FREEDOM of INFORMATION

EXECUTIVE ORDER NO. 02 SERIES OF 2016

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

Philippine Drug Enforcement Agency

PEOPLE’S MANUAL
FREEDOM
— of —-
INFORMATION

PHILIPPINE DRUG ENFORCEMENT AGENCY
The people’s right to information on matters of public concern has been constitutionally instituted in the Philippines dating as far back as 1973 and was further reinforced in the 1987 Constitution. The State is mandated to promote transparency and accountability in public service by adequately empowering the people with the “right” to access official government records, subject to limitations that may be provided by law. However, for more than four decades, the Filipino people has yet to see concrete government action that shall ensure the protection of this specific right.

But CHANGE HAS COME. Only 25 days after he assumed the highest position in the country, President Rodrigo Roa Duterte issued Executive Order No. 2, Series of 2016, mandating the implementation of the freedom of information (FOI) in the government’s executive branch.

The Philippine Drug Enforcement Agency (PDEA), being directly under the Office of the President, is more than willing to comply with the said Executive Order. We are ready for this CHANGE. PDEA’s very own People’s Freedom of Information (FOI) Manual has been formulated specifically to usher CHANGE in way the Agency deals with the people we serve. Our objective is to achieve the right equilibrium between safeguarding sensitive government data and providing the public with information on matters that highly concern them, so long as such would not compromise the execution of our mandate as the lead anti-drug agency.

The strict implementation of our Agency’s FOI Manual is likewise expected to INCULCATE further our core values that epitomize PDEA personnel as public servants: Professional, Dynamic, Excellence-Driven and Accountable.

I challenge all the men and women of PDEA to be AGENTS OF CHANGE – duty-bound public servants at the forefront of fostering transparency and accountability in government service as we work towards the realization of the inclusive and significant CHANGE that the President has promised to give the Filipino people.
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SECTION I: OVERVIEW

1. **Purpose:** The purpose of the Philippine Drug Enforcement Agency (PDEA) Freedom of Information (FOI) Manual is to guide and assist the National and Regional Offices of the Agency in dealing and processing with the request for information received under Executive Order (EO) No. 2, otherwise known as Freedom of Information (FOI). *(Annex “A”)*

2. **Structure of the Manual:** This Manual shall set out the rules and procedures to be followed by the Agency in the National and Regional Offices when a request for access to information is received. The Director General is responsible for all actions carried out under this Manual and may delegate this responsibility to the Service/Regional Directors and Chief of Offices. The Director General may delegate a specific officer to act as the Decision Maker (DM) and shall have the 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 to the same).

3. **Coverage of the Manual:** This Manual shall cover all requests for information directed to the Agency in the National and Regional Offices as follows:

   **National Offices**
   
   a. Administrative and Human Resource Service (AHRS)
   b. Financial Management Service (FMS)
   c. Internal Affairs Service (IAS)
   d. Logistics Management Service (LMS)
   e. PDEA Academy (PDEAA)
   f. Public Information Office (PIO)
   g. Intelligence and Investigation Service (IIS)
   h. Plans and Operations Service (POS)
   i. Compliance Service (CS)
   j. International Cooperation and Foreign Affairs Service (ICFAS)
   k. Legal and Prosecution Service (LPS)
   l. Preventive Education and Community Involvement Service (PECIS)
   m. Laboratory Service (LS)
   n. Special Enforcement Service (SES)

   **Regional Offices**

   a. PDEA RO 1
   b. PDEA RO 2
   c. PDEA RO 3
   d. PDEA RO 4A
   e. PDEA RO 4B
   f. PDEA RO 5
   g. PDEA RO 6
   h. PDEA RO 7
   i. PDEA RO 8
   j. PDEA RO 9
   k. PDEA RO 10
   l. PDEA RO 11
   m. PDEA RO 12
   n. PDEA RO 13
   o. PDEA RO CAR
   p. PDEA RO ARMM
   q. PDEA RO NCR
   r. PDEA NIRO
4. **FOI Receiving Officer:** There shall be a FOI Receiving Officer (FRO) designated in each of the Services and Regional Offices of the Agency. The FRO shall be preferably designated by the Service/Regional Director or Chief of Offices.

The FRO shall have the following functions, among others; receive on behalf of the Agency in the National and/or Regional Offices all requests for information and forward the same to the appropriate Office that 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:

4.1 That the form is incomplete; or
4.2 That the information is already disclosed in the Agency’s Official Website or at [http://pdea.gov.ph](http://pdea.gov.ph)

The National and Regional Offices shall assign their respective FROs (Annex “B”)

5. **FOI Decision Maker:** There shall be a FOI Decision Maker (FDM), designated by the Director General, with a rank of not lower than a Director or its equivalent, who shall conduct evaluation of the request for information and has the authority to grant the request, or deny it based on the following:

5.1 That the Agency does not have the information requested;
5.2 That the information requested contains sensitive personal information protected by the Data Privacy Act of 2012;
5.3 That the information requested falls under the list of exceptions to FOI; or (Annex “C”)
5.4 That 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 Agency.

6. **Central Appeals and Review Committee:** The Central Appeals and Review Committee shall be composed of the following:

   **Chairman:**
   Deputy Director General for Administration

   **Members:**
   Director, Administrative and Human Resource Service
   Director, Internal Affairs Service
   Director, Intelligence and Investigation Service
The said Committee shall review and analyze the grant or denial of request for information. The Committee shall provide justifications/ reasons for the denial of such request. The designated Officer-in-Charge and/or the member of the Technical Working Group of the FOI may represent in the absence of the member during the meeting for such purpose.

7. **Approval and Denial of Request for Information**: The Decision Maker shall approve or deny all requests of information. In case where the Decision Maker is on official leave, the Officer-in-Charge may delegate such authority to an office with the rank of a Director or its equivalent.

**SECTION II: DEFINITION OF TERMS**

1. **ADMINISTRATIVE FOI APPEAL**. An independent review of the initial determination made in response to a FOI request. Requesting parties who are dissatisfied with the response made on their initial request have the right to appeal to the agency, which shall then conduct an independent review.

2. **ANNUAL FOI REPORT**. A report to be filed each year with the Presidential Communications Operations Office (PCOO) by all government agencies detailing the administration of the FOI. Annual FOI Reports contain detailed statistics on the number of FOI requests and appeals received, processed, and pending at each government office.

3. **CONSULTATION**. Refers to the process when a government office locates a record that contains information of interest to another agency and solicits its view on the disclosability of the records before any final determination is made.

4. **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.

5. **eFOI.gov.ph**. The website that serves as the government’s comprehensive FOI website for all information on the FOI. Among many other features, eFOI.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. eFOI.gov.ph also promotes agency accountability for the administration of the FOI by graphically displaying the detailed statistics contained in the Annual FOI Reports, so that they can be compared by the Agency over time.

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

7. 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 for in the 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.

8. FOI CONTACT. The name, address and phone number in each government office where one can make a FOI request.

9. 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.

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

11. FREQUENTLY REQUESTED INFORMATION. Information released in response to a FOI request that the agency determines has become or is likely to become the subject of subsequent requests for substantially the same records.

12. FULL DENIAL. When the Agency cannot release any record in response to a FOI request, due to unavailability of records responsive to the request or the requested information is exempt from disclosure in its entirety.

13. FULL GRANT. When a government office is able to disclose all records in full in response to a FOI request.

14. 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, and/or any other like or similar data or materials recorded, stored or archived in whatever format, whether offline
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.

15. INFORMATION FOR DISCLOSURE. Information promoting the awareness and understanding of policies, programs, activities, rules or revisions affecting the public, government agencies, 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 at government websites, such as data.gov.ph, without the need for written requests from the public.

16. 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. Request granted shall be processed expeditiously and placed in another track. Requests in each track are processed on a first in/first out basis.

17. 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.

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

19. PARTIAL GRANT/PARTIAL DENIAL. When the Agency is able to disclose portions of the records in response to a FOI request, but shall deny other portions of the request.

20. PENDING REQUEST OR PENDING APPEAL. A FOI request or administrative appeal for which the Agency 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.

21. PERFECTED REQUEST. A FOI request, which reasonably describes the records, sought and made in accordance with the Agency’s regulations.

22. PERSONAL INFORMATION. Shall refer to any information, whether recorded in a material form or not, from which the identity of an individual is apparent and 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.
23. **PROACTIVE DISCLOSURE.** Information made publicly available by the Agency without waiting for a specific FOI request. The Agency shall post on its website a vast amount of materials concerning its functions and mission.

24. **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 requesting party.

25. **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.

26. **PUBLIC SERVICE CONTRACTOR.** Shall be defined as a private entity that has dealings, contract, or transaction of whatever form or kind with the government or a government agency or office that utilizes public funds.

27. **RECEIVED REQUEST OR RECEIVED APPEAL.** A FOI request or administrative appeal that the Agency received within a fiscal year.

28. **REFERRAL.** When the Agency locates a record that originated with, or is of otherwise primary interest to another government office, the record shall be forwarded to the other government office to process the request and provide the final determination directly to the requesting party.

29. **SIMPLE REQUEST.** A FOI request which can be processed immediately.

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

   30.1 About an individual’s race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;

   30.2 About an individual’s health, education, genetic or sexual life, or to any proceedings 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;

   30.3 Issued by government agencies peculiar to an individual which includes, but is not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and

   30.4 Specifically established by an executive order or an act of Congress to be kept classified.
SECTION III: PROTECTION OF PRIVACY

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

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

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

3. The FRO, FDM, or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of the Agency, shall not disclose that information except as authorized by existing laws.

SECTION IV: STANDARD PROCEDURE

(see Annex “D” for flowchart)

1. Receipt of Request for Information

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

1.1.1 The request shall be in writing;
1.1.2 The request shall state the name and contact information of the requesting party, with attached valid proof of identification or authorization; and
1.1.3 The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information. (See Annex “E”)

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

1.2 In case the requesting party is unable to make a written request, because of illiteracy or disability, he or she may make an oral request, and the FRO shall translate it in writing.

1.3 The request shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name, rank, title and position of the public officer who actually received it, with his/her corresponding signature, copy furnished
the requesting party. In case of email requests, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by electronic mail. The FRO shall input the details of the request on the Agency Tracking System and assign a reference number.

1.4 The Agency’s National and Regional Offices must respond to requests promptly, within the fifteen (15) working days following the date of receipt of the request. A working day is any day other than Saturday, Sunday or a day which is declared a national public holiday in the Philippines. In computing for the period, Art. 13 of the New Civil Code shall be observed. The date of receipt of the request will be either:

1.4.1 The day on which the request is physically or electronically delivered to the Agency, or directly into the email inbox of a member or staff; or

1.4.2 If the Agency has asked the requesting party for further details to identify and locate 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 instructions on how to re-direct the message to another contact. Where such is the case, the date of receipt will be the day the request arrives in the inbox of that contact.

Where further details are needed to identify and locate the requested information, the fifteen (15) working days will commence the day after the required clarification is received from the requesting party.

2. Initial Evaluation. After receipt of the request for information, the FRO shall evaluate the contents of the request.

2.1 Request relating to more than one office under the Agency: If a request for information is received which requires input from more than one Service/Office for compliance therewith, the FRO shall forward such request to the concerned Offices to monitor and ensure its compliance. The designated FRO shall only provide the requested information concerning their Services/Offices.

2.2 Requested information is not in the custody of the Agency in the National and Regional Offices: If the requested information is not in the custody of the Agency, the following shall be undertaken by the FDM and FRO:

2.2.1 Full denial to the request, informing the requesting party
that such information is not available and the request shall be forwarded to the concerned government agency. The 15 working days shall commence upon receipt of the referral.

2.2.2 If the records refer to an office not within the coverage of E.O. No. 2, the requesting party shall be advised accordingly and provided with the contact details of that office, if known.

2.3 Requested information is already posted and available online: If the requested information is already posted and publicly available in the Agency website at http://pdea.gov.ph the FRO shall provide the website link where the information is posted or direct the request to the concerned services and/or offices.

2.4 Requested information is substantially similar or identical to the previous request: When the requested information is substantially similar or identical to a previous request by the same requesting party, the request shall be denied. However, the FRO shall inform the applicant of the reason for such denial.

3. Transmittal of Request by the FRO to the FDM: Upon receipt of the request for information, the FRO shall evaluate the information being requested, and forward the same to FDM within one (1) working day. The FRO shall record the date, time and name of the receiving FDM in a record book as acknowledgement of receipt of the request.

4. Role of FDM in processing the request: Upon receipt of the request for information from the FRO, the FDM shall assess and clarify the request if necessary. He or she shall supervise and ensure compliance with the request within ten (10) working days.

   The FDM shall inform the Director General or his designated Officer-in-Charge in case the compliance is made beyond the 10-working day period.

   Should the FDM need further details to identify or locate the information, he or she shall, through the FRO, seek clarification from the requesting party. The clarification period shall not affect the 15 working days period and shall resume only after receipt of the required clarification from the requesting party.

   Should the FDM determine that a record contains information of interest to another government office, the FDM shall consult with the agency concerned on the disclosure of the records before making any final decision.
5. **Role of FRO to transmit the information to the requesting party.** Upon receipt of the requested information from the DM, the FRO shall collate and ensure that the information is complete. He shall attach a cover/transmittal letter signed by the Director General or his/her designated Officer-in-Charge and ensure the transmittal of such to the requesting party within fifteen (15) working days upon receipt of the request for information.

6. **Request for an Extension of Time:** The FRO shall be informed by the FDM if the information requested requires extensive search of the Agency’s records either on account of the need for examination of voluminous documents, or due to the occurrence of fortuitous events and/or other analogous cases.

   The FRO shall inform the requesting party of the extension, setting forth 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.

7. **Notice to the Requesting Party of the Approval/Denial of the Request:** Once the FDM approved or denied the request, the FRO shall immediately disseminate/dispatch the response to the requesting party. All actions on FOI requests, whether approved or denied, shall be submitted to the Director General or his/her designated Officer-in-Charge for final approval/denial.

8. **Approval of Request:** In case of approval of the request wholly or partially, all information retrieved shall be evaluated for possible exemption prior to release to the requesting party. The FRO shall review the exemption prior to release to the requesting party. The FRO shall inform the requesting party within the prescribed period that the request was granted and be directed to pay the applicable fees, if any.

9. **Denial of Request:** In case of denial of the request wholly or partially, the FRO shall notify in writing the requesting party of the denial within the prescribed period. The notice shall clearly set forth the ground/s and basis/es for the denial. Failure to notify the requesting party of the action taken on the request within the prescribed period shall be deemed a denial of the request for information.
SECTION V: 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 Agency CentralAppeals and Review Committee:

   1.1 Denial of the Request for Information by the Service Director or Chief of Offices may be appealed in writing by the same requesting party to the Chairman of the Central Appeals and Review Committee within fifteen (15) working days from the notice of denial or from the lapse of the period to respond to the request.

   1.2 The appeal shall be decided by the Director General upon the recommendation of the Chairman of the Central Appeals and Review Committee within thirty (30) working days from filing of said written appeal. Failure to decide within the 30-working day period shall be deemed a denial of the appeal.

   1.3 The denial of the Appeal by the Director General may be appealed further to the Office of the President under Administrative Order No. 22, s. 2011.

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 VI: AGENCY TRACKING SYSTEM

The Agency shall establish a system to trace the status of all requests for information received, which may be paper-based, online or both. The designated FRO’s shall establish a monitoring sheet of all FOI request on a monthly basis and same shall be submitted to Internal Audit Division under the Office of the Director General on the 5th working day of the month. The IAD shall collate, review and evaluate all submitted FOIs. Likewise, the IAD shall prepare a report for submission to PCOO to be signed by the DG,PDEA.

SECTION VII: FEES

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

2. Reasonable Cost of Reproduction and Copying of the Information: The FRO shall immediately notify the requesting
in case there shall be a reproduction and copying fee in order to provide the information. Such fee shall be the actual amount spent by the Agency in providing the information to the requesting party. The schedule of fees shall be posted by the concerned services and/or offices.

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

**SECTION VIII: ADMINISTRATIVE LIABILITY**

1. **Non-compliance with FOI.** Failure, refusal, or neglect without reasonable excuse or justifiable ground to comply with the provisions of this Manual shall be a ground to subject the personnel concerned to the corresponding administrative proceedings. If, after the observance of due process, the personnel concerned is found liable, the following administrative penalties shall be imposed upon him/her:

   1.1 1st Offense – Written reprimand;
   1.2 2nd Offense – Suspension of one (1) to thirty (30) days; and
   1.3 3rd Offense – Six (6) months suspension to dismissal from the service.

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

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

**SECTION IX: IMPLEMENTING DETAILS**

All offices and employees of National Staff Services, Support Units and Regional Offices are mandated to disseminate and implement the PDEA FOI Manual.

**SECTION X: AMENDING AND REPEALING CLAUSE**

Any amendment or revision of this Manual may be proposed to or by the Technical Working Group as the need arises.
SECTION XI: EFFECTIVITY CLAUSE

This Agency FOI Manual shall take effect immediately.

Approved and adopted this 25th day of November 2016, PDEA National Office, Quezon City
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
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
effectivity of this Order, its own People’s FOI Manual, which shall include among others the following provisions:

(a) The location and contact information of the head, regional, provincial, and field offices, and other established places where the public can obtain information or submit requests;

(b) The person or office responsible for receiving requests for information;

(c) The procedure for the filing and processing of the request as specified in the succeeding section 8 of this Order.

(d) The standard forms for the submission of requests and for the proper acknowledgment of requests;

(e) The process for the disposition of requests;

(f) The procedure for the administrative appeal of any denial for access to information; and

(g) The schedule of applicable fees.

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

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

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

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

(d) The government office shall respond to a request fully compliant with requirements of sub-section (a) hereof as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof. The
response mentioned above refers to the decision of the agency or office concerned to grant or deny access to the information requested.

(e) The period to respond may be extended whenever the information requested requires extensive search of the government office’s records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. The government office shall notify the person making the request of the extension, setting forth the reasons for such extension. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.

(f) Once a decision is made to grant the request, the person making the request shall be notified of such decision and directed to pay any applicable fees.

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

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

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

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

(a) Denial of any request for access to information may be appealed to the person or office next higher in the authority, following the procedure mentioned in Section 7 (f) of this Order: Provided, that the written appeal must be filed by the same person making the request within fifteen (15) working days from the notice of denial or from the lapse of the relevant period to respond to the request.

(b) The appeal be decided by the person or office next higher in authority within thirty (30) working days from the filing of said written appeal. Fail-
within thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the afore-stated period shall be deemed a denial of the appeal.

(c) Upon exhaustion of administrative appeal remedies, the requesting part may file the appropriate case in the proper courts in accordance with the Rules of Court.

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

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

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

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

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

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

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

(Sgd.) RODRIGO ROA DUTERTE
President of the Philippines

By the President:
(Sgd.) SALVADOR C. MEDIALDEA
Executive Secretary
## ANNEX “B”

**FOI DECISION MAKERS AND RECEIVING OFFICERS OF PDEA**

<table>
<thead>
<tr>
<th>SERVICE</th>
<th>DIRECTOR / DECISION MAKERS</th>
<th>DIRECT LINE</th>
<th>LOCAL</th>
<th>E-MAIL ADDRESS</th>
<th>RECEIVING OFFICERS (PRIMARY / ALTERNATE)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ADMINISTRATIVE CLUSTER</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative and Human Resource Service</td>
<td>Dir. Donelyn M. Hemedez</td>
<td>(02) 920-3760</td>
<td>104 (D,AHRS) 140, 128</td>
<td><a href="mailto:pdea_ahrs1@yahoo.com">pdea_ahrs1@yahoo.com</a></td>
<td>Marites M. Sierra Hildegunde R. Villegas</td>
</tr>
<tr>
<td></td>
<td>Chief Maria Lourdes C. Jacosalem</td>
<td>(02) 929-5617</td>
<td>104 (D,FMS) 117, 155, 156, 157</td>
<td><a href="mailto:fms.pdea@gmail.com">fms.pdea@gmail.com</a></td>
<td>Christopher Ontog Princess Rujane Sinlao</td>
</tr>
<tr>
<td></td>
<td>Dir. Roselyn A. Borja</td>
<td>(02) 920-8082</td>
<td>105 (D,IAS)</td>
<td><a href="mailto:iaspdea@gmail.com">iaspdea@gmail.com</a></td>
<td>Cricencia Murillo Charmaine Pizarro</td>
</tr>
<tr>
<td></td>
<td>Dir. Agnes D. Mandap</td>
<td>(02) 920-8082</td>
<td>102 (D,AHRS) 127, 130, 158, 195</td>
<td><a href="mailto:logistics_pdea@yahoo.com">logistics_pdea@yahoo.com</a></td>
<td>Jeena G. Kinawag James Robin Tutaan</td>
</tr>
<tr>
<td></td>
<td>Dir. Aileen T. Lovitos</td>
<td>(02) 897-5437</td>
<td>- - -</td>
<td><a href="mailto:pdeadeobc@yahoo.com">pdeadeobc@yahoo.com</a></td>
<td>Joel G. Viray Emely C. Fama</td>
</tr>
<tr>
<td></td>
<td>Dir. Derrick Arnold C. Carreon</td>
<td>(02) 929-3244</td>
<td>131</td>
<td><a href="mailto:pdea.pio@gmail.com">pdea.pio@gmail.com</a></td>
<td>Shella N. Valmoria Maritoni DG Oliveros</td>
</tr>
<tr>
<td><strong>OPERATION CLUSTER</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intelligence and Investigation Service</td>
<td>Dir. Randy R. Pedroso</td>
<td>(02) 920-0967</td>
<td>111 (D,IIS) 147</td>
<td><a href="mailto:is.pdea@yahoo.com">is.pdea@yahoo.com</a></td>
<td>Sarah M. Bautista Mary Joy Pacheco</td>
</tr>
<tr>
<td>Plans and Operations Service</td>
<td>Dir. Gladys F. Rosales</td>
<td>(02) 929-1280</td>
<td>113 (D,POS) 123, 136, 145, 170</td>
<td><a href="mailto:plansprog_pos@yahoo.com">plansprog_pos@yahoo.com</a></td>
<td>Bernardo Perante Jr. Glen Lara</td>
</tr>
<tr>
<td>Compliance Service</td>
<td>Dir. Helen Malta E. Reyes</td>
<td>(02) 920-8110</td>
<td>115 (D,CS) 197, 198</td>
<td><a href="mailto:cs@pdea.gov.ph">cs@pdea.gov.ph</a></td>
<td>Aristotle Bernal Soledad Lumbres</td>
</tr>
<tr>
<td>International Cooperation and Foreign Affairs Service</td>
<td>Dir. Emerson R. Rosales</td>
<td>(02) 920-0105</td>
<td>111 (D,ICFAS) 147</td>
<td><a href="mailto:icfaspdea@gmail.com">icfaspdea@gmail.com</a></td>
<td>Mary Lyd A. Manuel Jacqueline M. Bigay</td>
</tr>
<tr>
<td>Legal and Prosecution Service</td>
<td>Dir. Czareanah DG. Aquino</td>
<td>(02) 920-0106 332-3611</td>
<td>109 (D,LPS) 132</td>
<td><a href="mailto:lps_pdea@yahoo.com">lps_pdea@yahoo.com</a></td>
<td>Beverly A. Fortaleza John Joseph P. Ramos</td>
</tr>
<tr>
<td>Preventive Education and Community Involvement Service</td>
<td>Dir. Derrick Arnold C. Carreon</td>
<td>(02) 920-9668</td>
<td>124</td>
<td><a href="mailto:pecis_cares@yahoo.com">pecis_cares@yahoo.com</a></td>
<td>Reynante D. Javier Jean Ivy G. Antonio</td>
</tr>
<tr>
<td>Laboratory Service</td>
<td>Dir. Belen M. Banog</td>
<td>(02) 920-0106 332-3611</td>
<td>182 (D,LS) 187, 190, 191</td>
<td><a href="mailto:laboratoryservice@yahoo.com">laboratoryservice@yahoo.com</a></td>
<td>Jane Amor C. Casitas Marjorie D. Inojales</td>
</tr>
</tbody>
</table>
# FOI Decision Makers and Receiving Officers of PDEA

<table>
<thead>
<tr>
<th>Regional Office</th>
<th>Address</th>
<th>Director</th>
<th>Directory</th>
<th>Mobile</th>
<th>Email</th>
<th>Duties</th>
</tr>
</thead>
<tbody>
<tr>
<td>PDEA RO - 1</td>
<td>Camp Diego Silang, Carlatan, San Fernando City, La Union</td>
<td>Dir. Jeoffrey C. Tacio</td>
<td>(072) 607.04.77</td>
<td>0917.540.73.20 0908.485.13.64</td>
<td><a href="mailto:pdearegion1@yahoo.com">pdearegion1@yahoo.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 2</td>
<td>Camp Adduru, Tuguegarao City, Cagayan</td>
<td>Dir. Laurefel P. Gabales</td>
<td>(078) 304.66.93 304.01.89</td>
<td>0908.819.59.96 0917.812.86.99</td>
<td><a href="mailto:pdea02@yahoo.com">pdea02@yahoo.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 3</td>
<td>Diosdado Macapagal Regional Gov’t. Center, Brgy. Maimpis, San Fernando, Pampanga</td>
<td>Dir. Juvenal B. Azurin</td>
<td>(045) 649.10.08 649.10.09</td>
<td>0932.495.23.43 0905.381.48.18</td>
<td><a href="mailto:pdea_ro3@yahoo.com">pdea_ro3@yahoo.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 4 A</td>
<td>Camp Vicente Lim, Calamba City, Laguna</td>
<td>Dir. Archie A. Grande</td>
<td>(049) 834.13.04</td>
<td>0922.479.80.07 0917.842.27.38 0998.979.20.03</td>
<td><a href="mailto:pdearo4a@yahoo.com">pdearo4a@yahoo.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 4 B</td>
<td>Unit 14 Filipiniana Complex, Calapan City, Oriental Mindoro</td>
<td>Dir. Jacqueline L. De Guzman</td>
<td>(043) 441.02.67</td>
<td>0921.298.14.88 0915.860.98.04</td>
<td><a href="mailto:pdea4b@yahoo.com">pdea4b@yahoo.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 5</td>
<td>Camp General Simeon Ola, Legazpi City</td>
<td>Dir. Emerson L. Margate</td>
<td>(052) 742.09.50 480.77.12</td>
<td>0939.119.75.31</td>
<td><a href="mailto:pdea.rov.pod@gmail.com">pdea.rov.pod@gmail.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 6</td>
<td>Camp Martin Delgado, Iloilo City</td>
<td>Dir. Gil T Pabilona</td>
<td>(033) 337.16.00</td>
<td>0920.912.15.75 0917.633.72.01</td>
<td><a href="mailto:pdea6@yahoo.com">pdea6@yahoo.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 7</td>
<td>Doña Modesta S. Gaisano St., Sudlonog, Lahug, Cebu City</td>
<td>Dir. Yogi Felimon L. Ruiz</td>
<td>(032) 255.52.60</td>
<td>0932.198.59.88</td>
<td><a href="mailto:pdea_cebu@yahoo.com">pdea_cebu@yahoo.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 8</td>
<td>Brgy. 77 Fatima Sandynlane Subdivision Marasbaras, Tacloban City</td>
<td>Dir. Edgar T. Jubay</td>
<td>(053) 832.50.72</td>
<td>0998.566.40.24 0917.544.84.20</td>
<td><a href="mailto:pdea8@yahoo.com">pdea8@yahoo.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 9</td>
<td>Upper Calarian, Zamboanga City</td>
<td>Dir. Joseph Ladip</td>
<td>(062) 983.01.12 955.54.16</td>
<td>0917.632.36.48</td>
<td><a href="mailto:pdeao9_pod@yahoo.com">pdeao9_pod@yahoo.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
<tr>
<td>PDEA RO - 10</td>
<td>Don Gregorio Pelaez Sports Complex, Don Velez, Cagayan De Oro</td>
<td>Dir. Adrian G. Alvarino</td>
<td>(088) 857.22.79</td>
<td>0939.916.79.11 0917.301.55.53 0922.894.91.15</td>
<td><a href="mailto:pdea10@gmail.com">pdea10@gmail.com</a></td>
<td>Duty Desk Officer/ Admin. Personnel</td>
</tr>
</tbody>
</table>
# FOI Decision Makers and Receiving Officers of PDEA

<table>
<thead>
<tr>
<th>Regional Office</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PDEA RO - 11</strong></td>
<td>Camp Captain Domingo E. Leonor San Pedro St., Davao City</td>
</tr>
<tr>
<td>Director: Adzhar A. Albani</td>
<td>(082) 222.30.45</td>
</tr>
<tr>
<td><strong>PDEA RO - 12</strong></td>
<td>Bulaong Rd., Camp Fermin G. Lira Jr., General Santos City</td>
</tr>
<tr>
<td>Director: Lyndon P. Aspacio</td>
<td>(083) 554.00.22</td>
</tr>
<tr>
<td><strong>PDEA RO - 13</strong></td>
<td>Camp Rafael Rodriguez, Libertad, Butuan City</td>
</tr>
<tr>
<td>Director: Gilbert V. Buenafe</td>
<td>(085) 815.16.61</td>
</tr>
<tr>
<td><strong>PDEA RO - CAR</strong></td>
<td>Camp Bado Dangwa, La Trinidad, Benguet</td>
</tr>
<tr>
<td>Director: Edgar S. Apalla</td>
<td>(074) 422.55.44</td>
</tr>
<tr>
<td><strong>PDEA RO - NIRO</strong></td>
<td>2nd Flr. Old Bacolod City Hall Bldg., Araneta cor Luzriaga St., Bacolod City</td>
</tr>
<tr>
<td>Director: Julius R. Navales</td>
<td></td>
</tr>
<tr>
<td><strong>PDEA RO - ARMM</strong></td>
<td>GIVFRELL Building 1, Gov. Gutierrez Ave., Cotabato City</td>
</tr>
<tr>
<td>Director: Bryan B. Babang</td>
<td>(064) 421.23.79</td>
</tr>
<tr>
<td><strong>PDEA RO - NCR</strong></td>
<td>PDEA Annex Bldg. NIA Northside Rd., NGC, Brgy. Pinyahan, Quezon City</td>
</tr>
<tr>
<td>Director: Wilkins M. Villanueva</td>
<td>(02) 351.74.33</td>
</tr>
<tr>
<td><strong>PDEA Airport Interdiction Unit (RO NCR-NAIA-IADITG)</strong></td>
<td>Terminal 1 (Main Office)</td>
</tr>
<tr>
<td>Terminal 3</td>
<td>(02) 551.54.86</td>
</tr>
<tr>
<td><strong>PDEA SES</strong></td>
<td>PDEA Annex Bldg. NIA Northside Rd., NGC, Brgy. Pinyahan, Quezon City</td>
</tr>
<tr>
<td>Director: Ismael G. Fajardo, Jr.</td>
<td>(02) 920-0659</td>
</tr>
</tbody>
</table>

*Updated names of Directors/Decision Makers and FOI Receiving Officers can be viewed/accessed at the PDEA Website

**PDEA Trunklines**
- 927-9702
- 928-4060
- 928-0090
- 928-6358
- 928-5292
ANNEX “C”

LIST OF EXCEPTIONS TO FOI

1. Information covered by executive privilege.
2. Privileged information relating to national security, defense, or international relations.
3. Information concerning law enforcement and protection of public and personal safety.
4. Information deemed confidential for the protection of the privacy and certain individuals such as minors, victims of crimes or the accused.
5. Information, documents, or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government agencies, tribunals and boards or officers, in relation to the performance of their functions or to inquires or investigation conducted by them in the exercise of their administrative, regulatory or quasi-judicial powers.
6. Prejudicial, premature disclosure.
7. Records of proceedings or information from proceedings which pursuant to law or relevant rules and regulations are treated as confidential or privileged.
8. Matters considered confidential under banking and finance laws and their amendatory laws, and;
9. Other exceptions to the right to information under laws, jurisprudence, and rules and regulations.
ANNEX “D”

FOI REQUEST FLOW CHART

REQUESTING PARTY

FOI REQUEST (In writing)

RECEIVING OFFICER

Receipt of Request for Information/Records

Preparation records for access

DECISION MAKER

Transmittal of Request

If an extension of time is required

DM should inform RO, RO shall inform the requesting party for extension

Making Decision

DM decides either to approve or deny the request, he/she shall immediately notify the RO who shall prepare the response

APPROVE

Release Information/Record

RECEIVING OFFICER

DENIAL

Inform of Denial

Appeal

Appeal Committee

15 Working Days

30 Working Days
### FOI REQUEST FORM

**C. Declaration**

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

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

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

**Signature**

**Date Accomplished (DD/MM/YYYY)**

### D. FOI Receiving Officer [INTERNAL USE ONLY]

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name (Print name)</td>
<td></td>
</tr>
<tr>
<td>Agency - Connecting Agency (if applicable, otherwise N/A)</td>
<td></td>
</tr>
<tr>
<td>Date entered on eFOI (if applicable, otherwise N/A)</td>
<td></td>
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<tr>
<td>Proof of ID Presented (Photocopies of original should be attached)</td>
<td></td>
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<tr>
<td>Decision Maker Assigned to Application (print name)</td>
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<tr>
<td>Decision on Application</td>
<td></td>
</tr>
<tr>
<td>Decision on Application</td>
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<tr>
<td>Date Request Finished (DD/MM/YYYY)</td>
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<tr>
<td>Date Documents (if any) Sent (DD/MM/YYYY)</td>
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<tr>
<td>FOI Registry Accomplished</td>
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<tr>
<td>RO Signature</td>
<td></td>
</tr>
<tr>
<td>Date (DD/MM/YYYY)</td>
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</tr>
</tbody>
</table>
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 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 was signed by President Rodrigo Roa Duterte on July 23, 2016.

3. Who oversees the implementation of EO 2?

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

Making a request

4. Who can make a FOI request?

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

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

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

6. What agencies can we ask information?

An FOI request under EO 2 can be made before all government offices under the Executive Branch, including Government Owned or Controlled Corporations (GOCCs).
FREQUENTLY ASKED QUESTIONS

7. How do I make an FOI request?

7.1 The requesting party is to fill up a request form and submits to the Agency’s Receiving Officer. The Receiving Officer shall validate the request and logs it accordingly on the FOI tracker.

7.2 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 requesting party.

7.3 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.

7.4 The request shall be forwarded to the officials involved to locate the requested information.

7.5 Once all relevant information is retrieved, officials will check if any exemptions apply, and will recommend appropriate response to the request.

7.6 If necessary, the Director General shall provide clearance to the response.

7.7 The Agency shall prepare the information for release, based on the desired format of the requesting party. It shall be sent to the requesting party depending on the receipt preference.

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

There is no fee 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 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.
FREQUENTLY ASKED QUESTIONS

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 need the rise.

11. What if I never get a response?

If the Agency fails to provide a response within the required fifteen (15) working days, the requesting party may write an appeal letter to Central Appeals and Review Committee within fifteen (15) working days from the lapse of required response period. The appeal shall be decided within thirty (30) working days by the Central Appeals and Review Committee.

If all administrative remedies are exhausted and no resolution is provided, requesting parties 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 requesting party may write an appeal letter to the Central Appeals and Review Committee within fifteen (15) working days from the lapse of required response period. The appeal shall be decided within thirty (30) working days by the Central Appeals and Review Committee.

If all administrative remedies are exhausted and no resolution is provided, requesting party may file the appropriate case in the proper courts in accordance with the Rules of Court.
TECHNICAL WORKING GROUP (TWG)
ON THE PREPARATION AND FORMULATION
OF AGENCY FREEDOM OF INFORMATION (FOI)
AND PEOPLE’S MANUAL

FOI Advisers:

**ISIDRO S. LAPEÑA, PhD, CSEE**
Director General

**RICARDO C. QUINTO, DDGO**

Chairman:

**JESUS A. FAJARDO, DDGA**

Members:

**ATTY. JOEL L. MADIO** (LPS)
**ATTY. GENEVIE P. AYOCHOK** (LPS)
**ATTY. FRANCES AC LORENZO** (IAS)
**MS. CRISTEL D. DOCUSIN** (LMS)
**MS. MARJORIE D. INOJALES** (LS)
**MR. REYNAnte D. JAVIER** (PECIS)
**MR. CHRISTOPHER C. ONTOG** (FMS)
**AGENT AIDA J. FEROLINO** (POS)
**MS. JEENA G. KINAWAG** (LMS)
**MS. ROWENA ARLENE V. DELA CRUZ** (POS)
**AGENT MAYLINE GONZAGA** (IIS)
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**MS. AILEEN D. CLAMAR** (CS)
**MS. MARIA PIA N. PARONIA** (ICFAS)
**MS. DIVINA GRACIA G. LEYRAN** (POS)

Secretariat:

**MS. MARLA BRIGITTE M. GALVAN** (IAD)
**MS. JERISHRIA C. SAMSON** (IAD)

Layout Artist:

**MS. MA. JUDITH T. VELASCO** (IAD)

Consultants:

**DIR. III GLADYS F. ROSALES** (POS)
**DIR. II MAHARANI G. TOSOC** (POS)