



TARLAC II ELECTRIC COOPERATIVE, INC.

(T A R E L C O I I)

SAN NICOLAS, CONCEPCION, TARLAC

Tel. Nos. 9230-383, 9230-384, 9230-449 & 9230-460

Telefax No. (045) 9230-471

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POLICY NO. 200

Data Privacy Policy

DATE: November 12, 2018

POLICY STATEMENT:

Tarlac II Electric Cooperative, Inc. (TARELCO II) shall uphold the rights to privacy of individuals by providing guidelines how personal data from its member-consumer-owners, business partners, collecting agents, educational grantees, officials and employees is processed to meet required data protection standards and to comply with Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012.

OBJECTIVE:

The objectives of the policy are:

1. To protect and uphold the privacy rights of the EC's member-consumer-owners, business partners, collecting agents, educational grantees, officials and employees.
2. To comply with the Data Privacy Act of 2012 and follow generally accepted principles governing data protection.
3. To provide guidelines how personal data is collected, processed and stored by the EC.
4. To protect personal data being processed and minimize risk of data breach or misuse.

SCOPE AND COVERAGE:

This policy shall apply to all TARELCO II officers and employees involved in the processing of personal data from its member-consumer-owners, collecting agents, educational grantees, officials, and employees. This shall also apply to suppliers/contractors, consultants and external parties who collaborate with or act on behalf of the EC and may need occasional data.

DEFINITION OF TERMS:

1. Personal Data – refers to all types of personal information.
2. Personal Information - Any information, whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.
3. Sensitive Personal Information – refers to the following:



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- 3.1. About an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
- 3.2. 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;
- 3.3. Issued by government agencies peculiar to an individual (e.g., SSS, licenses, health records, tax returns)
- 3.4. Specifically established by an executive order or an act of Congress to be kept classified.
4. Privileged Information - Any and all forms of data, which under the Rules of Court and other pertinent laws constitute privileged communication.
5. Data Subject – refers to any individual whose personal, sensitive and privileged data is processed by the Company. A Data Subject may be any of the following:
 - 5.1. Member-Consumer-Owners – refers to the person or business who avail services provided by the EC.
 - 5.2. Business Partners – refer to Suppliers, Contractors, Collecting Agents, Consultants and other external parties who provide goods and services to the company.
 - 5.3. Educational Grantees – refers to students who are provided with grants by the EC as part of its Corporate Social Responsibility.
 - 5.4. Officials – refers
 - 5.5. Employees – refer to all individuals employed by the TARELCO II regardless of employment status.
6. Processing – refers to any type of operation performed on personal data such as but not limited to collecting, storing, organizing, evaluating, modifying or deleting. Processing of personal data can be manual or through an automated system.
7. Personal Information Controller – refers to an individual, organization or legal entity who controls the processing of personal data or instructs others to process personal data on its behalf. For the purpose of this policy, the Personal Information Controller is TARELCO II.
8. Personal Information Processor – refers to an individual, organization or legal entity whom the Personal Information Controller have outsourced or instructed to handle or process any personal data on its behalf.

RESPONSIBILITIES:

Data Protection Officer (DPO)

1. The Data Protection Officer (DPO) shall be responsible for :
 - 1.1. Acting as point of contact for data protection questions and data privacy related concerns from data subjects covered by this policy.



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- 1.2. Liaising with and providing the necessary reports to the National Privacy Commission (NPC) and other regulatory agencies.
- 1.3. Keeping the EC Management informed and updated on data protection concerns, ensuring identified issues are raised and addressed appropriately.
- 1.4. Preparing and reviewing all data protection procedures and related policies to ensure compliance with applicable laws and regulations and the Data Privacy Act of 2012.
- 1.5. Preparing related data protection training materials for employees covered by this policy and coordinating with Human Resources for proper training and cascade.
- 1.6. Addressing requests from Data Subjects who request to see and access stored data about themselves.
- 1.7. Reviewing and endorsing contracts or agreements with third party service providers who will be contracted by the EC to handle and process personal data.
- 1.8. Establishing company data protection practices such as but not limited to document shredding, data encryption, access authorization etc.
- 1.9. Preparing the privacy statement attached or linked to company websites, emails, social media accounts or other electronic channels that explains the purpose of the data being collected, collection methods, the extent of processing and retention.
- 1.10. Reviewing and endorsing all data sharing agreements between TARELCO II and affiliates.
- 1.11. Notifying within the prescribed period the NPC of any breach of personal data or any event that may affect the integrity of the personal data.

Information Technology Group (ITG)

2. The Information Technology Department shall be responsible for:
 - 2.1. Establishing Information Technology (IT) security standards, implementing physical and software preventive measures to protect the company's IT infrastructure containing personal data from unauthorized access, misuse, modification, destruction and improper disclosures.
 - 2.2. Ensuring all networks, servers, computer systems and equipment used for storing personal data adhere to established IT security standards and are properly secured and protected from internal and external data breaches.



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- 2.3. Scheduling and performing regular network and system audit to ensure security systems in place for IT hardware and software security are functioning properly and up to date.
- 2.4. Assessing capabilities and IT security measures of prospective third-party service providers being considered by the company to store or process personal data.
- 2.5. Restricting and monitoring access to sensitive personal data through proper authorization and system logs.
- 2.6. Implementing data privacy best practices or standards recognized by the IT security industry.
- 2.7. Monitoring for security breaches, identifying and fixing identified vulnerabilities of networks and computer systems.

Institutional Services Department (ISD)

3. Institutional Services Department (ISD) shall be responsible for:
 - 3.1. Reviewing any of the TARELCO II's data protection statements attached to official communications and electronic channels such as emails, letters, company websites etc.
 - 3.2. Addressing any data protection queries from journalists or media outlets.
 - 3.3. Coordinating with data subjects whose personal information may be compromised or affected by data breach or any event that may have affected the integrity of personal data.

Human Resources

4. Human Resources shall be responsible for:
 - 4.1. Disseminating the Data Privacy Policy to all employees of TARELCO II.
 - 4.2. Conducting data privacy training and educating all employees on data privacy and making them aware of their responsibilities when processing personal data.
 - 4.3. Obtaining consent from its employees in relation to the processing and maintaining of the employees' personal data.
 - 4.4. Ensuring employees are contractually bound to keep personal data processed by them confidential even if the employee has left or is no longer connected with TARELCO II.

Legal Counsel

5. Legal Counsel shall be responsible for:



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- 5.1. Reviewing and endorsing any contracts or agreements with Personal Information Processors or third parties who may be contracted to handle and process personal data in behalf of TARELCO II.
- 5.2. Reviewing all data privacy statement attached to official company communications that explains the purpose of the data being collected, collection methods, the extent of processing and retention.
- 5.3. Reviewing request from law enforcement and regulatory agencies to access personal data processed by TARELCO II.
- 5.4. Providing resolution or facilitating settlement of complaints related to privacy issues of Data Subjects.
- 5.5. Reviewing the data sharing agreements between the Company and trusted third parties.

GENERAL POLICIES:

1. The Data Privacy Officer shall be appointed by the EC and shall lead the Data Privacy Team composed of one from the Information Technology Group (ITG); one from the Internal Audit Department (IAD); and one from each area office.
2. The Data Privacy Officer shall have the specific responsibility of ensuring TARELCO II is compliant with the Data Privacy Law and shall be the point of contact for all data privacy related concerns or queries from within the Company or from external parties.
3. TARELCO II shall establish the specific purpose for the data that is being collected, the method of collection, the type of information to be collected, the extent of processing and the data retention period based on generally accepted data privacy principles.
4. The processing of the personal data shall be correlated with the specific purpose it was intended for or other purposes permitted by applicable law.
5. TARELCO II shall provide appropriate data privacy training to all employees covered by this policy to educate them on their responsibilities when handling and processing personal data. Employees shall be contractually responsible for following good data protection practice.
6. Access to data shall be limited only to employees who need the data in the performance of their job or function. When access to sensitive data is required, proper authorization shall be required. Physical or electronic documents containing personally identifiable information will only be shared with employees who are authorized to handle such information and have a need to know such information.



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7. TARELCO II and employees processing personal data shall keep all data secure by taking sensible precautions, following established guidelines and shall not disclose information to unauthorized personnel, either within the company or externally.
8. All employees shall be aware that any violation of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.

Data Sharing

9. Data sharing for business or commercial purpose shall be allowed between the TARELCO II and affiliates provided consent has been obtained from the Data Subject and it is covered by a data sharing agreement that upholds the data privacy rights of the Data Subject.
10. TARELCO II shall maintain responsibility for any personal data under its control or custody including information that have been outsourced or transferred to a personal information processor or third party local or abroad.
11. A data privacy statement shall be attached or linked to all of the EC's websites, emails or electronic channels and shall communicate the following among others to the Data Subjects:
 - 11.1. The EC's commitment to uphold privacy rights of individuals
 - 11.2. Reasons why the EC collects information.
 - 11.3. How information is collected.
 - 11.4. Possible data sharing with other TARELCO II, affiliates or trusted third parties.
 - 11.5. Reasons for disclosure of information.
 - 11.6. How the EC protects the information.
 - 11.7. How the subject is able to exercise their rights.
12. The Data Privacy Statement shall be easy to access and understand using clear, plain and simple language.
13. TARELCO II shall recognize the Data subject's right to refuse, withdraw consent or object to the data collection and processing and other rights accorded to Data Subjects by the Data Privacy Act 2012.
14. TARELCO II shall allow Data Subjects reasonable access to stored personal data about themselves. Reasonable and appropriate steps shall be taken to ensure Personal Data held by the EC is accurate, complete and up-to-date Data Subjects will be allowed to update and/or correct any inaccurate information.



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15. Personal Data shall be retained based on its specified purpose taking into consideration the EC's business and commercial needs and following industry standards on retention or applicable laws or regulations.
 - 15.1. The Personal Information Controller shall not retain Personal Data in perpetuity without any legitimate purpose or possible future use.
16. Clear reporting procedures shall be established for reporting data privacy breaches, data misuse from within the EC or by unauthorized parties or any event that may affect the integrity of personal data.
17. The Data Privacy Officer shall notify the NPC within the prescribed period of any breach of personal data. Notification to the NPC may be in writing or done electronically and shall include the nature of the breach, the number of personal data possibly compromised and measures taken by the EC to address the breach.

Consent of Data Subject

18. The consent of the Data Subject shall be obtained by the Personal Information Controller before any personal data is collected and processed.
 - 18.1. Consent may be obtained by any appropriate method that enables the Data Subject to freely give a specific indication of their agreement and may be any of the following:
 - 18.1.1. Verbal or written.
 - 18.1.2. By ticking a box on a webpage or accepting the terms and conditions of website.
 - 18.1.3. Choosing a specific setting in an application or program.
 - 18.1.4. Agreeing to be part of an email marketing list or participating in a survey.
 - 18.1.5. Opt-in provision on websites, social media or other electronic channels.
 - 18.1.6. By any other means or conduct which clearly indicates the Data Subject's acceptance of the proposed processing of their personal data.
 - 18.2. The Personal Information Controller shall ensure that the consent mechanisms in place are appropriate to the nature of the consent being sought.

Data Collection

19. Personal information shall be collected from data subjects through the following ways:



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19.1. **Directly or voluntarily** when they:

19.1.1. Fill out a customer data sheet when they buy a product or avail any of the company's services

19.1.2. Provide the company a quotation, a proposal or other business or commercial engagement.

19.1.3. Subscribe to one of the company's publications, newsletters or mailing lists.

19.1.4. Sign up to receive information, participate in a survey, promotional offers or loyalty programs.

19.1.5. Make a request with any of the company's contact center, online support channels or customer service hotline.

19.1.6. Apply for a job with the Company, submit your resume or curriculum vitae (CV) or create a job candidate profile.

19.1.6.1. The company may contact third parties to validate educational background, employment details and work experience.

19.1.7. Other personal information you voluntary provide to us by other means.

19.2. **Automatically** when Data Subjects use or access any of the Company's Websites, Electronic Channels or Social Media Accounts.

19.2.1. This may include the user's IP address, user's generated content, posts and other content you submit to our sites

19.3. **Provided by legitimate or commercially available sources**, such as but not limited to public databases, data aggregators and other publicly available sources of information.

Data Storage

20. Physical documents containing personal data should be kept in a secure place not accessible by unauthorized personnel. Data printouts shall not be left unattended where it can be viewed and copied by unauthorized people.

21. Network servers and computer systems containing personal data shall be protected by approved Corporate IT security solutions and shall be located in a secure location with limited physical access to unauthorized personnel.

21.1. Data stored such as electronic databases, digital archives, telephone recordings and electronically documents shall be password protected or encrypted to protect it from



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unauthorized access or modification, deletion, hacking attempts and unauthorized disclosure. Data shall be backed up regularly to facilitate restoration of personal data in a timely manner in event of physical or technical problems.

22. Personal Data should only be stored on designated drives or servers and should only be uploaded to an IT Department-approved cloud computing service.
 - 22.1. Removable media containing back-up files on personal data shall be kept locked away securely when not being used.
 - 22.2. Personal Data shall not be saved directly to laptops or other mobile devices like tablets or smart phones.
 - 22.3. Employees handling personal data shall not keep copies of personal data for their own reference or use.
23. Storage systems containing personal data shall be managed internally by IT Department and shall be held locally in company premises or could be managed by a third party contracted for that purposes who manage it locally or overseas. Third parties are contractually obligated to implement appropriate security safeguards and shall take reasonable steps to protect personal data from misuse, unauthorized access, modification or disclosure.
24. IT department shall ensure all personal data is non-recoverable from any computer system previously used by TARELCO II, which has been passed on or sold to a third party.
25. Appropriate network and system security measures and other reasonable precautions shall be put implemented to protect stored personal data stored from loss, misuse, unauthorized access, modification or improper disclosure.
26. Systems and processes related to the security and protection of personal data shall be regularly assessed if its methods and performance is up to current standards when handling personal information.

TARELCO II's working environment shall be regularly evaluated if the current design and set-up affords employees processing personal data the appropriate privacy and security. Access to these areas shall be restricted to authorized personnel only.

Data Accuracy

27. The Company shall take reasonable steps to ensure data is kept accurate and up to date.
 - 27.1. Employees handling or processing personal data shall at all possible contact or engagement with a Data Subject ensure data is updated by asking the Data Subjects whether there have been any changes to the information the Company has on record.



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Data collected and stored physically or electronically shall be reviewed regularly and updated if data is no longer current. If data is inaccurate, incomplete or not up to date, this shall be corrected or supplemented and if data is no longer required or necessary, this should be deleted, destroyed and/or disposed of through permissible means to prevent further processing or use by unauthorized parties.

Data Subject Access Request

28. All Data Subjects shall be entitled to:
 - 28.1. Request through the Data Privacy Officer for information the company holds about them and its intended use.
 - 28.2. Access to the data and how to keep it up to date.
 - 28.3. Be informed how the company is meeting its data protection obligations
 - 28.4. To opt out of marketing offers, mailing lists and other promotions.
29. Data Subject's access requests shall be made through email or post and addressed to the Data Privacy Officer of TARELCO II. A standard request form may be provided on our websites for the use and reference of the data subjects.
30. The EC shall as part of its security procedures verify the legitimacy of the request and identity of individual requesting the subject access request before providing over any information.

Disclosing Data for Other Reason

31. As prescribed by the Data Privacy Act, personal data may be disclosed to law enforcement and regulatory agencies without the consent of the data subject.
 - 31.1. The General Counsel Group, to be formed by the EC Management, jointly with the Data Privacy Office shall review the request from these agencies to ensure request is legitimate and compliant with the implementing rules and regulations of the aforementioned Act before the company discloses any personal data.
 - 31.2. All employees shall be aware that any violation of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.

EFFECTIVITY AND MAINTENANCE:

This policy shall take effect upon approval and shall continue to be in full force unless superseded by new policies and guidelines. This shall be reviewed at least once a year or when significant changes arise on the data privacy landscape.



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EFFECTIVITY AND MAINTENANCE:

All existing policies inconsistent hereto are deemed superseded.

RESPONSIBILITY:

It shall be the responsibility of the General Manager to implement this Policy.

REFERENCE:

Board Resolution No. 346-s-2018 dated November 12, 2018.

ATTESTED:

VIRGILIO G. SAGUN, JR.
Secretary

AUBREY D. ALIMURUNG
President