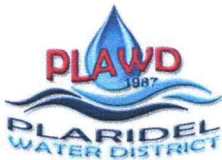


# **PLARIDEL WATER DISTRICT**



## **Freedom of Information People's Manual**



# PLARIDEL WATER DISTRICT

A.C. Reyes St., Poblacion, Plaridel, Bulacan 3004  
Tel. Nos. (044) 795-0102 / 795-1613; Fax No. (044) 760-0229  
Email Address: plaridel\_water\_district1987@yahoo.com  
Website: plaridelwaterdistrict.ph

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

### I. Introduction

On 23 July 2016, President Rodrigo R. Duterte issued Executive Order (EO) No. 02 that operationalizes in the Executive Branch the people's Constitutional right to information and the State Policies to full public disclosure and transparency in public service. The EO 2 mandates all executive offices, including but not limited to the national government and all its offices, departments, bureaus, offices, and instrumentalities, including government-owned or -controlled corporations (GOCCs), and state universities and colleges to give every Filipino "access to information, official records, public records and to documents and papers pertaining to official acts, transactions or decisions, as well as government research data used as basis for policy development." Local government units are also encouraged to observe and be guided by the EO 2.

The EO's Section 8 directs all government offices in the Executive Branch to prepare its own People's Freedom to Information (FOI) Manual specifying a number of implementing details taking into consideration their mandates and the nature of information in their custody and control.

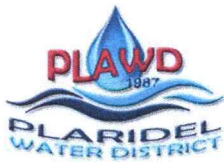
The Plaridel Water District (PLAWD) is a government-owned and controlled corporation established in March 2, 1987, which has directly derived its authority and existence from the Provincial Water Utilities Act of 1973, or otherwise known as Presidential Decree No. 198 through the issuance of Conditional Certificate of Conformance (CCC) No. 277 by the Local Water Utilities Administration (LWUA).

As an executive office, the PLAWD hereby complies with EO 2 by promulgating this Manual.

### II. Overview

1. Statement of Policy – It is the policy of the State to adopt and implement a policy of full public disclosure of all its transactions involving public interest, subject to reasonable conditions prescribed by law (Section 28, Article II, 1987 Constitution). Moreover, the 1987 Constitution guarantees the right of the people to information on matters of public concern (Sec. 7, Article III).

In addition, it is mandated that the governance of water district shall be carried out in a transparent, responsible and accountable manner and with the utmost degree of professionalism and effectiveness. Republic Act (R.A.) No. 10149, Section 2 (c). Plaridel Water District adheres to the above policies and has thus taken measures to operationalize the same through this Freedom of Information Manual (FOI Manual), designed to accommodate requests of information from the public as regards matters falling within the Plaridel Water District's mandate under R.A. No. 10149.



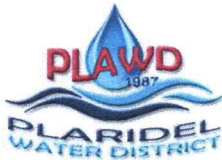
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2. Purpose – The purpose of this FOI Manual is to provide the process to guide and assist the Plaridel Water District (PLAWD) in dealing with requests of information received under Executive Order No. 2, Series of 2016 on Freedom of Information (FOI).
3. Coverage – This FOI Manual shall cover all requests for information directed to the Plaridel Water District and all its attached office/divisions.
4. FOI Receiving Officer (FRO) – The function of the FRO shall include receiving on behalf of the PLAWD all request for information and forwarding the same to the appropriate office which has custody of the records; monitoring all FOI request and appeals; providing assistance to the FOI Decision Maker; providing assistance and support to the public and staff with regard to FOI; compiling statistical information as required; and, conducting initial evaluation of the request and advising the requesting party whether the request will be forwarded to the FOI Decision Maker for further evaluation, or denied based on any of the following grounds:
  - a. That the form is incomplete; or
  - b. That the information is already disclosed in the PLAWD's Official Website, [foi.gov.ph](http://foi.gov.ph), or [data.gov.ph](http://data.gov.ph).
5. FOI Decision Maker (FDM) – FDM shall conduct evaluation of the request for information and have the authority to grant the request, or deny it based on the following:
  - a. The PLAWD does not have the information requested;
  - b. The information requested contains sensitive personal information protected by the Data Privacy Act of 2012;
  - c. The information requested falls under the list of exceptions to FOI (Sec. 16. Exceptions); or
  - d. The request is unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by the PLAWD.
6. FOI Document Owner (FDO) – FDO is the person who is given the responsibility and authority for managing a particular document and responsible for the accuracy and integrity of the document/information.

### III. The PLAWD's duties under the EO

**SECTION 1. General Duties.** The PLAWD shall, consistent with the mandate of EO 2, series of 2016, respect the constitutional right of Filipinos to freedom of information (FOI), and subject to the limitations provided by law, make its records and information available, provide for public access to its records and information, protect its own records and information to the extent consistent with the requirements of public interest and personal privacy protection, and protect its public officers from the adverse consequences of disclosing certain kinds of official information without authorization under procedures established here.



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**Sec. 2. Recording and Safekeeping Duties.** The PLAWD shall ensure that it records and safe keeps information about all its activities, operations and concerns.

**Sec. 3. Protection of Privacy.** While providing for access to information, PLAWD shall afford full protection to a person's right to privacy, as follows:

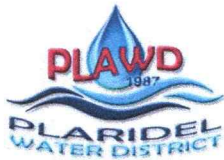
- a. PLAWD shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws;
- b. PLAWD shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure;
- c. Any PLAWD personnel or official who has access to personal information in the custody of the PLAWD shall not disclose such information except as authorized by existing laws.

**Sec. 4. Maintenance Duties.** It shall ensure the proper organization and maintenance of all information in its custody in a manner that facilitates public access to such information.

**Sec. 5. Promotion of Openness in Government.** Duty to publish information. Plaridel Water District shall regularly publish, print and disseminate at no cost to the public and in an accessible form, in conjunction with Republic Act No. 9485 or the Anti-Red Tape Act of 2007, and through its website, timely, true, accurate and updated key information including, but not limited to:

- a. A description of its mandate, structure, powers, functions, duties and decision-making processes;
- b. A description of the frontline services it delivers and the procedure and length of time by which they may be availed of;
- c. The names of its key officials, their powers, functions and responsibilities, and their profiles and curriculum vitae;
- d. Work programs, development plans, investment plans, projects, performance targets and accomplishments, budgets, revenue allotments and expenditures;
- e. Important rules and regulations, orders or decisions;
- f. Current and important databases and the statistics that they generate;
- g. Budding processes and requirements; and
- h. Mechanisms or procedures by which the public may participate in or otherwise influence the formulation of policy or the exercise of its powers.

**Sec. 6. Training for PLAWD personnel.** The PLAWD shall provide adequate training and/or capacity-building program for its officials and employees to improve awareness of the right of access to information or records held by government agencies, as provided for in EO 2, series of 2016, and to keep updated of best practices in relation to information disclosure and records maintenance.



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**Sec. 7. Reportorial Requirement and Publication.** The PLAWD shall submit to the PCOO an annual report on the number of requests received, the nature of the information requested and the disposition of such request. Such report shall also be posted in the PLAWD website and bulletin board and shall be regularly updated.

## IV. Definition of Terms

**Sec. 8. Definition.** For purposes of this Manual, the following terms shall mean:

**Administrative FOI Appeal** – An independent review of the initial determination made in response to an FOI request. Requesting parties who are dissatisfied with the response made on their initial request have a right to appeal that initial determination to an office within the agency, which then conduct an independent review.

**data.gov.ph** – The open data website that serves as the government’s comprehensive portal for all public government data that is searchable, understandable, and accessible.

**foi.gov.ph** – The website that serves as the government’s comprehensive FOI website for all information on the FOI.

**Exceptions** - Information that should not be released and disclosed in response to an FOI request because these are protected by the Constitution, laws or jurisprudence.

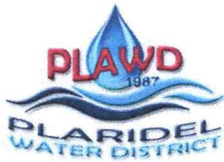
**Freedom of Information (FOI)** - The right of the people to information on matters of public concern, necessitating the adoption and implementation of a policy of full public disclosure of the Executive Branch’s transactions involving public interest, subject to the procedures and limitations provided in the 1987 Constitution, Executive Order No. 2, Republic Act No. 10173 or the Data Privacy Act of 2012, and other existing laws, rules and regulations.

**FOI Request** - A written request submitted by any Filipino to the PLAWD personally asking for records on any topic falling under the water district’s mandate.

**Fees Notice** - a written notice that the PLAWD gives to an applicant stating that a specified fee for reproduction and copying should first be paid before complying with the request.

**Full Denial** - The non-release by the PLAWD of information in response to an FOI request.

**Full Grant** - Disclosure by the PLAWD of Information in response to an FOI request.



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**Information** - Shall mean any record, document, paper, report, letter, contract, minutes, transcript of official meetings, maps, books, photographs, research datum, research material, film, sound and video recording, magnetic or other tape, electronic datum, computer-stored datum, or any other like or similar datum or material recorded, stored or archived in whatever format, whether offline or online, which is made, received, or kept in or under the control and custody of the PLAWD pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by the PLAWD.

**Information for Disclosure** - Information promoting the awareness and understanding of policies, programs, activities, rules or revisions affecting the public' government agencies, and the community and economy. It also includes information encouraging familiarity with the general operation, thrusts, and programs of the government. In line with the concept of proactive disclosure and open data, these types of information can already be posted on government websites, such as data.gov.ph., without need for written requests from the public.

**Official Record** - 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.

**Open Data** – Refers to publicly available data structured in a way that enables the data to be fully discoverable and usable by end users.

**Partial Grant/Partial Denial** - Disclosure by the PLAWD of portions of records in response to an FOI request, and denial of the remaining portions of such records.

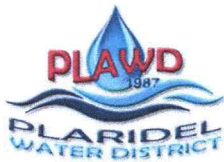
**Proactive Disclosure** – Information made publicly available by the PLAWD without waiting for a specific FOI request.

**Public Records** - Shall include information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government office.

**Personal Information** - Shall refer 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.

**Sensitive Personal Information** - Shall refer to personal information:

- 1) About an individual's race, ethnic origin, marital status, age, and religious, philosophical or political affiliations,



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- 2) About an individual's health education, genetics, or sexual life, or any proceedings for any offense committed or alleged to have been committed by such individual, or the disposition of such proceedings by any court;
- 3) 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; and
- 4) Specifically established by an executive order or an act of Congress to be kept classified.

**Vexatious request** - a request that is evidently without any legitimate purpose or aimed at disrupting the work in PLAWD units or harassing its employees, including identical or substantially similar requests.

## V. Procedures for FOI Access

**Sec. 9. Request for Information.** (a) The PLAWD recognizes that every Filipino is entitled (i) to be informed in writing whether it holds a particular information described and specified in a proper request, and, (ii) if that is the case, to have that information communicated to him. In this regard, any Filipino applicant may request for a PLAWD information by accomplishing two copies of the request form available at the PLAWD Records Section or downloadable from the PLAWD website at [www.plaridelwaterdistrict.ph](http://www.plaridelwaterdistrict.ph).

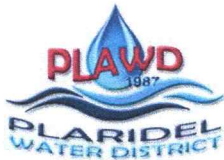
(b) The applicant must ensure that he shall state his name and contact information, a reasonable description of the information requested, the specific reason/ s for the request and present two valid pieces of evidence of his identity or authorization.

**Sec. 10. Receipt of the Request.** (a) The duly accomplished request may be submitted to the PLAWD Administrative Bldg., or directly into [plaridel\\_water\\_district1987@yahoo.com](mailto:plaridel_water_district1987@yahoo.com). If the request is sent by email, the requesting party must submit a photo static or electronically scanned copy of the evidence of identity.

(b) In case of a proxy request, the duly accomplished request form must be accompanied by a letter of authority indicating that the applicant has authorized his representative to submit the request on his behalf, together with copies of two valid evidence of identities for both the applicant and his representative.

(c) In case the applicant is disabled or illiterate, he may be assisted by a relative within the fourth civil degree of consanguinity or affinity or by a representative, who should be a person personally known to him, who is of legal age and who belongs to the same household. In submitting the request, both the applicant and his representative must submit valid evidence of their identities.

(d) No document or record shall be released without the approval of the FOI decision maker and without going through the proper procedure. Any unauthorized release of information shall be liable and will be subjected to appropriate sanction in accordance to RA 10173 - Data Privacy Act of 2021; or subject to appropriate disciplinary action/s.



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**Sec. 11. Bill of particulars.** Where the PLAWD (a) reasonably requires added information in order to identify and locate the information requested, and (b) has informed the applicant of such requirement, then it is not obliged to comply with the applicant's request, unless such added information is supplied.

**Sec. 12. Fees.** (a) The PLAWD may, within 15 days, give the applicant a fees notice stating the specific amount needed to defray the cost of copying and reproduction of the requested information, indicating that the applicant's request is granted. The applicant must from receipt of the fees notice pay the PLAWD within a reasonable period the amount specified.

(b) The PLAWD may reduce or waive any of its fees in case the applicant is an indigent, a student or a senior citizen, provided: that the applicant satisfactorily proves his entitlement to such waiver or reduction of fees.

(c) The PLAWD reserves the right to deny the request if the applicant fails or refuses to pay the required fees.

**Sec. 13. Time to act.** (a) The PLAWD shall promptly act on the request not later than 15 working days, following the date of its receipt of the complete request.

(b) Where the PLAWD gave a fee notice to the applicant, the 15 working days period to comply is tolled and will begin to run anew once it receives the applicant's full payment in accordance with the preceding section. If no clarification is received from the requesting party after sixty (60) calendar days, the request shall be closed.

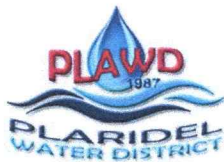
(c) The PLAWD reserves the right to extend the period stated here when the information requested requires extensive research of official records under its control and custody, examination of voluminous records, the occurrence of fortuitous events and other analogous cases. The FDO shall inform the FRO of such circumstances and state that an extension of the 15-working day period is necessary. The FRO shall inform the requesting party of the extension, which in no case shall exceed twenty (20) working days in addition to the original 15- working day period, unless exceptional circumstances warrant a longer period.

(d) The PLAWD may defer action on an incomplete request, promptly giving the applicant a written notice about this.

**Sec. 14. Vexatious requests.** The PLAWD is not obliged to comply with an applicant's request for information if the request is vexatious. Where the PLAWD has previously complied with a request for information, which was made by any person, it is not obliged to comply with a subsequent identical or substantially similar request from that person.

**Sec. 15. Denial of request.** The PLAWD shall, within the time to act on a request, give the applicant a notice denying the request in whole or in part, specifying the ground or grounds for the denial and the circumstances upon which the denial is based.





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**Sec. 16. Exceptions.** Access to information shall be denied when the information falls under or is otherwise covered by the following:

- a. Information covered by Executive privilege;
- b. Privileged information relating to national security, defense or international relations;
- c. Information concerning law enforcement and protection of public a personal safety;
- d. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims or crimes, or the accused;
- e. Information, documents or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government agencies, tribunals, boards, or officers, in relation to the performance of their functions, or to inquiries or investigation conducted by them in the exercise of their administrative, regulatory or quasi-judicial powers;
- f. Prejudicial premature disclosure;
- g. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged;
- h. Matters considered confidential under banking and finance laws, and their amendatory laws; and
- i. Other exceptions to the right to information under laws, jurisprudence, rules and regulations.

## VI. Administrative Remedies

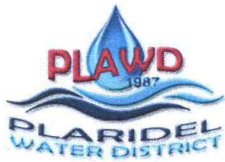
**Sec. 17. Motion for reconsideration.** Should the applicant disagree with the PLAWD's action in denying his request, he may move for its reconsideration within ten calendar days from receipt of the denial notice but only when based on palpable or patent errors; provided, that only one such motion from the applicant shall be entertained. (15a)

**Sec. 18. Appeal.** Upon receipt of the notice of denial, the requesting party may file a written appeal to the PLAWD FOI Appeals and Review Committee within fifteen (15) calendar days from the notice of denial. The Committee shall evaluate and decide on the appeal within thirty (30) working days from the date of filing of the written appeal. The FRO shall notify in writing the requesting party of the decision on the appeal, setting forth the grounds thereof and the circumstances on which the decision is made.

**Sec. 19. Implementing Guidelines.** The PLAWD shall issue the appropriate guidelines to ensure that the policy adopted here and the procedure defined in this Manual are properly carried out.

**Sec. 20. Repealing Clause.** All other PLAWD orders, circulars, issuances, decisions, or parts of the foregoing which are inconsistent with this Manual are hereby repealed or modified accordingly.

**Sec. 21. Effectivity Clause.** This Manual shall take effect immediately.



# PLARIDEL WATER DISTRICT

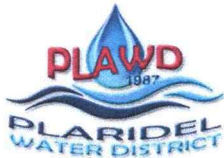
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## VII. Approval of the PLAWD Freedom of Information People's Manual

A handwritten signature in black ink, appearing to read 'R. Francisco', is written over a horizontal line.

**ENGR. REYNANTE D. FRANCISCO**  
*Officer-in-Charge*




# PLARIDEL WATER DISTRICT

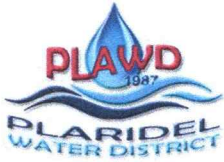
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## APPENDIX A

### FOI REQUEST FORM

FOI Tracking No.: \_\_\_\_\_

 <b>PLARIDEL WATER DISTRICT</b> <small>A.C. Reyes St., Poblacion, Plaridel, Bulacan 3004        Tel. Nos. (044) 795-0102 / 795-1613; Fax No. (044) 760-0229        Email Address: plaridel_water_district1987@yahoo.com        Website: plaridelwaterdistrict.ph</small>	
<b>FREEDOM OF INFORMATION REQUEST FORM</b>	
To be accomplished by the Applicant	
1. Name:	
2. Residence/ Business Address:	
3. Proof of Identity:	
4. Contact Information	Landline:                      Mobile No.:                      Email:
5. Title of Document/ Record Requested:	
6. Purpose of Request:	
7. Name and signature of authorized representative if any:	Proof of identity/ Evidence of authority:
<p>I declare and certify that the information provided in this form is complete and correct. I am aware that giving false or misleading information or using forged documents is a criminal offense. I bind myself and my principal to use the requested information only for the specific purpose stated and subject to such other conditions as may be prescribed by the Office of the President. I understand that the Office of the President may collect, use and disclose personal information contained in this request.</p> <p style="text-align: right;">_____ Signature over printed name</p>	
<b>For Official Use Only</b>	
Received by:	Date and Time Received:
Signature:	Remarks:
Position:	



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## APPENDIX B

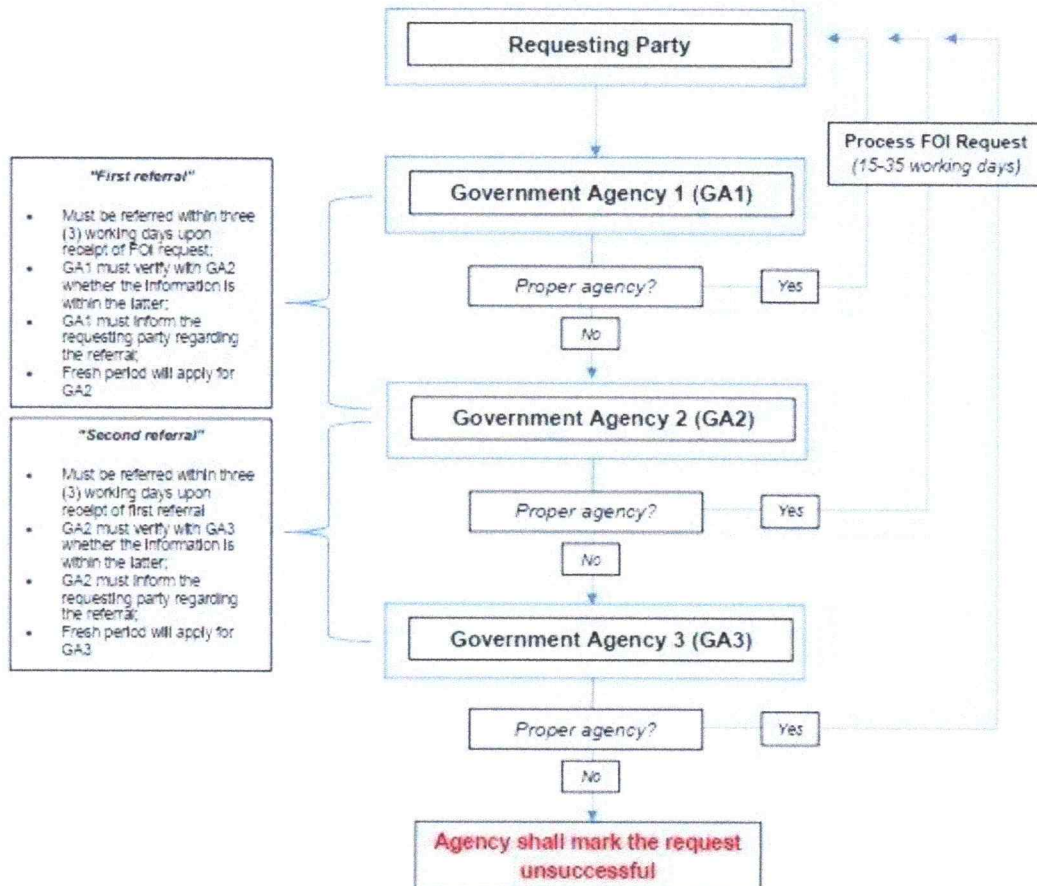
### FEES

- No fees shall be charged on the filing of a request for information or appeal
- The applicant shall be notified of the cost of reproduction of the requested information
- The cost of reproduction is P50.00 per page

The cost of reproduction for Certified True Copy is P100.00 per page

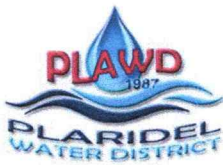
## APPENDIX C

### NO WRONG DOOR POLICY FLOWCHART



**NOTE:**

If GA1 fails to refer the request within three (3) working days upon its receipt, the FOI Receiving Officer (FRO) shall act on it within the remaining period to respond pursuant to EO No. 2, s. 2016. No fresh period shall apply.



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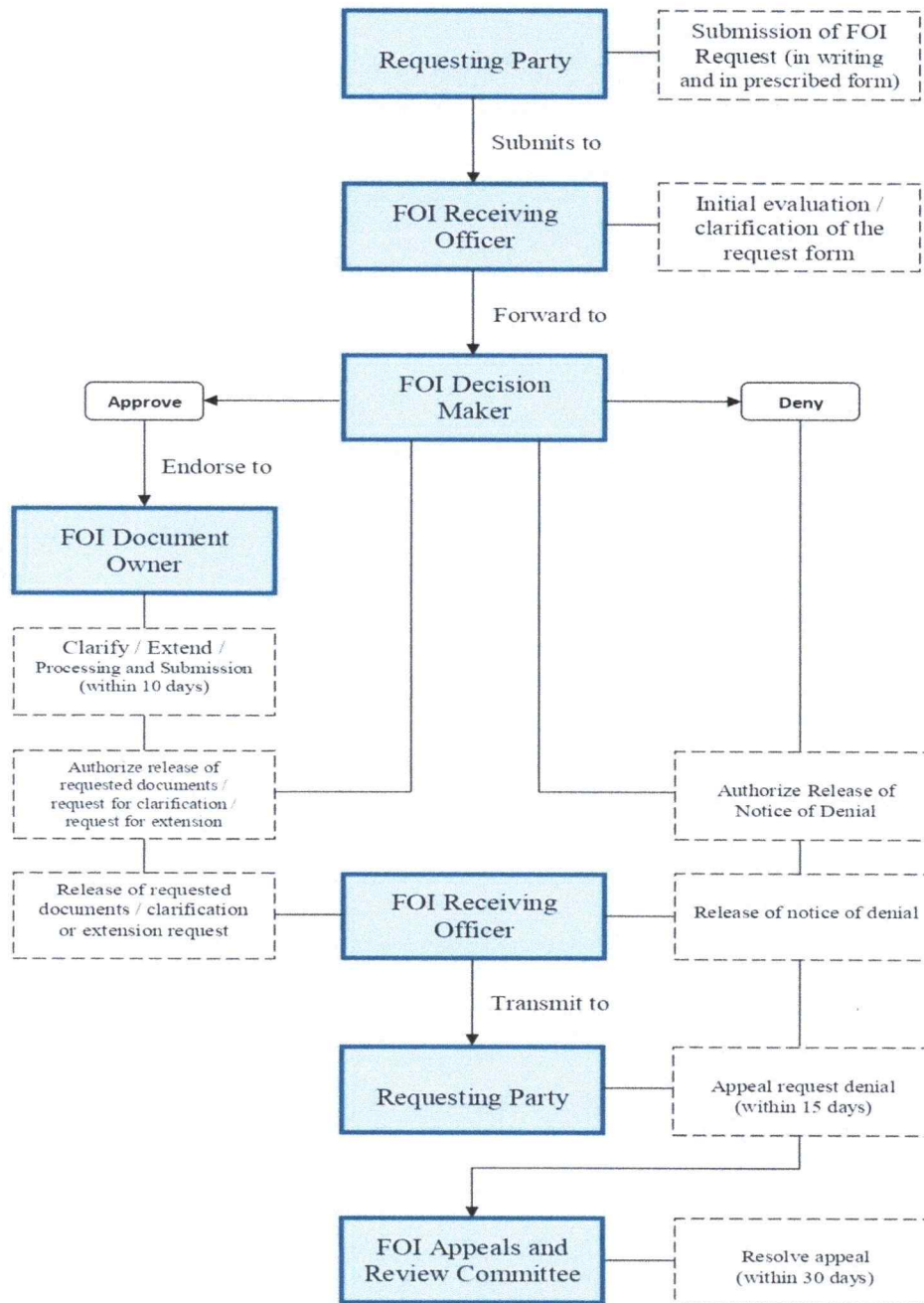
## APPENDIX D

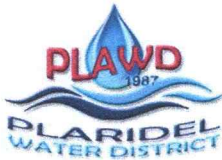
### FOI DESIGNATED PERSONNEL

Name of Personnel	FOI Designation	Contact Details	Email Address
Engr. Reynante D. Francisco	FOI Decision Maker	(044) 795-0102	plaridel_water_district1987@yahoo.com
Deanna G. Mariano	FOI Receiving Officer	(044) 795-0102	plaridel_water_district1987@yahoo.com
Division Manager / In-Charge Officer (ICO)	FOI Document Owner		
Board of Directors	FOI Appeals and Review Committee		

## APPENDIX E

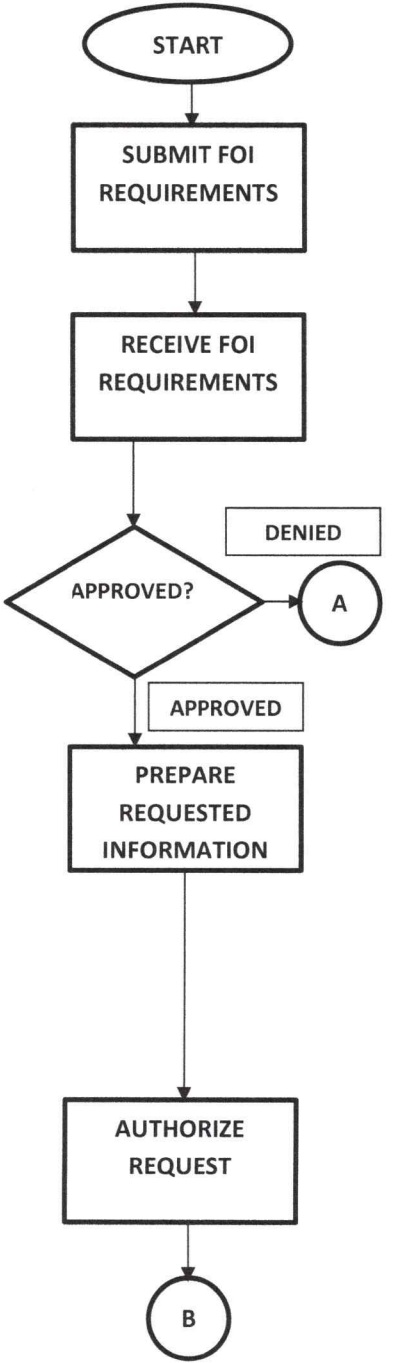
### FREEDOM OF INFORMATION FLOWCHART



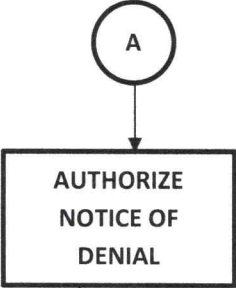
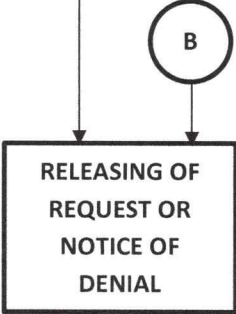

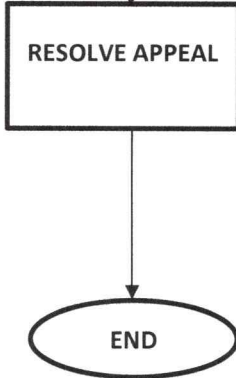


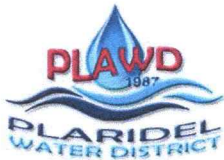
# PLARIDEL WATER DISTRICT

A.C. Reyes St., Poblacion, Plaridel, Bulacan 3004  
 Tel. Nos. (044) 795-0102 / 795-1613; Fax No. (044) 760-0229  
 Email Address: plaridel\_water\_district1987@yahoo.com  
 Website: plaridelwaterdistrict.ph

Activities	Responsible	Details
 <pre> graph TD     START([START]) --&gt; SUBMIT[SUBMIT FOI REQUIREMENTS]     SUBMIT --&gt; RECEIVE[RECEIVE FOI REQUIREMENTS]     RECEIVE --&gt; APPROVED{APPROVED?}     APPROVED -- DENIED --&gt; A((A))     APPROVED -- APPROVED --&gt; PREPARE[PREPARE REQUESTED INFORMATION]     PREPARE --&gt; AUTHORIZE[AUTHORIZE REQUEST]     AUTHORIZE --&gt; B((B))           </pre>	<p>Requesting Party</p> <p>FOI Receiving Officer</p> <p>FOI Decision Maker</p> <p>FOI Document Owner</p> <p>FOI Decision Maker</p>	<ul style="list-style-type: none"> <li>▪ Requesting party to submit FOI requirements in writing and in prescribed form.</li> <li>▪ Receive duly accomplished requirements and evaluate for initial screening. Communicate with the requesting party for any clarifications.</li> <li>▪ Process and submit the requested information within 10 days upon receipt</li> <li>▪ If necessary, clarify any specifics in the information being requested</li> <li>▪ If necessary, extend the processing of document reproduction</li> <li>▪ FOI decision maker to authorize release of requested documents, request for clarification, or request for extension</li> </ul>



Activities	Responsible	Details
	FOI Decision Maker	<ul style="list-style-type: none"> <li>FOI decision maker to authorize notice of denial in accordance with <i>Section 14, 15, and 16</i> of this manual.</li> </ul>
	FOI Receiving Officer	<ul style="list-style-type: none"> <li>FOI receiving officer to release and transmit requested document, clarification, or extension to the requesting party</li> <li>FOI receiving officer to release and transmit notice of denial to requesting party</li> </ul>
	Requesting Party	<ul style="list-style-type: none"> <li>Upon receipt of the notice of denial, the requesting party may file for an appeal within 15 working days to the FOI Appeals and Review Committee for reconsideration</li> </ul>
	FOI Appeals and Review Committee	<ul style="list-style-type: none"> <li>The committee shall evaluate the appeal within 30 working days from the date of filing of the written appeal. The FRO shall notify in writing the requesting party of the decision of the appeal, setting forth the grounds thereof and the circumstances on which the decision is made.</li> </ul>



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## 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 FULL 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 disclosure 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;

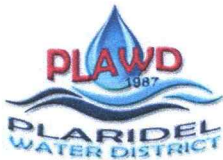
**NOW, THEREFORE, I, RODRIGO ROA DUTERTE**, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

**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.



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**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.

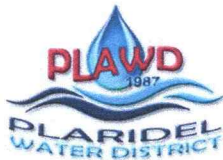
**SECTION 6. Application and Interpretation.** There shall be a legal presumption in favor of access to information, public records and official records. No request for information shall be denied unless it clearly falls under any of the exceptions listed in the inventory or updated inventory of exceptions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



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(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:

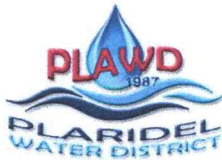
(a) Any person who requests access to information shall submit a written request to the government office concerned. The request shall state the name and contact information of the requesting party, provide valid proof of his identification or authorization, reasonably describe the information requested,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

(e) 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.



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(f) 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 afore-stated 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.

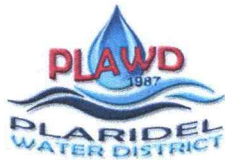
**SECTION 14. Keeping of Records.** Subject to existing laws, rules, and regulations, government offices shall create and/or maintain accurate and reasonably complete records of important information in appropriate formats, and implement a records management system that facilitates easy identification,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



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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

By the President:

(Sgd.) **SALVADOR C. MEDIALDEA**  
Executive Secretary