

Office of the Sangguniang Panlungsod

Resolution approved by the Sangguniang Panlungsod of the City of Cauayan, Isabela, in its Regular Session held on June 16, 2021 at the SP Session Hall.

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RESOLUTION NO. 2021 – 076

RESOLUTION AUTHORIZING THE HON. BERNARD FAUSTINO M. DY, CITY MAYOR, TO ENTER INTO A DATA SHARING AGREEMENT (DSA) WITH LAND TRANSPORTATION OFFICE (LTO) REPRESENTED BY ASSISTANT SECRETARY, MR. EDGAR C. GALVANTE, FOR THE PURPOSE OF ALLOWING DATA SHARING BETWEEN THE CITY GOVERNMENT OF CAUAYAN AND LAND TRANSPORTATION OFFICE IN ACCORDANCE WITH THE IMPLEMENTING RULES AND REGULATIONS (IRR) OF REPUBLIC ACT NO. 10173 OR THE DATA PRIVACY ACT AND NATIONAL PRIVACY COMMISSION CIRCULAR 16-02.

(Sponsor: HON. PAUL VINCENT R. MAURICIO)

WHEREAS, LTO is authorized under Republic Act No. 4136, as amended, otherwise known as the Land Transportation and Traffic Code (the "Code"), to issue or deny licenses to drivers, or register or refuse registration of motor vehicles as well as accept or deny their respective renewals, and make arrests for violations of the provisions of the Code;

WHEREAS, LTO, pursuant to its mandate, processes Personal Information of various motorists and vehicle owners in the capacity of Personal Information Controller ("PIC");

WHEREAS, Republic Act No. 8792 (The "Electronic Commerce Act"), provides that an electronic online network facilitates the open, speedy, and efficient electronic online transmission, conveyance, and use of electronic documents amongst all government departments, agencies, bureaus, offices up to the division level and to the regional and provincial offices, government owned and controlled corporations, local government units, other public instrumentalities, universities, colleges and other schools and universal access to the general public;

WHEREAS, LTO is entering into a Memorandum of Agreement with the City of Cauayan for the purpose of interconnecting its traffic apprehension database and its No Contact Apprehension Project with the LTOs Information Technology Project (LTO IT Project) on motor vehicle and driver's license database, and create an alarm in the Motor Vehicle Registration System and/or Driver's Licensing System of the LTO IT Project, through its Law Enforcement and Traffic Adjudication System to ensure the effective implementation of its mandated functions and efficient revenue collection;

WHEREAS, the City of Cauayan, pursuant to its mandate, processes Personal Information of motorists for purposes of enforcing traffic regulations and imposing corresponding fines and penalties within its jurisdiction;

WHEREAS, for purposes of processing motorists' Personal Information, LTO is willing to grant the City of Cauayan, access to and interconnection with the LTO IT Project's system and database, and in this regard, permits the City of Cauayan, to design, develop, implement, operate and maintain such interconnection facility with LTO;

WHEREAS, the Implementing Rules and Regulations ("IRR") of Republic Act No. 10173 or the Data Privacy Act allows data sharing between government agencies, provided adequate safeguards are in place and covered by a data sharing agreement, in accordance with NPC Circular 16-02 on Data Sharing Agreements involving government agencies;

WHEREAS, the City of Cauayan and LTO desire to agree on the terms and conditions regarding the sharing of personal information and sensitive personal information ("Personal Data") of motorists and vehicle owners, herein referred to as the data subjects;

WHEREAS, to realize the foregoing objectives, the City of Cauayan needs to enter into a Data Sharing Agreement with LTO in accordance with the Data Privacy Act and National Privacy Commission Circular 16-02.

WHEREFORE

UPON MOTION of Hon. Paul Vincent R. Mauricio, Chairman, Committee on Laws and Good Governance, duly seconded by Hon. Telesforo R. Mallillin and Hon. Faustino M. Gapasin, Jr., it was –

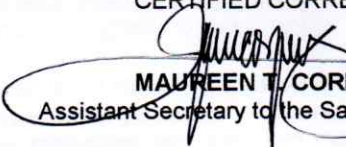
RESOLVED, as it is hereby **RESOLVED**, to authorize the Hon. Bernard Faustino M. Dy, City Mayor, to enter into a Data Sharing Agreement (DSA) with Land Transportation Office (LTO) represented by Assistant Secretary, Mr. Edgar C. Galvante, for the purpose of allowing Data Sharing between the City Government of Cauayan and Land Transportation Office in accordance with the Implementing Rules and Regulations (IRR) of Republic Act No. 10173 or the Data Privacy Act and National Privacy Commission Circular 16-02.

RESOLVED FURTHER, to grant authority to the City Mayor to sign the documents that may be entered into in connection with the foregoing, for and on behalf of the City Government.

RESOLVED, FINALLY, to furnish copy of this resolution to Hon. Bernard Faustino M. Dy, City Mayor; Atty. Emmanuel D. Marquez, City Legal Officer; Atty. Reina Consorcia M. Santos, City Information Officer and Assistant Secretary Edgar C. Galvante, Land Transportation Office, East Avenue, Quezon City, for their information and appropriate action.


ADOPTED and APPROVED: June 16, 2021.

CERTIFIED CORRECT:


MAUREEN T. CORPUZ
Assistant Secretary to the Sanggunian



HON. CYNTHIA Q. UY-BALAYAN
City Councilor



HON. RUFINO C. ARCEGA
City Councilor


HON. GARRY G. GALUTERA
City Councilor



HON. ARIEL KENNETH V. UY
City Councilor


HON. EDGAR M. DE LUNA
City Councilor


HON. EUGENIO C. ASIRIT, IV
City Councilor


HON. EDGARDO A. ATIENZA, JR.
City Councilor


HON. VICTOR H. DY, JR.
City Councilor/LNB President


HON. TELESFORO R. MALLILLIN
City Councilor


HON. CAESAR S. DY, JR.
City Councilor/Sectoral Representative



HON. PAUL VINCENT R. MAURICIO
City Councilor


HON. FAUSTINO M. GARASIN, JR.
City Councilor/Sectoral Representative


HON. BAGNOS R. MAXIMO, JR.
City Councilor


HON. CHARLENE JOY B. QUINTOS
City Councilor/SKF President

ATTESTED:


HON. LEONCIO A. DALIN, JR.
City Vice Mayor/Presiding Officer

July 21, 2021

(Date)