

**E-COMMERCE IN THE PHILIPPINES  
ENACTED LAWS/POLICY ISSUANCES**

**CHRONOLOGY OF EVENTS**

*(As of 6/30/20)*

<u>Date Issued</u>	<u>Title</u>
14 Jun 2000	<p><b>RA 8792, E-Commerce Act of 2000 (ECA), “An Act Providing for the Recognition and Use of Electronic Commercial and Non-Commercial Transactions and Documents, Penalties for Unlawful Use Thereof and for Other Purposes”</b></p> <p>Mandates all government departments and offices to accept electronic data messages and documents in their transactions within two years from its effectivity.</p> <p>Provides for penalties on computer hacking, introduction of viruses and piracy of copyrighted works of at least P100,000 and maximum commensurate to the damage incurred, and imprisonment of six months to three years among others.</p> <p>Promotes e-commerce in the country, particularly in business-to-business and business-to-consumer transactions whereby business relations are enhanced and facilitated and consumers are able to find and purchase products online.</p> <p>Aims to reduce graft and corruption in government as it lessens personal interaction between government agents and private individuals.</p> <p>The DTI was tasked to direct and supervise the promotion and development of electronic commerce in the country in coordination with relevant government agencies. It is empowered to promulgate rules and regulations, provide quality standards or issue certifications, and perform such other functions as may be necessary for the implementation of the Act in the area of electronic commerce. These may include, but shall not be limited to, the installation of an online public information and quality and price monitoring system for goods and services aimed at protecting the interests of the consuming public availing of the advantages of this Act.</p>
05 Jul 2000	<p><b>Executive Order No. 262, “Amending Executive Order No. 302 Series of 1996, entitled Providing Policies, Guidelines, Rules and Regulations for the Procurement of Goods/Supplies by the National Government and Executive Order No. 201, Series of 2000”</b></p>
12 Jul 2000	<p><b>Executive Order No. 264, “Establishing the Information Technology and E-Commerce Council (ITECC) from the Merger of the National Information Technology Council (NITC) and the Electronic Commerce Promotion Council (ECPC)”</b></p> <p>ITECC is the highest policy making body on ICT matters. It hopes to lead the Philippine ICT industry through the next millennium and beyond by providing a clearly defined direction through strong and capable leadership.</p> <p>The Secretary of DTI was designated as chairperson of the Council with DTI (Office of Special Concerns) as Secretariat when [it was first established. [In 2001, ITECC was reorganized with the President as chairperson and PMS as Secretariat. Secretary Manuel A. Roxas II and Ambassador Roberto Romulo were designated as co-chairs.]</p> <p>ITECC has five regular committees to focus on the many areas of ICT, namely: Business Development, e-Government Implementation, Information Infrastructure, Human Resource Development, and Legal and Regulatory; and an auxiliary committee, the Communications Committee, in charge of advocacy and information dissemination on ITECC and ICT concerns.</p>

	DTI was a member of the Business Development and the Legal and Regulatory Committees, under which a sub-committee was created: Legal Support to the DTI on the Implementation of the ECA. The DTI-Office of Policy Research acted as secretariat to the sub-committee.
12 Jul 2000	<p><b>Executive Order No. 265, “Approving and Adopting the Government Information Systems Plan (GISP) as Framework and Guide for All Computerization Efforts in Government”</b></p> <p><b>Government Information Systems Plan (GISP)</b></p> <p>Otherwise known as Philippine Government Online. Envisions an electronic bureaucracy that is widely and readily accessible to the Filipino people. It is a master plan that harnesses the potentials of information and communications technology for good governance, and promotes transparency and accountability in government operations and transactions. Approved and adopted with the issuance of Executive Order No. 265</p>
13 Jul 2000	<b>Implementing Rules and Regulations of the ECA</b>
22 Nov 2000	<b>Executive Order No. 322 Requiring All National Government Agencies, Instrumentalities and Government Owned and Controlled Corporations to Participate in the Electronic Procurement System</b>
01 Dec 2000	<p><b>Department Order No. 103, “Creation of the DTI IT Team”</b></p> <p>The DTI IT Team is directed to support the IT and E-Commerce thrust of the Department. It has five (5) functional groupings:</p> <ul style="list-style-type: none"> <li>● Policy – lead: OPR</li> <li>● Business/Industry Development Services – lead: BOI</li> <li>● Trainings – lead: PTTC</li> <li>● Promotions – lead: CITEM</li> <li>● Secretariat and Help Desk – lead: OSC</li> </ul>
04 Dec 2000	<p><b>NSCB Memorandum Order No. 08, “Creation of a Task Force on the Measurement of Electronic Commerce”</b></p> <p>The Task Force is tasked to develop a conceptual and statistical framework on e-commerce that would address information requirements for better policy making and setting in the area of e-commerce.</p> <p>Its specific functions are:</p> <ol style="list-style-type: none"> <li>1. To formulate the definition of electronic commerce that will be used for measurement purposes and determine its coverage considering both the local setting and practices of international organizations and other countries;</li> <li>2. To identify the current and future concerns of policy-makers on the use of electronic commerce in the country as basis for determining data requirements;</li> <li>3. To conduct consultations with concerned government and private sectors and other inter-agency bodies in the identification of data requirements and in seeking their cooperation in the implementation of the action plan formulated by the Task Force</li> </ol> <p>Chairman: DTI      Co-Chair: NSCB</p>
21 Dec 2000	<b>BSP Circular No. 269 – New Guidelines on E-Banking Activities</b>
25 May 2001	<b>Executive Order No. 18, “Amending Certain Portions of Executive Order No. 264, Series of 2000, Entitled ‘Establishing the Information Technology and Electronic Commerce Council (ITECC) from the Merger of the National Information</b>

	<p><b>Technology Council (NITC) and the Electronic Commerce Promotion Council (ECPC)”</b></p> <p>The EO reorganizes the ITECC, transfers the Chairmanship to the President, and designates DTI and Private Sector Representative as Co-chairs</p>
17 Jul 2001	<p><b>Supreme Court Memorandum No. 01-7-01, “Rules on Electronic Evidence”</b></p> <ul style="list-style-type: none"> <li>• Provides rules on electronic documents as evidence in all civil actions and proceedings as well as quasi-judicial and administrative cases.</li> <li>• Exempts business records that are made or kept by electronic, optical and other similar means as hearsay evidence.</li> <li>• Specifies factors in assessing evidentiary weight of an electronic document</li> </ul>
28 Sep 2001	<p><b>DTI-DOST Joint Department Administrative Order No. 2, “Providing Implementing Rules and Regulations on Electronic Authentication and Electronic Signatures”</b></p> <p>Applies to any commercial and non-commercial transaction, activity or dealing, whether public or private, occurring between and among parties, where electronic signatures and/or electronic documents are used.</p> <p>Published in Manila Times, 12 Oct 2000.</p>
8 Oct 2001	<p><b>Executive Order No. 40, “Consolidating Procurement Rules and Procedures for all Government Agencies, Government Owned or Controlled Corporations and Government Financial Institutions and Requiring the Use of the Government Electronic Procurement System”</b></p>
08 Feb 2002	<p><b>Implementing Rules and Regulations on Executive Order No. 40</b></p>
11 Jul 2002	<p><b>NCC Memorandum Circular No. 2002-01, “Guidelines on Creation of the Agency’s Official Website and Compliance to E-Commerce Law and Stage One of the UN-ASPA Stages of E-Government”</b></p>
10 Jan 2003	<p><b>RA 9184, E-Procurement Act, “An Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of the Government and For Other Purposes”</b></p>
10 Jan 2003	<p><b>Executive Order No. 163, “Modifying the Rates of Import Duty of Information and Communications Technology (ICT) Products Under the Tariff and Customs Code of 1978 (Presidential Decree No. 1464, as Amended), in Order to Implement the e-ASEAN Framework Agreement”</b></p>
31 Jul 2003	<p><b>NCC Memorandum Circular No. 2003-01, “Guidelines on Creation Compliance to E-Commerce Act (R.A. 8792) and Stage Two and Three of the UN-ASPA Five Stages of E-Government”</b></p>
12 Jan 2004	<p><b>Executive Order No. 269, “Creating the Commission on Information and Communications Technology (CICT)”</b></p> <p>The CICT shall be the "primary policy, planning, coordinating, implementing, regulating, and administrative entity of the executive branch of Government that will promote, develop, and regulate integrated and strategic ICT systems and reliable and cost-efficient communication facilities and services."</p>
24 Feb 2004	<p><b>DTI Department Administrative Order No. 01, “Prescribing Rules Governing the Voluntary Accreditation of Information Certifiers on Electronic Signatures”</b> (Unpublished)</p>

20 Jul 2004	<b>Executive Order No. 334, “Abolishing the Information Technology and Electronic Commerce Council and Transferring Its Budget, Assets, Personnel, Programs, and Projects to the Commission on Information and Communications Technology”</b>
Aug 2004	<b>CICT Memorandum Circular No. 1, “Guidelines in the Administration of the .ph Domain Name”</b>
5 Aug 2005	<b>Implementing Rules and Regulations of RA 9184</b>
23 Aug 2005	<b>NTC Memorandum Circular No. 05-08-2005, “Voice Over Internet Protocol (VOIP)”</b>
23 Aug 2005	<b>NTC Memorandum Circular No. 06-08-2005, “Frequency Band Allocations for Broadband Wireless Access”</b>
23 Aug 2005	<b>NTC Memorandum Circular No. 07-08-2005, “Rules and Regulations on the Allocation and Assignment of 3G Radio Frequency Bands”</b>
27 Dec 2005	<p><b>Executive Order No. 482, “Creating the National Single Window Task Force for Cargo Clearance”</b></p> <p>The Philippines is the pilot ASEAN economy for the implementation of the National Single Window (NSW) for cargo clearance under the ASEAN Single Window (ASW). NSW is a system that enables a single submission of data and information that is synchronously processed.</p>
03 Feb 2006	<b>BSP Circular No. 511 – Guidelines on Technology Risk Management</b>
06 Mar 2006	<p><b>DTI Department Order No. 12, “Creation of the DTI E-Commerce Team”</b></p> <p>The DTI E-Commerce Team is created in view of the provisions under Sec. 29 of RA 8792 with the following core members: Sr. Undersecretary Thomas Aquino; OPR Director; MIS Director; BETP Director; BITR Director; BPS Director; BTRCP Director; NCR Director; BOI Director; BOI-EID Director; BOI-TMD Director; BOI-ICT Services BDM; and SB Corp. President and COO.</p>
04 Jul 2006	<p><b>Administrative Order No. 155, “Designating the Secretary of Trade and Industry (DTI) as Export Enforcer”</b></p> <p>As an Export Enforcer, the DTI Secretary is vested with the power to act in behalf of the President on decisions reached by the Export Development Council (EDC), implement measures to lower the cost of doing business for exporters, call on all government agencies under the Executive Branch to implement such decisions, report on such implementation and exercise the EDC function of imposing sanctions on any government agency or officer of employee or private sector entity that impede efficient exportation of Philippine goods.</p>
21 Jul 2006	<p><b>DTI Department Administrative Order No. 8, “Prescribing Guidelines for the Protection of Personal Data in Information and Communications System in the Private Sector”</b></p> <p>This governs data protection certifiers and processing of all types of personal data. The intention of the guidelines is to encourage and provide support to private entities to adopt privacy policies for the protection of the personal data in an information and communications system in the private sector.</p>
08 Aug 2006	<p><b>Executive Order No. 557, “Establishing an Anti-Red Tape Task Force”</b></p> <p>The Anti-Red Tape Task Force, which is composed of full-time members from the Presidential Management Staff (PMS), CICT, DTI, Export Development Council Secretariat and NAPC and for invitation is the Philippine Chamber of Commerce and</p>

	Industry (PCCI), with the Secretary of DTI as the Chairperson, is tasked to handle the anti-red tape module of the National Competitiveness Summit.
<b>01 Sep 2006</b>	<p><b>BSP Circular No. 542, “Consumer Protection for Electronic Banking”</b></p> <p>This facilitates the implementation of electronic banking activities of the bank for the protection of the consumers. In particular, the rules cover the following key areas:</p> <ol style="list-style-type: none"> <li>1) E-Banking Oversight Function – for the development and management of the bank’s e-banking business strategy and services</li> <li>2) E-Banking Risk Management and Internal Control – for the establishment/installment, maintenance, updating and monitoring of information security program and measures as well as e-banking transactions, appropriate techniques in the authentication of the identity’s e-banking customers and customer verification</li> <li>3) Consumer Awareness Program</li> <li>4) Disclosure and Business Availability – for the provision of adequate disclosure of information in adherence to customer privacy and protection requirements, information on business availability</li> <li>5) Complaint Resolution – for the procedures on submitting complaints and resolution of disputes.</li> </ol>
<b>25 Oct 2006</b>	<p><b>DOF-DTI Joint Department Administrative Order No. 02, “Guidelines Implementing R.A. 8792 on Electronic Payment and Collection System (EPCS) in Government”</b></p> <p>This aims to make the payment and collection services of government offices through electronic payment and collection system via various modes and channels (i.e., credit cards, ATMs, debit cards, stored-value cards, mobile wallet payments and kiosks) effective and efficient primarily for the ease of the transacting customers as well as for the improvement of the revenue generating capability of the government.</p> <p>EPCS is a system that accepts and processes electronic payments, authenticates the payor and payee, validates availability of the funds, and executes the appropriate debit and credit instructions for the fund source and destination accounts, generates and forwards electronic proof of payment to the payor, or allows secure access thereto and creates, retains and safeguards the resulting detailed electronic transaction records which are accessible by authorized personnel.</p>
<b>08 Jun 2007</b>	<p><b>NTC Memorandum Circular No. 05-06-2007, “Consumer Protection Guidelines”</b></p> <p>This addresses consumer complaints and promotes consumer welfare and protection for services offered by the telecommunications sector (i.e., broadcast and public telecommunications entities (PTEs)) by setting forth the obligations and responsibilities of PTEs as well as rules and procedures in the filing of complaints on lost/stolen cell phones, malicious text messages, text scam and spam.</p>
<b>08 Jun 2007</b>	<p><b>NTC Memorandum Circular No. 04-06-2007, “Data Log Retention of Telecommunications Traffic”</b></p> <p>This mandates PTEs to retain records of bills and completed calls/traffic within a certain period (i.e., two (2) months for non-metered services with fixed monthly charges and four (4) months for other telecommunications) from the data the calls/traffic were made, which include the following: 1) time and duration of calls/traffic; 2) origin and destination of the call/traffic; and 3) domain name and e-mail address for data received on the internet.</p>
<b>Jun 2007</b>	<b>Launching of Globe GCash payment facility for the Enhanced Business Name Registration System (EBNRS)</b>
<b>18 Jul 2007</b>	<b>DOF-DTI Joint Department Order No. 1, “Designation of Members of GEPCSET and Providing their Powers and Functions”</b>

	The JDO designates the members of the GEPCSET (as nominated by the agency heads) and prescribes their powers and functions.
<b>25 Sep 2007</b>	<b>The Philippines signed the UN Convention on the Use of Electronic Communications in International Contracts (2005)</b>
<b>20 Oct 2008</b>	<p><b>DTI-DOH-DA Joint Department Administrative Order No. 1, Rules and Regulations for Consumer Protection in a Transaction Covered by the Consumer Act of the Philippines (R.A. 7394) through Electronic Means under the E-Commerce Act (R.A. 8792)</b></p> <p>Signed 20 Oct 2008, published 29 Oct 2008, to take effect on 13 Nov 2008.</p> <p>The JDAO aims to protect consumers doing online transactions, specifically on the purchase of products and services pursuant to the Consumer Act of the Philippines. It applies to all retailers or sellers, whether located here or abroad, engaged in electronic commerce with consumers. Moreover, it adopts the provisions of the Consumer Act on fair business practices and the prohibition from engaging in false, deceptive and misleading advertisements.</p> <p>To enable consumers to make an informed choice/decision, the guidelines require the online disclosure of accurate, clear and easily accessible information about the retailers or sellers, the products or services being offered, and the terms, conditions and costs of the consumer transaction.</p> <p>Also under the guidelines, retailers/sellers are mandated to set up and make operational internal complaint-handling mechanism for consumer complaints, without prejudice to the rights of the consumers to seek legal redress. Aside from this, it also provides procedure or structure to address/resolve a complaint filed before concerned implementing agencies (i.e., DTI, DA and DOH). As to a consumer transaction involving a Philippine resident consumer and a retailer or seller of another country, said consumer has the option to file his complaint either with the Philippine trade/consular office/embassy therein or directly with the foreign government agency or regulator where the retailer or seller is located with the assistance of the counterpart Philippine government agency concerned.</p>
<b>06 Mar 2009</b>	<p><b>DTI Department Order No. 09-16, Institutionalizing an E-Commerce Unit in DTI which shall be referred to as the E-Commerce Office (ECO)</b></p> <p>The E-Commerce Office (ECO) was institutionalized to fill the need for a special unit in DTI that will focus and work full-time on e-commerce. This is in line with Section 29 of Republic Act (RA) No. 8792 or the Electronic Commerce Act of 2000, which gives the DTI the authority to direct and supervise the promotion and development of electronic commerce in the country with relevant agencies.</p> <p>ECO's major functions are:</p> <ul style="list-style-type: none"> <li>● To formulate/coordinate the formulation of policies and guidelines in support of e-commerce;</li> <li>● To formulate and implement plans and programs for further development and implementation of e-commerce in the country, in coordination with other DTI agencies, other government agencies, the private sector and other stakeholders;</li> <li>● To monitor and evaluate the implementation of e-commerce policies, plans, and programs; and</li> <li>● To actively participate in local and international organizations related to e-commerce whenever necessary.</li> </ul>
<b>09 Mar 2009</b>	<b>BSP Circular No. 649 on Guidelines Governing the Issuance of Electronic Money (E-Money) and the Operations of Electronic Money Issuers (EMI) in the Philippines</b>

	<p>E-money is monetary value stored in an electronic instrument or device such as cash cards, e-wallets accessible via mobile phone or other access device, stored value cards, or other similar products. E-money issued by banks shall not be considered deposits.</p> <p>EMIs are classified as: banks, non-bank financial institutions, non-bank institutions registered with BSP as a money transfer agent.</p>
<b>17 Apr 2009</b>	<p><b>DTI Department Order No. 09-21, Reconstitution of the DTI E-Commerce Team</b></p> <p><i>Composition of the E-Commerce Team (ECT):</i></p> <p>Chairperson : Supervising Undersecretary for International Trade          Alternate Chairperson: Supervising Director, E-Commerce Office          Members:</p> <ul style="list-style-type: none"> <li>• Undersecretary, Regional Operations and Development Group</li> <li>• Assistant Secretary/Regional Director, National Capital Region</li> <li>• Assistant Secretary/Director, Bureau of International Trade Relations</li> <li>• Director, Bureau of Export Trade Promotion</li> <li>• Director, Bureau of Micro, Small and Medium Enterprise Development</li> <li>• Director, Bureau of Product Standards</li> <li>• Director, Bureau of Trade Regulation and Consumer Protection</li> <li>• Director, Management Information Service</li> <li>• Director, Office of Legal Affairs</li> <li>• Director, Philippine Accreditation Office</li> <li>• Director, Industry Studies Department, Board of Investments</li> <li>• President and COO, SB Corporation</li> <li>• Executive Director, Philippine Trade Training Center</li> </ul> <p>Secretariat : E-Commerce Office (ECO)</p>
<b>15 Jun 2009</b>	<p><b>Executive Order No. 810, Institutionalizing the Certification Scheme for Digital Signatures and Directing the Application of Digital Signatures in E-Government Services</b></p> <p>The EO directs all government agencies and instrumentalities to require the use of digital signatures in their online services to ensure the confidentiality, authenticity, integrity and non-repudiation of e-government transactions, thus giving the transacting public the confidence and peace of mind they need in doing online transactions with government.</p> <p>The EO cites the important roles of the Department of Trade and Industry (DTI) and the Commission on Information and Communications Technology (CICT) in the certification scheme for digital signatures. It designates the DTI, through its Philippine Accreditation Office (PAO), as the Accreditation and Assessment Body; the CICT's National Computer Center (NCC) as the Root Certification Authority (CA) and Government CA; and all government agencies and instrumentalities with e-government services as Registration Authorities (RAs).</p>
<b>29 Jul 2009</b>	<p><b>DOF-DTI Joint Department Administrative Order No. 09-02, "Amendment and Supplement to JDAO No.02, S. 2006 and JDO No. 01, S. 2007"</b></p> <p>The JDAO provides for the following:</p> <ul style="list-style-type: none"> <li>• extension of the operations of the Government Electronic Payment and Collection System Evaluation Team (GEPCSET) for three (3) years;</li> <li>• additional powers to the GEPCSET Chairman;</li> <li>• securing assistance of government agencies; and</li> <li>• inclusion in DOF budget of GEPCSET financial requirements.</li> </ul>
<b>24 Mar 2010</b>  <b>Published:</b>	<p><b>DTI-DOF Joint Department Administrative Order No. 10-01 – Guidelines on the Use of Access Devices for Payment of Fees, Charges, Assessments and Other</b></p>

<p><b>31 Mar 2010,</b> <b>Philippine Daily</b> <b>Inquirer, page F-2</b></p> <p><b>Effectivity Date:</b> <b>15 Apr 2010</b></p>	<p><b>Revenues Due to the Government through the Electronic Payment and Collection System (EPCS) of a Government Entity</b></p> <p>The JDAO prescribes the guidelines on the use of access devices such as, but not limited to, credit cards, debit cards, cash cards, and mobile phones, for payment of fees, charges, assessments and revenues due to the government through the Government Entity's EPCS.</p> <p>The objectives of the JDAO are to bring about a more efficient and effective payment and collection service for government transactions and to provide the transacting clients additional payment options for transactions with government.</p>
<p><b>29 Sep 2010</b></p> <p><b>Published:</b> <b>08 Oct 2010</b> <b>Philippine Daily</b> <b>Inquirer, page I-4</b></p> <p><b>Effectivity Date:</b> <b>23 Oct 2010</b></p>	<p><b>DTI Department Administrative Order No. 10-09 – Prescribing Rules Governing the Accreditation of Certification Authorities for Digital Signatures</b></p> <p>One of the implementing guidelines of Executive Order No. 810, Series of 2009. The DAO prescribes the rules governing the accreditation scheme of Certification Authorities for digital signatures to be administered by the Philippine Accreditation Office (PAO), which is the Accreditation and Assessment Body under Executive Order No. 810.</p>
<p><b>18 Feb 2011</b></p> <p><b>Published:</b> <b>25 Feb 2011</b> <b>Philippine Daily</b> <b>Inquirer</b></p> <p><b>Effectivity Date:</b> <b>12 Mar 2011</b></p>	<p><b>DTI Department Administrative Order No. 11-01 – Prescribing Rules and Guidelines for the Implementation of Executive Order No. 810, Series of 2009, Entitled “Institutionalizing the Certification Scheme for Digital Signatures and Directing the Application of Digital Signatures in E-Government Services”</b></p> <p>The mother implementing rules and regulations of Executive Order No. 810, Series of 2009. The DAO prescribes the general rules and guidelines for the implementation of the National Certification Scheme for Digital Signatures in the Philippines as adopted by virtue of EO 810. It makes reference to the accreditation of certification authorities, technical standards for digital signatures, requirements for identity verification and dispute resolution. It does not preclude the other government agencies designated to provide the necessary services to implement the scheme from issuing their own set of rules or guidelines.</p>
<p><b>Mar 2012</b></p>	<p><b>Acceptance of GCash for EBNRS temporarily suspended due to enhancements of the EBNRS; for reactivation within 2013</b></p>
<p><b>15 Aug 2012</b></p> <p><b>Published:</b> <b>24 Aug 2012</b> <b>Manila Bulletin and</b> <b>Philippine Star</b></p> <p><b>Effectivity:</b> <b>08 Sep 2012</b></p>	<p><b>Republic Act No. 10173 – Data Privacy Act of 2012 – An Act Protecting Individual Personal Information in Information and Communications Systems in the Government and the Private Sector, Creating for this Purpose a National Privacy Commission, and for Other Purposes</b></p> <p>The Data Privacy Act recognizes the vital role of information and communications technology (ICT) in nation-building. While ensuring free flow of information to promote innovation and growth, the Act likewise recognizes the State's inherent obligation to ensure that personal information in ICT systems in both the government and private sectors are secured and protected.</p> <p>Policy Objectives:</p> <ul style="list-style-type: none"> <li>• Protect the fundamental human right of privacy of communication while ensuring free flow of information to promote innovation and growth.</li> <li>• Ensure that personal information in the government's and private sector's information and communications systems are secured and protected.</li> </ul> <p>Scope:</p>

	<ul style="list-style-type: none"> <li>• Applies to the processing of all types of personal information and to any natural and juridical person involved in personal information processing including those personal information controllers and processors who, although not found or established in the Philippines, use equipment that are located in the Philippines, or those who maintain an office, branch or agency in the Philippines.</li> <li>• Exceptions: <ul style="list-style-type: none"> <li>o Information about any individual who is or was: <ul style="list-style-type: none"> <li>(a) an officer or employee of a government institution that relates to the position or functions of the individual; or</li> <li>(b) performing service under contract for a government institution that relates to the services performed, including the terms of the contract, and the name of the individual given in the course of the performance of those services;</li> </ul> </li> <li>o Information relating to any discretionary benefit of a financial nature such as the granting of a license or permit given by the government to an individual;</li> <li>o Personal information processed for journalistic, artistic, literary or research purposes;</li> <li>o Information necessary in order to carry out the functions of public authority (e.g., the processing of personal data by the Bangko Sentral ng Pilipinas (BSP) and other financial institutions, particularly to comply with Republic Act No. 9510, and Republic Act No. 9160, as amended, or the Anti-Money Laundering Act and other applicable laws, and law enforcement and regulatory agencies;</li> <li>o Personal information originally collected from residents of foreign jurisdictions in accordance with the laws of those foreign jurisdictions, including any applicable data privacy laws, which is being processed in the Philippines.</li> </ul> </li> </ul> <p>For violations of the provisions of the Act, the law imposes penalties ranging from 6 years to 7 years imprisonment and fine from a minimum of P500,000 to a maximum of P2,000,000. Violations include the unauthorized, malicious or improper processing, access, disclosure or disposal of personal information, as well as concealment of security breaches to such information.</p> <p>A National Privacy Commission is created to administer and implement the provisions of the law. Pending the creation of the Department of Information and Communications Technology (DICT), which is still being deliberated in Congress, the Commission is attached to the Office of the President. It shall composed of three (3) Commissioners: a Privacy Commissioner who shall act as its chair and two Deputy Privacy Commissioners. They shall be appointed by the President for a term of three years and may be reappointed for another three years. The members have to be experts ICT and data privacy.</p>
<p><b>12 Sep 2012</b></p>	<p><b>Republic Act No. 10175 – An Act Defining Cybercrime, Providing for the Prevention, Investigation, Suppression and the Imposition of Penalties Therefor and for Other Purposes</b></p> <p>The following acts constitute cybercrime offenses that are punishable under the law:</p> <p>(a) Offenses against the confidentiality, integrity and availability of computer data and systems:</p> <ol style="list-style-type: none"> <li>(1) Illegal Access</li> <li>(2) Illegal Interception</li> <li>(3) Data Interference</li> <li>(4) System Interference</li> <li>(5) Misuse of Devices</li> <li>(6) Cyber-squatting</li> </ol>

	<p>(b) Computer-related Offenses:</p> <p>(1) Computer-related Forgery  (2) Computer-related Fraud  (3) Computer-related Identity Theft</p> <p>(c) Content-related Offenses:</p> <p>(1) Cybersex  (2) Child Pornography  (3) Unsolicited Commercial Communications  (4) Libel</p> <p>Other Offenses :</p> <p>(a) Aiding or Abetting in the Commission of Cybercrime  (b) Attempt in the Commission of Cybercrime</p> <p>An Office of Cybercrime is created within the Department of Justice (DOJ), which is designated as the central authority in all matters related to international mutual assistance and extradition.</p> <p>A Cybercrime Investigation and Coordinating Center (CICC) is likewise provided for by the law, to be created within thirty (30) days from the effectivity of this Act. The CICC is an inter-agency body under the administrative supervision of the Office of the President, for policy coordination among concerned agencies and for the formulation and enforcement of the national cybersecurity plan.</p>
15 May 2013	<p><b>Memorandum of Agreement signed between and among DTI, BancNet and DBP for BancNet debit payment facility</b></p> <p>Facility to be made available before end-2013 to DTI clients who have accounts with BancNet member-banks</p>
05 Aug 2013	<p><b>BIR Revenue Memorandum Circular No. 55-2013 - Reiterating Taxpayers' Obligations in Relation to Online Business Transactions</b></p>
22 Aug 2013	<p><b>BSP Circular No. 808 – Guidelines on Information Technology Risk Management for All Banks and Other BSP Supervised Institutions</b></p>
18 Sep 2013	<p><b>COA Circular No. 2013-007 – Guidelines for the Use of Electronic Official Receipts (eORs) to Acknowledge Collection of Income and Other Receipts of Government</b></p>
17 Oct 2013	<p><b>DBM-approval of DTI Rationalization Plan</b></p> <p>Creation of the E-Commerce Office as a program office under the Sector Planning Bureau</p>
21 Nov 2014	<p><b>BSP Circular No. 857 – BSP Regulations on Financial Consumer Protection</b></p>
21 Nov 2014	<p><b>Insurance Commission Circular Letter No. 2014-47 – Guidelines on Electronic Commerce of Insurance Products</b></p>
24 Nov 2014	<p><b>BSP Circular No. 859 – Europay, Mastercard and Visa (EMV) Implementation Guidelines</b></p>
30 Apr 2015	<p><b>DOJ Advisory Opinion No. 02-2015 – Advisory on Online Shopping Fraud</b></p>
21 Jul 2015	<p><b>RA 10667 – Philippine Competition Act</b></p>

	<p>The Philippine Competition Act (PCA) or R.A. 10667 is the primary competition policy of the Philippines for promoting and protecting competitive market. It will protect the well-being of consumers and preserve the efficiency of competition in the marketplace. It is a game changing legislation that is expected to improve consumer protection and help accelerate investment and job creation in the country, consistent with the national government's goal of creating more inclusive economic growth. Enforcement of this law will help ensure that markets are open and free, challenging anticompetitive business practices while maintaining an environment where businesses can compete based on the quality of their work. A competitive market means a market with multiple buyers and multiple sellers, driving market prices lower and offering consumers more choices. A truly competitive market encourages efficiency and innovation, and forces businesses to excel. The act reflects the belief that competition:</p> <ul style="list-style-type: none"> <li>● Promotes entrepreneurial spirit,</li> <li>● Encourages private investments,</li> <li>● Facilitates technology development and transfer, and</li> <li>● Enhances resource productivity.</li> </ul>
<b>07 Mar 2016</b>	<b>Appointment of the first Commissioner of the National Privacy Commission</b>
<b>18 Jun 2016</b>	<b>Implementing Rules and Regulations of RA 10667 – Philippine Competition Act</b>
<b>28 Sep 2016</b>	<b>Customs Administrative Order (CAO) No. 02-2016 Imported Goods with De Minimis Value Not Subject to Duties and Taxes</b>
<b>10 Oct 2016</b>	<b>NPC Circular 16-01 – Security of Personal Data in Government Agencies</b>
<b>10 Oct 2016</b>	<b>NPC Circular 16-02 – Data Sharing Agreements Involving Government Agencies</b>
<b>15 Dec 2016</b>	<b>NPC Circular 16-03 – Personal Data Breach Management</b>
<b>15 Dec 2016</b>	<b>NPC Circular 16-04 – Rules of Procedure</b>
<b>09 Feb 2017</b>	<b>BSP Circular No. 944 - Guidelines for Virtual Currency (VC) Exchanges</b>
<b>02 May 2017</b>	<b>National CyberSecurity Plan 2022 officially unveiled</b>
<b>23 Jun 2017</b>	<b>National Broadband Plan (NBP), Free Wi-Fi Internet Access in Public Places (FWPP) project, and National Government Portal or gov.ph unveiled by DICT</b>
<b>31 Jul 2017</b>	<b>NPC Circular 17-01 – Registration of Data Processing Systems</b>
<b>28 Jun 2017</b>	<b>Ratification of the Protocol of the Legal Framework (PLF) to implement the ASEAN Single Window (ASW)</b>
<b>02 Aug 2017</b>	<b>RA 10929 – An Act Establishing the Free Internet Access Program in Public Places in the Country and Appropriating Funds Therefor (Free Internet Access in Public Places Act)</b>
<b>17 Nov 2017</b>	<b>BSP Circular No. 980 – Adoption of National Retail Payment System (NPRS) Framework</b>
<b>23 Mar 2018</b>	<b>BSP Memorandum 2018-012 – Guidelines on the National Retail Payment System (NRPS) Key Principles and Specific Rules Applicable Thereto</b>
<b>06 Apr 2018</b>	<b>Administrative Order No. 11, s. 2018 – Creation of an Oversight Committee for the Entry of the New Major Player in the Public Telecommunications Market</b>

13 Apr 2018	<b>DICT Memorandum Order No. 002 - Policy Guidelines for the Entry of a New Major Player in the Telecommunication Market</b>
28 May 2018	<b>RA 11032 – Ease of Doing Business and Efficient Government Service Delivery Act of 2018 (EODB Law)</b>
30 Oct 2018	<p><b>RA 11127 – National Payment Systems Act</b></p> <p>Objective is to promote “the safe, secured, efficient and reliable operation of payment systems in order to control systemic risk and provide an environment conducive to the sustainable growth of the economy.”</p>
2 July 2018	<b>Joint DTI-DICT-NTC-NPC-DOJ Administrative Order 18-01</b>
Feb 2019	<p><b>DTI Department Order No. 19-18</b></p> <p>E-Commerce Program Office is now placed under the Competitiveness and Innovation Group. The Office is now supervised by Assistant Secretary Mary Jean Pacheco, in recognition to the crucial role of e-commerce in the Philippines.</p> <p>Page 4 of 4 As stated in the DO No. 19-18,</p> <p>a. The Competitiveness and Ease of Doing Business Group (CEODBG) shall be renamed as Competitiveness and Innovation Group (CIG) and shall now be composed of the following:</p> <p><i>i. Competitiveness Bureau (CB)</i> <i>ii. Philippine Accreditation Bureau (PAB)</i> <i>iii. Bureau of Trade and Industrial Policy Research (BTIPR)</i> <i>iv. E-Commerce Program Office (ECO)</i></p> <p>“f. Recognizing the crucial role of e-commerce in propelling innovation and in developing and growing the digital economy, Assistant Secretary Pacheco is hereby instructed to strengthen and supervise the E-Commerce Program Office (ECO). An operating budget shall continue to be provided to this office. “</p>
20 January 2020	<p><b>Creation of the eCommerce Division</b> under the Competitiveness Bureau that will focus on the development and implementation of eCommerce, policies, programs and projects, monitoring and evaluation of the implementation of the same, and ensuring that impediments/issues concerning eCommerce are addressed.</p> <ul style="list-style-type: none"> <li>● <b>Creation of 11 Positions headed by a Division Chief (SG24)</b></li> <li>● <b>Abolition of six (6) vacant CTI positions</b> to fund the creation of the said (11) positions.</li> </ul>