Implementing the APEC Privacy Framework to Promote E-Services in the Philippines

Purpose: Information
Submitted by: Philippines
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The right to privacy is a basic right given to any Filipino under the Bill of Rights of the Philippine Constitution.
Information Privacy Protection in the Philippines

- There is no specific law on privacy
- Right to privacy provisions are embedded in some existing laws, such as:
  - Law on Secrecy of Bank Deposits
  - Access Devices Regulation Act
  - Social Security System Act
  - Laws on AIDS Prevention and Control; Assistance and Protection for Rape Victims; Establishment of Family Courts
  - E-Commerce Act
IMPLEMENTING THE APEC PRIVACY FRAMEWORK TO PROMOTE E-SERVICES IN THE PHILIPPINES

• Our goal: the Philippines as Asia’s e-Services Hub

• Priority areas:
  - Animation
  - Back-office operations (F&A)
  - Contact centers
  - Engineering design
  - Medical transcription
  - Software development

• What we need: statutory and regulatory guidelines to protect information privacy
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• Existing modes of protecting personal data:
  market-driven contractual arrangements and codes of practice
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- Proposal to ensure protection of information privacy (short-term):

  Guidelines for the Protection of Personal Data in Information and Communications System in the Private Sector (Draft)

  - Voluntary accreditation of Data Protection Certifiers
  - Penalties for certain acts and violations
  - Privacy complaints mechanism
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- Proposal to ensure protection of information privacy (long-term):

  * Legislation to Regulate the Processing of Information Relating to Individuals, including the Obtaining, Holding, Use or Disclosure of Such Information (Draft)
    - Processing of Personal Data
    - Rights of the Data Subject
    - Registration of Personal Data Processing System
    - Security of Data
    - Transfer of Personal Data
    - Monitoring and Enforcement / creation of the National Data Protection Commission
    - Penal Provisions
Thank you.