



04 June 2019

### **ADVISORY OPINION**

Reference No. DPO 19-24

FOR : ██████████

SUBJECT : **Inquiry Regarding the Use of PDF to Word Conversion**

Dear ██████████:

Thank you for your attention to data privacy as Privacy Focal Person of the ██████████.

We understand your concern as risk management in data privacy is a delicate balancing act. *On one hand*, we should be vigilant to protect personal information of our data subjects. *On the other hand*, data protection should not disrupt our University to the point that the pursuit legitimate objectives are already crippled.

Uploading PDF files to third party private sites for conversion to document format has two (2) issues:

1. Without their consent, the personal information of people indicated in the PDF files are shared to a private third party; and
2. There should be an Outsourcing Agreement between UP Diliman and the private third party.

#### **Sharing of personal information to a third party**

We suggest that prior to uploading the PDF files, you obtain the express written (physical or electronic) consent of people whose personal information are indicated in the PDF files. This includes names of authors and other persons mentioned in the article.

#### **Outsourcing Agreement**

*Technically*, UP Diliman should enter into an Outsourcing Agreement with the private company which converts PDF files to document format. However, this is not practical since the private company is most likely a foreign entity which has no presence in the Philippines. This is similar to the current situation between UP and ██████████ - the University uses ██████████ as the backend of UP Mail Accounts ([@up.edu.ph](mailto:@up.edu.ph)) but it is not practical for UP

to reach out to [REDACTED] (or its parent company Alphabet, Inc.) for representatives of both parties to execute an Outsourcing Agreement.

Last year, the UP Diliman Data Protection Officer informally inquired with a representative of the National Privacy Commission how local organizations such as UP Diliman can ask international giants like [REDACTED] to sign an Outsourcing Agreement. The NPC representative replied that they are working on rules to deal with this.

Hence, although UP Diliman *technically* should have an Outsourcing Agreement with the foreign company which converts PDF to document format, such requirement is impractical to fulfill at the moment. Depending on the feasibility of alternatives such as re-typing the entire journal, your good unit may exercise the discretion to proceed with using the file conversion service. Again, our broader aim is to strike a balance between data protection vis-a-vis not disrupting the pursuit of legitimate objectives.

We hope that we have addressed your concern.

Thank you.

**(Sgd.) Elson B. Manahan**  
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