

FREEDOM OF INFORMATION

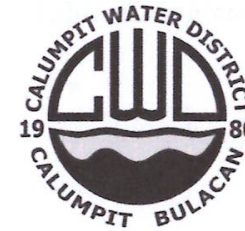
EXECUTIVE ORDER NO. 02

SERIES OF 2016

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.

**CALUMPIT WATER DISTRICT
PEOPLE'S FOI MANUAL**

Revised July 2023



FREEDOM OF INFORMATION

EXECUTIVE ORDER NO. 02

SERIES OF 2016

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.

CALUMPIT WATER DISTRICT PEOPLE'S FOI MANUAL

Revised July 2023



Table of Contents

A. Overview

1. Statement of Policy
2. Purpose
3. Coverage

B. Definition of Terms

C. Promotion of Openness in Government

1. Duty to Publish Information
2. Accessibility of Language and Form
3. Keeping of Records

D. Protection of Privacy

E. Standard Procedure

F. Annexes

- FOI Frequently Asked Questions
- Executive Order No. 02
- List of Exceptions
- Flow Chart
- FOI Request Form
- No Wrong Door Policy Flow Chart



FREEDOM OF INFORMATION (FOI) PEOPLE'S MANUAL

A. 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 (Section 7, Article III)

In addition, it is mandated that the governance of water district shall be carried out in transparent, responsible and accountable manner and with the utmost degree of professionalism and effectiveness R.A. No. 10149, Section (2). Calumpit 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 CWD's mandate under Republic Act (R.A.) No. 10149.

2. **Purpose.** - The purpose of this FOI Manual is to guide and assist the Calumpit Water District (CWD) and the public in dealing with requests of information received under Executive Order (E.O) No. 2 on Freedom of Information issued on 23 July 2016.
3. **Coverage.** - This FOI Manual shall cover all requests for information directed to the Calumpit Water District and all its attached office/divisions.



B. DEFINITION OF TERMS

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 will 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.

eFol.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 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 CWD personally or by email asking records on any topic falling under the water district's mandate.

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

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

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 CWD pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business of the CWD.



Information for Disclosure - Information promoting the awareness and understanding of policies, programs, activities, rules or revisions affecting the public's 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 concept of proactive disclosure and open data, these types of information can ready 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 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 CWD of portions of records in response to an FOI request, and denial of the remaining portion of such records.

Proactive Disclosure – Information made publicly available by the CWD 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 recorder in a materials 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.

Received Request or Received Appeal – An FOI request or administrative appeal that the CWD has received within a fiscal year.



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,
- (2) About 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, suspensions or revocation, and tax returns; and
- (4) Specifically established by an executive order or an act of Congress to be kept classified.

C. PROMOTION OF OPENESS IN GOVERNMENT

1. Duty to Publish Information. CWD 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. Bidding 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.



2. Accessibility of Language and Form. CWD shall endeavor to translate languages and present them in popular form and means.
3. Keeping of Records. CWD shall create and/or maintain in appropriate formats, accurate and reasonably complete documentation of records, policies, transactions, decisions, resolutions, enactments, actions, procedures, operations, activities, communications and documents received or filed with them the data generated or collected.

D. PROTECTION OF PRIVACY

While providing for access to information, CWD shall afford full protection to a person's right to privacy as follows:

- a. CWD 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. CWD shall protect personal information in its custody or under its control by making reasonable security, leaks or premature disclosure;
- c. Any CWD personnel or official who has access to personal information in the custody of the CWD shall not disclose such information except as authorized by existing laws.

E. STANDARD PROCEDURE

The FOI Receiving Officer (FRO) shall receive the request information from the requesting party and check compliance with the following requirements:

The request must be in writing.

The request shall state the name and contact information of the requesting party and provide valid proof of identification and/or authorization; and



The request shall reasonably describe the information requested and the reason for, or purpose of, the request for information. The request can be made through email send to calumpitwd@yahoo.com, provided that the requesting party shall attach in the email a scanned copy of the FOI application request, and a copy of a duly-recognized government ID with photo.

1. The FRO shall be any personnel assigned to the Office of the General Manager Management and Information System (MIS) Unit.
2. In case the requesting party is unable to make written request, because of illiteracy or due to being a person with disability, he or she may make an oral request, and the FRO shall reduce it in writing.
3. The request shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name of the person who actually received it, with a copy furnished to the requesting party. In case of email requests, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by electronic mail. The FRO shall input the details of the request on the Request Tracking System and allocate a reference number.
4. CWD must respond to request promptly within fifteen (15) working days following the date of the receipt of the request in relation to RA 6713. A working day is any day other than a declared national public holiday. In computing the period, Article 13 of the New Civil Code shall be observed.

The date of receipt of the request will be either:

- a. The day on which the request is physically or electronically delivered to the CWD Administrative Building, or directly into calumpitwd@yahoo.com
 - b. If CWD has asked the requesting party for further details to identify and locate the requested information, the date on which the necessary clarification is received.
5. The FRO shall then forward the request to the FOI Document Owner (FDO) of the Office which has ownership over the documents containing the information within one (1) day from the receipt of written request. The FRO shall maintain a record of all transmitted requests to the concerned FDOs.

If the requested information is in the custody of a government agency or office other than the CWD, the FRO, upon verification with the concerned FDO, shall transmit the request to such government agency or office through the most expeditious manner, informing the requesting party such transmission and the reasons thereof.



If the information requested is already posted and publicly available in the CWD website, data.gov.ph or foi.gov.ph, the FRO shall inform the requesting party of the said fact and provide them the website link where the information is posted.

If the requested information is not in the possession of CWD, but is known available in another government agency under the Executive Branch, the request shall be immediately referred by CWD to that government agency through the most expeditious manner not exceeding three (3) working days from the receipt of the request. In this case, the FOI Memorandum Circular (MC) No. 21-05 otherwise known as the **"No Wrong Door Policy for FOI"** shall be implemented.

Referral to the appropriated agency shall mean that another government office is the proper repository or custodian of the requested information or records, or have control over the said information or records.

6. Upon receipt of the request, the FDO shall assess the clarify the request if necessary, and transmit the request and the recommended action to the FOI Decision Maker (FDM), who is the Chairman of the Commission or his duly authorized representative, for final grant or denial.
7. Upon receipt of the requested information from the FDO, the FRO shall collate the same and ensure its completeness. He/ she shall attach a cover transmittal letter signed by the FDM or his duly-authorized representative, and ensure transmittal of said letter and the requested information to the requesting party within 15 working days from receipt of the request.
8. If the information requested require extensive search and examination of the CWD's official records or facilities, or if fortuitous events occur making timely release of the information impossible, the FDO shall inform the FRO of such circumstance 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.
9. In case of partial or full denial by the Office of the General Manager of the request, the FRO shall, within the prescribed period, notify in writing the requesting party of such denial, setting forth the grounds thereof and the circumstance on which the denial is made. Denials can only be grounded on exceptions determined by the Department of Justice (DOJ), Office of the Solicitor General (OSG), or the Office of the President (OP). In case of partial denial, the release of such information not covered by the denial shall



be governed by Items No. 6 and 7, Section E hereof. Upon receipt of the notice of denial, the requesting party may file a written appeal to the CWD Central Appeals and Review Committee for FOI Matters (Committee) within fifteen (15) calendar days from the notice of denial. The Committee shall evaluate the appeal and forward its recommendations to the CWD BOD Chairman and Directors, who shall decide on the appeal within thirty (3) 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.

The Committee shall be composed of the Board of Directors of the CWD.

10. Upon exhaustion of all administrative FOI remedies, the requesting party may file the appropriate judicial action under the Rules of Court.
11. CWD shall establish a system to trace the status of all requests for information received by it.

FOI Receiving Officer (FRO)

Name: Grace Anne DL. Mendoza
Email: calumpitwd@yahoo.com
Tel. No.: (044) 913-0079 / 913-0080 / 815-2584 loc. 107

F. FEES

1. Fees For Actual Expenses Incurred. CWD shall not charge any fee for accepting requests for information. However, the water district may charge reasonable fees for actual expenses incurred for reproduction and copying of information. The FRO shall immediately inform the requesting party if such expenses have been incurred. The schedule of fees is listed as follows:
 - ◆ FREE - If the requested information consumed only ten (10) pages or less for the print out.
 - ◆ Php 2.00 per page - If the requested information consumed more than ten (10) pages for the print out.
2. Exemption from PAYMENT OF FEES. CWD may exempt any requesting party from payment of fees, stating the valid reasons for such exemption.



G. ADMINISTRATIVE LIABILITY

1. Ground for Disciplinary Action. Failure to comply with the provisions of this Manual shall be ground for disciplinary action under pertinent Administrative laws, Civil Service rules, and CWD issuances. However, nothing in this Manual shall be construed to derogate from any law, rule or regulation which provides for more stringent penalties, as prescribed by competent authority.

H. REPEALING CLAUSE. All other CWD orders, circulars, issuances, decisions, or parts of the foregoing which are inconsistent with this Manual are hereby repealed or modified accordingly.

I. EFFECTIVITY CLAUSE. This Manual shall take effect immediately.

Engr. RONNIE B. LARGADO
General Manager



ANNEX "A"

FOI FREQUENTLY ASKED QUESTIONS

Introduction to FOI

1. What is FOI

Freedom of Information (FOI) is the government's response to the call for transparency and full public disclosure of information. FOI is a government mechanism which allows Filipino citizens to request any information about the government transactions and operations, provided that it shall not put into jeopardy privacy and matters of national security.

The FOI mechanism for the Executive Branch is enabled via Executive Order No. 2, series of 2016.

2. What is Executive Order No. 2 S. 2016?

Executive Order No. 2 is the enabling order for FOI. EO 2 operationalizes in the Executive Branch the People's Constitutional right to information. EO 2 also provides the State policies to full public disclosure and transparency in the public service.

EO 2 was signed by President Rodrigo Roa Duterte on July 23, 2016.

3. Who oversees the implementation of EO 2?

The Presidential Communications Operations Office (PCOO) oversees the operation of the FOI program. PCOO serves as the coordinator of all government agencies to ensure that the FOI program is properly implemented.

Making a Request

4. Who can make an FOI request?

Any Filipino citizen can make an FOI Request. As a matter of policy, requestors are required to present proof of identification.

5. What can I ask for under EO on FOI?

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



6. What agencies can we ask information?

An FOI request under EO 2 can be made before all government offices under the Executive Branch, including government owned or controlled corporations (GOCCs) and state universities and colleges (SUCs).

FOI requests must be sent to the specific agency of interest, to be received by its respective Receiving Officer.

7. How do I make an FOI request?

- a. The requestor is to fill up a request form and submits to the agency's Receiving Officer. The Receiving Officer shall validate the request and logs it accordingly on the FOI tracker.
- b. If deemed necessary, the Receiving Officer may clarify the request on the same day it was filed, such as specifying the information requested, and providing other assistance needed by the Requestor.
- c. The request is forwarded to the Decision Maker for proper assessment. The Decision Maker shall check if the agency holds the information requested, if it is already accessible, or if the request is a repeat of any previous request.
- d. The request shall be forwarded to the officials involved to locate the requested information.
- e. Once all relevant information is retrieved, officials will check if any exemptions apply, and will recommend appropriate response to the request.
- f. If necessary, the head of the agency shall provide clearance to the response.
- g. The agency shall prepare the information for release, based on the desired format of the Requestor. It shall be sent to the Requestor depending on the receipt preference.

8. How much does it cost to make an FOI request?

There are no fees to make a request. But the agency may charge a reasonable fee for necessary costs, including costs of printing, reproduction and/or photocopying.

9. What will I receive in response to an FOI request?

You will be receiving a response either granting or denying your request.

If the request is granted, the information requested will be attached, using a format that you specified. Otherwise, the agency will explain why the request was denied.



10. How long will it take before I get a response?

It is mandated that all replies shall be sent fifteen (15) working days after the receipt of the request. The agency will be sending a response, informing of an extension of processing period no longer than twenty (20) working days, should the need arise.

11. What if I never get a response?

If the agency fails to provide a response within the required fifteen (15) working days, the Requestor may write an appeal letter to the Central Appeals and Review Committee within fifteen (15) calendar 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, requestors may file the appropriate case in the proper courts in accordance with the Rules of Court.

12. What will happen if my request is not granted?

If you are not satisfied with the response, the Requestor may write an appeal letter to the Central Appeals and Review Committee within fifteen (15) calendar 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, requestors may file the appropriate case in the proper courts in accordance with the Rules of Court.



ANNEX "B"

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 THEREFORE

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.

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

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

SECTION 4. Exception. Access to information shall be denied when the information falls under any of the exceptions enshrined in the Constitution, existing law or jurisprudence.

The Department of Justice and the Office of the Solicitor General are hereby directed to prepare an inventory of such exceptions and submit the same to the Office of the President within thirty (30) calendar days from the date of effectivity of this Order.

The Office of the President shall thereafter, immediately circularize the inventory of exceptions for the guidance of all government offices and instrumentalities covered by this Order and the general public.



Said inventory of exceptions shall periodically be updated to properly reflect any change in existing law and jurisprudence and the Department of Justice and the Office of the Solicitor General are directed to update the inventory of exceptions as the need to do so arises, for circularization as hereinabove stated.

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

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

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

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

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

(a) Each government office per Section 2 hereof shall ensure that personal information in its custody or under its control is disclosed or released only if it is material or relevant to the subject-matter of the request and its disclosure is permissible under this order or existing law, rules or regulations;

(b) Each government office must protect personal information in its custody or control by making reasonable security arrangements against leaks or premature disclosure of personal information which unduly exposes the individual whose personal information is requested, to vilification, harassment or any other wrongful acts.



(c) Any employee, official or director of a government office per Section 2 hereof who has access, authorized or unauthorized, to personal information in the custody of the office, must not disclose that information except when authorized under this order or pursuant to existing laws, rules or regulation.

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

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

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

(a) Any person who requests access to information shall submit a written request to the government office concerned. The request shall state the name and contact information of the requesting party, provide valid proof of his identification or authorization, reasonably describe the information requested, and the reason for, or purpose of, the request for information: Provided, that no request shall be denied or refused acceptance unless the reason for the request is contrary to law, existing rules and regulations or it is one of the exceptions contained in the inventory or updated inventory of exception as hereinabove provided.

(b) The public official receiving the request shall provide reasonable assistance, free of charge, to enable, to enable all requesting parties and particularly those with special needs, to comply with the request requirements under this Section.



(c) The request shall be stamped by the government office, indicating the date and time of receipt and the name, rank, title and position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the requesting party. Each government office shall establish a system to trace the status of all requests for information received by it.

(d) The government office shall respond to a request fully compliant with requirements of sub-section (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.

(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 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



ANNEX C
LIST OF EXEMPTIONS



ANNEX "C" LIST OF EXCEPTIONS

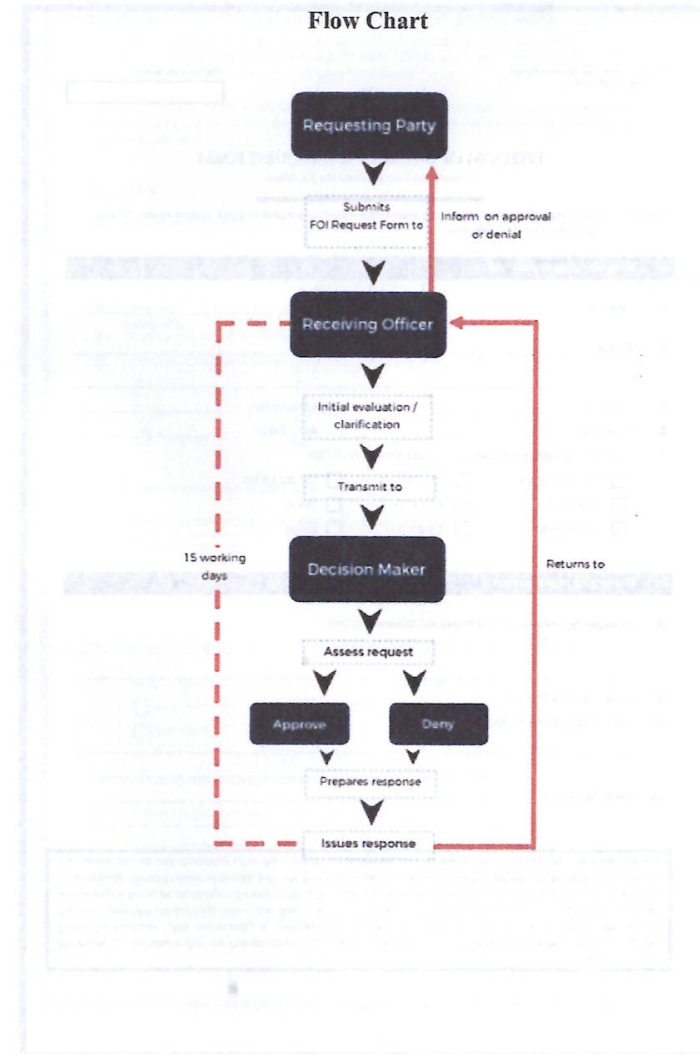
The following are the exceptions to the right of access to information, as recognized by the Constitution, existing laws, or jurisprudence:¹

1. Information covered by Executive privilege;
2. Privileged information relating to national security, defense or international relations;
3. Information concerning law enforcement and protection of public and personal safety;
4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes, or the accused;
5. 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;
6. Prejudicial premature disclosure;
7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged;
8. Matters considered confidential under banking and finance laws, and their amendatory laws; and
9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations.

¹ These exceptions only apply to governmental bodies within the control and supervision of the Executive department. Unless specifically identified, these exceptions may be invoked by all officials, officers, or employees in the Executive branch in possession of the relevant records or information.

ANNEX "D"

Flow Chart





ANNEX "E"
FOI Request Form

This document may be reproduced and is NOT FOR SALE

FOI Tracking Number:

FREEDOM OF INFORMATION REQUEST FORM
(Pursuant to Executive Order No. 2, s. 2016)

Panuto: Punan ang mga patlang ng wastong impormasyon gamit ang malalaking titik. Lagyan ng ekis "x" ang mga kahon kung kinakailangan.

A. Nanghihingi ng Impormasyon

1. Pangalan: _____
(Apelyido) (M.I.) (Pangalan)

2. Tirahan: _____

3. Telepono: _____ 4. Mobile Phone No.: _____

5. Email address: _____ 6. Petsa: _____

7. Katibayan ng pagkakakilanlan na ipinakita/binigay (Valid ID):

<input type="checkbox"/> Driver's License	<input type="checkbox"/> Passport	<input type="checkbox"/> SSS ID/ UMID
<input type="checkbox"/> Voter's ID	<input type="checkbox"/> Postal ID	<input type="checkbox"/> TIN ID
<input type="checkbox"/> Company ID	<input type="checkbox"/> School ID	<input type="checkbox"/> Iba pa: _____

B. Hinihingi ng Impormasyon

8. Pamagat ng hinihingi ng impormasyon/ dokumento/ tala: _____

9. Sakop na petsa (Period): _____

10. Layunin sa pagkuha ng impormasyon: _____

11. Iba pang detalye: _____

Privacy Notice: Kapag itinuring na balido ang kahilingan/request, ang mga impormasyon sa dokumentong ito ay gagamitin ng tanggapan upang harapin at asikasuhin ang iyong kahilingan sang-ayon sa Freedom of Information Executive Order No. 2. Kapag ikaw ay binigyan ng tanggapan ng pahintulot sa isang dokumento, at kung wala itong personal na impormasyon tungkol sa iyo, ang naturang dokumento ay ilalathala ng tanggapan online sa talaan nito ng mga natanggap na kahilingan o "disclosure log", kasama ng iyong pangalan o pangalan ng kumpanya o ng sinumang gagamit/makinabang sa impormasyon at petsa ng paghingi nito.

Page 1



C. Pahayag

Pinatutunayan ko na (a) ang lahat ng detalyeng inilathad ko sa request form/ dokumentong ito ay kumpleto at pawang katatohanang lamang; (b) aking nabasa ang Privacy Notice; at (c) ako ay nagpakita ng valid ID na siyang nagpapatunay sa aking pagkakakilanlan.

Nauunawaan ko na kasalanan o paglabag sa batas ang magbigay ng maling impormasyon tungkol sa aking pagkakakilanlan, at ang pagsasagawa nito ay maaring maging sanhi ng hindi pag-usap ng aking aplikasyon (denied).

12. Lagda: _____

13. Peta (MM/DD/YYYY): _____

D. FOI Receiving Officer (INTERNAL USE ONLY)

14. Pangalan: _____

15. Peta ng pag-upload sa eFOI (if applicable): _____

16. Katibayan ng pagkakakilanlan na ipinakita (ilalip ang photocopy):

<input type="checkbox"/> Driver's License	<input type="checkbox"/> Passport	<input type="checkbox"/> SSS ID/ UMID
<input type="checkbox"/> Voter's ID	<input type="checkbox"/> Postal ID	<input type="checkbox"/> TIN ID
<input type="checkbox"/> Company ID	<input type="checkbox"/> School ID	<input type="checkbox"/> Iba pa: _____

17. Rekomendasyon ukol sa aplikasyon: Approved Denied

*Kung ito ay Denied, lagyan ng ekis "x" ang kahon ng dahilan nito:

Invalid Request Incomplete Data already available online

18. Pangalan ng **Decision Maker**: _____

19. Desisyon ukol sa aplikasyon: Successful Partially Successful Denied Cost: _____

*Kung ito ay Denied, lagyan ng ekis "x" ang kahon ng dahilan nito:

Invalid Request Incomplete Data already available online

Exception Anong Exception: _____

20. Peta nang matapos ang kahilingan (MM/DD/YYYY): _____

21. Peta ng pagkapadala ng dokumento (kung mayroon man) (MM/DD/YYYY): _____

22. Naitala sa FOI Registry: Oo Hindi

23. Lagda ng RO: _____

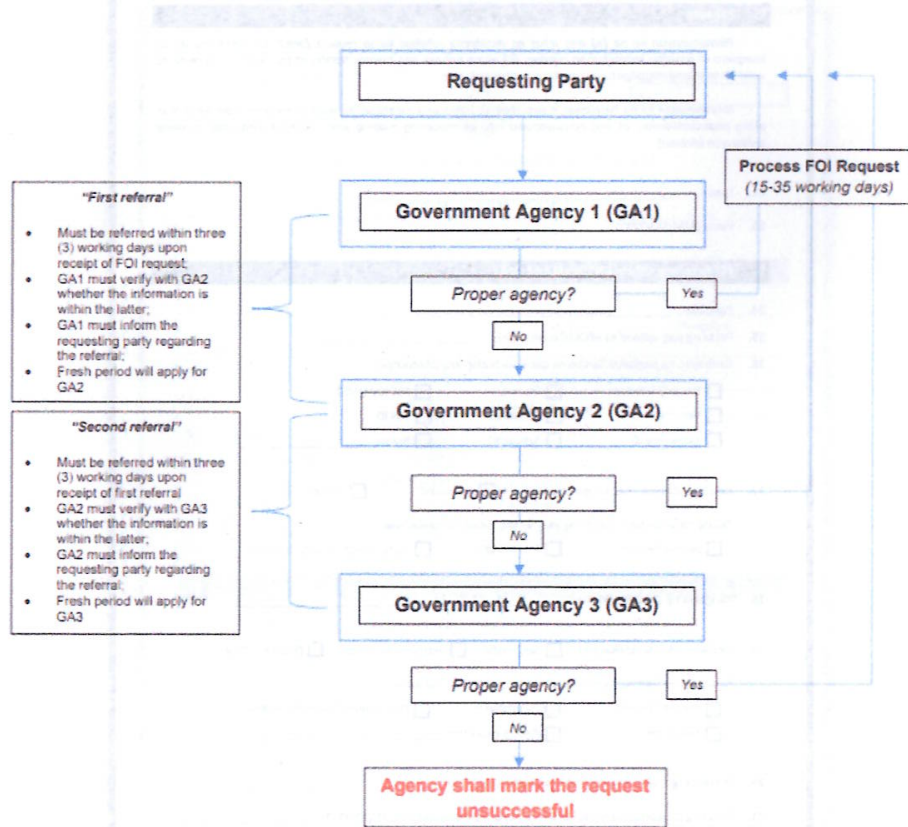
24. Peta (MM/DD/YYYY): _____

Page 2



ANNEX "F"

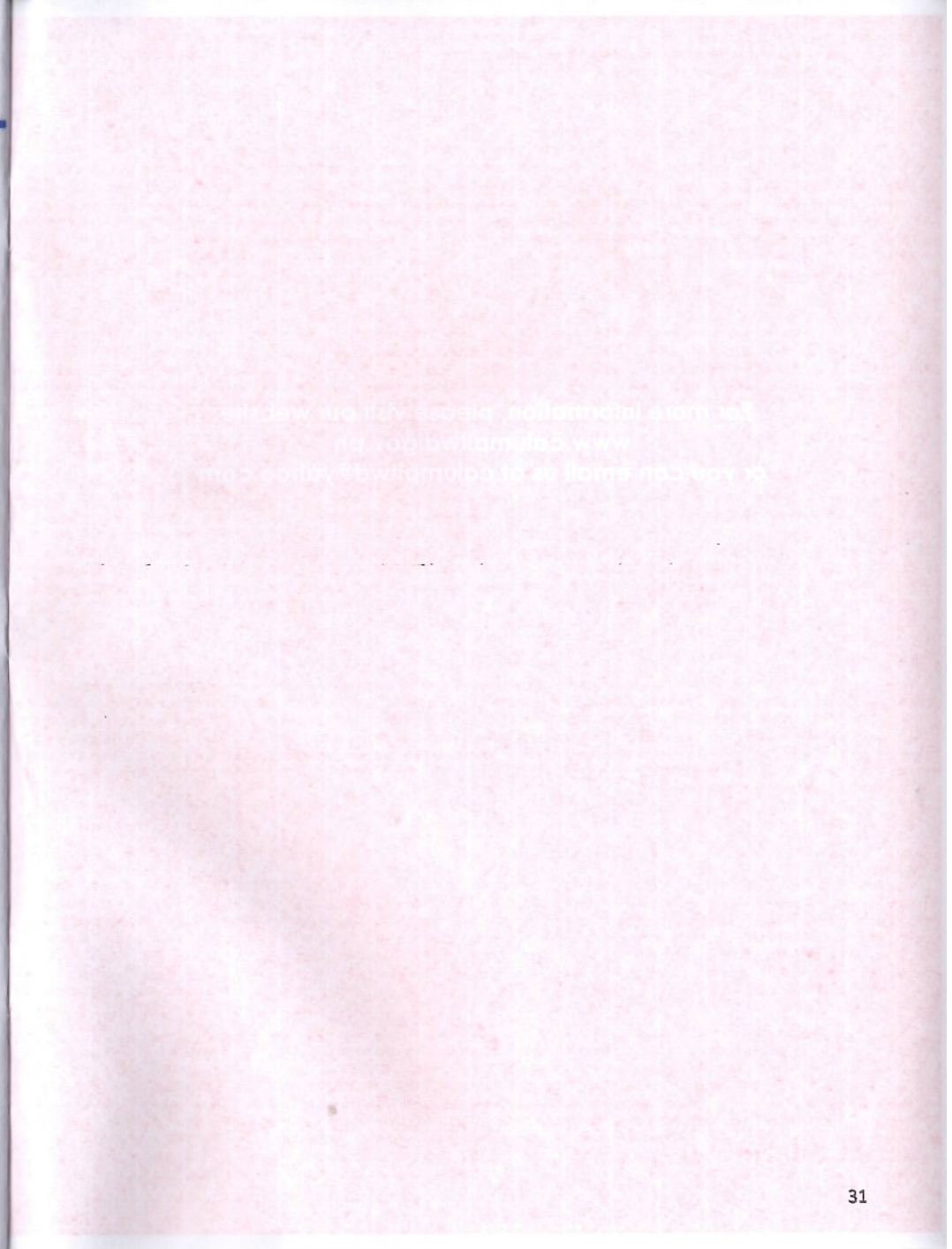
No Wrong Door Policy Flowchart



- "First referral"**
- Must be referred within three (3) working days upon receipt of FOI request.
 - GA1 must verify with GA2 whether the information is within the latter.
 - GA1 must inform the requesting party regarding the referral.
 - Fresh period will apply for GA2

- "Second referral"**
- Must be referred within three (3) working days upon receipt of first referral
 - GA2 must verify with GA3 whether the information is within the latter.
 - GA2 must inform the requesting party regarding the referral.
 - Fresh period will apply for GA3

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.



For more information, please visit our website:
www.calumpitwd.gov.ph
or you can email us at calumpitwd@yahoo.com