



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, West Triangle, Quezon City
<http://www.dilg.gov.ph>



**REITERATION OF THE PROVISIONS OF MEMORANDUM CIRCULAR
NO-2018-36 DATED MARCH 19, 2018, “DESIGNATION OF DATA
PROTECTION OFFICERS PURSUANT TO REPUBLIC ACT NO.
10173, TITLED, DATA PRIVACY ACT OF 2012”**

Memorandum Circular No. 2021-002
14 JAN 2021

1.0 Background

- 1.1 The National Privacy Commission (NPC) is a government agency mandated to administer and implement the Data Privacy Act of 2012 (R.A. No. 10173), to monitor and ensure compliance of entities that process personal data with the standards set for data protection in government and the private sector.
- 1.2 The NPC has previously issued NPC Advisory No. 2017-01 dated March 14, 2017 relative to the designation of Data Protection Officers (DPO).
- 1.3 Pursuant to said NPC Advisory, this Department issued Memorandum Circular No. 2018-36, dated March 19, 2018, “Designation of Data Protection Officers Pursuant to Republic Act No. 10173, titled, Data Privacy Act of 2012.”

2.0 Purpose

- 2.1 The purpose of this Circular is to reiterate the provisions of Memorandum Circular No. 2018-36, which aims to ensure compliance with the provisions of the Data Privacy Act of 2012 including its Implementing Rules and Regulations (IRR) and Section 4 of NPC Circular 2016-01, which provides that a government agency engaged in the processing of personal

data shall, through its head of agency, designate a Data Protection Officer.

3.0 Legal Compliance

- 3.1 Pursuant to Section 7 of Republic Act No. 10173, or the Data Privacy Act of 2012 (DPA), the National Privacy Commission (NPC) is charged with the administration and implementation of the provision of the law, which includes ensuring compliance with the provisions of the DPA and with international standards for data protection, and carrying out efforts to formulate and implement plans and policies that strengthen the protection of personal information in the country, in coordination with other government agencies and the private sector.
- 3.2 Under Section 26(a) of the IRR of the same law, any natural or juridical person or other body involved in the processing of personal data shall designate an individual or individuals who shall function as DPO or Compliance officer, shall be accountable for ensuring compliance with applicable laws and regulations for the protection of data privacy and security.

4.0 Scope/Coverage

- 4.1 All Provinces, Cities, Municipalities and Barangays, DILG Regional Offices, BARMM MILG Office, and other offices concerned

5.0 Policy Content and Guidelines

- 5.1 Local Chief Executives are hereby reminded to ensure compliance to the provisions of laws and issuances relative to privacy and data protection:
 - 5.1.1 Each LGU shall designate a Data Protection Officer.
 - 5.1.2 Local Chief Executives are advised to download a copy of NPC Advisory 17-01 through their website,

privacy.gov.ph, for guidance on the designation of a DPO as well as the qualifications necessary to be an effective DPO for the LGU.

5.2 Local Chief Executives are further directed to submit compliance report to Item 5.1.1 hereof, using the attached report template (Annex 1).

5.2.1 For Provinces, Cities and Municipalities, compliance reports shall be submitted to the Bureau of Local Government Supervision, through their respective DILG Regional Offices, not later than February 26, 2021 at pcmddpt@gmail.com.

5.2.2 For Barangays, compliance reports shall be submitted to the NPC not later than February 26, 2021 at compliancesupport@privacy.gov.ph

5.3 All DILG Regional Directors and the BARMM Minister of Local Government are hereby directed to:

5.3.1 Cause the immediate and widest dissemination of this Memorandum Circular to all LGUs within their respective regional jurisdictions and see to it that this Circular is hereby complied with.

6.0 Sanctions

6.1 Non-compliance to this Memorandum Circular may be a ground for the erring official/s of the local government unit to disciplinary actions:

6.1.1 By the President, in case of elective official of a province, a highly urbanized or an independent component city;

6.1.2 By the governor, if the respondent is an elective official of a component city or municipality; or

6.1.3 By the mayor, if the respondent is an elective official of the barangay.

7.0 References

- 7.1 Republic Act No. 10173, or the Data Privacy Act of 2012 (DPA)
- 7.2 Implementing Rules and Regulations of R.A. No. 10173
- 7.3 NPC Advisory No. 2017-01 dated March 14, 2017
- 7.4 DILG Memorandum Circular No. 2018-36, dated March 19, 2018, "Designation of Data Protection Officers Pursuant to Republic Act No. 10173, titled, Data Privacy Act of 2012."

8.0 Annexes

Annex 1. Compliance Report Template

9.0 Repealing Clause

All DILG Memorandum Circulars inconsistent herewith in part or in full, are hereby modified, revoked, or repealed accordingly.

10.0 Effectivity

This Memorandum Circular shall take effect immediately.

11.0 Approving Authority


UNDERSECRETARY BERNARDO C. FLORECE, JR.
Officer-In-Charge

12.0 Feedback

For related queries, kindly contact the Policy Compliance Monitoring Division, Bureau of Local Government Supervision at Tel Nos. (02)



8876-3454 local 4201 or at email address at pcmddpt@gmail.com,
or the National Barangay Operations Office at Tel No. (02) 925-0371
local 4404 or at email address at nboo.dilgco2020@gmail.com.

**LOCAL GOVERNMENT UNIT COMPLIANCE REPORT FOR
DESIGNATED DATA PRIVACY OFFICER (DPO)/COMPLIANCE
OFFICER FOR PRIVACY (COP)**

FOR PROVINCE, HUC OR ICC:

NAME OF LGU:	
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NAME OF DPO:	
DATE OF DESIGNATION:	
E-MAIL ADDRESS:	
CONTACT NO.	

FOR CC, MUNICIPALITY OR BARANGAY:

NAME OF LGU:	
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NAME OF DPO:	
DATE OF DESIGNATION:	
E-MAIL ADDRESS:	
CONTACT NO.	

All Compliance Reports of **Provinces, Cities and Municipalities** shall be submitted to the Policy Compliance and Monitoring Division, Bureau of Local Government Supervision at pcmdpt@gmail.com, with subject name: **Compliance Report_NAME OF LGU**.

All Compliance Reports of **Barangays** shall be submitted to the National Privacy Commission at compliancesupport@privacy.gov.ph with subject name: **Compliance Report_NAME OF LGU**.