



# PEOPLE'S FREEDOM OF INFORMATION MANUAL



## BALIWAG WATER DISTRICT

Col. Tomacruz Street Poblacion, Baliwag City, Bulacan

*"SERVICE IS OUR BUSINESS"*



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## SECTION 1. OVERVIEW

**1.1. Purposes:** The purpose of this Baliwag Water District (BWD) Freedom of Information Manual, (Manual), is to provide the process to guide and assist the BWD and the requesting party on information requested under Executive Order (E.O.) No. 2 on Freedom of Information (FOI). (**Annex “A”**)

**1.2. Structure of the Manual:** This Manual shall set out the rules and procedures to be followed by the BWD and the requesting party when the request for access to information received. The General Manager (GM) is responsible for all actions carried out under this Manual and may delegate this responsibility to key personnel of the BWD as may designated from time to time and as approved by the Board of Directors. The GM may likewise delegate specific officers to act as the FOI Decision Makers (DM), who shall have overall responsibility for the initial decisions on FOI requests. The GM shall also assign an FOI Appeal Committee (AC) which shall have overall responsibility for all requests submitted for appeal.

**1.3. Coverage of the Manual:** The Manual shall cover all requests for documents, records, reports or information directed to any department of BWD.

**1.4. FOI Receiving Officer:** There shall be FOI Receiving Officer (FRO) designated at the BWD Main Office. The FRO shall preferably come from the Corporate Planning Department.

The functions of the FRO shall include receiving on behalf of the BWD all requests for information and simultaneously forward the same to the appropriate office which has custody of the records; monitoring all FOI requests and appeals; providing assistance to the FOI DM; compiling statistical information as may be required; and conducting initial evaluation of the request and advising the requesting party whether the request will be forwarded to the FOI DM for further evaluation, or denied based on any of the following grounds:

- a. The form is incomplete; or
- b. The information is already disclosed at the BWD website

**1.5. FOI Decision Maker:** There shall be FOI Decision Maker (DM), designated by the Board of Directors and the General Manager, with a rank of not lower than a Division Manager or its equivalent from the any Department, who shall conduct evaluation of the request for information and have the authority to grant the request, or deny it based on the following:

- a. BWD does not have the information requested;
- b. Information requested contains personal information protected by the Data Privacy Act Of 2012;
- c. Information requested falls under the list of exceptions to FOI (Annex“C”); or
- d. Request is an unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by the BWD.

**1.6. FOI Appeals and Review Committee:** There shall be FOI appeals and Review Committee composed of three (3) personnel designated by the Board of Directors to review and analyze the grant or denial of request of information. The Committee shall also provide expert advice to the GM on the denial of such request.

**1.7. Approval and Denial of the Request:** The Decision Maker shall approve or deny all request of information. In case where the DM is on official leave, the GM may delegate such activity to the designated officer-in-charge of the unit.

## **Section 2: Definition of Terms**

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

**FREEDOM OF INFORMATION.** The right of the people to information on matters of public concern. This right is indispensable to the exercise of the right of people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making.

**FOI CONTACT.** The name, office address, email address, and phone number at each government office where you can make an FOI request.

**FOI REQUEST.** A request for information written on the approved prescribed by PCOO FOI-MC No.1 s. 2016 and submitted to the BWD personally or filed through the FOI Online Request Registration and Tracking System. An FI request can generally be made by any Filipino to any government office.

**FOI RECEIVING OFFICE.** The primary contact at BWD where the requesting party can call and ask question about the FOI process or the pending FOI request.

**FREQUENTLY REQUESTED INFORMATION.** Information released in response to an FOI request that the agency determines have become or are likely to become the subject of subsequent requests for substantially the same records.

**FULL DENIAL.** When BWD cannot release any record in response to an FOI request because, for example, the requested information is exempt from disclosure in its entirety or no record/s responsive to the request could be located.

**FULL GRANT.** When BWD is able to disclose all records in full in response to an FOI request.

**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 , store 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.

**INFORMATION FOR DISCLOSURE.** Information promoting the awareness and understanding of policies, programs, activities, rules or regulations affecting the public, government agencies, and the community and economy. It also includes information encouraging familiarity with the general operations, thrusts, and programs of the government. In line with concept of proactive disclosure and open data, these type of



information may already be posted in government websites, such as data.gov.ph, without need for written requests from the public.

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

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

**PARTIAL GRANT/PARTIAL DENIAL.** When a government office is able to disclose portion of the records in response to an FOI request, but must deny other portions thereof.

**PENDING REQUEST OR PENDING APPEAL.** An FOI request or administrative appeal for which BWD has not yet taken final action in all respects. It captures anything that is open at a given time including requests that are well within the statutory response time.

**PERFECTED REQUEST.** An FOI request that reasonably describes the records sought and is made in accordance with the form prescribed by PCOO FOI-MC No.1 s. 2016.

**PERSONAL INFORMATION.** Shall refer to any information, whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.

**PROACTIVE DISCLOSURE.** Information made publicly available by BWD without waiting for a specific FOI request.

**PROCESSED REQUEST OR PROCESSED APPEAL.** The number of requests or appeals where the BWD has completed its work and sent a final response to the requesting party.

**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.

**RECEIVED REQUEST OR RECEIVED APPEAL.** An FOI request or administrative appeal that BWD has received within a fiscal year.

**SENSITIVE PERSONAL INFORMATION.** As defined in the Data Privacy Act of 2012, shall refer to personal information:

- a. About an individual's race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
- b. About an individual's health, education, genetic or sexual life of a person, or to any proceedings for any offense committed or alleged to have committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;
- c. Issued by government agencies peculiar to an individual which includes, but is not limited to, social security numbers, previous or current health records, licenses or its denial, suspension or revocation, tax returns; and

- d. Specifically established by an executive order or an act of Congress to be kept classified.

**SIMPLE REQUEST.** An FOI request that the BWD anticipates will involve a small volume of material or which can be processed relatively quickly.

### **Section 3. Exceptions to Access to Information**

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

**3.1. Protection of Privacy** – 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.

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

3.1.1. The BWD shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws;

3.1.2. The BWD shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure;

3.1.3. Any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of the BWD, shall not disclose that information except as authorized by existing laws.

3.2. Exceptions issued by the Office of the Executive Secretary. (**Annex "C"**)

### **Section 4. Standard Procedure**

#### **4.1. Receipt of Request for Information**

4.1.1. The FOI Receiving Officer (FRO) shall receive the request for information from the requesting party, which must be in writing using the approved form prescribed by PCOO FOI-MC No. 1 s. 2016, (See **Annex "E"**) and check compliance of the following requirements:

- a. Name of the requesting party;
- b. Contact information such as mobile number and e-mail address;
- c. Valid proof of identification or authorization letter and valid proof of identification of the authorized representative;
- d. Description of the information requested with as much detail as possible to help BWD locate the requested documents; and
- e. Reason or purpose of the request or information

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

4.1.2. In case the requesting party is unable to make a 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 using the using the approved form prescribed by PCOO FOI\_MC No. 1 s. 2016.

4.1.3. The request shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name, rank, title and position of the FRO who received it, with corresponding signature and a copy furnished to the requesting party. In case of e-mail request, the e-mail shall be printed out and shall follow the aforementioned procedure, and be acknowledged by electronic mail. The FRO shall input the details of request on the Request Tracking System and allocate a reference number.

4.1.4. The BWD must respond to requests within fifteen (15) working days following the date of receipt of the request. A working day is any day other than a Saturday, Sunday or a day which is declared a national public holiday in the Philippines. In computing for the period, Art. 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 registered in the FOI Request Registration and Tracking System; or
- b. If the BWD asks the requesting party for further details to identify and locate the requested information, the date on which the necessary clarification is received from the requesting party. FOI requests received after 5:00 p.m. shall be considered received on the next working day.

An exception to this will be where the request has been e-mailed to an absent member of staff, and this has generated an 'out of office' message with instructions on how to re-direct the message to another contact. Where this is the case, the date of receipt will be the day the request arrives in the inbox of that contact.

Should the requested information need further details to identify or locate, then the fifteen (15) working days will commence the day after it receives the required clarification from the requesting party. If no clarification is received from the requesting party after sixty (60) calendar days, the request shall be closed.

**4.2. Initial Evaluation:** After receipt of the request for information, the FRO shall evaluate the contents of the request.

4.2.1. Requested Information is already available online: Should the information being requested is already posted and publicly available in the BWD website, data.org.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 s posted.

4.2.2. Requested Information is not in the custody of BWD: If the records requested refer to another agency, department or office of the Government, the FRO will immediately transfer to such appropriate agency through the most expeditious manner and the transferring office, BWD, must inform the requesting party that the information is not held within the 15-working day limit. The 15-working day requirement for the receiving agency commences the day after it receives the request. If the records refer to an office not within the coverage of E.O No. 2, the FRO shall advise the requesting party accordingly and provides with the contact details of that office, if known.



4.2.3. Requested information is substantially similar or identical to previous request: Should the information be substantially similar or identical to a previous request by the same requesting party, the request shall be denied. However, the FRO shall inform the requesting party accordingly.

4.2.4. Process of Referral. – When the requested information is not in the possession of BWD (GA1), but is available in another government agency (government agency no. 2 or GA2) under the Executive Branch, the request shall be immediately referred by BWD (GA1) to GA2 through the most expeditious manner but not exceeding three (3) working days from the receipt of the request. This shall be considered as the “First Referral” and a fresh period will apply.

Referral to the appropriate government 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.

If BWD (GA1) fails to refer the request within three (3) working days upon its receipt, the FRO shall act on it within the remaining period to respond pursuant to EO No. 02, s. 2016. No fresh period shall apply.

If BWD (GA1), in good faith, erroneously referred the request to GA2, the latter shall immediately notify the former as well as the requesting party, that the information requested is not available in their agency.

GA2, to whom the request was referred under the First Referral may subsequently refer the request to another government agency (government agency no. 3 or GA3) under the procedure set forth in the first paragraph of this Section. This shall be considered as the “Second Referral” and another fresh period shall apply.

Referrals under this Order shall only be limited to two (2) subsequent transfers of request. A written or email acknowledgement of the referral shall be made by the FRO of the government agency where it was referred.

The requesting party shall be notified of the referral and must be provided with the reason or rationale thereof and contact details of the government office where the request was referred.

**4.3. Transmittal of the request:** After registration of the request in the system, it shall be simultaneously routed to the FDM within one (1) day from receipt of the written request. The FRO shall record the date, time and name of the FDM who received the request in a record book with the corresponding signature of acknowledgment of receipt of the request.

**4.4. Processing the request:** Upon receipt of the request for information from the FRO, the FDM shall assess and clarify the request if necessary. The FDM shall take all necessary steps to locate and retrieve the information requested. The FDM shall ensure that the complete information requested is submitted to the FRO within ten (10) working days from the receipt of such request.

The FRO shall note the date and time of receipt of the information from the FDM. In case the submission is beyond the 10-working day period, the FRO shall report the delay to the General Manager or the designated officer.

If the FDM needs further details to identify or locate the information, he/she shall, through the FRO, seek clarification from the requesting party. The request for clarification shall stop the running of the 15-working day period, which will commence the day after the BWD receives the required clarification from the requesting party.

If the FDM determines that a record contains information of interest to another office, the FDM shall consult with the agency concerned regarding the disclosability of the records before making any final determination.

**4.5. Request for the Extension of Time:** If the information requested requires extensive search of BWD's office records facilities, examination, of voluminous records, the occurrence of fortuitous events or other analogous cases, the FDM should inform the FRO.

The FRO shall inform the requesting party of the extension, setting forth the reasons for such extension. In no case shall extension exceed twenty (20) working days on top of the mandated fifteen (15) working days to act on the request, unless exceptional circumstances warrant a longer period.

**4.6. Approval of Request:** In case of approval, the FRO shall ensure that all records that have been retrieved and considered be checked for possible exemption, prior to actual release. The FRO shall prepare the letter or e-mail informing the requesting party within the prescribed period that the request was granted and be directed to pay the applicable fees, if any.

**4.7. Denial of Request:** In case of denial of the request wholly or partially, the FRO shall, within the prescribed period, notify the requesting party of 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 provided shall be deemed a denial of the request to information. All denials on FOI requests shall pass through the Office of the General Manager or to the designated officer.

**4.8. Released of the information requested:** Upon receipt of the requested information from the FDM, the FRO shall collate and ensure that the information is complete. He/She shall attach a cover/transmittal letter signed by the General Manager or the designated officer and ensure the transmittal of such to the requesting party within fifteen working days upon receipt of the request for information. The FRO shall ensure that requested information shall only be released to the requesting party or his/her authorized representative. The FRO shall release copies of the requested information after the requesting party presents proof of identification and authorization.

**4.9. Client feedback:** After the approval or the denial of request, the requesting party must answer the client feedback form (ANNEX G) in the link provided in the reply. The feedback form shall be collated and be reflected in the FOI summary report of the agency.

## **Section 5. Remedies in Case of Denial of Request**

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

### **5.1. Administrative FOI Appeal to the FOI Appeals and Review Committee:**

- a. **Filing of Appeal:** The requesting party may file a written appeal to the BWD FOI Appeals and Review Committee within fifteen (15) calendar days from the receipt of the notice of denial or from the lapse of the relevant period to respond to the request. (Note: Please refer to Annex "B" for the designated members of the FOI Appeals and Review Committee).
- b. **Resolution of Appeal:** The appeal shall be decided by the General Manager, upon the recommendation of the FOI Appeals and Review Committee, within thirty (30) working days from the filing of said written appeal.
- c. **Failure to Decide:** Failure to decide within the thirty (30) working day period shall be deemed a denial of the appeal.

### **5.2. 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.**

## **Section 6. FOI Request Tracking System**

The BWD shall establish a system to track the status of all requests for information it receives, which may be paper-based, online or both. The MIS section of BWD shall develop a system for the registration, encoding, and monitoring of all FOI requests.

## **Section 7: Fees**

**7.1. No request fee:** The BWD shall not charge any fee for accepting requests for access to information.

**7.2. Reasonable cost of production.** The payment of reproduction fee is necessary for the release of the information or documents requested. The schedule of fees (which may be adjusted from time to time) shall be as follows:

- a. PhP 4.00 per page for short bond paper
- b. PhP 5.00 per page for long bond paper

## **Section 8. Administrative Liability**

**8.1. Non-Compliance with FOI:** Failure to comply with the provisions of this Manual shall be a ground for the following administrative penalties:

- a. 1<sup>st</sup> Offense – reprimand
- b. 2<sup>nd</sup> Offense – Suspension of one (1) to thirty (30) days; and
- c. 3<sup>rd</sup> Offense – Dismissal from service

**8.2. Procedure:** The Revised Rules on Administrative Cases in the Civil Service (RRACCS) shall be applicable in the disposition of cases under this Manual.

**8.3. Provisions for More Stringent Laws, Rules and Regulations:** Nothing in this Manual shall be construed to derogate from any law, rules, or regulation prescribed by any body or agency, which provides for more stringent penalties.

## **Section 9. Amendments**

This Manual shall be subjected to continuous evaluation and review by the Committee on FOI. Any amendments to this Manual shall be subject to the approval of the Senior Management.

## **Section 10. Effectivity**

This Manual shall take effect immediately upon approval of the Senior Management.

  
**ENGR. MA. VICTORIA E. SIGNO**  
General Manager

**ANNEX “A”**

**Executive Order No. 02 and its amendments**

**MALACAÑAN PALACE  
MANILA**

**BY THE PRESIDENT OF THE PHILIPPINES  
EXECUTIVE ORDER NO. 02**

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

**WHEREAS**, pursuant to Article 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 AGENCYs, 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, AGENCYS, 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 affectivity 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 AGENCY 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 9 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 9 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



PRESIDENTIAL COMMUNICATIONS OFFICE

Malacañang, Manila  
Records Management Office

**RELEASED**

LEAH MARIE M. NODORA

Administrative Officer IV

Office of the President of the Philippines  
PRESIDENTIAL COMMUNICATIONS OFFICE  
Manila

Name: \_\_\_\_\_  
Date: 24 SEP 2025 Time: 09:51H

003

**PCO MEMORANDUM CIRCULAR NO. 25-**\_\_\_\_\_

**FOR : ALL CONCERNED REQUESTING PARTIES, AGENCIES, DEPARTMENTS, BUREAUS, OFFICES, AND INSTRUMENTALITIES OF THE EXECUTIVE BRANCH, INCLUDING GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS (GOCCS), STATE UNIVERSITIES AND COLLEGES (SUCS), AND LOCAL WATER DISTRICTS (LWDS)**

**SUBJECT : AMENDMENT TO FREEDOM OF INFORMATION (FOI) MEMORANDUM CIRCULAR NO. 001, SERIES OF (S.) 2019**

**WHEREAS**, Executive Order (EO) No. 2, series of (s.) 2016 was issued on 23 July 2016 to operationalize the People's Constitutional Right to Information and the State Policies to Full Public Disclosure and Transparency in the Public Service, pursuant to Section 7, Article III, and Section 28, Article II of the 1987 Philippine Constitution, respectively;

**WHEREAS**, by virtue of Memorandum Order (MO) No. 10, s. 2016, the Presidential Communications Office (PCO) was designated as the lead agency in the implementation of EO No. 2, s. 2016, or the Freedom of Information (FOI) Program;

**WHEREAS**, Department Order (DO) No. 18, s. 2017, issued by the then PCOO, created the FOI-Program Management Office (FOI-PMO) to exercise the mandate of MO No. 10, s. 2016;

**WHEREAS**, the same DO provides for the functions of the FOI-PMO, which includes, among others, the development of policies, rules, procedures, and regulations necessary to provide strategic direction in implementing the program;

**WHEREAS**, Section 13 of EO No. 2, s. 2016 explicitly provides that an appeal must be filed by the same person making the request within fifteen (15) calendar days from the notice of denial or from the lapse of the relevant period to respond to the request;

**WHEREAS**, Section 4 of FOI Memorandum Circular No. 001, s. 2019<sup>1</sup> also provides that the requesting party shall file a written appeal to the Central Appeals and Review Committee (CARC), or to the person or office

<sup>1</sup>Guidelines on the Freedom of Information Appeals Mechanism

next higher in authority, whichever is applicable, within fifteen (15) working days upon receipt of the notice of denial or lapse of the period within which the Receiving Officer or Decision Maker should have notified the requesting party of the denial of the request;

**NOW, THEREFORE,** to clarify and correct the inconsistency between EO No. 2, s. 2016 and FOI-MC No. 001, s. 2019 on the period for filing an appeal by the requestors, this Circular is issued to align the FOI appeals process in the Executive Branch;

**Section 1. Adherence to EO No. 2, s. 2016.** All references to the “15 working days” period for the filing of an appeal under FOI-MC No. 001, s. 2019, shall now be interpreted and implemented as “15 calendar days” in accordance with EO No. 2, s. 2016.

**Section 2. Inclusion in the FOI Manual.** All agencies covered by EO No. 2, s. 2016 shall include in their respective FOI Manuals the names of members of CARC or designated officer/s tasked to handle appeals to the denial of requests for access to information.

**Section 3. Amendment to all FOI Processes, Forms, and Templates.** All agencies in the Executive Branch are hereby directed to make the necessary adjustments in their FOI procedures, manuals, forms, and templates to ensure consistency with this Circular.

**Section 4. Effectivity Clause.** This shall take effect immediately and shall apply to all FOI appeals filed from the date of issuance of this Circular onward.

For guidance and strict compliance.

04 SEP 2025



**DAVE M. GOMEZ**

Acting Secretary and FOI Champion







REPUBLIC OF THE PHILIPPINES  
**PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE**  
*Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon*  
Malacañang, Manila

FOI – MC No. 001, s. 2019

**FREEDOM OF INFORMATION  
MEMORANDUM CIRCULAR**

**FOR : ALL AGENCIES, DEPARTMENTS, BUREAUS, OFFICES  
AND INSTRUMENTALITIES OF THE EXECUTIVE  
BRANCH, INCLUDING GOVERNMENT-OWNED AND/OR  
-CONTROLLED CORPORATIONS (GOCCS) AND STATE  
UNIVERSITIES AND COLLEGES (SUCS)**

**SUBJECT : GUIDELINES ON THE FREEDOM OF INFORMATION  
APPEALS MECHANISM**

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**WHEREAS**, Executive Order (EO) No. 2, s. 2016 was issued by President Rodrigo R. Duterte on 23 July 2016 to operationalize the People's Constitutional Right to Information and the State Policies to full public disclosure and transparency in the public service;

**WHEREAS**, Section 8 of EO No. 2, s. 2016 instructed all government offices of the Executive Branch to prepare their respective People's Freedom of Information (FOI) Manual which shall include among others the procedure for the administrative appeal of any denial for access to information;

**WHEREAS**, Memorandum Order (MO) No. 10, s. 2016 designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 2, s. 2016, and all other FOI programs and initiatives including electronic FOI;

**WHEREAS**, Department Order No. 018, s. 2017, issued by the PCOO, created the Freedom of Information – Project Management Office (FOI-PMO) to exercise the mandate under MO No. 10, s. 2016;

**WHEREAS**, government offices shall respond to a request as soon as practicable but not exceeding fifteen (15) working days upon receipt thereof, whether to grant or deny access to the information requested. Period to respond may be extended for not more than twenty (20) working days in cases provided under EO No. 2, s. 2016;

**WHEREAS**, Section 12 of EO No. 2, s. 2016, provides that in case of denial of 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 of the denial in writing. The notice shall clearly set forth the ground/s

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

**WHEREAS**, pursuant to MO No. 10, s. 2016, the PCOO is mandated to develop programs and mechanisms to enhance the capacity of government agencies to comply with the FOI Programs;

**WHEREAS**, Section 13 of EO No. 2, s. 2016, provides the remedies in cases of denial of request for access to information, wherein denial of any request for information may be appealed to the person or office next higher in authority. However, while most agencies have formally established their appeals mechanism and designated those in charge to handle appeals, there are still those who do not have a formal appeals mechanism or who have not designated officers who should handle appeals from the denial of request for information;

**WHEREAS**, Administrative Order No. 22, s. 2011, prescribes for the rules and regulations governing appeals to the Office of the President;

**NOW, THEREFORE**, for and in consideration of the foregoing, the implementing agencies are encouraged to provide in their FOI Manual the following appeals mechanism for efficiency and uniformity:

**Section 1. Creation of Central Appeals and Review Committee (CARC).** Implementing agencies are advised to establish a Central Appeals and Review Committee that will exercise the following functions:

- Receive, review, evaluate, and assess the appeal on the denial of the request for information;
- Determine if the appeal was filed within the period provided under EO No. 2, s. 2016;
- Recommend to the head of agency the actions on the appeal filed by the requesting party;
- Ensure that the appeal be decided within thirty (30) working days from the filing of said appeal; and
- Implement the decision of the head of agency regarding the appeal.

**Section 2. Composition of CARC.** The CARC shall be composed of at least three (3) senior officers with equal or higher rank to the decision maker. The CARC shall review and analyze the grant or denial of request of information and provide expert advice to the head of agency on granting or denying of said request for information.

**Section 3. Alternative to CARC.** Appeal may be filed to a person or office next higher in authority, if the implementing agency does not establish its CARC or whose decision maker is the head of agency.

**Section 4. Procedure of filing an Appeal.** The requesting party shall file a written appeal to the CARC, or to the person or office next higher in authority,



whichever is applicable, within fifteen (15) working days upon receipt of the notice of denial or lapse of the period within which the receiving officer or decision maker should have notified the requesting party of the denial of the request.

Where the decision maker is the head of agency, the requesting party may file its appeal to the department head where said agency/bureau is attached. In case the decision of the department head is unfavorable, the requesting party may file its appeal to the Office of the President.

**Section 5. Submission of names to FOI-PMO.** All agencies covered by EO No. 2, s. 2016 shall submit names of members of CARC or designated officer/s tasked to handle appeals to the denial of request for access to information to:

FREEDOM OF INFORMATION – PROJECT MANAGEMENT OFFICE  
Presidential Communications Operations Office  
**Atty. Kristian R. Ablan**  
Assistant Secretary and FOI Program Director  
Unit 103, 1575 BFB Building, JP Laurel St.,  
San Miguel, Malacañang, Manila

**Section 6. Filing of petition/case to proper Courts.** The requesting party, upon exhaustion of administrative appeal remedies under AO No. 22, s. 2011, may file the appropriate petition or case to the proper court in accordance with the Rules of Court.

**Section 7. Filing of Administrative Case.** The requesting party, upon exhaustion of administrative remedies, may file the appropriate administrative case against erring public officials in violation of EO No. 2, s. 2016.

**Section 8. Effectivity.** This Circular shall take effect immediately.

JAN 31 2019 Manila, Philippines

  
**JOSE RUPERTO MARTIN M. ANDANAR**  
Secretary and FOI Champion

## Annex “B”

### Designated Personnel for FOI Implementation

Office Designation	FOI Designation
Corporate Planning Personnel	FOI Receiving Officer
Corporate Planning Department Head	FOI Decision Maker
Legal Counsel	FOI Appeals and Review Committee Member
Board of Director	FOI Appeals and Review Committee Member
Senior Management	FOI Appeals and Review Committee Member
General Manager	FOI Champion

### LIST OF CONTACT PERSON OF BALIWAG WATER DISTRICT FOI OFFICERS

NAME	DESIGNATION	EMAIL ADDRESS	CONTACT NUMBER
Rodger C. Pascual	FOI Receiving Officer	rodger.pascual@baliwagwd.com.ph	(044) 766-2618
Eloisa E. Ramos	FOI Decision Maker	eloisa.ramos@baliwagwd.com.ph	(044) 766-2618
Atty. Jose Angelo P. Pagkanlungan	FOI Appeals and Review Committee Member	publicinfo@baliwagwd.com.ph	(044) 766-2618
Roberto G. Estrella	FOI Appeals and Review Committee Member	board@baliwagwd.com.ph	(044) 766-2618
Ma. Teresa F. Ramos	FOI Appeals and Review Committee Member	maria.teresa.ramos@baliwagwd.com.ph	(044) 766-2618
Ma. Victoria E. Signo	FOI Champion	official@baliwagwd.com.ph	(044) 766-2618

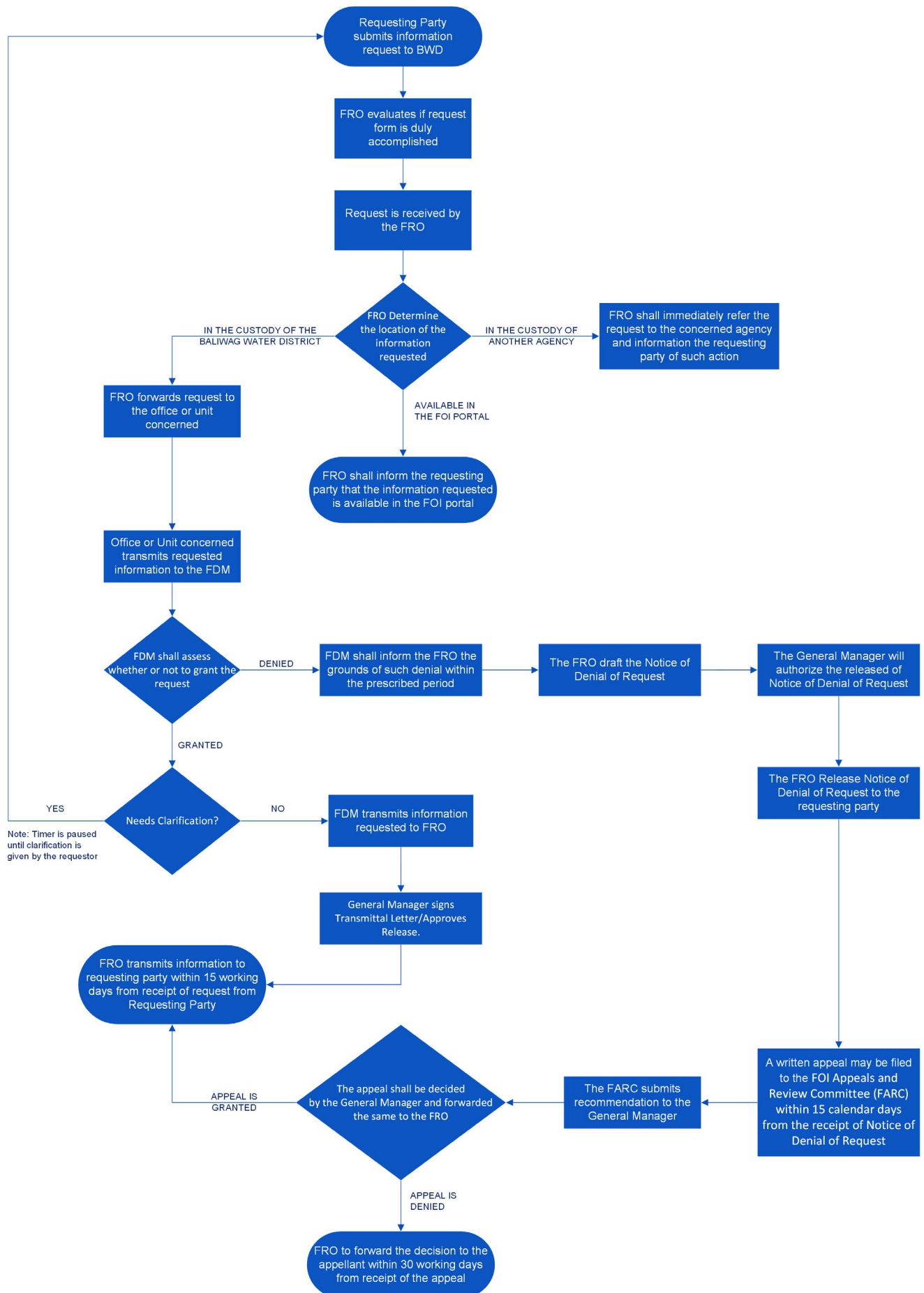
**Annex “C”**  
**List of Exceptions to Access to Information**

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

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 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 and boards or officers, in relation to the performance of their functions or to inquires 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, and rules and regulations.

## Annex "D"

### FOI Request Flowchart





Annex "E"  
FOI Request Form

This document may be reproduced  
and is NOT FOR SALE



FOI Tracking Number:

**BALIWAG WATER DISTRICT**  
**PEOPLE'S FREEDOM OF INFORMATION REQUEST FORM**

Tomacruz St., Poblacion , Baliwag, Bulacan 3006  
Tel. Nos: (044) 766-2618/ 798-0372/ 798-0370., Fax No: (044) 766-3737  
www.baliwagwd.com

Please read the following information carefully before proceeding with your application. Use blue or black ink. Write neatly and in BLOCK letters. Improper or incorrectly-filled out forms will not be acted upon. Tick or mark boxes with "X" where necessary. Note: (◀) denotes a MANDATORY field.

**A. Requesting Party**

You are required to supply your name and address for correspondence. Additional contact details will help us deal with your application and correspond with you in the manner you prefer.

1. Title (e.g. Mr, Mrs, Ms, Miss)

2. Given Name/s (including M.I)

3. Surname

4. Complete Address (Apt/House Number, Street, City/Municipality, Province)

5. Landline/Fax

6. Mobile

7. Email

8. Preferred Mode of Communication ☐ Landline ☐ Mobile Number ☐ Email ☐ Postal Address

(If your request is successful, we will be sending the documents to you in this manner.)

9. Preferred Mode of Reply

☐ Email ☐ Fax ☐ Postal Address ☐ Pick-Up at Agency

10. Type of ID Given (Please ensure your IDs contain your photo and signature)

☐ Passport ☐ Driver's License ☐ SSS ID ☐ Postal ID ☐ Voter's ID  
☐ School ID ☐ Company ID ☐ Others

**B. Requested Information**

11. Agency - Connecting Agency (if applicable)

12. Title of Document/Record Requested (Please be as detailed as possible)

13. Date or Period (DD/MM/YY)

14. Purpose

15. Document Type

16. Reference Numbers (if known)

17. Any other Relevant Information

FREEDOM OF INFORMATION

## C. Declaration

**Privacy Notice:** Once deemed valid, your information from your application will be used by the agency you have applied to, to deal with your application as set out in the Freedom of Information Executive Order No. 2. If the Department or Agency gives you access to a document, and if the document contains no personal information about you, the document will be published online in the Department's or Agency's disclosure log, along with your name and the date you applied, and, if another person, company or body will use or benefit from the documents sought, the name of that person, entity or body.

**I declare that:**

- The information provided in the form is complete and correct;
- I have read the Privacy notice;
- I have presented at least one (1) government-issued ID to establish proof of my identity

I understand that it is an offense to give misleading information about my identity, and that doing so may result in a decision to refuse to process my application.

Signature

Date Accomplished (DD/MM/YYYY)

## D. FOI Receiving Officer ( INTERNAL USE ONLY )

Name (Print name)

Agency - Connecting Agency (if applicable, otherwise N/A)

Date entered on eFOI (if applicable, otherwise N/A)

Proof of ID Presented (Photocopies of original should be attached) ☐ Passport ☐ Driver's License ☐ SSS ID ☐ Postal ID ☐ Voter's ID ☐ School ID ☐ Company ID ☐ Others

The request is recommended to be: ☐ Approved ☐ Denied  
If Denied, please tick the Reason for the Denial ☐ Invalid Request ☐ Incomplete ☐ Data already available online

Second Receiving Officer Assigned (print name)

Decision Maker Assigned to Application (print name)

Decision on Application ☐ Successful ☐ Partially Successful ☐ Denied ☐ Cost  
If Denied, please tick the Reason for the Denial ☐ Invalid Request ☐ Incomplete ☐ Data already available online ☐ Exception Which Exception?

Date Request Finished (DD/MM/YYYY)

Date Documents (if any) Sent (DD/MM/YYYY)

FOI Registry Accomplished ☐ Yes ☐ No

RO Signature

Date (DD/MM/YYYY)

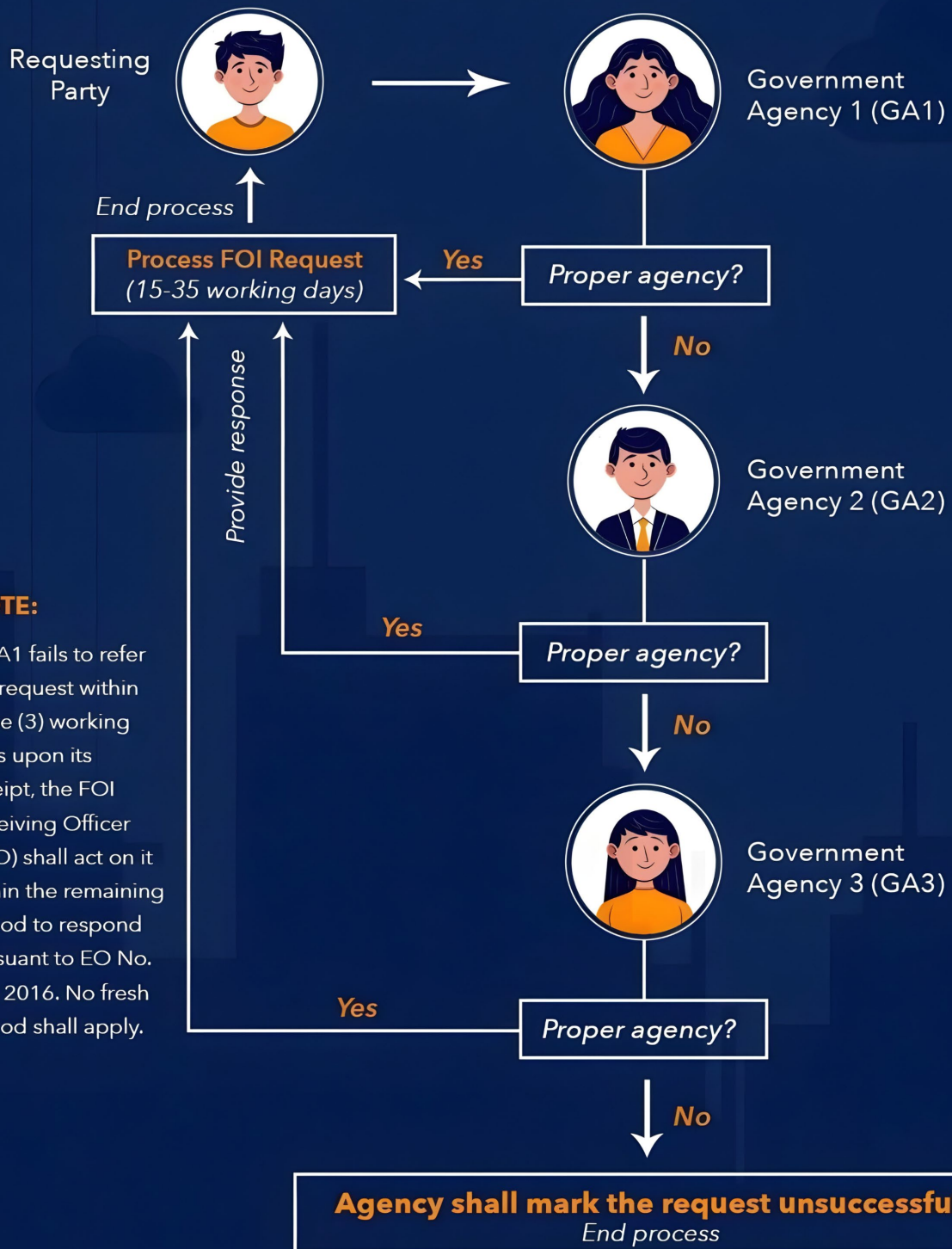
FREEDOM OF INFORMATION

**Annex "F"**  
**No Wrong Door Policy Flowchart**

## NO WRONG DOOR POLICY

### F L O W C H A R T

(FOI Memorandum Circular No. 21-05)



**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.



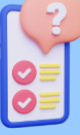


**Freedom of Information**  
PHILIPPINES

[www.foi.gov.ph](http://www.foi.gov.ph) [inquiry@foi.gov.ph](mailto:inquiry@foi.gov.ph)




foiph foiph foiph

Annex "G"  
Client Feedback Form



## BALIWAG WATER DISTRICT






FOI Request Feedback Form



### Baliwag Water District - FOI Request Feedback Form

#### 5-Point Likert Scale

Please rate your level of agreement with the following statements.

Strongly Disagree (1)	Disagree (2)	Neither Agree or Disagree (3)	Agree (4)	Strongly Agree (5)
				

Question #1: Are you satisfied with the handling of your FOI request? \*

	1	2	3	4	5	
STRONGLY DISAGREE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	STRONGLY AGREE

Question #2: Did you receive your information within 15 to 35 working days? \*

☐ Yes, proceed to Question #2A.

☐ No, proceed to Question #2B.

Question #2A: For successful request, was the response you received easy to understand? \*

	1	2	3	4	5	
STRONGLY DISAGREE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	STRONGLY AGREE

Question #2B: For unsuccessful request, are you satisfied with the reason provided? \*

	1	2	3	4	5	
STRONGLY DISAGREE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	STRONGLY AGREE

Question #3: Did you feel that we communicated with you effectively, from start to finish? \*

	1	2	3	4	5	
STRONGLY DISAGREE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	STRONGLY AGREE

Question #4: Is there anything we could do to improve our service in the future? \*

Your answer

[Back](#)

[Submit](#)

[Clear form](#)