



GENERAL SANTOS CITY  
WATER DISTRICT

# FREEDOM OF INFORMATION PEOPLE'S MANUAL



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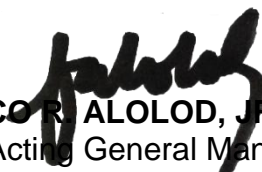
## APPROVAL

This manual is the primary document that defines the rules and procedures that shall be followed by GENERAL SANTOS CITY WATER DISTRICT (GSCWD) whenever a request for information is received by the agency.

This GSCWD Freedom of Information People's Manual demonstrates GSCWD's commitment to transparency in its governance while protecting the privacy of its employees, officials, and concessionaires.

Pursuant to Executive Order No. 2 series 2016, the GSCWD hereby publishes its approved FREEDOM OF INFORMATION (FOI) MANUAL.

Approved by:

  
**FRANCISCO R. ALOLOD, JR., CPA, CESE**  
Acting General Manager

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## **Section 1. OVERVIEW**

### **PURPOSE**

The right to information is enshrined in the 1987 Constitution to guarantee people's access to information that are of public concern. 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.

Recognizing the urgent need to operationalize this right, President Rodrigo Roa Duterte signed on 23 July 2016 Executive Order (EO) No. 2, otherwise known as the Freedom of Information EO. This EO seeks to operationalize the Constitutional provision on full public disclosure of all State transactions involving public interests (Section 28, Article II) and the right of the people to information on matters of public concern (Section 7, Article III).

The purpose of this Agency Freedom of Information (FOI) Manual is to provide the process to guide and assist the General Santos City Water District (GSCWD) in dealing with requests for information received under Executive Order (E.O.) No. 2, series of 9 (s.) 2016. Filipino citizens in requesting for information under the FOI EO. It likewise sets the rules, procedures and guidelines to be followed by the officials and employees of the GSCWD for requests for access to information.

### **STRUCTURE**

This Manual shall set out the rules and procedures to be followed by the GSCWD when a request for access to information is received. The General Manager (GM) is responsible for all actions carried out under this Manual and may delegate this responsibility to GSCWD key personnel as may be designated from time to time. The GM may delegate a specific officer to act as the Decision Maker (DM), who shall have overall responsibility for the initial decision on FOI requests, (i.e. to decide whether to release all the records, partially release the records or deny access).

### **COVERAGE**

This Manual shall cover all requests for information directed to GSCWD.

### **FOI RECEIVING OFFICER**

The Public Information Officer shall be the FOI Receiving Officer (FRO) with work station located at the second floor of the GSCWD office, E. Fernandez St., Lagao, General Santos City.

The functions of said officer shall include:

- a) Receiving on behalf of GSCWD all requests for information and forward the same to the appropriate office who has custody of the records;
- b) Monitoring all FOI requests and appeals;
- c) Providing assistance to the FOI Decision Maker;
- d) Providing assistance and support to the public and staff with regard to FOI;
- e) Compiling statistical information as required; and
- f) Conducting initial evaluation of the request and advise the requesting party whether the request will be forwarded to the FOI Decision Maker for further evaluation, or deny the request based on:
  - i. That the form is incomplete; or
  - ii. That the information is already disclosed in the GSCWD's Official Website, [foi.gov.ph](http://foi.gov.ph), or at [data.gov.ph](http://data.gov.ph).

### **FOI DECISION MAKER**

The Designated Department Manager for Corporate Planning, Internal Audit, Community Relations, Environmental Management and Legal Services Department shall be the FOI Decision Maker. The FDM may delegate to GSCWD key personnel as may be designated from time to time. The FDM shall conduct evaluation of the request for information and has the authority to grant the request, or deny it based on the following:

- a. The GSCWD does not have the information requested;
- b. The information requested contains sensitive personal information protected by the Data Privacy Act of 2012;
- c. The information requested falls under the list of exceptions to FOI; or
- d. The 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 GSCWD.

### **CENTRAL APPEALS AND REVIEW COMMITTEE**

There shall be a central appeals and review committee composed of three (3) members of the Board of Directors to review and analyse the grant or denial of request of information. The Committee shall also provide expert advice to the General Manager on the denial of such request.

### **APPROVAL AND DENIAL OF REQUEST TO INFORMATION**

The Decision Maker shall approve or deny all requests of information. In cases where the Decision Maker is on official leave, the General Manager may delegate such authority the alternate Decision Maker not below the rank of an Assistant General Manager

## Section 2.

### DEFINITION OF TERMS

**CONSULTATION.** When a government office locates a record that contains information of interest to another office, it will ask for the views of that other agency on the disclosability of the records before any final determination is made. This process is called a “consultation.”

**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.

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

**FOI.gov.ph.** The website that serves as the government’s comprehensive FOI website for all information on the FOI. Among many other features, FOI.gov.ph provides a central resource for the public to understand the FOI, to locate records that are already available online, and to learn how to make a request for information that is not yet publicly available. FOI.gov.ph also promotes agency accountability for the administration of the FOI by graphically displaying the detailed statistics contained in Annual FOI Reports, so that they can be compared by agency and over time.

**FREEDOM OF INFORMATION (FOI).** The Executive Branch recognizes the right of the people to information on matters of public concern, and adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to the procedures and limitations provided in Executive Order No. 2. This right is indispensable to the exercise of the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making.

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

**FOI REQUEST.** A written request submitted to a government office personally or by email asking for records on any topic. A FOI request can generally be made by any Filipino to any government office

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

**FREQUENTLY REQUESTED INFORMATION.** Info released in response to a 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 the AGENCY or any of its office, bureau or agency cannot release any records in response to a FOI request, because, for example, the requested information is exempt from disclosure in its entirety or no records responsive to the request could be located.

**FULL GRANT.** When a government office is able to disclose all records in full in response to a 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, 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.

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

**MULTI-TRACK PROCESSING.** A system that divides incoming FOI requests according to their complexity so that simple requests requiring relatively minimal review are placed in one processing track and more complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.

**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 or pursuant to a public function or duty.

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

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

**PENDING REQUEST OR PENDING APPEAL.** An FOI request or administrative appeal for which a government office 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.** A FOI request, which reasonably describes the records, is sought and is made in accordance with the government office's regulations.

**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 government agencies without waiting for a specific FOI request. Government agencies now post on their websites a vast amount of material concerning their functions and mission.

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

**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 an agency has received within a fiscal year.

**REFERRAL.** When a government office locates a record that originated with, or is of otherwise primary interest to another agency, it will forward that record to the other agency to process the record and to provide the final determination directly to the requester. This process is called a "referral."

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

- (1) About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
- (2) About an individual 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;
- (3) Issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and,
- (4) Specifically established by an executive order or an act of Congress to be kept classified.

**SIMPLE REQUEST.** A FOI request that an agency anticipates will involve a small volume of material or which will be able to be processed relatively quickly.

**Section 3.**  
**PROMOTION OF OPENNESS IN GOVERNMENT**

**DUTY TO PUBLISH INFORMATION**

The GSCWD shall regularly publish, print and disseminate at no cost to the public and in an accessible form, in conjunction with Republic Act 9485, or the Anti-Red Tape Act of 2007, and through their 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, and budgets, revenue allotments and expenditures;
- e. Important rules and regulations, orders or decisions;
- f. Current and important database and statistics that it generates;
- 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.

**ACCESSIBILITY OF LANGUAGE AND FORM**

The GSCWD shall endeavor to translate key information into major Filipino languages and present them in popular form and means.

**KEEPING OF RECORDS**

The GSCWD shall create and/or maintain in appropriate formats, accurate and reasonably complete documentation or records, policies, transactions, decisions, resolutions, enactments, actions, procedures, operations, activities, communications and documents received or filed with them and the data generated or collected.

**Section 4.**  
**PROTECTION OF PRIVACY**

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

- a. GSCWD 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. GSCWD shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure; and,
- c. The FRO, FDM, or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of GSCWD, shall not disclose that information except as authorized by existing laws.

**Section 5.**  
**STANDARD PROCEDURE**

**STANDARD OR E-MAILED MODE OF REQUEST**

*Filing of Request of Information*

The Requesting Party (RP) shall submit the below-stated requirements to the FRO at the 2<sup>nd</sup> Floor of the General Santos City Water District office located at E. Fernandez St., Lagao, General Santos City which is open from 7:30AM-5:00PM, Mondays to Fridays except holidays.

The RP shall submit and comply the following requirements:

- i. FOI Request Form (Annex "G") must be filled-up completely;
- ii. Request shall reasonably and specifically describe the information requested, the reason for, and/or purpose of, request of information;
- iii. The RP must submit a valid proof of identification or authorization.

In case the RP is unable to make a written request because of illiteracy or due to being a person with disability, he/she may make an oral request, and the FRO shall assist and produce it in writing.

If the RP cannot physically walk-in the GSCWD office, the request can be made through e-mail, provided that, the RP shall attach in the e-mail a scanned copy of the FOI Request form, and a copy of a duly recognized government ID photo.

*Receipt of Request for Information, FRO's Initial Evaluation and Endorsement to FDM*

a. Receipt of Request for Information

The FRO shall receive the request for information from the RP and check compliance of the request based on the submitted requirements. He/she shall stamp the request "RECEIVED" and indicate in the date and time of the receipt of the written request, and the name, rank, title and position with signature of the officer who actually received it. He/she shall provide contact information, a tracking number and copy of the request to the RP.

In case of e-mailed requests, the e-mail shall be printed out and shall follow the procedure mentioned above and shall be acknowledged by e-mail. A copy of the received request with the tracking number and other details mentioned above shall be e-mailed back to the RP.

The GSCWD must respond to requests promptly, within the 15<sup>th</sup> working day following the date of receipt of the request. In computing for the period or number of working days, Article 13 of the New Civil Code shall be observed. The date of the receipt of the request will be either:

- i. The day on which the request is physically or electronically delivered to the office, or directly into the email inbox of a member of staff; or
- ii. If the office has asked the RP for further details to identify and located the requested information, the date on which the necessary clarification is received.

An exception to this will be where the request has been emailed to an absent member or staff, and this has generated an 'out of office' message with the 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 the contact.

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

#### b. Initial Evaluation of the FRO

After receipt of the request for information, the FRO shall evaluate the contents of the request. The FRO shall conduct initial evaluation of the request and advise the RP whether the request will be forwarded to the FDM for further evaluation; or deny request based on any of the following:

- i. That the form is incomplete;
- ii. That the information is already disclosed in the GSCWD's official website: [gensanwater.gov.ph](http://gensanwater.gov.ph), [foi.gov.ph](http://foi.gov.ph), or at [data.gov.ph](http://data.gov.ph)

If the information requested is already posted and publicly available at GSCWD website, [data.gov.ph](http://data.gov.ph) or [foi.gov.ph](http://foi.gov.ph), the FRO shall inform the RP of the said fact and provide them the website link where the information is posted. The FRO shall secure a transmittal countersigned by the FDM and signed by the General Manager.

#### c. Endorsing the Request from FRO to FDM

The FRO shall log the request in the FOI logbook and endorse it to the FDM within one (1) day from the receipt of the request. The FDM shall acknowledge receipt of request with date and time of receipt and signature.

#### *Evaluating 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 ensure that all the necessary steps to locate and retrieve the information requested are undertaken. The FDM shall identify whether the requested information is simple or complex or if it needs additional details.

For simple requests, the FDM shall direct the FRO to retrieve the information requested within 10 days upon receipt of request.

For complex requests, the FDM shall inform the FRO that the requested information is a complex request and would require extension. The FDM shall direct the FRO to retrieve the information requested within 20 days from receipt of the request. The FRO shall inform the RP for the needed extension through phone call and formal communication signed by the General Manager.

When additional details are needed, the FDM shall inform the FRO that the requested information requires additional details. The FRO shall inform the RP for the needed additional details through phone call and formal communication signed by the General Manager. Once additional details are received, the FRO shall endorse said details to the FDM. The running of the fifteen (15) working day period shall stop and will commence after it receives the additional details or clarification from the RP.

If the information requested requires extensive search of the government's office records facilities, examination of voluminous records, the occurrence of fortuitous events or other analogous cases, the FDM shall inform the FRO. The FRO shall inform the RP of the extension, giving the reasons for such extension. In no case shall the 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.

If the requested information is substantially similar or identical to a previous request by the same requester, the request shall be denied. However, the FRO shall secure a transmittal signed by the General Manager and inform the applicant of the reason of such denial.

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

If the requested information is not in custody of GSCWD, the FDM shall refer and discuss it with the General Manager.

The FDM shall evaluate if the request is recommended to be approved or denied based on the list of exceptions in EO no. 2, s. 2016, and other existing laws and jurisprudence.

In all circumstances, the FRO shall update the FOI logbook and prepare the transmittal.

#### *Approving or Denying or Referring the Request*

After evaluation, the General Manager shall give his final approval or denial of the request based on the FDM's recommendation. The General Manager shall sign the transmittal and the FDM shall give feedback to the FRO whether to approve the release of all the records, partially release the records or deny access. The FRO shall update the FOI logbook.

If the requested information is not in custody of GSCWD, following referral and discussion with the General Manager, the FDM shall direct the FRO to undertake the following steps:

- (i) if the records requested is not in the possession of the government agency (GA1) but available to another agency (GA2) under the executive branch, the request shall be immediately referred by 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 shall apply.

If 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. 2, s. 2016. No fresh period shall apply.

If 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 (GA3) under the same procedure for GA2. This shall be considered as the second referral and another fresh period shall apply.

Referrals shall 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 RP shall be notified of the referral and must be provided with the reason and rationale thereof, and contact details of the government office where the request was referred.

If GA3, after the second referral, still cannot provide the information requested, it shall deny the said request and properly notify the RP. In all phases of the referral, the RP shall be informed in writing, email, and/or through the eFOI of the status of his/her request;

- ii. If the records refer to an office not within the coverage of EO No. 2, the RP shall be advised accordingly and provided with the contact details of that office, if known. The FRO shall secure a transmittal signed by the General Manager.

#### *Releasing and/or Notifying the RP of the Decision*

For approved requests, the FRO shall ensure all records have been retrieved prior to actual release. The FRO shall prepare a formal communication to be signed by the General Manager for final approval and endorsement of the requested information. Once approved, the FRO shall inform the RP that the request is ready for release and/or has been sent to the RP's email.

For denied request, the FRO shall inform the RP of the denial in writing through formal communication, signed by the General Manager for final decision. The formal communication shall indicate the ground/s and the circumstance/s of the basis of

denial. Failure to notify the RP of the action taken on the request within the period herein provided shall be deemed a denial of the request to information.

## **THROUGH EFOI PORTAL MODE OF REQUEST**

### *Filing of Request of Information*

The RP shall access the eFOI portal through [www.foi.gov.ph](http://www.foi.gov.ph). He/she then creates an account and submits a scanned copy of valid ID as proof of identification. Once account has been created, the RP shall access the request window by clicking on the "Make a Request" button. The RP shall fill out all needed information and submits the request.

The FRO fills-out the FOI request form using the details given by the RP in the eFOI portal and emails the copy of the form to the RP. The FRO contacts the RP and instructs the RP to sign and return the FOI request form to [communityrelations.gscwd@gmail.com](mailto:communityrelations.gscwd@gmail.com) because it would be needed before the release of the requested information.

### *Receipt of Request for Information*

An eFOI automated reply will be sent to the RP.

### *FRO's Initial Evaluation and Endorsement to FDM*

#### **a. Initial Evaluation of FRO**

After receipt of the request for information, the FRO shall evaluate the contents of the request. The FRO shall conduct initial evaluation of the request and advise the RP whether the request will be forwarded to the FDM for further evaluation; or deny request based on any of the following:

- i) That the form is incomplete;
- ii) ii) That the information is already disclosed in the GSCWD's official website: [gensanwater.gov.ph](http://gensanwater.gov.ph), [foi.gov.ph](http://foi.gov.ph), or at [data.gov.ph](http://data.gov.ph).

If the information requested is already posted and publicly available at GSCWD website, [data.gov.ph](http://data.gov.ph) or [foi.gov.ph](http://foi.gov.ph), the FRO shall inform the RP of the said fact and provide them the website link where the information is posted. The FRO shall secure a transmittal countersigned by the FDM and signed by the General Manager.

#### **b. Endorsing the Request from FRO to FDM**

The FRO shall log the request in the logbook and endorse it to the FDM within one (1) day from the receipt of the request. The FDM accepts the request through the eFOI portal and signs the logbook to acknowledge receipt of request.

### *Evaluating the Request*

The FDM shall evaluate if the request is approved or denied based on the list of exceptions in EO 2, s. 2016, and other existing laws and jurisprudence and in the same process as the standard or emailed request.



Upon receipt of the request for information from the FRO, the FDM shall assess and clarify the request if necessary. The FDM shall ensure that all the necessary steps to locate and retrieve the information requested are undertaken. The FDM shall identify whether the requested information is simple or complex or if it needs additional details.

For simple requests, the FDM shall direct the FRO to retrieve the information requested within 10 days upon receipt of request.

For complex requests, the FDM shall inform the FRO that the requested information is a complex request and would require extension. The FDM shall then direct the FRO to retrieve the information requested within 20 days from receipt of request. The FRO shall inform the RP for the needed extension through phone call and formal communication signed by the General Manager.

When additional details are needed, the FDM shall inform the FRO that the requested information requires additional details. The FRO shall inform the RP for the needed additional details through phone call and formal communication signed by the General Manager. Once additional details are received, the FRO shall endorse said details to the FDM. The running of the fifteen (15) working day period shall stop and will commence the after it receives the additional details or clarification from the RP.

If the information requested requires extensive search of the government's office records facilities, examination of voluminous records, the occurrence of fortuitous events or other analogous cases, the FDM shall inform the FRO. The FRO shall inform the RP of the extension, giving the reasons for such extension. In no case shall the 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.

If the requested information is substantially similar or identical to a previous request by the same requester, the request shall be denied. However, the FRO shall secure a transmittal signed by the GENERAL MANAGER and inform the applicant of the reason of such denial.

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

If the requested information is not in custody of GSCWD, the FDM shall refer and discuss it with the GENERAL MANAGER.

In all circumstances, The FDM updates the progress of the request in the eFOI portal and informs the FRO. The FRO shall update the FOI logbook.

#### *Approving or Denying or Referring the Request*

After evaluation, the GENERAL MANAGER shall give his final approval or denial of the request. The GENERAL MANAGER shall sign the transmittal and the FDM shall give feedback to the FRO whether to approve the release of all the records, partially release the records or deny access.

If the requested information is not in custody of GSCWD, following referral and discussion with the GENERAL MANAGER, the FDM shall direct the FRO to undertake the following steps:

- i. If the records requested is not in the possession of the government agency (GA1) but available to another agency (GA2) under the executive branch, the request shall be immediately referred by GA1 to GA2 through the most expeditious manner but not exceeding three (3) working from the receipt of the request. This shall be considered as the first referral and a fresh period apply.

If 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. 2, s. 2016. No fresh period shall apply.

If 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 (GA3) under the same procedure for GA2. This shall be considered as the second referral and another fresh period shall apply.

Referrals shall 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 RP shall be notified of the referral and must be provided with the reason and rationale thereof, and contact details of the government office where the request was referred.

If GA3, after the second referral, still cannot provide the information requested, it shall deny the said request and properly notify the RP. In all phases of the referral, the RP shall be informed in writing, email, and/or through the eFOI of the status of his/her request;

- ii. If the records refer to an office not within the coverage of EO No. 2, the RP shall be advised accordingly and provided with the contact details of that office, if known. The FRO shall secure a transmittal signed by the General Manager.

*Releasing and/or Notifying the RP of the Approval/Denial of the Request and Updating of Status at eFOI*

For approved requests, the FRO shall ensure all records have been retrieved prior to actual release. The FRO shall prepare a formal communication to be signed by the General Manager for final approval and endorsement of the requested information. Once approved, the FRO shall inform the RP that the request is ready for release and/or has been sent to the RP's email. For sensitive information, the FRO shall advise the RP to personally claim the information along with other needed documents to attest the identity and/or intent of the RP. The FDM updates the progress of the request in the eFOI portal and informs the FRO. The FRO shall update the FOI logbook.

For denied request, the FRO shall inform the RP of the denial in writing through formal communication, signed by the GENERAL MANAGER for final decision. The formal communication shall indicate the ground/s for denial and the circumstance/s on which the denial is based. Failure to notify the RP of the action taken on the request within the period herein provided shall be deemed a denial of the request to information. The FDM updates the progress of the request in the eFOI portal and informs the FRO. The FRO shall update the FOI logbook.

**Section 6.**  
**REMEDIES IN CASE OF DENIAL**

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

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

**Section 7.**  
**REQUEST TRACKING SYSTEM**

The GSCWD shall establish a system to trace the status of all requests for information received by it, which may be paper-based, on-line or both.

**Section 8.**  
**FEES**

No Request Fee. The GSCWD shall not charge any fee for accepting requests for access to information.

Reasonable Cost of Reproduction, Copying, and/or Delivery of the information: The FRO shall immediately notify the requesting party in case there shall be a reproduction, copying and/or delivery fee in order to provide the information. Such fee shall be the actual amount spent by the GSCWD in providing the information to the requesting party. The schedule of fees shall be posted by the GSCWD.

Exemption from Fees: The GSCWD may exempt any requesting party from payment of fee, upon request stating the valid reason why such requesting party shall not pay the fee.

**Section 9.**  
**ADMINISTRATIVE LIABILITY**

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 days; and
- c. 3<sup>rd</sup> Offense - Dismissal from the service.

Procedure. The Revised Rules on Administrative Cases in the Civil Service shall be applicable in the disposition of cases under this Manual.

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

## FOI FREQUENTLY ASKED QUESTION

### 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 on 23 July 2016. It is an important enabling mechanism to promote transparency in the government's administrative process. Through FOI, citizens are empowered to make a formal request to get information held by the government, barring certain sensitive and important data related to the nation's security. FOI complements continuing proactive information disclosure efforts where agencies are duty-bound to publish information in the spirit of openness and transparency.

#### **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 for information?**

An FOI request under EO 2 can be made before all government offices under the Executive Branch, including National Government Agencies (NGAs), Government Owned or Controlled Corporations (GOCCs), State Universities and Colleges (SUCs), and Local Water Districts (LWDs)

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 submit it 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 the 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.



**EXECUTIVE ORDER NO. 02**  
**OPERATIONALIZING IN THE EXECUTIVE BRANCH THE PEOPLE'S**  
**CONSTITUTIONAL RIGHT TO INFORMATION AND THE STATE POLICIES TO**  
**FULL PUBLIC DISCLOSURE AND TRANSPARENCY IN THE PUBLIC SERVICE**  
**AND PROVIDING GUIDELINES THEREFOR**

**WHEREAS**, pursuant to Section 28, Article II of the 1987 Constitution, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to reasonable conditions prescribed by law;

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

**WHEREAS**, the incorporation of this right in the Constitution is a recognition of the fundamental role of free and open exchange of information in a democracy, meant to enhance transparency and accountability in government official acts, transactions, or decisions;

**WHEREAS**, the Executive Branch recognizes the urgent need to operationalize these Constitutional provisions;

**WHEREAS**, the President, under Section 17, Article VII of the Constitution, has control over all executive agencies, 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 Agency 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 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 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 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) calendar 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

## LIST OF EXCEPTIONS

The following are the exceptions to the right of access to information, as recognized by the Constitution, existing laws, or jurisprudence:<sup>7</sup>

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.

For the implementation of the exceptions to the right of access to information, the following provide the salient details and legal bases that define the extent and application of the exceptions.<sup>8</sup>

1. Information covered by Executive privilege:
  - a. Presidential conversations, correspondences, and discussions in closed-door Cabinet meetings;<sup>9</sup> and,
  - b. Matters covered by deliberative process privilege, namely:
    - i. advisory opinions, recommendations and deliberations comprising part of a process by which governmental decisions and policies are formulated; intra-agency or inter-agency recommendations or communications during the stage when common assertions are still in the process of being

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<sup>7</sup> 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.

<sup>8</sup> As enumerated in the Memorandum from the Office of the Executive Secretary entitled, “Inventory of Exceptions to Executive Order No. 2 (s. 2016)”, dated 24 November 2016, signed by Executive Secretary Salvador C. Medialdea.

<sup>9</sup> This exception may only be invoked by the President and his close advisors. The extent of the privilege is defined by applicable jurisprudence: *Senate v. Ermita*, G.R. No. 169777, 20 April 2006, 488 SCRA 1; *Neri v. Senate Committee on Accountability of Public Officers and Investigations*, G.R. No. 180643, 4 September 2008, 564 SCRA 152; *Akbayan v. Aquino*, G.R. No. 170516, 16 July 2008, 558 SCRA 468; and *Chavez v. PCGG*, G.R. No. 130716, 9 December 1998, 299 SCRA 744.

- formulated or are in the exploratory stage; or information pertaining to the decision-making of executive officials;<sup>10</sup> and
- ii. information, record or document comprising drafts of decisions, orders, rulings, policy decisions, memoranda, etc.;<sup>11</sup>
2. Privileged information relating to national security, defense or international relations:
    - a. Information, record, or document that must be kept secret in the interest of national defense or security;<sup>12</sup>
    - b. Diplomatic negotiations and other information required to be kept secret in the conduct of foreign affairs;<sup>13</sup> and,
    - c. Patent applications, the publication of which would prejudice national security and interests;<sup>14</sup>
  3. Information concerning law enforcement and protection of public and personal safety:
    - a. Investigation records compiled for law enforcement purposes or information which if written would be contained in such records, but only to the extent that the production of such records or information would –
      - i. interfere with enforcement proceedings;
      - ii. deprive a person of a right to a fair trial or an impartial adjudication;
      - iii. disclose the identity of a confidential source and in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source; or
      - iv. unjustifiably disclose investigative techniques and procedures;<sup>15</sup>

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<sup>10</sup> *Akbayan v. Aquino, supra; Chavez v. NHA*, G.R. No. 164527, 15 August 2007; and *Chavez v. PCGG, supra*. The privilege of invoking this exception ends when the executive agency adopts a definite proposition (*Department of Foreign Affairs v. BCA International Corp.*, G.R. No. 210858, 20 July 2016).

<sup>11</sup> Section 3(d) Rule IV, *Rules Implementing the Code of Conduct and Ethical Standards for Public Officials and Employees* (Rules on CCESPOE). Drafts of decisions, orders, rulings, policy decisions, memoranda, and the like, such as resolutions prepared by the investigating prosecutor prior to approval for promulgation and release to parties [*Revised Manual for Prosecutors of the Department of Justice (DOJ)*] are also covered under this category of exceptions.

<sup>12</sup> *Almonte v. Vasquez*, G.R. No. 95367, 23 May 1995, 244 SCRA 286; *Chavez v. PCGG, supra; Legaspi v. Civil Service Commission*, L-72119, 29 May 1987, 150 SCRA 530; *Chavez v. NHA, supra; Neri v. Senate, supra; Chavez v. Public Estates Authority*, G.R. No. 133250, 9 July 2002, 384 SCRA 152; and Section 3(a), Rule IV, Rules on CCESPOE. This exception generally includes matters classified under Memorandum Circular (MC) No. 78, as amended by MC No. 196 as “Top Secret,” “Secret,” “Confidential,” and “Restricted.”

<sup>13</sup> *Akbayan v. Aquino, supra*; Section 3(a) Rule IV, Rules on CCESPOE. This privilege may be invoked by the Department of Foreign Affairs and other government bodies involved in diplomatic negotiations.

<sup>14</sup> The applicability of this exception is determined by the Director General of the Intellectual Property Office and subject to the approval of the Secretary of the Department of Trade and Industry. Section 44.3 of the *Intellectual Property Code* (RA No. 8293, as amended by RA No. 10372).

<sup>15</sup> Section 3(f), Rule IV, Rules on CCESPOE; *Chavez v. PCGG, supra*. May be invoked by law enforcement agencies.



- b. Informer's privilege or the privilege of the Government not to disclose the identity of a person or persons who furnish information of violations of law to officers charged with the enforcement of law;<sup>16</sup>
  - c. When disclosure of information would put the life and safety of an individual in imminent danger;<sup>17</sup>
  - d. Any information given by informants leading to the recovery of carnapped vehicles and apprehension of the persons charged with carnapping;<sup>18</sup> and,
  - e. All proceedings involving application for admission into the Witness Protection Program and the action taken thereon;<sup>19</sup>
4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes, or the accused. These include:
- a. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy,<sup>20</sup> personal information or records,<sup>21</sup> including sensitive personal information, birth records,<sup>22</sup> school records,<sup>23</sup> or medical or health records;<sup>24</sup>

Sensitive personal information as defined under the *Data Privacy Act of 2012* refers to personal information:<sup>25</sup>

- (1) about an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
- (2) about an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to

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<sup>16</sup> *Akbayan v. Aquino, supra*; and Section 51, *Human Security Act of 2007* (RA No. 9372). May be invoked by law enforcement agencies.

<sup>17</sup> Section 3(b), Rule IV, Rules on CCESPOE.

<sup>18</sup> Section 19, *New Anti Carnapping Act of 2016* (RA No. 10883). May be invoked by law enforcement agencies.

<sup>19</sup> Section 7, *Witness Protection, Security and Benefit Act* (RA No. 6981).

<sup>20</sup> Section 3(e), Rule IV, Rules on CCESPOE.

<sup>21</sup> Sections 8 and 15, *Data Privacy Act of 2012* (RA No. 10173); *Personal information* refers 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 [Section 3(g), *Data Privacy Act of 2012*]; Article 26, Civil Code. May be invoked by National Privacy Commission and government personal information controllers.

<sup>22</sup> Article 7, *The Child and Youth Welfare Code* [Presidential Decree (PD) No. 603].

<sup>23</sup> Section 9(4), *Education Act of 1982* [Batas Pambansa (BP) Blg. 232].

<sup>24</sup> Medical and health records are considered as sensitive personal information pursuant to Section 3(l)(2), *Data Privacy Act of 2012*; See also Department of Health-Department of Science and Technology (DOST)-Philippine Health Insurance Corporation Joint Administrative Order No. 2016-0002 (Privacy Guidelines for the Implementation of the Philippine Health Information Exchange).

<sup>25</sup> Section 3(l), *Data Privacy Act of 2012*.

have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;

- (3) issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and,
- (4) specifically established by an executive order or an act of Congress to be kept classified.

However, personal information may be disclosed to the extent that the requested information is shown to be a matter of public concern or interest, shall not meddle with or disturb the private life or family relations of the individual<sup>26</sup> and is not prohibited by any law or regulation. Any disclosure of personal information shall be in accordance with the principles of transparency, legitimate purpose and proportionality.<sup>27</sup>

Disclosure of personal information about any individual who is or was an officer or employee of a government institution shall be allowed, provided that such information relates to the position or functions of the individual, including: (1) the fact that the individual is or was an officer or employee of the government institution; (2) the title, business address and office telephone number of the individual; (3) the classification, salary range and responsibilities of the position held by the individual; and (4) the name of the individual on a document prepared by the individual in the course of employment with the government;<sup>28</sup>

- b. Source of any news report or information appearing in newspapers, magazines or periodicals of general circulation obtained in confidence;<sup>29</sup> and,
- c. Records of proceedings and processes deemed confidential by law for the privacy and/or protection of certain individuals, such as children, victims of crime, witnesses to a crime or rehabilitated drug offenders, including those pertaining to the following:
  - (1) records of child and family cases;<sup>30</sup>

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<sup>26</sup> Article 26(2), *Civil Code*.

<sup>27</sup> Section 11, *Data Privacy Act of 2012*.

<sup>28</sup> Section 4, *Data Privacy Act of 2012*.

<sup>29</sup> *An Act to Exempt the Publisher, Editor or Reporter of any Publication from Revealing the Source of Published News or Information Obtained in Confidence* (RA No. 53), as amended by RA No. 1477. May be invoked by government newspapers.

<sup>30</sup> Section 12, *Family Courts Act of 1997* (RA Act No. 8369).

- (2) children in conflict with the law from initial contact until final disposition of the case;<sup>31</sup>
- (3) a child who is a victim of any offense under the *Anti-Child Pornography Act of 2009*, including the name and personal circumstances of the child, or the child's immediate family, or any other information tending to establish the child's identity;<sup>32</sup>
- (4) a child witness, who is a victim of a crime, an accused of a crime, or a witness to a crime, including the name, address, telephone number, school, or other identifying information of a child or an immediate family of the child;<sup>33</sup>
- (5) cases involving violence against women and their children, including the name, address, telephone number, school, business, address, employer, or other identifying information of a victim or an immediate family member;<sup>34</sup>
- (6) trafficked persons, including their names and personal circumstances, or any other information tending to establish the identity of the trafficked person;<sup>35</sup>
- (7) names of victims of child abuse, exploitation or discrimination;<sup>36</sup>
- (8) disclosure which would result in undue and sensationalized publicity of any case involving a child in conflict with the law, child abuse, or violation of anti-trafficking of persons;<sup>37</sup>
- (9) records, documents and communications of proceedings involving domestic and inter-country adoptions, including the identity of the child, natural parents and adoptive parents;<sup>38</sup>
- (10) names of students who committed acts of bullying or retaliation;<sup>39</sup>
- (11) first time minor (drug) offenders under suspended sentence who comply with applicable rules and regulations of the Dangerous Drugs Board and who are subsequently discharged; judicial and medical records of drug dependents under the voluntary submission program;

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<sup>31</sup> Section 43, *Juvenile Justice and Welfare Act of 2006* (RA No. 9344).

<sup>32</sup> Section 13, *Anti-Child Pornography Act of 2009* (RA No. 9775).

<sup>33</sup> Section 31, A.M. No. 00-4-07-SC, *Re: Proposed Rule on Examination of a Child Witness*.

<sup>34</sup> Section 44, *Anti-Violence Against Women and their Children Act of 2004* (RA No. 9262); and *People v. Cabalquinto*, G.R. No. 167693, 19 September 2006.

<sup>35</sup> Section 7, *Anti-Trafficking in Persons Act of 2003* (RA No. 9208), as amended by RA No. 10364.

<sup>36</sup> Section 29, *Special Protection of Children Against Abuse, Exploitation and Discrimination Act* (RA No. 7610).

<sup>37</sup> Section 14, *Juvenile Justice and Welfare Act of 2006*; Section 7, *Anti-Trafficking in Persons Act of 2003*, as amended; and Section 29, *Special Protection of Children Against Abuse, Exploitation and Discrimination Act*.

<sup>38</sup> Section 15, *Domestic Adoption Act of 1998* (RA No. 8552) and Section 43, IRR of RA No. 8552; Sections 6 and 16(b), *Inter-Country Adoption Act of 1995* (RA No. 8043) and Sections 53, 54 and 55 of IRR of RA No. 8043.

<sup>39</sup> Section 3(h), *Anti-Bullying Act* (RA No. 10627).

and records of a drug dependent who was rehabilitated and discharged from treatment and rehabilitation centers under the compulsory submission program, or who was charged for violation of Section 15 (use of dangerous drugs) of the *Comprehensive Dangerous Drugs Act of 2002*, as amended; and <sup>40</sup>

(12) identity, status and medical records of individuals with Human Immunodeficiency Virus (HIV), as well as results of HIV/Acquired Immune Deficiency Syndrome (AIDS) testing;<sup>41</sup>

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, such as but not limited to the following:
- a. Trade secrets, intellectual property, business, commercial, financial and other proprietary information;<sup>42</sup>
  - b. Data furnished to statistical inquiries, surveys and censuses of the Philippine Statistics Authority (PSA);<sup>43</sup>
  - c. Records and reports submitted to the Social Security System by the employer or member;<sup>44</sup>
  - d. Information gathered from HIV/AIDS contact tracing and all other related health intelligence activities;<sup>45</sup>
  - e. Confidential information submitted to the Philippine Competition Commission prohibited from disclosure by law, including the identity of the person who provided the information under condition of anonymity;<sup>46</sup>

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<sup>40</sup> Sections 60, 64 and 67, *Comprehensive Dangerous Drugs Act of 2002* (RA No. 9165).

<sup>41</sup> Sections 2(b), 18, 30, and 32, *Philippine AIDS Prevention and Control Act of 1998* (RA No. 8504).

<sup>42</sup> Sections 45, 106.1, and 150.2, *The Intellectual Property Code* (RA No. 8293, as amended by RA No. 10372); Section 66.2, *Securities Regulation Code* (RA No. 8799); DOST Administrative Order No. 004-16; Section 142, *The Corporation Code* (BP Blg. 68); Section 34, *Philippine Competition Act* (RA No. 10667); Sections 23 and 27 (c), *The New Central Bank Act* (RA No. 7653); *Anti-Money Laundering Act* (RA No. 9160); Section 18, *Strategic Trade Management Act* (RA No. 10697); Sections 10 and 14, *Safeguard Measures Act* (RA No. 8800); Section 12, *Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990* (RA No. 6969); Article 290, *Revised Penal Code*; Section 10.10, Rule 10, 2012 Revised IRR of *Build-Operate-Transfer Law* (RA No. 6957); and *Revised Philippine Ports Authority Manual of Corporate Governance*.

<sup>43</sup> Section 26, *Philippine Statistical Act of 2013* (RA No. 10625); and Section 4, *Commonwealth Act No. 591*. May be invoked only by the PSA.

<sup>44</sup> Section 24(c), *Social Security Act of 1997* (RA No. 1161, as amended by RA No. 8282).

<sup>45</sup> Section 29, *Philippine AIDS Prevention and Control Act of 1998* (RA No. 8504).

<sup>46</sup> Section 34, *Philippine Competition Act* (PCA), RA No. 10667 and Section 13, Rule 4 of the IRR of PCA. This exception can be invoked by the Philippine Competition Commission subject to well-defined limitations under the PCA.

- f. Applications and supporting documents filed pursuant to the *Omnibus Investments Code of 1987*;<sup>47</sup>
  - g. Documents submitted through the Government Electronic Procurement System;<sup>48</sup>
  - h. Information obtained from accessing any electronic key, electronic data message, or electronic document, book, register, correspondence, information or other material pursuant to any powers conferred under the *Electronic Commerce Act of 2000*;<sup>49</sup>
  - i. Any confidential information supplied by the contractors in mineral agreements, and financial or technical assistance agreements pursuant to the *Philippine Mining Act of 1995* and its Implementing Rules and Regulations (IRR), during the term of the project to which it relates;<sup>50</sup>
  - j. Information received by the Department of Tourism (DOT) in relation to the accreditation of accommodation establishments (such as hotels and resorts) and travel and tour agencies;<sup>51</sup>
  - k. The fact that a covered transaction report to the Anti-Money Laundering Council (AMLC) has been made, the contents thereof, or any information in relation thereto;<sup>52</sup>
  - l. Information submitted to the Tariff Commission which is by nature confidential or submitted on a confidential basis;<sup>53</sup>
  - m. Certain information and reports submitted to the Insurance Commissioner pursuant to the *Insurance Code*;<sup>54</sup>
  - n. Information on registered cultural properties owned by private individuals;<sup>55</sup>
  - o. Data submitted by a higher education institution to the Commission on Higher Education (CHED);<sup>56</sup> and
  - p. Any secret, valuable or proprietary information of a confidential character known to a public officer, or secrets of private individuals;<sup>57</sup>
6. Information of which a premature disclosure would:

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<sup>47</sup> Section 81, EO No. 226 (s. 1987), as amended.

<sup>48</sup> Section 9, *Government Procurement Reform Act* (RA No. 9184).

<sup>49</sup> Section 32, *Electronic Commerce Act of 2000* (RA No. 8792).

<sup>50</sup> Section 94(f), *Philippine Mining Act of 1995* (RA No. 7942).

<sup>51</sup> Section 1, Rule IX, DOT MC No. 2010-02 (Rules and Regulations to Govern, the Accreditation of Accommodation Establishments – Hotels, Resorts and Apartment Hotels); and Section 23, DOT MC No. 2015-06 (Revised Rules and Regulations to Govern the Accreditation of Travel and Tour Agencies).

<sup>52</sup> Section 9(c), *Anti-Money Laundering Act of 2001*, as amended. May be invoked by AMLC, government banks and its officers and employees.

<sup>53</sup> Section 10, *Safeguard Measures Act*.

<sup>54</sup> Section 297 in relation with Section 295 and Section 356, *The Insurance Code* (as amended by RA No. 10607).

<sup>55</sup> Section 14, *National Cultural Heritage Act of 2009* (RA No. 10066).

<sup>56</sup> CHED Memorandum Order No. 015-13, 28 May 2013.

<sup>57</sup> Articles 229 and 230, *Revised Penal Code*; Section 3(k), *Anti-Graft and Corrupt Practices Act* (RA No. 3019); Section 7(c), *Code of Conduct and Ethical Standards for Public Officials and Employees* (RA No. 6713); Section 7, *Exchange of Information on Tax Matters Act of 2009* (RA No. 10021); and Section 6.2, *Securities Regulation Code* (RA No. 8799).

- a. in the case of a department, office or agency which agency regulates currencies, securities, commodities, or financial institutions, be likely to lead to significant financial speculation in currencies, securities, or commodities, or significantly endanger the stability of any financial institution; or
  - b. be likely or significantly frustrate implementation of a proposed official action, except such department, office or agency has already disclosed to the public the content or nature of its proposed action, or where the department, office or agency is required by law to make such disclosure on its own initiative prior to taking final official action on such proposal.<sup>58</sup>
7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged, including but not limited to the following:
- a. Mediation and domestic or international arbitration proceedings, including records, evidence and the arbitral awards, pursuant to the *Alternative Dispute Resolution Act of 2004*;<sup>59</sup>
  - b. Matters involved in an Investor-State mediation;<sup>60</sup>
  - c. Information and statements made at conciliation proceedings under the *Labor Code*;<sup>61</sup>
  - d. Arbitration proceedings before the Construction Industry Arbitration Commission (CIAC);<sup>62</sup>
  - e. Results of examinations made by the Securities and Exchange Commission (SEC) on the operations, books and records of any corporation, and all interrogatories propounded by it and the answers thereto;<sup>63</sup>
  - f. Information related to investigations which are deemed confidential under the *Securities Regulations Code*;<sup>64</sup>
  - g. All proceedings prior to the issuance of a cease and desist order against pre-need companies by the Insurance Commission;<sup>65</sup>
  - h. Information related to the assignment of the cases to the reviewing prosecutors or the undersecretaries in cases involving violations of the *Comprehensive Dangerous Drugs Act of 2002*;<sup>66</sup>
  - i. Investigation report and the supervision history of a probationer;<sup>67</sup>

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<sup>58</sup> Section 3(g), Rule IV, Rules on CCESPOE.

<sup>59</sup> Sections 9, 23 and 33, *Alternative Dispute Resolution (ADR) Act of 2004* (RA No. 9285); and DOJ Circular No. 98 (s. 2009) or the IRR of the ADR Act.

<sup>60</sup> Article 10, International Bar Association Rules for Investor-State Mediation.

<sup>61</sup> Article 237, *Labor Code*.

<sup>62</sup> Section 7.1, Rule 7, CIAC Revised Rules of Procedure Governing Construction Arbitration.

<sup>63</sup> Section 142, *Corporation Code*. May be invoked by the SEC and any other official authorized by law to make such examination.

<sup>64</sup> Sections 13.4, 15.4, 29.2 (b), and 64.2 of the *Securities Regulation Code*.

<sup>65</sup> Section 53(b)(1) of the *Pre-Need Code of the Philippines*. The confidentiality of the proceedings is lifted after the issuance of the cease and desist order.

<sup>66</sup> DOJ Department Circular No. 006-16 (No. 6), 10 February 2016.

<sup>67</sup> Section 17, *Probation Law of 1976* [PD No. 968 (s.1976)].

- j. Those matters classified as confidential under the *Human Security Act of 2007*;<sup>68</sup>
  - k. Preliminary investigation proceedings before the committee on decorum and investigation of government agencies;<sup>69</sup> and
  - l. Those information deemed confidential or privileged pursuant to pertinent rules and regulations issued by the Supreme Court, such as information on disbarment proceedings, DNA profiles and results, or those ordered by courts to be kept confidential;<sup>70</sup>
8. Matters considered confidential under banking and finance laws and their amendatory laws, such as:
- a. RA No. 1405 (*Law on Secrecy of Bank Deposits*);
  - b. RA No. 6426 (*Foreign Currency Deposit Act of the Philippines*) and relevant regulations;
  - c. RA No. 8791 (*The General Banking Law of 2000*);
  - d. RA No. 9160 (*Anti-Money Laundering Act of 2001*); and
  - e. RA No. 9510 (*Credit Information System Act*);
9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations, such as:
- a. Those deemed confidential pursuant to treaties, executive agreements, other international agreements, or international proceedings, such as:
    - (1) When the disclosure would prejudice legitimate commercial interest or competitive position of investor-states pursuant to investment agreements;<sup>71</sup>
    - (2) Those deemed confidential or protected information pursuant to United Nations Commission on International Trade Law Rules on Transparency in Treaty-based Investor-State Arbitration and Arbitration Rules (UNCITRAL Transparency Rules);<sup>72</sup> and
    - (3) Refugee proceedings and documents under the *1951 Convention Relating to the Status of Refugees*, as implemented by DOJ Circular No. 58 (s. 2012)
  - b. Testimony from a government official, unless pursuant to a court or legal order;<sup>73</sup>

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<sup>68</sup> Sections 9, 13, 14, 29, 33 and 34, *Human Security Act of 2007* (RA No. 9372).

<sup>69</sup> Section 14, Civil Service Commission Resolution No. 01-0940.

<sup>70</sup> Section 18, Rule 139-B and Section 24, Rule 130 of the Rules of Court; and Section 11 of the Rule on DNA Evidence, A.M. No. 06-11-5-SC.

<sup>71</sup> Examples: Article 20 (2), ASEAN Comprehensive Investment Agreement; Article 15 (2) Agreement on Investment under the Framework Agreement on the Comprehensive Economic Cooperation between the ASEAN and the Republic of India; and Article 15 (2) of the Agreement on Investment under the Framework Agreement on the Comprehensive Economic Cooperation among the Government of the Member Countries of the ASEAN and the Republic of Korea.

<sup>72</sup> Article 7, UNCITRAL Transparency Rules.

<sup>73</sup> *Senate v. Neri, supra*; *Senate v. Ermita, supra*.

- c. When the purpose for the request of Statement of Assets, Liabilities and Net Worth is any of the following:
  - (1) any purpose contrary to morals or public policy; or
  - (2) any commercial purpose other than by news and communications media for dissemination to the general public;<sup>74</sup>
- d. Lists, abstracts, summaries of information requested when such lists, abstracts or summaries are not part of the duties of the government office requested;<sup>75</sup>
- e. Those information and proceedings deemed confidential under rules and regulations issued by relevant government agencies or as decided by the courts;<sup>76</sup>
- f. Requested information pertains to comments and disclosures on pending cases in judicial proceedings;<sup>77</sup> and
- g. Attorney-client privilege existing between government lawyers and their client.<sup>78</sup>

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<sup>74</sup> Section 8(D), *Code of Conduct and Ethical Standards for Public Officials and Employees*.

<sup>75</sup> *Belgica v. Ochoa*, G.R. No. 208566, 19 November 2013; and *Valmonte v. Belmonte Jr.*, G.R. No. 74930, 13 February 1989, 252 Phil. 264.

<sup>76</sup> Examples: 2012 Guidelines and Procedures in the Investigation and Monitoring of Human Rights Violations and Abuses and the Provision of CHR Assistance; Government Service Insurance System's Rules of Procedure of the Committee on Claims; National Labor Relations Commission Resolution No. 01-02, Amending Certain Provisions of the New Rules of Procedure of the National Labor Relations Commission, 08 March 2002; Department of Agrarian Reform MC No. 07-11, 19 July 2011; Department of Social Welfare and Development MC No. 021-12, 16 October 2012; and Section 42, *Investment Company Act* (RA No. 2629); When the information requested is not a matter of public concern or interest as decided in *Hilado v. Judge Amor A. Reyes*, G.R. No. 163155, 21 July 2006.

<sup>77</sup> *Romero v. Guerzon*, G.R. No. 211816, 18 March 2015.

<sup>78</sup> Canon 21 of the *Code of Professional Responsibility*.

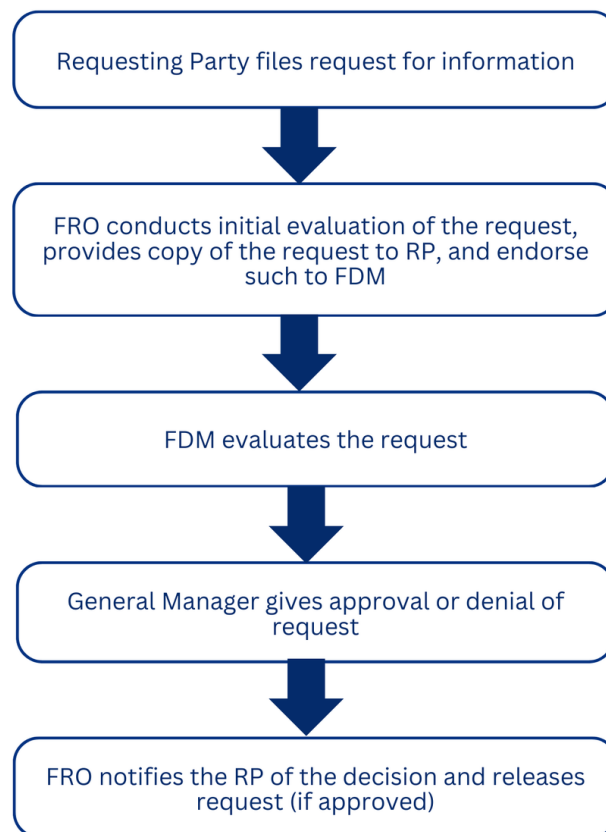


**PROCESS FLOW: STANDARD OR E-MAILED REQUEST**

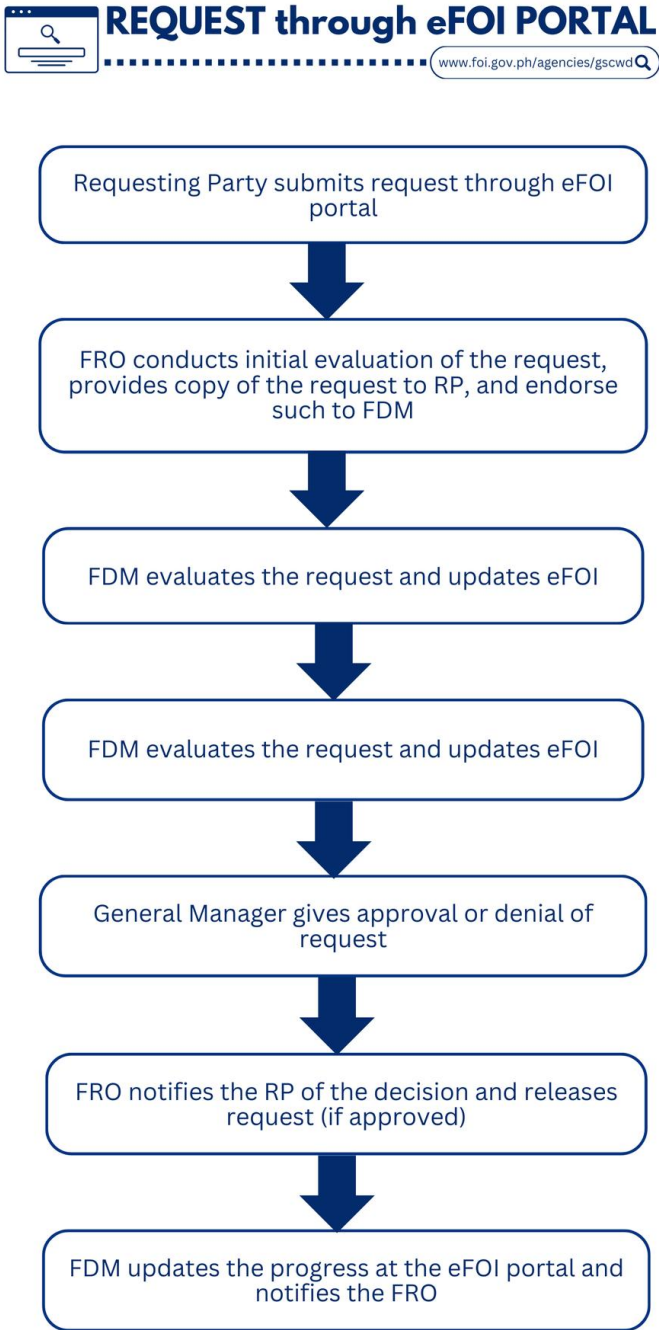


**STANDARD OR E-MAILED REQUEST**

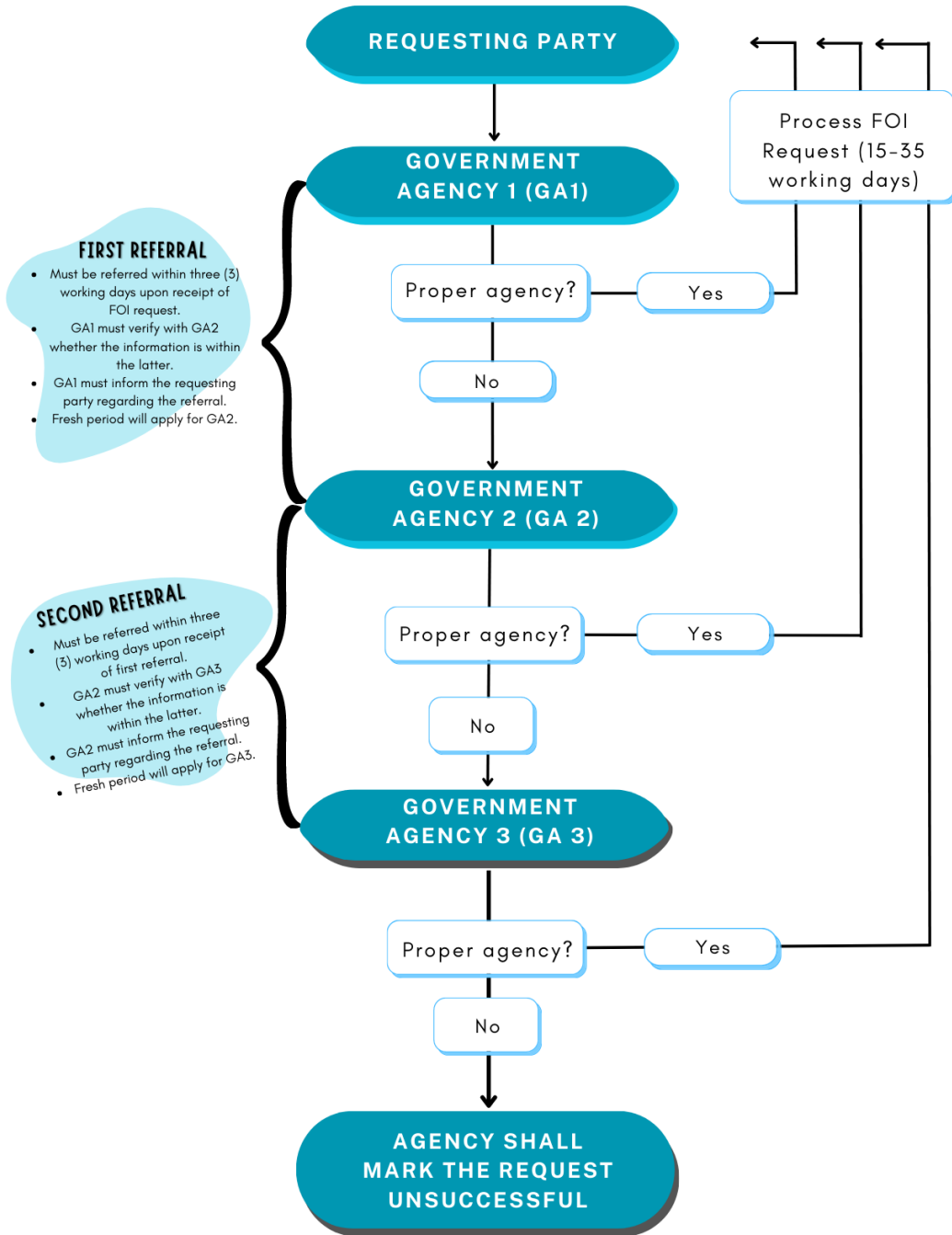
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**PROCESS FLOW: REQUEST FOR eFOI PORTAL**



**NO WRONG DOOR POLICY FLOWCHART**



NOTE: If GA 1 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.

## GSCWD FOI REQUEST FORM



Republic of the Philippines  
**GENERAL SANTOS CITY WATER DISTRICT**  
 E. Fernandez St., Brgy. Lagao, General Santos City  
 Telephone No. (083) 552-3824/ Telefax No. (083) 553-4960  
 E-mail Address: gscwaterdistrict@yahoo.com  
 www.gensanwater.gov.ph

## FREEDOM OF INFORMATION REQUEST FORM

Name: \_\_\_\_\_ Contact No.: \_\_\_\_\_

Office/ Address: \_\_\_\_\_ Preferred Mode of Reply \_\_\_\_\_

Title of Document/s Requested:

Purpose:

I declare and certify that the information provided in this form is complete and correct. I am aware that giving false or misleading information or using forged documents is a criminal offense. I bind myself and my principal to use the requested information only for the specific purpose stated and subject to such other conditions as may be prescribed by General Santos City Water District. I understand that the General Santos City Water District may collect, use and disclose personal information contained in this request.

## Signature over Printed Name/ Date

*To be filled out by GSCWD FOI Receiving Officer*

Tracking Number: \_\_\_\_\_

Requirements submitted:

 Request Form  Letter  Proof of Identity: \_\_\_\_\_  Others: \_\_\_\_\_

Date and Time Received: \_\_\_\_\_

Received by:

\_\_\_\_\_  
Signature over Printed Name\_\_\_\_\_  
Date*To be filled out by GSCWD FOI Decision Maker*

Remark/s and Recommendation: \_\_\_\_\_

Evaluated by:

\_\_\_\_\_  
Signature over Printed Name\_\_\_\_\_  
Date*To be filled out by FOI Champion*

Action Taken:

 Approved  Denied  Clarification  Refer to Other Agency  For Extension

For action other than Approved, pls. provide details: \_\_\_\_\_

\_\_\_\_\_  
Signature over Printed Name\_\_\_\_\_  
Date

**FOI RESPONSE TEMPLATE – COMPLETION OF FORM/ ADDITIONAL DETAILS**



Republic of the Philippines  
**GENERAL SANTOS CITY WATER DISTRICT**  
E. Fernandez St., Brgy. Lagao, General Santos City  
Telephone No. (083) 552-3824/ Telefax No. (083) 553-4960  
E-mail Address: gscwaterdistrict@yahoo.com  
www.gensanwater.gov.ph

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Mr./Mrs. \_\_\_\_\_:

*Umaagos na Pagbati!*

Thank you for your request dated \_\_\_\_\_ under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

**Information Requested:**

You asked for \_\_\_\_\_.

**Response to your request:**

After processing your request, we found that you have failed to provide the following necessary details: \_\_\_\_\_ .For \_\_\_\_\_ the processing of your request, please provide us with the necessary missing details.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager

### FOI RESPONSE TEMPLATE – EXTENSION PERIOD



Republic of the Philippines  
**GENERAL SANTOS CITY WATER DISTRICT**  
E. Fernandez St., Brgy. Lagao, General Santos City  
Telephone No. (083) 552-3824/ Telefax No. (083) 553-4960  
E-mail Address: gscwaterdistrict@yahoo.com  
www.gensanwater.gov.ph

---

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Mr./Mrs. \_\_\_\_\_:

*Umaagos ns Pagbati!*

Thank you for your request dated \_\_\_\_\_ under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

**Information Requested:**

You asked for \_\_\_\_\_.

**Response to your request:**

Since your request requires extensive search of the records and facilities of the General Santos City Water District or because of \_\_\_\_\_ which is beyond our control. We are asking for an extension of 15 days in order to fully process your request.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager

**FOI-RESPONSE TEMPLATE - CLARIFICATION**



Republic of the Philippines  
**GENERAL SANTOS CITY WATER DISTRICT**  
E. Fernandez St., Brgy. Lagao, General Santos City  
Telephone No. (083) 552-3824/ Telefax No. (083) 553-4960  
E-mail Address: gscwaterdistrict@yahoo.com  
www.gensanwater.gov.ph

---

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Mr./Mrs. \_\_\_\_\_:

*Umaagos ns Pagbati!*

Thank you for your request dated \_\_\_\_\_ under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

**Information Requested:**

You asked for \_\_\_\_\_.

**Response to your request:**

In order to fully process your request, may we ask for the following clarificatory details:

\_\_\_\_\_.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager

FOI RESPONSE TEMPLATE - APPROVAL



Republic of the Philippines
GENERAL SANTOS CITY WATER DISTRICT
E. Fernandez St., Brgy. Lagao, General Santos City
Telephone No. (083) 552-3824/ Telefax No. (083) 553-4960
E-mail Address: gscwaterdistrict@yahoo.com
www.gensanwater.gov.ph

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Mr./Mrs. \_\_\_\_\_:

Umaagos ns Pagbati!

Thank you for your request dated \_\_\_\_\_ under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

Information Requested:

You asked for \_\_\_\_\_.

Response to your request:

Your FOI request is APPROVED. The General Santos City Water District will forward the copy or copies of all requested information in accordance to the information you have stated in the FOI request form.

Feedback

We continuously strive to improve our service, and your feedback is essential to us. We would greatly appreciate it if you could take a few minutes to complete our short survey: \_\_\_\_\_. Your insights will help us serve you better.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager



FOI RESPONSE TEMPLATE - DENIAL



Republic of the Philippines
GENERAL SANTOS CITY WATER DISTRICT
E. Fernandez St., Brgy. Lagao, General Santos City
Telephone No. (083) 552-3824/ Telefax No. (083) 553-4960
E-mail Address: gscwaterdistrict@yahoo.com
www.gensanwater.gov.ph

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Mr./Mrs. \_\_\_\_\_:

Umaagos ns Pagbati!

Thank you for your request dated \_\_\_\_\_ under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

Information Requested:

You asked for \_\_\_\_\_.

Response to your request:

Your FOI request is DENIED because \_\_\_\_\_. If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter to the GSCWD Central Appeals and Review Committee, General Santos City Water District, E. Fernandez St., Brgy. Lagao, General Santos City.

Feedback

We continuously strive to improve our service, and your feedback is essential to us. We would greatly appreciate it if you could take a few minutes to complete our short survey: \_\_\_\_\_. Your insights will help us serve you better.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager

FOI RESPONSE TEMPLATE – SIMILAR TO PREVIOUS REQUEST



Republic of the Philippines
GENERAL SANTOS CITY WATER DISTRICT
E. Fernandez St., Brgy. Lagao, General Santos City
Telephone No. (083) 552-3824/ Telefax No. (083) 553-4960
E-mail Address: gscwaterdistrict@yahoo.com
www.gensanwater.gov.ph

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Mr./Mrs. \_\_\_\_\_:

Umaagos ns Pagbati!

Thank you for your request dated \_\_\_\_\_ under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

Information Requested:

You asked for \_\_\_\_\_.

Response to your request:

While our aim is to provide information whenever possible, in this instance we are unable to provide the information you have requested because it is substantially similar or identical to a previous request that you made on \_\_\_\_\_, which we responded to on \_\_\_\_\_.

Your right to request a review

If you are unhappy with this response to your FOI request, you may make an appeal by writing to the GSCWD Central Appeals and Review Committee, General Santos City Water District, E. Fernandez St., Brgy. Lagao, General Santos City. Your appeal should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result within 30 workings days from the date when we receive your appeal.

Feedback

We continuously strive to improve our service, and your feedback is essential to us. We would greatly appreciate it if you could take a few minutes to complete our short survey: \_\_\_\_\_. Your insights will help us serve you better.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager

**GSCWD FOI OFFICERS**

<b>DESIGNATION</b>	<b>NAME</b>	<b>CONTACT NUMBER</b>	<b>E-MAIL ADDRESS</b>
FOI Receiving Officer	Vanne Thea G. Balboa	(083) 552-3824	communityrelations.gscwd@gmail.com
FOI Receiving Officer	Charlyn B. Panunciar	(083) 552-3824	communityrelations.gscwd@gmail.com
FOI Decision Maker	Ferdinand S. Ferrer, MPA	(083) 552-3824	gscwaterdistrict@yahoo.com
FOI Champion/ General Manager	Francisco R. Alolod, Jr., CPA, CESE	(083) 552-3824	gscwaterdistrict@yahoo.com