Republic of the Philippines
Province of Surigao del Sur
Municipality of Barobo
-ooOoo-

OFFICE OF THE SANGGUNIAN SECRETARY

March 20, 2025

NG SANGGUNIANG PANLALAWIGAN
TANGGAPAN
RECEIVED
DATE: 3-21-25
BY:
TIME: 10:45 am
TANDAG CITY, SURIGAO DEL SUR

THE SANGGUNIANG PANLALAWIGAN
Thru: ***EDGAR G. PEREZ II, LLB***
Secretary to the Sangguniang Panlalawigan
Capitol Hills, Telaje, Tandag City

Sir;

We are forwarding to your level the copy of **ORDINANCE NO. 02, s. 2025** enacted by the Sangguniang Bayan, for your information, reference and appropriate action.

ORDINANCE NO. 02
Series of 2025

"ORDINANCE OPERATIONALIZING REPUBLIC ACT 10173, OR THE DATA PRIVACY ACT OF 2012 IN THIS MUNICIPALITY AND PROVIDING GUIDELINES THEREFOR"

Kindly acknowledge receipt thereof.

Thank you.

Very truly yours,

3-20-25
MAY FLOR A. CAGOCO
Sanggunian Secretary

Republic of the Philippines
Province of Surigao del Sur
Municipality of Barobo
OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

In compliance to Section 59 of RA 7160, Article 113, IRR of RA 7610, the hereunder approved ordinance is hereby posted:

ORDINANCE NO. 02, SERIES OF 2025 "ORDINANCE OPERATIONALIZING REPUBLIC ACT 10173 OR THE DATA PRIVACY ACT OF 2012 IN THIS MUNICIPALITY AND PROVIDING GUIDELINES THEREFOR"

DATE ENACTED: **FEBRUARY 18, 2025**

DATE APPROVED: **MARCH 17, 2025**

DATE POSTED: **MARCH 19, 2025**

PLACE OF POSTING: **PUBLIC TERMINAL**

MAY FLOR M. CAGOCO
Sangguniang Secretary



Republic of the Philippines
Province of Surigao del Sur
Municipality of Barobo
OFFICE OF THE SANGGUNIANG BAYAN

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DATE ENACTED: **FEBRUARY 18, 2025**

DATE APPROVED: **MARCH 17, 2025**

DATE POSTED: **MARCH 19, 2025**

PLACE OF POSTING: **MUNICIPAL HALL**

MAY FLOR M. CAGOCO
Sangguniang Secretary



Republic of the Philippines
Province of Surigao del Sur
Municipality of Barobo
OFFICE OF THE SANGGUNIANG BAYAN

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ORDINANCE NO. 02, SERIES OF 2025 "ORDINANCE OPERATIONALIZING REPUBLIC ACT 10173 OR THE DATA PRIVACY ACT OF 2012 IN THIS MUNICIPALITY AND PROVIDING GUIDELINES THEREFOR"

DATE ENACTED: **FEBRUARY 18, 2025**

DATE APPROVED: **MARCH 17, 2025**

DATE POSTED: **MARCH 19, 2025**

PLACE OF POSTING: **PUBLIC MARKET**

MAY FLOR M. CAGOCO
Sangguniang Secretary



Republic of the Philippines
Province of Surigao del Sur
Municipality of Barobo
-ooOoo-

OFFICE OF THE SANGGUNIAN BAYAN

INVITATION TO THE PUBLIC

January 21, 2025

_____

_____

_____

THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF BAROBO, SURIGAO DEL SUR INVITES YOU TO A PUBLIC HEARING:

DATE: JANUARY 27, 2025 (MONDAY)

TIME: 9:30 AM

VENUE: SB SESSION HALL, LEGISLATIVE BUILDING

RE: "ORDINANCE OPERATIONALIZING REPUBLIC ACT 10173 OR THE DATA PRIVACY ACT OF 2012 IN THIS MUNICIPALITY AND PROVIDING GUIDELINES THEREFOR"

COMMITTEES: Good Governance

ALL ARE CORDIALLY INVITED TO ATTEND AND PARTICIPATE

ALLAN C. BERNAL
Vice Mayor / Regular Presiding Officer

Purok-1A, Poblacion, Barobo, Surigao del Sur | Area Code: (086) 8500-204 | sangguniangbayan.barobo@gmail.com

Republic of the Philippines
Province of Surigao del Sur
Municipality of Barobo
-ooOoo-
OFFICE OF THE SANGGUNIANG BAYAN

PUBLIC HEARING

Subject: "ORDINANCE OPERATIONALIZING REPUBLIC ACT 10173 OR THE DATA PRIVACY ACT OF 2012 IN THIS MUNICIPALITY AND PROVIDING GUIDELINES THEREFOR"

ATTENDANCE SHEET

January 27, 2025 | 9:30AM
SB Session Hall, Legislative Building

	NAME	OFFICE / DESIGNATION	SIGNATURE
1.	MATIAS V. CAYBOT	SBO / SBM	
2.	ELYNETH S. MOSQUERA	SBO / SBM	
3.	Edmundo D Montalban	Brgy Treas - Quejas	
4.	Mercedita T. Inocente	Amaga / BHW Pres.	
5.	MERJUEL T. ASONTO	POBLACION / BHW PRES	
6.	GENALYN M. ALBERO	Wakat BHW PRES.	
7.	BINICENDA T. DIONSON	DAPDAP BHW PRES.	
8.	Elda C. Abrede	Tambis / BHW Pres.	
9.	DIOLETA L. DALPIN	Cabacungan BHW Pres.	
10.	Leverita D. AMORA	Kinayan, BHW pres.	
11.	Maritez L. Delos Santos	JAVIER BHW Pres	
12.	Joialyn I Gupana	Guinhalinan / BHW Pres.	
13.	Roselyn J. Miaga	San Vicente / Ass. BHW Pres.	
14.	Nena C. Sincero	MAMIS / Brgy. Captain	
15.	Kevin Jay Gerbabuena	MO / PO desg.	
16.	JOEY C J. DANAO	MO / HRMO	
17.	Nancy Silva		
18.	Pcpl Decerie Mae Saligumba	PNP	
19.	Pcpl Mary Angelo D Malanan	PNP	
20.	RITZZIE MAE M. TEVES	LCRO / RO II	
21.	Marybel M. Manga	BHW Pres.	
22.	Alina R. Acosta	BHW PRES CAMPBALANG	

Republic of the Philippines
Province of Surigao del Sur
Municipality of Barobo
□□□□□□

OFFICE OF THE SANGGUNIANG BAYAN

NARRATIVE REPORT OF THE PUBLIC HEARING

Subject/s: "ORDINANCE OPERATIONALIZING REPUBLIC ACT 10173 OR THE DATA PRIVACY ACT OF 2012 IN THIS MUNICIPALITY AND PROVIDING GUIDELINES THEREFOR"

Date: January 27, 2025
Venue/Time: SB Session Hall, Legislative Bldg, LGU-Barobo / 9:30 a.m.
Referred to: Good Governance
Authored by: Hon. Matias V. Caybot

Attendance:

Sangguniang Bayan:
- Hon. Allan C. Bernal, *Vice Mayor/Regular Presiding Officer*
- Hon. Matias V. Caybot, *SB Member/Sponsor*
- Hon. Robert Louis D. Avila III, *SB Member*
- Hon. Elyneth S. Mosquera, *SB Member*
- Hon. Nancy P. Silva, *SB Member*
- Hon. Richard B. Balahay, *SB Member*
- Hon. Arnel A. Templanza, *ABC President*
- Hawud. Christopher B. Tobias, *IPMR*

Department and Section Heads:
- Samuel M. Ortega, *MPDC*
- Marilou M. Godito, *MSWDO*
- Joey-C J. Danao, *HRMO, MO*
- Kevin Jay Gerbabuena, *PIO-Designate, MO*
- Pedro A. Nacario, *BPLO, MO*
- Ritzzie Mae M. Teves, *RO II, LCRO*

National Office/Agency Representatives:
- PCpl Decerie Mae Saligumba, *PNP*
- PCpl Mary Argie D Macabugto, *PNP*

Others:
- Brgy. Captains
- Barangay Health Workers

(See attached attendance sheet for the actual names)

Started at 10:03 in the morning.

Opening Prayer: Maritez L. Delos Santos, *BHW President, Brgy. Javier*

National Anthem: Anierose E. Mariscal, *LLSO III*

Welcome Address: Hon. Allan C. Bernal, *Vice Mayor/Regular Presiding Officer*

Overview of the Ordinance: Hon. Matias V. Caybot, *SB Member/Sponsor*

Summary: May Flor A. Cagoco, *Sanggunian Secretary*

COMMENTS, OBSERVATIONS AND SUGGESTIONS:

Mr. Ortega commended the legislators behind the proposal as he magnified that it is high time to operationalize such an act now, considering the big population Barobo has today. He justified that it should have been in place a long time ago, but funding constraints only caused the delay.

Ms. Asonto, Brgy. Poblacion's BHW president, brought up a problem that barangay health workers have encountered frequently. She gave the example that anytime the government provides financial aid, they are the ones who collect the beneficiaries' data or information, which, to the best of their knowledge, cannot be shared. She did, however, disclose that there are people who actually look for the lists, which leads to permission to make the material public. They had no idea, though, that the names had been altered. The beneficiaries were the same, or worse, their surnames were altered to their maiden names.

In summary, they have been blamed for the manipulation that took place. She therefore emphasized that they must be adamant about not disclosing the information in that situation in relation to the Data Privacy Act.

Hon. Caybot responded that it might rely on the circumstances, as agreed upon by **Hon. Silva**. For the sake of reference, he thought that if the intention is good, it is doable.

Mr. Nacario, BPLO, mentioned that there are situations in which private organizations, such as a bank, request information about the size of the local business community in order to determine whether or not it is practical for them to invest there. He asked whether or not this is covered by the law.

Mr. Ortega clarified that generic information might be provided, but sensitive information, such marital status, must be restricted to that.

Hon. Caybot reaffirmed the idea that only sensitive data should be restricted. However, if they want certain information to create a feasibility study, why not provide it instead, particularly if the goal is local development.

For more clarification on what can be revealed, **Mrs. Godito** provided illustrations. For example, when there is physical abuse, the law forbids disclosing who was assaulted; nevertheless, when it comes to the number of occurrences, this information may be shared, usually for reporting purposes.

Mrs. Godito then proposed including "confidentiality" in the definition of terms section.

According to **Mr. Gerbabuena**, the ordinance allows for the selection of an IT representative. He explained that the responsibilities of the LGU's database and related systems have been assigned to one employee from the legislative department and one from the executive department. It is where the two have been sent in case they need such training. He proposed assigning the two for the purpose instead of choosing new ones because he thought that managing the database is basically difficult.

He also strongly suggested appointing a legal officer as soon as possible to handle cases that call for legal action, particularly since many Facebook sites these days merely publish inaccurate material and premature information, endangering the LGU's reputation. Additionally, he revealed that he thought there had been a data breach when a certain page displayed the future government center's perspective. He assumed that the perspective was intentionally provided to him or that the social media manager had taken a photo of it. He explained that despite his best efforts, he was unable to obtain a copy of it in his capacity as PIO-Designate. All he was told to do was to pick it up from a certain office.

He therefore claimed that a legal officer is now required in order to ensure that callouts are not only the first step but that appropriate action is taken thereafter.

Additionally, **Mr. Gerbabuena** advertised that an LGU public information page had been made to disseminate information, but he claimed that it had not yet gained widespread popularity. Actually, the only time it will gain popularity is during the Sarapang Festival, when people may acquire information about the Daraga Sing Barobo and the performing artists. Legislative and executive order posts only receive a small portion on other days. It's not easy to have just one person handle things, he explained. Since he is unaware of the most recent resolutions and ordinances that have been passed, he recommended designating one PIO per office, such as the legislative office.

Ultimately, **Mr. Gerbabuena** wanted the information section/unit to have its own funding.

Now, **Hon. Silva** pointed out that the ordinance does not specify penalties; therefore, she recommended identifying those that are.

Regarding the proposed ordinance's necessity for funding, **Hon. Balahay** stated that since the 2025 annual budget had already been authorized, he advised taking it carefully for the time being. Funding will undoubtedly be considered the next year.

Other issues were brought up, although they are unrelated to the proposed ordinance.

RECOMMENDATION(S):

1) The funding requirement and its source cannot yet be specified, but the phrase "confidentiality" should be included to the definition of terms and penalties should be established.
2) For further discussion in the plenary session

Hon. Caybot thanked each and every one of the attendees for their help and encouragement throughout the incredibly fruitful and engaging public hearing.

The public hearing ended at 11:33 in the morning.

Prepared by:

ANIEROSE E. MARISCAL
LLSO III

Certified correct:

ALLAN C. BERNAL
Vice Mayor/Regular Presiding Officer

MATIAS V. CAYBOT
SB Member/Sponsor

ELYNETH S. MOSQUERA
SB Member

RICHARD B. BALAHAY
SB Member

ROBERT LOUIS D. AVILA III
SB Member

NANCY P. SILVA
SB Member

ARNEL A. TEMPLANZA
ABC President

HAWUD. CHRISTOPHER B. TOBIAS
IPMR

Refer To: Committee on Information, Technology and Communication
noted

Republic of the Philippines
Province of Surigao del Sur
Municipality of Barobo
-oooOoo-
OFFICE OF THE SANGGUNIANG BAYAN

Purok-1A, Poblacion, Barobo, Surigao del Sur | Area Code: (086) 311-1355 | sangguniangbayan.barobo@gmail.com

EXCERPTS FROM THE MINUTES OF THE 7TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BAROBO, SURIGAO DEL SUR, HELD ON FEBRUARY 18, 2025 AT THE SB SESSION HALL

TANGGAPAN NG SANGGUNIANG PANLALAWIGAN
RECEIVED
DATE: 3-21-25
BY:
TIME: 10:45 am
TANDAG CITY, SURIGAO DEL SUR

Present: 12

HON. ALLAN C. BERNAL
Vice Mayor / Regular Presiding Officer

REGULAR SANGGUNIANG BAYAN MEMBERS:

Hon. Narciso A. Moresca	- Sangguniang Bayan Member
Hon. Richard B. Balahay	- Sangguniang Bayan Member
Hon. Charisse R. Ferrer	- Sangguniang Bayan Member
Hon. Matias V. Caybot	- Sangguniang Bayan Member
Hon. Eunizel S. Bacolod	- Sangguniang Bayan Member
Hon. Nancy P. Silva	- Sangguniang Bayan Member
Hon. Elyneth S. Mosquera	- Sangguniang Bayan Member
Hon. Robert Louis D. Avila, III	- Sangguniang Bayan Member

EX-OFFICIO MEMBERS:

Hon. Arnel A. Templanza	- ABC President/Ex-Officio Member
Haw. Christopher B. Tobias	- IPMR/Ex-Officio Member
Hon. Ethel M. Rosales	- SK Fed. President/Ex-Officio Membe

Tanggapan ng Sangguniang Panlalawigan
Date:
Time:
Received by:
OSSP-SDS-2025-4551
Telephone No.: (086) - 211 - 5832
E-Mail: tspsurigaosur@yahoo.com
SURIGAO DEL SUR

ORDINANCE NO. 02
Series of 2025

"ORDINANCE OPERATIONALIZING REPUBLIC ACT 10173, OR THE DATA PRIVACY ACT OF 2012 IN THIS MUNICIPALITY AND PROVIDING GUIDELINES THEREFOR"

==========

Sponsored by : HON. MATIAS V. CAYBOT
Co-Sponsored by: HON. CHARISSE R. FERRER, HON. NANCY P. SILVA, HON. ETHEL M. ROSALES, HAW. CHRISTOPHER B. TOBIAS, and HON. ARNEL A. TEMPLANZA

==========

WHEREAS, Article II, Section 24 of the 1987 Constitution provides that the State recognizes the vital role of communication and information in nation-building. At the same time, Article II, Section 11 thereof emphasizes that the State values the dignity of every human person and guarantees full respect for human rights;

WHEREAS, on 15 August 2012, Republic Act No. 10173 entitled "An Act Protecting Individual Personal Information in Information and Communications Systems in the Government and the Private Sector, creating for this Purpose a National Privacy Commission, and for Other Purposes," also known as the Data Privacy Act (DPA), was enacted;

WHEREAS, Section 2 of the DPA provides that it is the policy of the State to protect the fundamental human right of privacy while ensuring the free flow of information to promote innovation and growth. The State also recognizes its inherent obligation to ensure that personal information and communications systems in the government and in the private sector are protected;

WHEREAS, Section 16 of the Local Government Code, provides for the general welfare of the people, among others, improve public morals, enhance economic prosperity and social justice;

WHEREAS, all LGUs processing personal or sensitive personal information (collectively, personal data) are considered as personal information controllers having obligations under the DPA;

WHEREAS, the National Privacy Commission (NPC), created under the DPA, is an independent body tasked to administer and implement the provisions of the DPA, and to monitor and ensure compliance of the country with internal standards set for data protection;

WHEREAS, pursuant to Section 7 of the DPA, the NPC is charged with carrying out efforts to formulate and implement plans and policies that strengthen the protection of personal information in the country, in coordination with other government agencies and the private sector;

WHEREAS, recognizing the vital role of data in driving government decisions, policies, public services, and innovation that will benefit its constituents, with the aim of improving the delivery of basic goods and services, the Municipality of Barobo deems it necessary to provide a local mechanism for its offices to abide by the provisions of the DPA for the processing of personal data of its constituents as data subjects, whereby the people's right to data privacy is respected and upheld, subject to limitations provided by law.

NOW THEREFORE:

BE IT ORDAINED, by the Sangguniang Bayan of Barobo, Surigao del Sur, duly assembled in session, **THAT:**

Section 1. TITLE. This Ordinance shall be known as the "***Data Privacy Ordinance of Barobo, Surigao del Sur.***"

Section 2. POLICY. It is the policy of the LGU to protect the fundamental human right of privacy, of communication while ensuring free flow of information to promote innovation and growth. The Municipality recognizes the vital role of information and communications technology in nation-building and its inherent obligation to ensure that personal information and communications systems in the government and in the private sector are secured and protected.

Section 3. DEFINITION OF TERMS. For purposes of this Ordinance, the following Terms and Acronyms are defined:

I. TERMS:

(a) ***Commission*** - shall refer to the National Privacy Commission created by virtue of the Act and this Ordinance.

(b) ***Consent of the Data Subject*** - 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. Consent shall be evidenced by written, electronic or recorded means. It may also be given on behalf of the data subject by an agent specifically authorized by the data subject to do so.

(c) ***Data subject*** - *refers* to an individual whose personal information is processed.

(d) ***Direct marketing*** - *refers* to communication by whatever means of any advertising or marketing material which is directed to particular individuals.

(e) ***Filing system*** - refers to any act of information relating to natural or juridical persons to the extent that, although the information is not processed by equipment operating automatically in response to instructions given for that purpose, the set is structured, either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular person is readily accessible.

(f) ***Information and Communications System*** - refers to a system for generating, sending, receiving, storing, or otherwise processing electronic data messages or electronic documents and includes the computer system or other similar device by or which data is recorded, transmitted, or stored and any procedure related to the recording, transmission or storage of electronic data, electronic message, or electronic document.

(g) ***Personal Information*** - refers to any information whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.

(h) ***Personal Information Controller*** - refers to a person or organization who controls the collection, holding, processing or use of personal information, including a person or organization who instructs another person or organization to collect, hold, process, use, transfer or disclose personal information on his or her behalf. The term excludes:

(1) A person or organization who performs such functions as instructed by another person or organization; and
(2) An individual who collects, holds, processes, or uses personal information in connection with the individual's personal, family or household affairs.

(i) ***Personal Information Processor*** - *refers* to any natural or juridical person qualified to act as such under this Act to whom a personal information controller may outsource the processing of personal data pertaining to a data subject.

(j) ***Processing*** - refers to any operation or any set of operations performed upon personal information including, but not limited to, the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure, or destruction of data.

(k) ***Privileged Information*** - refers to any and all forms of data which under the Rides of Court and other pertinent laws constitute privileged communication.

(l) ***Sensitive Personal Information*** - *refers* to personal information:

(1) About an individual's race, ethnic origin, marital status, age, color, and religious, philosophical, or political affiliations;
(2) About an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;
(3) Issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or cm-rent health records, licenses or its denials, suspension or revocation, and tax returns; and

(4) Specifically established by an executive order or an act of *Congress to be kept classified.*

(m) ***Confidentiality*** - refers to protecting information from unauthorized use or disclosure.

II. ACRONYMS:

COP	- Compliance Officer for Privacy
DBRT	- Data Breach Response Team
DPA	- Data Privacy Act
DPC	- Data Privacy Committee
DPO	- Data Protection Officer
NPC	- National Privacy Commission
PDBM	- Personal Data Breach Management
PIA	- Privacy Impact Assessment
PIOC	- Personal Information Officer Controller

Section 4. COVERAGE. This Ordinance shall cover all departments and offices under this Local Government Unit.

Section 5. GENERAL DUTIES AND OBLIGATIONS. – The following are the general duties and obligations of the Local Government Unit of Barobo, Surigao del Sur as a Personal Information Officer Controller (PIOC):

a. Personal Data shall be processed for the purposes of facilitating the performance of its public functions and the provision of public services pursuant to its mandate. In all instances, it shall adhere to the general data privacy principles of transparency, legitimate purpose, and proportionality;

b. Reasonable and appropriate safeguards shall be implemented for the protection of personal data of data subjects of the Municipality of Barobo, whether internal (*officials, employees, job order, contract of service, casual, etc.*) or external (*clients, visitors, other stakeholders, etc.*)

c. The rights of the data subjects shall be upheld, subject to limitations as may be provided for by law. The free exercise of applicable rights shall be enabled through mechanisms that are clear, simple, straightforward, and convenient for the data subjects; and

d. The data privacy rights of the affected data subjects shall be harmonized with the right to information on matters of public concern. It is recognized that both rights are imperative for transparent, accountable, and participatory governance, and are key factors for effective and reasonable public participation in social, political and economic decision-making.

Section 6. SPECIFIC COMPLIANCE REQUIREMENTS. – The following specific compliance requirements under the DPA, its IRR as amended, and relevant issuances of the NPC, are hereby set out as follows:

a. **Designation of a Data Protection Officer.** – Pursuant to Section 21 of the DPA, PICs shall designate individual/s who shall facilitate and ensure the PIC's responsibility and accountability for the organization's compliance with the DPA, the following are hereby designated:

1) **The Human Resource Management Officer** is hereby designated as the DPO tasked with the duties and responsibilities of ensuring compliance of the Local Government Unit of Barobo, Surigao del Sur, with the DPA, its IRR and other NPC issuances;

2) **The Designated DPO** shall be assisted by a Compliance Officer for Privacy (COP) or Data Privacy Committee (DPC).

The Data Privacy Committee is hereby created and composed of the following members:

1. The Human Resource Management Officer, as Lead Office
2. The Municipal Accountant;
3. The Local Civil Registrar;
4. The Municipal Health Officer;
5. The Mun. Social Welfare and Development Officer;
6. The Municipal Planning and Development Officer;
7. The Municipal Treasurer;
8. The Sanggunian Secretary;
9. The Public Information Officer; and
10. The BPLO

3) The DPO, COP, and the DPC, shall be:

a. Consulted at the earliest stage possible on all issues relating to privacy and the data protection of all personal data processing systems;

b. Provided with resources necessary to keep themselves updated with the developments in data privacy and security;

c. Granted appropriate information and access, where necessary, to the details of personal data processing activities of the departments and offices;

d. Invited to participate in the appropriate meetings of any department and office to represent the interest of data privacy;

e. Consulted promptly in the event of a personal data breach or security incident;

f. Included in all relevant working groups that deal with personal data processing activities.

4) The DPO or his/her authorized representative/s shall create the necessary user accounts in the applicable NPC System/s for compliance with the requirements for registration and personal data breach notification and management;

5) The DPO shall ensure that data privacy awareness seminars and other necessary trainings for the personnel of the Municipality of Barobo are duly conducted; and

6) The contact details of the DPO should be made available and easily accessible on the official website and social media page/s and should include the following information:

   a. Title or Designation – the name of the DPO need not to be published but should be made available upon request by a data subject;
   b. Postal Address; and
   c. Dedicated telephone number and email address.

b. **Conduct of Privacy Impact Assessment.** – All departments and offices as process owners shall conduct a privacy impact assessment (PIA) on any personal data processing system prior to their adoption, use, or implementation.

   1. For existing systems, the DPO and the DPC shall be consulted by the respective process owners on the appropriateness of conducting a PIA and the reasonable timeframe to accomplish the same;

   2. For both existing and proposed systems, there may be a determination that the conduct of a PIA is not necessary if the processing involves minimal risks to the rights and freedoms of data subjects, taking into account the recommendations from the DPO. In making this determination, the following should be considered:

      i. Size and sensitivity of the personal data being processed;
      ii. Duration and extent of processing;
      iii. Likely impact of the processing to the life of data subject; and
      iv. Possible harm in case of a personal data breach

3. The conduct of a PIA may be outreached to a third-party service provider, as may be recommended by the DPO and the DPC subject to the laws, rules, and regulations applicable to government procurement;

4. The relevant issuances and other information, education, and communication materials of the NPC on PIA and other relevant issuances shall serve as additional guidance; and

5. The results of the PIA conducted shall be made the basis for the preparation of the Privacy Management Program, the Privacy Manual, and the crafting of the appropriate privacy notices specific to the personal data processing activities being undertaken by the pertinent departments and offices and other applicable policies relevant to data privacy and security.

c. **Adoption of a Privacy Management Program and Privacy Manual.** – The Municipality of Barobo shall prepare a Privacy Management Program, which shall contain, among others, the necessary policies and process that remediates the gaps identified in the PIA and a Privacy Manual, as may be supplemented by the existing or prospective codes, guides, manuals, privacy notices, ordinances, policies, and other documented information on processes that may deal with any data privacy matter.

1. The DPO and the DPC shall be tasked to ensure that all relevant records and other documentation on data privacy are maintain and kept up to the date; and

2. The Privacy Management Program and Privacy Manual shall be subject to regular review, evaluation, and updating, where appropriate, considering the best practices and national and/or international standards for data privacy and security;

d. **Implementations of Security Measures.** – Reasonable and appropriate organizational, technical, and physical security measures shall be implemented by all departments and offices processing personal data.

1. The determination of what is reasonable and appropriate shall take into account the following factors as determined following the PIA conducted:

   i. Nature and volume of the personal data to be protected;
   ii. Risks of the processing to the involved data subjects;
   iii. Size of the department or office and complexity of its personal data processing activities;
   iv. Current data privacy best practices; and
   v. Cost of implementation;

2. The security measures to be implemented shall ensure the protection of personal data against any unlawful processing and the confidentiality, integrity, and availability of the personal data being processed. The DPO and the DPC in consultation and coordination with the Data Privacy Officer in charge of IT, databases, websites, records, etc. shall make the appropriate determination and recommendation on the measures and policies to be implemented. These may include back-up solutions access controls, secure log files, acceptable use, encryption, and data disposal mechanisms, among others, for any personal data processing activity, whether done through paper-based or electronic systems.

3. The data sharing and outsourcing arrangements shall be subject to the execution of the appropriate agreements as may be determined by the Legal Officer whether organic or from any appropriate court/s, in consultation with the DPO. For this purpose, the relevant issuances of the NPC shall be observed accordingly.

e. **Security Incident Management; Personal Data Breach Management.** – The following policies and procedures are set out for the purpose of managing security incidents including personal data breaches:

i. **Data Breach Response Team (DBRT).** A data breach response team is hereby created with the following Members:

1. DPO or the Human Resource Management Officer; and
2. Data Privacy Committee:

2.1 The Municipal Accountant;
2.2 The Local Civil Registrar;
2.3 The Municipal Health Officer;
2.4 The Mun. Social Welfare and Development Officer;
2.5 The Municipal Planning and Development Officer;
2.6 The Municipal Treasurer;
2.7 The Sanggunian Secretary;
2.8 The Public Information Officer; and
2.9 The BPLO

The **DBRT** shall be responsible for the following actions:

a) Assess and evaluate all security incidents, including personal data breaches;

b) Restore integrity to the affected information and communications systems;

c) Recommend measures for mitigation and remedies on any resulting damage to the Municipality of Barobo and the affected data subjects;

d) Comply with the mandatory notification and other reporting requirements indicated in the appropriate NPC issuance; and

e) Coordinate with the approp0riated government Computer Emergency Response Team (CERT) and law enforcement agencies, where approp0riate.

ii. **Incident Response Procedure.** The DBRT shall recommend the actual procedure or manual for the timely discovery and management of security incidents. This shall include:

a. Identification of persons or persons responsible for regular monitoring and evaluation of security incidents;

b. Reporting lines in the event of a personal data breach;

c. Evaluation of the security incidents or personal data breaches as to its nature, extent and cause, the adequacy of safeguards in place, immediate and long-term impact of the personal data breach, and its actual and potential harm and negative consequences to affected data subjects;

d. Procedures for contacting law enforcement, if necessary;

e. Conduct of investigation on the security incident including personal data breaches;

f. Procedures for notifying the NPC and data subjects when the personal date breach is subject to mandatory notification requirements;

g. Procedures for assisting affected data subjects to mitigate the possible harsh and negative consequences in the event of a personal data breach.

f. **Funding**. The amount of Three Hundred Thousand Pesos (P 300,000.00) shall be appropriated annually under the Office of the Executive Office for the implementation and operation of this Ordinance and the Act effective CY 2026.

Section 7. RIGHTS OF DATA SUBJECTS; MECHANISMS FOR THE EXERCISE OF RIGHTS. – The relevant NPC issuance on data subject rights, the guidance on transparency, procedures for the exercise of rights and appropriate templates indicated therein, are hereby adopted.

Section 8. REMEDIES. – The DPO, in coordination with the Legal Officer or to any appropriate court of this Municipality and the concerned departments or offices as the process owner, shall endeavor to address and resolve all data subject clarifications, complaints, concerns, questions, and requests, among others, relating to the processing of their personal data, exercise of rights, personal data breaches, and other similar matters without undue delay, following the applicable provisions of RA 11032 of the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 and Its Implementing Rules and Regulations.

Section 9. INTERPRETATION. – Any doubt in the interpretation of any provision of this Ordinance and corresponding policies shall be construed in a manner that accords the highest respect for data privacy, and liberally interpreted in a manner mindful of the rights and interests of data subjects.

Section 10. TRANSITORY PROVISION. – Departments and offices affected by the implementation of this Ordinance shall be a period of 6 months as transitory period from the effectivity of this Ordinance to comply with its requirements.

Section 11. Separability Clause. – If any section or part of this Ordinance is held un constitutional or invalid, the other sections or provisions not otherwise affected shall remain full force or effect.

Section 12. REPEALING CLAUSE. – All other ordinances, orders, issuances, rules, and regulations, which are inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

Section 13. EFFECTIVITY. This Ordinance shall take effect upon approval and upon completion of the mandatory requirements - the posting at three (3) conspicuous places for three (3) consecutive weeks.

ENACTED: February 18, 2025

FINALLY VOTED: February 25, 2025

I HEREBY CERTIFY the correctness of the foregoing Ordinance No. 02, Series of 2025.

MAY FLOR A. CAGOCO
Sanggunian Secretary

ATTESTED AND CERTIFIED
TO HAVE BEEN DULY ADOPTED:

ALLAN C. BERNAL
Vice Mayor/Presiding Officer

APPROVED:

JOEY S. PAMA
Municipal Mayor

MAR 17 2025