

DATA ETHICS

Data Analytics



DATA ETHICS

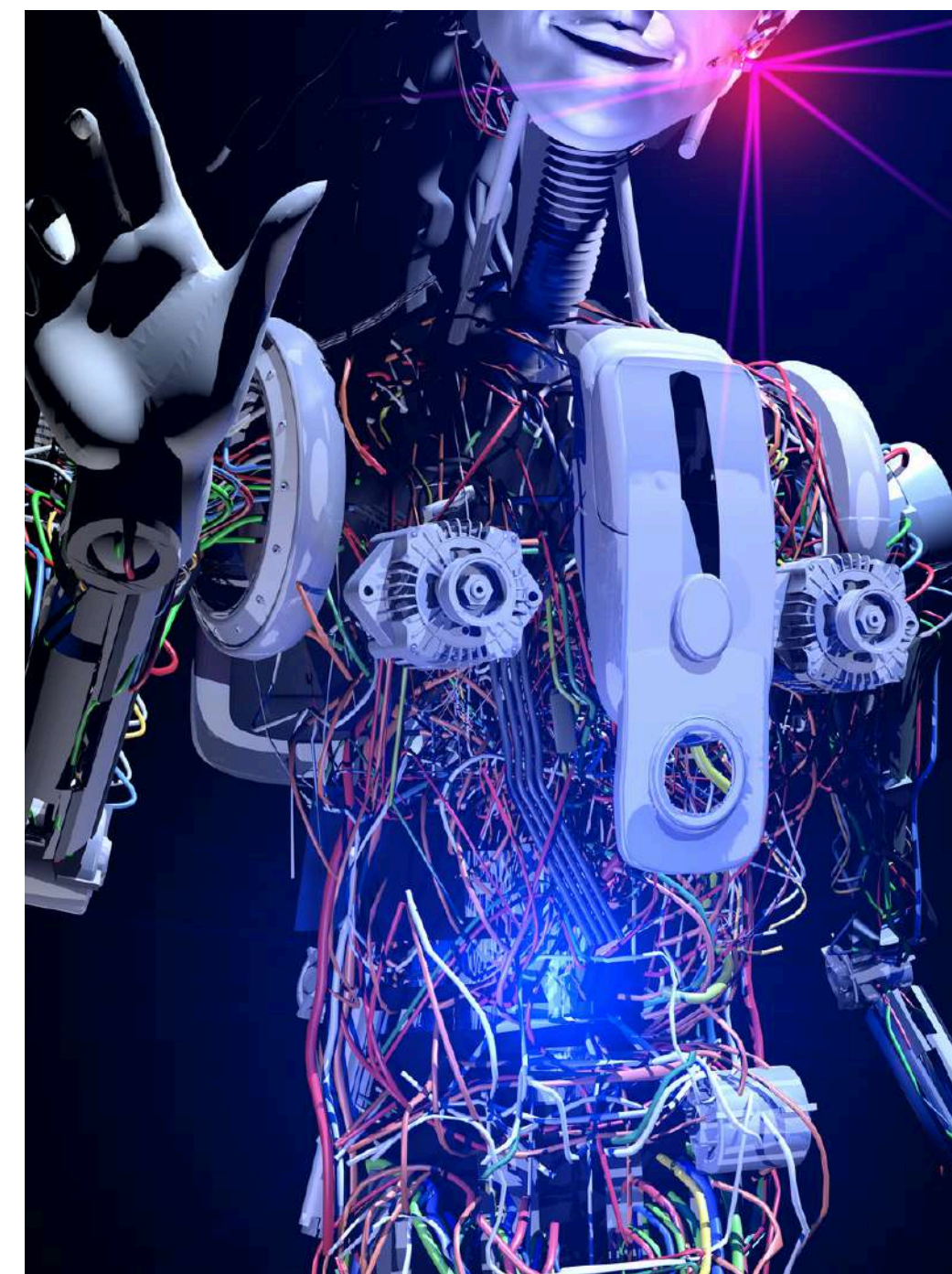
It is a **branch of ethics that evaluates data practices** (collecting, generating, analyzing and disseminating data, both structured and unstructured) that have the potential to adversely impact people and society.

It is about **responsible and sustainable use of data** – doing the right thing for people and society.





PRINCIPLES *of* DATA ETHICS



1

INDIVIDUAL DATA CONTROL

Humans should be in control of their data and empowered by their data. A person's self-determination should be prioritized in all data processes and the person should be actively involved in regards to the data recorded about them.

1

INDIVIDUAL DATA CONTROL

The individual has the primary control over the usage of their data, the context in which his/her data is processed and how it is activated.

2

TRANSPARENCY

Data processing activities and automated decisions must make sense for the individual. They must be truly transparent and explainable.

2

TRANSPARENCY

The purpose and interests of data processing must be clearly understood by the individual in terms of understanding risks, as well as social, ethical, and societal consequences.

3

ACCOUNTABILITY

It is an organization's reflective, reasonable and systematic use and protection of personal data. Such efforts are being made to reduce the risks for the individual and to mitigate social and ethical implications.

3 ACCOUNTABILITY

Sustainable personal data processing is embedded throughout the organization and ensures ethical accountability in the short, medium and long term. An organization's accountability should also apply to subcontractor's and partners' processing of data.

4

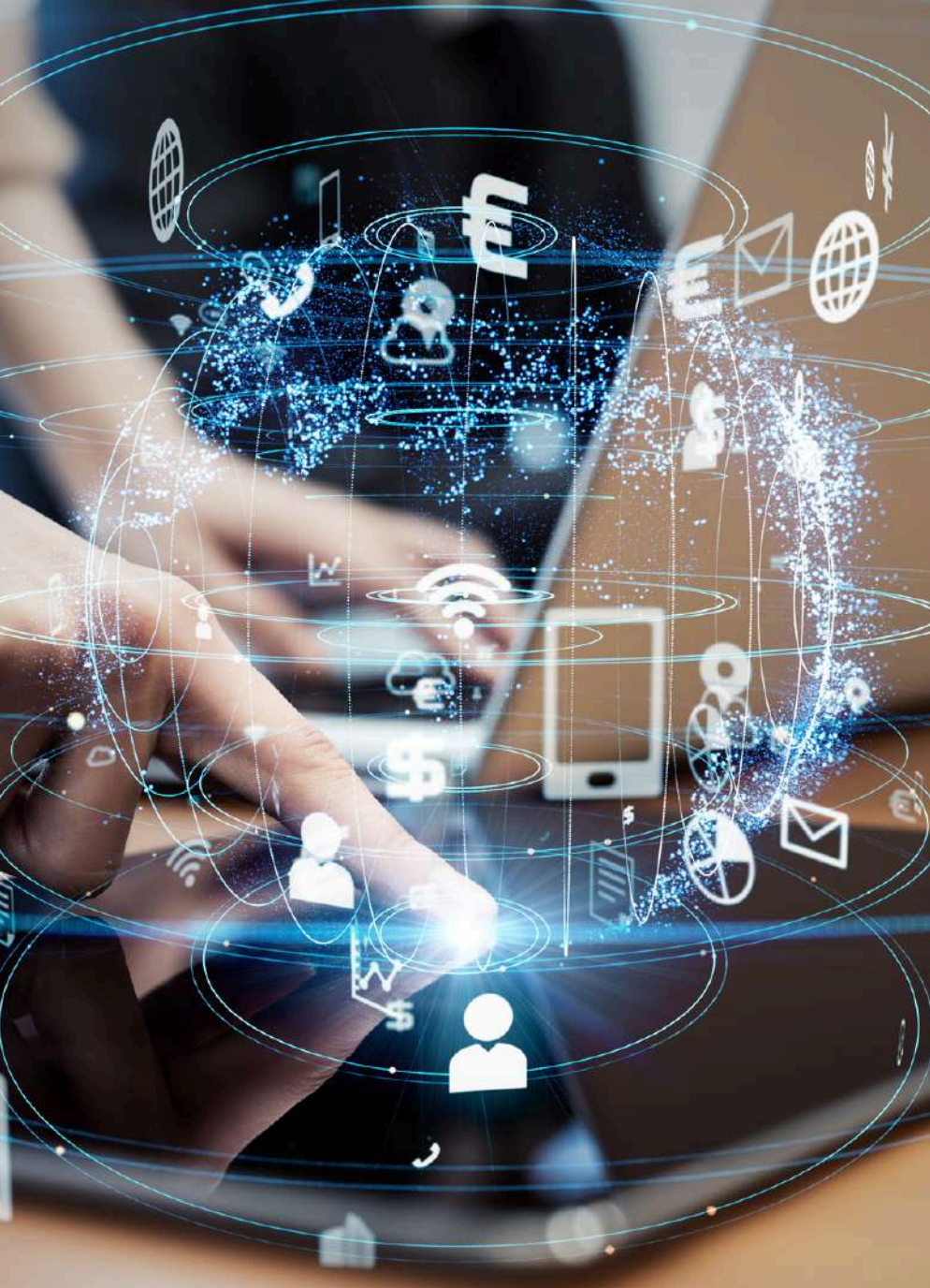
EQUALITY

When processing data, special attention should be paid to vulnerable people - those who are particularly vulnerable to profiling that may adversely affect their self-determination and control or expose them to discrimination (e.g. due to their financial, social or health related conditions).

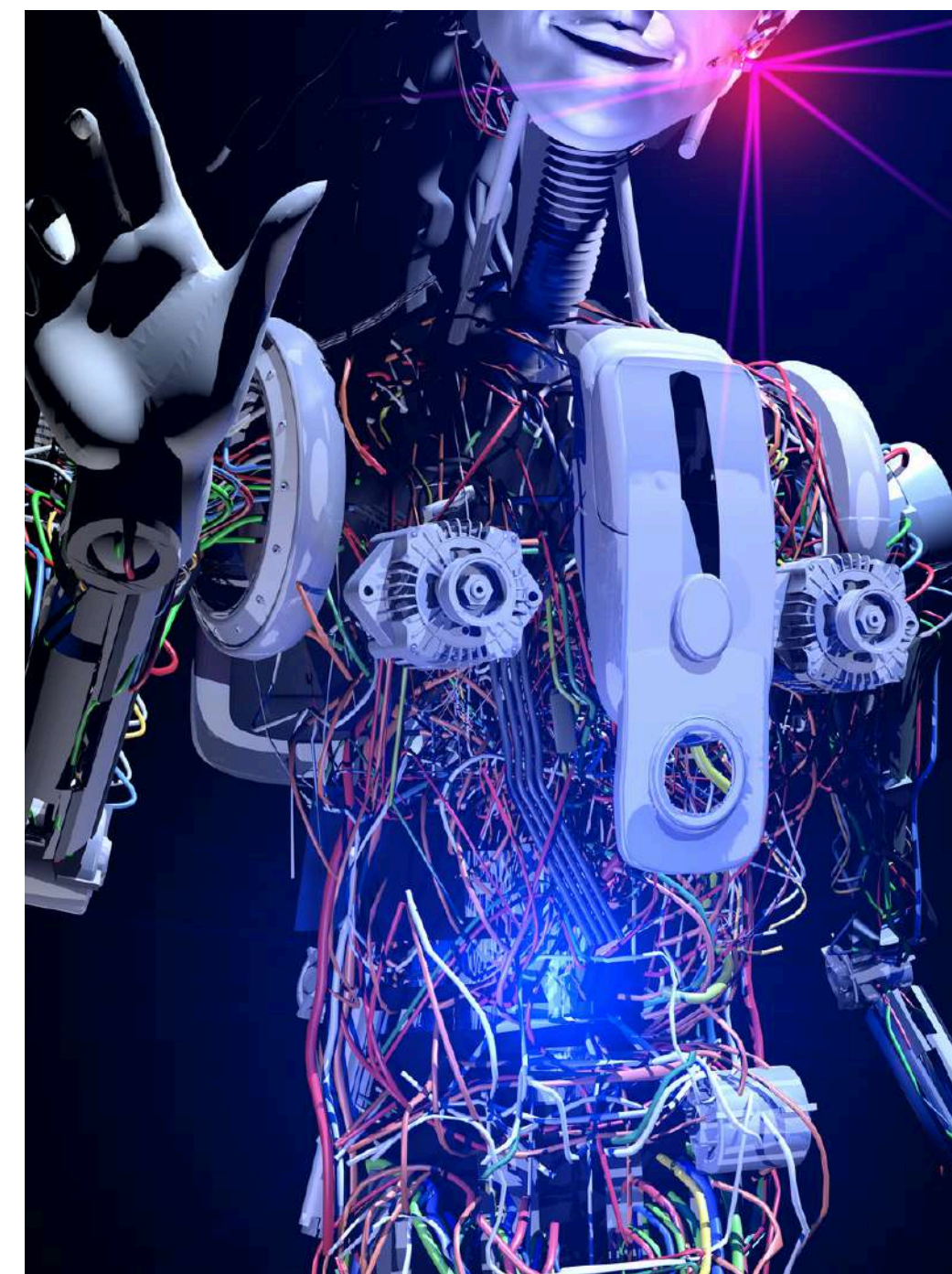
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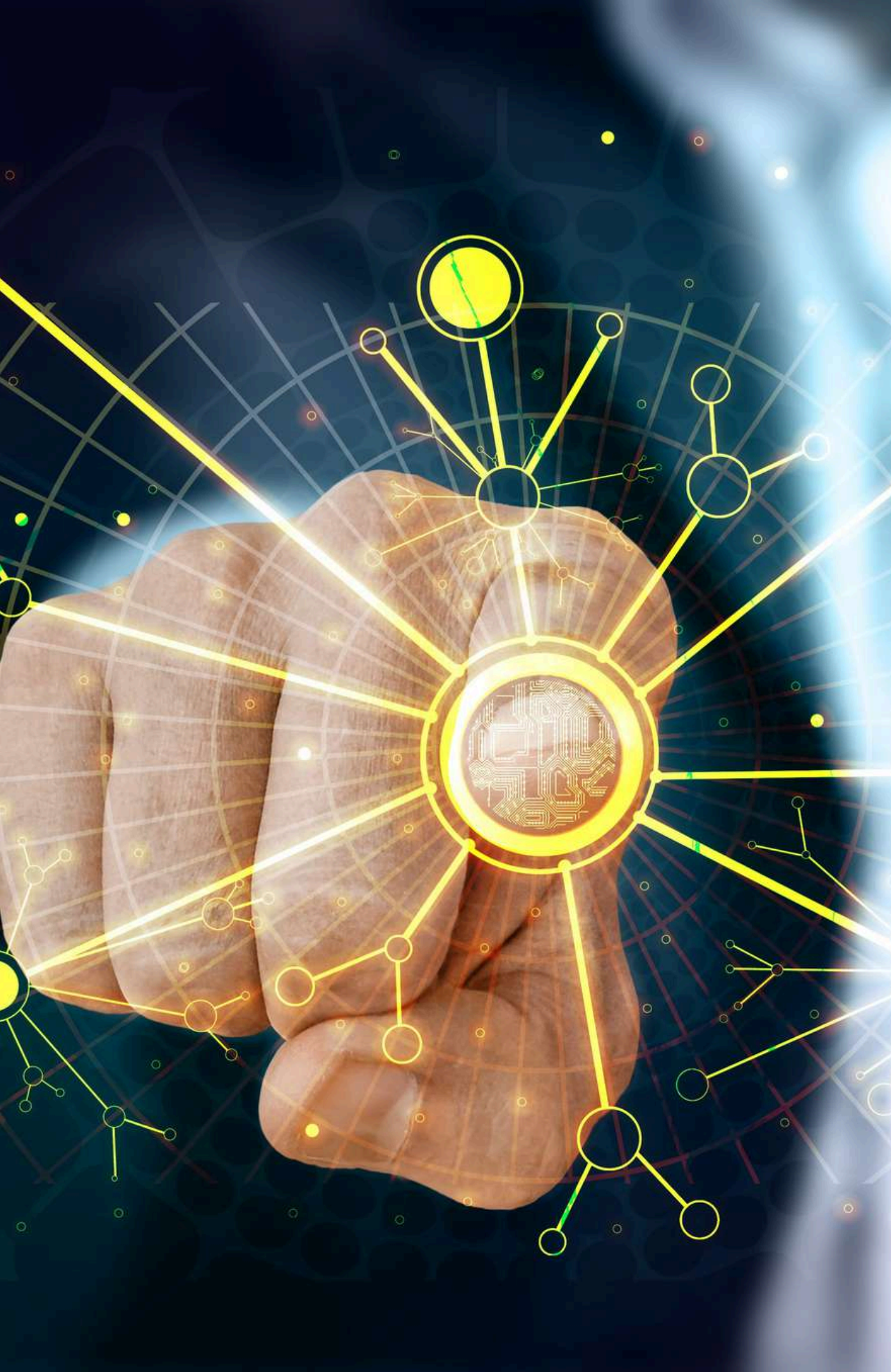
EQUALITY

Paying attention to vulnerable people also involves working actively to reduce bias in the development of self-learning algorithms.



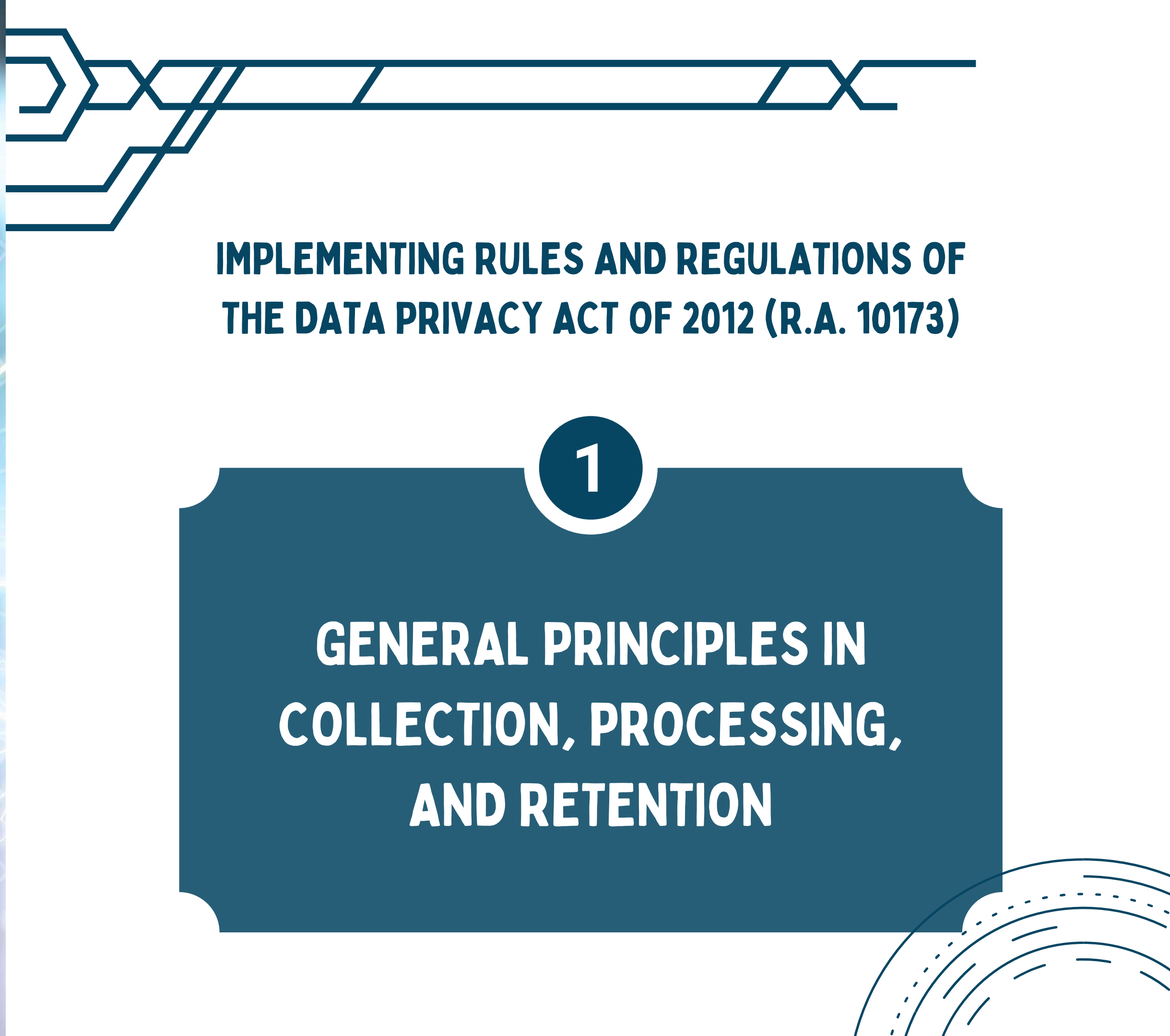
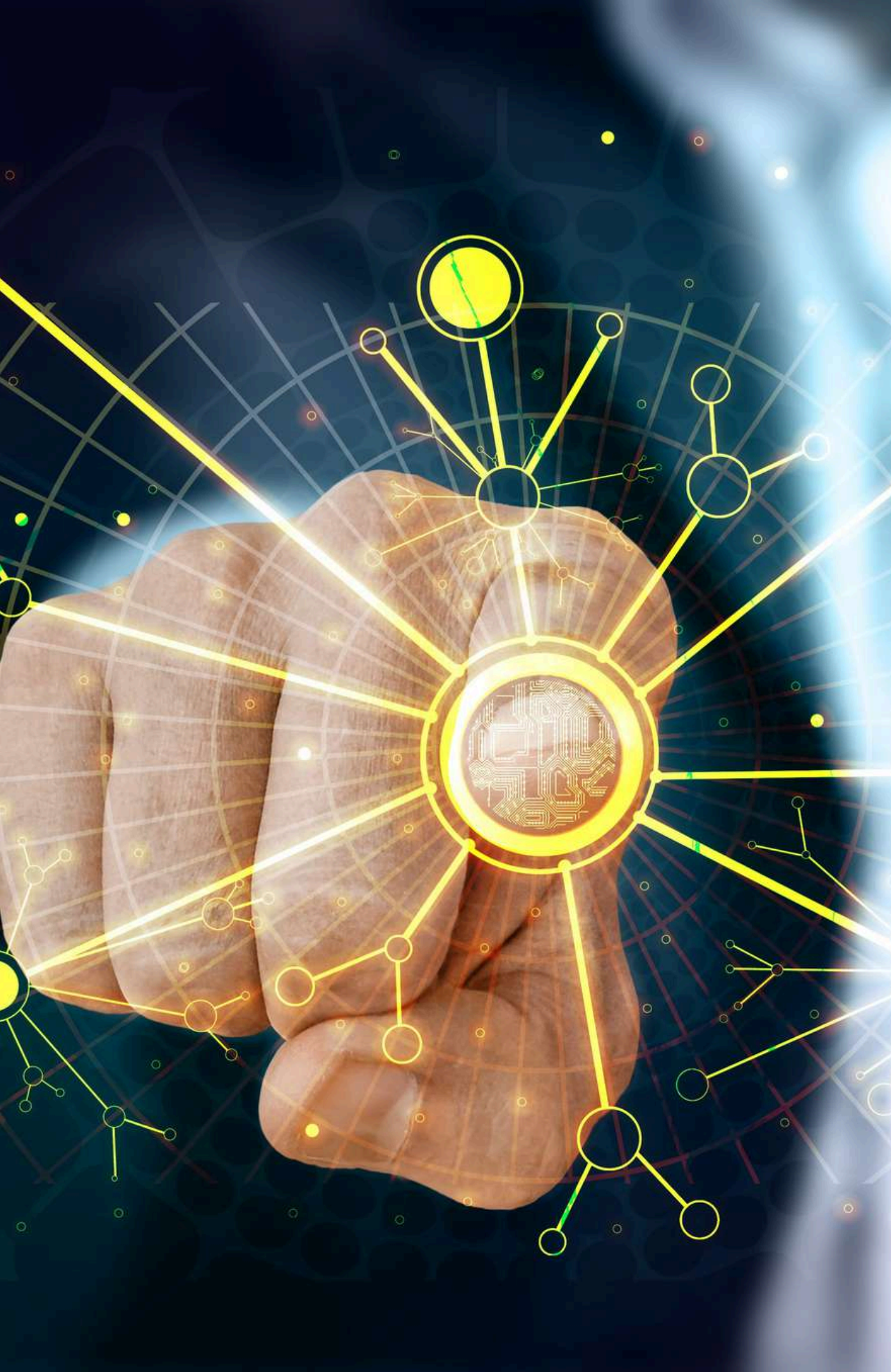
OVERVIEW *of* DATA PRIVACY ACT





IMPLEMENTING RULES AND REGULATIONS OF THE DATA PRIVACY ACT OF 2012 (R.A. 10173)

Pursuant to the mandate of the National Privacy Commission to administer and implement the provisions of the Data Privacy Act of 2012, and to monitor and ensure compliance of the country with international standards set for data protection, the following rules and regulations are hereby promulgated to effectively implement the provisions of the Act.



IMPLEMENTING RULES AND REGULATIONS OF THE DATA PRIVACY ACT OF 2012 (R.A. 10173)

1

GENERAL PRINCIPLES IN COLLECTION, PROCESSING, AND RETENTION

GENERAL PRINCIPLES IN COLLECTION, PROCESSING, AND RETENTION



A

Collection must be for a declared, specified, and legitimate purpose.

Consent is required prior to the collection and processing of personal data.

The data subject must be provided specific information regarding the purpose and extent of processing.

Purpose should be determined and declared before, or as soon as reasonably practicable, after collection.

Only personal data that is necessary and compatible with declared, specified, and legitimate purpose shall be collected.

GENERAL PRINCIPLES IN COLLECTION, PROCESSING, AND RETENTION



B

Personal data
shall be
processed fairly
and lawfully.

Processing shall uphold the rights of the data subject, including the right to refuse, withdraw consent, or object.

Information provided to a data subject must always be in clear and plain language to be easily understood.

Processing must be in a manner compatible with declared, specified, and legitimate purpose.

Processed personal data should be adequate, relevant, and limited to what is necessary.

GENERAL PRINCIPLES IN COLLECTION, PROCESSING, AND RETENTION



B

Personal data
shall be
processed fairly
and lawfully.

Processing shall be undertaken in a manner that ensures appropriate privacy and security safeguards.

GENERAL PRINCIPLES IN COLLECTION, PROCESSING, AND RETENTION



Processing should ensure data quality.

Personal data should be accurate and necessary for declared, specified, and legitimate purpose. Keep up to date.

Inaccurate or incomplete data must be rectified, supplemented, destroyed or their further processing be restricted.

GENERAL PRINCIPLES IN COLLECTION, PROCESSING, AND RETENTION



D

Personal data shall not be retained longer than necessary.

Retention of personal data shall only for as long as necessary.

- For the fulfillment of the declared, specified, and legitimate purpose, or when the processing relevant to the purpose has been terminated;
- For the establishment, exercise or defense of legal claims; or
- For legitimate business purposes, which must be consistent with standards followed by the applicable industry or approved by appropriate government agency.

GENERAL PRINCIPLES IN COLLECTION, PROCESSING, AND RETENTION



D

Personal data shall
not be retained
longer than
necessary.

Retention of personal data shall only for as long as necessary.

Retention of personal data shall be allowed in cases provided by law.

Personal data shall be disposed or discarded in a secured manner that would prevent further processing, unauthorized access, or disclosure.

GENERAL PRINCIPLES IN COLLECTION, PROCESSING, AND RETENTION



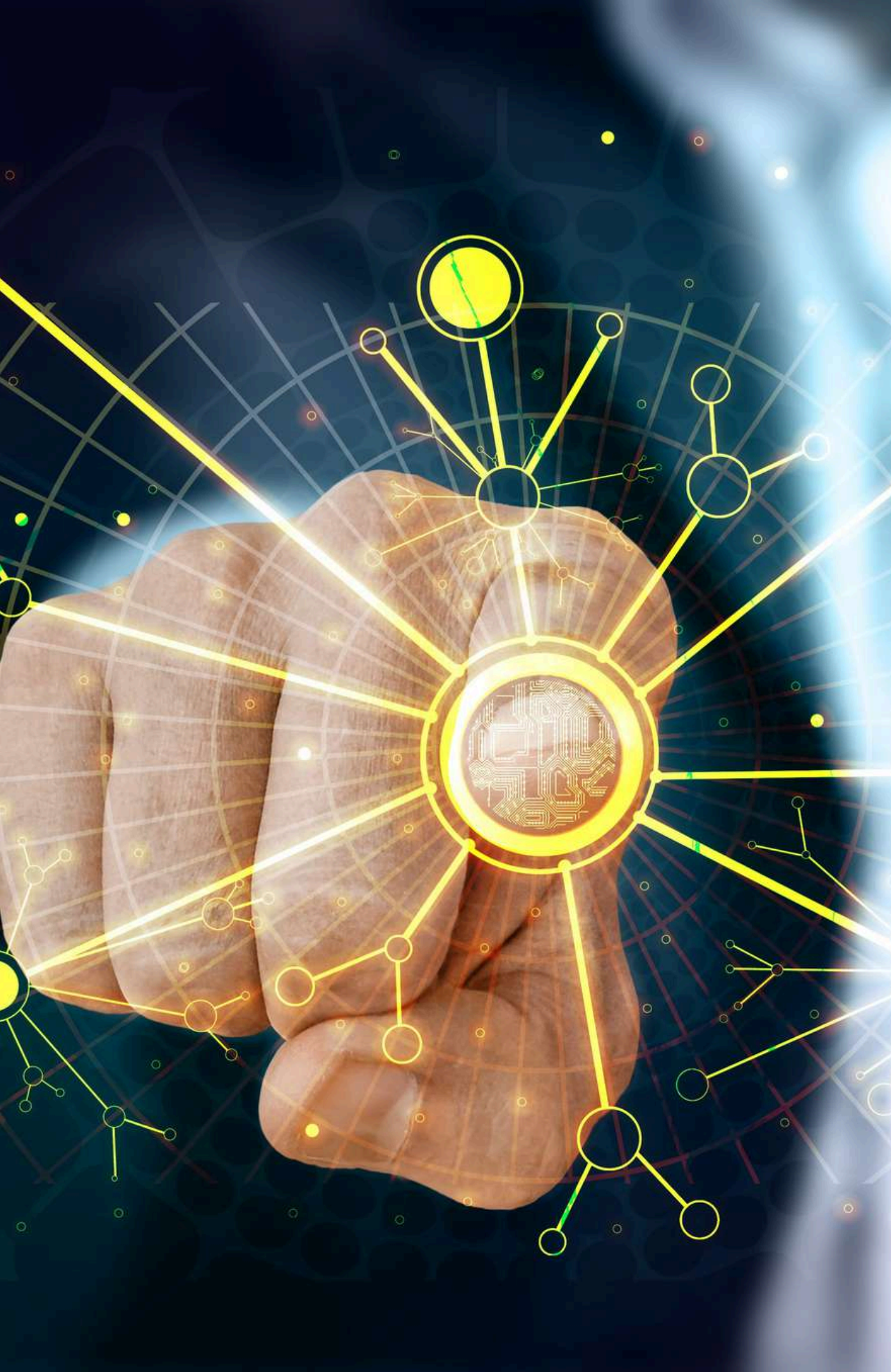
E

Any authorized further processing shall have adequate safeguards.

Personal data collected for a specific purpose can be used for historical, statistical, or scientific purposes if legally allowed.

Data that's aggregated or anonymized, making it impossible to identify individuals, can be kept longer than needed for its original purpose.

Personal data shouldn't be kept indefinitely without a clear purpose for future use.



IMPLEMENTING RULES AND REGULATIONS OF THE DATA PRIVACY ACT OF 2012 (R.A. 10173)

2

GENERAL PRINCIPLES FOR DATA SHARING

GENERAL PRINCIPLES FOR DATA SHARING



A

Data sharing
shall be allowed
when it is
expressly
authorized by
law.

provided that:

There are adequate safeguards for data privacy and security.

Processing adheres to principle of transparency, legitimate purpose, and proportionality.

GENERAL PRINCIPLES FOR DATA SHARING

conditions:

B

Data sharing shall be allowed in the private sector if the data subject consents to data sharing.

Consent for data sharing shall be required even when the data is to be shared with an affiliate or mother company.

Data sharing for commercial purposes, including direct marketing, shall be covered by a data sharing agreement.

- ➔ The data sharing agreement shall establish adequate safeguards for data privacy and security, and uphold rights of data subjects.
- ➔ The data sharing agreement shall be subject to review by the Commission, on its own initiative or upon complaint of data subject

GENERAL PRINCIPLES FOR DATA SHARING

conditions:

B

Data sharing shall be allowed in the private sector if the data subject consents to data sharing.

Consent for data sharing shall be required even when the data is to be shared with an affiliate or mother company.

Data sharing for commercial purposes, including direct marketing, shall be covered by a data sharing agreement.

The data subject shall be provided with the following information prior to collection or before data is shared.

→ **Identity of the personal information controllers or personal information processors that will be given access to the personal data;**

GENERAL PRINCIPLES FOR DATA SHARING

conditions:

B

Data sharing shall be allowed in the private sector if the data subject consents to data sharing.

Consent for data sharing shall be required even when the data is to be shared with an affiliate or mother company.

Data sharing for commercial purposes, including direct marketing, shall be covered by a data sharing agreement.

The data subject shall be provided with the following information prior to collection or before data is shared.

- ➔ **Purpose of data sharing;**
- ➔ **Categories of personal data concerned;**

GENERAL PRINCIPLES FOR DATA SHARING

conditions:

B

Data sharing shall be allowed in the private sector if the data subject consents to data sharing.

Consent for data sharing shall be required even when the data is to be shared with an affiliate or mother company.

Data sharing for commercial purposes, including direct marketing, shall be covered by a data sharing agreement.

The data subject shall be provided with the following information prior to collection or before data is shared.

→ **Intended recipients or categories of recipients of the personal data;**

GENERAL PRINCIPLES FOR DATA SHARING

conditions:

B

Data sharing shall be allowed in the private sector if the data subject consents to data sharing.

Consent for data sharing shall be required even when the data is to be shared with an affiliate or mother company.

Data sharing for commercial purposes, including direct marketing, shall be covered by a data sharing agreement.

The data subject shall be provided with the following information prior to collection or before data is shared.

→ **Existence of the rights of data subjects, including the right to access and correction, and the right to object;**

GENERAL PRINCIPLES FOR DATA SHARING

conditions:

B

Data sharing shall be allowed in the private sector if the data subject consents to data sharing.

Consent for data sharing shall be required even when the data is to be shared with an affiliate or mother company.

Data sharing for commercial purposes, including direct marketing, shall be covered by a data sharing agreement.

The data subject shall be provided with the following information prior to collection or before data is shared.

→ Other information that would sufficiently notify the data subject of the nature and extent of data sharing and the manner of processing.

GENERAL PRINCIPLES FOR DATA SHARING

conditions:

B

Data sharing shall be allowed in the private sector if the data subject consents to data sharing.

Consent for data sharing shall be required even when the data is to be shared with an affiliate or mother company.

Data sharing for commercial purposes, including direct marketing, shall be covered by a data sharing agreement.

The data subject shall be provided with the following information prior to collection or before data is shared

Further processing of shared data shall adhere to the data privacy principles laid down in the Act, these Rules, and other issuances of the Commission.

GENERAL PRINCIPLES FOR DATA SHARING

A white copyright symbol (C) inside a dark blue circle, which is part of a larger dark blue rectangular box containing text.

Usage of data
for research
purposes shall
be allowed when
it's publicly
available or
consented.

provided that:

Adequate safeguards are in place, and no decision directly affecting the data subject shall be made.

The rights of the data subject are upheld without compromising research integrity,

GENERAL PRINCIPLES FOR DATA SHARING

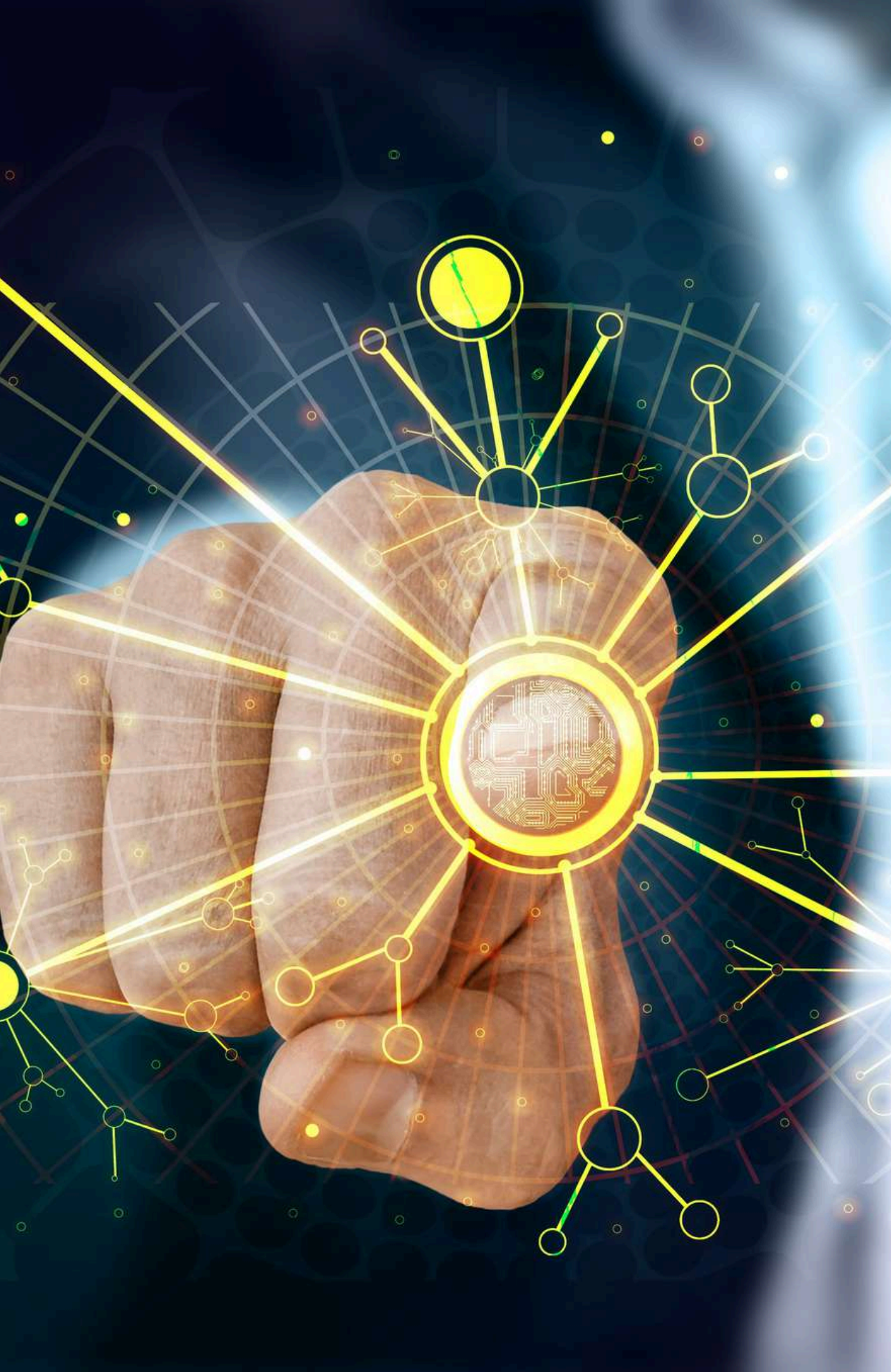


D

Data sharing between government agencies for the purpose of a public function or provision of a public service shall be covered by a data sharing agreement.

Any or all government agencies party to the agreement shall comply with the Act, these Rules, and all other issuances of the Commission, including putting in place adequate safeguards for data privacy and security.

The data sharing agreement shall be subject to review of the Commission, on its own initiative or upon complaint of data subject.



IMPLEMENTING RULES AND REGULATIONS OF THE DATA PRIVACY ACT OF 2012 (R.A. 10173)

3

CRITERIA FOR LAWFUL PROCESSING OF PERSONAL INFORMATION

CRITERIA FOR LAWFUL PROCESSING OF PERSONAL INFORMATION

A

The data subject must have given his or her consent prior to the collection, or as soon as practicable and reasonable.

CRITERIA FOR LAWFUL PROCESSING OF PERSONAL INFORMATION

B

The processing involves the personal information of a data subject who is a party to a contractual agreement, in order to fulfill obligations under the contract or to take steps at the request of the data subject prior to entering the said agreement.

CRITERIA FOR LAWFUL PROCESSING OF PERSONAL INFORMATION



The processing is necessary for compliance with a legal obligation to which the personal information controller is subject.

CRITERIA FOR LAWFUL PROCESSING OF PERSONAL INFORMATION

D

The processing is necessary to protect vitally important interests of the data subject, including his or her life and health.

CRITERIA FOR LAWFUL PROCESSING OF PERSONAL INFORMATION



E

The processing of personal information is necessary to respond to national emergency or to comply with the requirements of public order and safety, as prescribed by law.

CRITERIA FOR LAWFUL PROCESSING OF PERSONAL INFORMATION



F

The processing of personal information is necessary for the fulfillment of the constitutional or statutory mandate of a public authority.

CRITERIA FOR LAWFUL PROCESSING OF PERSONAL INFORMATION

G

The processing is necessary to pursue the legitimate interests of the personal information controller, or by a third party or parties to whom the data is disclosed, except where such interests are overridden by fundamental rights and freedoms of the data subject, which require protection under the Philippine Constitution.



SALAMATS

for listening!

