

Philippines Creates New Agency for Information & Communications Technology

JUNE 28, 2016

The President of the Philippines signed the Republic Act No. 10844 (Act) on May 23, 2016, which creates a new government agency, the Department of Information and Communications Technology (DICT). The stated purpose of the Act and the role of the DICT is to promote and oversee the advancement of ICT infrastructure, systems, resources, and security across all sectors, private and public, with an emphasis on business, government, education, and civic services. This is seen as vital both for domestic reasons and for the continued growth of the Philippines as an offshore technology service location. "ICT" is broadly defined as "the totality of electronic means to access, create, collect, store, process, receive, transmit, present, and disseminate information."

Under the the Act, DICT will be the primary executive branch of the government to plan, develop, and promote the national ICT development agenda. It will function to improve public access to ICT infrastructure and to ensure the development and protection of integrated government ICT infrastructure. In the private sector, the DICT's key remit is to protect consumers and business users' rights to privacy, security, and confidentiality in relation to ICT, as well as to support the development of a burgeoning ICT service industry. The Secretary and various other senior personnel of the DICT must meet specific qualifications, such as having at least seven years' experience and expertise in areas such as ICT, e-commerce, data privacy, and cybersecurity. Along with the creation of the DICT, a reorganization will affect a number of other government agencies in order to centralize control of and responsibility over ICT related matters under the single body of the DICT. For example, all operating units of the Department of Transportation and Communications (DOTC) with functions dealing with communications will now transfer to the DICT and the DOTC will be renamed as the Department of Transportation. The Act also abolishes various existing agencies with similar or overlapping functions, including the Information and Communications Technology Office, the Telecommunications Office, the Information and Communications Technology Office, and the National Computer Center. A six-month transition period has been set down to effect these changes. Further rules and regulations will be issued to ensure the implementation of the Act.

TIP: The Act indicates a clear intention of the Philippines government to establish control over and develop and direct ICT infrastructure and regulation in the country. This is seen as vital to domestic development as well as business confidence and growth. Much will depend on the implementation phase and how the changes and aspirations play out in practice. However, the new legislation is likely to give rise to new business opportunities, as well as to changes in the regulatory regime and the administration required for operations in the Philippines.

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