.theverge.com/2017/5/12/15630354/nhs-hospitals-ransomware-hack-wannacry-bitcoin> (last accessed September 14, 2017).

Technical Security Measures



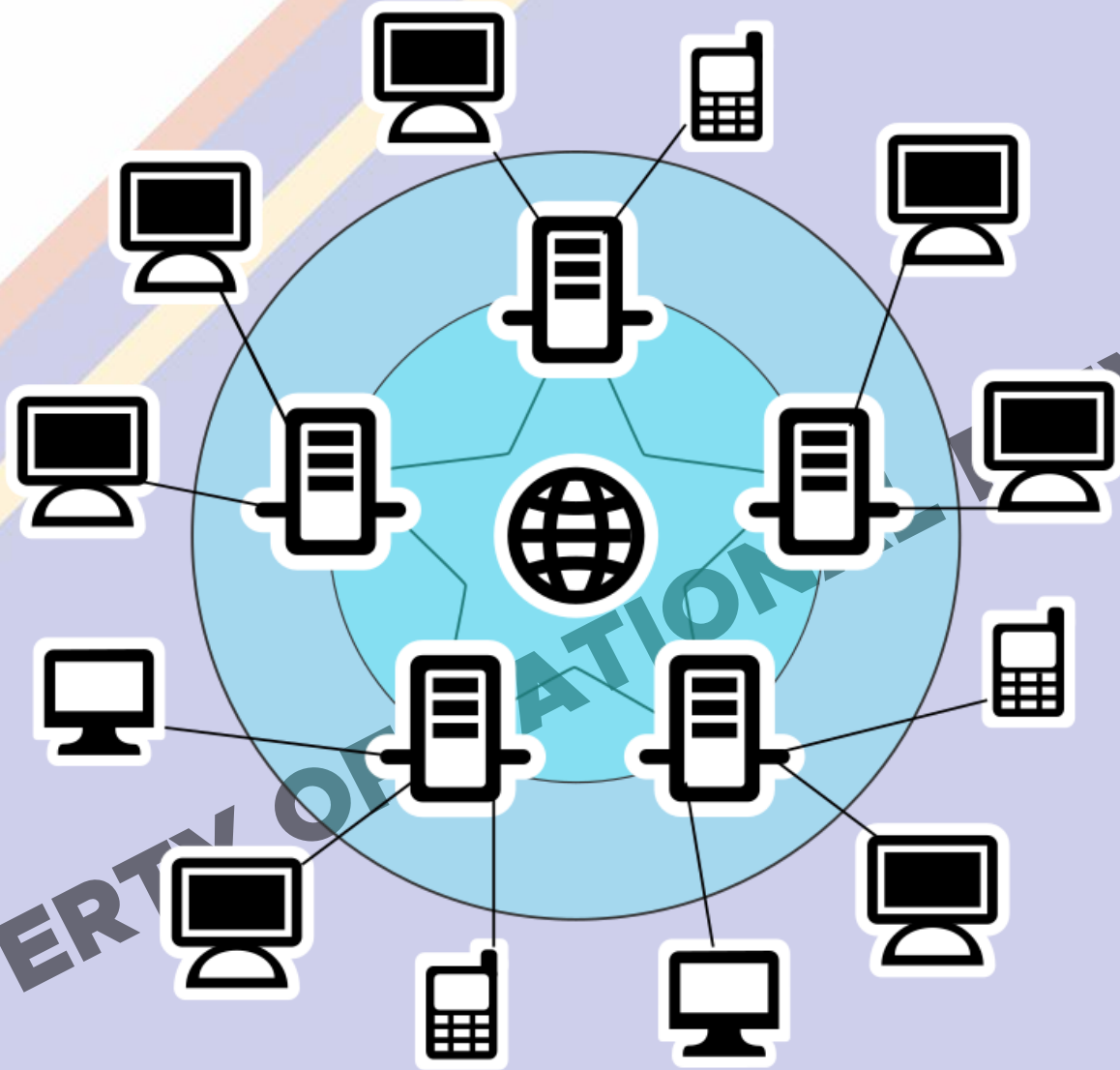
SECURITY POLICY
SYSTEM MONITORING



SAFEGUARDS:
ENCRYPTION,
AUTHENTICATION
PROCESS



INCIDENT RESPONSE,
CORRECT AND
MITIGATE BREACH,
RESTORE SYSTEM



**WHY SHOULD
PERSONAL
DATA BE
PROTECTED?**

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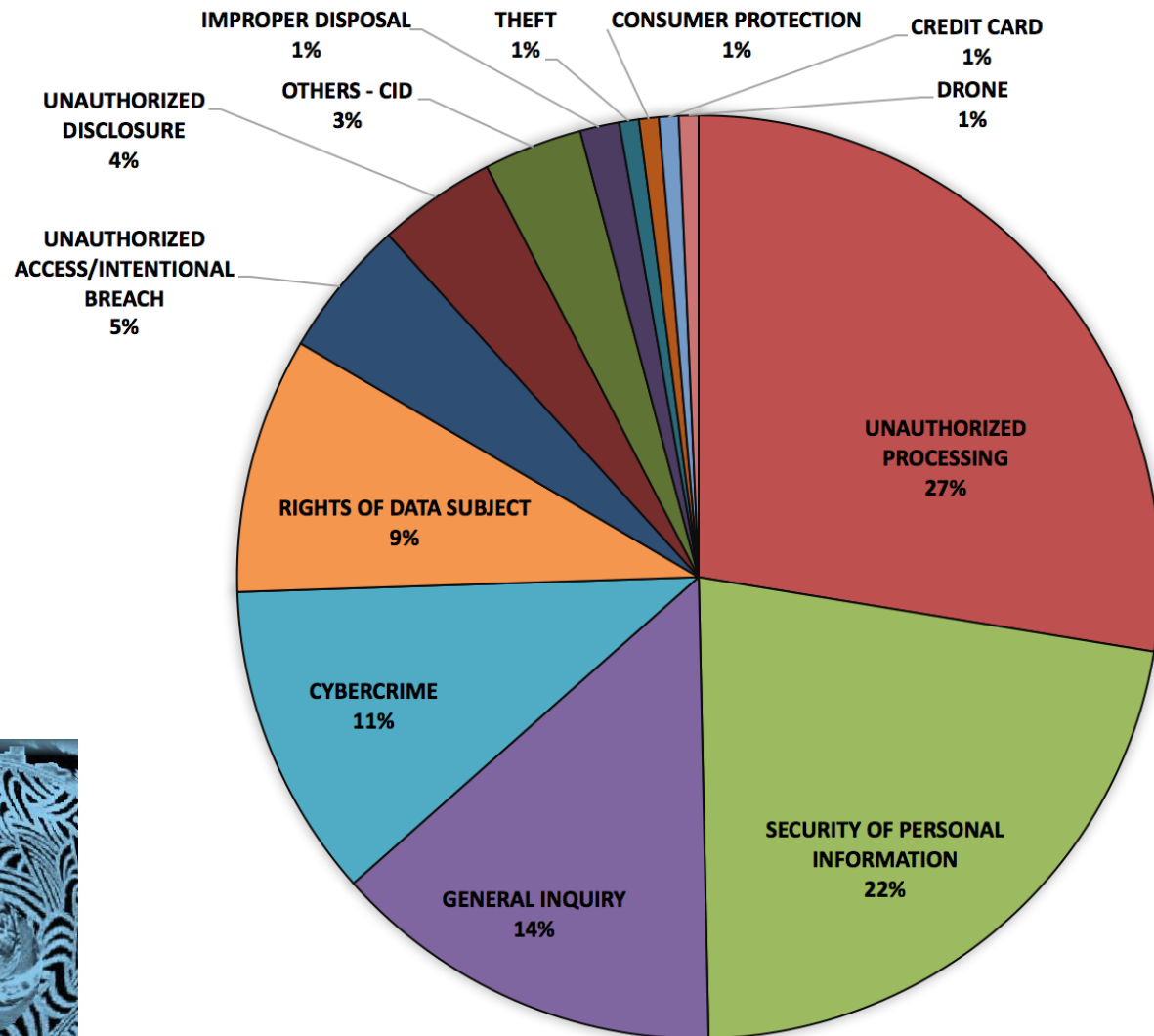


CRIME		IMPRISONMENT	FINE
Processing of Personal/Sensitive Information for Unauthorized Purpose	Processing information for other purposes which are no longer authorized by law or consent	1yr 6mos – 7 years	Php500,000 to Php2,000,000
Access to Personal/Sensitive Information due to Negligence	Persons who provide access due to negligence shall be liable	1-6 years	Php500,000 to Php4,000,000
Concealment of Security Breach	Duty to notify Privacy Commission in case of breach (within 72 hours)	1yr 6mos – 5 years	Php500,000 to Php1,000,000
Improper Disposal	Negligently dispose, discard or abandon personal data of an in an area accessible to the public or placed in its container for trash collection.	6 months – 3 years	Php 100,000 to Php 1,000,000





COMPLAINTS (AS OF AUG. 31, 2017)



NATURE OF COMPLAINTS RECEIVED AS OF 31 AUGUST 2017

CLASSIFICATION	NO. OF COMPLAINTS	PERCENTAGE
UNAUTHORIZED PROCESSING	40	28%
SECURITY OF PERSONAL INFORMATION	32	22%
GENERAL INQUIRY	20	14%
CYBERCRIME	16	11%
RIGHTS OF DATA SUBJECT	13	9%
UNAUTHORIZED ACCESS/INTENTIONAL BREACH	7	5%
UNAUTHORIZED DISCLOSURE	6	4%
OTHERS - CID	5	3%
IMPROPER DISPOSAL	2	1%
THEFT	1	1%
CONSUMER PROTECTION	1	1%
CREDIT CARD	1	1%
DRONE	1	1%
TOTAL	145	100%



Watch also in [iWantv](#) or [TFC.tv](#)

MAG-INGAT: Impormasyon ng netizen, ginamit sa panloloko, ABS CBN (May 3, 2017) available at <http://news.abs-cbn.com/video/news/05/03/17/mag-ingat-impormasyon-ng-netizen-ginamit-sa-panloloko>.

Identity theft suspect falls

(The Philippine Star) | Updated April 7, 2017 - 12:00am

His modus operandi is to steal his victims' information and then contact call centers of certain banks to request for credit card replacement.

Identity theft suspect falls, available at <http://www.philstar.com/metro/2017/04/07/1688420/identity-theft-suspect-falls>






PUBLIC SCHOOL TEACHER IN P800K DEBT AFTER POSTING PRC ID ON FACEBOOK

Date - Saturday, February 27, 2016

In an interview, he said that he posted his PRC ID on Facebook when he passed the licensure exam. He also posted his papers when he was regularize in a public school.

Few months later, he was starting to received notifications from banks saying that he borrowed a total of P800,000 in salary loans.

Though he denied applying for the loans, the banks still deducted P9,000 from his payroll account every month. It surprised him because he did not sign any document authorizing them to deduct the amount.

magnanakaw par... 



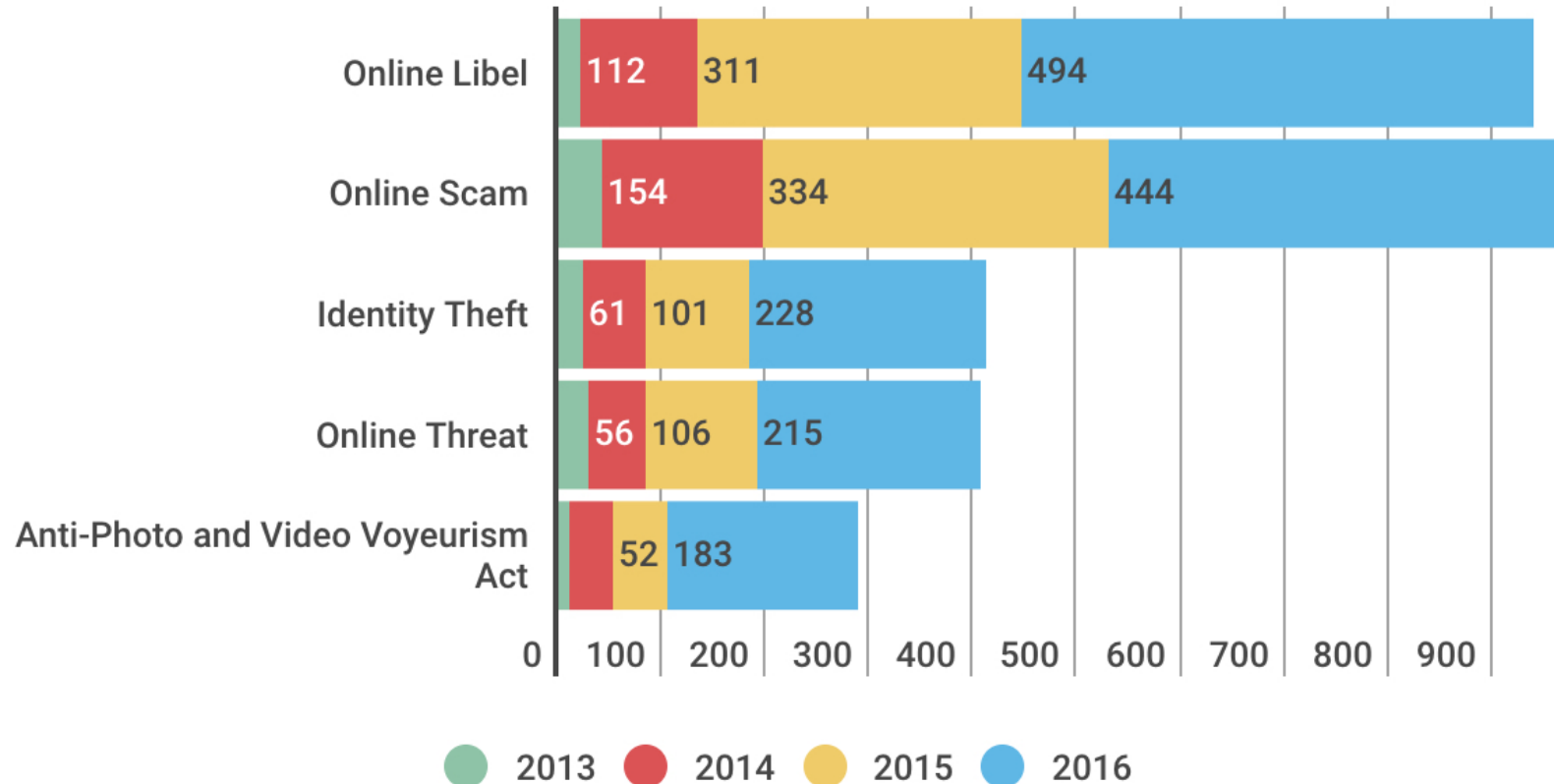
Available at: http://www.socialtrendsp.com/2016/02/public-school-teacher-in-p800k-debt_37.html

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Top 5 cybercrime complaints



Available at www.rappler.com/newsbreak/iq/159365-cybercrime-philippines-cases-online-libel-2016

Data from the PNP-Anti Cybercrime Group



NHS sexual health clinic fined £180K for patients' HIV status leak



56 Dean Street, the London-based sexual health clinic CREDIT: GOOGLE

The recipients' email addresses, of which 730 contained people's full names, were entered into the "to" field instead of "bcc", which masks the email addresses of people receiving the message.

Cara McGoogan, NHS sexual health clinic fined £180K for patients' HIV status leak (May 9, 2016)
Available at www.telegraph.co.uk/technology/2016/05/09/nhs-sexual-health-clinic-fined-180k-for-patients-hiv-status-leak/ (last accessed Jan.11, 2017).



A Violation of Privacy is an affront to Human Dignity

Unauthorized use or disclosure may put data subjects at risk for unwanted publicity, discrimination, identity theft and other acts prejudicial to the data subjects.



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Government Data Woes: 2016 Compromised Records Surpass Total for Last Three Years Combined

August 10, 2016 | By Michelle Alvarez



We are only a little over halfway through 2016, and yet according to the latest IBM X-Force data, 200 million government records worldwide were already compromised by July 31 of this year. That's nearly 60 million more than all the records compromised from 2013 through 2015 — combined

<https://securityintelligence.com/government-data-woes-2016-compromised-records-surpass-total-for-last-three-years-combined/> last accessed 4/1/2017

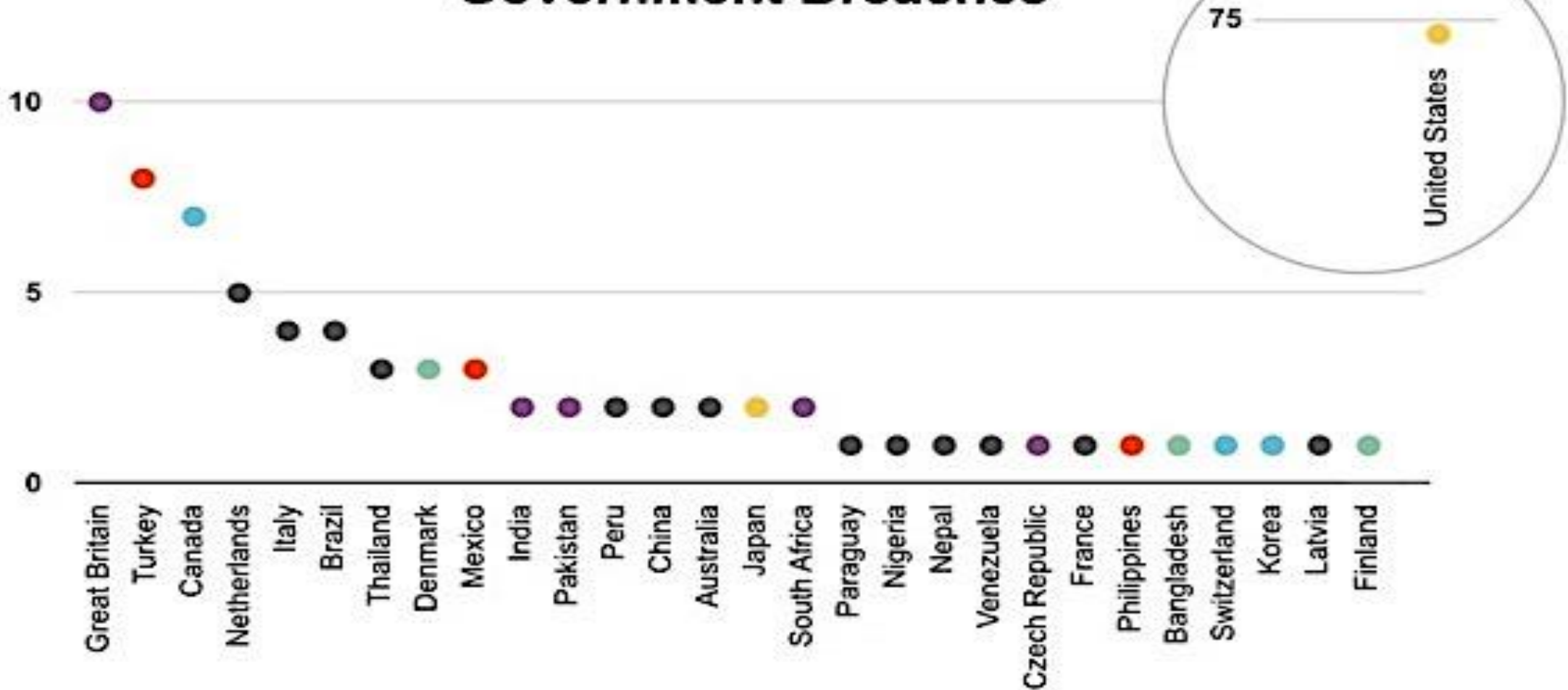
PROT
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Government Breaches

Number of Incidents



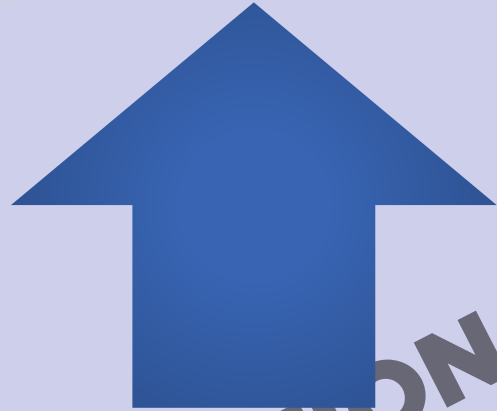
> 50 million 1 - 50 million 100,000 - 999,000 35,000 - 99,999 10,000 - 35,000 < 10,000

Records Leaked

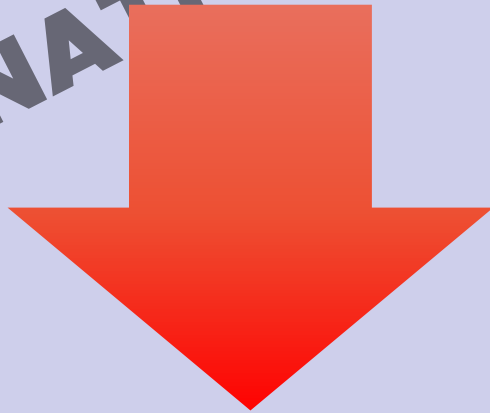


GOVERNMENT GOAL

Personal Data



Benefits

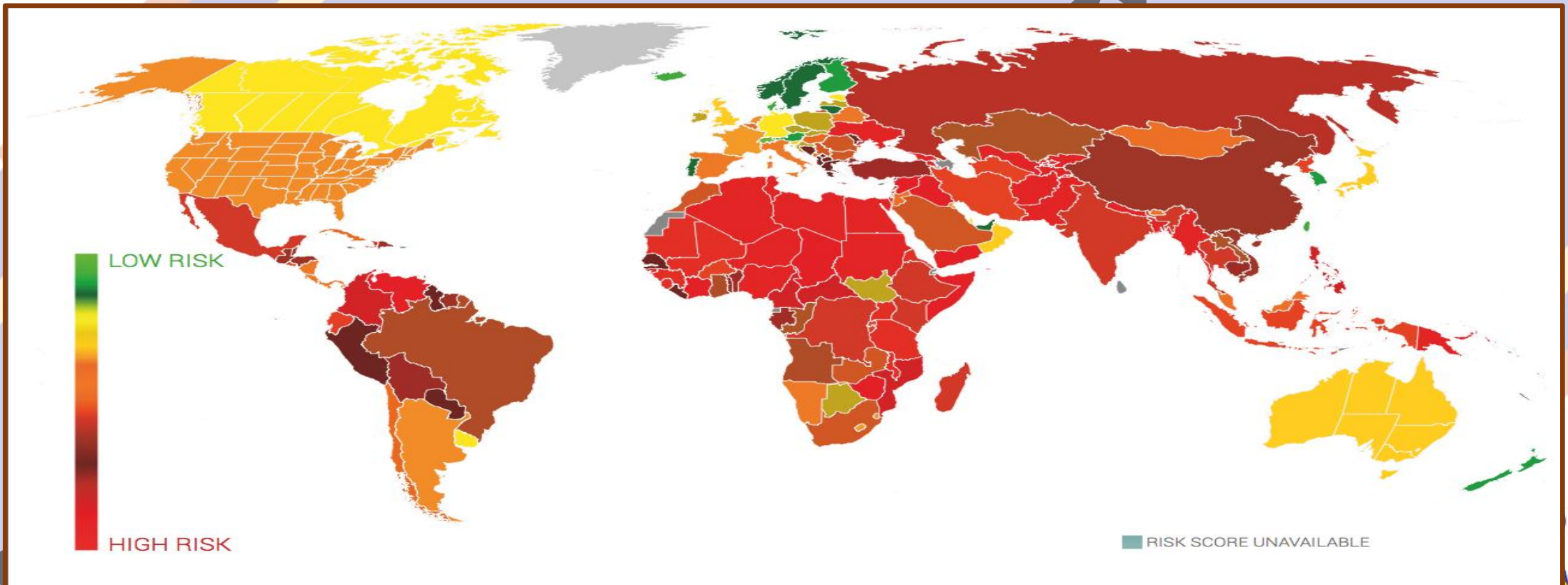


Harms

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In August, 2016, in a report titled “Data Danger Zones”, the Philippines is ranked as No. 143 out of over 170 nations evaluated on the ability “to keep digital information safe, private and secure.





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picture from <https://jln1.pressbooks.com/chapter/country-experiences/>



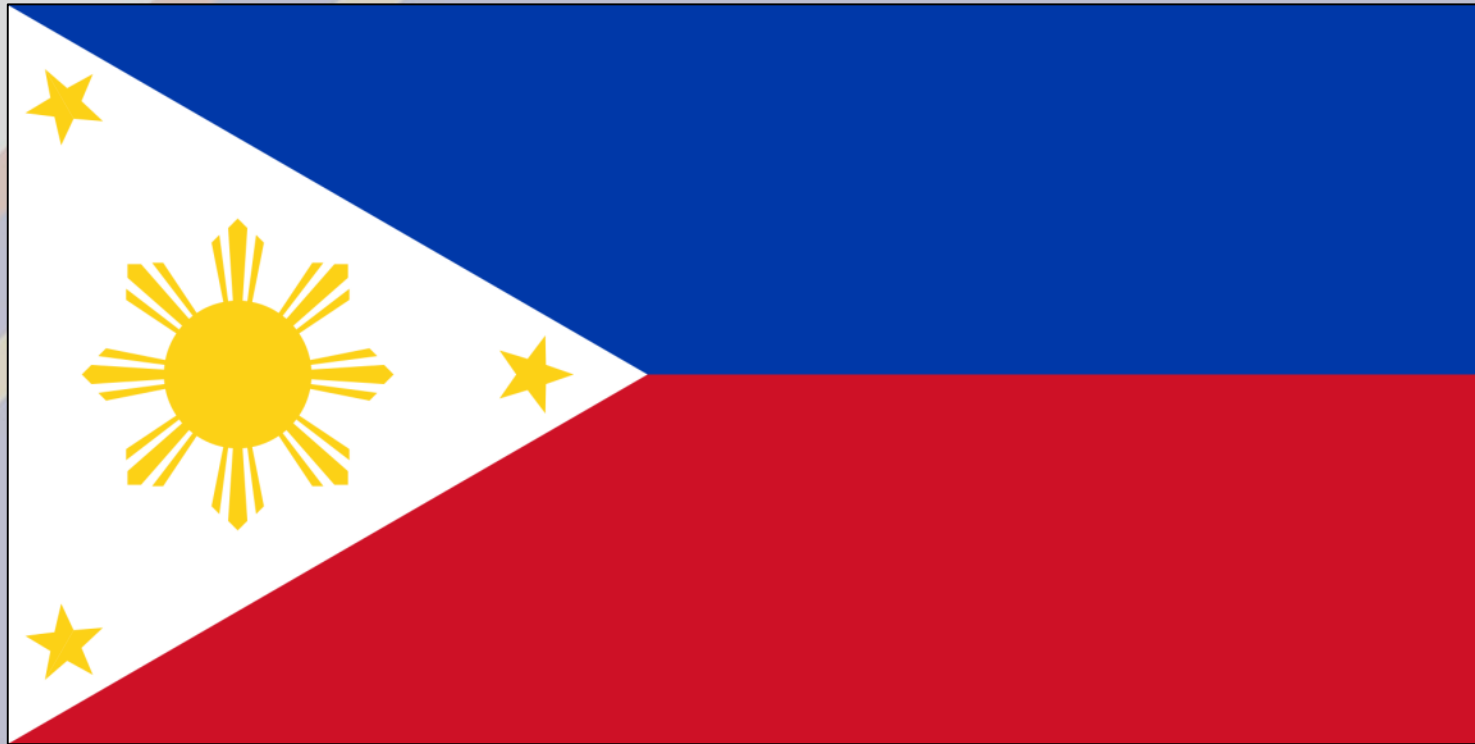
Embracing a Privacy Culture



Source of picture: available at <http://www.pmcgregor.com/building-habits-keeping-them/>

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**THE PHILIPPINES IS COMMITTED
TO PRIVACY AND DATA
PROTECTION IN THE DIGITAL AGE.**



THANK YOU!

#PartnersForPrivacy

PROPERTY OF NAT



*Lumalamig
na ang panahon, pero sana
hindi lumalamig ang puso mo
.... para sa #DataPrivacy!*

f [privacy.gov.ph](https://www.privacy.gov.ph)

privacyPH

Photo from National Privacy Commission FB page

