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Agenda Item: 21

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

Purpose: Information
Submitted by: Philippines



**APEC Symposium on Information
Privacy Protection in E-Government
and E-Commerce
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MARIA LOURDES A. YAPTINCHAY
Department of Trade and Industry
Philippines

INFORMATION PRIVACY PROTECTION IN THE PHILIPPINES

**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**

Implementing the APEC Privacy Framework ...

- **Existing modes of protecting personal data:**

**market-driven contractual arrangements
and codes of practice**

Implementing the APEC Privacy Framework ...

- **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**

Implementing the APEC Privacy Framework ...

- **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.

