



Legal Watch

NPC ADVISORY NO. 2026-02



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SUMMARY

The Advisory was issued by the National Privacy Commission (NPC) to clarify the procedures for submitting **personal data breach notifications** through the **Data Breach Notification Management System (DBNMS)**. It supplements the requirements under NPC Circular No. 16-03 (Circular) by providing additional guidelines on notification process to eliminate procedural confusion among Personal Information Controllers (PICs).

The Advisory emphasizes that certain request cannot be simultaneously avail of because they are legally inconsistent. A PIC cannot file a (i) a **request for exemption** to notify affected data subjects and a **request for postponement** of such notification; or (ii) a **request for exemption** together with a **request for approval** to use alternative means of notification for the same personal data breach incident. This is because an **exemption** assumes that notification to data subjects is not required, while **postponement** or **alternative notification** assumes that notification is still required. Submitting these conflicting requests may result in the denial of one or all requests.

The Advisory further reiterates that the submission of any request through the DBNMS does not relieve its reporting obligations under the Circular. Unless the request is acted upon by the NPC, the PIC shall still submit its Full Breach Report within five (5) days from the discovery of breach, otherwise non-compliance may subject to administrative fines.

All resolutions shall be expressly issued in writing by the NPC, and its inaction shall not be construed as approval, implied consent, or automatic grant of any request, nor shall it serve as justification for noncompliance.

* Agency Name

National Privacy Commission
(NPC)

* Issuance Title

Clarification on the Submission
of Personal Data Breach
Notification through Data Breach
Notification Management System

* Issuance Date

11 May 2026

* Publish Date

18 May 2026

* Link

<https://privacy.gov.ph/wp-content/uploads/2026/05/Advisory-Clarification-on-the-Submission-of-Personal-Data-Breach-Notification-through-DBNMS-11-May-2026.pdf>





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ACTIONABLE ADVICE

PICs should carefully assess the nature of the personal data breach incident and determine the appropriate relief to request before making any DBNMS submission. Requests for exemption, postponement, alternative means of notification, or extensions should be supported by clear grounds, complete documentation, and the relevant facts and circumstances of the breach.

PICs should avoid submitting mutually exclusive requests for the same breach incident, as this may result in the denial of one or all requests. PICs should also maintain internal breach-response protocols that ensure timely escalation, documentation, and submission of the Full Breach Report within the prescribed five (5)-day period under the Advisory. Pending written action from the NPC, PICs should continue to comply with all notification and reporting obligations and should not treat NPC inaction as approval or authority to defer compliance.

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