



## TERRAZAS DE PUNTA FUEGO VILLAGE HOMEOWNERS' ASSOCIATION, INC.

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### DATA PRIVACY STATEMENT AND CONSENT FORM FOR ASSOCIATION MEMBERS

Terrazas de Punta Fuego Village Homeowners' Association, Inc. (hereafter "TPFVHAI") respects and values your privacy and employs reasonable measures to protect your personal information in accordance with the Data Privacy Act of 2012 ("DPA"), its Implementing Rules and Regulations, and related issuances from the National Privacy Commission ("NPC").

As TPFVHAI handles matters in relation to your membership with the Terrazas de Punta Fuego Village Homeowners' Association, it is necessary for TPFVHAI to collect and process your personal data for the purposes stated in this Data Privacy Statement.

This Data Privacy Statement will inform you on how we process and protect your personal information. By signing this Data Privacy Statement and Consent Form, you certify that you have read and understood, and agree to, the terms below.

#### **1. DEFINITION OF TERMS**

"Data Subject" - refers to an individual whose personal, sensitive or privileged information is processed by TPFVHAI. This includes the officers, employees, consultants and residents/members of TPFVHAI.

"Personal Information" - refers to any information whether recorded in a material form or not, from 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.

"Processing" - refers to any operation or any set of operations performed upon personal information including, but not limited to, the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction of data.

#### **2. SERVICE DESCRIPTION**

TPFVHAI, as the administrator of Terrazas de Punta Fuego Village, offers a variety of services for its residents and members, including, but not limited to, the maintenance of the facilities, the issuance of car stickers to facilitate the ingress to and egress from Terrazas de Punta Fuego Village, and the provision of security to its residents and members.

#### **3. PERSONAL INFORMATION COLLECTED AND PROCESSED**

TPFVHAI collects the following categories of personal data:

- **Personal Details:** Name, address, contact details, birthdate, age, civil status, occupation, ID Photo
- **Others:** CCTV Footage, vehicle registration, vehicle ingress and egress

#### **4. METHODS OF COLLECTION**

We collect your personal data from any documents or communications that you may have directly submitted to us, from publicly available information, or from third parties.

Once you become an Association Member of Terrazas de Punta Fuego Village Homeowners' Association, you will inevitably be referred to in many documents and records that are produced by you and the other members of your household in the

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course of your membership. Your personal data relevant to your stay in the village, including your participation in community events and activities, may be made public through different media such as newsletter and social media accounts.

You may inform us of the specific personal data you do not want to be processed beyond the requested purpose. We will respect your request in so far as its feasible to fulfill the purposes for which the personal data was collected.

Where you have provided us with the personal data of individuals other than yourself, particularly your household staff and other service providers (e.g. security, construction) you may have engaged, you warrant that you have obtained their consent for the disclosure, in accordance with DPA.

### 5. METHODS OF PROCESSING

Your personal data may be processed both by way of computer media and on paper, in compliance with the rules in relation to personal data protection, therein including those relating to data security.

### 6. PURPOSES

Your personal data shall be processed for the following purposes:

- a. In relation to your residence or membership in Terrazas de Punta Fuego Village :
  - 1) To facilitate and process your membership with TPFVHAI;
  - 2) To process cash and check collections made;
  - 3) To facilitate and process the billings for Association dues and other fees, when necessary;
  - 4) To facilitate the use of amenities offered to members/residents;
  - 5) To verify the identity of individuals before being granted permission to enter the village;
  - 6) To facilitate the issuance of the appropriate security or access to the assigned security personnel of residents or members;
  - 7) To facilitate the issuance of the appropriate security or access passes for contractors and their personnel relative to the construction and/or repair of facilities and houses within Terrazas de Punta Fuego Village;
  - 8) To maintain and ensure the security within the village premises;
  - 9) To facilitate requests for CCTV footage, as well as monitoring and reviewing of the same for valid and legal reasons;
  - 10) To facilitate the issuance of car stickers;
  - 11) To monitor traffic and other violations committed within the village premises;
- b. To establish, exercise, or defend legal claims; and
- c. To fulfill any other purposes directly related to the above-stated purposes.

TPFVHAI will not process the personal information of its residents in ways incompatible with the above-stated purposes.

### 7. PERSONAL INFORMATION CONTROLLER

TPFVHAI is the Personal Information Controller under the DPA, which means that it determines what purposes personal information it holds will be used for. It may also be that your personal data is disclosed to third parties pursuant to a data sharing agreement. In which case, such third parties are also the personal information controllers of your personal information.



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### 8. TRANSFER AND DISCLOSURE

Your personal information may be disclosed to third parties for the following purposes:

- a. To respond to law enforcement authority or other government regulatory bodies' request;
- b. To create and maintain your account on TPFVHAI's information on stored computer data;
- c. To prevent physical harm or financial loss;
- d. To facilitate the provision of member benefits, if applicable;
- e. To conduct audits, and/or investigate a Complaint or security threat;
- f. To comply with TPFVHAI's business management responsibilities and policies, which are necessary for the organizational functioning of TPFVHAI,
- g. To comply with statutory requirements;
- h. To establish, exercise, or defend legal claims; and
- i. Fulfill any other purposes directly related to the above-stated purposes.

When the processing of your personal data is outsourced by TPFVHAI to a third party, the processing will be subject to written agreements between TPFVHAI and the third parties processing the data. These written agreements will specify the rights and obligations of each party and will provide that the third party has adequate security measures in place and will only process your personal information under the specific written instructions of TPFVHAI.

TPFVHAI may also transfer your personal information to third parties as required by law, to protect its rights or assets and in emergencies where the health or safety of a person is endangered.

TPFVHAI will not sell, rent, share, trade, or disclose any of your personal data to any other party without your prior written consent, with the exception of any third-party service providers which TPFVHAI has engaged, whose services necessarily require the processing of your personal data.

The following are the third parties to whom your personal data may be disclosed:

- a. Regulatory bodies/agencies and other legal bodies;
- b. Information technology services providers;
- c. Service Providers (water, electricity, cable and telecommunications)
- d. External auditors; and
- e. External counsel.

### 9. DATA PROTECTION MEASURES

TPFVHAI has put in place physical, electronic, and managerial procedures designed to help prevent unauthorized access, to maintain data security, and to use correctly the Information we collect. These safeguards vary based on the sensitivity of the Information that we collect and store.

Only authorized personnel of TPFVHAI shall be allowed to access the data or information collected. All personnel of TPFVHAI shall maintain the confidentiality and secrecy of all personal data that come to their knowledge and possession, even after resignation, termination of contract or other contractual relations.

Your personal data will be retained or stored for as long as the purposes for which they are being processed have not been satisfied. TPFVHAI will retain and use your personal information as necessary to comply with its legal obligations, resolve disputes, and enforce its agreements:



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- a. Hardcopies of the forms you have submitted, as well as all records that shall be relevant to your tenure as a resident of the village may be stored in TPFVHAI premises in a secure cabinet or in off-site warehouse managed by a third-party service provider.
- b. Forms and documents which contain your personal data may be digitalized and stored on TPFVHAI's information management system hosted by TPFVHAI on site or in the premises of an authorized third-party service provider.
- c. TPFVHAI shall ensure, using contractual and other reasonable means, the Third-Party Service Provider implements proper safeguards to ensure the confidentiality, integrity and availability of the personal data processed, prevent its use for unauthorized purposes, and comply with the requirements of the DPA, its Implementing Rules and Regulations, and other applicable laws for processing of personal data, and other issuances of the NPC.

### 10. ACCESS

TPFVHAI encourages its residents to keep their personal information current and updated. Subject access request may be made by emailing the data protection officer. TPFVHAI may take reasonable steps to confirm the requester's identity as a data subject before granting access to the personal information and allowing updates thereto.

### 11. DATA SUBJECT RIGHTS

You have the following rights under DPA, which you may exercise at your discretion

a. *The right to access personal information*

Under the DPA, it is possible for individuals to request access to any of their personal data held by TPFVHAI, subject to certain restrictions. A request for the disclosure of such information is called a subject access request. Any such request should be addressed to the Data Protection Officer.

b. *The right to make corrections to personal information*

The DPA requires TPFVHAI to take reasonable steps to ensure that any personal data it processes is accurate and up-to-date. It is your responsibility to inform us of any changes to the personal information that you have supplied to us during the course of your engagement.

c. *The right to object to the processing of personal information*

You have the right to object to the processing of his/her personal information, including processing for direct marketing, automated processing or profiling. You shall also be notified and be given an opportunity to withhold consent to the processing in case of changes or any amendment to the information supplied or declared to you in this Data Privacy Statement. Please note that some of the personal data you have provided to us is necessary for us to comply with statutory and regulatory requirements, as well as TPFVHAI's administrative policies and is thus mandatorily required to be collected and processed. Withholding of your consent to the processing of certain personal data may prevent you from availing of certain benefits.

d. *The right to erasure or blocking of personal information*

You have the right to suspend, withdraw or order the blocking, removal or destruction of your personal information from our filing system.

e. *The right to be informed of the existence of processing of personal information*

You have the right to be informed whether personal information pertaining to you shall be, is being, or have been processed, including the existence of automated decision-making and profiling.

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f. *The right to damages*

Upon presentation of a valid decision, TPFVHAI recognizes your right to be indemnified for any damages sustained due to inaccurate, incomplete, outdated, false, unlawfully obtained or unauthorized use of personal information, taking into account any violation of your rights and freedoms as data subject.

g. *The right to lodge a complaint before the NPC.*

### 12. CHANGES TO THIS STATEMENT

This Data Privacy Statement may be updated from time to time. The data subject will be notified whenever there are any updates that will significantly affect his/her rights.

### 13. CONCERNS AND QUESTIONS

In case of complaints, concerns, or questions regarding the processing of your personal information, or if you wish to exercise your data subject rights, you may address them to:

**The Data Protection Officer**  
**Property Management Office (PMO)**  
**Terrazas de Punta Fuego Village Homeowner' Association Inc.**  
**Brgy. Natipuan, Nasugbu ,Batangas**  
**(0917) 891-7135 / (0998) 554-9951**  
**terrazaspropertymanagement@gmail.com**

### 14. VALIDITY OF CONSENT

This consent and authorization remain valid and subsisting for a limited period consistent with the purposes above or until otherwise revoked or cancelled in writing. You may inform TPFVHAI of the specific personal information you do not want to be processed beyond the requested purpose. TPFVHAI will respect the Association Member's request insofar as it is feasible to fulfill the purpose for which the personal information was collected.

Signature \_\_\_\_\_

Printed Name of Association Member \_\_\_\_\_

Date \_\_\_\_\_