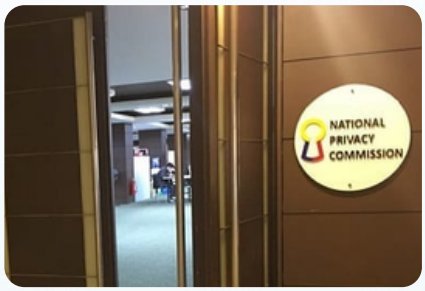
Legal Watch

NPC ADVISORY OPINION NO. 2026-004



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Agency Name

National Privacy Commission (NPC)

Issuance Title

Scope of Accountability and Registration of the [REDACTED] Governance Levels in Security Incident and Personal Data Breach Reporting

Issuance Date

18 May 2026

Link

https://privacy.gov.ph/wp-content/uploads/2026/06/NPC-Advisory-Opinion-2026-004.pdf

SUMMARY

This Advisory Opinion addresses the **registration of Personal Information Controller** (**PIC**) and **scope of accountability in security incident and personal data breach reporting**, particularly in multi-level organizational structures consist of the Central Office (CO), Regional Offices (RO), Schools Division Offices (SDO), and individual schools. It identifies **which entity should be registered** with the National Privacy Commission (NPC) **and who is accountable** under the Philippine Data Privacy Act when a security incident or personal data breach occurs under the breach reporting framework established by NPC Circular No. 2022-04 (Circular).

The opinion emphasizes that each organizational level does not automatically require a distinct and independent registration for PIC. Instead, the legal and governance structure must be examined.

Whether a particular office, unit or school should be regarded as a separate PIC depends not on its place in the organizational hierarchy, but on **whether it controls the processing of personal data, including determining what information is collected and the purpose or extent of its processing.** One that merely processes personal data pursuant to centrally established policies, systems, and legal mandates does not, by that fact alone, become a separate PIC.

Accordingly, centralized registration may be appropriate where the CO determines the processing for agency-wide personal data processing activities. Nevertheless, RO, SDO, and individual schools remain responsible for appointing appropriate officers and ensuring the timely reporting, escalation, and notification of security incidents and personal data breaches in accordance with the Circular.

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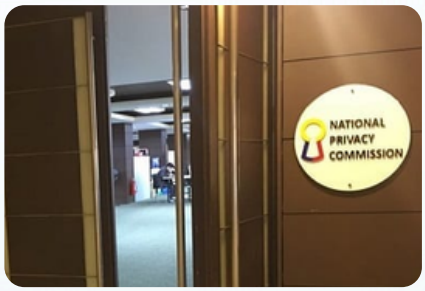

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ACTIONABLE ADVICE

Organizations operating through centralized, regional, or field offices should review whether their existing registration arrangements accurately reflect which governance level exercises control over the relevant personal data processing activities, to determine which shall make proper registration as PIC. Where centralized registration is adopted, clients should ensure that it is supported by a complete inventory of Data Processing Systems and clearly documents the roles of the various offices involved in implementing such systems.

Clients should likewise establish and document internal reporting and escalation protocols for security incidents and personal data breaches, identifying the personnel responsible for incident detection, assessment, notification, and reporting to the NPC. Even where separate registration is not required, lower-level offices and units should remain subject to the organization's privacy governance framework and implement appropriate procedures for data handling, access control, incident reporting, and breach escalation. In all cases, organizations should recognize that compliance obligations arise from actual control over personal data processing and not from registration alone.