



**CITY OF ILAGAN WATER DISTRICT**  
DDSDSDSA  
**CCC 090**

# **PEOPLE'S FREEDOM OF INFORMATION (FOI) MANUAL**



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## 2.0 OVERVIEW :

Executive Order No. 2 or Freedom of Information Order requires all Executive Departments, Agencies, Bureaus and Offices to make public records, contracts, transactions and any information requested by a member of the public, except for matters affecting national security.

The City of Ilagan Water District (CIWD) is committed to ensure full public disclosure of all government records including public interest and upholds the constitutional right of people to information on public concern.

## 3.0 RATIONALE

### 3.1 PURPOSE :

The purpose of the Freedom of Information (FOI) Manual is to facilitate access to information through the most efficient and effective manner, promote and exercise transparency within the District and uphold the right of the public to free flow information.

### 3.2 STRUCTURE :

This manual shall set out procedures and rules to be followed by the CIWD when a request for information is received. The General Manager (GM) is responsible for all actions carried out under this Manual and may delegate this responsibility to Division Manager. The General Manager shall have overall responsibility for the final decision on FOI request.

### 3.3 COVERAGE :

The scope of the manual covers all the information pertaining to the CIWD in accordance with E.O. No. 2 s. of 2016 which contains the Location and contact information of the District's Head and other established places where the public can obtain information or submit request, the person or office responsible for receiving request for information, the procedure for filing and processing of the request, the standard forms for the submission of request and for the proper acknowledgment of request, the process for the disposition of request, the procedure for the administrative appeal for any denial for access to information and the schedule of applicable fees.

### 3.4 RESPONSIBLE OFFICERS :

For the purpose of this manual, there shall be the FOI Receiving Officer (FRO), the FOI Decision Maker (FDM), the General Manager (GM) and the FOI Appeals and Review Committee.

#### 4.0 DEFINITION OF TERMS:

4.1 INFORMATION – any records, documents, papers, reports, letters, contracts, minutes and transactions of official meetings, maps, books, photographs, data, research materials, films, sounds and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether online or offline, which are made, received, or kept in or under the control of the District pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.

4.2 OFFICIAL RECORD/RECORDS – refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.

4.3 PUBLIC RECORD/RECORDS – includes information required by laws, executive orders, rules or regulation to be entered, kept and made publicly available by a government office.

4.4 DISTRICT/ORGANIZATION – refers to the City of Ilagan Water District (CIWD)

4.5 REQUESTOR – Any individual, entity, or stakeholder seeking access to certain information through the guidelines of this manual.

4.6 RECEIVING OFFICER (RO) – the employee appointed by the General Manager responsible for providing guidance to the requestor for the access of the information.

4.7 PUBLIC ASSISTANCE COMPLAINTS DESK OFFICER (PACDO) – the Officer or Personnel assigned by the General Manager to assist and guide the public in their inquiries or request.

4.8 PERSONAL INFORMATION – refer to any information, whether recorded in a material form or not, from which the entity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information would directly and certainly identify an individual.

#### 5.0 PROTECTION OF PRIVACY:

In compliance with Memorandum Circular No. 2017-1 and Executive Order No. 2 s. of 2016 directing the City of Ilagan Water District (CIWD) to prepare its own Freedom of Information (FOI) Manual. While doing it, the District takes into consideration the policies pertaining to Republic Act No. 10173 or The Data Privacy Act of 2012. As accorded, the CIWD must ensure that personal information, particularly sensitive personal information; in its custody or under its control is disclosed only as permitted by existing laws, rules and regulations. The district must also protect personal information in its custody or control by making reasonable security arrangements against leaks or premature disclosure of personal

information which unduly exposes the individual whose personal information is requested vilification, harassment or any other wrongful acts. The district shall also ensure that any employee or official of a government office who has access, authorized or unauthorized, to personal information in the custody of the office must not disclose that information except when authorized under this Order pursuant to existing laws or regulations.

## 6.0 FOI Manual

CIWD shall regularly publish, print and disseminate at no cost to the public and in an accessible manner, in conjunction with Republic Act 9485, or the Anti-Red Tape Act of 2007, and through the District's Website in timely, true, accurate and updated key information including, but not limited to:

A description of the District's mandate, vision and mission and its officials.

A description of the District's Citizens Charter

Procurement Processes and Requirements; and

A communication channel by which the public may participate in or otherwise influence the formulation of the policy.

## 7.0 RECORDS

Subject to existing laws, rules and regulations, the City of Ilagan Water District shall create and/or maintain accurate and reasonably complete record of important information in appropriate formats and implements a records management system that facilitates easy identification, retrieval and communication of information to the public.

## 8.0 ROLE OF THE RECEIVING OFFICER (RO) AND PUBLIC ASSISTANCE COMPLAINT DESK OFFICER (PACDO)

8.1 The PACDO shall receive all Request for Information and shall forward it to the assigned RO.

8.2 Upon receipt of the requested information the RO shall assess the information requested. The RO shall make all necessary steps to locate and retrieve the information requested.

8.3 The RO shall forward the request to the concerned department/division/unit to facilitate the handling of requested information.

8.4 The concerned department/division/unit which handles the information requested shall advise the RO of its decision on the request. Release of information or issuance of denial

letter shall be made through the RO. The RO shall monitor the handling of all the request for information by an individual or party.

8.5 The RO shall collate and ensure that the information being requested is complete prior to release. The RO shall prepare a covering memorandum signed by the General Manager and the release of the Requested Information shall be forwarded to the PACDO and the PACDO shall release the Requested Information to the requesting party or individual.

## 9.0 GUIDELINES

### 9.1 Filing and Receipt of Request for Information.

9.2 The PACDO shall receive the request for information from the requesting party of individual and check compliance with the following requirements:

The request must be in writing;

The request shall state the name and contact information of the requesting party or individual as well as providing valid proof of identification or authorization; and

The request shall reasonably describe the information requested and purpose of the request of Information.

9.3 In case the requesting party is unable to read and write due to being a person with disability or illiteracy, he or she may make an oral request, and the PACDO shall fill the Request Form on behalf of the Requestor.

9.4 The Request Form shall be provided by the PACDO and the requestor/ representative shall duly accomplish the Request Form.

9.5 Request can be made through an e-mail provided that the requesting party shall attach in the e-mail scanned copy of the Request Form, and a copy of a duly recognized ID with photo.

9.6 The PACDO shall stamp —Received on the letter or Request Form, indicating the date and time of receipt, his/her name, designation and signature of the receiver.

## 10.0 EVALUATION

10.1 Upon receipt of the request for information being requested shall be evaluated by the RO (personnel appointed by the General Manager) by identifying the responsible unit/ division/department for the information, and determine access restrictions to the information.

10.2 The information being requested is already available in the CIWD website, the RO shall inform the requesting individual or party and shall provide the website link where the information is posted.

10.3 Pursuant to Section 11 of EO No. 2, the RO shall deny any unreasonable subsequent identical or substantially similar request from the same requesting individual or party whose request has been previously granted or denied by the District. However, the RO shall inform the applicant the reason of such denial.

10.4 The RO shall determine the availability of information requested and act upon the request whether approval or denial, at least 5 working days upon receipt of the request.

10.5 The RO shall endorse/forward the request and coordinate with the concerned department/unit/division for their handling of the requested information.

#### 11.0 PERIOD FOR APPROVAL AND RELEASE

11.1 Request of information shall be acted upon within fifteen (15) working days from the date of receipt of the request, or the day on which the request is physically or electronically delivered to the CIWD Administration Office.

11.2 If the information requested require extensive research, examination of voluminous records, the occurrence of fortuitous event or analogous cases, the RO shall advise the requesting individual or party of the extension of the fifteen (15) day period.

11.3 Pursuant to Section 9 (e) of the EO no. 2, in no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.

11.4 The RO shall ensure that all records have been retrieved and checked for possible exceptions, prior to actual release. The RO shall inform the requestor that the request was favorably granted and to pay applicable fees if any.

11.5 Claiming of requested information shall not exceed thirty (30) working days from the due date of release. Information not claimed within thirty (30) working days of the release date shall be disposed of accordingly.

11.6 In case of denial of request, the RO shall, within the two (2) working days, notify the requesting party of the denial in writing. The notice, signed by the General Manager shall clearly set forth the reasons for denial and the circumstances in which the denial is based.

#### 12.0 REMEDIES IN CASE OF DENIAL OF INFORMATION

Pursuant to Section 13 of the EO No. 2, an individual or party whose request for information has been denied may file an appeal set forth below:

12.1 A written appeal must be filed by the same individual or requesting party within fifteen (15) working days upon denial of the request.

12.2 Denial of request shall be appealed to the General Manager of CIWD.

12.3 The letter of appeal should indicate the reason why the requestor disagrees for denying the request. The appellant should provide supporting information to the appeal.

12.4 The appeal shall be decided by the personnel appointed by the General Manager Thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the stated period shall be deemed a denial of the appeal.

12.5 Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate case in the proper courts in accordance with the Rules of Court.

### 13.0 FEES

13.1 The CIWD shall not charge any fee for accepting requests for access to information.

13.2 However, the CIWD may charge a reasonable fee to reimburse necessary costs, including actual costs of reproduction and copying of the information required, subject to existing rules and regulations. In no case shall the applicable fees be onerous as to defeat the purpose of this Order. The requestor shall be notified by the RO if there is a cost for the reproduction of the requested information.

13.3 CIWD may exempt any requesting party from payment of fees, upon submission of a written request stating the valid reason why such requesting party shall not pay any fee.

### 14.0 ADMINISTRATIVE LIABILITY

Failure or non-compliance with the provisions of this manual shall be a ground for administrative penalties. The Revised Rules on Administrative Cases in the Civil Service shall be applicable in the disposition of cases under this Manual.



15. 0 PROCEDURES AND WORK INSTRUCTONS

15.1 PROCEDURES AND PROCESS DETAILS

15.1.1 REQUEST TO ACCESS INFORMATION

PROCESS FLOW	IN-CHARGE	PROCESS DESCRIPTION
Receiving Request for Information	Public Assistance Complaints Desk Officer	Receiving of request thru Request for Information Form and letter or e-mail containing a scanned Request for Information Form, the ID and purpose of the requestor and shall be forwarded to the RO.
Analysis of Request	Receiving Officer	Analysis of the Request, assessment of the availability and purpose of the request, checking the validity of the request.
Approval or Denial of Request	General Manager	Approval/denial of the Request Information.
	Receiving Officer	Denial of Request preparation of –letter of denial  Issuance of Claim Slip by the RO to the requestor.
Processing of Request	Receiving Officer	Processing of the approved request or forwarding the approved request to the concerned Department/ Division/Section/Unit
	Concerned Department/Unit/ Division/Section	
Evaluation	Receiving Officer	Ensure that all records have been retrieved and checked for possible exceptions, prior to actual release.
Payment of applicable fees if any	Cashier/Teller	Payment of cost for reproduction of information if any
Issuance of Request	Public Assistance Complaints Desk Officer	Issuance of Claim Slip by the RO to the requestor and forwarding the requested information to the PACDO for release.

15.1.2 APPEAL TO ACCESS INFORMATION

PROCESS FLOW	IN-CHARGE	PROCESS DESCRIPTION
Receiving Letter of Appeal	Public Assistance Complaints Desk Officer	Receiving of letter of appeal indicating the reason of the requestor and with attached supporting document of the appeal and shall be forwarded to the RO
Analysis of Letter of Appeal	Receiving Officer	Reviews denial of the request and the appeal
Approval or Denial of Request	General Manager	Approval or Denial of request for information.
	Receiving Officer	Issuance of Claim Slip by the RO to the requestor.
Processing of Approved Request	Receiving Officer	Processing of the approved request or forwarding the approved request to the concerned Department/Division/Section/Unit
	Concerned Department/Unit/Division/Section	
Evaluation	Receiving Officer	Ensure that all records have been retrieved and checked for possible exceptions, prior to actual release.
Payment of applicable fees if any	Cashier/Teller	Payment of cost for reproduction of information if any
Issuance of Request	Public Assistance Complaints Desk Officer	Release of the requested information.

15.2 WORK INSTRUCTIONS

15.2.1 REQUEST TO ACCESS INFORMATION

Step 1. The assigned Public Assistance Complaints Desk Officer shall receive the request for Information of an individual or party.

The request in writing;

The request shall state the name and contact information of the requesting party or individual, as well as providing valid proof of identification or authorization; and

The request shall reasonably describe the information requested, and purpose of, the request for information.

In case the requesting party is unable to read and write due to being a person with disability or illiteracy, he or she may make an oral request, and the PACDO shall fill the Request Form on behalf of the requestor.

Step 2. The Request Form shall be provided by the PACDO and the requestor/representative shall duly accomplish the Request Form.

A request can be made through e-mail provided that the requesting party shall attach in the e-mail a scanned copy of the Request Form, and a duly recognized ID with photo.

Step 3. The PACDO shall stamp –Receivedll on the letter of Request Form, indicating the date and time of receipt, his/her name, designation and signature of the receiver.

Step 4. The PACDO shall forward the completed request to the assigned Receiving Officer (RO).

Step 5. The RO shall assess the Information Requested; the legality of the request and the validity of Information Requested or the access of Information.

Step 6. The status of the Requested Information shall be made known to the Requestor by the RO thru the creation of letter within five (5) working days upon receipt of the request (see Annexes for the standard letter template). The letter will be submitted thru email, in absence of email the RO shall inform the Requestor thru the contact information provided; that the status of Letter Request is available for claim in the PACDO.

Step 7. If the Requested Information is valid, the request shall be forwarded to the General Manager for approval. The RO shall issue a Claim Slip to the requestor thru email. In absence of email, the claim slip shall be forwarded to the PACDO and the requestor shall be informed thru the contact information provided by the requestor.

Step 8. The Approved Request shall be forwarded to the concerned Department/Division/Unit/Section. The responsible Department/Division/Unit Section shall collate all the Information Requested and shall forward the Requested Information to the RO.

Step 9. The RO shall evaluate the gathered information and ensure that all records have been retrieved and checked for possible exceptions, prior to actual release.

Step 10. The RO shall forward the Requested Information to the PACDO for release.

Step 11. The PACDO shall ensure that the applicable fees is any must be made before the release of the Requested Information.

Step 12. The PACDO shall fill up and obtain the office copy of the Claim Slip for recording purposes.

### 15.2.2 APPEAL TO ACCESS INFORMATION

Step 1. The Appeal shall be received by the PACDO and forward it to the RO

Step 2. The RO shall review and assess the Appeal of the requestor

- a. A written appeal must be filed by the same individual or requesting party within fifteen (15) working days upon denial of the request.
- b. Denial of request shall be appealed to the General Manager of CIWD
- c. The letter of appeal should indicate the reason why the requestor disagrees for denying the request. The appellant should provide supporting information to the appeal.
- d. The appeal shall be decided by the personnel appointed by the General Manager thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the stated period shall be deemed a denial of the appeal.
- e. Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate case in the proper courts in accordance with the Rules of Court.

Step 3. If the Appeal is valid the Request shall be forwarded to the General Manager for approval.

Step 4. The status of the Requested Information shall be made known to the requestor by the RO thru the creation of letter within five (5) working days upon receipt of the request (see Annexes for standard template of letters). The letter will be submitted thru email, in absence of email, the RO shall inform the requestor thru the contact information provided, that the status of the Letter of Request is available for claim in the PACDO.

Step 5. If the Request is Approved. The RO shall issue a claim slip to the requestor thru email. In absence of email the claim slip shall be forwarded to the PACDO and the Requestor shall be informed thru the contact information provided by the requestor.

Step 6. The Approved Request shall be forwarded to the concerned Department/Division/Unit/Section. The responsible Department/Division/Unit/Section shall collate all the Information Requested and shall forward the Requested Information to the RO.

Step 7. The RO shall evaluate the gathered information and ensure that all records have been retrieved and checked for possible exceptions, prior to actual release.

Step 8. The RO shall forward the Requested Information to the PACDO for release

Step 9. The PACDO shall ensure that the applicable fees if any must be made before the release of the Requested Information.

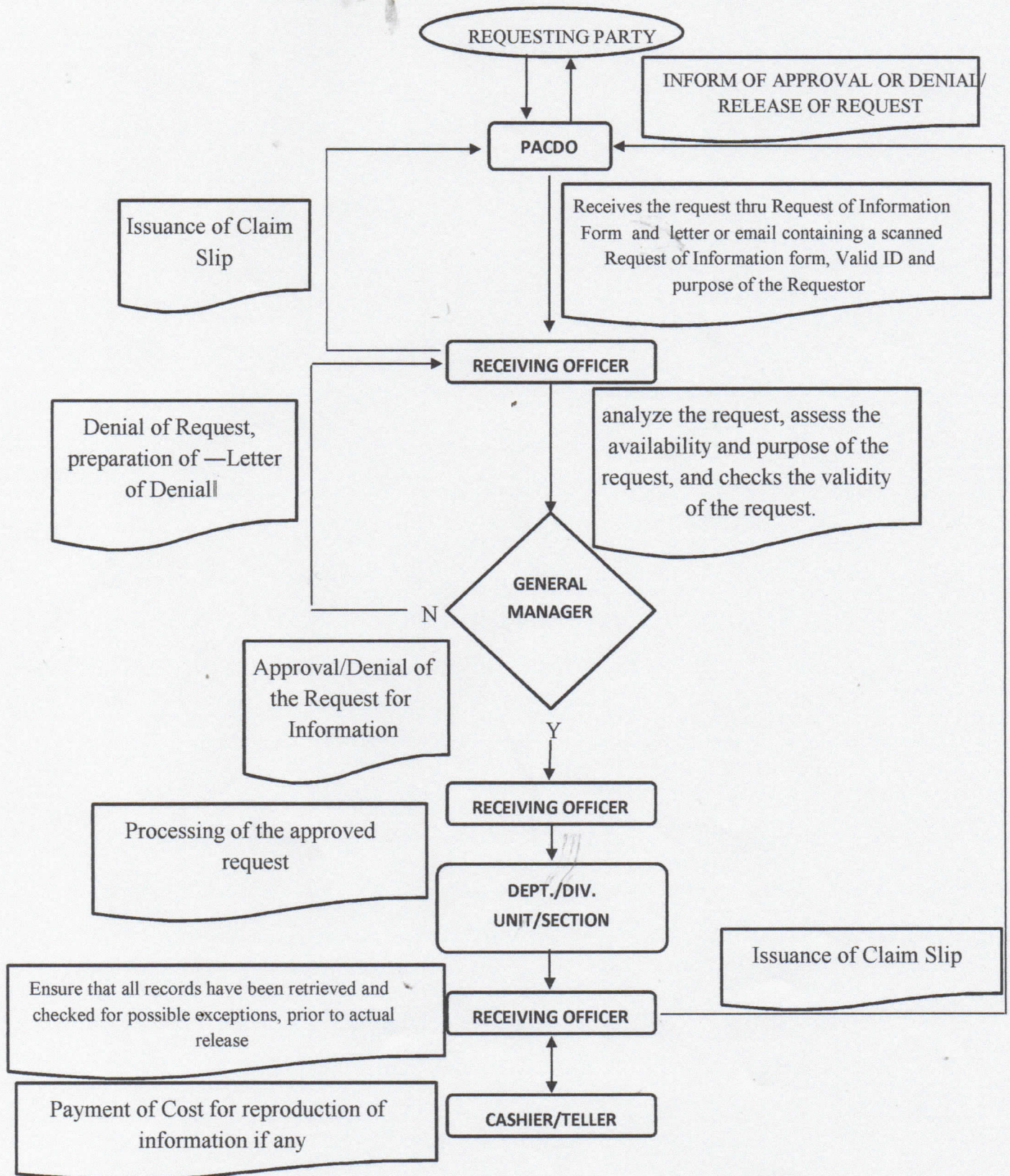
Step 10. The PACDO shall fill up and obtain the Office Copy of the Claim Slip for recording purposes.

FOI-01 CONTACT INFORMATION

FOI Contact Persons (Name & Designation)	Location of Receiving / Release of Request of Information	Contact Details
PACDO (Officer of the day) (to be assigned daily) (the Officer or Personnel assigned by the General Manager to assist and guide the public in their inquiries or request.)	Ground Floor, CIWD Corporate Building, National Road, Brgy. Osmeña, City Of Ilagan, Isabela	(078) 323-2310 (078) 624-2083 Email: waterdistrict_ilagan@yahoo.com
RECEIVING OFFICERS:  CHERYLL ANN P. RAZON MARY JOY D. MARAMAG	Mezzanine, CIWD Corporate Building, National Road, Brgy. Osmeña, City of Ilagan, Isabela	(078) 323-2310 Email: waterdistrict_ilagan@yahoo.com
Engr. SHERWIN B. QUIJANO General Manager C	2nd Floor, CIWD Corporate Building, National Road, Brgy. Osmeña, City of Ilagan, Isabela	(078) 624-2083 Email: waterdistrict_ilagan@yahoo.com

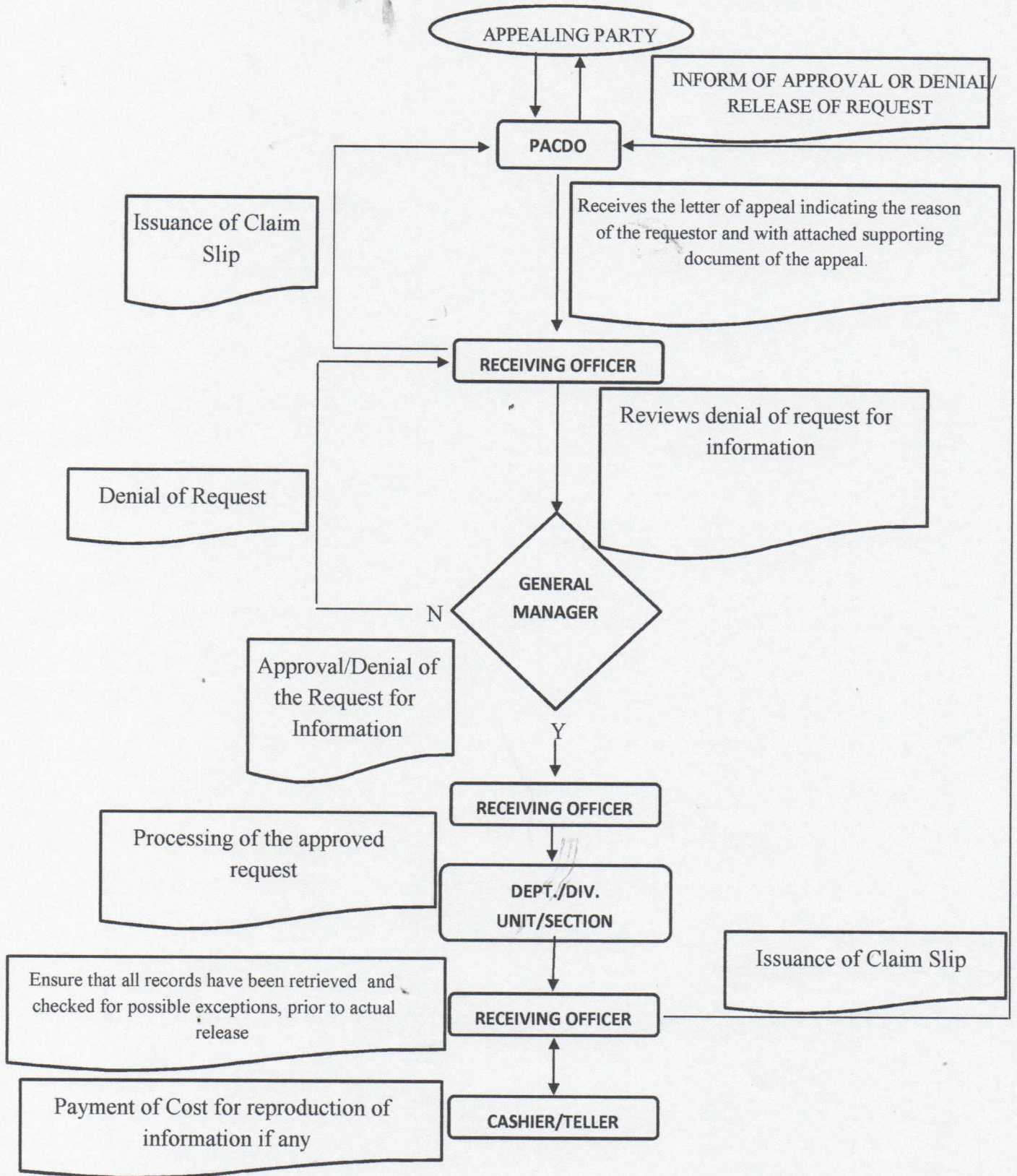
FOI-02

### CITY OF ILAGAN WATER DISTRICT FLOWCHART FOR FOI REQUEST



FOI-03

### CITY OF ILAGAN WATER DISTRICT FLOWCHART FOR AN APPEAL OF DENIED REQUEST FOR INFORMATION





FOI – 04 : REQUEST FOR INFORMATION FORM



Republic of the Philippines  
PROVINCE OF ISABELA

**CITY OF ILAGAN WATER DISTRICT, CCC 090**

Maharlika Highway, Brgy. Osmeña, City of Ilagan, Isabela

Tel. No. (078) 323-2310/TeleFax (078) 624-2083/email address:waterdistrict\_ilagan@yahoo.com

REQUEST FOR INFORMATION

Control No.: \_\_\_\_\_

Date: \_\_\_\_\_

Proof of Identity presented: \_\_\_\_\_

ID No. : \_\_\_\_\_

Name of Requestor : \_\_\_\_\_

(Surname, First Name, M. I.)

Address : \_\_\_\_\_

Contact Nos. : \_\_\_\_\_

E-mail : \_\_\_\_\_

Information being Requested :

\_\_\_\_\_

Purpose of Request for Information :

\_\_\_\_\_

No. of Copies: \_\_\_\_\_

\_\_\_\_\_  
Signature Over Printed Name

(Signature)

-----

*Reminders: For authorized representative, please bring authorization letter and valid ID of both requestor and representative. Documents should be claimed within 30 working days from due of release. Information not claimed within 30 days shall be disposed of accordingly.*

Request :

Approved

Denied

Others/Remarks \_\_\_\_\_

\_\_\_\_\_

Received by:

Name: \_\_\_\_\_

Position : \_\_\_\_\_

Designation of Request : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature over Printed Name

FOI - 05 CLAIM SLIP

CLAIM SLIP

Date of Release : \_\_\_\_\_

Requestor : \_\_\_\_\_

Surname, First Name, M. I

Contract No : \_\_\_\_\_

No. of Copies : \_\_\_\_\_

O. R. No. : \_\_\_\_\_

Request for Information Control No. : \_\_\_\_\_

\_\_\_\_\_  
Date Received

\_\_\_\_\_  
Signature Over Printed Name  
(Requestor)

*Reminder: For authorized representative, please bring authorization letter and valid ID of both requestor and representative. Documents should be claimed within 30 working days from due of release. Information not claimed within 30 working days shall be disposed of accordingly.*

-----  
( To be accomplished by the Public Assistance Complaints Desk Officer) (Office Copy)

Requested Information Released by:

Name : \_\_\_\_\_

(Surname, First Name, M. I.)

Department/Position : \_\_\_\_\_

Request for Information Control No. : \_\_\_\_\_

Date Released : \_\_\_\_\_

\_\_\_\_\_  
Signature Over Printed Name

ANNEX 6 : DENIAL OF REQUESTED INFORMATION LETTER



Republic of the Philippines  
PROVINCE OF ISABELA

**CITY OF ILAGAN WATER DISTRICT, CCC 090**

Maharlika Highway, Brgy. Osmeña, City of Ilagan, Isabela

Tel. No. (078) 323-2310/TeleFax (078) 624-2083/email address:waterdistrict\_ilagan@yahoo.com

Date : \_\_\_\_\_

[Name] : \_\_\_\_\_

[Address] : \_\_\_\_\_

SUBJECT : Denial of Requested Information : \_\_\_\_\_

Dear Mr./Ms. \_\_\_\_\_;

We regret to inform you that your request for information: [Indicate requested information here] on [date of request] cannot be granted due to [state grounds for denial include necessary laws and regulations.]

Thank you.

Very Truly Yours,

Engr. SHERWIN B. QUIJANO  
General Manager C

FOI – 07 : APPROVED REQUESTED INFORMATION LETTER



Republic of the Philippines  
PROVINCE OF ISABELA

**CITY OF ILAGAN WATER DISTRICT, CCC 090**

Maharlika Highway, Brgy. Osmeña, City of Ilagan, Isabela  
Tel. No. (078) 323-2310/TeleFax (078) 624-2083/email address:waterdistrict\_ilagan@yahoo.com

Date : \_\_\_\_\_

[Name] : \_\_\_\_\_

[Address] : \_\_\_\_\_

SUBJECT : Request for Information : \_\_\_\_\_

\_\_\_\_\_

Dear Mr/Ms. \_\_\_\_\_;

We are pleased to inform you that your request dated [date of request] for [indicated requested information] has been approved. The requested information shall be acted upon within fifteen (15) working days from the issuance of this letter.

Thank you.

Very Truly Yours,

Engr. SHERWIN B. QUIJANO  
General Manager C

FOI – 08 : REQUESTED INFORMATION IS NOT AVAILABLE LETTER



Republic of the Philippines  
PROVINCE OF ISABELA

**CITY OF ILAGAN WATER DISTRICT, CCC 090**

Maharlika Highway, Brgy. Osmeña, City of Ilagan, Isabela

Tel. No. (078) 323-2310/TeleFax (078) 624-2083/email

address:waterdistrict\_ilagan@yahoo.com

Date : \_\_\_\_\_

[Name] : \_\_\_\_\_

[Address]: \_\_\_\_\_

SUBJECT : Request for Information : \_\_\_\_\_

\_\_\_\_\_

Dear Mr. & Ms. \_\_\_\_\_;

This is to acknowledge receipt of your request dated [date of request] for [indicate requested information].

Upon evaluation of your request, we regret to inform you that the information being requested is not available or in custody of the City of Ilagan Water District, the reason/s being [state reason/s why the requested information is not available]

Thank you.

Very Truly Yours,

Eng. SHERWIN B. QUIJANO  
General Manager C

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES  
EXECUTIVE ORDER NO. 02

OPERATIONALIZING IN THE EXECUTIVE BRANCH THE PEOPLE'S CONSTITUTIONAL RIGHT TO  
INFORMATION AND THE STATE POLICIES TO FILL PUBLIC DISCLOSURE AND TRANSPARENCY IN THE  
PUBLIC SERVICE AND PROVIDING GUIDELINES THEREFOR

- WHEREAS, pursuant to Section 28, Article II of the 1987 Constitution, the State adopts and implements a policy of full public disclosures of all its transactions involving public interest, subject to reasonable conditions prescribed by law;
- WHEREAS, Section 7, Article III of the Constitution guarantees the right of the people to information on matters of public concern;
- WHEREAS, the incorporation of this right in the Constitution is a recognition of the fundamental role of free and open exchange of information in a democracy, meant to enhance transparency and accountability in government official acts, transactions, or decisions;
- WHEREAS, the Executive Branch recognizes the urgent need to operationalize these Constitutional provisions;
- WHEREAS, the President, under Section 17, Article VII of the Constitution, has control over all executive departments, bureaus and offices, and the duty to ensure that the laws be faithfully executed;
- WHEREAS, the Data Privacy Act of 2012 (R.A. 10173), including its implementing Rules and Regulations, strengthens the fundamental human right of privacy, and of communication while ensuring the free flow of information to promote innovation and growth;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Definition. For the purpose of this Executive Order, the following terms shall mean:

- (a) —Information shall mean any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.

- (b) —Official record/records shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.
- (c) —Public record/records shall include information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by a government office.

SECTION 2. Coverage. This order shall cover all government offices under the Executive Branch, including but not limited to the national government and all its offices, departments, bureaus, offices, and instrumentalities, including government-owned or -controlled corporations, and state universities and colleges. Local government units (LGUs) are encouraged to observe and be guided by this Order.

SECTION 3. Access to information. Every Filipino shall have access to information, official records, public records and to documents and papers pertaining to official acts, transactions or decisions, as well as to government research data used as basis for policy development.

SECTION 4. Exception. Access to information shall be denied when the information falls under any of the exceptions enshrined in the Constitution, existing law or jurisprudence. The Department of Justice and the Office of the Solicitor General are hereby directed to prepare an inventory of such exceptions and submit the same to the Office of the President within thirty (30) calendar days from the date of effectivity of this Order.

The Office of the President shall thereafter, immediately circularize the inventory of exceptions for the guidance of all government offices and instrumentalities covered by this Order and the general public. Said inventory of exceptions shall periodically be updated to properly reflect any change in existing law and jurisprudence and the Department of Justice and the Office of the Solicitor General are directed to update the inventory of exceptions as the need to do so arises, for circularization as hereinabove stated.

SECTION 5. Availability of SALN. Subject to the provisions contained in Sections 3 and 4 of this Order, all public officials are reminded of their obligation to file and make available for scrutiny their Statements of Assets, Liabilities and Net Worth (SALN) in accordance with existing laws, rules and regulations, and the spirit and letter of this Order.

SECTION 6. Application and Interpretation. There shall be a legal presumption in favor of access to information, public records and official records. No request for information shall be denied unless it clearly falls under any of the exceptions listed in the inventory or updated inventory of exceptions circularized by the Office of the President provided in the preceding section.

The determination of the applicability of any of the exceptions to the request shall be the responsibility of the Head of the Office which is in custody or control of the information, public record or official record or the responsible central or field officer duly designated by him in writing.



In making such determination, the Head of the Office or his designated officer shall exercise reasonable diligence to ensure that no exception shall be used or availed of to deny any request for information or access to public records, or official records if the denial is intended primarily and purposely to cover up a crime, wrongdoing, graft or corruption.

SECTION 7. Protection of Privacy. While providing access to information, public records, and official records, responsible officials shall afford full protection to the right to privacy of the individual as follows:

- (a) Each government office per Section 2 hereof shall ensure that personal information in its custody or under its control is disclosed or released only if it is material or relevant to the subject-matter of the request and its disclosure is permissible under this order or existing law, rules or regulations;
- (b) Each government office must protect personal information in its custody or control by making reasonable security arrangements against leaks or premature disclosure of personal information which unduly exposes the individual whose personal information is requested, to vilification, harassment or any other wrongful acts.
- (c) Any employee, official or director of a government office per Section 2 hereof who has access, authorized or unauthorized, to personal information in the custody of the office, must not disclose that information except when authorized under this order or pursuant to existing laws, rules or regulation.

SECTION 8. People's Freedom to Information (FOI) Manual. For the effective implementation of this Order, every government office is directed to prepare within one hundred twenty (120) calendar days from the effectivity of this Order, its own People's FOI Manual, which shall include among others the following provisions:

- (a) The location and contact information of the head, regional, provincial, and field offices, and other established places where the public can obtain information or submit requests;
- (b) The person or office responsible for receiving requests for information;
- (c) The procedure for the filing and processing of the request as specified in the succeeding section 8 of this Order.
- (d) The standard forms for the submission of requests and for the proper acknowledgment of requests;
- (e) The process for the disposition of requests;
- (f) The procedure for the administrative appeal of any denial for access to information; and
- (g) The schedule of applicable fees.

SECTION 9. Procedure. The following procedure shall govern the filing and processing of request for access to information:

- a. Any person who requests access to information shall submit a written request to the government office concerned. The request shall state the name and contact information of the requesting party, provide valid proof of his identification or authorization, reasonably describe the information

requested, and the reason for, or purpose of, the request for information: Provided, that no request shall be denied or refused acceptance unless the reason for the request is contrary to law, existing rules and regulations or it is one of the exceptions contained in the inventory or updated inventory of exception as hereinabove provided.

- b. The public official receiving the request shall provide reasonable assistance, free of charge, to enable, to enable all requesting parties and particularly those with special needs, to comply with the request requirements under this Section.
- c. The request shall be stamped by the government office, indicating the date and time of receipt and the name, rank, title and position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the requesting party. Each government office shall establish a system to trace the status of all requests for information received by it.
- d. The government office shall respond to a request fully compliant with requirements of subsection
- e. hereof as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof. The response mentioned above refers to the decision of the agency or office concerned to grant or deny access to the information requested.
- f. The period to respond may be extended whenever the information requested requires extensive search of the government office's records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. The government office shall notify the person making the request of the extension, setting forth the reasons for such extension. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.
- g. Once a decision is made to grant the request, the person making the request shall be notified of such decision and directed to pay any applicable fees.

SECTION 10. Fees. Government offices shall not charge any fee for accepting requests for access to information. They may, however, charge a reasonable fee to reimburse necessary costs, including actual costs of reproduction and copying of the information required, subject to existing rules and regulations. In no case shall the applicable fees be so onerous as to defeat the purpose of this Order.

SECTION 11. Identical or Substantially Similar Requests. The government office shall not be required to act upon an unreasonable subsequent identical or substantially similar request from the same requesting party whose request from the same requesting party whose request has already been previously granted or denied by the same government office.

SECTION 12. Notice of Denial. If the government office decides to deny the request, in whole or in part, it shall as soon as practicable, in any case within fifteen (15) working days from the receipt of the request, notify the requesting party the denial in writing. The notice shall clearly set forth the ground or grounds for denial and the circumstances on which the denial is based.

Failure to notify the requesting party of the action taken on the request within the period herein stipulated shall be deemed a denial of the request for access to information.

SECTION 13. Remedies in Cases of Denial of Request for Access to Information.

(a) Denial of any request for access to information may be appealed to the person or office next higher in the authority, following the procedure mentioned in Section 7 (f) of this Order:

Provided, that the written appeal must be filed by the same person making the request within fifteen (15) working days from the notice of denial or from the lapse of the relevant period to respond to the request.

(b) The appeal be decided by the person or office next higher in authority within thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the aforesated period shall be deemed a denial of the appeal.

(c) Upon exhaustion of administrative appeal remedies, the requesting part may file the appropriate case in the proper courts in accordance with the Rules of Court.

SECTION 14. Keeping of Records. Subject to existing laws, rules, and regulations, government offices shall create and/or maintain accurate and reasonably complete records of important information in appropriate formats, and implement a records management system that facilitates easy identification, retrieval and communication of information to the public.

SECTION 15. Administrative Liability. Failure to comply with the provisions of this Order may be a ground for administrative and disciplinary sanctions against any erring public officer or employee as provided under existing laws or regulations.

SECTION 16. Implementing Details. All government offices in the Executive Branch are directed to formulate their respective implementing details taking into consideration their mandates and the nature of information in their custody or control, within one hundred twenty (120) days from the effectivity of this Order.

SECTION 17. Separability Clause. If any section or part of this Order is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force or effect.

SECTION 18. Repealing Clause. All orders, rules and regulations, issuances or any part thereof inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly: Provided, that the provisions of Memorandum Circular No. 78 (s. 1964), as amended, shall not be deemed repealed pending further review.

SECTION 19. Effectivity. This Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE, in the City of Manila, this 23rd day of July in the year of our Lord two thousand and sixteen.

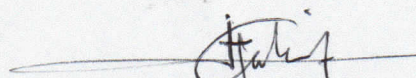
(Sgd.) RODRIGO ROA DUTERTE

President of the Philippines

This manual was prepared in compliance to Executive Order No. 2 series of 2016 which was signed by His Excellency President Rodrigo Roa Duterte on July, 2016.

For General Manager's approval.

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