



Republic of the Philippines  
**OFFICE OF THE SECRETARY**  
Elliptical Road, Diliman  
1100 Quezon City

## Memorandum Order

No. 40

Series of 2022

### **SUBJECT : DELINEATION OF DUTIES AND RESPONSIBILITIES OF REGIONAL EXECUTIVE DIRECTORS AND INFORMATION AND COMMUNICATIONS TECHNOLOGY UNITS RELATIVE TO DATA PROTECTION**

In adherence to the data privacy principles laid down in R.A. No. 10173, otherwise known as the Data Privacy Act of 2012 and its Implementing Rules and Regulation (IRR), it is deemed proper to delineate the duties and responsibilities of Regional Executive Directors and the respective Information and Communications Technology Unit in relation to data protection.

#### **REGIONAL EXECUTIVE DIRECTOR**


Section 23, Chapter 5 Field Offices, Book IV Executive Branch of EO 292 provides:

***SECTION 23. Administration of Regional Office.***—*The regional office shall be headed by a Regional Director who may be assisted by one (1) Assistant Regional Director, except as may otherwise be provided by law. The Regional Director shall be responsible for department or agency functions performed in the region under his jurisdiction.*

In consideration of the above, the Regional Executive Director shall direct the control of the processing and shall be responsible for the security of all personal information within its jurisdiction.

#### **Relative to the Compliance Officer for Privacy (COP), Regional Executive Director should:**

- effectively communicate to its personnel, the designation of the COP and his or her functions;
- allow the COP to be involved from the earliest stage possible in all issues relating to privacy and data protection;
- provide sufficient time and resources (financial, infrastructure, equipment, training, and staff) necessary for the COP to keep himself or herself updated with the developments in data privacy and security and to carry out his or her tasks effectively and efficiently;
- grant the COP appropriate access to the personal data it is processing, including the processing systems;

  
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- where applicable, invite the COP to participate in meetings of senior and middle management to represent the interest of privacy and data protection;
- promptly consult the COP in the event of a personal data breach or security incident; and
- ensure that the COP is made a part of all relevant working groups that deal with personal data processing activities conducted inside the organization, or with other organizations.

## INFORMATION AND COMMUNICATIONS TECHNOLOGY UNIT (ICTU)

The ICTU shall handle the technical aspects of the information processing within its jurisdiction, including, but not limited to, the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction of data.


### The ICTU shall:

- ensure that technical security measures are in place;
- monitor the effectivity of the security features of the software and applications;
- perform other duties and tasks that may be assigned by the PIC in relation to the technical aspect of the information processing.

All issuances or portions thereof which are inconsistent with the provisions of this Order are hereby modified or amended accordingly.

This Memorandum shall take effect immediately upon signing thereof and shall remain in full force and effect unless revoked, revised, or amended.

Done this 23rd day of May 2022, in Diliman, Quezon City, Philippines.

  
**WILLIAM D. DAR, Ph.D.**  
Secretary



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