



Republic of the Philippines
OFFICE OF THE SECRETARY
Elliptical Road, Diliman
1101 Quezon City

SPECIAL ORDER

No. 228

Series of 2023

SUBJECT : DESIGNATION OF PERSONAL INFORMATION CONTROLLER (PIC), DATA PROTECTION OFFICER (DPO), AND COMPLIANCE OFFICER FOR PRIVACY (COP) FOR THE SPECIAL AREA FOR AGRICULTURAL DEVELOPMENT (SAAD) PROGRAM

In the exigency of service, the following personnel are hereby designated to ensure compliance with data privacy laws, rules, and regulations, and strengthen the protection of data produced by the Special Area for Agricultural Development (SAAD) Program. They shall perform their respective functions, duties, and responsibilities as designated in a concurrent capacity with their regular functions and other designations.

NAME OF DESIGNATED OFFICIAL/PERSONNEL	DESIGNATION
ULYSSES J. LUSTRIA JR. Director, SAAD - NPMO (per Special Order No. 604, Series of 2022)	Personal Information Controller (PIC)
ATTY. MARIA GEMMA J. OQUENDO DA Data Protection Officer (per Special Order No. 771, Series of 2020)	Data Protection Officer (DPO)
ATTY. MARIA KAREN A. PAHAYAHAY Attorney III, Research and Regulations Division, Legal Service	Compliance Officer for Privacy (COP)

Their functions, duties, and responsibilities are the following:

1. As Personal Information Controller (PIC)

The PIC shall:

- a. Decide on the merits of the data sharing request among partners, LGUs, and other entities;
- b. Streamline and maintain the speed of data sharing among partners, other National Government Agencies (NGAs) and Local Government Units (LGUs), and other entities;
- c. Take into account the nature, scope, context, and purpose of the capture, storage, processing, and sharing of personal data, as well as the risks regarding the privacy rights of the data subject(s); and
- d. Lead in the development of organizational measures to ensure that the personal data is processed in compliance with requirements of the DPA and other relevant data is processed in compliance with the requirements of the DPA and other relevant data privacy laws, rules and regulations.

Additionally, per National Privacy Commission (NPC) Advisory No. 2017-01 – Designation of Protection Officers, the PIC shall:

- e. Effectively communicate with personnel, the designation of the DPO and COP and his or her functions;
- f. Allow the DPO or COP to be involved from the earliest stage possible in all issues relating to privacy and data protection;

- g. Provide sufficient time and resources (financial, infrastructure, equipment, training, and staff) necessary for the DPO or 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;
- h. Grant the DPO or COP appropriate access to the personal data it is processing including the processing systems;
- i. Where applicable, invite the DPO or COP to participate in meetings of senior and middle management to represent the interest of privacy and data protection;
- j. Promptly consult the DPO or COP in the event of a personal data breach or a security incident; and
- k. Ensure that the DPO or 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.

2. As Data Protection Officer (DPO)

Based on the NPC Advisory No. 2017-01 and DA Special Order No. 771, S. 2020, the DPO shall:

- a. Monitor the PIC's compliance with the DPA, its IRR, issuances by the NPC and other applicable laws and policies. For this purpose, the DPO may:
 - 1. Collect information to identify the processing operations, activities, measures, projects, programs, or systems of the PIC, 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;
 - 4. Ascertain renewal of accreditations or certifications necessary to maintain the required standards in personal data processing; and
 - 5. Advise the PIC as regards the necessity of executing a Data Sharing Agreement (DSA) with third-party service providers, 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;
- c. Advise the PIC 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, including the latter's preparation and submission to the NPC of reports and other documentation concerning security incidents or data breaches within the described period;
- e. Inform and cultivate awareness of privacy and data protection within the SAAD program, including all relevant laws, rules and regulations, and issuances of the NPC;
- f. Advocate for the development, review, and/or revisions of policies, guidelines, projects, and/or programs of the PIC relating to privacy and data protection by adopting a privacy design approach;
- g. Serve as the contact person of the PIC vis-à-vis data subjects, the NPC, and other authorities in all matters concerning data privacy or security issues or concerns and PIC;
- h. Cooperate, coordinate, and seek advice from the NPC regarding matters concerning data privacy and security; and
- i. Perform other duties and tasks that may be assigned by the PIC that will further the interest of data privacy and security and uphold the rights of the data subjects.

3. As Compliance Officer for Privacy (COP)

Except for items (a) to (c) of the DPO's duties and responsibilities under NPC Advisory 2017-01, the COP shall perform all other functions of the DPO and shall assist the DPO in the performance of her functions.

Additionally, the COP for shall:

- a. Ensure the SAAD Program's IT sub-unit is conducting its operation and personal data processing in full compliance with the Data Privacy Act of 2012, DA guidelines, and other applicable laws;
- b. Assist in the education of SAAD personnel in the national and regional level, as well as the beneficiaries and other data subjects on the merits of the Data Privacy Act, and how the DA is complying with the requirements of the law; and
- c. Assist in the review and identification of gaps in the policies and operating procedures.

This order shall take effect immediately and shall remain in force unless revoked in writing. All orders, memoranda, and other issuances inconsistent herewith are deemed revoked.

Done this 27th day of February, 2023.

DOMINGO F. PANGANIBAN
Senior Undersecretary



DA-CO-FOS-SO20230215-00007