



Republic of the Philippines  
Province of Oriental Mindoro  
MUNICIPALITY OF BONGABONG  
OFFICE OF THE MUNICIPAL MAYOR

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**EXECUTIVE ORDER**  
**(No. 9 Series of 2022)**

**DESIGNATING THE MUNICIPAL DATA PROTECTION OFFICER (DPO)  
AND COMPLIANCE OFFICER FOR PRIVACY**

**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**, Art. 2 Sec. 24 of the 1987 Constitution provides that the state recognizes the vital rule of information and communication technology in nation building and its inherent obligation to ensure that personal information and communication system in the private sector are secured and protected;

**WHEREAS**, DILG MC No. 2018-36 provides for the designation of Data Protection Officer (DPO) and Compliance Officer for Privacy (COP) in every local government unit;

**WHEREAS**, under Sec. 26(a) of the IRR of RA 10173, any natural or juridical person or anybody involved in the processing of the personal data shall designate an individual or individuals who shall function as Data Protection Officer (DPO), compliance officer, or shall otherwise be accountable for ensuring compliance with applicable laws and regulations for the protection of data privacy and security;

**WHEREAS**, the National Privacy Commission Advisory No. 2017-01 mandates the designation of Data Protection Officers who shall be accountable for ensuring compliance by the personal Information Controller (PIC) OR Personal Information Processor (PIP) with the Data Protection Act, its IRR by the NPC and other applicable laws and regulations relating to privacy and data protection;

**WHEREAS**, all Local Chief Executives are reminded to ensure compliance to the provisions of laws and issuances relative to privacy and data protection;

**NOW, THEREFORE, I, ELEGIO A. MALALUAN, O.D.**, Municipal Mayor of Bongabong, by virtue of powers vested in me by law, do hereby designate **KIT HOWELL BAYANAY** as Compliance Officer for Privacy (COP) and **JUN PAULO J. SENA** as the Municipal Data Protection Officer (DPO) Mindoro;

**SECTION 1. ROLES AND FUNCTIONS**

The aforesaid Municipal Data Protection Officer and Compliance Officer shall perform the following duties and responsibilities:

1. Monitor the PIC's and PIP's compliance with the DPA, its IRR, issuances by the NPC and other applicable laws and policies. For this purpose, he may :
  - a. Collect information to identify the processing operations, activities, measures, projects, Programs, or systems of the PIC or PIP, and maintain a record thereof;
  - b. Analyze and check the compliance of processing activities, including the issuance of security clearances to and compliance by third-party service providers;

- c. Inform, advise, and issue recommendations to the PIC or PIP;
  - d. Ascertain renewal of accreditations or certifications necessary to maintain the required standards in personal data processing;
  - e. 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.
2. Ensure the conduct of Privacy Impact Assessments relative to activities, measures, projects, programs, or systems of the PIC and PIP;
  3. Advise the PIC and 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);
  4. 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;
  5. Inform and cultivate awareness on privacy and data protection within the organization of the PIC or PIP, including all relevant laws, rules, and regulations and issuances of the NPC;
  6. 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;
  7. Serve as the coordinating office of the PIC or PIP vis-à-vis data subjects, the NPC and other authorities in all matters concerning data privacy or security issues concerns and the PIC or PIP;
  8. Cooperate, coordinate and seek advice of the NPC regarding matters concerning data privacy and security;
  9. 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.

Except for items 1-3 a COP shall perform all other functions of a DPO. Where appropriate, he/she shall also assist the supervising DPO in the performance of the latter's functions.

## **SECTION 2. REPEALING CAUSE**

All rules and regulations, executive orders, memoranda, or any part thereof, previously promulgated in conflict with or contrary to these Executive Order or any portion thereof, are hereby repealed or modified accordingly.

## **SECTION 3. SEPARABILITY CLAUSE**

If any portion or provision of this Executive Order is declared unconstitutional or invalid, the other portions or provisions hereof, which are not affected thereby shall continue in full force and effect.

#### **SECTION 4. EFFECTIVITY**

This Executive Order shall take effect immediately and shall remain enforced unless revoked or amended. Let copies of this Order be furnished to all concerned for their information, guidance, and action.

**DONE** in the Municipality of Bongabong, Oriental Mindoro, this 8th of March, 2022.

**ELEGIO A. MALALUAN, O.D.**  
Municipal Mayor