

## **Know Your Privacy Rights**

Under RA10173, people whose personal information is collected, stored, and processed are called data subjects. Organizations who deal with your personal details, whereabouts, and preferences are dutybound to observe and respect your data privacy rights.

### **The right to be informed**

Under R.A. 10173, your personal data is treated almost literally in the same way as your own personal property. Thus, it should never be collected, processed and stored by any organization without your explicit consent, unless otherwise provided by law. Information controllers usually solicit your consent through a privacy notice. Aside from protecting you against unfair means of personal data collection, this right also requires personal information controllers (PICs) to notify you if your data have been compromised, in a timely manner.

As a data subject, you have the right to be informed that your personal data will be, are being, or were, collected and processed.

The Right to be Informed is a most basic right as it empowers you as a data subject to consider other actions to protect your data privacy and assert your other privacy rights.

### **The right to access**

This is your right to find out whether an organization holds any personal data about you and if so, gain “reasonable access” to them. Through this right, you may also ask them to provide you with a written description of the kind of information they have about you as well as their purpose/s for holding them.

Under the Data Privacy Act of 2012, you have a right to obtain from an organization a copy of any information relating to you that they have on their computer database and/or manual filing system. It should be provided in an easy-to-access format, accompanied with a full explanation executed in plain language.

You may demand to access the following:

- The contents of your personal data that were processed.
- The sources from which they were obtained.
- Names and addresses of the recipients of your data.
- Manner by which they were processed.
- Reasons for disclosure to recipients, if there were any.
- Information on automated systems where your data is or may be available, and how it may affect you.
- Date when your data was last accessed and modified
- The identity and address of the personal information controller.

### **The right to object**

Your consent is necessary before any organization can LAWFULLY collect and process your personal data. If without your consent, any such collection and processing of personal information

by any organization can be contested as unlawful or ILLEGAL, and would therefore be answerable to the Data Privacy Act of 2012.

In case you already gave your consent by agreeing to an organization's privacy notice, you can withdraw consent if the personal information processor decided to amend said notice. In fact, the personal information processor has the obligation to notify you of changes to their privacy notice and must explicitly solicit your consent once again.

### **The right to erasure or blocking**

Under the law, 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 the following:

1. Your personal data is incomplete, outdated, false, or unlawfully obtained.
2. It is being used for purposes you did not authorize.
3. The data is no longer necessary for the purposes for which they were collected.
4. You decided to withdraw consent, or you object to its processing and there is no overriding legal ground for its processing.
5. The data concerns information prejudicial to the data subject — unless justified by freedom of speech, of expression, or of the press; or otherwise authorized (by court of law)
6. The processing is unlawful.
7. The personal information controller, or the personal information processor, violated your rights as data subject.

### **The right to damages**

You may claim compensation if you suffered damages due to inaccurate, incomplete, outdated, false, unlawfully obtained or unauthorized use of personal data, considering any violation of your rights and freedoms as data subject.

### **The right to file a complaint with the National Privacy Commission (NPC)**

If you feel that your personal information has been misused, 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.

### **The right to rectify**

You have the right to dispute and have corrected any inaccuracy or error in the data a personal information controller (PIC) hold about you. The PIC should act on it immediately and accordingly, unless the request is vexatious or unreasonable. Once corrected, the PIC should ensure that your access and receipt of both new and retracted information. PICs should also furnish third parties with said information, should you request it.

### **The right to data portability**

This right assures that YOU remain in full control of YOUR data. Data portability allows you to obtain and electronically move, copy or transfer your data in a secure manner, for further use. It

enables the free flow of your personal information across the internet and organizations, according to your preference. This is important especially now that several organizations and services can reuse the same data.

Data portability allows you to manage your personal data in your private device, and to transmit your data from one personal information controller to another. As such, it promotes competition that fosters better services for the public.