



Republika ng Pilipinas
KAGAWARAN NG KATARUNGAN
Department of Justice
Manila

DEPARTMENT CIRCULAR NO. 023

TO : All Undersecretaries and Assistant Secretaries,
Heads of Services/Offices in the DOJ Proper, and
Heads of Regional/Provincial/City Prosecution Offices

SUBJECT : DESIGNATION OF COMPLIANCE OFFICERS FOR PRIVACY
PURSUANT TO REPUBLIC ACT (RA) NO. 10173 OR THE DATA
PRIVACY ACT OF 2012

DATE : JUN 06 2018

1. In line with National Privacy Commission (NPC) Circular No. 16-01 dated 10 October 2016, *re: Security of Personal Data in Government Agencies* and NPC Advisory No. 2017-01 dated 14 March 2017, *re: Designation of Data Protection Officers (DPO)*, the following are hereby designated as **Compliance Officers for Privacy (COP)**:
 - 1.1 For the Department Proper – Heads of Services, Offices, and Programs, including the Offices of the Secretary, Undersecretaries, and Assistant Secretaries; and
 - 1.2 For the National Prosecution Service – the Prosecutor General and Heads of Regional/Provincial/City Prosecution Offices.
2. The COP shall perform, within their respective offices, the following functions consistent with said NPC Advisory and internal policies/guidance that the Department may issue:
 - 2.1 Assist the Department's DPO with the following—
 - 2.1.1 Monitor compliance with the Data Privacy Act of 2012, its implementing rules and regulations, NPC issuances, and other applicable laws and rules;
 - 2.1.2 Ensure that Privacy Impact Assessments are conducted to evaluate and manage the impact on privacy of a particular program, project, process, measure, or system in accordance with NPC Advisory No. 2017-03 dated 31 July 2017, *re: Guidelines on Privacy Impact Assessments* and Department guidelines; and
 - 2.1.3 Advise the Department regarding complaints and/or the exercise by data subjects of their rights (*e.g.* requests for information, clarifications, rectification or deletion of personal data);

- 2.2 Ensure proper personal data breach and security incident management, including preparation and submission of reports and other documentation concerning security incidents or data breaches in accordance with NPC Circular No. 16-03 dated 15 December 2016, *re: Personal Data Breach Management*;
 - 2.3 Inform and cultivate awareness on privacy and data protection within the office, including relevant laws, rules, regulations, and NPC issuances;
 - 2.4 Advocate for the development, review and/or revision of policies, guidelines, projects and/or programs of the agency and office relating to privacy and data protection;
 - 2.5 Serve as the contact person of the office vis-à-vis data subjects, the NPC, and other authorities in all matters concerning data privacy or security issues and concerns;
 - 2.6 Cooperate/coordinate with and seek advice from the Department's DPO regarding matters on data privacy and security, as necessary; and
 - 2.7 Perform other duties and tasks that may be assigned/referred by the Secretary and/or the DPO that will further the interest of data privacy/security and uphold the rights of the data subjects.
3. In the discharge of the foregoing functions, the following should be taken into consideration:
- 3.1 Risks associated with the data processing operations of the office, particularly the nature, scope, context, and purpose of processing, upon which the COP must prioritize activities and focus on issues that present higher data protection risks;
 - 3.2 Laws/policy issuances relating to security of government information and records, including RA No. 9470, or the National Archives of the Philippines Act of 2007, and Office of the President Memorandum Circular No. 78 (s. 1964);¹ and
 - 3.3 Procedures, exceptions, and protection of privacy relative to access to public records in accordance with Executive Order No. 02 (s. 2016),² Department Order (DO) No. 202 (s. 2017), *re: Agency Freedom of Information Manual and Implementing Arrangements*, and Department Circular No. 022 (s. 2017), *re: People's Freedom of Information (FOI) Manuals*.
4. The Department's DPO shall exercise supervision over the COPs with respect to said functions. For the provincial and city prosecution offices, said DPO supervision shall

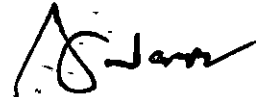
¹ Promulgating Rules Governing Security of Classified Matter in Government Offices.

² Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies to Full Public Disclosure and Transparency in the Public Service and Providing Guidelines Therefor.

be exercised through the Prosecutor General for the National Capital Region and the Heads of Regional Prosecution Offices for the other regions.

5. The DOJ Information Security Team headed by the DPO and constituted under DO No. 195 (s. 2017) shall continue to discharge its duties and responsibilities, which are oversight in nature and/or agency-wide in scope, without prejudice to the functions of the COPs, which are internal to their respective offices.
6. The Data Privacy Act of 2012, its implementing rules and regulations, and relevant issuances from the NPC and other agencies are accessible online on the websites of the Department, the NPC, and other agencies concerned.
7. This Circular shall take effect immediately.

For guidance and compliance of all concerned.



MENARDO I. GUEVARRA

Secretary

Department of Justice
CN: O201806114

