



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 106-2024

TO : ALL JUDGES OF THE TRIAL COURTS

**SUBJECT : DESIGNATION OF COMPLIANCE OFFICERS
FOR PRIVACY (COPs)**

For the guidance and information of all concerned, the Court, in its Resolution dated 23 January 2024 in A.M. No. 23-06-22-SC (*Re: Designation of Compliance Officers for Privacy and Registration with the National Privacy Commission*), and through the recommendation of Honorable Associate Justice Alfredo Benjamin S. Caguioa, Chairperson of the Committee on Data Privacy, approved, among others, the designation of all current and future Executive Judges of multiple-sala stations and Presiding Judges or Acting Presiding Judges of single-sala stations of both first- and second-level courts as Compliance Officers for Privacy of their respective stations.

22 April 2024


RAUL B. VILLANUEVA
Court Administrator



Republic of the Philippines
Supreme Court
Manila

EN BANC

NOTICE

Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated JANUARY 23, 2024, which reads as follows:

“A.M. No. 23-06-22-SC (Re: Designation of Compliance Officers for Privacy and Registration with the National Privacy Commission). —

RESOLUTION

WHEREAS, Section 2 of Republic Act No. 10173, or the Data Privacy Act of 2012¹ (DPA), provides that it is the policy of the State to protect the fundamental human right of privacy of communication while ensuring the free flow of information to promote innovation and growth;

WHEREAS, the DPA also provides that the State recognizes its obligation to ensure that personal information in information and communications systems in the government and in the private sector is secured and protected;

WHEREAS, Section 10 of National Privacy Commission (NPC) Circular No. 2022-04² provides that a government agency is required to designate and register a Data Protection Officer (DPO) who shall be in charge of ensuring the agency’s compliance with the DPA, its Implementing Rules and Regulations, other issuances of the NPC, and other applicable laws and regulations relating to privacy and data protection;

WHEREAS, in a Resolution dated April 18, 2023 in A.M. No. 23-04-10-SC, the Court *En Banc* resolved to approve the designation of Atty. Maria Victoria Gleoresty SP. Guerra as the DPO for the entire Judiciary;

¹ Approved on August 15, 2012.

² Registration of Personal Data Processing System, Notification Regarding Automated Decision-Making or Profiling, Designation of Data Protection Officer, and the National Privacy Commission Seal of Registration dated December 5, 2022.

A handwritten signature in black ink, appearing to be "D. M. C.", located in the bottom right corner of the page.

WHEREAS, Section 8 of NPC Circular No. 2022-04 provides that where a personal information controller (PIC) has several branches, offices, or has a wide scope of operations, the PIC, in this case, the entire Judiciary, may designate one or more Compliance Officers for Privacy (COPs). A COP, who is under the direct supervision of the DPO, refers to an individual who performs the functions or some of the functions of a DPO in a particular region, office, branch, or area of authority;³

WHEREAS, NPC Advisory No. 2017-01,⁴ as amended by NPC Circular No. 2022-04, provides that the minimum qualifications of a COP shall be proportionate to his or her functions, which include the following: (a) ensure proper data breach and security incident management by his or her office, 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; (b) inform and cultivate awareness on privacy and data protection including all relevant laws, rules and regulations, and issuances of the NPC within his or her office; (c) advocate for the development, review, and/or revision of policies, guidelines, projects, and/or programs of the Judiciary and his or her office relating to privacy and data protection by adopting a privacy by design approach; (d) serve as the contact person of the Judiciary, the DPO, and his or her office in relation to data subjects, the NPC, and other authorities in all matters concerning data privacy or security issues or concerns of the Judiciary or his or her office; (e) cooperate and coordinate with the NPC and seek its advice on matters concerning data privacy and security; and (f) perform other duties and tasks that may be assigned by the Judiciary that will further the interest of data privacy and security and uphold the rights of the data subjects;

WHEREAS, in a Resolution dated June 27, 2023 in this administrative matter, the Court *En Banc* resolved to approve the designation of at least one COP each for the Court of Appeals, the Court of Tax Appeals, the Sandiganbayan, the Regional Trial Courts (RTCs), the Metropolitan Trial Courts/Municipal Trial Courts in Cities/Municipal Trial Courts/Municipal Circuit Trial Courts (collectively, the MTCs), and the various offices within the Court;

WHEREAS, the NPC recommended that at least one COP should also be designated for each court station;

WHEREAS, the NPC requires that all additional COPs be registered with the NPC;

WHEREAS, after a careful review of the qualifications and functions of a COP, the Chairperson of the Committee on Data Privacy, Associate Justice Alfredo Benjamin S. Caguioa, recommends that the role of a COP be

³ See NPC Circular No. 2022-04 (2022), sec. 2(C).

⁴ Designation of Data Protection Officers dated March 14, 2017.

attached to the position of an Executive Judge for multiple-sala stations and to the position of a Presiding Judge or Acting Presiding Judge for single-sala stations of both RTCs and MTCs;


WHEREAS, the Chairperson of the Committee on Data Privacy, Associate Justice Alfredo Benjamin S. Caguioa, recommends that all current and future Executive Judges of multiple-sala stations and Presiding Judges or Acting Presiding Judges of single-sala stations be designated as COPs of their respective stations; and

WHEREAS, the Chairperson of the Committee on Data Privacy, Associate Justice Alfredo Benjamin S. Caguioa, recommends that Atty. Maria Victoria Gleoresty SP. Guerra, as the Judiciary's DPO, be granted authority to register the Court's COPs for each court station of both RTCs and MTCs with the NPC.

NOW, THEREFORE, acting on the recommendations of Associate Justice Alfredo Benjamin S. Caguioa, Chairperson of the Committee on Data Privacy, the Court, sitting *En Banc*, resolves to

- (1) **APPROVE** the designation of all current and future Executive Judges of multiple-sala stations and Presiding Judges or Acting Presiding Judges of single-sala stations of both RTCs and MTCs as Compliance Officers for Privacy of their respective stations; and
- (2) **GRANT** Atty. Maria Victoria Gleoresty SP. Guerra, as the Judiciary's Data Protection Officer, the authority to register the Court's Compliance Officers for Privacy for all the court stations of the Regional Trial Courts, the Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, and Municipal Circuit Trial Courts with the National Privacy Commission." (102)

By authority of the Court:


MARIFE M. LOMIBAO-CUEVAS
Clerk of Court *pa*

HON. ALEXANDER G. GESMUNDO (x)
Chief Justice
HON. MARVIC MARIO VICTOR F. LEONEN (x)
Senior Associate Justice
HON. RAMON PAUL L. HERNANDO (x)
HON. AMY C. LAZARO-JAVIER (x)
HON. HENRI JEAN PAUL B. INTING (x)
HON. RODIL V. ZALAMEDA (x)
HON. MARIO V. LOPEZ (x)
HON. SAMUEL H. GAERLAN (x)
HON. RICARDO R. ROSARIO (x)
HON. JHOSEP Y. LOPEZ (x)
HON. JAPAR B. DIMAAMPAO (x)
HON. JOSE MIDAS P. MARQUEZ (x)
HON. ANTONIO T. KHO, JR. (x)
HON. MARIA FILOMENA D. SINGH (x)
Associate Justices
Supreme Court

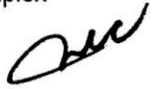
*HON. RAUL B. VILLANUEVA (x)
Court Administrator
Supreme Court

HON. JENNY LIND R. ALDECOA-DELORINO (x)
HON. LEO T. MADRAZO (x)
Deputy Court Administrators
HON. LILIAN BARRIBAL-CO (x)
HON. MARIA REGINA ADORACION
FILOMENA M. IGNACIO (x)
Assistant Court Administrators
Supreme Court

ATTY. MARIA VICTORIA GLEORESTY
SP. GUERRA (x)
Deputy Clerk of Court and Chief Attorney
And Data Protection Officer
Office of the Chief Attorney
Supreme Court

HON. ALFREDO BENJAMIN S. CAGUIOA (x)
Associate Justice and Chairperson
Committee on Data Privacy
Supreme Court

ATTY. JOHN HENRY D. NAGA (x)
Privacy Commissioner
National Privacy Commission
5th Floor Delegation Building, PICC Complex
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A.M. No. 23-06-22-SC
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***for circularization**