



**MONCADA WATER DISTRICT**

POBLACION 2, MONCADA, TARLAC

TEL. NO.: (045) 606-5407/493-1950/09175267009

WEBSITE: WWW.MONCADAWD.GOV.PH



**SERVICE OF  
POTABLE  
WATER**



# FREEDOM OF INFORMATION PEOPLE'S MANUAL 2024





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## SECTION 1: PURPOSE OF THE MANUAL

### OVERVIEW

The purpose of this Freedom of Information Manual is to recognize 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. It gives people a general right of access to information held by or on behalf of public authorities.

#### COVERAGE OF THE MANUAL:

The manual shall cover all requests for information directed to the Office of the General Manager of Moncada Water District (MWD).

#### RESPONSIBLE OFFICERS:

##### ➤ **FOI Receiving Officer**

There shall be an FOI Receiving Officers (FROs) designated at the MWD office. The FRO shall preferably come from the Public Assistance or Information Office, or its equivalent, of the MWD.

The functions of the FRO shall include *receiving on behalf of the MWD all requests for information and forward the same to the appropriate office who has custody of the records; monitor all FOI requests and appeals; provide assistance to the FOI Decision Maker; provide assistance and support to the public and staff with regard to FOI; compile statistical information as required; and, conduct 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 any of the following grounds:*

- a. That the form is incomplete; or
- b. That the information is already disclosed in the MWD's Official Website ([www.moncadawd.gov.ph](http://www.moncadawd.gov.ph))





➤ **FOI Decision Maker**

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

- a) The MWD 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 the MWD.

➤ **FOI Appeals and Review Committee**

There shall be a FOI Appeals and Review Committee composed of four (4) personnel designated by the Board of Directors and General Manager *to review and analyze 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 request of information. In case where the Decision Maker is on official leave, the General Manager may delegate such authority to the designated officer-in charge of the unit.



## **SECTION II: DEFINITION OF TERMS**

For the purpose of this Executive Order, the following terms shall mean:

**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.

**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.

**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.

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

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



**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 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.

**SENSITIVE PERSONAL INFORMATION.** As defined in the Data Privacy Act of 2012, this 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.





## SECTION III: PROMOTION OF OPENNESS IN GOVERNMENT

**ACCESS TO INFORMATION.** Every Filipino shall have access to information, official records, and 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.

**EXCEPTIONS.** Access to information shall be denied when the information falls under any of the exceptions enshrined in the Constitution, existing law or jurisprudence, such as, but not limited to:

### LIST OF EXCEPTION TO RIGHT OF ACCESS TO INFORMATION

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

Information covered by Executive privilege;

Privileged information relating to national security, defense or international relations;

Information concerning law enforcement and protection of public and personal safety;

Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes, or the accused;

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;

Prejudicial premature disclosure;



1. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged;
2. Matters considered confidential under banking and finance laws, and their amendatory laws; and
3. 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.

**1. Information covered by Executive privilege:**

- a. Presidential conversations, correspondences, and discussions in closed-door Cabinet meetings; 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 formulated or are in the exploratory stage; or information pertaining to the decision-making of executive officials; and
  - ii. information, record or document comprising drafts of decisions, orders, rulings, policy decisions, memoranda, etc.;

**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;
- b. Diplomatic negotiations and other information required to be kept secret in the conduct of foreign affairs; and
- c. Patent applications, the publication of which would prejudice national security and interests;





### **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. informer 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;
- b. informers' 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;
- c. When disclosure of information would put the life and safety of an individual in imminent danger;
- d. Any information given by informants leading to the recovery of car napped vehicles and apprehension of the persons charged with car napping; and
- e. All proceedings involving application for admission into the Witness Protection Program and the action taken thereon;

### **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, personal information or records, including sensitive personal information, birth records, school records, or medical or health records;

Sensitive personal information as defined under the Data Privacy Act of 2012 refers to personal information:



- (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 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 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.

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 institutions; (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.

- b. Source of any news report or information appearing in newspapers, magazines or periodicals of general circulation obtained in confidence; 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, and witnesses to a crime or rehabilitated drug offenders, including those pertaining to the following.
  - (1) Records of child and family cases;
  - (2) Children in conflict with the law from initial contact until final disposition of the case;



- (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.
- (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 a immediate family of the child.
- (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,
- (6) Trafficked persons, including their names and personal circumstances, or any other information tending to establish the family member;
- (7) Names of victims of child abuse, exploitation or discrimination;
- (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;
- (9) records, documents and communications of proceedings involving domestic and inter-country adoptions, including the identity of the child, natural parents and adoptive parents;
- (10) names of students who committed acts of bullying or retaliation;
- (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; 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
- (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;

**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;
- b. Data furnished to statistical inquiries, surveys and censuses of the Philippine Statistics Authority (PSA);
- c. Records and reports submitted to the Social Security System by the employer or member;
- d. Information gathered from HIV/AIDS contact tracing and all other related health intelligence activities;
- 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;
- f. Applications and supporting documents filed pursuant to the Omnibus Investments Code of 1987;
- g. Documents submitted through the Government Electronic Procurement System;
- 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;
- 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;



- 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;
- 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;
- l. Information submitted to the Tariff Commission which is by nature confidential or submitted on a confidential basis;
- m. Certain information and reports submitted to the Insurance Commissioner pursuant to the Insurance Code;
- n. Information on registered cultural properties owned by private individuals;
- o. Data submitted by a higher education institution to the Commission on Higher Education (CHED); and
- p. Any secret, valuable or proprietary information of a confidential character known to a public officer, or secrets of private individuals;

## **6. Information of which a premature disclosure would**

- 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.

## **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, include records, evidence and the arbitral awards, pursuant to the Alternative Dispute Resolution Act of 2004;



- b. Matters involved in an Investor-State mediation;
  - c. Information and statements made at conciliation proceedings under the Labor Code;
  - d. Arbitration proceedings before the Construction Industry Arbitration Commission (CIAC);
  - 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;
  - f. Information related to investigations which are deemed confidential under the Securities Regulations Code.
  - g. All proceedings prior to the issuance of a cease and desist order against pre-need companies by the Insurance Commission;
  - 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;
  - i. Investigation report and the supervision history of a probationer;
  - j. Those matters classified as confidential under the Human Security Act of 2007;
  - k. Preliminary investigation proceedings before the committee on decorum and investigation of government agencies; 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;
- 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;
  - (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); 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;
- 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;
- d. Lists, abstracts, summaries of information requested when such lists, abstracts or summaries are not part of the duties of the government office requested;
- e. Those information and proceedings deemed confidential under rules and regulations issued by relevant government agencies or as decided by the courts.



- f. Requested information pertains to comments and disclosures on pending cases in judicial proceedings;
- g. Attorney-client privilege existing between government lawyers and their clients.

**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:

- 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;
- 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.
- 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 IV: STANDARD PROCEDURE

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

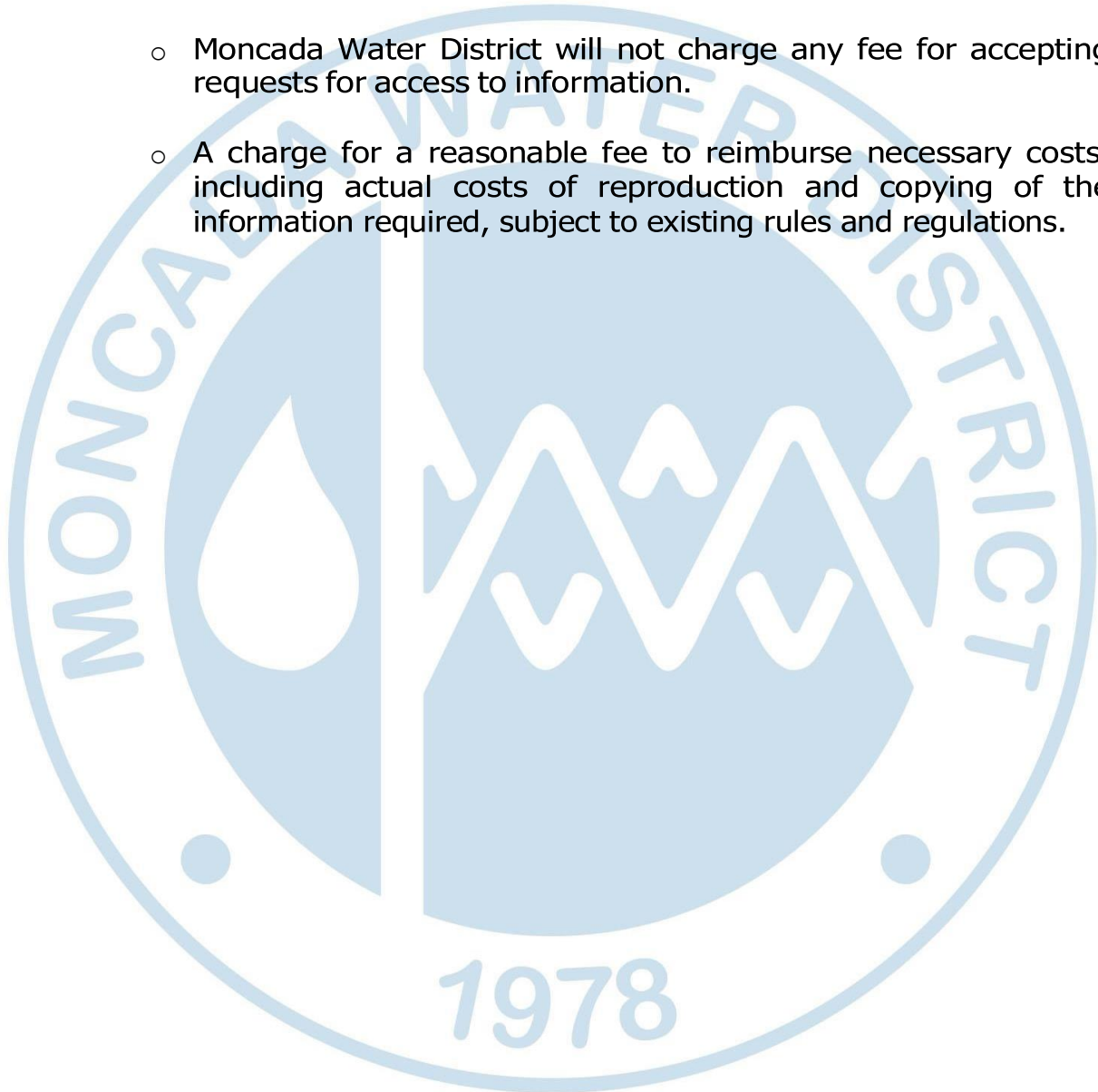
- Any person who requests access to information shall submit a written request to the government office concerned. The request shall state the name and contact information of the requesting party, provide valid proof of his identification or authorization, reasonably describe the information requested, and the reason for, or purpose of, the request for information:
- 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.
- 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.
- 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.
- 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.
- 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 V: SCHEDULE OF FEES

- Moncada Water District will not charge any fee for accepting requests for access to information.
- A charge for a reasonable fee to reimburse necessary costs, including actual costs of reproduction and copying of the information required, subject to existing rules and regulations.





## **SECTION VI: NOTICE TO DENIAL**

In any case, within fifteen (15) working days from the receipt of the request, notify the requesting party the denial in writing. The notice shall clearly set forth the ground or grounds for denial and the circumstances on which the the denial is biased.

## **SECTION VII: REMEDIES IN CASES OF DENIAL OF REQUEST FOR ACCESS TO INFORMATION**

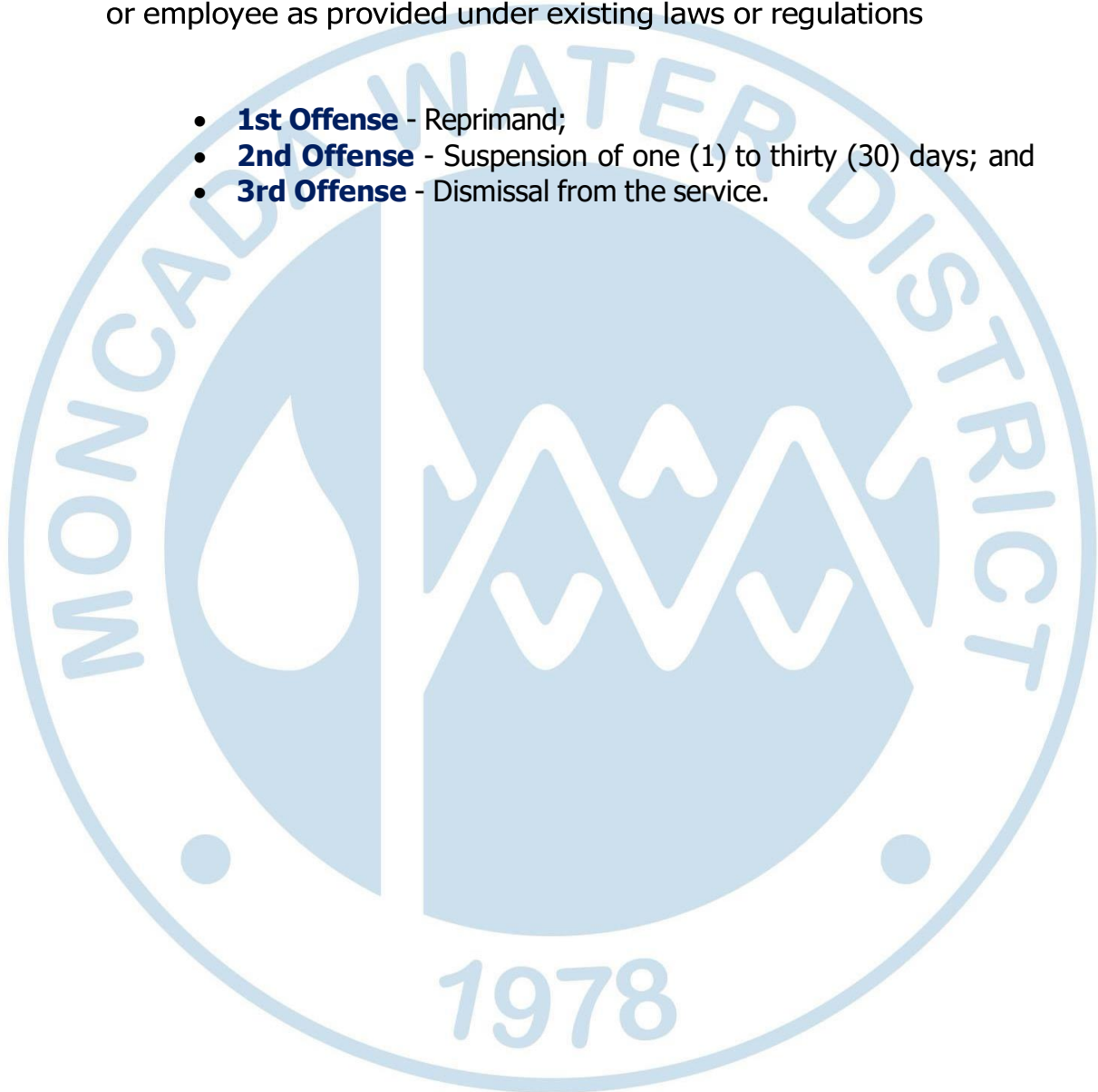
In case of denial of a request for information, the requesting party may appeal to the MWD FOI Appeals and Review Committee. The appeal shall be in writing, and shall be filed within fifteen (15) working days from the notice of denial or from the lapse of the period to respond to the request. The appeal shall be decided within thirty (30) working days from receipt of the appeal.



## **SECTION VIII: ADMINISTRATIVE LIABILITY**

- Failure to comply with the provisions of this manual may be a ground for administrative and disciplinary sanctions against any erring public officer or employee as provided under existing laws or regulations

- **1st Offense** - Reprimand;
- **2nd Offense** - Suspension of one (1) to thirty (30) days; and
- **3rd Offense** - Dismissal from the service.







**SECTION IX: FREEDOM OF INFORMATION OFFICERS**

**DESIGNATED PERSONNEL FOR FOI IMPLEMENTATION**

FOI RECEIVING OFFICERS

**KATHLEEN JOY N. GOZO**  
**NOERIE B. PAGALING**

FOI DECISION MAKER

**ENGR. ROGELIO B. MINA, JR.**

**FOI APPEALS AND REVIEW COMMITTEE**

DIR. DENNIS F. BALIGNASAY  
 ADELAIDA G. MEJIA  
 GABRIEL G. GABRIEL

HEAD  
 MEMBER  
 MEMBER

**SECTION IX:**

**POSTING AND EFFECTIVITY**

This Manual shall take effect immediately and shall be posted on our official website ([www.moncadawd.gov.ph](http://www.moncadawd.gov.ph)).

Signed:

**Engr. ROGELIO B. MINA, JR.**  
 General Manager



# MONCADA WATER DISTRICT

ADDRESS: POBLACION 2, MONCADA, TARLAC WEBSITE: WWW.MONCADAWD.GOV.PH  
TEL. NOS.: (045) 606-5407; 493-1950; 09175267009



## SECTION X: FOI REQUEST FORM



# MONCADA WATER DISTRICT

POBLACION 2, MONCADA, TARLAC  
TEL. NO.: (045) 606-5407 / 493-1950 / 09175267009  
WEBSITE: WWW.MONCADAWD.GOV.PH



## FREEDOM OF INFORMATION REQUEST FORM

(Pursuant to Executive Order No. 2, s. 2016)

### A. Requesting Party

1. Title (e.g. Mr, Mrs, Ms, Miss)	2. Given Name/s (Including M.I.)	3. Surname
4. Complete Address (House Number/Street/ Municipality/Province/City)		
5. Landline/Fax	6. Mobile	7. Email
8. Preferred Mode of Communication	<input type="checkbox"/> Landline <input type="checkbox"/> Mobile Number <input type="checkbox"/> Email	<input type="checkbox"/> Postal Address
9. Preferred Mode of Reply	<input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Postal Address	<input type="checkbox"/> Pick-up at Agency
Type of ID Given <input type="checkbox"/> Passport <input type="checkbox"/> Driver's <input type="checkbox"/> SSS ID <input type="checkbox"/> Postal ID <input type="checkbox"/> Voter's ID <input type="checkbox"/> School ID <input type="checkbox"/> Company ID <input type="checkbox"/> Others		

### B. Requested Information

10. Agency/Connecting Agency	
11. Title of Document/Record Requested	13. Reference Numbers (if known)
14. Date or Period (DD/MM/YYYY)	15. Purpose
15. Document Type	<input type="checkbox"/> Photocopy <input type="checkbox"/> Certified Photocopy <input type="checkbox"/> Certified True Copy <input type="checkbox"/> Electronic Copy
16. Other relevant information	

### C. Declaration

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 bring myself and my principal to use the requested information only for the specific purpose stated and subject to such other conditions as may be prescribed by the Philippine Overseas Employment Administration (POEA). I understand that the POEA may collect, use and disclose personal information contained in this request.

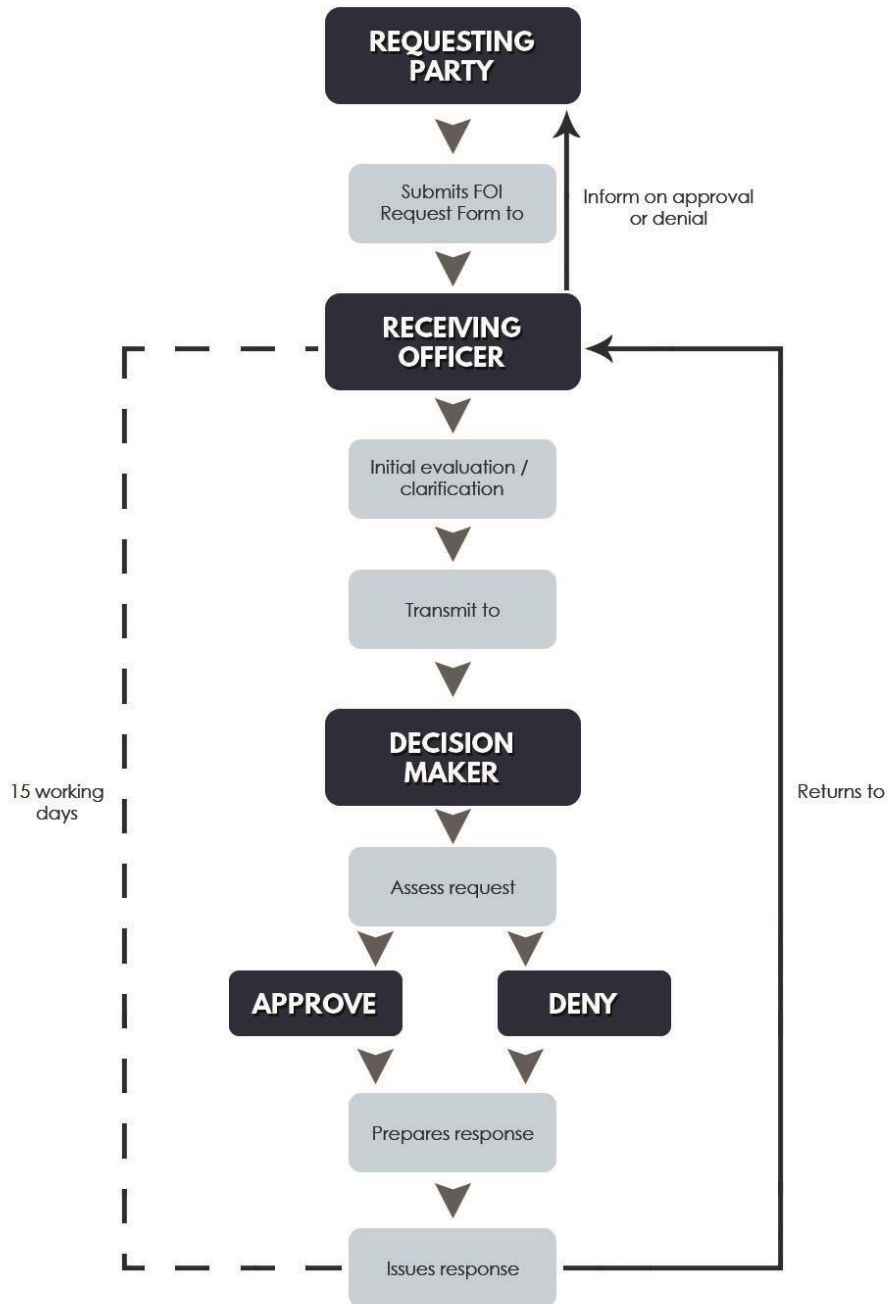
Signature of Requesting Party or Representative

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

Name of Receiving Officer	Date Received
Request is recommended to be <input type="checkbox"/> Approved <input type="checkbox"/> Denied <b>If denied, check reason</b> <input type="checkbox"/> Invalid Request <input type="checkbox"/> Incomplete <input type="checkbox"/> Data available online	
Name of Decision Maker	Date Received
Action on Application <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>If denied, check reason</b> <input type="checkbox"/> Invalid Request <input type="checkbox"/> Incomplete <input type="checkbox"/> Data available online <b>If approved, date documents released</b> _____
Remarks	



## SECTION XI: FLOW CHART

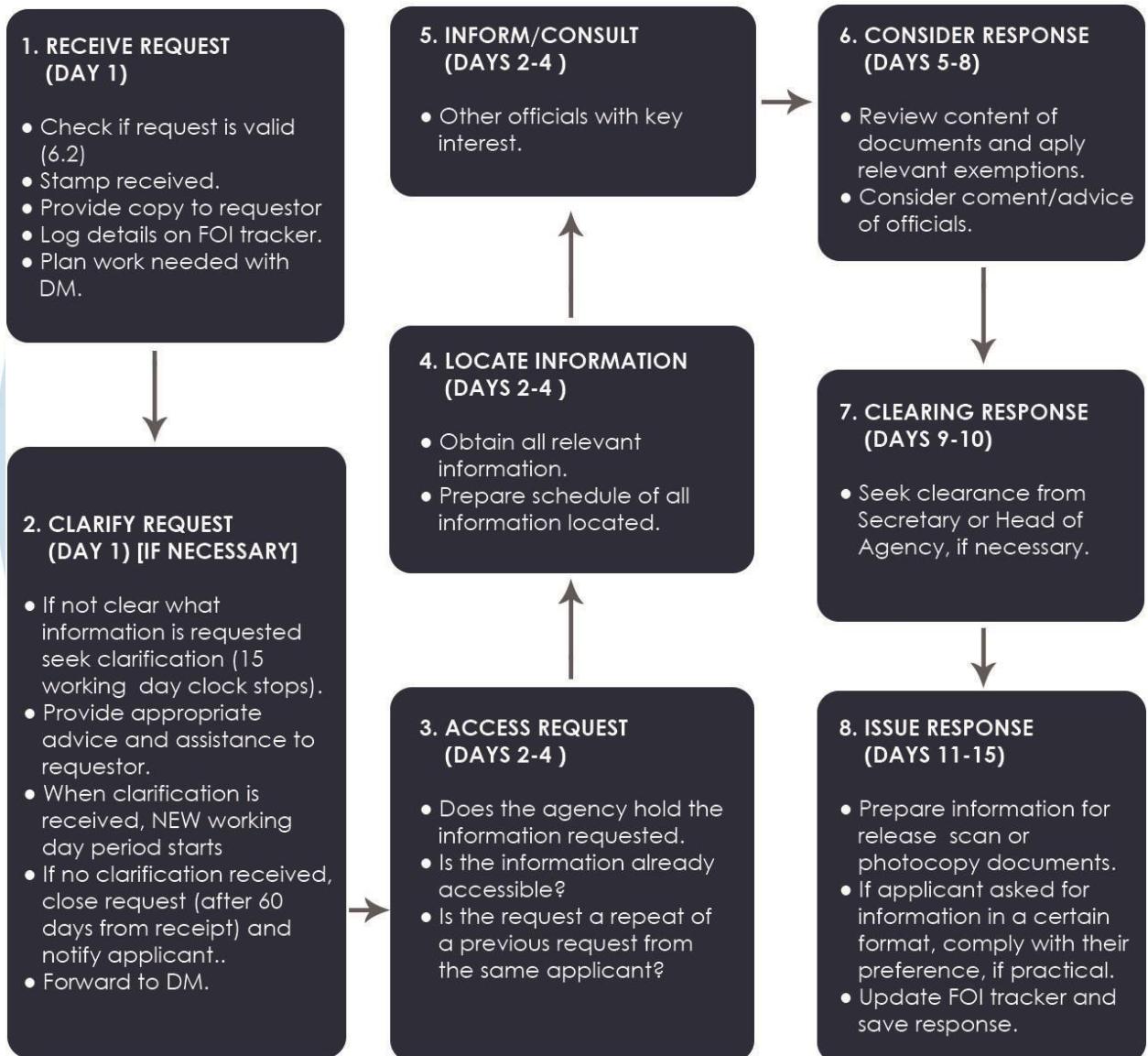






## REPUBLIC OF THE PHILIPPINES MONCADA WATER DISTRICT MONCADA, TARLAC

# DETAILED FOI PROCESS E - 2





## SECTION XII: CONTACT INFO

LOCATION OF FOI RECEIVING OFFICER	POSITION	CONTACT DETAILS	ASSIGNED FOI RECEIVING OFFICER
MONCADA WATER DISTRICT	SENIOR ACCOUNTING PROCESSOR-A	(045) 606 5404 / 09987221683	KATHLEEN JOY N. GOZO
MONCADA WATER DISTRICT	CLERK PROCESSOR-D	(045) 9255534 / 09263324031	NOERIE B. PAGALING



## **SECTION XIII: ANNEX "A"**

EXECUTIVE ORDER NO. 2  
MALACAÑANG PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES EXECUTIVE ORDER NO. 02

"OPERATIONALIZING IN THE EXECUTIVE BRANCH THE PEOPLE'S CONSTITUTIONAL RIGHT TO INFORMATION AND THE STATE POLICIES TO FULL PUBLIC DISCLOSURE AND TRANSPARENCY IN THE PUBLIC SERVICE AND PROVIDING GUIDELINES THEREFOR" WHEREAS, pursuant to Article 28, Article II of the 1987 Constitution, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to reasonable conditions prescribed by law;

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

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

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

WHEREAS, the President, under Section 17, Article VII of the Constitution, has control over all executive departments, bureaus and offices, and the duty to ensure that the laws be faithfully executed;

WHEREAS, the Data Privacy Act of 2012 (R.A. 10173), including its implementing Rules and Regulations, strengthens the fundamental human right of privacy, and of communication while ensuring the free flow of information to promote innovation and growth;

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

SECTION 1. Definition. For the purpose of this Executive Order, the following terms shall mean:

(a) "Information" shall mean any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, films,





sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.

(b) "Official record/records" shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.

(c) "Public record/records" shall include information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by a government office.

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

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

SECTION 4. Exception. Access to information shall be denied when the information falls under any of the exceptions enshrined in the Constitution, existing law or jurisprudence. The Department of Justice and the Office of the Solicitor General are hereby directed to prepare an inventory of such exceptions and submit the same to the Office of the President within thirty (30) calendar days from the date of effectivity of this Order. The Office of the President shall thereafter, immediately circularize the inventory of exceptions for the guidance of all government offices and instrumentalities covered by this Order and the general public. Said inventory of exceptions shall periodically be updated to properly reflect any change in existing law and jurisprudence and the Department of Justice and the Office of the Solicitor General are directed to update the inventory of exceptions as the need to do so arises, for circularization as hereinabove stated.

SECTION 5. Availability of SALN. Subject to the provisions contained in Sections 3 and 4 of this Order, all public officials are reminded of their obligation to file



and make available for scrutiny their Statements of Assets, Liabilities and Net Worth(SALN) in accordance with existing laws, rules and regulations, and the spirit and letter of this Order.

**SECTION 6. Application and Interpretation.** There shall be a legal presumption in favor of access to information, public records and official records. No request for information shall be denied unless it clearly falls under any of the exceptions listed in the inventory or updated inventory of exceptions circularized by the Office of the President provided in the preceding section. The determination of the applicability of any of the exceptions to the request shall be the responsibility of the Head of the Office, which is in custody or control of the information, public record or official record, or the responsible central or field officer duly designated by him in writing. In making such determination, the Head of the Office or his designated officer shall exercise reasonable diligence to ensure that no exception shall be used or availed of to deny any request for information or access to public records, or official records if the denial is intended primarily and purposely to cover up a crime, wrongdoing, graft or corruption.

**SECTION 7. Protection of Privacy.** While providing access to information, public records, and official records, responsible officials shall afford full protection to the right to privacy of the individual as follows: (a) Each government office per Section 2 hereof shall ensure that personal information in its custody or under its control is disclosed or released only if it is material or relevant to the subject matter of the request and its disclosure is permissible under this order or existing law, rules or regulations; (b) Each government office must protect personal information in its custody or control by making reasonable security arrangements against leaks or premature disclosure of personal information, which unduly exposes the individual, whose personal information is requested, to vilification, harassment or any other wrongful acts. (c) Any employee, official or director of a government office per Section 2 hereof who has access, authorized or unauthorized, to personal information in the custody of the office, must not disclose that information except when authorized under this order or pursuant to existing laws, rules or regulation.

**SECTION 8. People's Freedom to Information (FOI) Manual.** For the effective implementation of this Order, every government office is directed to prepare within one hundred twenty (120) calendar days from the effectivity of this Order, its own People's FOI Manual, which shall include among others the following provisions: (a) The location and contact information of the head, regional, provincial, and field offices, and other established places where the public can obtain information or submit requests; (b) The person or office responsible for receiving requests for information;





(c) The procedure for the filing and processing of the request as specified in the succeeding section 9 of this Order. (d) The standard forms for the submission of requests and for the proper acknowledgment of requests; (e) The process for the disposition of requests; (f) The procedure for the administrative appeal of any denial for access to information; and (g) The schedule of applicable fees.

**SECTION 9. Procedure.** The following procedure shall govern the filing and processing of request for access to information: (a) Any person who requests access to information shall submit a written request to the government office concerned. The request shall state the name and contact information of the requesting party, provide valid proof of his identification or authorization, reasonably describe the information requested, and the reason for, or purpose of, the request for information: Provided, that no request shall be denied or refused acceptance unless the reason for the request is contrary to law, existing rules and regulations or it is one of the exceptions contained in the inventory or updated inventory of exception as hereinabove provided. (b) The public official receiving the request shall provide reasonable assistance, free of charge, to enable, to enable all requesting parties and particularly those with special needs, to comply with the request requirements under this Section. (c) The request shall be stamped by the government office, indicating the date and time of receipt and the name, rank, title and position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the requesting party. Each government office shall establish a system to trace the status of all requests for information received by it. (d) The government office shall respond to a request fully compliant with requirements of sub-section (a) hereof as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof. The response mentioned above refers to the decision of the agency or office concerned to grant or deny access to the information requested. (e) The period to respond may be extended whenever the information requested requires extensive search of the government office's records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. The government office shall notify the person making the request of the extension, setting forth the reasons for such extension. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period. (f) Once a decision is made to grant the request, the person making the request shall be notified of such decision and directed to pay any applicable fees.





SECTION 10. Fees. Government offices shall not charge any fee for accepting requests for access to information. They may, however, charge a reasonable fee to reimburse necessary costs, including actual costs of reproduction and copying of the information required, subject to existing rules and regulations. In no case shall the applicable fees be so onerous as to defeat the purpose of this Order.

SECTION 11. Identical or Substantially Similar Requests. The government office shall not be required to act upon an unreasonable subsequent identical or substantially similar request from the same requesting party whose request from the same requesting party whose request has already been previously granted or denied by the same government office.

SECTION 12. Notice of Denial. If the government office decides to deny the request, in whole or in part, it shall as soon as practicable, in any case within fifteen (15) working days from the receipt of the request, notify the requesting party the denial in writing. The notice shall clearly set forth the ground or grounds for denial and the circumstances on which the denial is based. Failure to notify the requesting party of the action taken on the request within the period herein stipulated shall be deemed a denial of the request for access to information.

SECTION 13. Remedies in Cases of Denial of Request for Access to Information.

- (a) Denial of any request for access to information may be appealed to the person or office next higher in the authority, following the procedure mentioned in Section 9 of this Order: Provided, that the written appeal must be filed by the same person making the request within fifteen (15) working days from the notice of denial or from the lapse of the relevant period to respond to the request. (b) The appeal be decided by the person or office next higher in authority within thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the afore-stated period shall be deemed a denial of the appeal. (c) Upon exhaustion of administrative appeal remedies, the



Requesting part may file the appropriate case in the proper courts in accordance with the Rules of Court.

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

SECTION 15. Administrative Liability. Failure to comply with the provisions of this Order may be a ground for administrative and disciplinary sanctions against any erring public officer or employee as provided under existing laws or regulations.

SECTION 16. Implementing Details. All government offices in the Executive Branch are directed to formulate their respective implementing details taking into consideration their mandates and the nature of information in their custody or control, within one hundred twenty (120) days from the effectivity of this Order.

SECTION 17. Separability Clause. If any section or part of this Order is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force or effect.

SECTION 18. Repealing Clause. All orders, rules and regulations, issuances or any part thereof inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly: Provided, that the provisions of Memorandum Circular No. 78 (s. 1964), as amended, shall not be deemed repealed pending further review.

SECTION 19. Effectivity. This Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE, in the City of Manila, this 23rd day of July in the year of our Lord two thousand and sixteen.

(Sgd.) RODRIGO ROA DUTERTE President of the

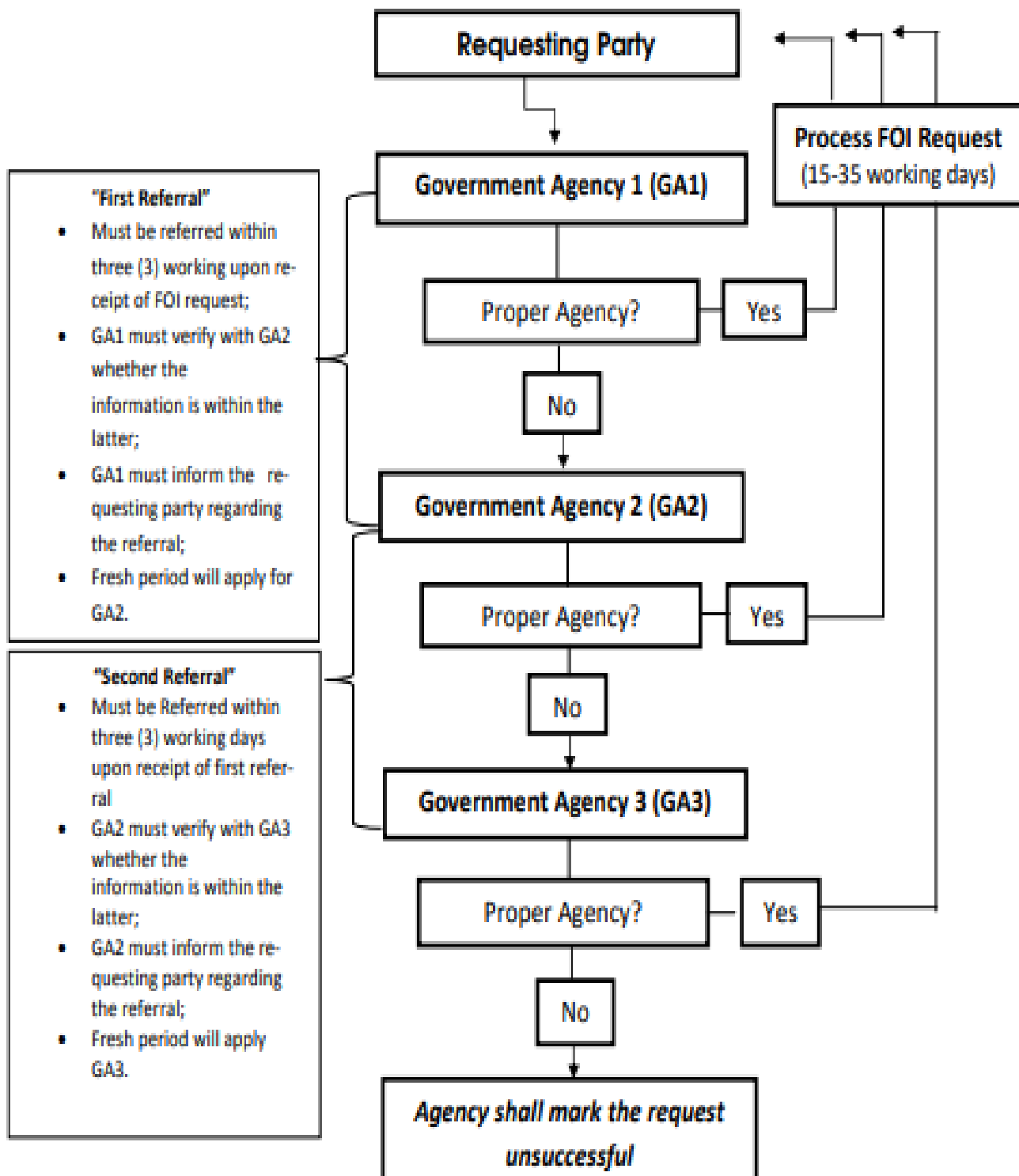
Philippines By the President:

(Sgd.) SALVADOR C. MEDIALDEA Executive Secretary



## SECTION XIV: ANNEX A NO WRONG DOOR POLICY FLOW CHART

**NO WRONG DOOR POLICY FLOW CHART**



**NOTE:**

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