

Republic of the Philippines  
**Department of Education**  
 NATIONAL CAPITAL REGION

Advisory No. <sup>334</sup>\_\_, s. 2023  
 September 4, 2023

In compliance with DepEd Order No. 8, s. 2013  
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**DATA PRIVACY ACT AWARENESS (DPA) WORKSHOP, PRIVACY  
 IMPACT ASSESSMENT (PIA) AND CYBER SECURITY**

The Yisrael Solutions and Training Center, Inc. will conduct a Face to Face or Online Workshop for Data Privacy Act Awareness and Compliance, Privacy Impact Assessment (PIA) and Cyber Security Threats and Attacks to be held on September 27-29, 2023 and October 25-27, 2023 in Baguio City and Pasig City, for information.

For inquiries, please contact:

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Doc. Ref. Code	RO-ORD-F001	Rev	00
Effectivity	01.26.23	Page	1 of 1



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,

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.

## 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;

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- 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 CHRISTOPHER B. MAH  
Deputy Privacy Commissioner



**“DATA PRIVACY ACT AWARENESS (DPA) WORKSHOP, PRIVACY IMPACT ASSESSMENT (PIA) AND CYBER SECURITY”**

Dear Sir/Madam:

We are pleased to invite you and your personnel in Human Resource Mgt Section, Finance, Administrative Section, IT, and those who have access to personal data to attend to our Face to Face or Online workshop for Data Privacy Act Awareness and Compliance, Privacy Impact Assessment (PIA) and Cyber Security Threats and Attacks to be held on the proposed workshop dates listed below.

All institutions, both from the Government and Private sector processing personal data in the Philippines are required to comply with RA 10173, the Data Privacy Act of 2012, as well as the Implementing Rules and Regulations (IRR) and memorandum circulars issued by the National Privacy Commission (NPC). Each government agency or instrumentality as per Section 22 of the Data Privacy Act of 2012 is not only responsible for complying with the security requirements mentioned in the law but also ensures that all sensitive personal information maintained by his/her agency are secured, as far as practicable, with the use of the most appropriate standard recognized by the information and communicating technology industry, and as recommended by the National Privacy Commission.

In addition, under NPC Circular No 16-01, one of the general obligations of a government agency engaged in the processing of personal data is to conduct a mandatory, agency-wide training on privacy and data protection policies once a year. A similar training shall be provided during all agency personnel orientations.

Data privacy violations may result in being ordered to stop processing, being ordered to pay damages to those whose privacy rights were violated, being prosecuted for criminal acts whose penalties include fines and jail time. This workshop will enable the participants to understand what RA 10173 or Data Privacy Act of 2012 and its Implementing Rules and Regulations is.

We will also provide the participants with deep dive understanding of legal and operational compliance to DPA and also to enable the participants to learn the right way of handling complaint and breach incidents.

Given below are the program modules with the corresponding time frame and objectives.

**I. PROGRAM OBJECTIVES**

**Day 1**

MODULE	TOPIC	OBJECTIVES
	<b>Data Privacy Awareness (DPA)</b>	Understand what needs to be done to achieve compliance to RA 10173, its IRRs, and other issuances of the National Privacy Commission. Be aware of the consequences that



1	<ul style="list-style-type: none"><li>- Introduction to Data Privacy Act of 2012 (IRR 10173)</li><li>- Appoint a Data Protection Officer</li><li>- Roles of Data Protection Officer</li></ul>	may arise from being non-compliant to Republic Act 10173, also known as the Data Privacy Act of 2012.
2	<b>Privacy Risk and Impact Assessment</b>	Know the importance of conducting a Privacy Impact Assessment and an opportunity to discuss experiences of embedding privacy-by-design in your processes.
3	<b>Privacy Governance and Structure</b>	To practice accountability and understand the role of the organization to build its privacy structure to better manage its compliance with DPA.
4	<b>Data Inventory and Mapping</b>	Learn the elements and practical approach of using data inventories/maps to provide a holistic approach to protecting personal data.
5	<b>Cyber Security</b> <ul style="list-style-type: none"><li>- Awareness on Breach, Cyber Threats and Attacks Cyber Security/Hacking Demo</li></ul>	Participants can have a view on different phases of threats and attacks guided by a Licensed Ethical Hacker. Also provide good practice in avoiding these threats.
<b>TENTATIVE WORKSHOP SCHEDULE 2023:</b>  <b>FACE-TO-FACE – SEPTEMBER 27-29, OCTOBER 25-27</b>  <b>ONLINE – SEPTEMBER 6-8, OCTOBER 4-6</b>		

**IMPORTANT REMINDER:** After accomplishing your reservation and payment, please wait for further updates regarding the finalization of your workshop schedule before booking a flight or any mode of transportation and accommodation. We will keep in touch as soon as the schedule is finalized not later than a week before the workshop schedule.

**II. DURATION**

- Three (3) days, 6 hours per day

**III. TARGET AUDIENCE/S**

- Government Agencies, LGUs, GOCCs, Bureaus, Academe, Private Sector





**IV. COST – FACE TO FACE: Training Fee (Live out)- Php 3,000/day per participant** (inclusive of training kits, certificates, am/pm snacks, lunch)

NOTE: 5% discount will be given to the number of 15 to 24 participants per agency; and  
8% discount will be given to the number of 25 to above pax per agency

**COST – ONLINE: Training Fee- Php 2,000/day per participant** (inclusive of training kits, certificates,

zoom link, courier fee for Certificate and OR)

**LOCATION:**

**FACE TO FACE: 49<sup>th</sup> Floor, ONE SAN MIGUEL AVENUE BUILDING – CORNER SHAW BOULEVARD, ORTIGAS CENTER, PASIG CITY (OCTOBER 25-27) & Benguet Prime Hotel, 103 F. Calderon St, Baguio, Benguet (SEPTEMBER 27-29)**

**ONLINE: thru zoom platform**

**V. MODE OF PAYMENT:**

Kindly deposit your Training Fee to YISRAEL SOLUTIONS & TRAINING CENTER INC and give us a copy:

**Account Name: YISRAEL SOLUTIONS AND TRAINING CENTER INC**

**Account Number: 1641-1087-11**

**Landbank - Pasig-C. Raymundo Ave. Branch**

We also conduct an in-house workshop wherein a central office can organize its regions to attend an online workshop. For inquiries and/or clarification, please contact us by email at [nharis@yisraelsolutions.com](mailto:nharis@yisraelsolutions.com) (attention to: Nharis A. Aspacio); or thru text at mobile number 0938-2466-094-SMART; landline (027) 373-8503.

We hope to see you in our workshops!

Very truly yours,

REBECCA M. SANTOS

CEO/President



### 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.

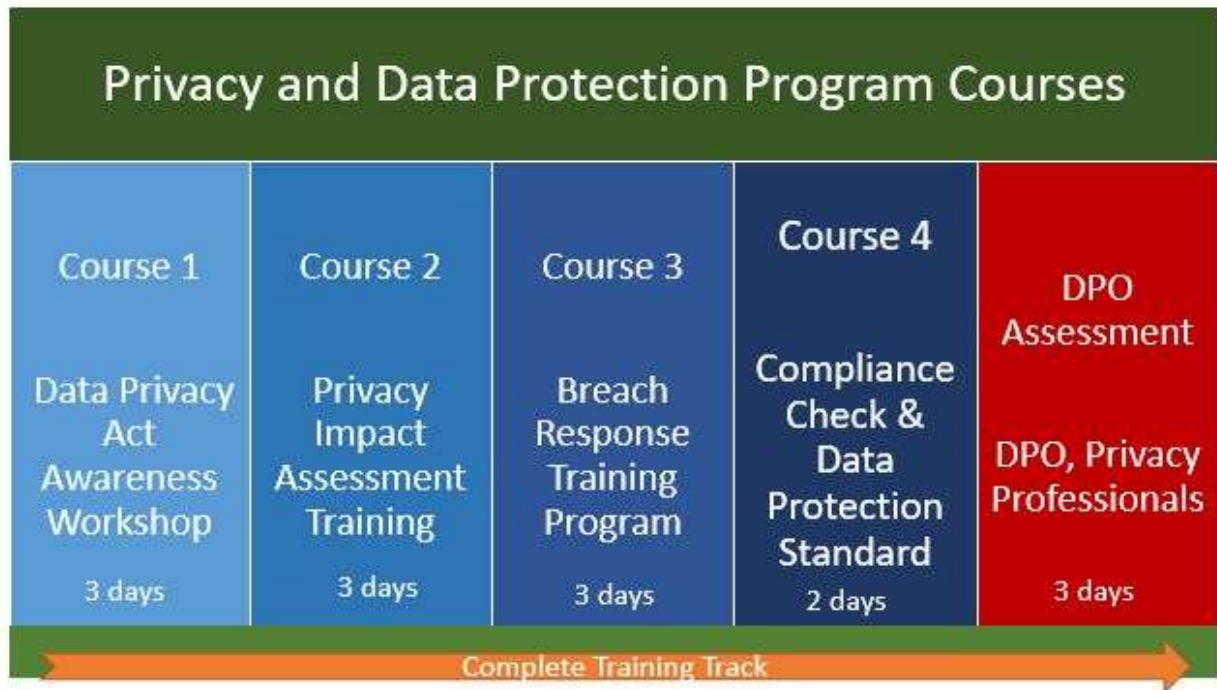
We are responsible for maintaining and protecting the Personal Information under our control. We have designated an individual or individuals who is/are responsible for compliance with our privacy policy.

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 Training Course Framework





# YISRAEL SOLUTIONS AND TRAINING CENTER, INC.

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

## **CONFIRMATION FORM**

### Data Privacy Awareness and Compliance Workshop

<b>Name of Company:</b>		
<b>Type of Organization:</b>		<b>Region:</b>
<b>Complete Address:</b>		
<b>Contact Person:</b> (for delivery of Certificates & O.R)	<b>Mobile No.</b>	<b>Tel. No.</b>

### **PARTICIPANT DETAILS:**

First Name	M.I	Last Name	Mobile No.	Position

**EMAIL ADDRESS** (per participant):

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Please reserve me/us on this workshop schedule:

SCHEDULE	Face to Face / Online	No. of Slot Reserve

Registration fee for a 3-day workshop: (non-VAT) **FACE TO FACE-P 9,000** **ONLINE-P 6,000**

Requested by:

Pls deposit your payment to our LandBank Account  
**Account Name: YISRAEL SOLUTIONS AND TRAINING CENTER INC**  
**Account Number: 1641-1087-11**  
**Pasig-C. Raymundo Ave. Branch**

Signature over Printed Name

### **PRIVACY NOTICE:**

“We from Yisrael Solutions and Training Center 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.”

