

NATIONAL PRIVACY COMMISSION

ROAD TO DPA COMPLIANCE

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NO. 1

**REPUBLIC ACT NO. 11465
GENERAL APPROPRIATIONS ACT**

**VOLUME I-A
FISCAL YEAR
2020**

*Continuing the Journey
to a More Peaceful and Progressive Philippines*

DPA-RELATED 2020 GAA GENERAL PROVISIONS

Sec. 77. Use of Funds for Foreign-Assisted Projects. The amounts appropriated in this Act for the implementation of foreign-assisted projects, composed of loan proceeds and peso counterpart components shall be utilized in accordance with the rules and regulations prescribed under DBM-COA-DOF J.C. No. 2-97 dated March 31, 1997 and such other guidelines that may be issued thereon.

Sec. 78. Disbursement of Funds. Public funds for obligations incurred with proper authorization shall be disbursed only through the BTr or authorized government servicing banks under the Modified Disbursement System, subject to guidelines issued thereon.

Sec. 79. Incurrence or Payment of Unauthorized or Unlawful Obligation or Expenditure. Disbursements or expenditures incurred in violation of existing laws, rules and regulations shall be rendered void. Any and all public officials and employees who will authorize, allow or permit, as well as those who are negligent in the performance of their duties and functions which resulted in the incurrence or payment of unauthorized and unlawful obligation or expenditure shall be, personally liable to the government for the full amount committed or expended and, subject to disciplinary actions in accordance with Section 43, Chapter 5 and Section 80, Chapter 7, Book VI of E.O. No. 292.

Sec. 80. Prohibition on the Attachment of the Image and Likeness of Public Officials on Government Projects. It shall be prohibited to affix, or cause to be affixed, the visage, appearance, logo, signature, or other analogous image of any public official, whether elected or appointed, on all programs, activities, projects, signage, and publications under this Act.

ADMINISTRATIVE PROCEDURES

Sec. 81. Institutional Strengthening and Productivity Improvement in Agency Organization and Operations. Heads of departments, bureaus, offices, and instrumentalities under the Executive branch shall adopt institutional strengthening measures to enhance productivity and improve service delivery. For this purpose, they shall: (i) conduct a comprehensive review of their respective mandates, missions, objectives and functions, systems and procedures, and programs, activities and projects; and (ii) identify areas where improvements are necessary and more resources need to be rechanneled.

In the pursuit of said institutional strengthening efforts, the DBM, in consultation with the agencies, shall determine the functions, programs, activities and projects that could be strengthened, scaled down, phased out or abolished and recommend the corresponding structural, functional and operational adjustments to streamline the organization and operations of the agency and improve its performance and productivity.

Accordingly, the DBM may recommend the: (i) creation, abolition, renaming, consolidation or merger of bureaus, offices and units; or (ii) creation, abolition, reclassification, conversion or transfer of existing positions, from one unit to another.

The President of the Philippines or the DBM, as the case may be, is authorized to approve the organizational and staffing modifications needed in streamlining and improving productivity in agency organization and operations, in accordance with the first paragraph of Section 81 hereof.

Sec. 82. Program and Projects Related to Personal Data Protection and Privacy. All agencies of the government shall ensure personal data protection and privacy in its data processing activities in accordance with R.A. No. 10173 or the "Data Privacy Act of 2012" and other relevant laws and regulations.

Agencies shall designate a Data Protection Officer (DPO) with rank of at least Assistant Secretary or Executive Director to (i) conduct data privacy risk and impact assessments; (ii) formulate a Privacy Management Program (PMP); implement organizational technical and physical measures and projects to protect personal data; and (iv) conduct breach drills within their agencies.

Section 82

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- Formulate a Privacy Management Program;

Section 82

- Implement organizational, technical & physical measures and projects to protect personal data;
- Conduct breach drills within their agency

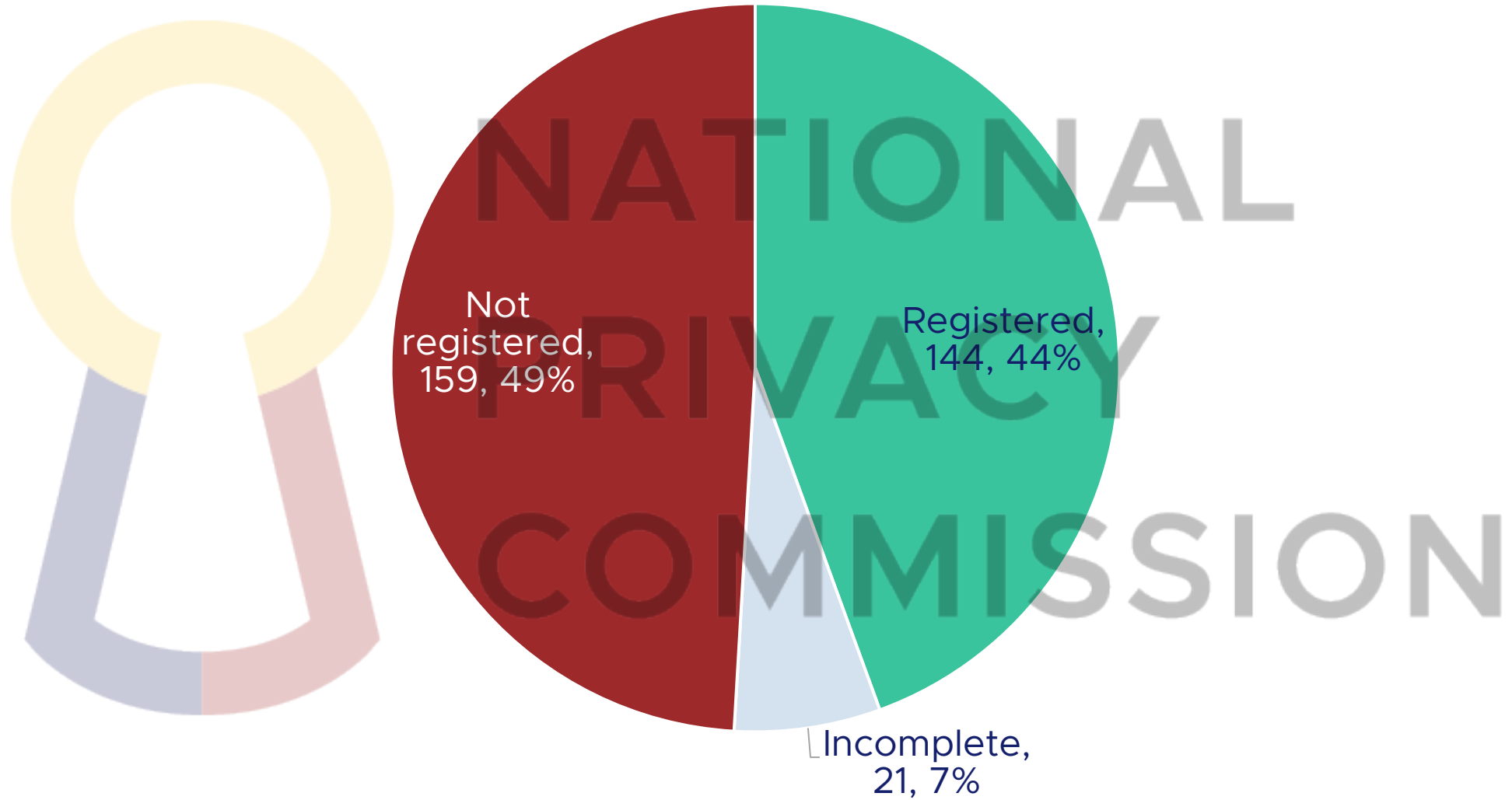


INITIAL MONITORING RESULTS

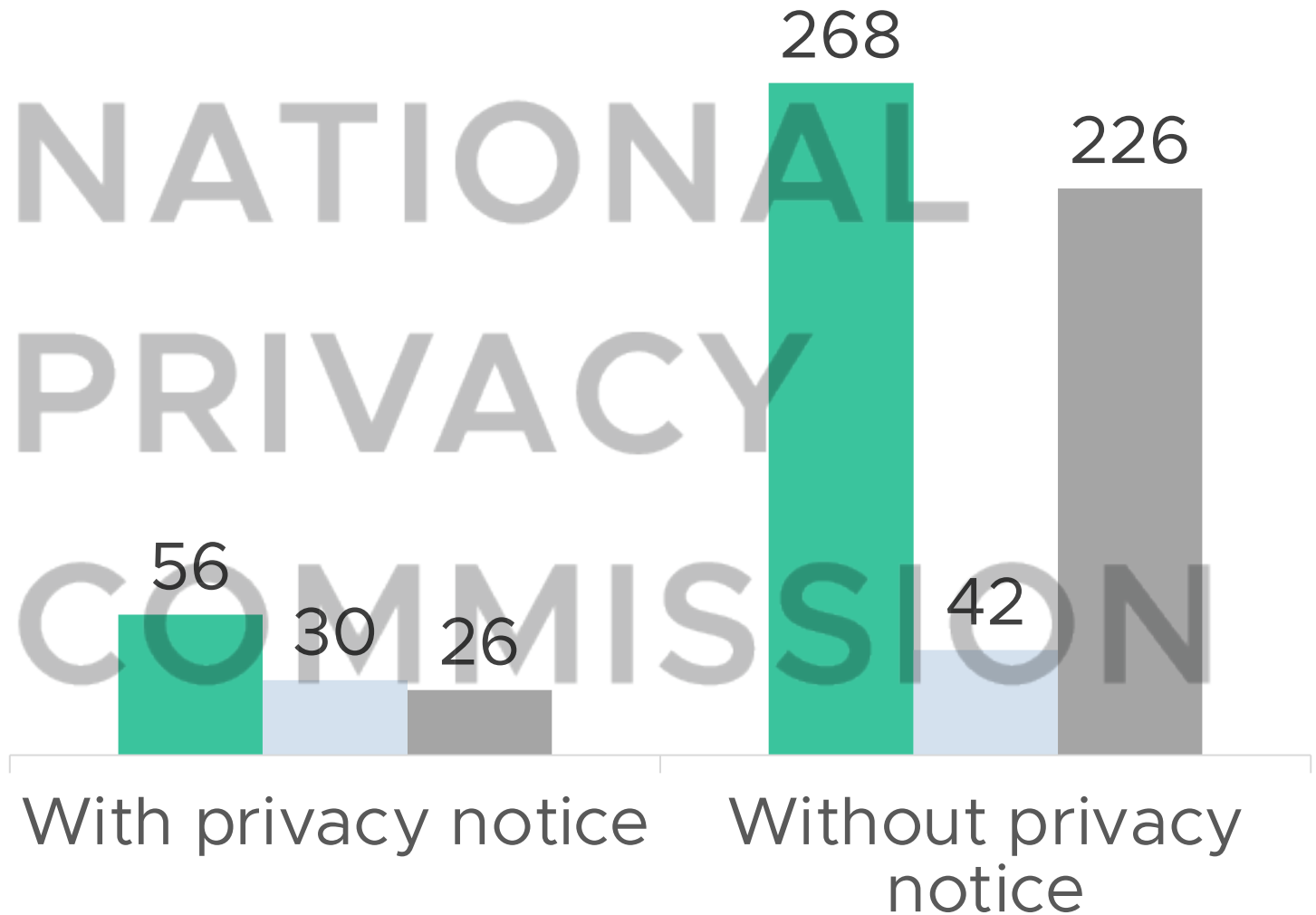
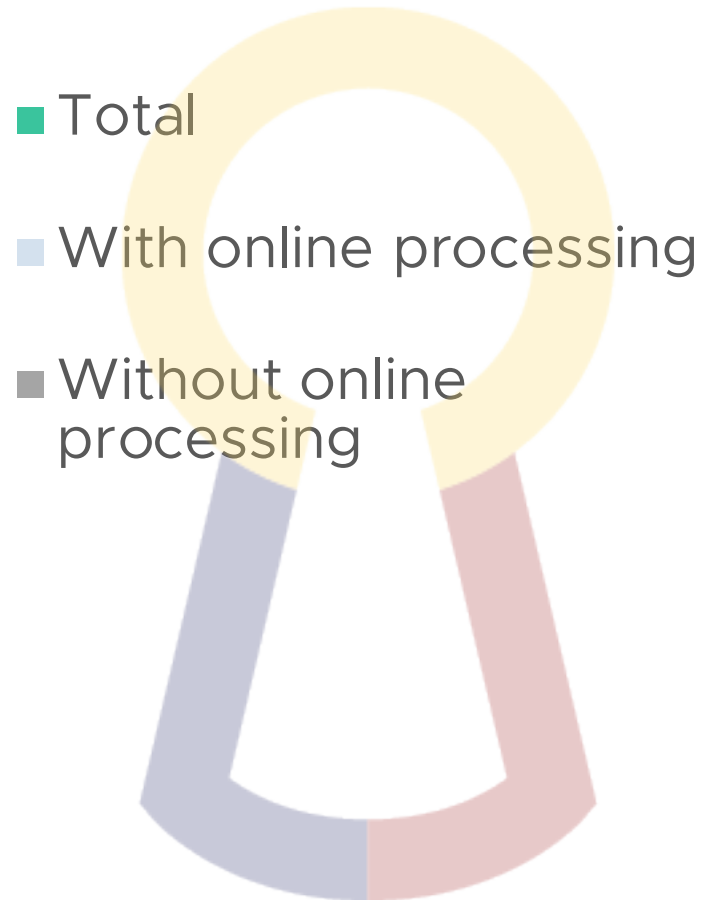
COMPLIANCE CHECKS



PRIVACY SWEEP - REGISTRATION



PRIVACY SWEEP - TRANSPARENCY MECHANISM



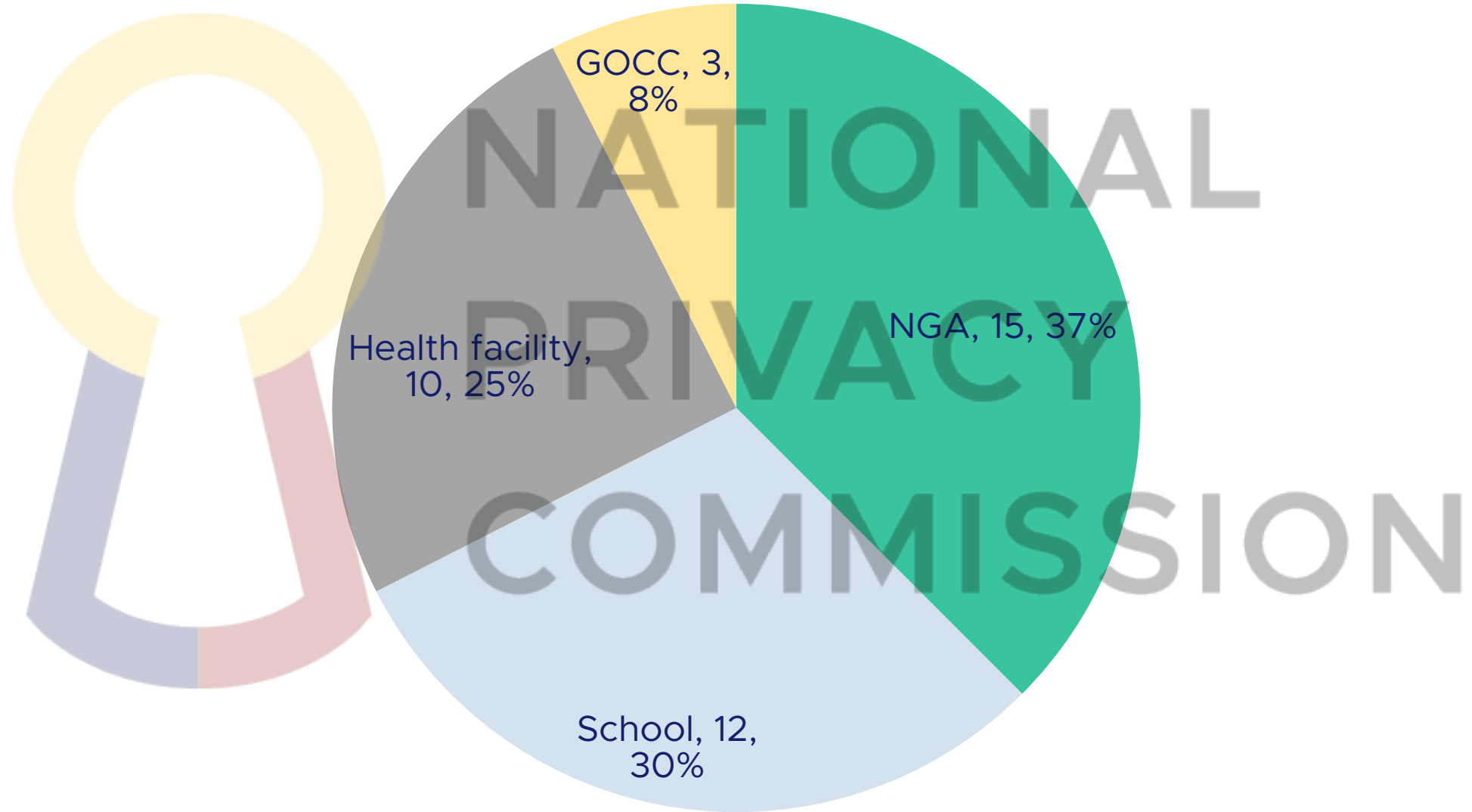
DATA BREACH NOTIFICATIONS



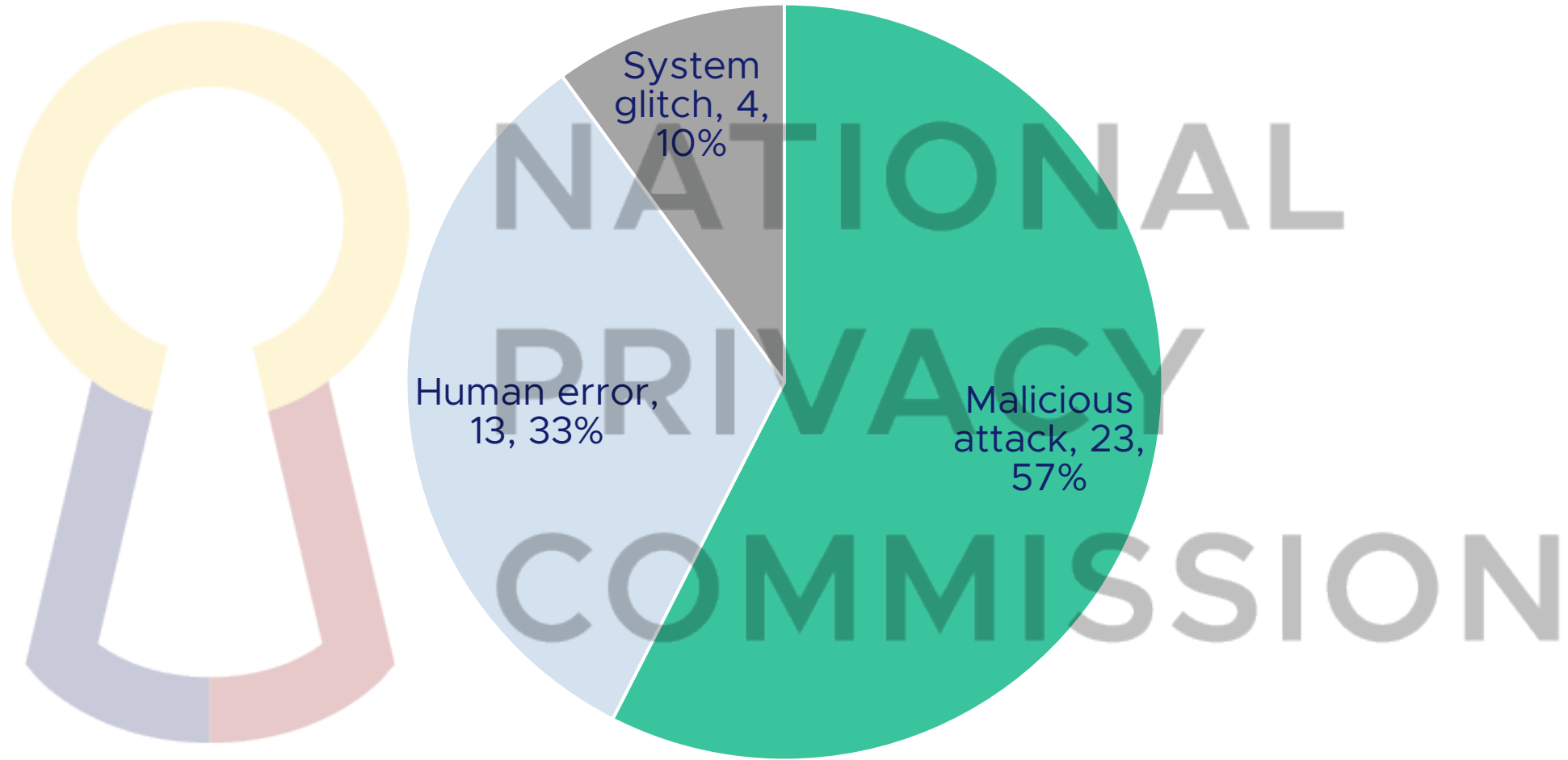
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PRIVACY

DATA BREACH NOTIFICATIONS
RECEIVED FROM THE GOV'T SECTOR

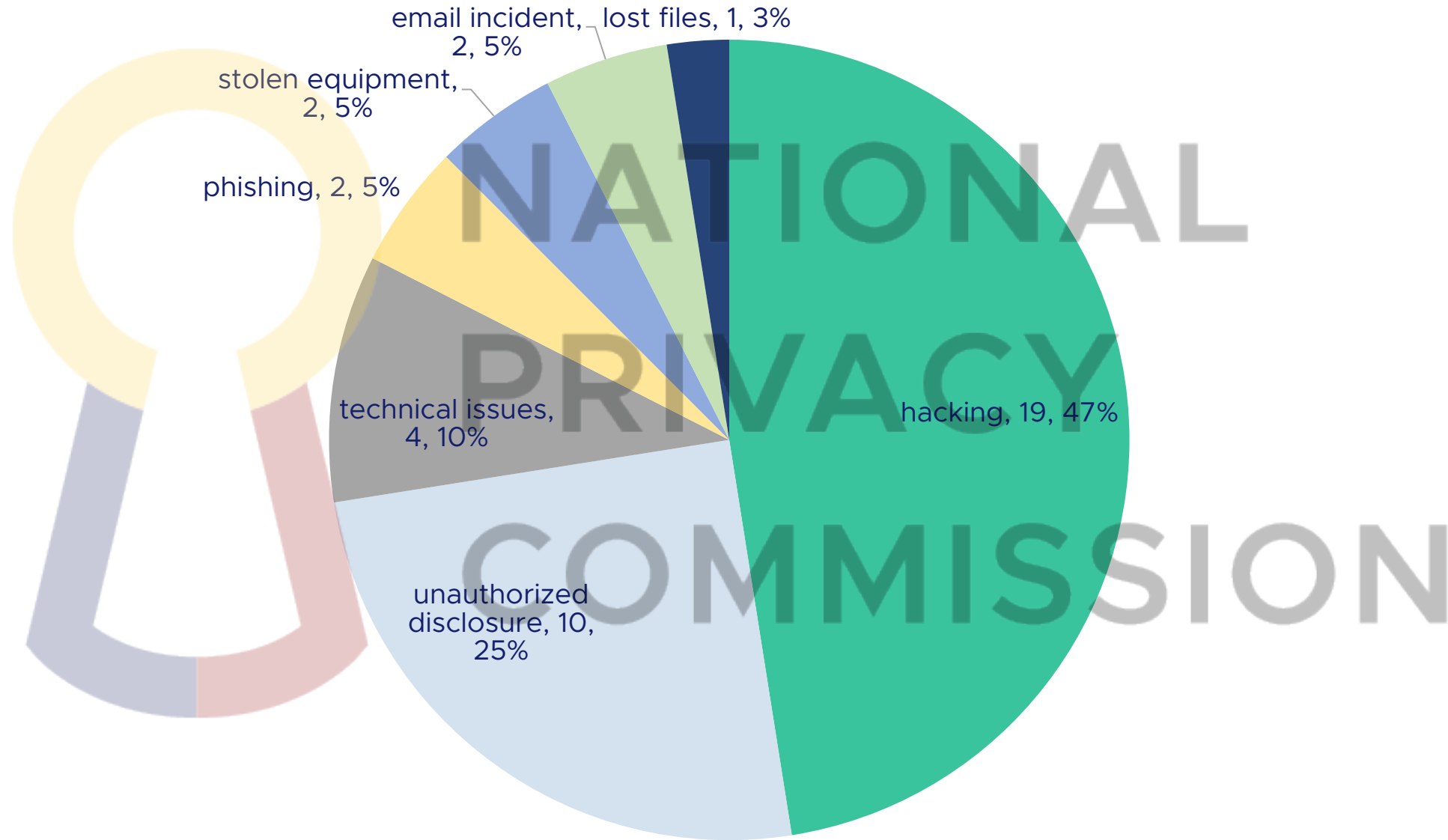
DATA BREACH NOTIFICATIONS – SUBSECTOR



DATA BREACH NOTIFICATIONS – CAUSE (GENERAL)



DATA BREACH NOTIFICATIONS – CAUSE (SPECIFIC)



NEXT STEPS – FOR ALL NGAs

- Issuance of compliance letters
 - Agencies not registered & w/o transparency mechanism (privacy notice)
 - Agencies not registered
 - Agencies without transparency mechanism (privacy notice)
- Issuance of Compliance Orders
- Submission of monitoring report to other oversight agencies

NEXT STEPS – FOR NGAs W/ HIGH RISK PERSONAL DATA PROCESSING

- Issuance of Notice of Documents Submission
- Issuance of Notice of Deficiencies or Certificate of No Significant Findings
- Issuance of Compliance Orders, Show Cause Orders, Cease & Desist Orders or other Orders

REGISTRATION

- Send the ff to dporegistration@privacy.gov.ph
 - ✓ Signed & scanned DPO form
 - ✓ Special/Office Order, or any similar document, designating or appointing the DPO of the PIC or PIP
 - ✓ Where applicable, a copy of the charter of your agency, or any similar document identifying its mandate, powers, and/or functions

TRANSPARENCY



PRIVACY NOTICE

- ✓ Personal data collected
- ✓ Purpose
- ✓ Basis
- ✓ Scope
- ✓ Risks
- ✓ Protection
- ✓ Methods utilized for automated access
- ✓ Identity of PIC
- ✓ DPO Contact details
- ✓ Rights as data subject

Thank you!



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