



Republic of the Philippines  
**Department of Education**

14 JAN 2019

DepEd MEMORANDUM  
No. **002**, s. 2019

**INTERAGENCY REQUESTS FOR DATA THAT MAY INVOLVE  
SENSITIVE PERSONAL INFORMATION**

To: Undersecretaries  
Assistant Secretaries  
Regional Secretary, ARMM  
Bureau and Service Directors  
Regional Directors  
Schools Division Superintendents  
Public Elementary and Secondary School Heads  
All Others Concerned

1. The Department of Education (DepEd) hereby directs its officials and employees to refer **interagency requests for data that may involve sharing of sensitive personal information<sup>1</sup>** in their custody—whether they may be of teaching and nonteaching personnel, or learners—to the Office of the Secretary, attention: **Data Protection Officer**, for evaluation of applicability of pertinent laws and regulations, including the Republic Act No. 10173 entitled the Data Privacy Act of 2012.
2. Immediate dissemination of this Memorandum is desired.

  
**LEONOR MAGTOLIS BRIONES**  
Secretary

Encl.: N o n e  
Reference: N o n e

To be indicated in the Perpetual Index  
under the following subjects:

DATA  
INFORMATION  
LEARNERS  
OFFICIALS  
PERSONNEL

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<sup>1</sup>Under Section 3(l) of RA 10173 entitled the Data Privacy Act of 2012, "sensitive personal information" refers to personal information:

- 1) About an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
- 2) About an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;
- 3) Issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and
- 4) Specifically established by an executive order or an act of Congress to be kept classified.

However, Section 4 (Scope) provides that the Act does not apply to:

"Section 4(a) Information about any individual who is or was an officer or employee of a government institution that relates to the position or functions of the individual:

- 1) The fact that the individual is or was an officer or employee of the government institution;
- 2) The title, business address and office telephone number of the individual;
- 3) The classification, salary range and responsibilities of the position held by the individual; and
- 4) The name of the individual on a document prepared by the individual in the course of employment with the government;

Section 4(b) Information about an individual who is or was performing service under contract for a government institution that relates to the services performed, including the terms of the contract, and the name of the individual given in the course of the performance of those services.

Section 4(c) Information relating to any discretionary benefit of a financial nature such as the granting of a license or permit given by the government to an individual, including the name of the individual and the exact nature of the benefit;

Section 4(d) Personal information processed for journalistic, artistic, literary or research purposes;

Section 4(e) Information necessary in order to carry out the functions of public authority which includes the processing of personal data for the performance by the independent, central monetary authority and law enforcement and regulatory agencies of their constitutionally and statutorily mandated functions. Nothing in this Act shall be construed as to have amended or repealed Republic Act No. 1405, otherwise known as the Secrecy of Bank Deposits Act; Republic Act No. 6426, otherwise known as the Foreign Currency Deposit Act; and Republic Act No. 9510, otherwise known as the Credit Information System Act (CISA);

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