



EXECUTIVE ORDER No. 03
Series of 2021

x-----x

DESIGNATION OF MIETOS C. YANSON, HRMO-II AS DATA PROTECTION OFFICER (DPO) AS MANDATED UNDER NATIONAL PRIVACY COMMISSION (NPC) ADVISORY NO. 2017-01 DATED 14 MARCH 2017

WHEREAS, Article II, Section 24 of the 1987 Constitution provides that the State recognizes the vital role of communication and information in nation-building. Article II, Section II thereof emphasizes the value of dignity of every human person guaranteeing respect for human rights. Finally, Article XIII, Section 21 shall give highest priority to the enactment of measures and policies that shall protect and enhance the right of the people to human dignity.

WHEREAS, Republic Act No. 10173, also known as the Data Privacy Act of 2012 (DPA) provides for the policy of the State to protect the fundamental right to privacy of communications, ensuring free flow of communication to promote innovation and growth;

WHEREAS, Section 4 of NPC Advisory No. 2017-01 provides that Local Government Units (LGUs) shall designate a Data Protection Officer (DPO). However, a competent city, municipality, or barangay is allowed to designate a Compliance Officer for Privacy (COP) provided that the COP shall be under the supervision of the DPO of the province, in this case, the Province of Negros Occidental;

WHEREAS, in the abovestated NPC Advisory No. 2017-01, the mandatory designations, qualifications, duties and responsibilities and other provisions are reflected in its entirety and are in accordance with all applicable laws.

NOW THEREFORE, by virtue of the power vested upon me by law, I, REX R. JALANDOON, City Mayor, order the designation of MIETOS C. YANSON, HRMO-II as Data Protection Officer (DPO) to exercise the following **Duties and Responsibilities of the DPO**:

- a. Monitor the PIC's (Personal Information Controller) or PIP's (Personnel Information Processor) compliance with the DPA, its IRR, issuance by the NPC and other applicable laws and policies. For this purpose, he or she 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 their-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
 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 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.

Effectivity. This order shall take effect immediately upon its signing.

Done and dated this 2nd day of February in the Year of the Lord Twenty and Twenty One at La Carlota City, Negros Occidental, Philippines.


REX R. JALANDO-ON, MD, MPM
City Mayor