

EIGHTEENTH CONGRESS  
OF THE REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

HOUSE OF REPRESENTATIVES

House Bill No. 362



Introduced by Representative Victor A. Yap

**EXPLANATORY NOTE**

Big data refers to datasets whose volume is beyond the ability of typical database software tools to capture, store, manage and analyze within a tolerable elapsed period of time. Big data is characterized by the 3Vs: volume, velocity and variety.

Big data sources include social media data like videos, blogs, forums, news media content, online searches, GPS data, among others. According to a research by McKinsey & Co., analyzing big data "will become a key basis of competition, underpinning new waves of productivity growth, innovation and consumer surplus."

Today, big data offers firms and organizations the opportunity to analyze and scrutinize consumer habits in order to fine-tune their products and services. It is now creating business opportunities in rich countries, and it is high time for the Philippines to catch up.

This bill aims to establish a technology center that facilitates big data so that the country's policies and programs would truly address prevailing and emerging development issues, and become more relevant to the changing needs of the people. In particular, big data can be used to support the implementation, monitoring and review of the country's sustainable development goals. The analysis from big data would help policymakers to become more responsive to the needs of Filipinos.

Since big data comes in big volumes, it is wrought with privacy issues. This measure provides for a strong legal framework that clearly defines what kind of data can be collected, and how they will be used. The Big Data Center shall adhere to the right to privacy, ensuring data anonymity by establishing opt-in permissions and upholding transparency in its data analytics processes.

In view of the foregoing, the approval of this is earnestly sought.

  
VICTOR A. YAP  
Representative, 2nd District of Tarlac

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AN ACT  
INSTITUTIONALIZING THE ESTABLISHMENT OF THE PHILIPPINE BIG  
DATA CENTER

*Be it enacted by the Senate and the House of Representatives of the Philippines in  
Congress assembled:*

1       **SECTION 1. Title.** - This Act shall be known as the "Big Data Act".

2

3       **SEC. 2. Declaration of Policy.** - The State recognizes the vital role of communication  
4 and information in nation-building. Access to official records, and to documents and papers  
5 pertaining to official acts, transactions, or decisions as well as to government research data as  
6 basis for policy development, shall be afforded the citizen, subject to such limitations as may  
7 be provided by law. Further, the State also recognizes that science and technology are  
8 essential for national development and progress. The State shall give priority to research and  
9 development, invention, innovation, and their utilization; and to science and technology  
10 education, training, and services.

11       In line with these basic constitutional guarantees it shall be the policy of the state to  
12 revolutionize government's efforts in promoting and maintaining an efficient government  
13 statistical system that provides adequate, accessible, consistent, reliable and timely data. The  
14 establishment of the Big Data Center shall also ensure that existing government data are also  
15 maximized as supported by the Open Data Philippines program pursuant to E.O. 43 or the  
16 overall governance framework.

17       The Big Data Center shall pave the way that will allow our country to make strides in  
18 government statistical services that adheres to the ideals and vision of the government in  
19 serving the interest of society and the welfare of our nation.

20       **SEC. 3. Definition of Terms.** - As used in this Act, the following terms shall mean:

21       a. *Big Data*- datasets, whose volume is beyond the ability of typical database software  
22 tools to capture, store, manage and analyze within a tolerable elapsed period of time.

- 1        b. *Crowd source*- the process of soliciting information, ideas or feedback from a large  
2        group of people.  
3        c. *Data Anonymity*- process of ensuring that personal information cannot be linked to a  
4        particular unique name of a citizen.  
5        d. *Issue* - a fundamental problem with broad economic and scientific impact, whose  
6        solution will require the application of high-performance computing resources.  
7        e. *Opt-In*- Permission given by the individual to volunteer particular personal data for  
8        Big Data analytics.

9            **SEC. 4. *Establishment of the Center*.** - There shall be established a Big Data Center  
10      that shall be attached to the Philippine Statistical Research and Training Institute (PSRTI).  
11      The National Big Data Center in the Philippines shall be hereinafter referred to as the "Big  
12      Data Center" (BDC).

13           **SEC. 5. *Powers and Functions*.** - The Big Data Center shall have the following  
14      powers and functions:

- 15        a. Develop a Big Data research program that will address emerging development  
16        issues;  
17        b. Build partnerships with both public sector agencies and private sector  
18        agencies for the conduct of research that examines digital data sources for  
19        producing alternative statistics to meet information requirements for socio-  
20        economic development goals;  
21        c. Provide government and development partners with valuable information  
22        generated from alternative near real-time data sources that shall complement  
23        statistics generated by the Philippine Statistics Authority (PSA) and other  
24        statistics producing agencies in the Philippine Statistical System; and  
25        d. Establish and administer capacity building activities on Big Data analytics for  
26        various partner institutions.

27           **SEC. 6. *Composition*.** - The Big Data Center shall be composed of the Office of the  
28      Director and the Offices of the following Divisions: a) *Open Data Division*; b) *Partnerships  
29      Division*; c) *Data Analytics and Storage Division*; and, d) *Privacy and Data Anonymity  
30      Division*.

31           **SEC. 7. *Office of the Director*.** - The Office of the Director shall consist of the  
32      Director and his [or her] immediate staff.

1           **SEC. 8. Director.** - The Director shall be appointed by the PSRTI Board of  
2 Directors.

3           The Director shall have the following powers and functions:

- 4           a. Ensure the development and regular updating of the Big Data Laboratory  
5           Research Program;
- 6           b. Implement the Big Data Program and monitor the progress of the research  
7           activities of the Center;
- 8           c. Convene quarterly the Technical Advisory Committee on Big Data, Open  
9           Data Division, Partnerships Division, Data Analytics and Storage Division  
10          and the Privacy and Data Anonymity Division as defined in this Act for an  
11          independent assessment of the research activities and the Big Data Program;  
12          and
- 13          d. Submit to the President of PSRTI an Annual Report on the accomplishments  
14          of the Center.

15           **SEC. 9. Technical Advisory Committee on Big Data.** - A Technical Advisory  
16          Committee (TAC) on Big Data shall be created in order to provide guidance to the Big Data  
17          Center and PSRTI on the program and activities of the Center. TAC members shall have a  
18          term of three (3) years and shall be composed of an appointive chair and four appointive  
19          members who are experts from the following disciplinary groups:

- 20          a. Social Science (anthropology, economics, political science, psychology and  
21           sociology);
- 22          b. Natural and Geological Science;
- 23          c. Statistics;
- 24          d. Computer Science; and
- 25          e. Information Technology

26           **SEC. 10. Open Data Division.** - An Open Data Division shall be created to perform  
27          the following functions:

- 28          a. Fully utilize and maximize existing Open Data from different government  
29           agencies for data analytics to aid in the development of the country;
- 30          b. Provide recommendations to different agencies on what other data shall be  
31           provided by the government in order to come up with a more comprehensive  
32           set of information available for data analytics;
- 33          c. Shall have the power to demand information deemed as Open Data from  
34           government agencies;

- 1                   d. Ensure that the Big Data Center runs parallel with the Open Data initiative by  
2                   amalgamating existing government information and providing data analytics  
3                   towards the discovery of new and innovative solutions for government  
4                   services;  
5                   e. Provide, publish and make available for download in universally accepted  
6                   formats such as, but not limited to plain text, comma-separated values  
7                   spreadsheet, or open standard multimedia data readily verifiable through a  
8                   checksum standard as determined by the Internet Engineering Task Force or  
9                   similar globally recognized standards organization; and  
10                  f. Work towards the transparency not just of information deemed public by  
11                  Open Data standards but openness in the processes within the Big Data  
12                  Center.

13                 **SEC. 11. *Partnership Division*.** - A Partnership Division shall be created to perform  
14                 the following functions:

- 15                 a. Synergize with entities engaged in the operation and/or provision of  
16                 information and communications, telecommunications and other multi-media  
17                 infrastructures that include, but are not limited to, social media, Internet  
18                 search engines, remote sensing and other available sources of data from  
19                 existing information and communications technology tools;  
20                 b. Collaborate with data partners by coming up with an agreement that shall  
21                 allow mobile companies, internet companies to share the data they have that  
22                 can be used for the analysis in the Big Data Center;  
23                 c. Establish confidentiality, privacy, process of analytics and ownership of  
24                 information in the Big Data holdings to partners; and  
25                 d. For the PSRTI and BDC to work out an agreement for research that will  
26                 provide technical/statistical services to the partners in order to test new tools  
27                 and eventually mainstream approaches for the application of the new digital  
28                 data sources for the industries.

29                 **SEC. 12. *Data Analytics and Storage Division*.** - A Data Analytics and Storage  
30                 Division shall be created to perform the following functions.

- 31                 a. Inspect, clean, transform and model data with the goal of discovering useful  
32                 information, suggesting conclusions and supporting decision making;  
33                 b. Determine the appropriate data analysis technique that can help not just in  
34                 purely descriptive purposes but also predictive purposes as may be deemed  
35                 necessary;  
36                 c. Work towards efficiency in data storage utilizations by using less storage and

- 1 space that can house the same amount of data and can ultimately reduce  
2 capital and operating costs; and  
3 d. Provide for, but not limited to Operating Systems Security Specialists,  
4 Applications Security Specialists as well as Network Security Specialists to  
5 ensure the integrity of data and infrastructure.

6 **SEC. 13. *Privacy and Data Anonymity Division.*** – A Privacy and Data Anonymity  
7 Committee shall be created to ensure at all times the confidentiality of any personal  
8 information that comes to its knowledge and possession. The Committee shall ensure that the  
9 following standards on privacy shall be followed:

- 10 a. Ensure protection and security of any personal information that comes to its  
11 knowledge and possession;  
12 b. Anonymize personal data even before going through the processing of data  
13 analytics. The data used and processed shall be in the form of anonymized  
14 data where the information gathered and processed may not be traced to a  
15 particular unique name of a citizen;  
16 c. Establish opt-in permissions or a more secure permission system given the  
17 particular for stakeholders whose data shall be used;  
18 d. Ensure that individuals or organizations are held accountable for protecting,  
19 securing and using personal data;  
20 e. Bring to authorities' offenses to the violations defined in this Act;  
21 f. Ensure transparency and openness in the processes within the Big Data Center  
22 particularly in data analytics; and  
23 g. Implement compliance measures for privacy standards as well as the  
24 adherence to the Data Privacy Act and other relevant privacy rules set by law.

25 The use and availability of accurate and complete information whenever it is required  
26 shall be limited to authorized users and shall be subject to the provisions of Republic Act No.  
27 10173, otherwise known as the Data Privacy Act of 2012, Commonwealth Act No. 591,  
28 otherwise known as An Act Creating the Bureau of Census and Statistic and further governed  
29 by Section 26 of RA 10625, otherwise known as the Philippine Statistical Act of 2013 and  
30 other applicable laws. Nothing in this Act shall be construed as to have amended or repealed  
31 Republic Act No. 1405, otherwise known as the Secrecy of Bank Deposits Act; Republic Act  
32 No. 6426, otherwise known as the Foreign Currency Deposit Act; and Republic Act No. 9510,  
33 otherwise known as the Credit Information System Act (CISA).

34 **SEC. 14. *Violations on Data Privacy.* -**

- 35 a. *Unauthorized access.* – It shall be unlawful for any person to intentionally  
36 access data, networks, storage media where data is stored, equipment through

which networks are run or maintained, the physical plant where the data or network equipment is housed, without authority granted by the Internet service provider, telecommunications entity, or other such person providing Internet or data services having possession or control of the data or network, or to intentionally access intellectual property published on the Internet or on other networks without the consent of the person having ownership, possession, or control of the intellectual property, or without legal grounds, even if access is performed without malice.

- b. *Unauthorized modification.* – It shall be unlawful for any person to intentionally modify data, networks, storage media where data is stored, equipment through which networks are run or maintained, the physical plant where the data or network equipment is housed, without authority granted by the Internet service provider, telecommunications entity, or other such person providing Internet or data services having possession or control of the data or network, or to intentionally modify intellectual property published on the Internet or on other networks without the consent of the person having ownership, possession, or control of the intellectual property, or without legal grounds, even if the modification is performed without malice.
- c. *Unauthorized authorization or granting of privileges.* – It shall be unlawful for any person to intentionally provide a third party authorization or privileges to access or modify data, networks, storage media where data is stored, equipment through which networks are run or maintained, the physical plant where the data or network equipment is housed, without authority granted by the Internet service provider, telecommunications entity, or other such person providing Internet or data services having possession or control of the data or network, or to intentionally provide a third party authorization to access or modify intellectual property published on the Internet or on other networks without the consent of the person having ownership, possession, or control of the intellectual property, or without legal grounds, even if the authorization to access or perform modifications was granted without malice.
- d. *Unauthorized disclosure.* – It shall be unlawful for any authorized person to intentionally disclose or cause the disclosure to a third party or to the public any private data being transmitted through the Internet or through public networks, or any data being transmitted through private networks, without legal grounds, even if the disclosure was done without malice.
- e. *Violation of Data Privacy Act through ICT.* – It shall be unlawful to perform acts in violation of the Data Privacy Act of 2012 (RA 10175) using a device, network equipment, or physical plant connected to the Internet, public

1 networks, private networks, or telecommunications facilities.  
2

3 **SEC. 15. Violation of Data Security. –**

- 4 a. *Hacking.* – It shall be unlawful for any unauthorized person to intentionally  
5 access or to provide a third party with access to, or to hack or aid or abet a  
6 third party to hack into, data, networks, storage media where data is stored,  
7 equipment through which networks are run or maintained, the physical plant  
8 where the data or network equipment is housed. The unauthorized access or  
9 unauthorized act of providing a third party with access to, or the hacking into,  
10 data, networks, storage media where data is stored, equipment through which  
11 networks are run or maintained, the physical plant where the data or network  
12 equipment is housed shall be presumed to be malicious.
- 13 b. *Cracking.* – It shall be unlawful for any unauthorized person to intentionally  
14 modify or to crack data, networks, storage media where data is stored,  
15 equipment through which networks are run or maintained, the physical plant  
16 where the data or network equipment is housed, or for any unauthorized  
17 person to intentionally modify intellectual property published on the Internet  
18 or on other networks. The unauthorized modification or cracking of data,  
19 networks, storage media where data is stored, equipment through which  
20 networks are run or maintained, the physical plant where the data or network  
21 equipment is housed, or unauthorized modification of intellectual property  
22 published on the Internet or on other networks, shall be presumed to be  
23 malicious.
- 24 c. *Phishing.* –  
25 (i) It shall be unlawful for any unauthorized person to intentionally acquire  
26 or to cause the unauthorized acquisition, or identity or data theft, or  
27 phishing of private data, security information, or data or information used  
28 as proof of identity of another person. The unauthorized acquisition or  
29 causing to acquire, or identity or data theft, or phishing of private data,  
30 security information, or data or information used as proof of identity of  
31 another person shall be presumed to be malicious.  
32 (ii) Malicious disclosure of unwarranted or false information relative to  
33 any personal information or personal sensitive information obtained by  
34 him or her as defined by Section 31 of the Data Privacy Act of 2012 (RA  
35 10175) shall constitute phishing.
- 36 d. *Violation of Data Privacy Act in series or combination with hacking,*  
37 *cracking, or phishing.* – It shall be unlawful to perform acts in violation of  
38 the Data Privacy Act of 2012 (RA 10175) using a device, network

1 equipment, or physical plant connected to the Internet, public networks,  
2 private networks, or telecommunications facilities performed in series or  
3 combination with acts prohibited by the preceding paragraphs.

4

5 **SEC. 16. *Illegal and Arbitrary Seizure.* –**

- 6 a. *Illegal Seizure.* – It shall be unlawful for any person to seize data, information,  
7 or contents of a device, storage medium, network equipment, or physical  
8 plant, or to seize any device, storage medium, network equipment, or physical  
9 plant connected to the Internet or to telecommunications networks of another  
10 person without his consent, or to gain possession or control of the intellectual  
11 property published on the Internet or on public networks of another person  
12 without his consent, except upon a final ruling from the courts, issued  
13 following due notice and hearing.
- 14 b. *Aiding and Abetting Illegal Seizure.* – It shall be unlawful for any person to  
15 aid or abet the seizure of data, information, or contents of a device, storage  
16 medium, network equipment, or physical plant, or to seize any device, storage  
17 medium, network equipment, or physical plant connected to the Internet or to  
18 telecommunications networks of another person without his consent, or to  
19 gain possession or control of the intellectual property published on the  
20 Internet or on public networks of another person without his consent, except  
21 upon a final ruling from the courts, issued following due notice and hearing,  
22 allowing the person to perform such seizure, possession, or control.
- 23 c. *Arbitrary Seizure.* – It shall be unlawful for any public officer or employee to  
24 seize data, information, or contents of a device, storage medium, network  
25 equipment, or physical plant, or to seize any device, storage medium, network  
26 equipment, or physical plant connected to the Internet or to  
27 telecommunications networks, or to gain possession or control of intellectual  
28 property published on the Internet or on public networks, without legal  
29 grounds.
- 30 d. *Instigating Arbitrary Seizure.* – It shall be unlawful for any person to instruct  
31 a public officer or employee to perform the seizure of data, information, or  
32 contents of a device, storage medium, network equipment, or physical plant,  
33 or to seize any device, storage medium, network equipment, or physical plant  
34 connected to the Internet or to telecommunications networks of another person  
35 without his consent, or to gain possession or control of the intellectual  
36 property published on the Internet or on public networks of another person  
37 without his consent, except upon a final ruling from the courts, issued  
38 following due notice and hearing, providing the person with authority to

1 perform such seizure, possession, or control and delegate the same to a public  
2 officer or employee with the authority to perform such seizure, possession, or  
3 control.

4

5 **SEC. 17. *Penalties.* –**

- 6 a. Violation of Unauthorized access – shall be punishable with imprisonment  
7 ranging from one (1) year to three (3) years and a fine of not less than Five  
8 hundred thousand pesos (Php500,000.00) but not more than Two million  
9 pesos (Php2,000,000.00).
- 10 b. Violation of Unauthorized modification - shall be punished with imprisonment  
11 ranging from one (1) year to three (3) years and a fine of not less than Five  
12 hundred thousand pesos (Php500,000.00) but not more than Two million  
13 pesos (Php2,000,000.00).
- 14 c. Violation of Unauthorized granting of privileges - shall be punished with  
15 imprisonment ranging from one (1) year to three (3) years and a fine of not  
16 less than Five hundred thousand pesos (Php500,000.00) but not more than  
17 Two million pesos (Php2,000,000.00).
- 18 d. Violation of Unauthorized disclosure - imprisonment ranging from three (3)  
19 years to five (5) years and a fine of not less than Five hundred thousand pesos  
20 (Php500,000.00) but not more than Two million pesos (Php2,000,000.00).
- 21 e. Violation of Data Privacy Act through ICT –
  - 22 i. Violation of Section 25 (a) of the Data Privacy Act (Unauthorized  
23 Processing of Personal Information) through ICT – imprisonment ranging  
24 from one (1) year to three (3) years and a fine of not less than Five  
25 hundred thousand pesos (Php500,000.00) but not more than Two million  
26 pesos (Php2,000,000.00).
  - 27 ii. Violation of Section 25 (b) of the Data Privacy Act (Unauthorized  
28 Processing of Sensitive Personal Information) through ICT –  
29 imprisonment ranging from three (3) years to six (6) years and a fine of  
30 not less than Five hundred thousand pesos (Php500,000.00) but not more  
31 than Four million pesos (Php4,000,000.00).
  - 32 iii. Violation of Section 26 (a) of the Data Privacy Act (Accessing Personal  
33 Information Due to Negligence) through ICT – imprisonment ranging  
34 from one (1) year to three (3) years and a fine of not less than Five  
35 hundred thousand pesos (Php500,000.00) but not more than Two million  
36 pesos (Php2,000,000.00).
  - 37 iv. Violation of Section 26 (b) of the Data Privacy Act (Accessing Sensitive  
38 Personal Information Due to Negligence) through ICT – imprisonment

- 1 ranging from three (3) years to six (6) years and a fine of not less than  
2 Five hundred thousand pesos (Php500,000.00) but not more than Four  
3 million pesos (Php4,000,000.00).
- 4 v. Violation of Section 27 (a) of the Data Privacy Act (Improper Disposal of  
5 Personal Information) through ICT – imprisonment ranging from six (6)  
6 months to two (2) years and a fine of not less than One hundred thousand  
7 pesos (Php100,000.00) but not more than Five hundred thousand pesos  
8 (Php500,000.00).
- 9 vi. Violation of Section 27 (b) of the Data Privacy Act (Improper Disposal of  
10 Sensitive Personal Information) through ICT – imprisonment ranging from  
11 one (1) year to three (3) years and a fine of not less than One hundred  
12 thousand pesos (Php100,000.00) but not more than One million pesos  
13 (Php1,000,000.00).
- 14 vii. Violation of Section 28 (a) of the Data Privacy Act (Processing of  
15 Personal Information for Unauthorized Purposes) through ICT –  
16 imprisonment ranging from one (1) year and six (6) months to five (5)  
17 years and a fine of not less than Five hundred thousand pesos  
18 (Php500,000.00) but not more than One million pesos (Php1,000,000.00).
- 19 viii. Violation of Section 28 (b) of the Data Privacy Act (Processing of  
20 Sensitive Personal Information for Unauthorized Purposes) through ICT –  
21 imprisonment ranging from two (2) years to seven (7) years and a fine of  
22 not less than Five hundred thousand pesos (Php500,000.00) but not more  
23 than Two million pesos (Php2,000,000.00).
- 24 ix. Violation of Section 30 of the Data Privacy Act (Concealment of Security  
25 Breaches Involving Sensitive Personal Information) through ICT –  
26 imprisonment of one (1) year and six (6) months to five (5) years and a  
27 fine of not less than Five hundred thousand pesos (Php500,000.00) but not  
28 more than One million pesos (Php1,000,000.00).
- 29 Violation of Section 33 of the Data Privacy Act (Combination or Series of  
30 Acts) through ICT – imprisonment ranging from three (3) years to six (6)  
31 years and a fine of not less than One million pesos (Php1,000,000.00) but  
32 not more than Five million pesos (Php5,000,000.00).
- 33 f. Violation of Hacking – imprisonment ranging from one (1) year to three (3)  
34 years and a fine of not less than Five hundred thousand pesos (Php500,000.00)  
35 but not more than Two million pesos (Php2,000,000.00).
- 36 g. Violation of Cracking – imprisonment ranging from one (1) year to three (3)  
37 years and a fine of not less than Five hundred thousand pesos (Php500,000.00)  
38 but not more than Two million pesos (Php2,000,000.00).

- 1                   h. Violation of Phishing – imprisonment ranging from one (1) year and six (6)  
2                   months to five (5) years and a fine of not less than Five hundred thousand  
3                   pesos (Php500,000.00) but not more than One million pesos  
4                   (Php1,000,000.00).
- 5                   i. Violation of Data Privacy Act (with hacking, cracking, or phishing) –  
6                   i. Violation of Section 25 (a) of the Data Privacy Act (Unauthorized  
7                   Processing of Personal Information) with hacking, cracking, or  
8                   phishing – shall be penalized by imprisonment ranging from one (1)  
9                   year to three (3) years and a fine of not less than Five hundred thousand  
10                  pesos (Php500,000.00) but not more than Two million pesos  
11                  (Php2,000,000.00).  
12                  ii. Violation of Section 25 (b) of the Data Privacy Act (Unauthorized  
13                  Processing of Sensitive Personal Information) with hacking, cracking,  
14                  or phishing – shall be penalized by imprisonment ranging from three  
15                  (3) years to six (6) years and a fine of not less than Five hundred  
16                  thousand pesos (Php500,000.00) but not more than Four million pesos  
17                  (Php4,000,000.00).  
18                  iii. Violation of Section 26 (a) of the Data Privacy Act (Accessing  
19                  Personal Information Due to Negligence) with hacking, cracking, or  
20                  phishing – shall be penalized by imprisonment ranging from one (1)  
21                  year to three (3) years and a fine of not less than Five hundred thousand  
22                  pesos (Php500,000.00) but not more than Two million pesos  
23                  (Php2,000,000.00).  
24                  iv. Violation of Section 26 (b) of the Data Privacy Act (Accessing  
25                  Sensitive Personal Information Due to Negligence) with hacking,  
26                  cracking, or phishing – shall be penalized by imprisonment ranging  
27                  from three (3) years to six (6) years and a fine of not less than Five  
28                  hundred thousand pesos (Php500,000.00) but not more than Four  
29                  million pesos (Php4,000,000.00).  
30                  v. Violation of Section 27 (a) of the Data Privacy Act (Improper Disposal  
31                  of Personal Information) with hacking, cracking, or phishing – shall be  
32                  penalized by imprisonment ranging from six (6) months to two (2)  
33                  years and a fine of not less than One hundred thousand pesos  
34                  (Php100,000.00) but not more than Five hundred thousand pesos  
35                  (Php500,000.00).  
36                  vi. Violation of Section 27 (b) of the Data Privacy Act (Improper Disposal  
37                  of Sensitive Personal Information) with hacking, cracking, or phishing  
38                  – shall be penalized by imprisonment ranging from one (1) year to three

(3) years and a fine of not less than One hundred thousand pesos (Php100,000.00) but not more than One million pesos (Php1,000,000.00).

vii. Violation of Section 28 (a) of the Data Privacy Act (Processing of Personal Information for Unauthorized Purposes) with hacking, cracking, or phishing – shall be penalized by imprisonment ranging from one (1) year and six (6) months to five (5) years and a fine of not less than Five hundred thousand pesos (Php500,000.00) but not more than One million pesos (Php1,000,000.00).

viii. Violation of Section 28 (b) of the Data Privacy Act (Processing of Sensitive Personal Information for Unauthorized Purposes) with hacking, cracking, or phishing – shall be penalized by imprisonment ranging from two (2) years to seven (7) years and a fine of not less than Five hundred thousand pesos (Php500,000.00) but not more than Two million pesos (Php2,000,000.00).

ix. Violation of Section 30 of the Data Privacy Act (Concealment of Security Breaches Involving Sensitive Personal Information) with hacking, cracking, or phishing – Shall be penalized by imprisonment of one (1) year and six (6) months to five (5) years and a fine of not less than Five hundred thousand pesos (Php500,000.00) but not more than One million pesos (Php1,000,000.00).

x. Violation of Section 33 of the Data Privacy Act (Combination or Series of Acts) with hacking, cracking, or phishing – Shall be penalized by imprisonment ranging from three (3) years to six (6) years and a fine of not less than One million pesos (Php1,000,000.00) but not more than Five million pesos (Php5,000,000.00).

j. Violation of Illegal seizure of ICT– shall be punished with imprisonment of *prison correccional* or a fine of not more than Five hundred thousand pesos (PhP500,000.00) or both.

k. Violation of Aiding and abetting illegal seizure of ICT – shall be punished with imprisonment of *prisión correccional* in its minimum period or a fine of not more than Four hundred thousand pesos (PhP400,000.00) or both.

1. Violation of Arbitrary seizure of ICT– Shall be punished with imprisonment of *prision correctional* in its maximum period or a fine of not more than Five hundred thousand pesos (PhP500,000.00) or both.

m. Violation of Instigating arbitrary seizure of ICT – shall be punished with imprisonment of *prisión correccional* or a fine of not more than Five hundred thousand pesos (PhP500 000 00) or both

1

2           **SEC. 18. *Ownership of Data.*** - Data that comes to the possession and knowledge of  
3 the Big Data Center shall be deemed as property of public dominion. Unprocessed data that  
4 comes to the possession of the Center shall be considered property of public dominion for  
5 public service where its use is limited to authorized persons in government. Processed data of  
6 the Center which shall take the form of official reports and studies shall be deemed as  
7 property of public dominion for public use such that it is intended for the use of anybody.  
8 Data partners may define the ownership of data based on the partnership agreements with the  
9 government taking into consideration the context of the need of such data.

10           **SEC. 19. *Funding.*** -There shall be included in the budget of NEDA under the annual  
11 General Appropriations Act an amount of Two Hundred Million Pesos (P200,000,000.00) as  
12 the initial operating fund of the Big Data Center.

13           After the first year of implementation, such sums as may be necessary to fund the Big  
14 Data Center shall be included in the budget of NEDA under the annual General  
15 Appropriations Act.

16           Contributions, donations, bequests, grants and loans from domestic and/or foreign  
17 sources, government appropriations and other incomes accruing from the operations shall be  
18 allowed to be received and added to the funds and to be utilized exclusively by the Center.

19  
20           **SEC. 20. *Implementing Rules and Regulations.*** – Within sixty (60) days from the  
21 effectivity of this Act, the Philippine Statistics Authority (PSA) shall promulgate the  
22 necessary rules and regulations for the effective implementation of this Act.

23  
24           **SEC. 21. *Separability Clause.*** - Should any provision herein be declared  
25 unconstitutional, the same shall not affect the validity of the other provisions of this Act.

26  
27           **SEC. 22. *Repealing Clause.*** - All laws, decrees, orders, rules, and regulations or  
28 other issuances or parts inconsistent with the provisions of this Act are hereby repealed or  
modified accordingly.

29

30           **SEC. 23. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication  
31 in the Official Gazette or in two (2) newspapers of general circulation in the Philippines.

32

33           Approved,