



# BENECO

BENGUET ELECTRIC COOPERATIVE

No. 4 South Drive, Baguio City 2600, Philippines

CDA Certificate of Registration No. 9520-1015000000049802



Certificate Registration no. 50500979 QM15

## DATA PRIVACY NOTICE

The Benguet Electric Cooperative (BENECO) adopts and observes the Data Privacy Act of 2012 as defined under Republic Act 10173. The electric cooperative values the privacy of all personal and sensitive personal information obtained from its Member Consumer Owners (MCOs). BENECO is committed to build our MCOs trust and confidence in the secured custody and fair information.

By accessing our website, facebook and information systems, you, our MCOs consent to the data practices described in this privacy statement.

### Collection of Personal Information

Personal information is being collected through the following:

- (1) Application for service connection
- (2) Complaints and requests
- (3) BENECO website
- (4) BENECO facebook
- (5) SMS
- (6) Change of Account Name
- (7) Pre-Membership Education Seminar
- (8) Visitors' Log In
- (9) Educational Assistance
- (10) Burial Assistance
- (11) Monthly electricity billing

Through the above systems, we are able to get your personal identifiable information such as your email address, name, home address or mobile or landline number. We also collect your age, gender, birthday, birthplace and sometimes, legal involvements, kilowatt hour meter account number and monthly electricity consumption.

### Use of Personal Information

Generally, we use such personal information to process and evaluate for the granting or denial of request or to enroll your name as a



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registered MCO for purposes of billing and other future concerns relative thereto subject to the provisions of the Magna Carta for Electricity Residential Consumers issued by the Energy Regulatory Commission (ERC).

## Security of Personal Information

We assure you that we have established protocols on security measures to protect your personal information from unauthorized access, use or disclosure. We have installed security measures to protect your personal from unlawful access, fraudulent misuse, unlawful destruction, alteration and contamination. Pursuant to law, you have the right to ask for a copy of any personal information we hold about you and ask for them to be corrected if you find them wrong or inaccurate. To do so, please contact Atty. Delmar O. Carino, BENECO's Data Privacy Officer,

We also wish to inform our MCOs that BENECO has an existing rule, Memorandum dated Nov. 20, 2019, signed by BENECO's deputized Data Protection Officers and Engr. Melchor Licoben, then the Assistant General Manager, that recognized all employees of BENECO as Personal Information Controllers with a directive that the provisions of the Data Protection Act must be strictly observed and any employee who will found in breach thereof will be dealt with administratively.

Likewise, BENECO also has an existing policy, entitled "Adopting and Approving the Rules to Govern Access to BENECO Records," which mandates the protection of both Corporation Information and Personal Information. The policy was approved by BENECO's Board of Directors in Resolution No. 2020-47 passed and approved on March 3, 2020.

## Revision of this Privacy Statement

Should BENECO decide to amend its data privacy policy, we will post the changes in our website so that you, our MCOs, would be duly



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informed about it and learn what information we collect, how we use them and under what circumstances

  
**THE MANAGEMENT**



# BENECO

BENGUET ELECTRIC COOPERATIVE, INC.  
No. 4 South Drive, Baguio City 2600, Philippines



Certificate Registration no. : 50500979 QM15

## MEMORANDUM

FOR : ALL DEPARTMENTS  
FROM : BENECO DATA PROTECTION OFFICERS  
SUBJECT : DATA PROTECTION  
DATE : NOVEMBER 20, 2019

Pending our compliance with the requirements of the Data Privacy Act (RA 10173), the following guidelines must be strictly complied with to avoid violating the provisions of the said law:

(1) All employees (called **Personal Information Controllers**) who receive, access, collect, update, store or correct in soft or hard copies any personal information about BENECO employees or third persons (called **Data Subjects**) shall be prohibited from disclosing such information to any other party without the consent of the persons concerned.

(2) The prohibition on the disclosure of information shall cover the following kinds of information:

| PERSONAL INFORMATION  | SENSITIVE PERSONAL INFORMATION  |
|---|---|
| Name<br>Height<br>Weight<br>Mobile Phone No.<br>Home Address<br>Position in BENECO<br>Salary and Benefits<br>Birthday<br>Birthplace<br>Pictures<br>BENECO ID Number<br>Email address<br>Loans Incurred<br>Administrative Panel Cases<br>Distinguishing body marks and physical conditions<br>201 File<br>Employment records<br>Vehicle or Service | Race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations |
| And any personal information whether recorded in a material form or not, from   | Health, education, genetic or sexual life of a person, or to any proceeding                             |

|  |  |
|--|--|
| which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual | for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;  |
|  | Information issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns.<br>PHILHEATH No./TIN/ |

(3)The access and processing of the foregoing information are allowed only when:

| PERSONAL INFORMATION  | SENSITIVE PERSONAL INFORMATION  |
|---|---|
| <p>(a) The data subject has given his or her consent;</p> <p>(b) The processing of personal information is necessary and is related to the fulfillment of a contract with the data subject or in order to take steps at the request of the data subject prior to entering into a contract;</p> <p>(c) The processing is necessary for compliance with a legal obligation to which the personal information controller is subject;</p> <p>(d) The processing is necessary to protect vitally important interests of the data subject, including life and health;</p> <p>(e) The processing is necessary in order to respond to national emergency, to comply with the requirements of public order and</p> | <p>(a) The data subject has given his or her consent, specific to the purpose prior to the processing, or in the case of privileged information, all parties to the exchange have given their consent prior to processing;</p> <p>(b) The processing of the same is provided for by existing laws and regulations: <i>Provided</i>, That such regulatory enactments guarantee the protection of the sensitive personal information and the privileged information: <i>Provided, further</i>, That the consent of the data subjects are not required by law or regulation permitting the processing of the sensitive personal information or the privileged information;</p> <p>(c) The processing is necessary to protect the life and health of the data subject or another person, and the data</p> |

|   |   |
|---|---|
| <p>safety, or to fulfill functions of public authority which necessarily includes the processing of personal data for the fulfillment of its mandate; or</p> <p>(f) The processing is necessary for the purposes of the legitimate interests pursued by the personal information controller or by a third party or parties to whom the data is disclosed, except where such interests are overridden by fundamental rights and freedoms of the data subject which require protection under the Philippine Constitution.</p> | <p>subject is not legally or physically able to express his or her consent prior to the processing;</p> <p>(d) The processing is necessary to achieve the lawful and noncommercial objectives of public organizations and their associations: <i>Provided</i>, That such processing is only confined and related to the <i>bona fide</i> members of these organizations or their associations: <i>Provided, further</i>, That the sensitive personal information are not transferred to third parties: <i>Provided, finally</i>, That consent of the data subject was obtained prior to processing;</p> <p>(e) The processing is necessary for purposes of medical treatment, is carried out by a medical practitioner or a medical treatment institution, and an adequate level of protection of personal information is ensured; or</p> <p>(f) The processing concerns such personal information as is necessary for the protection of lawful rights and interests of natural or legal persons in court proceedings, or the establishment, exercise or defense of legal claims, or when provided to government or public authority.</p> |
|---|---|

(4)The following **Corporate Information** of BENECO shall also be protected from disclosure to other parties and no employee in whatever capacity must divulge them unless cleared by management:

|   |   |
|---|---|
| <p>Data systems<br/>Accounting and Audit Records<br/>Bank records<br/>Department Submissions and Reports<br/>Memoranda, Advisories, Marginal<br/>Notes on Memos and Reports</p> | <p>These information, however, can be divulged when required by government and duly constituted authorities by virtue of regulatory and statutory compliances or official requests.</p> |
|---|---|

|  |   |
|--|---|
| SCADA Data<br>Technical information<br>Regulatory Compliances<br>Union and Assn. records and collections<br>Contracts, MOAs and MOUs<br>Corporate Communications<br>Official Text Messages<br>Court, NEA, ERC Cases<br>Payroll Sheets<br>MFSR<br>NEA Audit Reports<br>Bank Loans | The release of the information must be with the express clearance of management or the DM of the office concerned |
|--|---|

Any employee who will violate this Memorandum shall be dealt with accordingly pursuant to the BENECO Code of Ethics and Discipline without prejudice to criminal liability under the Data Privacy Act.

Should there ne any doubt on how to address requests for access to information, please contact your undersigned deputized Data Protection Officers (DPOs).

For compliance.

  
DELMAR CARINO  
DPO

  
VIDAL BADIVAL JR.  
Deputy DPO

Approved:

  
MELCHOR S. LICOBEN  
Assistant General Manager

Cc:GM/BOD





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No. 4 South Drive, Baguio City 2600, Philippines



Certificate Registration no. : 50500979 QM15

## MEMORANDUM

FOR : BOARD OF DIRECTORS  
THRU: AGM  
FROM : ISD MANAGER  
SUBJECT : INTERIM RULES ON CONSUMERS' ACCESS  
TO EC RECORDS  
DATE : FEBRUARY 17, 2020

May we request the Board to discuss and possibly approve this proposed Policy to safeguard our records from unlawful use thereof.

## RULES ON ACCESS TO BENECO RECORDS

### I. Access to Information

#### (1) For Personal Information on EC Employees, Officers and Board of Directors

Requests for personal information shall be governed by the Memorandum dated Nov. 20, 2019 approved by the AGM pursuant to the Data Privacy Act. A copy of the Memorandum is attached.

#### (2) For Corporate Information on BENECO as an EC

##### A. Unrestricted Corporate Information

The following shall be accessible without need for a written request:

- Constitution and By Laws
- Certificate of Franchise
- Annual Report
- ASC Forms
- Minutes of the AGMA
- Awards/Recognitions
- BENECO Code of Ethics and Discipline
- Records that must be produced by judicial order
- Magna Carta for Residential Consumers

##### B. Regulated Corporate Information

The following shall be accessible with need for a written request:

- Contracts that do not contain a non-disclosure clause
- Power Supply Agreement
- Books of Accounts for examination only during office hours pursuant to the



BENECO Constitution and By Laws  
Loans, mortgages and encumbrances that involve EC money and property  
EC legal and administrative cases  
EC projects and transactions  
EC activities that involve EC funds  
Written communications and correspondence that are  
not confidential in nature  
EC Book of Policies  
BOD Resolutions  
NEA or ERC Memoranda/Advisory/Decision/Resolution or any issuance  
covering an EC concern or issue

**B.Restricted corporate information**

The following shall not be accessible at any time:

Contracts that contain a non-disclosure clause  
Financial records the Department Manager/GM/AGM or the ISD Legal  
Office would consider as restricted  
Minutes of meetings of the BOD or management  
Data installed in EC systems, desktops and laptops, SCADA  
Submissions to regulatory bodies  
Audit reports that are not final  
Written communications and correspondence that are  
confidential in nature

**II.Procedure of Access to Information**

(1)Only registered member consumer owners shall be allowed access to information. Requests made by other parties who are not member consumers shall be denied.

(2)Requests for information shall be coursed through the ISD Legal Office which shall determine if the information asked is unrestricted, regulated or restricted. The ISD shall then advise the office or department concerned if the information requested can be released.

(3)For regulated information, a written request must first be submitted containing the following: name of requesting party/address/contact number/nature of information requested/purpose of obtaining the information.

(4)The party requesting the information must sign a log book indicating the information stated in par. 2 hereof.

(5)The request for information must be acted upon not later than 15 days from receipt thereof. The period can be extended for valid reasons but which must be communicated to the requesting party including the denial thereof as the case maybe.

(6)The access to information includes the right to take pictures of, machine copy or copy manually the contents thereof subject to the right of the EC to charge moderate fees.

(7)The release of the information must be approved by the GM or AGM.

### **III.Denial of Request for Information**

The Board of Directors. GM, AGM and the DM concerned may refuse to release or divulge information or deny access to such information if there are reasonable grounds to believe that the disclosure may be harmful or work to the disadvantage of the cooperative.

### **IV.Rule for Employees**


(1)No employee shall keep personal custody of any document, machine copy or take pictures of any EC document or record without prior authority

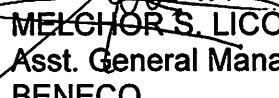
(2)No employee shall release any EC record or document without prior authority.

Employees who will violate this Memorandum shall be dealt with administratively pursuant to the BENECO Code of Ethics and Discipline.

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Prepared by:

  
DELMAR O. CARINO  
Department Manager  
ISD

  
MELCHOR S. LICOBEN  
Asst. General Manager  
BENECO



**BENGUET ELECTRIC COOPERATIVE, INC.**

Office of the Board of Directors  
No. 4 South Drive, Baguio City

**EXCERPTS from the MINUTES of MEETING**  
**of the**

**BENECO BOARD of DIRECTORS**

**03 MARCH 2020**

**BENECO HEADQUARTERS, BAGUIO CITY**

PRESENT:      **ESTEBAN A. SOMNGI**, President      **PETER B. BUSAING**, Member  
                 **LUKE B. GOMEYAC**, Vice President      **JEFFRED S. ACOP**, Member  
                 **ENRIQUE S. MORESTO**, Secretary      **MIKE W. MASPIL**, Member  
                 **JAMES B. ACLOPEN**, PRO      **JONATHAN C. OBAR**, Member  
                 **ROBERT L. VALENTIN**, Auditor      **GERARDO P. VERZOSA**, General Manager  
                 **JOSEPHINE B. TULING**, Treasurer

NOT PRESENT: **ROCKY M. ALIPING**, Member (On Official Travel)

**RESOLUTION No. 2020 - 47**

**ADOPTING AND APPROVING THE RULES TO GOVERN**  
**ACCESS TO BENECO RECORDS**

**WHEREAS**, BENECO, as an electric cooperative, has a lot of corporate information relative to its day to day affairs and operation be it technical, financial and institutional.

**WHEREAS**, the electric cooperative adopts a policy of transparency and freedom of information save for those information that are deemed confidential and inaccessible to the public and member consumer owners to avoid compromising the integrity and juridical identity of the electric cooperative as an institution.

**WHEREAS**, this Board of Directors saw the need of adopting a set of rules that would classify the various kinds of information about BENECO, how to access them and the procedures to be followed in the exercise of such right.

**NOW, THEREFORE**, on motion duly seconded, it is hereby resolved as it is hereby done that the electric cooperative shall adopt and approve the Rules to Govern Access to BENECO Records as follows:

**RULES OF ACCESS TO BENECO RECORDS**

**I. Access to Information**

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**A. Unrestricted Corporate Information**

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- BENECO Constitution and By Laws
- Loans, mortgages and encumbrances that involve EC money and property
- EC legal and administrative cases
- EC projects and transactions
- EC activities that involve EC funds
- Written communications and correspondence that are not confidential in Nature
- EC Book of Policies
- BOD Resolutions
- NEA or ERC Memoranda/Advisory/Decision/Resolution or any issuance covering an EC concern or issue

### C.Restricted corporate information

The following shall not be accessible at any time:

- Contracts that contain a non-disclosure clause
- Financial records the Department Manager/GM/AGM or the ISD Legal Office would consider as restricted
- Minutes of meetings of the BOD or management
- Data installed in EC systems, desktops and laptops, SCADA
- Submissions to regulatory bodies
- Audit reports that are not final
- Written communications and correspondence that are confidential in nature

## **II.Procedure of Access to Information**

1. Only registered member consumer owners shall be allowed access to information. Requests made by other parties who are not member consumers shall be denied.
2. Requests for information shall be coursed through the ISD Legal Office which shall determine if the information asked is unrestricted, regulated or restricted. The ISD shall then advise the office or department concerned if the information requested can be released.
3. For regulated information, a written request must first be submitted containing the following: name of requesting party/address/contact number/nature of information requested/purpose of obtaining the information.
4. The party requesting the information must sign a log book indicating the information stated in par. 2 hereof.
5. The request for information must be acted upon not later than 15 days from receipt thereof. The period can be extended for valid reasons but which must be communicated to the requesting party including the denial thereof as the case maybe.
6. The access to information incudes the right to take pictures of, machine copy or copy manually the contents thereof subject to the right of the EC to charge moderate fees.
7. The release of the information must be approved by the GM or AGM.

### **III. Denial of Request for Information**

The Board of Directors, GM, AGM and the DM concerned may refuse to release or divulge information or deny access to such information if there are reasonable grounds to believe that the disclosure may be harmful or work to the disadvantage of the cooperative.

### **IV. Rule for Employees**

1. No employee shall keep personal custody of any document, machine copy or take pictures of any EC document or record without prior authority
2. No employee shall release any EC record or document without prior authority.

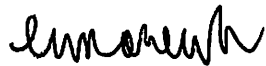
Employees who will violate this Memorandum shall be dealt with administratively pursuant to the BENECO Code of Ethics and Discipline.

**RESOLVED FURTHER** that the management, through the General Manager, shall implement this Rules immediately upon approval by this Board without prejudice to the crafting of a broader set of rules pursuant to the Freedom of Information Act and the Data Privacy Act;

**RESOLVED FINALLY** that a copy of this Resolution be forwarded to the National Electrification Administration (NEA) for its information and approval;

**UNANIMOUSLY APPROVED.**

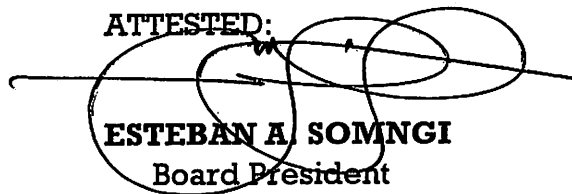
CERTIFIED TRUE and CORRECT:



**ENRIQUE S. MORESTO**

Secretary

ATTESTED:



**ESTEBAN A. SOMNGI**

Board President



**BENGUET ELECTRIC COOPERATIVE, INC.**

Office of the Board of Directors  
No. 4 South Drive, Baguio City

**EXCERPTS from the MINUTES of MEETING**  
**of the BENECO BOARD of DIRECTORS**  
**03 MARCH 2020**  
**BENECO HEADQUARTERS, BAGUIO CITY**

**SECRETARY'S CERTIFICATE**

I, **ENRIQUE S. MORESTO**, of legal age, Filipino, being the duly elected and qualified Corporate Secretary of BENGUET ELECTRIC COOPERATIVE, INC. (BENECO), a corporation duly organized and existing under the laws of the Philippines, with office address at South Drive, Baguio City, under oath, do hereby certify that at the Regular Board Meeting of the Board of Directors of the Cooperative held on March 3, 2020 the following resolution was unanimously adopted:

**ADOPTING AND APPROVING THE RULES TO GOVERN  
ACCESS TO BENECO RECORDS**

**IN WITNESS WHEREOF**, I have hereunto affixed my signature this \_\_\_<sup>th</sup> day of March 2020 in the City of Baguio, Philippines.

**ENRIQUE S. MORESTO**  
Corporate Secretary

**SUBSCRIBED AND SWORN** to before me this 06<sup>th</sup> day of March 2020 in the Municipality of La Trinidad, Benguet, Philippines. Affiant exhibited to me Philippine Passport No. P2367861B issued on June 27, 2019 at DFA Manila, Philippines.

Doc. No. 241 ;  
Page No. 40 ;  
Book No. XLVIII ;  
Series of 2020.

**Atty. DELMAR O. CARIÑO**  
Notary Public  
Until December 31, 2021  
PTR No. 6151223 / 01.06.2020 / Benguet  
IBP No. 107752 / 01.010.2020  
Roll No. 43045 / 05.06.98  
Gibson Building, Public Market  
La Trinidad, Benguet