



REPUBLIC OF THE PHILIPPINES

# DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

## MEMORANDUM CIRCULAR 10

**TO :** ALL REGIONAL DIRECTORS  
PROVINCIAL AGRARIAN REFORM PROGRAM OFFICERS II

**FROM :** THE SECRETARY

**SUBJECT :** Delegation of Authority to Regional Directors and Provincial Agrarian Reform Program Officers II for the Initiation, Execution, and Monitoring of Data Sharing Agreements with the Department of Social Welfare and Development

**DATE :** 23 April 2020

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In the interest of the service and in order to facilitate the prompt implementation of the PaSSOver: ARBold Move To Heal As One Delivering our ARBs From The COVID-19 Pandemic Project (ARBold Project), this Memorandum Circular is being issued giving authority to Regional Directors and/or Provincial Agrarian Program Officers II (PARPO II) to initiate, execute, and monitor data sharing agreements with the Department of Social Welfare and Development (DSWD).

### 1.0. Rationale

- 1.1. In its Resolution No. 15, Series of 2020, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) recognized the critical role played by the agricultural sector in ensuring food sufficiency and security for the nation amidst the ongoing COVID-19 crisis.
- 1.2. Pursuant to its mandate to render support services to agrarian reform beneficiaries (ARBs) who are among the most vulnerable to the dangers and economic consequences of the ongoing pandemic, the DAR is poised to implement the ARBold Project intended to provide ARBs with immediate food subsidies and technical assistance to ensure that they are fully capable to perform their duties as active frontliners for this emergency.
- 1.3. To this end, there is a need to coordinate with the DSWD in order to obtain its regional and provincial datasets of identified DSWD Pantawid Familyang Pilipino Program (4Ps) beneficiaries relative to the latter's implementation of the Social Amelioration Program, as instituted under the Bayanihan to Heal as One Act of 2020. The data obtained from the DSWD is necessary in order to cross-verify the DSWD database with the DAR's own ARB database, so that ARBs who are in most dire need of support under the ARBold Project may be properly identified and targeted.

- 1.4. The DSWD, on its part, issued DSWD Memorandum Circular (M.C.) No. 08, Series of 2020 (DSWD Circular) providing the governing rules for the processing and execution of data sharing agreements with other national government agencies (NGAs) and local government units (LGUs) involved in the delivery of their own social amelioration measures.
  - 1.4.1. Under the DSWD Circular, data sharing agreements are initiated upon the filing of a duly accomplished “NGA/LGA Request Form” to be executed by the Head of the National Agency. The NGA/LGA Request Form is to be accompanied by the name and contact details of the designated Data Privacy Officer (DPO) of the NGA who shall then be the person in-charge with the custody of the data requested.
  - 1.4.2. After the submission of the NGA/LGA Request Form to the respective DSWD Field Office where the datasets are stored, the DSWD Regional Director and the DPO of the NGA shall conduct a data privacy meeting to discuss the salient points of the data sharing agreement, as well as to sign the Memorandum of Agreement and Non-Disclosure Agreement (MOA-NDA) to formalize the same.
  - 1.4.3. Once the MOA has been signed, the DSWD shall then formally endorse the requested database to the requesting party through an encrypted compact disk. The same shall be released upon formal receipt by the Head of the National Agency and the DPO concerned through the execution of a “NGA/LGU Data Release Form.”
  - 1.4.4. Throughout the duration of the data sharing agreement, the Head of the National Agency and the designated DPO shall serve as the personal information processors for the data released by the DSWD. On this score, the Head of the National Agency and the designated DPO shall be obligated to fully observe and comply with the terms and conditions set under the MOA-NDA and the Data Privacy Act.
- 1.5. Considering the need to localize the strategy for implementing the ARBold Project, as there would be upwards of three hundred fifty thousand (350,000) ARBs to be targeted nationwide, the task of coordinating with the DSWD would be best served under the direction of the Regional Directors and the PARPOs who are the lead implementors of the ARBold Project.

## **2.0. Authority of the Regional Director and the PARPO II**

- 2.1. The concerned Regional Director and/or PARPO II are hereby given the authority to directly initiate the process for data sharing agreements, on

behalf of the DAR, through the accomplishment, execution, and submission of the NGA/LGU Request Form to the DSWD Field Office in the same locality where they exercise jurisdiction and where the 4Ps datasets to be requested are stored.

- 2.2. The concerned Regional Director and/or PARPO II are hereby given the authority to identify and designate DAR personnel who shall act as the Data Privacy Officer, as well as designated Data Handlers who will assist the Data Privacy Officer in the discharge of his or her duties.
- 2.3. The concerned Regional Director and/or PARPO II are hereby given the authority to negotiate and confer with the DSWD Field Office for the formulation of the terms and conditions of the MOA-NDA, and to accomplish and execute the same on behalf of the DAR.
  - 2.3.1. The concerned Regional Director, PARPO II, and the designated DPO must ensure that the purpose of the data sharing agreement as formalized under the MOA-NDA be limited only to the implementation of the ARBold Project.
  - 2.3.2. The concerned Regional Director, PARPO II, and the designated DPO must ensure that the 4Ps datasets to be obtained from the DSWD must be limited only to such data relevant to cross-verify with the ARB Database of the Regional or Provincial Office concerned.
- 2.4. The concerned Regional Director and/or PARPO II are hereby given the authority to execute the NGA/LGU Data Release Form, on behalf of the DAR, to expedite the release of the requested data from the DSWD.
- 2.5. The concerned Regional Director and/or PARPO II are hereby instructed to perform such other administrative functions to monitor the implementation of the data sharing agreement, to comply with the terms and conditions of the MOA-NDA, and to ensure that the strictest standard of confidentiality be observed in the custody and processing of the data obtained from the DSWD.

The authority delegated herein shall cease upon the lifting of the health emergency and enhanced quarantine measures in Luzon or in the concerned region or province outside of Luzon with similar emergency cases. The Regional Director and the PARPO II shall comply with the duties and obligations imposed under the Data Privacy Act of 2012 and its IRRs, the MOA-NDA executed with the DSWD, issuances of the Department, and pertinent laws regarding the exercise of such authority.

For immediate compliance.

  
ATTY. JOHN R. CASTRICIONES

DEPARTMENT OF AGRARIAN REFORM  
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