



# DATA PRIVACY POLICY

**PLEASE READ CAREFULLY**

## 1 Privacy Statement

The Department of Energy (DOE) is fully committed to comply with the Republic Act No. 10173 or the Data Privacy Act of 2012 and uphold the rights of the data subjects and to process data according to the privacy principles of transparency, legitimate purpose, and proportionality. It also aims to maintain confidentiality, integrity, and availability of the personal data in its custody.

## 2 Know your Data Privacy Rights

1. Right to Request Special Privacy Protections. You have the right to request restrictions on certain uses and disclosures of your personal data by a written request, specifying the reason, what information you want to limit, and what limitations on our use or disclosure of that information you wish to impose. If you tell us not to disclose your information, we will abide by your request, unless we must disclose the information for legal reasons or as may be required under the terms of our contract. We reserve the right to accept or reject any other request and will notify you of our decision.
2. Right to Inspect and Copy. You have the right to inspect and request for a copy of your personal data, with limited exceptions. To access your personal data and/or your other personal information, you must submit a written request, including your reason, detailing what information you want to access, whether you want to inspect, and/or if you want a copy of your preferred form and format <http://www.doe.gov.ph/dataprivacy/subjdataaccessform> . We will provide copies of your request according to its conventional format or the same acceptable alternative format. If there is dispute, we maintain the record in an electronic format, your choice of a readable electronic or hardcopy format. If you wish to send a copy to any other person, there must be a written authorization, which must be duly notarized. We may deny your request under limited circumstances. If we deny your request to access your personal data, or the records of a client you are representing because we believe allowing access would be reasonably likely to cause

substantial harm to the client, you will have a right to appeal the denial of the request to the Head of the Bureau, Service or Office concerned.

3. Right to Request Confidential Communications. You have the right to request that you receive your personal data in a specific way or at a specific location; i.e., you may ask that we send data to a particular e-mail account or to your work address. We will comply with all reasonable requests submitted in writing specifying your reason and how or where you wish to receive these communications.
4. Right to Amend or Supplement. You have the right to request that we amend your personal data that you believe is inaccurate or incomplete. You must make a request for the information to be amended in writing and include the reason of its inaccuracy and incompleteness. We may deny your request if the data is not available, the data is not created by DOE, the request is vexatious or otherwise unreasonable, or the data is accurate and complete as it is. All information related to any request to amend will be maintained and disclosed in conjunction with any subsequent disclosure of the disputed information.
5. Right to Revoke Authorization/Consent. The personal data we collect are used for documentation purposes, research within the control of DOE, for internal use to improve our services, policy decisions and processing of your application or request in accordance with the provisions of R.A. No. 7638 or the Department of Energy Act of 1992 and other DOE policies.

You may request for the withdrawal, removal, or destruction of your personal data from the DOE's filing system, subject to the provisions of the Data Privacy Act of 2012, the Rules and Regulations of the DOE and National Archives of the Philippines. You may do so by submitting the duly accomplished Personal Data Correction/Erasure Request Form indicating the personal information to be withdrawn, removed, or destroyed and the purpose/s thereof.

6. Right to Erasure or Blocking. You have the right to suspend, withdraw or order the blocking, removal, or destruction of your personal data. You can exercise this right upon discovery and substantial proof of any of the following:
  - i. Your personal data is incomplete, outdated, false, or unlawfully obtained;
  - ii. It is being used for purposes you did not authorize;
  - iii. The personal data is no longer necessary for the purposes for which they were collected;
  - iv. You requested to withdraw consent, or objected to the sharing of personal information provided that there is no overriding legal ground for personal data processing;
  - v. The personal data collected concerns information prejudicial to clients unless justified by freedom of speech, of expression, or of the press; or otherwise authorized by law;
  - vi. The processing is unlawful; or

- vii. DOE or its personal information processor/s violated your rights as a data subject.
7. Right to be Informed. You have the right to be informed whether your personal data are being, or have been processed, including the existence of automated decision-making and profiling, if there are any.

You shall be notified of the following:

- a. Description of the personal data to be entered into the DOE's data processing system;
  - b. Purposes for which they are being or will be processed;
  - c. Basis of processing, when processing is not based on the consent of the data subject;
  - d. Scope and method of the personal data processing;
  - e. The recipients or classes of recipients to whom the personal data are or may be disclosed;
  - f. Methods utilized for automated access, if the same is allowed by the data subject, and the extent to which such access is authorized, including meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject;
  - g. The identity and contact details of the personal data controller or its representative;
  - h. The period for which the data will be stored;
  - i. The existence of their rights as data subjects, including the right to access, correction, and object to the processing, as well as the right to lodge a complaint before the National Privacy Commission.
8. Right to Object. You have the right to object to the processing of your personal data, including processing for direct marketing, automated processing, or profiling.

You shall be notified and given an opportunity to withhold consent to the processing in case of changes or any amendment to the data supplied or declared to the data subject in the preceding paragraph.

When you object or withhold consent, DOE shall no longer process the personal data, unless:

- a. The personal data is needed pursuant to a subpoena and/or is a requirement for processing of documents as fulfillment or performance of constitutionally or statutorily mandated functions;
  - b. The collection and processing are for obvious purposes, including, when it is necessary for the performance of or in relation to a contract or service to which the data subject is a party, or when necessary or desirable in the context of an employer-employee relationship between the employer and the data subject; or
  - c. The information is being collected and processed because of a legal obligation.
  - d. Such other grounds as provided in the Data Privacy Act, its IRR, and other relevant issuances.

9. Right to Be Notified of a Breach. You have the right to receive notifications of breaches of your personal data, as may be required by law. Aside from protecting you against unfair means of personal data collection, this right also requires DOE to notify you in a timely manner if your personal data has been compromised. If you have provided us with a valid e-mail address, we may use e-mail to communicate information related to the breach.
10. Right to Claim Compensation. You may claim compensation if you suffered actual and duly documented damages due to inaccurate, incomplete, outdated, false, unlawfully obtained, or unauthorized use of your personal data, considering any violation of your rights and freedom as data subject.
11. Right to File a Complaint with the National Privacy Commission (NPC). If you feel that your personal data has been unlawfully processed, maliciously disclosed, or improperly disposed, or that any of your data privacy rights have been violated, you have a right to file a complaint with the NPC. Formal complaints are made by filing a complaint-affidavit, together with copies of any evidence and affidavits of any witnesses at any NPC office. Complaints can also be made by electronic filing, by:
  - a. attaching these documents in a specific e-mail sent to [complaints@privacy.gov.ph](mailto:complaints@privacy.gov.ph); or
  - b. submitting a portable electronic data storage device to any NPC office. Electronic documents must be digitally signed and in PDF format (if practicable), on page sizes compliant with the Efficient Use of Paper Rule. If submitted in this digital format, the NPC may charge fees for printing. If submitting through a portable electronic data storage device, similar portable data storage devices containing the same files must also be given to any opposing party so named. One portable data storage device is equivalent to one copy. If the portable data storage device is infected with malware, the documents will not be considered as having been filed.
12. Right to a Paper or Electronic Copy of this Notice. You have a right to be notified of our legal duties and privacy practices with respect to your personal data, including a right to a paper copy of this Privacy Notice, even if you have previously requested its receipt by e-mail.

If you would like to have further information regarding your rights as data subject or how these rights may be exercised, you may refer to the DOE Privacy Policy available in the website or you may contact our Data Protection Officer listed in Section 3 of this Privacy Notice.

### **3 The Personal Data we Collect**

DOE collects personal data about you such as name, contact number, email address and other necessary details to serve your requirement and stores it in a computer system application and/or filing folders. This is your record. The record is the property of the DOE, but the personal data in the record belongs to you. To the extent reasonably necessary to affect the relevant purpose, we may collect data from the following sources:

### 3.1 Prospective and existing clients.

- a) Information you provide when communicating with DOE;
- b) Information you provide for verification purposes (e.g., to facilitate requests, application of certificates, permits, endorsement, etc.), such as photocopy of documents within the custody of DOE;
- c) Any other information you voluntarily provide for any legitimate purpose declared at point of collection of such information;
- d) Information you provide in filing and processing your applications, registrations, requests, and other submissions to DOE;
- e) Personal data collected during seminars, trainings, internship, survey, public consultation, or other events conducted by DOE.

### 3.2 Guests/Visitors

- a) The information you provide when you enter our premises such as your name, address, company, contact number, signature etc.
- b) Any other information you voluntarily provide for any legitimate purpose declared at point of collection of such information.

### 3.3 For Application of Relevant Permits, and Certifications:

- a) Name
- b) Signature
- c) Designation/Position
- d) Contact Number
- e) Email Address
- f) Gender (*for specific documentation only*)
- g) Nationality (*for specific documentation only*)
- h) TIN (*for specific documentation only*)

## 4 How we Use, Transfer, or Disclose, Retain and Dispose the Personal Data we Collect

DOE stores, processes, and analyses the personal data that you provide to us to the extent reasonably necessary to effect the relevant purpose and in accordance with our mandate of R.A No. 7638 (Department of Energy Act of 1992) and other related laws. We may use or disclose your personal data for the following:

1. Analytics. When you transact with DOE, we may collect your personal data for customer feedback or survey purposes to further improve the delivery of our services.
2. Sign In Queue. We may collect and use your name and other personal information by having you sign in when you request access to any of our offices or premises. We may also call out your name when we are ready to see you.
3. Research. Your personal data and/or other information may be used and disclosed for research purposes, provided that it is approved through a special review process to protect your confidentiality and in accordance with the provisions of the Act, its IRR, and other applicable laws or issuances. A researcher may have access to information that identifies you only through the special review process, or with your written consent.
4. Law Enforcement. We may be required by law to disclose your personal data to a law enforcement official for purposes such as identifying or locating a suspect, fugitive, material witness or missing person, complying with a court order, warrant, subpoena and other law enforcement purposes.
5. Other Uses and Disclosures: If DOE wants to use or disclose your personal data for a purpose that is not discussed in this Privacy Notice, DOE will ask for your written consent.

## **5 Retention and Disposal of the Personal Data we Collect**

1. Retention. DOE will retain your personal data in accordance with the established Records Disposition Schedule (RDS). However, if such data is not indicated in the RDS, DOE will retain your personal data for the following reasons:
  - a. For the fulfillment of the declared, specified, and legitimate purpose until such purpose has been achieved or terminated, or until processing relevant to the purpose has been terminated;
  - b. To establish or defend legal claims;
  - c. For legitimate purposes consistent with the rules and policies of DOE, or as required by the National Archives of the Philippines and the provisions of the Civil Service Commission; or
  - d. In cases provided by law.
2. Disposal. DOE will dispose your personal data once it has reached the schedule stated in the established Records Disposition Schedule or the purpose by which it was collected was achieved and terminated, in such manner that the data will be unreadable (for paper) or irretrievable (for digital records).

## 6 Use of Cookies

A cookie is a small file which asks permission to be placed on your computer's hard drive. Cookies allow websites to recognize your computer when you return, enabling it to display personalized settings and other user preferences. It also allows websites to respond to you as an individual. The websites and apps can tailor operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being visited. This helps us to analyze data about web page traffic and to improve our website to tailor it to your needs. We only use this information for statistical analysis purposes after which, the data is removed from the system. You will be given the opportunity to accept or reject the use of cookies on our websites in a pop-up box when you first access our website. Once you agree, the file is added, and the cookie helps analyze web traffic or lets you know when you visit a particular site.

## 7 Contact Us

You may send your queries to:

**DOE Data Protection Officer**

Mailing Address: Energy Center, Rizal Drive, cor. 34<sup>th</sup> Street. Bonifacio Global City, Taguig City, Philippines 1632

Email address: [dataprivacy@doe.gov.ph](mailto:dataprivacy@doe.gov.ph)

Contact Number: [+632-8840-2231](tel:+632-8840-2231)

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