



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Philippine Fisheries Development Authority
PCA Annex Building, Elliptical Road, Diliman, Quezon City

Office Order No. 014
Series of 2019

December 11, 2019

SUBJECT : IMPLEMENTATION OF THE PFDA DATA PRIVACY MANUAL

In accordance with Republic Act No. 10173 or the Data Privacy Act of 2012, all are hereby required to implement the rules and regulations set forth in the PFDA Data Privacy Manual.

A copy of the Manual shall be uploaded in the PFDA Website - Transparency Seal and shall also be sent through mail, respectively.

This order shall take effect immediately.


ATTY. GLEN A. PANGAPALAN



PHILIPPINE FISHERIES DEVELOPMENT AUTHORITY
ADMINISTRATIVE SERVICES DEPARTMENT
Office of the Department Manager

PFDA LOGM RECEIVED
BY: *[Signature]*
DATE: 11/12/19

OFFICE OF THE ASSISTANT GENERAL MANAGER
RECEIVED
OCT 28 2019
BY: *[Signature]*

DTS 190812-0183

October 18, 2019

MEMORANDUM

FOR : The General Manager *[Signature]*
THRU : The Assistant General Manager *[Signature]*
The Officer-in-Charge, Legal Division *[Signature]*
FROM : The Manager, Administrative Services Department
SUBJECT : **SUBMISSION OF PFDA DATA PRIVACY MANUAL AND DATA
PRIVACY INFORMATION GUIDE**

In compliance with Republic Act No. 10173 or the Data Privacy Act of 2012 (DPA) and its Implementing Rules and Regulations, we hereby submit the PFDA Data Privacy Manual, amended as per the suggestions of the Legal Division, for your respective initial and signature.

Furthermore, we are also submitting herewith the PFDA Privacy Information Guide which will be printed as a poster and shall be posted within the premises of PFDA Central Office.

For your consideration.

[Signature]
VICTOR L. LIZARDO



PFDA DATA PRIVACY MANUAL



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I. INTRODUCTION


This Privacy Manual is hereby adopted by the Philippine Fisheries Development Authority (PFDA) in compliance with Republic Act No. 10173 or the Data Privacy Act of 2012 (DPA), its Implementing Rules and Regulations (IRR), and other relevant policies, including issuances of the National Privacy Commission.

It is the priority of PFDA to respect and uphold data privacy rights, and to ensure that all personal data collected from data subjects are processed pursuant to the general principles of transparency, legitimate purpose, and proportionality as stated in the Data Privacy Act.

This Manual outlines the data protection and security measures adopted by PFDA to protect data privacy rights, and shall serve as a guide in the exercise of rights under the DPA.


II. DEFINITION OF TERMS

- A. **“Agency”** refers to Philippine Fisheries Development Authority (PFDA), respectively.
- B. **“Agency records”** refer to the records of all personnel, events, accomplishments, results or research and all documents showing the activities of the personnel. This include, but are not limited to, the following:
 - i. Personal Records
 - ii. Birth Certificates
 - iii. Marriage Certificates
 - iv. Medical Records
 - v. Administrative Records
- C. **“Authorized personnel”** refers to employees or officers of PFDA specifically authorized to collect and/ or to process personal data either by the function of their office or position, or through specific authority given in accordance with the policies of PFDA.
- D. **“Client records”** refers to any data that includes client’s personal data, the nature, delivery, progress, or results of its transaction with PFDA. This include, but are not limited to, the following:
 - i. Personal Records:
 - Accreditation Form
 - Permit to Conduct Business (PTCB)

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- ii. DTI Registration
- iii. Mayor's/Business Permit
- iv. SEC Registration
- v. Barangay Clearance
- vi. Sanitary Permit

- E. **“Compliance Officer for Privacy or COP”** refers to PFDA officer/s designated to monitor and ensure the implementation of the Data Privacy policies of PFDA. The COP is also the de facto head of the Data Privacy Team. The COP is under the general supervision of the DPO.
- F. **“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 their personal, sensitive personal, or privileged information. Consent shall be evidenced by written, electronic or recorded means. It may also be given on behalf of a data subject by a lawful or an authorized representative of the data subject.
- G. **“Data subject”** refers to an individual whose personal, sensitive personal, or privileged information is processed. In this Manual, it refers to the personnel, clients and third parties (i.e. applicant for employment, organic and non-organic employees, former employees, on-the-job trainees, clients whose records are required by law to be kept and maintained by the Agency) whose information is being collected and processed by PFDA. Data subjects have the right to be informed [Sec. IV (3)] and object or complain [Sec. IX], right to access [Sec. VIII (B)] their individual information, and the right to correct, rectify or block [Sec. IV (4)] any erroneous or false information.
- H. **“Data Privacy Officer or DPO”** is tasked to ensure compliance of the Data Privacy Act of 2012 and its IRR, and supervises the COP in ensuring compliance with the DPA and the data privacy policies of PFDA.
- I. **“Data Privacy Team”** refers to the group of persons designated to respond to inquiries and complaints relating to data privacy and to assist in the monitoring and implementation of the data privacy policy of PFDA. The PFDA Data Privacy Team is composed of the Compliance Officer for Privacy (COP) and the Personal Information Processors (PIP), the team is under the general supervision of the Data Privacy Officer (DPO).

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J. **“On-the-Job Trainees”** are students being trained in PFDA to engage them in real life working situations for them to learn the relationship and application of the knowledge & skills acquired in college with those required in the workplace.

K. **“Personal data”** refers to all types of personal information processed by PFDA from the data subjects.

L. **“Personal data breach”** refers to a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored, or otherwise processed.

M. **“Personal Data Classification”** refers to the *categories of personal information* collected and processed by PFDA. Personal data is classified as follows

i. **Public**- these are information readily available and may be disclosed to the public.


Examples: PFDA offices directory, programs and names of officers as stated in the “About Us/Key Officers” portion of the PFDA website, published research containing the names of employees.

ii. **Confidential**- Those which are declared confidential by law or policy of PFDA, and which may only be processed by and disclosed to authorized personnel. And if disclosed, may cause material harm to PFDA or, if the information is sensitive in nature, will affect the health or well-being of the data subject/s concerned and PFDA client personal information


Examples: Employee’s, PFDA client’s and third parties’ (applicants for employment, on-the-job trainees and former employees) names, addresses, contact numbers, government-issued identifiers and other ID numbers, Employee 201 files and the information contained therein (Labor Code) and PFDA Client Information.

iii. **Classified**- These are information the access of which is highly restricted, and if disclosed may cause severe or serious harm or injury to the data subject.

Examples: Data subject’s health information and medical records (Data Privacy Law), PFDA account or computer passwords (Data Privacy Law, Anti-Cyber Crime Law, PFDA IT policies), financial information, bank account numbers.

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- N. **“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.
- O. **“Personal Information Controller or PIC”** refers to PFDA as the entity which has control of the processing of personal data, or instructs another to process personal data on its behalf.
- P. **“Personal Information Processor or PIP”** refers to any natural or juridical person qualified (i.e. Port Management, HRD) to whom the personal information controller may outsource the processing of personal data pertaining to a data subject.
- Q. **“Personnel”** means all employees of PFDA regardless of the type of employment or contractual arrangement.
- R. **“PFDA Clients”** refers to individuals or organizations that avail the services offered by and has a contract, agreement, settlement, or any bond with the Philippine Fisheries Development Authority (PFDA).
- S. **“Processing”** refers to any operation or set of operations performed upon personal data including, but not limited to, the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or disposal of data. Processing may be performed through automated means, or manual processing, if the personal data are contained or are intended to be contained in a filing system.
- T. **“Privacy Statement”** is a notification or statement, in the format specified under Section V, Article C(i) of this Manual, provided to an individual informing them of the use and purpose of collecting or processing the information, which allows the individual to consent to such processing of information.
- U. **“Privileged information”** refers to any and all forms of data, which, under the Rules of Court and other pertinent laws constitute a privileged communication.
- V. **“Security incident”** is an event or occurrence that affects or tends to affect data protection, or may compromise the availability, integrity and confidentiality of personal data. It includes incidents that would result to a personal data breach, if not for safeguards that have been put in place;

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W. **“Sensitive personal information”** refers to personal information about:

- i. an individual’s race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations.
- ii. 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 individual, the disposal of such proceedings, or the sentence of any court in such proceedings.
- iii. anything issued by government agencies peculiar to an individual which includes, but is not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns.
- iv. Specifically established by an executive order or an act of Congress to be kept classified.


III. SCOPE AND LIMITATIONS

This Manual applies to all departments of PFDA, personnel regardless of the type, officers, PFDA clients and third parties (applicants for employment, on-the-job trainees and former employees) whose information is required to be kept and secured by PFDA. The data covered by this Manual is limited to **personal data as defined under Section II (K), collected and processed** by PFDA.

IV. POLICY STATEMENT


Philippine Fisheries Development Authority is committed to protect the privacy rights of individuals on personal data pursuant to the provisions of Republic Act No. 10173 or the Data Privacy Act of 2012, its Implementing Rules and Regulations.

All personnel and administration officers are enjoined to comply with and to share in the responsibility to secure and protect personal data collected and processed by PFDA in pursuit of legitimate purposes.

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General Privacy Policy Statements

1. PFDA adheres to the general principles of transparency, legitimate purpose and proportionality in the processing of personal data.
2. Personnel or third parties whose personal data is being collected shall be considered as data subjects for purposes of these policies.
3. Data subjects shall be informed of the reason or purpose of collecting and processing of personal data
4. The data subject shall have the right to object to the collection of personal information within the bounds allowed by privacy laws.
5. Data subjects shall have the right to correct the information especially in cases of erroneous or outdated data.
6. The data subject has the right to file a complaint in case of breach or unauthorized access of personal information.
7. PFDA shall secure the personal information of employees, clients and third parties (applicants for employment, on-the-job trainees and former employees) from whom personal information is collected and shall take adequate measures to secure both physical and digital copies of the information.
8. PFDA shall ensure that personal information is collected and processed only by authorized personnel for legitimate purposes of PFDA.
9. Any information that is declared obsolete based on the internal privacy and retention procedures of PFDA shall be disposed of in a secure and legal manner.
10. Any suspected or actual breach of the PFDA Data Privacy policy must be reported to any member of the Data Privacy Team in accordance with the procedure provided in Section IX (ii) of this Manual.
11. Data subjects may inquire or request for information from the Data Privacy Team regarding any matter relating to their personal data, under the custody of PFDA, including the data privacy and security policies implemented to ensure the protection of their personal data pursuant to Section IX (i) of this Manual.

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V. PROCESSING OF PERSONAL DATA

A. Privacy Principles Espoused by PFDA

i. **TRANSPARENCY.** Data Subject's consent should be obtained before collecting the information and should be informed of the purpose for which the information is to be collected.

Example: A privacy notice must be indicated in any type of forms that requires/collects personal information.

Privacy Notice: *"By signing up, you agree to PFDA in using your personal information in accordance with our Privacy Policy. We use your data to process and to provide the services you request from us. The following personal information will not be disclosed outside PFDA without your consent."*

ii. **PROPORTIONALITY.** Personal Information collected must be reasonably necessary or directly related to PFDA's functions

Example: In the application for employment, information such as name, address, contact numbers, credentials and previous work experiences are necessary for the evaluation of eligibility for particular positions therefore it is collected.


iii. **FOR LEGITIMATE PURPOSE.** In collecting personal information, PFDA shall use the information only for legitimate purposes as discussed in Section VI of this Manual.

Example: Personal information such as employee's name, addresses and contact numbers etc., shall be used only for purposes such as employment, Agency activities and availment of employees, clients, and third parties services.

B. Provisions for Specific Departments

i. Finance Services Department & Internal Audit Department

The Finance Services Department and Internal Audit Department collects personal information for the purpose of evaluating and/or auditing financial statements, accounts, reports and manage other financial concerns of employees.

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ii. **Administrative Services Department**

The Administrative Services Department, particularly in the Human Resource Division, collects personal data from its personnel and third parties (i.e. applicant for employment, organic and non-organic employees, former employees, on-the-job trainees, whose records are required by law to be kept and maintained by the Agency) for the purposes of evaluating the applicant's eligibility for employment, appraising and ensuring effective utilization and utmost progress of human resources, enhancing employee capabilities, and for availment of employee benefits (i.e. retirement, educational and medical benefits) then collates the information in the individual 201 files of the employees.

Pursuant to existing labor laws, CSC Rules and guidelines and human resources policies of PFDA, all personal data and records are confidential and access is restricted to authorized personnel only.


The Administrative Services Department also collects sensitive personal information concerning the medical records of employees for the purpose of monitoring the health and wellness of personnel. Access to this data is restricted and limited only to authorized personnel in the department such as PFDA doctor or nurse assigned in the Department.

Sensitive personal information is classified and may not be released without the prior consent of the data subject except in cases (i.e. epidemic cases as provided under the DOH rules and regulations) wherein life is at stake.

iii. **Corporate Planning & Management Information Services Department**

The Corporate Planning & Management Information Services Department is tasked to secure the information stored in the database of PFDA. All personal data collected from employees, clients, and third parties by the different departments mentioned above are primarily stored in PFDA database.

Access to data is also restricted and given only to authorized personnel in relation to their specific function which requires them to access or process employee and client information. In all instances, any access to personal data are done for legitimate purposes.

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iv. Other Departments

All other offices who process personal data, if any, are subject to the policies provided under this Manual. Department heads are responsible for ensuring compliance of the provisions of this Manual within their departments.

In the course of the collection of information, authorized personnel from these offices ask data subjects to fill out forms with the corresponding privacy statement to inform them of the purpose of collecting such information and signify consent. These departments process the information and store it in the database which only authorized personnel are allowed to access.

C. Privacy Policies

To ensure that the rights of the data subjects are protected, PFDA offices are subject to the following policies:


i. Data Subjects Are Notified and Their Consent Secured

Collection of information is done with the consent of Data Subjects whose consent is included in the forms filled-out during application for employment or availment of employees, clients, and third parties services.

Forms for collection of personal information shall include a provision or a variation of these privacy statements:

“By signing up, you agree to PFDA in using your personal information in accordance with our Privacy Policy. We use your data to process and to provide the services you request from us. The following personal information will not be disclosed outside PFDA without your consent.”

In case there is no form or written document containing the privacy statement, the authorized personnel tasked to collect information may verbally notify them of the purpose and ask the Data Subject to allow authorized personnel to collect and process the information and shall record the processing of information with consent in writing.

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ii. Access Restricted to Authorized Personnel Only

Only authorized personnel are allowed to access and process the personal information collected from the data subjects in accordance with Data Privacy policies of PFDA which requires that Agency records as well as the information contained therein are to be kept confidential.

Example: Only Human Resource Officers and other duly authorized personnel are allowed complete access to the employee profile which includes, but is not limited to, the name, employee number, names of relatives, addresses, contact numbers, ID numbers etc.


iii. Information Is Reasonably Necessary and Directly Related to Agency Functions or Purposes

Authorized personnel shall only collect personal information that is reasonably necessary or directly related to PFDA's primary or secondary functions or activities. Personal Information shall not be collected in anticipation that it may be useful in the future ("just in case" it is needed).

The physical records or those which are not digitally stored and secured in the PFDA database are stored in the respective offices of each Department. For Agency records from previous years which are required to be perpetually stored and maintained by PFDA, it is stored in a room in a secure location. Access is restricted and such records may only be retrieved upon specific instructions and only for legitimate purposes or upon request of the data subject for copies of their individual Agency record pursuant to PFDA procedures and policies on request for records.

Personal information shall be collected by lawful and fair means, which is allowed under PFDA's policies.

Example: Personnel's government issued identifications are necessary for them to avail benefits, contact numbers of relatives or guardians are necessary in case of emergencies and other situations where the relatives or guardians are required to be notified.

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VI. USE AND DISCLOSURE OF DATA

Access, use, disclosure and processing said data is restricted to authorized personnel and only for legitimate purposes of PFDA which is stated in the privacy statement contained in the forms or documents signed by the employees.

i. Primary Purpose

Personal information is collected primarily for employment purposes of the data subject. This includes monitoring employment activities, potential and current employees, in accordance with labor laws. This also includes information collected for purposes set out in the privacy statements contained in the documents signed by employees, clients, and third parties. Such information is allowed to be processed and used by authorized personnel for such purposes.

ii. Secondary Purposes


Secondary purposes are those which are collateral to the primary purposes and which are necessary to process the information. This includes monitoring the current administrative or disciplinary standing (for disciplinary purposes), financial records (for auditing purposes) or the health and psychological wellness of employees (health purposes). Authorized personnel are allowed to use personal information collected and/or processed for such purposes provided the following circumstances are present:

- a. the data subject agrees to the use or disclosure for the secondary purpose; **or**
- b. the data subject reasonably expects PFDA, through its authorized personnel, to use or process personal information for secondary purposes **and** that the secondary purposes are directly related to the primary purposes.

iii. Sensitive Personal Information

Sensitive personal information may not be used, disclosed or processed, except in any of the following cases:

- a. Consent is given by the data subject, prior to the processing of sensitive personal information or privileged information, which shall be undertaken pursuant to a declared, specified, and legitimate purpose of PFDA.

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b. The processing of sensitive personal information, provided for by existing laws and regulations, such as medical history to be disclosed by the data subject as part of the monitoring of their health, provided that said laws and regulations do not require the consent of the data subject for the processing, and guarantee the protection of personal data.

c. The processing is necessary to protect the life and health of the data subject or another person, and the data subject is not legally or physically able to express consent prior to the processing.


d. The processing is necessary to achieve the lawful and noncommercial objectives of public organizations and their associations, provided that the processing is confined and related to bona fide members of these organizations or their associations; the sensitive personal information are not transferred to third parties; and consent of the data subject was obtained prior to processing.

e. The processing is necessary for the purpose of medical treatment: *Provided*, that it is carried out by a medical practitioner or a medical treatment institution, and an adequate level of protection of personal data is ensured.

f. The processing concerns sensitive personal information or privileged information necessary for the protection of lawful rights and interests of natural or legal persons in court proceedings, or the establishment, exercise, or defense of legal claims, or when provided to government or public authority pursuant to a constitutional or statutory mandate.

iv. **Government-Related Use and Disclosures**

Personal data is allowed to be used and disclosed to government agencies to satisfy reportorial requirements in line with their constitutionally or legislatively mandated functions pursuant to existing labor laws or when the use of such is pursuant to lawful order of a court or tribunal.

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VII. ACCURACY OF DATA

i. Verification of information

Authorized PFDA personnel must take reasonable steps to ensure that the personal information collected or processed are up-to-date, complete, relevant and not misleading.

Verification of information and background checks are conducted by authorized personnel to ensure the accuracy and authenticity of information disclosed by the data subject while also securing the privacy of the data subject concerned.

ii. Correction, or update of information

Data subjects may write to or directly go to the concerned offices (HRD/Port Management Office) to update their personal information. In case of erroneous or false information, they may have the information corrected, rectified, blocked or erased to the extent allowed by other applicable laws.


VIII. SECURITY OF DATA

A. Security Measures

i. Organizational Security

Security of personal data is of utmost priority and the Data Privacy Team of PFDA is committed in doing so. As per the National Privacy Commission (NPC), a legal requirement under the Data Privacy Act of 2012 is to appoint a **Data Protection Officer (DPO)**. The **DPO** shall:


- a. monitor the PIC's or PIP's compliance with the Data Privacy Act, its IRR, issuances by the NPC and other applicable laws and policies. He may:
 1. collect information to identify the processing operations, activities, measures, projects, programs, or systems of the PIC or PIP, and maintain a record thereof;
 2. analyze and check the compliance of processing activities, including the issuance of security clearances to and compliance by third-party service providers;
 3. inform, advise, and issue recommendations to the PIC or PIP;
 4. ascertain renewal of accreditations or certifications necessary to maintain the required standards in personal data processing; and

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5. advise the PIC or PIP as regards the necessity of executing a Data Sharing Agreement with third parties, and ensure its compliance with the law;
- b. ensure the conduct of Privacy Impact Assessments relative to activities, measures, projects, programs, or systems of the PIC or PIP;
- c. advise the PIC or PIP regarding complaints and/or the exercise by data subjects of their rights (e.g., requests for information, clarifications, rectification or deletion of personal data);
- d. ensure proper data breach and security incident management by the PIC or PIP, including the latter's preparation and submission to the NPC of reports and other documentation concerning security incidents or data breaches within the prescribed period;
- e. inform and cultivate awareness on privacy and data protection within your organization, including all relevant laws, rules and regulations and issuances of the NPC;
- f. advocate for the development, review and/or revision of policies, guidelines, projects and/or programs of the PIC or PIP relating to privacy and data protection, by adopting a privacy by design approach;
- g. serve as the contact person of the PIC or PIP vis-à-vis data subjects, the NPC and other authorities in all matters concerning data privacy or security issues or concerns and the PIC or PIP;
- h. cooperate, coordinate and seek the advice of the NPC regarding matters concerning data privacy and security; and
- i. perform other duties and tasks that may be assigned by the PIC or PIP that will further the interest of data privacy and security and uphold the rights of the data subjects.

Aside from having a **DPO**, a government agency that has regional, provincial, district, city, municipal offices, such as the PFDA, may designate or appoint **Compliance Officer for Privacy (COP)** for each sub-unit. The **COPs** shall be under the supervision of the **DPO**. Except for items (a) to (c), a **COP** shall perform all other functions of a **DPO**. Where appropriate, he or she shall also assist the supervising **DPO** in the performance of the latter's functions.

Henceforth, everyone in PFDA, not just the **DPO** and **COPs**, shall be directed by these guidelines, policies and laws for which all shall comply and implement in order to securely process, monitor, and protect personal data in possession of PFDA.

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ii. **Information Technology**

PFDA shall take reasonable steps to protect the personal data in its possession from misuse, loss, unauthorized access, modification or disclosure.

As most of the personal data of employees, clients, and third party are stored in PFDA databases, access to personal information in digital or digitized form by authorized IT personnel is restricted and individually identifiable. An approval process is in place for internal requests (i.e. special requests for authority to view employees, clients, and third party profile for disciplinary cases, counselling, or health concerns) for access to restricted Agency records contained in PFDA information systems. Only authorized personnel with the necessary approvals may request for access of the information systems of personal information in accordance with Section VIII (B) of this Manual.

Physical access to the servers and network equipment is highly restricted to authorized personnel only. Various security software and hardware are employed to safeguard PFDA network and its systems.


24-hour security is also provided by PFDA to secure the areas where PFDA data centers are located.

iii. **Physical Arrangement/Facilities**

Access to personal data is limited to authorized personnel of the specific departments collecting or processing the information.

Aside from access restriction, the storage facilities for the hard copies of documents containing personal information are also secured (i.e locked) in cabinets or storage facilities. Only authorized personnel can open or have access to keys to the storage facilities. The storage units or facilities are placed in areas which are not usually accessible to the public, safe from physical hazards such as rain, wind and dust, and located in areas which are usually manned by the authorized personnel.

Round the clock security is also provided for the entire Agency including areas where the hard copies of such documents are kept and secured.

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B. Request for Access

As a general rule, only authorized personnel shall have access to personal data. As such, those who wish to have access to their personal data may be allowed access to their specific individual information or given copies, pursuant to the policies and guidelines on requesting for access or copies of Agency records.

Request for information through phone is not allowed. In case of email inquiry, proof of actual representative or employee identity shall be submitted along with the email request.


Data subjects who wish to view the personal information in their individual personnel file may submit a written request or directly go to the concerned office (HRD Office/ Port Management Office) and request for viewing of such information in the presence of an authorized personnel of PFDA.

If an individual or entity, other than the data subject or duly authorized representative, wishes to have access to or digitized or non-digitized copies of an individual's personal data, he/she shall submit a written request to the Compliance Officer for Privacy (COP). The COP may either reject or endorse the request to the process owner (HRD/Port Management) concerned, pursuant to the cases or exceptions provided under Data Privacy Act and Section VI of this Manual. Only written requests properly endorsed by the COP shall be considered for approval.

The written request shall state the name of the requestor, the purpose, the type of access requested (i.e. copying or viewing only), and the time frame or time limit within which access shall be given with a guarantee that the information shall be used solely for purposes allowed by law and a statement that such information shall be treated with utmost confidentiality.

In the event government agencies empowered under the law to request for personal information (i.e. BIR, DOH) request for access, authorized personnel must ensure that the request is in writing, citing the authority upon which the request is made. In cases where the request is a result of a valid order or decision of a tribunal or court, a copy of such order shall be attached to the written request.

If the request is approved by the process owner (HRD/Port Management) concerned, appropriate actions shall be made to respond to the specifics of the request, so that no

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other data will be disclosed except only for the specific data of the specific person requested, while also safeguarding the data that has been disclosed.

COP who endorsed the request shall be responsible for monitoring compliance of the requestor on the terms of the approved request (i.e time limit and confidentiality).

In case there is doubt on the propriety of any request for access or copies, whether digitized or non-digitized, authorized personnel should consult or seek clearance from the COP, DPO or Legal Office.

C. Retention and Destruction of Personal Information

Under the provisions of existing Civil Service Rules and Regulations, PFDA is required to permanently keep the Agency records including the information contained therein. In line with this, no personal data may be destroyed unless allowed by such rules and regulations, and such destruction, must be documented in writing by PFDA. Unauthorized destruction should be reported to any member of the Data Privacy "Reference: Special Order for PFDA DPO and COP" Team pursuant to the procedure stated in the succeeding section.

IX. INQUIRY AND COMPLAINTS


i. Inquiry on Data Privacy Issues

Data subjects may inquire or request for information from the Data Privacy Team, regarding any matter relating to the processing of their personal data under the custody of PFDA, including the data privacy and security policies implemented to ensure the protection of their personal data.

ii. Procedure for Complaints

Any suspected or actual breach of the PFDA Data privacy policy, violation of data privacy rights, or any breach, loss or unauthorized access or disclosure of information in the possession or under the custody of PFDA must be reported immediately to any member of the Data Privacy Team.

In case of a complaint for violation of the PFDA Data Privacy Policies as contained in the provisions of this Manual, or any serious breach, loss, unauthorized access, disclosure or destruction of personal data in the possession or under the custody of PFDA and within

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a reasonable time, the DPO or COP or two (2) data privacy team members shall conduct a verification of the allegations in the complaint, and if warranted, and an official investigation in cases of serious security breach as provided under Republic Act No. 10173 or the Data Privacy Act of 2012 and its Implementing Rules and Regulations Act, and shall report the same to the National Privacy Commission within seventy-two (72) hours from knowledge thereof, and if possible, after conducting an investigation on the matter pursuant to the provisions of said laws.

The DPO or COP may also convene the entire team in case of a complaint, or *motu-proprio* in case the violation of policies or data breach, loss, unauthorized access or destruction as an investigation committee to recommend actions, particularly when the violation is serious or causes or has the potential to cause material damage to PFDA or any of its employees, clients, and third parties. Such recommendation shall be submitted to the General Manager of PFDA for approval. Any appeal on such approved recommendation/Decision shall be made by any of the affected parties within 15 days from receipt of the approved Decision.

X. EFFECTIVITY


The provisions of this Manual shall take effect on November 1, 2019.

XI. ANNEXES

Annex A. Philippine Fisheries Development Authority Data Privacy Team

Annex B. Data Privacy Act of 2012

Annex C. Implementing Rules and Regulations

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Annex A.

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