

# **SAN PABLO CITY WATER DISTRICT**



## **PEOPLE'S FREEDOM OF INFORMATION MANUAL**

**(Implementing Details)  
Executive Order (E.O.) No. 2, Series of 2016  
Updated as of March 2025**



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## INTRODUCTION

Pursuant to **Executive Order No. 2 dated July 23, 2016**, entitled “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 Therefore,” and in compliance with the corresponding **FOI Memorandum Circular**, the **San Pablo City Water District (SPCWD)** hereby adopts the **Freedom of Information (FOI) Agency Manual**. This manual recognizes the importance of openness and transparency in government and guarantees the right of the people to access information on matters of public concern.

The FOI Manual establishes a clear process for requesting information from SPCWD. Citizens may file their requests through designated channels, where each request will be evaluated based on the nature and classification of the information. If approved, the information will be provided within the prescribed period. If denied, the requesting party will be informed of the grounds for denial and may file an appeal or request reconsideration. This process ensures that information is processed fairly and efficiently.

While SPCWD is committed to promoting transparency, the FOI Manual also defines specific exemptions in accordance with existing laws. These include information classified as confidential, data that could compromise public safety or national security, and personal or sensitive information protected under the **Data Privacy Act of 2012**. By balancing openness with the protection of sensitive data, SPCWD reinforces its commitment to responsible governance and public trust.

**ENGR. ELEUTERIO D. AMANTE**  
General Manager





## SPCWD FOI DIRECTORY

FOI Title	Position	Name of Officer	Contact Details
Decision Maker	General Manager A	Engr. Eleuterio D. Amante	(049) 562 9955 Loc. 112-113
Receiving Officer	Department Manager A	Wilfredo M. Aligato	Loc. 126-127
Central Appeals and Review Committee	Department / Division Manager from: <ul style="list-style-type: none"><li>• Administrative</li><li>• Financial Mgt.</li><li>• Commercial</li></ul>	Efren R. De la Paz Gretchen G. Calabia Maria Victoria D. Africa	Loc. 123 Loc. 110-111 Loc. 103-108





## ROLE OF FOI OFFICERS

1. **FOI Decision Maker** – is the General Manager, the head of the agency who gives the final approval or denial of all FOI requests lodged to the San Pablo City Water District. The Decision Maker approves and denies all requests for information if:
  - a. The information requested falls under the list of FOI exceptions;
  - b. The information requested contains sensitive personal information protected by the Data Privacy Act of 2021;
  - c. The information requested is not in the custody of SPCWD;
  - d. Requested information is already posted and available on line;
  - e. Requested information is substantially similar or identical to the previous request.
2. **FOI Receiving Officer** – is the Department Manager of the Commercial Services Department who shall be in charge of:
  - a. Receiving all requests for information and forwarding it to the appropriate office who has custody of the records;
  - b. Monitoring all FOI requests and appeals;
  - c. Providing assistance to the FOI Decision Maker;
  - d. Providing assistance to the public on FOI matters;
  - e. Advising the requesting party on the status of the request;
  - f. Compiling statistical information as required.
3. **Central Appeals Committee** – composed of three (3) Department/Division Managers designated to review and analyze a written appeal for a denied request for information. The Committee shall submit recommendation to the Decision Maker on the result of the evaluation of the appeal.





## OVERVIEW

This manual establishes clear guidelines and procedures for handling requests under **Executive Order (EO) No. 02**, also known as the **Freedom of Information (FOI) Order**. It serves as a reference for the **San Pablo City Water District (SPCWD)** in processing FOI requests, ensuring transparency and accountability. The manual defines the steps and requirements for handling requests, promoting efficiency while safeguarding sensitive information. By following these guidelines, SPCWD aims to provide timely and accurate responses to public requests for information.

The **General Manager of SPCWD** is the designated **FOI Decision Maker**, with the authority to approve or deny FOI requests. If the General Manager is unavailable due to official leave or other reasons, a designated officer may assume this role and act on requests. The designated officer is expected to follow the same standards of confidentiality and transparency. This ensures consistency and fairness in processing requests, even in the absence of the primary Decision Maker. All decisions must align with the guidelines set forth in this manual.

If a request for information is denied, the requester has the right to appeal to the **Central Appeals Committee**. The appeal must follow the procedures outlined in this manual, including the format and submission timeline. The Central Appeals Committee will conduct an impartial review and provide a resolution. This process ensures that requesters have a fair opportunity to challenge decisions and seek reconsideration. By establishing a clear appeals process, SPCWD reinforces accountability and public trust in the FOI system.







## Definition of Terms – Freedom of Information (FOI)

**Access to Information Act** – A law that governs the right to information and sets the framework for FOI implementation.

**Accountability** – The obligation of government agencies and officials to explain and justify their actions, especially regarding public resources and decision-making.

**Appeal Process** – The procedure available to requesters to challenge the denial of their FOI request, usually involving a review by a higher authority or an oversight body.

**Confidential Information** – Sensitive government records that are restricted from public disclosure due to legal, security, or privacy considerations.

**Data Privacy** – The protection of personal and confidential information in compliance with privacy laws while ensuring transparency in government operations.

**Digital FOI Portal** – An online platform where citizens can submit FOI requests and track their status electronically.

**Exceptions to FOI** – Certain categories of information that are not subject to disclosure, such as national security matters, trade secrets, and personal privacy-protected information.

**FOI Compliance** – The adherence of government agencies to FOI regulations, including timely responses, proper documentation, and accessibility of public records.

**FOI Manual** – A document that outlines the policies, procedures, and guidelines for handling FOI requests within a government agency.

**FOI Monitoring Body** – A designated institution or authority responsible for overseeing the implementation and enforcement of FOI regulations.

**FOI Receiving Officer (FRO)** – The designated personnel responsible for receiving and processing FOI requests within a government agency.

**FOI Request** – A formal request made by a citizen to access government-held information under FOI policies.

**FOI Request Tracking System** – A mechanism that allows requesters to monitor the status of their submitted FOI requests in real time.



**FOI Training and Capacity Building** – Programs designed to educate government employees and the public on FOI laws, procedures, and best practices.

**Freedom of Information (FOI)** – The right of individuals to access information held by government agencies, subject to reasonable restrictions for the protection of public interest.

**Government Agency** – Any department, bureau, office, instrumentality, or government-owned and controlled corporation (GOCC) that holds public records.

**Information Disclosure Policy** – A set of rules and guidelines that define what types of government information can be released to the public.

**Mandatory Disclosure** – Information that government agencies are required to publish proactively without waiting for an FOI request.

**National Security Exception** – A limitation to FOI that prevents disclosure of information that could compromise the security, defense, or international relations of the country.

**Official Gazette** – The official publication where government announcements, laws, and regulations, including FOI-related policies, are published.

**Open Data** – Government data that is freely available to the public in a structured and accessible format for transparency and accountability.

**Proactive Disclosure** – The voluntary release of government-held information without requiring a formal FOI request, often through official websites and publications.

**Public Interest** – The welfare and well-being of the general public, often considered in balancing the right to access information with the need for confidentiality.

**Public Records** – Any official document, data, or record created, received, and maintained by a government agency in connection with the performance of its official duties.

**Redaction** – The process of removing sensitive or exempted information from documents before they are disclosed to the public.

**Response Time** – The period within which a government agency must process and respond to an FOI request, as specified in FOI regulations.

**Sanctions for Non-Compliance** – Penalties or administrative actions imposed on government agencies or officials for failing to comply with FOI regulations.



**Third-Party Information** – Data or documents containing information about individuals or entities other than the requester, which may require consent or legal justification for release.

**Transparency** – The principle of making government actions, decisions, and data accessible to the public to promote accountability and trust.

**Whistleblower Protection** – Legal safeguards for individuals who disclose misconduct or illegal activities within government agencies in the public interest.





## **REQUEST FOR INFORMATION PROCEDURE**

### **1. Submission of FOI Request**

#### **a. In-person Submission**

- The requestor may visit the designated FOI Receiving Office during official business hours, or Human Resource Division.
- The requestor shall fill out an FOI Request Form available at the receiving office, Annex "A".
- The receiving officer shall check the completeness of the form and assist the requestor if necessary.
- Once completed, the receiving officer shall issue an acknowledgment receipt.

#### **b. Email Submission**

- The requestor may send the FOI request via the official FOI email address, [ogm@spc wd.org.ph](mailto:ogm@spc wd.org.ph).
- The request should be in a clear and readable format, either in the body of the email or as an attachment (e.g., PDF, Word document).
- The subject line should clearly state "FOI Request" followed by a brief description of the request (e.g., "FOI Request – Monthly Water Usage Report").
- The receiving officer shall respond with an acknowledgment email confirming receipt of the request.

#### **c. Online Portal Submission**

- The requestor may log in to the official FOI portal and submit the request using the online form, [www.spc wd.org.ph](http://www.spc wd.org.ph).
- The portal should allow uploading of supporting documents, if applicable.
- After submission, the portal will automatically generate a confirmation number and expected processing time.
- See Online Request for Information, page 11.

#### **d. Mail Submission**

- The requestor may send a written request through postal mail, addressed to the FOI Receiving Office, San Pablo City Water District, Maharlika Highway, San Pablo City 4000.



- The envelope should be marked with "FOI Request" for easier identification.
- Upon receipt, the FOI Receiving Office shall issue an acknowledgment through mail or email, depending on the contact information provided.

## **2. Information to Include in the Request**

The FOI request should contain the following essential details to facilitate proper processing:

### **a. Full Name of Requestor**

- Complete name of the individual or organization making the request.
- For organizations, the name of the representative and their designation should also be indicated.

### **b. Contact Information**

- The requestor must provide accurate contact details, including:
  - ✓ Mobile or landline number;
  - ✓ Email address;
  - ✓ Mailing address (if applicable).
- This information is necessary for follow-ups, clarification, and delivery of the requested information.

### **c. Specific Details of the Information Requested**

- The requestor must clearly describe the information being requested, including:
  - ✓ Type of document or data (e.g., report, memorandum, financial record);
  - ✓ Date range (if applicable);
  - ✓ Subject matter or specific keywords related to the information.
- Requests that are vague or too broad may result in delays or requests for clarification.

### **d. Purpose of the Request (Optional)**

- The requestor may indicate the intended use of the information (e.g., research, personal, legal).
- Stating the purpose is not required but may help the agency better understand the request and ensure proper handling.



### 3. Receipt and Acknowledgment

#### a. Verification of Request

- Upon receipt of the FOI request, the receiving officer shall:
  - ✓ Review the request for completeness and clarity;
  - ✓ Ensure that the information requested is within the scope of the FOI Act and that it does not fall under any exemption.
- If the request is incomplete, the receiving officer shall contact the requestor within five (5) working days to seek clarification or additional details.

#### b. Recording of Request

- The FOI request shall be logged into the FOI tracking system or logbook.
- The entry should include:
  - ✓ Date and time of receipt;
  - ✓ Name of requestor;
  - ✓ Description of requested information.
- Assigned tracking number.
- Status of request (e.g., pending, in process, completed).

#### c. Issuance of Acknowledgment Receipt

- An acknowledgment receipt shall be provided to the requestor, either as a physical copy or electronically (email or SMS).
- The acknowledgment receipt should include:
  - ✓ Tracking number for monitoring the status of the request;
  - ✓ Date of acknowledgment;
  - ✓ Expected time frame for processing the request (typically 15 working days);
  - ✓ Contact details for follow-ups or inquiries regarding the request status.
- The requestor shall be informed of the next steps and the estimated time for completion.





## ONLINE REQUEST FOR INFORMATION

### 1. Account Creation

The Requesting Party accesses the Electronic FOI Portal (<https://www.foi.gov.ph>), creates an account, and submits a valid government-issued ID.

### 2. Submitting a Request

The Requesting Party clicks "Make a Request" in the portal, fills in the required information, and submits the request.

### 3. Initial Review and Acknowledgment

The FOI Receiving Officer reviews the request and contacts the Requesting Party to download, fill out, and submit a scanned copy of the FOI Request Form to [ogm@spcwd.org.ph](mailto:ogm@spcwd.org.ph) along with a valid ID.

### 4. Evaluation and Compliance Check

- The FOI Receiving Officer evaluates the submitted request for compliance with FOI guidelines.
- If compliant, the FOI Receiving Officer:
  - a) Stamps and signs the request form with the Request Reference Number, date, and time of receipt.
  - b) Provides the Requesting Party with a copy of the stamped form.
  - c) Updates the online tracking system and records the transaction in the logbook.

### 5. Forwarding to FOI Decision Maker

- The FOI Receiving Officer notifies the FOI Decision Maker within one (1) working day from receipt of a compliant request.
- Records the acknowledgment and updates the request status in the portal.

### 6. Processing Time

- The FOI Decision Maker evaluates the request based on the FOI law, exceptions, and existing regulations.
- The agency has 15 working days from receipt of the request to process and respond.
- The period may be extended for up to 20 additional working days in exceptional cases (e.g., complex or voluminous information).



## 7. Approval or Denial

- If approved, the FOI Receiving Officer notifies the Requesting Party through the Electronic Portal.
- If denied, the Requesting Party is informed of the reason for denial and the available remedies.







## PROTECTION OF PRIVACY

In ensuring access to information, the San Pablo City Water District (SPCWD) shall also uphold and protect an individual's right to privacy in compliance with the **Data Privacy Act of 2012 (Republic Act No. 10173)**, as follows:

1. **Lawful and Fair Processing of Personal Information.** SPCWD shall ensure that the collection, use, storage, and disclosure of personal information, including sensitive personal data, are conducted fairly, lawfully, and in accordance with existing laws and regulations. Personal information shall only be disclosed when there is a legitimate purpose, legal basis, or the express consent of the data subject, as required under the Data Privacy Act of 2012.
2. **Implementation of Security Measures.** SPCWD shall implement reasonable and appropriate organizational, technical, and physical security measures to protect personal information in its custody or under its control. These measures aim to prevent unauthorized access, disclosure, alteration, destruction, or any other unlawful processing of personal data. SPCWD shall conduct regular security reviews and updates to ensure the effectiveness of these measures.
3. **Confidentiality and Accountability of Personnel.** All SPCWD personnel, including the Freedom of Information (FOI) Receiving Officer and FOI Decision Maker, who have access to personal information in the performance of their duties, shall uphold the confidentiality of such information. They are prohibited from disclosing personal information except when permitted or required by law. Any unauthorized disclosure or breach of confidentiality shall be subject to appropriate disciplinary action and penalties under the Data Privacy Act of 2012 and SPCWD's internal policies.



## PROCESSING OF FOI REQUEST



1. **Receiving and Verification:** The FOI Receiving Officer (RO) shall receive the FOI request and verify the completeness of the submitted requirements in accordance with the provisions of Executive Order No. 2, s. 2016, and its implementing guidelines. The FOI request must be in writing and must include the requesting party's complete name and contact information, a clear description of the information being requested, and a valid proof of identity or authorization, if applicable.
2. **Assignment of Reference Number:** If the request meets the documentation requirements, the FOI Receiving Officer shall assign a unique reference number to the FOI request for tracking and monitoring purposes.
3. **Acknowledgment of Receipt:** The FOI Receiving Officer shall stamp and sign the Request Form, indicating their name, rank, title, position, and the date and time of receipt. Acknowledgment of the FOI request shall be provided to the requesting party within five (5) working days from receipt, as prescribed by Section 9 of Executive Order No. 2, s. 2016.
4. **Recording of Transaction:** The FOI Receiving Officer shall record the transaction in the FOI logbook or electronic database, ensuring accurate documentation of all FOI requests and responses.
5. **Forwarding to the FOI Decision Maker:** Within one (1) working day from receipt of the request, the FOI Receiving Officer shall transmit a copy of the FOI request, along with all supporting documents, to the FOI Decision Maker for evaluation and appropriate action.
6. **Evaluation and Decision:** The FOI Decision Maker shall review the request and determine its approval or denial in accordance with the list of exceptions under Section 4 of Executive Order No. 2, s. 2016, other applicable laws, and existing regulations. If the request is denied, the FOI Decision Maker shall provide a written explanation citing the specific exception or legal basis for denial.
7. **Communication of Decision:** After evaluation, the FOI Decision Maker shall communicate the decision to the FOI Receiving Officer. The FOI Receiving Officer shall promptly notify the requesting party of the decision within fifteen (15) working days from receipt of the request, as prescribed by Section 9 of Executive Order No. 2, s. 2016. If the information is approved for release, the requesting party shall be informed of the process for obtaining the information.

**APPROVAL AND DENIAL**



**EST FOR INFORMATION**



The FOI Decision Maker evaluates the requested information and identifies the request if it is simple or complex.

#### **For Simple Requests –**

1. The FOI Decision Maker thru the concerned offices or department retrieves the information requested within ten (10) working days from receipt of request.
2. The FOI Decision Maker turns over the requested information to the FOI Receiving Officer. If the requested information is sensitive in nature, the FOI Decision Maker shall advise the Requesting Party to personally appear and claim the information with other needed documents to identify and attest the intention of the Requesting Party.
3. The FOI Receiving Officer log in the record book the requested information as duly received by the Requesting Party.

#### **For Complex Requests –**

1. The FOI Decision Maker informs the FOI Receiving Officer that the requested information is a complex request and would require an extension through the Electronic Portal.
2. The FOI Receiving Officer updates the log book on the progress of the request.
3. The FOI Receiving Officer informs the Requesting Party for the required extension through phone call and formal letter duly signed by the FOI Decision Maker.
4. The FOI Decision Maker thru the concerned offices or departments shall retrieve the information requested within twenty (20) working days from receipt of the request.
5. The FOI Decision Maker turns over the requested information to the FOI Receiving Officer. If the requested information is sensitive in nature, the FOI Decision Maker shall advise the Requesting Party to personally appear and claim the information together with other needed documents to identify and attest the intention of the Requesting Party.
6. The FOI Receiving Officer log in the record book the requested information as duly received by the Requesting Party.



### For Denied Request for Information –

1. The FOI Decision Maker immediately notifies the FOI Receiving Officer.
2. The FOI Receiving Officer Record and update the log book.

**NOTICE TO THE REQUESTING PARTY ON THE  
APPROVAL/DENIAL OF REQUEST FOR INFORMATION**



### Approved Requests –

1. The FOI Receiving Officer ensures that all records have been retrieved and checked for possible exemptions prior to actual release of information.
2. The FOI Receiving Officer encloses the requested information to the formal communication that has to be approved by the FOI Decision Maker.
3. After approval, the FOI Receiving Officer informs the Requesting Party that the request is ready for release and has been sent to the Requesting Party's email or in the submitted address.
4. For sensitive information, the FOI Receiving Officer shall advise the Requesting Party to appear personally and claim the requested information with the other needed documents to identify and attest the intention of the Requesting Party.

### Denial of Requests –

1. The FOI Receiving Officer informs the Requesting Party on the denial of the request through formal letter duly signed by the FOI Decision Maker. The formal letter has been sent to the Requesting Party's email or in the submitted address.
2. The FOI Receiving Officer uploads the FOI Request Walk-in to the Electronic Freedom of Information (e-FOI) Portal for monitoring and tracking purposes.



## REMEDIES IN CASE OF DENIAL



A person whose request for access to information has been denied may avail himself of the remedy set forth below:

1. **FOI Appeal.** Administrative FOI Appeal to the SPCWD Central Appeals and Review Committee: Provided, that the written appeal must be filed by the same requesting party within fifteen (15) calendar days from the notice of denial or from the lapse of the period to respond to the request.
  - a) Denial of a request may be appealed by filing a written appeal to the SPCWD Central Appeals and Review Committee within fifteen (15) calendar days from the notice of denial or from the lapse of the period to respond to the request.
  - b) The appeal shall be decided by the FOI Decision Maker within thirty (30) working days upon recommendation of the Central Appeals and Review Committee within thirty (30) working days from the filing of said written appeal, Failure to decide within the 30-day period shall be deemed a denial of the appeal.
2. **Judicial Action.** Upon exhaustion of administrative FOI appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

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## CENTRAL APPEALS COMMITTEE PROCESS

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## **1. Filing of FOI Appeal**

- The requester submits a written appeal to the Central Appeals Committee within a specified period (e.g., 15 days) from the receipt of the denial of the request for information.
- The appeal should clearly state the grounds for reconsideration and include any supporting documents.

## **2. Acknowledgment of Appeal**

- The Central Appeals Committee acknowledges receipt of the appeal within three (3) working days and notifies the requester of the timeline for resolution.

## **3. Review and Evaluation**

- The Central Appeals Committee reviews and analyzes the written appeal, including the original request, the denial, and any supporting evidence.
- The Committee may request additional information or clarification from the requester or the concerned department if necessary.
- The evaluation should be completed within 10 working days from the date of acknowledgment.

## **4. Deliberation and Recommendation**

- The Committee convenes to discuss the findings and formulates a recommendation based on the evaluation.
- The recommendation should be supported by documented facts and applicable policies or guidelines.

## **5. Submission to Decision Maker**

- The Committee submits the recommendation to the Decision Maker within two (2) working days after completing the evaluation.
- The Decision Maker reviews the recommendation and makes a final decision.

## **6. Notification of Decision**

- The requester is notified of the final decision in writing within five (5) working days from the date of the Decision Maker's resolution.
- If the appeal is granted, the requested information is provided within the specified period.
- If the appeal is denied, the notification should include the reasons for denial and available remedies (if any).



## 7. Closing of Case

- The appeal is formally closed, and records are filed for documentation and future reference.



## **ADMINISTRATIVE LIABILITY**





1. **Non-Compliance with FOI.** Failure to comply with the provisions of this Manual shall be a ground for the following administrative penalties:
  - a. **First Offense** - Reprimand;
  - b. **Second Offense** - Suspension of one (1) to thirty (30) days; and
  - c. **Third Offense** - Dismissal from the service.
  
2. **Revised Rules.** The Revised Rules on Administrative Cases in the Civil Service shall be applicable in the disposition of cases under this Manual. Any administrative cases under the manual will follow the **Revised Rules on Administrative Cases in the Civil Service (RRACCS)** issued by the **Civil Service Commission (CSC)**. This ensures that:
  - a. **Legal Basis and Consistency** – Cases are handled according to national civil service regulations.
  - b. **Scope of Applicability** – Covers cases like dishonesty, misconduct, neglect of duty, and inefficiency.
  - c. **Procedural Framework** – Follows standard procedures for filing complaints, investigations, hearings, penalties, and appeals.
  - d. **Uniformity and Fairness** – Ensures consistency and protection of due process.
  - e. **Binding Authority** – RRACCS rules are legally binding and must be followed.
  
3. **Provisions.** Provisions for More Stringent Laws, Rules and Regulations. Nothing in this Manual shall be construed to derogate from any law, any rules, or regulation prescribed by anybody or agency, which provides for more stringent penalties.





## SCHEDULE OF FEES

### 1. No Request Fee

The San Pablo City Water District (SPCWD) shall not charge any fee for accepting requests for access to information. This means that any individual or entity can file a request without incurring any cost. The process of submitting a request—whether in person, by mail, or electronically—shall remain free of charge. This policy reflects SPCWD’s commitment to promoting transparency and public service, ensuring that financial limitations do not restrict the right to access information.

### 2. Reasonable Cost of Reproduction and Copying of Information

While no fee will be charged for accepting requests, SPCWD may collect a reasonable fee to cover the actual costs of reproducing and copying the requested information. If a request requires printing, photocopying, or duplicating documents, the FOI (Freedom of Information) Receiving Officer shall notify the requesting party of the applicable fees before processing the request. The fees shall reflect the actual cost of materials, such as paper, ink, and labor, without any additional markup. SPCWD shall post a schedule of fees to inform the public of the rates, ensuring transparency and consistency. Payment must be made before the information is released, and an official receipt shall be issued upon payment.

### 3. Exemption from Fees

SPCWD may exempt a requesting party from payment of fees upon submission of a written request stating a valid reason for exemption. The FOI Receiving Officer shall evaluate the request based on the following criteria:

- **Financial hardship** – The requesting party demonstrates an inability to pay.
- **Public interest** – The information benefits the public or serves a public purpose.
- **Humanitarian reasons** – The request addresses urgent or critical humanitarian concerns.

If the exemption is granted, SPCWD may provide the information in digital or electronic format at no cost. This ensures that individuals with financial limitations are not denied access to essential information.





## **LIST OF EXCEPTIONS TO RIGHT OF ACCESS TO INFORMATION**

Based on Executive Order No. 2, s. 2016 and Memorandum Circular No. 89, s. 2017)

For the guidance of all government offices and instrumentalities covered by Executive Order No. 2, s. 2016 and the general public, the following are the recognized exceptions to the right of access to information, as established by the Constitution, existing laws, and jurisprudence:

### **1. Information Covered by Executive Privilege**

- Communications between the President and government officials involving decision-making processes.
- Discussions during closed-door meetings of the Cabinet or its committees.

### **2. Privileged Information Relating to National Security, Defense, or International Relations**

- Classified information affecting national security and defense.
- Diplomatic negotiations and communications that may compromise the country's position or interests.

### **3. Information Concerning Law Enforcement and Protection of Public and Personal Safety**

- Ongoing criminal investigations.
- Strategies and operations of law enforcement agencies.
- Information that may compromise the safety of individuals or the public.

### **4. Information Deemed Confidential for the Protection of Privacy**

Personal data and sensitive information protected under the Data Privacy Act of 2012 (RA 10173).

- Information related to minors, victims of crimes, or the accused.
- Medical, financial, and other private information of individuals.

### **5. Information Disclosed to Government in Confidence**

- Trade secrets and confidential business information submitted to regulatory agencies.



- Records and documents submitted during administrative, regulatory, or quasi-judicial proceedings that are protected by confidentiality rules.

## **6. Prejudicial Premature Disclosure**

- Information whose premature release may cause financial or reputational harm to the government or third parties.
- Data that could give undue advantage to certain individuals or entities.

## **7. Confidential or Privileged Proceedings**

- Records of judicial, quasi-judicial, and administrative proceedings that are declared confidential under the law.
- Deliberations of investigative bodies and commissions.

## **8. Matters Covered by Banking and Financial Laws**

- Information protected under the Bank Secrecy Act and related laws.
- Financial records and transactions that are treated as confidential under banking regulations.

## **9. Other Exceptions Recognized Under Laws, Jurisprudence, and Regulations**

- Intellectual property and proprietary information.
- Classified military or intelligence information.
- Any other information restricted or exempted under existing statutes or legal rulings.

## **ANNEX A**

**FREQUENTI**



**QUESTIONS**



## **1. What is Freedom of Information or FOI?**

FOI is a government mechanism that allows Filipino citizens to request information about government transactions and operations, a response to the call for transparency and full public disclosure of information, provided that it will not jeopardize privacy and national security.

## **2. What is Executive Order (EO) No. 2 series of 2016?**

Executive Order (EO) No. 2 series of 2016 is the enabling Order of Freedom of Information. It was signed by President Rodrigo R. Duterte on 23 July 2016 for "Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies of Full Public Disclosure and Transparency in the Public Service and Providing Guidelines Therefor".

## **3. Who was designated by the government to oversee the implementation of EO No. 2?**

The Presidential Communications Operations Office is designated as the lead agency in the implementation of EO No. 2 s. 2016, and all other FOI programs and initiatives including electronic FOI.

## **4. Who can prepare or make an FOI request?**

Any Filipino citizens can prepare or make an FOI request. An FOI request to be prepared shall be applied through the fully accomplished standard FOI Request Form and to present at least one (1) valid government issued Identification Card.

## **5. What can I request in FOI?**

Information, official records, public records, documents and papers pertaining to official act, transactions or decisions as well as to government research data as basis for policy development.

## **6. How do I make an FOI request?**

- The Requesting Party shall fill up an FOI Request Form to be submitted to the FOI Receiving Officer. The FOI Receiving Officer will evaluate the content of the request for information and log it to the FOI tracker.



- When deemed necessary, the FOI Receiving Officer may clarify the request on the same day it was filed, specified the information requested and provide other assistance needed by the requesting party.
- The FOI Receiving Officer shall verify the request if the agency holds the information requested, if it is already posted and available on line, and if substantially similar or identical to the previous request.
- Once relevant information is retrieved, officials will verify if any exemptions apply and recommend appropriate response to the request.
- When necessary, the Decision Maker shall provide clearance to the request.
- The FOI Receiving Officer shall release the information based on the desired format of the Requesting Party to be sent depending on the preferred means of receipt.

#### **7. How much does it cost to make an FOI request?**

There is no fee to make a request, but the agency will charge a reasonable fee for the cost of printing or reproduction.

#### **8. What will I receive in response to an FOI request?**

You are to receive a response either granting or denying your request. If the request is granted, the information will be attached to the response and if denied there is a written explanation for its denial.

#### **9. How long will it take before I receive a response?**

As mandated, all replies shall be sent within the required fifteen (15) working days. The Requesting Party may file an appeal letter to the Central Appeals and Review Committee.

#### **10. What will happen if my request is not granted?**

The Requesting Party may file an appeal letter to the Central Appeals and Review Committee within fifteen (15) working days from the notice of denial or from the lapse of the relevant period to respond to the request.



If all administrative remedies are exhausted and no resolution is provided, the Requesting Party may file the appropriate case in the proper court in accordance with rules of court.

#### **11. What if I never receive a response?**

If the agency fails to send a response within the required fifteen (15) working days, the Requesting Party may write an appeal to the Central Appeals and Review Committee within the fifteen (15) working days from the lapse of required response period. The Appeal shall be decided within thirty (30) working days by the Central Appeals and Review Committee.

If all administrative remedies are exhausted and no resolution is provided, the Requesting Party may file the appropriate case in the proper court in accordance with rules of court.





## SAN PABLO CITY WATER DISTRICT

Maharlika Highway, San Gabriel, San Pablo City  
Tel No. (049) 562 9955

Bilang na Palatandaan:

### FREEDOM OF INFORMATION

Porma ng Kahilingan

*Basahin mabuti ang mga sumusunod na kaalaman bago magpatuloy sa iyong aplikasyon. Gumamit ng asul o itim na tinta. Ang hindi maayos o maling pagpuno sa aplikasyon ay hindi tutugunan. Lagvan ng ekis "x" ang bawat kahon. **Tandaan:** (\*) Nangangahulugan na kailangan punan.*

A. Partido na Humihiling			
<i>Ikaw ay kinakailangan ilagay ang iyong pangalan at kinatatatanganan para sa pakikipagsulatan. Ang karagdagan pagkakalap na detalye ay makakatulong upang ang iyong aplikasyon ay mabilis matugunan sa ninanais na anyo.</i>			
1) Titulo	2) Pangalan *	3) Apelyido *	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
4) Kumpletong Kinatatanganan *			
<input type="text"/>			
5) Telepono / Fax	6) Mobile *	7) Email *	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
8) Pumili ng Anyo ng Komunikasyon			
<input type="checkbox"/> Telepono	<input type="checkbox"/> Mobile	<input type="checkbox"/> Email	<input type="checkbox"/> Postal na Kinatatanganan
<i>(Kung ang iyong kahilingan ay matagumpay, ipapagdala namin sa iyo ang dokumento sa napiling paraan.)</i>			
9) Pumili ng Anyo ng Tugon			
<input type="checkbox"/> Email	<input type="checkbox"/> Fax	<input type="checkbox"/> Postal na Kinatatanganan	<input type="checkbox"/> Kunin sa Ahensya
10) Uri ng Ibinigay na ID <i>(Pakitiyak na ang ID ay naglalaman ng iyon larawan at lagda)</i>			
<input type="checkbox"/> Pasaporte	<input type="checkbox"/> Lisenya ng Pagmamaneho	<input type="checkbox"/> SSS ID	<input type="checkbox"/> Postal ID
<input type="checkbox"/> Voter's ID	<input type="checkbox"/> School ID	<input type="checkbox"/> Company ID	<input type="checkbox"/> Iba pa _____
B. Kahilingan Impormasyon			
11) Ahensya - Ugnayan Ahensya <i>(kung akma)*</i>		<input type="text"/>	
12) Titulo ng Dokumentong Hiniling <i>(paki-detalye ng mabuti)*</i>		<input type="text"/>	
13) Mga Taon o Panahong Saklaw <i>(MM/DD/YYYY)*</i>		<input type="text"/>	
14) Layunin*		<input type="text"/>	
15) Uri ng Dokumento*		<input type="text"/>	
16) Pantukoy na Bilang <i>(kung batid)*</i>		<input type="text"/>	
17) Anumang kaugnay na kaalaman		<input type="text"/>	





### C. Pahayag

**Pansariling Paunawa:** Kapag naipalagav na balido, ang ivong impormasyon mula sa iyong aplikasyon ay gagamitin ng ahensyang hinilingan upang tugunan ang iyong aplikasyon batay sa nakasaad sa Freedom of Information Executive Order No. 2. Kung ang Departamento o Ahensya ay nagbigay ng daan sa dokumento at kung ang dokumento ay hindi naglalaman ng kaalaman tungkol sa ivo, ang dokumento ay ihahayag online sa disclosure log ng Departamento o Ahensya kalakip ang iyong pangalan at panahon ng ivong aplikasyon, at, kung ibang tac, kumpanya o kinatawan ay gagamitin o makikinabang mula sa dokumentong siniyasat, ang pangalan ng naturing tao, entidad o kinatawan,

#### Aking Inihahayag na:

- Ang impormasyon ibinigay ay kumpleto at wasto;
- Aking nabasa ang Pansariling Paunawa;
- Ako'y nagbigay ng hindi kukulangan sa isang (I) government-issued ID upang pagtibayin ang patunay ng aking pagkakakilanlan

Aking nauunawaan na isang paglabag ang pagbibigay ng maling kaalaman tungkol sa aking pagkatao, at vaon paggawa ay maaaring magresulta sa desiyon upang tanggihang iproseso ang aking aplikasyon.

**Lagda\***

**Petsa ng Natapos (MM/DD/YYYY)**

### D. Para sa Tatanggap na Kawani (PANLOOB NA GAMIT LAMANG)

**Pangalan (Bakas pangalan)\***

**Ahensya-Ugnayan Ahensya \*** (kung akma, kung hindi N/A)

**Petsa ng pinasol sa eFOI \*** (kung akma, kung hindi N/A)

**Patunay ng ID na ibinigay (Kailangan kasama ang Photocopies ng orihinal)**

<input type="checkbox"/> Pasaporte	<input type="checkbox"/> Lisenya ng Pagmamaneho	<input type="checkbox"/> SSS ID	<input type="checkbox"/> Postal ID
<input type="checkbox"/> Voter's ID	<input type="checkbox"/> School ID	<input type="checkbox"/> Company ID	<input type="checkbox"/> Iba pa _____

**Ang kahilinga ay inirekomenda upang:**

<input type="checkbox"/> Pinagtibay	<input type="checkbox"/> Tinanggihan
-------------------------------------	--------------------------------------

**Kung tinanggihan, lagyan ng ekis "X" ang dahilan ng pagtangga:**

<input type="checkbox"/> Imbalidong kahilingan	<input type="checkbox"/> Hindi lubos	<input type="checkbox"/> Ang impormasyon ay makukuha na online
--	--------------------------------------	--

**Pangalawang Kawaning Tagatanggap (Bakas pangalan) \***

**Itinalgang Tagapagpasya sa Aplikasyon (Bakas pangalan) \***

**Pasya sa Aplikasyon**

<input type="checkbox"/> Pasado	<input type="checkbox"/> Bahagyang Pasado	<input type="checkbox"/> Tinanggihan	<input type="checkbox"/> Halaga
---------------------------------	---	--------------------------------------	---------------------------------

**Kung tinanggihan, lagyan ng ekis "X" ang dahilan ng pagtangga:**

<input type="checkbox"/> Imbalidong kahilingan	<input type="checkbox"/> Hindi lubos	<input type="checkbox"/> Ang impormasyon ay makukuha na online
--	--------------------------------------	--

<input type="checkbox"/> Pagbubukod	Aling Pagbubukod?
-------------------------------------	-------------------

**Petsa ng Natapos ang Kahilingan (MM/DD/YYYY) \***

**Petsa ng Naipadala ang Dokumento (kung meron) \***

**FOI Talaan Naganap:**

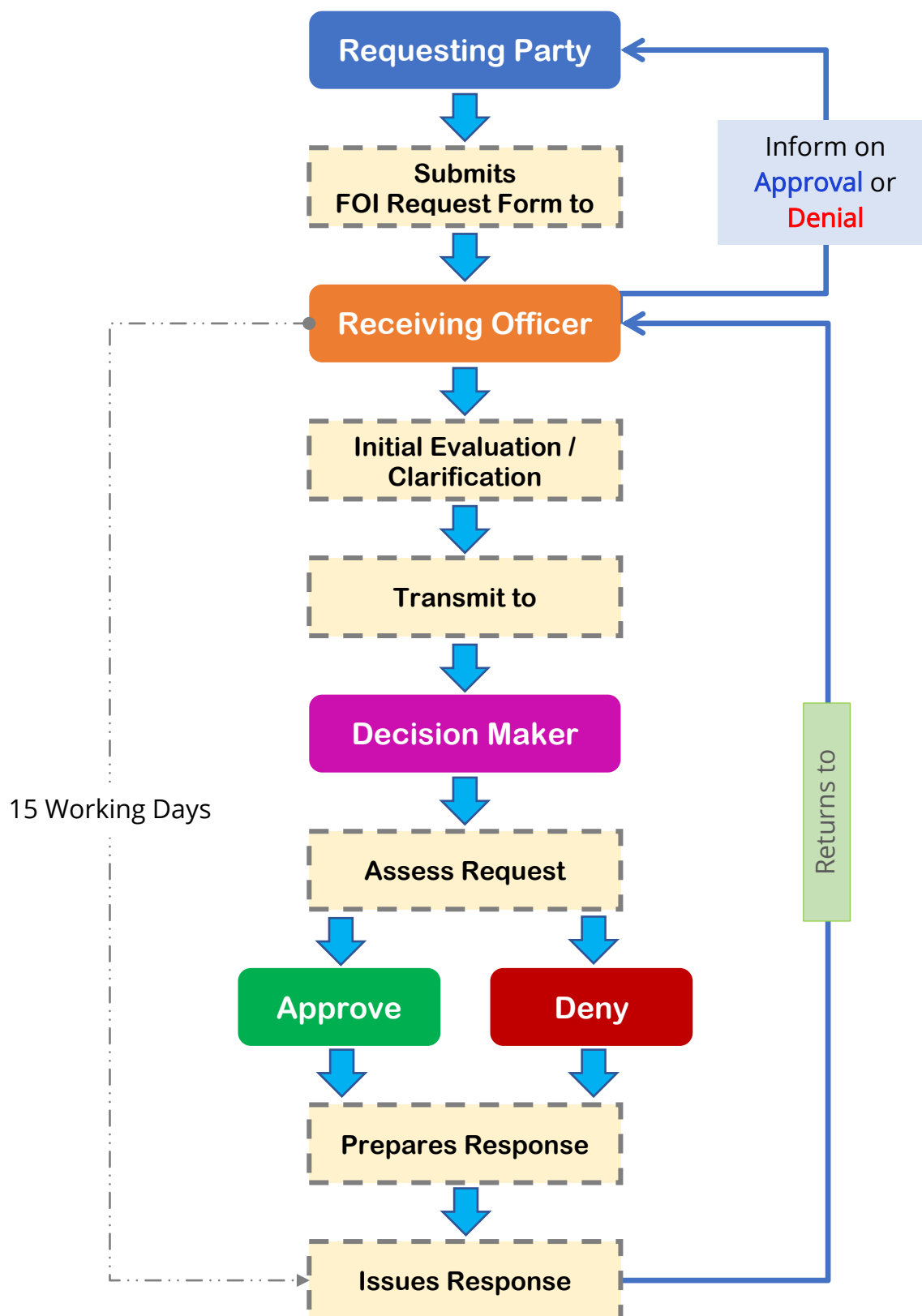
<input type="checkbox"/> Oo	<input type="checkbox"/> Hindi
-----------------------------	--------------------------------

**RO Lagda:**

**Petsa (MM/DD/YYYY):**

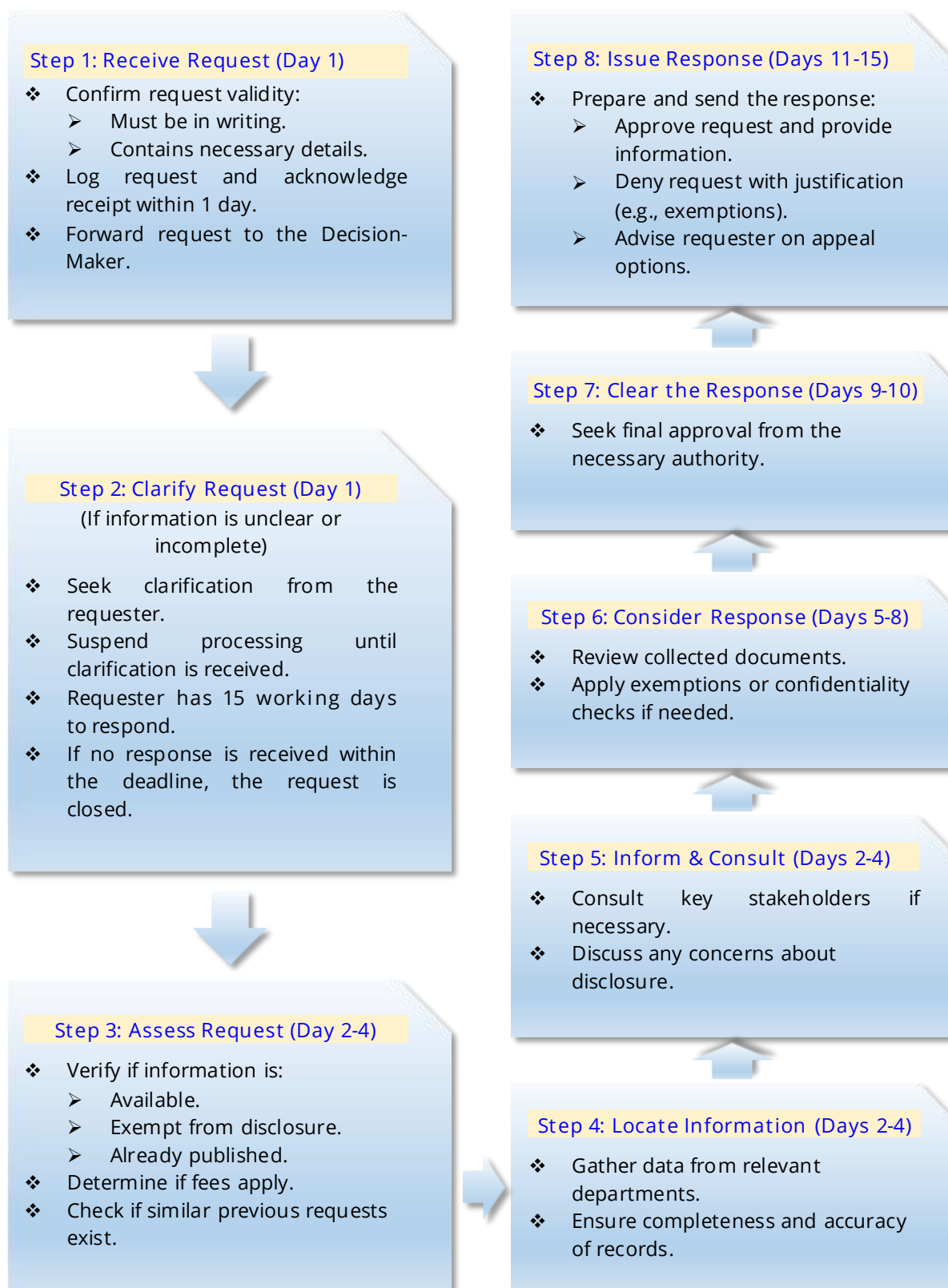


## FOI FLOW CHART





## DETAILED FOI REQUEST PROCESS



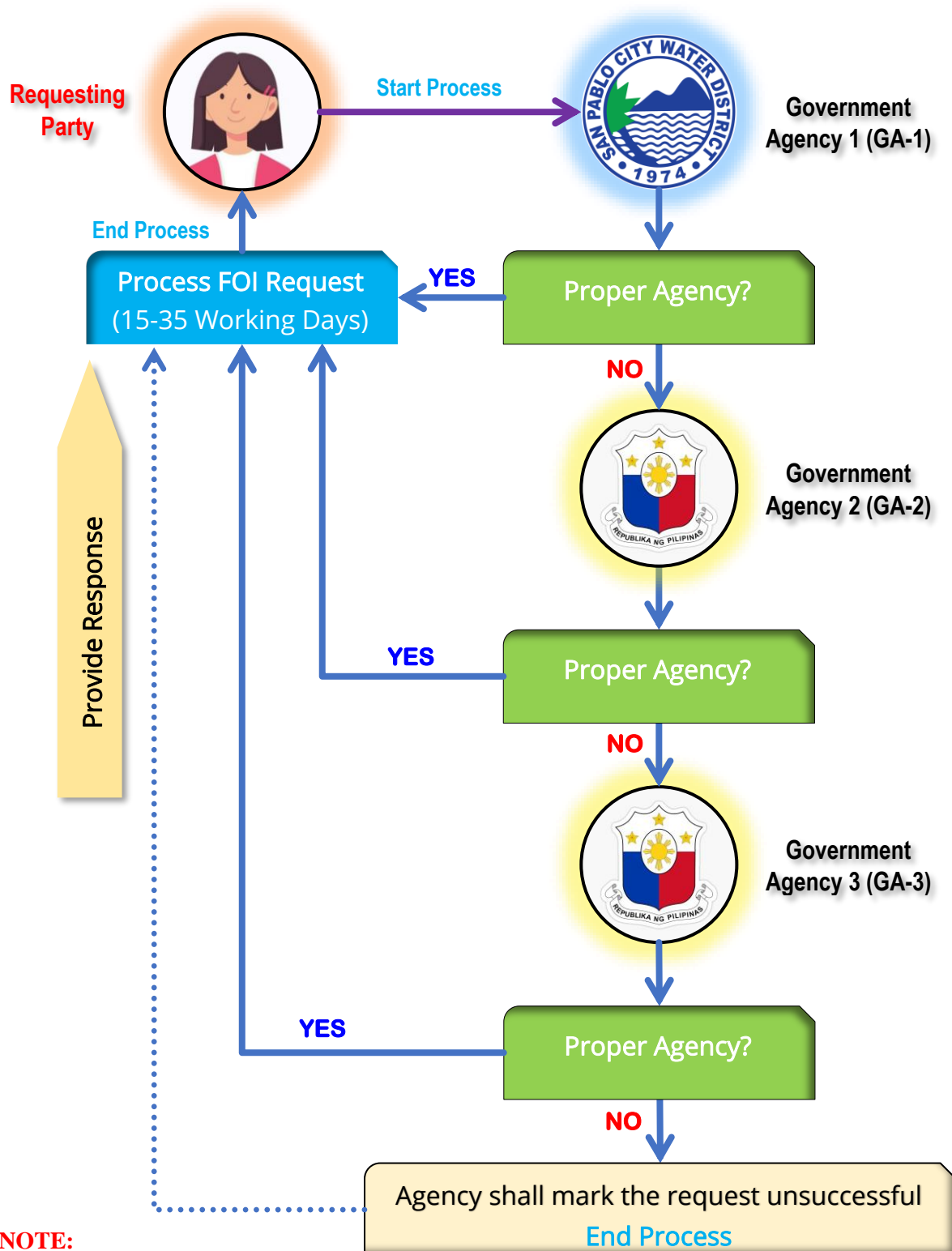


## FOI REQUEST PROCESS IN DAYS

Days	Activities	Specifics / Remarks
<b>A. Day 1</b>	Receive Request	<ul style="list-style-type: none"><li>❖ Validate request (must be in writing and complete).</li><li>❖ Acknowledge within 1 day.</li><li>❖ Plan work needed with Decision-Maker.</li></ul>
<b>B. Day 1</b>	Clarify Request ? (If needed)	<ul style="list-style-type: none"><li>❖ Seek clarification from the requester.</li><li>❖ Processing is suspended until a response is received.</li><li>❖ The requester has 15 working days to reply.</li><li>❖ No response = Request closed.</li></ul>
<b>C. Days 1-2</b>	Assess Request	<ul style="list-style-type: none"><li>❖ Check if the information is:<ul style="list-style-type: none"><li>a) Available</li><li>b) Exempt</li><li>c) Already published</li></ul></li><li>❖ Verify if fees apply.</li><li>❖ Check for similar previous requests.</li></ul>
<b>D. Days 2-4</b>	Locate Information	<ul style="list-style-type: none"><li>❖ Gather relevant data from departments.</li><li>❖ Ensure completeness and accuracy.</li></ul>
<b>E. Days 2-4</b>	Inform & Consult	<ul style="list-style-type: none"><li>❖ Consult key stakeholders (if necessary).</li><li>❖ Discuss concerns regarding disclosure.</li></ul>
<b>F. Days 5-8</b>	Consider Response	<ul style="list-style-type: none"><li>❖ Review collected documents.</li><li>❖ Apply exemptions or confidentiality checks if needed.</li></ul>
<b>G. Days 9-10</b>	Clear Response	<ul style="list-style-type: none"><li>❖ Seek final approval from the concerned authority.</li></ul>
<b>H. Days 11-15</b>	Issue Response	<ul style="list-style-type: none"><li>❖ Prepare and send the response:<ul style="list-style-type: none"><li>a) Approve request and provide information.</li><li>b) Deny request with justification.</li><li>c) Advise requester on appeal options.</li></ul></li></ul>



## NO WRONG DOOR POLICY FLOWCHART





## FOI RESPONSE TEMPLATE – RESPONSE TO REQUEST

[Date]

Dear [Requestor's Name],

Greetings!

Thank you for your request dated [Insert Date] under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

### Your Request

You requested: [Quote the request exactly, or summarize concisely if lengthy].

### Response to Your Request

Your FOI request has been approved. Below is the response to your inquiry:

[Insert Answer Here]

Should you require further clarification, please do not hesitate to contact our office.

Thank you.

Respectfully,

[Signature]

[FOI Receiving Officer]

[Agency/Department Name]



## FOI RESPONSE TEMPLATE – DOCUMENT ENCLOSED

---

[Date]

Dear [Requestor's Name],

Greetings!

Thank you for your request dated [Insert Date] under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

### Your Request

You requested: [Quote the request exactly, or summarize concisely if it is lengthy].

### Response to Your Request

Your FOI request has been approved. Please find enclosed [some/most/all] of the requested information [in the format you specified].

If you need further clarification or additional details, feel free to contact our office.

Thank you.

Respectfully,

[Signature]

[FOI Receiving Officer]

San Pablo City Water District



## **FOI RESPONSE TEMPLATE – DOCUMENT AVAILABLE ONLINE**

[Date]

**Dear [Requestor's Name],**

Greetings! Thank you for your request dated [Insert Date] under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

### **Your Request**

You requested: [Quote the request exactly or provide a brief summary if lengthy].

### **Response to Your Request**

[Some/Most/All] of the information you requested is already available online. You may access it from the following source(s):

[Provide specific website links, e.g., data.gov.ph, foi.gov.ph, or other relevant government websites]. If you require further assistance in accessing the information, please do not hesitate to reach out.

### **Your Right to Request a Review**

If you are not satisfied with this response to your FOI request, you may file an appeal by writing to [Insert Name of Official] at [Insert Email and Address].

Your appeal should clearly explain why you disagree with this response and must be submitted within 15 calendar days from the date you received this letter. We will review your appeal and notify you of the outcome within 30 working days from the date we receive your request.

Thank you.

Respectfully,

[Signature]

**[FOI Receiving Officer]**

San Pablo City Water District





## FOI RESPONSE TEMPLATE – DOCUMENT NOT AVAILABLE

[Date]

Dear [Requestor's Name],

Greetings!

Thank you for your request dated [Insert Date] under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

### Your Request

You requested: [Quote the request exactly or provide a brief summary if lengthy].

### Response to Your Request

We strive to provide information whenever possible. However, in this instance, our office does not have [some/all] of the information you requested.

You may wish to contact [Insert Name of Other Authority/Organization] at [Insert Contact Details], as they may be able to assist you. The reasons why we do not have the requested information are explained in the annex attached to this letter.

### Your Right to Request a Review

If you are not satisfied with this response to your FOI request, you may appeal in writing to [Insert Name of Official] at [Insert Email and Address]. Your appeal should clearly explain why you disagree with this response and must be submitted within 15 calendar days from the date you received this letter.

We will review your appeal and notify you of the outcome within 30 working days from the date we receive your request.

Thank you.

Respectfully,

[Signature]

[FOI Receiving Officer]

San Pablo City Water District



## **FOI RESPONSE TEMPLATE – UNDER EXCEPTIONS**

[Date]

Dear [Requestor's Name],

Greetings!

Thank you for your request dated [Insert Date] under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

### **Your Request**

You requested: [Quote the request exactly or summarize if too long/complex].

### **Response to Your Request**

We strive to provide information whenever possible. However, we are unable to provide [some/all] of the requested information because it falls under an exception(s) as stated in Section [Insert Specific Section Number] of the List of Exceptions. A detailed explanation of why this exemption applies is provided in the annex attached to this letter.

### **Your Right to Request a Review**

If you are not satisfied with this response, you may file an appeal in writing to [Insert Name of Official] at [Insert Email and Address].

Your appeal should clearly state why you disagree with this response and must be submitted within 15 calendar days from the date you received this letter. We will review your appeal and notify you of the outcome within 30 working days from the date we receive your request.

Thank you.

Respectfully,

[Signature]

**[FOI Receiving Officer]**

San Pablo City Water District



## FOI RESPONSE TEMPLATE – IDENTICAL REQUEST

[Date]

Dear [Requestor's Name],

Greetings!

Thank you for your request dated [Insert Date] under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

### Your Request

You requested: [Quote the request exactly or summarize if too long/complex].

### Response to Your Request

We aim to provide information whenever possible. However, we are unable to fulfill your request as it is substantially similar or identical to a previous request you made on [Insert Date of Previous Request], which we responded to on [Insert Date of Response]. For your reference, we recommend reviewing our previous response. If you require further clarification, please let us know.

### Your Right to Request a Review

If you are not satisfied with this response, you may file an appeal by writing to [Insert Name of Official] at [Insert Email and Address]. Your appeal should explain why you disagree with this response and must be submitted within 15 calendar days from the date you received this letter.

We will review your appeal and notify you of the outcome within 30 working days from the date we receive your request.

Thank you.

Respectfully,

[Signature]

[FOI Receiving Officer]

San Pablo City Water District



## **EXECUTIVE ORDER NO. 2 (S. 2016)**

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES  
EXECUTIVE ORDER NO. 2

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

**WHEREAS**, the Constitution, under Article III, Section 7, guarantees the right of the people to information on matters of public concern;

**WHEREAS**, the Constitution, under Article II, Section 28, also declares the State policy of full public disclosure of all its transactions involving public interest, subject to reasonable conditions prescribed by law;

**WHEREAS**, the President, under Article VII, Section 1 of the Constitution, is the head of the Executive branch, and is vested with the Executive power;

**WHEREAS**, the Executive branch recognizes the urgent need to operationalize these constitutional provisions;

**WHEREAS**, the Executive branch acknowledges the need to establish effective mechanisms to enable the public to access information, official records, and documents and papers pertaining to official acts, transactions, or decisions, as well as government research data used as basis for policy development;

**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 Order, the following terms shall mean:



- a) **Information** – any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, sound and video recordings, electronic data, computer-stored data, or any other like or similar data or materials, recorded, stored, or archived in whatever format, which are made, received, or kept in the government under applicable laws, rules, and regulations.
- b) **Official Record** – information produced or received by a public office or employee in an official capacity or pursuant to a public function or duty.
- c) **Public Record** – includes information required by laws, executive orders, rules, or regulations to be entered, kept, and maintained by government officials and employees in the discharge of official functions.

## 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 (GOCCs) and state universities and colleges (SUCs).

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. Exceptions

Access to information shall be denied when:

- (a) The information falls under any of the exceptions enshrined in the Constitution, existing law, or jurisprudence;
- (b) The information pertains to the internal or deliberative processes of the government, which are not generally accessible under existing laws;



- (c) The information pertains to trade secrets, privileged commercial, financial, or proprietary information;
- (d) The information pertains to personal data protected under the Data Privacy Act of 2012;
- (e) The information pertains to matters affecting national security, defense, or international relations;
- (f) Other instances where disclosure is prohibited by law, jurisprudence, or relevant regulations.

The Department of Justice (DOJ) and the Office of the Solicitor General (OSG) shall prepare an inventory of exceptions and periodically update them as necessary.

### **SECTION 5. Protection of Privacy**

While providing access to information, agencies shall ensure the protection of personal information as provided under Republic Act No. 10173, or the Data Privacy Act of 2012.

### **SECTION 6. Standard Procedure**

Government agencies shall adopt the following minimum standard procedure for dealing with requests for information:

1. Requests for information shall be in writing and must provide reasonable details about the information sought.
2. Requests may be submitted personally, by mail, or electronically.
3. The receiving officer shall provide an acknowledgment receipt.
4. The government agency must respond within fifteen (15) working days, which may be extended in exceptional circumstances.
5. Denials must be in writing, stating the reason for denial and the available remedies.

### **SECTION 7. Administrative Liability**

Failure to comply with this Order, whether by outright denial or delay, shall be grounds for administrative disciplinary action.



## **SECTION 8. Implementing Rules and Regulations**

Within thirty (30) days from the effectivity of this Order, the Department of Justice (DOJ) and the Office of the Solicitor General (OSG) shall jointly draft the implementing rules and regulations.

## **SECTION 9. Separability Clause**

If any provision of this Order is declared unconstitutional or invalid, the other provisions shall remain in effect.

## **SECTION 10. Repealing Clause**

All executive orders, rules, and regulations inconsistent with this Order are hereby repealed or modified accordingly.

## **SECTION 11. Effectivity**

This Executive Order shall take effect immediately upon publication in the Official Gazette or 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





## **REFERENCES**

- **Freedom of Information Act (FOIA), 5 U.S.C. § 552.** (United States Government, 1966).
- **Executive Order No. 2, s. 2016.** Malacañang, Office of the President, Republic of the Philippines. Retrieved from <https://www.foi.gov.ph>
- **Republic Act No. 11032** (Ease of Doing Business and Efficient Government Service Delivery Act of 2018). Official Gazette of the Republic of the Philippines. Retrieved from <https://www.officialgazette.gov.ph>
- **Anti-Red Tape Authority (ARTA).** Official Website: <https://arta.gov.ph>
- **Presidential Communications Office (PCO).** Official Website: <https://pco.gov.ph>
- **eFOI Portal. Freedom of Information - Government of the Philippines.** Retrieved from <https://www.foi.gov.ph>
- **FOIA Improvement Act of 2016.** United States Government. Retrieved from <https://www.congress.gov>
- **ARTA Report Card Survey (RCS).** Anti-Red Tape Authority, Republic of the Philippines. Retrieved from <https://arta.gov.ph>
- **Supreme Court Rulings on FOI.** Supreme Court of the Philippines. Retrieved from <https://sc.judiciary.gov.ph>

