



Data Protection Team

23 March 2019

ADVISORY OPINION

Reference No. DPO 19-09

FOR : **[Redacted]**
[Redacted]

SUBJECT : **Consent forms for administrative processes**

Dear [Redacted]:

Thank you for your kind support to our data protection initiatives. We appreciate your good suggestion to implement consent slips appropriately scoped or limited for everyday

prohibitions.³ Under Act No. 1870 and Republic Act No. 9500, UP is mandated to exercise the p e the

⁴. To this end, UP is granted by law its own corporate powers,⁵ including management of corporate funds. Acts of UP in pursuance of its mandate to act as a university and as a corporation are exempt from the Data Privacy Act.

In the case of fulfilling its financial obligations as a corporation such as processing disbursement vouchers, UP is exempted from data privacy prohibitions because it is merely fulfilling its statutory mandate.

Third, as staff, faculty, students and others linked to UP Diliman are obligated to comply with administrative issuances, all are required to comply with the UP Diliman Privacy Policy promulgated under Office of the Chancellor Memorandum No. 19-061. The UP Diliman Privacy Policy defines the personal data that may be processed by UP Diliman, laying out the justifications and indicating the manner of processing.

In the case of staff and faculty, their disbursement vouchers may be processed as it is in line an instrumentality of the government. Since staff and faculty are bound by Office of the Chancellor Memorandum No. 19-061, then there is no need to obtain their individual consents for each act of processing disbursement vouchers.

With the above three (3) reasons, UP Diliman may validly process (create, transmit, etc.) disbursement vouchers even without the consent of the payee.

Return of disbursement voucher

We acknowledge that we are not aware of the full context of the situation but please allow us to assist by rendering advice based on our limited knowledge of facts.

If the staff who prepared the disbursement voucher asking for its return (to make copies) was acting in the regular performance of official duty, then the staff may validly request for the return of the disbursement voucher.

Diliman is a single juridical entity and passing of information from one member of the [Redacted]

If the processing of the disbursement voucher is now in the stage where the staff who previously handled it no longer has a hand with the current stage of the processing, then the staff cannot break protocol by asking for its return. Although it may seem harmless because the staff already saw the contents of the voucher, data privacy requires that there should be

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⁷ such that there is a strict series of steps in processing. Each step is a separate act of processing and if a staff is already done with a ⁸ processing from that staff. The rationale of the law is that it is not for each and every staff to determine

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which acts are harmless all have to abide by a procedure. This is to ensure that there is a⁹ of all information flowing in an organization.

If the staff was acting beyond procedure, then the request for the disbursement voucher can be only done through the consent of the payee. There can be no pre-signed consent form for this because it does not name the specific person authorized by the payee to receive the disbursement voucher.

It is not our intent to pre-judge or oversimplify issues as we are sure there is a deeper context to the situation which we may not be aware of. In any case, we hope that our explanation sheds light into the matter.

We again thank you for your initiative to properly administer data privacy in our processes.¹⁰ has the theme

Rooting Privacy in Organic Foundations.

and processes. Hence, we laud your advice as it is on point with our thrust that privacy should be rooted in everyday administrative processing.

Please feel free to reach out for additional concerns.

Yours,

Elson Manahan
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