



Republic of the Philippines
Department of Education
REGION X – NORTHERN MINDANAO
SCHOOLS DIVISION OF EL SALVADOR CITY

**Office of the Schools
Division Superintendent**

DIVISION ADVISORY
No. 020, s. 2023
February 02, 2023

*In compliance with DepEd Order No. 8, s. 2013,
this Advisory is issued not for endorsement as per DO No. 28, 2001
but for the information of DepEd Officials, Personnel/ Staff and the concerned public
(visit <https://depedelsalvadorcity.net>)*

**ONLINE WORKSHOP FOR DATA PRIVACY AWARENESS AND COMPLIANCE,
PRIVACY IMPACT ASSESSMENT AND BREACH MANAGEMENT**

The Yisrael Solutions and Training Center, Inc. is inviting teachers, school administrators and non-teaching personnel to join the **ONLINE WORKSHOP FOR DATA PRIVACY AWARENESS AND COMPLIANCE, PRIVACY IMPACT ASSESSMENT AND BREACH MANAGEMENT** on February-March, 2023 via Online Platform.

The participation of both public and private schools shall be on a voluntary basis. As such, the participants themselves shall shoulder any registration fees and travel/incidental expenses. Further, participation shall be subject to the *no-disruption-of-classes policy* stipulated in DepEd Order No. 09, s. 2005 entitled *Instituting Measures to Increase Engaged Time-On-Task and Ensuring Compliance Therewith*, Section 3 of Republic Act No. 5546 (Policy on Contributions), and DepEd Order No. 066, s. 2017 (Policy on Off-Campus Activities).

Immediate and wide dissemination of this Advisory is desired.

Encl:

As stated

Reference:

Letter of Invitation from the Organizer

To be indicated in the Perpetual Index

under the following subjects:

TRAINING PROGRAMS

SGOD/HRD/merogim



Address: Zone 3, Poblacion, El Salvador City | Website: www.depedelsalvadorcity.net
Tel. No. (088) 555-0475 | Email: elsalvador.city@deped.gov.ph



Subject: Invitation to attend to an Online Workshop for Data Privacy Awareness and Compliance, Privacy Impact Assessment and Breach Management

Dear Sir/Madam,

Greetings!

We would like to invite you and your department heads/officers and data privacy team to attend our online workshop entitled "Data Privacy Act Awareness and Compliance, Privacy Impact Assessment and Breach Management". Given below are the objectives for the Online workshop.

1. Discussion about Data Privacy Act of 2012
2. Know the importance of conducting a Privacy Impact Assessment
3. Understand the role of the organization to build its privacy structure to better manage its compliance to DPA
4. Learn the elements and practical approach of using data inventories/maps to provide a holistic approach in protecting personal data.
5. Understand the operational considerations to deploy data privacy programs in the organization
6. Discussion on Guidelines for Personal Data Breach Management wherein the participants are introduced into the concept of a security incident and personal data breach.

The learning objectives of this workshop is to enable the government agency or private organization to be informed of the new guidelines, memorandum/circulars issued by the National Privacy Commission (NPC) with regards to compliance with RA 10173 as well as the Implementing Rules and Regulations (IRR) and its corresponding fines, or penalties.

In addition, our data privacy managers, data privacy experts will not only give you detailed information and exercises about Data Privacy Act as well as its IRR but also will discuss the Breach Management or NPC Circular 16-03. Under Breach Management, the participants are introduced to the concept of a security incident and personal data breach and are made aware of the ramifications of a data privacy breach and how to start preparing for when it happens.

Below are the online workshop class programs/modules:

MODULES	Objective
DAY 1	
Module 1 – Data Privacy Act Awareness and Compliance - Introduction to Data Privacy Act of 2012 (IRR 10173) - Appoint a Data Protection Officer - Roles of Data Protection Officer	Discuss the Data Privacy Act of 2012 and its updates on the legislative framework. Understand what needs to be done to achieve compliance with RA 10173, its IRRs, and other issuances of the National Privacy Commission. Be aware of the consequences that may arise from being non-compliant to Republic Act 10173, also known as the Data Privacy Act of 2012.
Module 2 – Privacy Risk and Impact Assessment - Intro to Privacy Impact Assessment (PIA)	Know the importance of conducting a Privacy Impact Assessment and an opportunity to discuss experiences of embedding privacy-by-design in your processes.
Module 3 – Privacy Governance and Structure	To practice accountability and understand the role of the organization to build its privacy structure to better manage its compliance with DPA.
DAY 2	

Module 4 – Data Inventory and Mapping	Learn the elements and practical approach of using data inventories/maps to provide a holistic approach to protecting personal data.
Module 5 – Data Protection and Privacy Program Landscape	Understand the operational considerations to deploy your data privacy programs in your organization.
DAY 3	
Module 6 – Breach Management (NPC Circular 16-03) <ul style="list-style-type: none"> - What is Data Breach/Security Incident - How to handle Data Breaches - Data Breach Response Team 	The participants are introduced to the concept of a security incident and personal data breach and are made aware of the ramifications of a data privacy breach and how to start preparing for when it happens.
TENTATIVE SCHEDULES: <p style="text-align: center;">FEBRUARY 8-10, 2023 MARCH 8-10, 2023</p>	

Our online workshop will be held for three (3) days and the **Online Workshop Fee is Php 2,000/day per pax total of Php 6,000 for 3-days**. Kindly fill up the attached Confirmation Form which requires a list of your participants and email at nharis@yisraelsolutions.com for your workshop schedule. Please deposit the payment and email the deposit slip then a meeting ID and a password will be sent to your email. Payment should be made on the account of **YISRAEL SOLUTIONS & CONSULTING (YISCON) INC.**

We also conduct an in-house workshop wherein a central office can organize its regions to attend an online workshop. If you are interested, please inform us at the contact numbers stated below.

For inquiries and/or clarification, please contact us by email at nharis@yisraelsolutions.com (attention to: Nharis A. Aspacio); or thru text at mobile number 0966-1877-756-GLOBE; 0938-2466-094-SMART; landline (027) 616-3086; (027) 373-8503.

Our team, though working from our own homes, would like to remind you to sanitize your gadgets, aside from washing hands frequently, as an added precautionary measure to prevent the spread of the virus. We hope to see you in our online workshops!



YISRAEL SOLUTIONS AND TRAINING CENTER INC.



NPC ACCREDITATION NO. T3-IPT-2021-008

PRIVACY STATEMENT

We are committed to maintaining the accuracy, confidentiality, and security of your personally identifiable information ("Personal Information"). As part of this commitment, our privacy policy governs our actions as they relate to the collection, use and disclosure of Personal Information.

We are responsible for maintaining and protecting the Personal Information under our control. We have designated an individual or individuals who is/are responsible for compliance with our privacy policy.

Personal information will generally be collected directly from you through the use of any of our standard forms, over the internet, via email, or through a telephone conversation with you. We may also collect personal information about you from third parties acting on your behalf (for instance, agents or contact person).

We also collect information from subscribers (persons registering their details with us through the website) or website visitors for the purpose of improving our quality and effectiveness and to provide you with information. We will not publish your name in connection with any information you provide without your permission.



YISRAEL SOLUTIONS AND TRAINING CENTER, INC.

MESSAGE: Please fill out the form below (readable and correct name spelling of participants)

CONFIRMATION FORM

Data Privacy Awareness and Compliance Workshop

(Please take note that Confirmation/Reservation is on First Come First Serve Basis)

Name of Company:			
Type of Organization:			Region:
Complete Address:			
Contact Person: (for delivery of Certs & OR)	Tel. No.	Mobile No.	Fax No.

PARTICIPANT DETAILS:

First Name	M.I	Last Name	Mobile No.	Position	Email Address (per participant)

Please reserve me/us on this workshop schedule:

SCHEDULE	Time	No. of Slot Reserve	REGISTRATION POLICY:
	9:00am-4:00pm		GUARANTEED SLOTS Please fill up the confirmation form to guarantee your slots. Those who are confirmed will be given "priority status" contingent upon the availability of slots.
Registration fee for a 3-day workshop: (non-VAT) P 6,000			

Requested by: Signature over Printed Name	Pls deposit your payment to our LandBank Account BANK DETAILS: Account Name: YISRAEL SOLUTIONS AND TRAINING CENTER INC Account Number: 1641-1087-11 Pasig-C. Raymundo Ave. Branch
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PRIVACY NOTICE:

"We from Yisrael Solutions and Consulting (YISCON), Inc. will make sure that all of the personal information you have provided will be secured and remain confidential as much as possible. We collect information with your proper consent and that necessary personal information with the intent to fulfill the purpose in transacting with us."



NPC ACCREDITATION NO. T3-IPT-2021-008



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

NPC Circular No. 2022-01

Date : 08 August 2022

Subject : GUIDELINES ON ADMINISTRATIVE FINES

WHEREAS, 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;

WHEREAS, the National Privacy Commission (Commission) was created under Republic Act No. (R.A.) 10173, otherwise known as the “Data Privacy Act of 2012” (DPA), in order to discharge the duty of the State to protect individual personal information in information and communications systems in the government and the private sector;

WHEREAS, the Commission has the express mandate under R.A. 10173 and its Implementing Rules and Regulations (IRR) to: (1) ensure compliance with the provisions of R.A. 10173; (2) receive complaints, institute investigations, and adjudicate on matters affecting any personal information; (3) compel any entity, government agency or instrumentality to abide by its orders or take action on a matter affecting data privacy; and (4) generally perform such acts as may be necessary to facilitate cross-border enforcement of data privacy protection;

WHEREAS, the Commission shall perform all acts as may be necessary to implement the DPA, its IRR, and its issuances, and to enforce its Orders, Resolutions, or Decisions, including the imposition of administrative sanctions, fines, or penalties;

WHEREAS, the Commission encourages Personal Information Controllers (PICs) and Personal Information Processors (PIPs) to promote organizational accountability by initiating measures to enhance their compliance with the DPA to protect the rights of their data subjects;

WHEREAS, the Commission recognizes that it is necessary for public interest to impose administrative fines that are proportionate and dissuasive for the effective exercise of its mandate;

WHEREFORE, in consideration of these premises, the Commission hereby issues this Circular fixing the amount of administrative fines to be imposed for infractions of R.A. 10173, its IRR, and other issuances of the Commission;

Section 1. Scope. This Circular is applicable to PICs and PIPs as defined in the DPA.

Section 2. Administrative Fines. Any PIC or PIP who shall violate the following provisions of R.A. 10173, its IRR, and the issuances of the Commission shall be liable for an administrative fine for each infraction. The amount of the fine for each infraction shall fall within the ranges identified below and shall be determined in accordance with the factors enumerated in Section 3. In any case, the total imposable fine for a single act of a PIC or PIP,

NPC_DIT_CRLR-V1.0,R0.0,22 June 2022

whether resulting in single or multiple infractions, shall not exceed Five Million Pesos (Php 5,000,000.00).

GRAVE INFRACTIONS

Any natural or juridical person processing personal data that infringes on the following provisions and implementing issuances of the Commission shall be subject to administrative fines of 0.5% to 3% of the annual gross income of the immediately preceding year when the infraction occurred:

- a. For each infraction of any of the general privacy principles in the processing of personal data pursuant to Section 11 of the DPA, where the total number of affected data subjects exceeds one thousand (1,001 or more);
- b. For each infraction of any of the data subject rights pursuant to Section 16 of the DPA, where the total number of affected data subjects exceeds one thousand (1,001 or more); or
- c. Any repetition of the same infraction penalized under this Circular, regardless of the classification as Major Infractions or Other Infractions, shall be automatically considered as a Grave Infraction.

MAJOR INFRACTIONS

Any natural or juridical person processing personal data that infringes on the following provisions and implementing issuances of the Commission shall be subject to administrative fines of 0.25% to 2% of the annual gross income of the immediately preceding year when the infraction occurred:

- a. For each infraction of any of the general privacy principles in the processing of personal data pursuant to Section 11 of the DPA, where the total number of affected data subjects is one thousand or below (1-1,000);
- b. For each infraction of any of the data subject rights pursuant to Section 16 of the DPA, where the total number of affected data subjects is one thousand or below (1-1,000);
- c. Any failure by a PIC to implement reasonable and appropriate measures to protect the security of personal information pursuant to Section 20 (a), (b), (c), or (e) of the DPA;
- d. Any failure by a PIC to ensure that third parties processing personal information on its behalf shall implement security measures pursuant to Section 20 (c) or (d) of the DPA; or
- e. Any failure by a PIC to notify the Commission and affected data subjects of personal data breaches pursuant to Section 20 (f) of the DPA, unless otherwise punishable by Section 30 of the DPA.

NPC_DIT_CRLR-V1.0,R0.0,22 June 2022

OTHER INFRACTIONS

- a. Any natural or juridical person processing personal data that commits any of the omissions provided hereunder shall be subject to an administrative fine of **not less than Fifty Thousand Pesos (Php 50,000) but not exceeding Two Hundred Thousand Pesos (Php 200,000)**:
 - i. The failure to register the true identity or contact details of the PIC, the data processing system, or information on automated decision making, pursuant to Section 7(a), Section 16, and Section 24 of the DPA and its corresponding implementing issuances; or
 - ii. The failure to provide updated information as to the identity or contact details of the PIC, the data processing system, or information on automated decision making, pursuant to Section 7(a), Section 16, and Section 24 of the DPA and its corresponding implementing issuances.
- b. Any natural or juridical person processing personal data that fails to comply with any Order, Resolution, or Decision of the Commission, or of any of its duly authorized officers, pursuant to Section 7 of the DPA and its corresponding implementing issuances, shall be subject to an administrative fine **not exceeding Fifty Thousand Pesos (Php 50,000)**.

The fine to be imposed as a result of this infraction shall be in addition to the fine imposed for the original infraction subject of the Order, Resolution, or Decision of the Commission.

(e.g., If the Order, Resolution, or Decision imposes a fine that pertains to the implementation of security measures, a maximum of Php 50,000 shall be added to the fine for that infraction.)

This Circular shall also apply to infractions to be provided in future issuances of the Commission. In those instances, the range of applicable fines shall be set out in such issuance.

Section 3. Factors Affecting Fines. The Commission shall consider the following factors in determining the amount of the fine within the range provided in Section 2:

- a. Whether the infraction occurred due to negligence or through intentional infraction on the part of the PIC or PIP;
- b. Whether the infraction resulted in damage to the data subject, taking into account the degree of damage to the data subject, if any;
- c. The nature or duration of the infraction, in relation to the nature, scope, and purpose of the processing;
- d. The action or measure taken prior to the infraction to protect the personal data being processed as well as the rights of the data subject under Section 16 of the DPA;
- e. Any previous infractions determined by the Commission as contained in its Orders, Resolutions or Decisions, whether these infractions have led to the imposition of fines, and the length of time that has passed since those infractions;
- f. The categories of personal data affected;

NPC_DIT_CRLR-V1.0,R0.0,22 June 2022

- g. The manner in which the PIC or PIP discovered the infraction, and whether it informed the Commission;
- h. Any mitigating action adopted by the PIC or PIP to reduce the harm to the data subject; and
- i. Any other aggravating or mitigating circumstances as appreciated by the Commission, including financial benefits incurred or losses avoided by the PIC or PIP.

For the purpose of ascertaining the annual gross income of the PIC or PIP that committed the infraction, the Commission may evaluate and require the submission of the PIC's or PIP's audited financial statements filed with the appropriate tax authorities for the immediately preceding year when the infraction occurred, the last regularly prepared balance sheet or annual statement of income and expenses, and such other financial documents as may be deemed relevant and appropriate.

In cases where a PIC or PIP has not been operating for more than one year, the base to be used for the computation of the administrative fine shall be its gross income at the time the infraction was committed.

Section 4. *Due Process.* The administrative fine shall only be imposed after notice and hearing are afforded to the PICs or PIPs, in accordance with the NPC Rules of Procedure.

In case the PIC or PIP fails to appear or submit its comment or pleading, despite due notice, the Commission shall decide on the alleged infraction based on the evidence on record.

If the complaint alleges a violation of the DPA that incurs criminal liability, but the facts proven only constitute one or some of the infractions subject to administrative fines, the PIC or PIP shall be fined for the infraction proven, provided it is included in the violation alleged.

A violation charged includes the infraction proven when some of the essential elements of the former, as alleged in the complaint, constitute the latter.

A PIC or PIP may be held liable for an infraction, even if it is different from the infraction impleaded, provided that (1) the essential requisites of the infraction for which the PIC or PIP is found liable are alleged in the complaint, and (2) such infraction is proven based on substantial evidence.

Section 5. *Appeal.* The Decision or Resolution of the Commission shall be immediately executory unless otherwise restrained by the Court of Appeals or the Supreme Court.

Section 6. *Posting of Bond on Imposed Administrative Fines.* In any or all actions assailing the Decisions or Resolutions of the Commission pertaining to the administrative fine imposed, a cash or surety bond equivalent to the total amount of fine imposed shall be posted, exclusive of the damages, attorney's fees, and other monetary awards, upon such filing of any action with the appropriate courts. Non-posting of a cash or surety bond shall result in the immediate execution of the administrative fine imposed.

The cash or surety bond shall be valid and effective from the date of deposit or posting until the case is finally decided, resolved, or terminated, or the administrative fine imposed is satisfied.

In case of a surety bond, the PIC or PIP must (1) post the bond through a bonding company included in the latest list of bonding companies accredited by the Supreme Court for Civil Cases and Special Proceedings, and (2) comply with the requirements of such bonding company.

No motion to reduce bond shall be entertained by the Commission.

Section 7. Refusal to Comply. In case of refusal to pay the adjudged administrative fine under this Circular, the PIC or PIP may be subject to a Cease and Desist Order (CDO), other processes or reliefs as the Commission may be authorized to initiate pursuant to Section 7 of the DPA, and appropriate contempt proceedings under the Rules of Court.

Notwithstanding the provisions of NPC Circular No. 20-02 or the Rules on the Issuance of Cease and Desist Orders, the failure to comply with the Order, Resolution, or Decision of the Commission may, after notice and hearing, result in the issuance of a CDO.

Section 8. Periodic Review and Modification. This Circular may be modified, amended, supplemented, or repealed as may be deemed necessary and proper by the Commission.

Section 9. Separability Clause. In the event that any provision of this Circular be declared invalid or unconstitutional, the remaining provisions shall remain effective and in full force and effect.

Section 10. Applicability Clause. These rules apply to PICs and PIPs for the above infractions prospectively. All issuances inconsistent with the provisions of this Circular shall be deemed repealed, amended, or modified accordingly.

Section 11. Effectivity. - This Circular shall take effect fifteen (15) days following its publication in a newspaper of general circulation.

Approved:

Sgd.
ATTY. JOHN HENRY D. NAGA
Privacy Commissioner

Sgd.
ATTY. LEANDRO ANGELO Y. AGUIRRE
Deputy Privacy Commissioner

Sgd.
ATTY. DUG CHRISTOPER B. MAH
Deputy Privacy Commissioner