

REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY

23 November 2016

PRESIDENT RODRIGO ROA DUTERTE

Republic of the Philippines
Malacañang Palace
Manila

Dear President Duterte:

Pursuant to Executive Order No. 2, 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", this is to respectfully submit to the President, the Department of Information and Communications Technology's (DICT) People's Freedom of Information Manual and the Agency's Freedom of Information Manual.

The Department reiterates its full support and loyalty to the President.

Thank you and best wishes.

Very Truly Yours,



RODOLFO A. SALALIMA
Secretary

REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY

**Department of Information and
Communications Technology
People's Freedom of Information
Manual**

REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF INFORMATION AND
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I.
OVERVIEW

1. **Purpose.** Pursuant to Executive Order (E.O.) No. 2, s. 2016 (Annex "A") on Freedom of Information (FOI), the Department of Information and Communications Technology (DICT) is issuing this People's FOI Manual (Manual) to set out the standard procedure to be followed by the DICT in processing requests for information on matters of public concern.
2. **Scope.** The procedure contained in this Manual shall apply to the following:
 - (a) DICT-Central Office; and
 - (b) Regional Offices/Field Operations Office (FOO) Clusters.
3. **Requesting Party.** Any Filipino may make a request to access Information, Official Records, Public Records and documents, and papers pertaining to official acts, transactions or decisions, as well as to government research data used as basis for policy development that are in the custody of the DICT.
4. **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.
5. **Protection of Privacy.** While providing for access to Information, Public Records and Official Records, the DICT shall afford full protection to a person's right to privacy, by:
 - (a) Ensuring that Personal Information, particularly Sensitive 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 E.O. No. 2, s. 2016 or existing laws, rules and regulations;
 - (b) Protecting Personal Information in its custody or under its control by making reasonable security arrangements against unauthorized access, 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 or official who has access, whether authorized or unauthorized, to Personal Information in the custody of the DICT, shall not disclose that information except when authorized under E.O. No. 2, s., 2016 or pursuant to existing laws, rules or regulations.

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II.
DEFINITION OF TERMS

For purposes of this Manual, the following terms are defined as follows:

1. **"FOI Request"** refers to a written request submitted to the DICT personally or by electronic mail (email) asking for records on any topic.
2. **"Information"** means 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.
3. **"Official Record(s)"** refers 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.
4. **"Personal Information"** refers to any information whether recorded in a material form or not from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.
5. **"Public Record(s)"** refers to information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government office.
6. **"Sensitive Personal Information"** refers to personal information:
 - (a) About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
 - (b) 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;
 - (c) 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

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

III.
STRUCTURE

1. **FOI Receiving Office or Officer.** There shall be an FOI Receiving Office or Officer (FRO) whose functions shall include receiving on behalf of the DICT all FOI Requests; conducting initial evaluation; forwarding FOI Requests to the appropriate office having custody of the Information requested; monitoring all FOI Requests and appeals; notifying the requesting party of the action taken whenever required to do so in this Manual; maintaining a system of records of all FOI Requests received; and providing assistance and support to the public as regards FOI. (See Annex "B" for list of all FROs of the DICT)

The Regional Offices/FOO Clusters shall likewise designate an FRO in their respective offices.

2. **FOI Decision Maker.** There shall be a FOI Decision Maker (FDM), designated by the Secretary, with a rank of not lower than a Director or its equivalent, who shall conduct evaluation of the FOI Request and has the authority to grant or deny the request, whether in part or in full.

The Regional Offices/FOO Clusters shall likewise have an FDM in their respective offices.

3. **FOI Review Committee.** There shall be a FOI Review Committee (Committee) composed of three (3) officers with a rank not lower than an Assistant Secretary or its equivalent, designated by the Secretary, to review appealed FOI Requests. The Committee shall recommend to the Secretary whether to reconsider the request or deny the same.
4. **The Secretary.** The DICT Secretary shall have the final determination on whether to grant or deny, in part or in full, an appealed FOI Request.

IV.
TIME CONSIDERATIONS

1. **Period to Respond.** The decision to either grant or deny an FOI Request shall be made as soon as practicable, but not exceeding fifteen (15) working days from the date of receipt thereof, which shall be:
 - (a) The date when the request form has been physically delivered to and received by the FRO; or

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- (b) The date it has been received in the inbox of the official email of the FRO, if sent electronically.

Where an FOI Request and/or any correspondence with the ability to toll the Period to Respond has been sent via email, and received by the FRO after office hours as indicated by the email timestamp, the next working day shall be deemed the date of receipt.

2. **Extension of Period.** The Period to Respond may be extended whenever the FOI Request requires extensive search of the DICT's records facilities, examination of voluminous records, the occurrence of fortuitous events or other analogous cases. In no case shall the extension go beyond twenty (20) working days on top of the mandated fifteen (15) working days, unless exceptional circumstances warrant a longer period.
3. **Period of Appeal.** The same requesting party may file a written appeal to the Committee within fifteen (15) working days from the notice of denial. Failure to notify the requesting party of any action taken on the request within the Period to Respond is considered a denial of the request that will entitle the requesting party the remedy of appeal.
4. **Decision on Appeal.** The appeal shall be decided by the Secretary, upon recommendation of the Committee, within thirty (30) working days from the filing of written appeal.

V.

STANDARD PROCEDURE

1. Receipt of FOI Request.

- (a) The FRO shall receive the FOI Request from the requesting party and check compliance of the following requirements:
- i. The request is in writing;
 - ii. It states the name and contact information of the requesting party;
 - iii. It reasonably describes the information requested, and the reason for, or purpose of, the request for information; and
 - iv. The requesting party provides a valid proof of identification (government-issued) or authorization. (See Annex "C" for request form)

In case a written request is not practicable due to illiteracy or disability, the requesting party may make the request orally, and the FRO shall reduce it in writing.

The FRO shall, as much as practicable, extend assistance and guidance to enable the requesting party to fully comply with the above requirements.

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- (b) The FRO shall conduct an initial evaluation of the request form. The request shall be immediately denied where:
 - i. The form is incomplete; or
 - ii. The purpose of the request for Information stated in the request form is patently contrary to law, existing rules and regulations, or it is one of the exceptions contained in the inventory of exceptions if easily determinable; or
 - iii. The Information is already disclosed on the DICT's official website.
 - (c) If the FOI Request does not merit outright denial, the request form shall be stamped received by the FRO, indicating the date and time of receipt, and the name, rank, title and position of the public officer who actually received it, with the corresponding signature. The requesting party shall be furnished with a receiving copy.
 - (d) The FOI Request can be made through email, provided that the requesting party shall attach in the email a scanned copy of the request form and a valid government-issued ID with photo and signature of the requesting party. The request form shall be printed out and shall follow the stamping procedure above. If the request does not merit outright denial, the FRO shall acknowledge receipt of the request, otherwise, the FRO shall respond by email stating the denial of the request and the reason thereof.
 - (e) The FRO shall input the details of the FOI Request on the tracking system maintained by the FRO for such purpose, and allocate a reference number.
2. **Evaluation and Review.** The FRO shall make a thorough evaluation and review of the request and decide whether to forward the request to the FDM, deny the same, or take other necessary actions, where:
- (a) If the requested information is in the exclusive custody of a Regional Office/FOO Cluster and the DICT-Central Office does not maintain a copy of such record, the FRO shall forward the request to the appropriate Regional Office/FOO Cluster. The Regional Office/FOO Cluster shall make the determination whether to grant or deny the request in accordance with this Manual, and communicate its decision to the FRO in the DICT-Central Office as soon as practicable.
 - (b) If an FOI Request is received by the DICT but which pertains to one of DICT's attached agencies, the FRO shall refer the request to the appropriate agency. Any responsibility and/or accountability of the DICT under the FOI Request subject to referral shall cease after the request has been received by the agency's receiving office for FOI Requests, and the requesting party notified of the referral.

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The FOI Request referred shall be deemed a new request to the appropriate agency which shall follow its own standard procedure for processing of FOI Requests.

- (c) If the requested Information is not in the custody of the DICT or any of its attached agencies, the requesting party shall be informed of the denial of the request and be directed to the appropriate department or office, if known.
 - (d) Where the Information is already posted and publicly available on the DICT website or any other government websites, the FRO shall inform the requesting party of the denial of the request and provide the website where the requested information can be accessed.
 - (e) Should the FOI Request be substantially similar or identical to a previous request by the same requesting party whose request has been previously granted or denied by the DICT-Central Office or any of its Regional Offices/FOO Clusters, the FRO shall take note of such fact on the request form and forward the same to the FDM.
3. **Transmittal of Request to the FDM.** Where no ground for denial has been found, the FRO shall forward a copy of the request to the FDM within one (1) working day from receipt of the written request. The FRO shall update the tracking system to record the date, time and name of the authorized personnel who received the FOI Request on behalf of the FDM.
4. **Assessment, Clarification, and Decision.** The FDM shall assess the request and decide the next step.
- (a) If additional details are necessary to identify or locate the requested Information, the FDM shall, through the FRO, seek clarification from the requesting party. The request for clarification shall toll the Period to Respond and will commence upon receipt by the FRO of the clarificatory information from the requesting party.
 - (b) The FDM shall deny the request, whether in full or in part, on the following grounds:
 - i. The requested Information is not in the custody of the DICT;
 - ii. The requested Information contains Sensitive Personal Information, unless authorized by the owner thereof;
 - iii. The requested Information falls under the list of exceptions to FOI; or
 - iv. 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 DICT.

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- (c) If no ground for denial has been found, or denial is proper only to a portion of the request, all necessary steps to locate and retrieve the Information requested shall be undertaken. The FDM shall ensure that the Information requested, as complete as possible, is submitted to the FRO within ten (10) days of receipt of request from the FRO.
- (d) If the Information requested requires extensive search of the DICT's office records facilities, examination of voluminous records, the occurrence of fortuitous events or other analogous cases that would make it impracticable for DICT to comply within the Period to Respond, the FDM should inform the FRO as soon as practicable.

The FRO shall inform the Requesting Party of the extension and the reasons thereof. 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.

5. **Notice to the Requesting Party of Decision.** The FDM shall immediately notify the FRO of the decision, who in turn shall prepare the response to the requesting party either in writing or by email.
- (a) In case of denial of the request the FRO shall notify the requesting party of the denial which shall clearly set forth the ground or grounds for the denial and the circumstances on which the denial is based.
 - (b) In case of approval, the FRO shall notify that the request was granted and direct the requesting party to pay the applicable fees, if any. In case the request is granted only partially, the FRO shall state which portion of the request has been denied and the reason for such denial.
 - (c) The FRO shall verify the completeness of the requested Information and ensure its transmittal to the requesting party within the Period to Respond once fees, if any, have been paid. Non-payment of applicable fees shall toll the Period to Respond and shall commence upon receipt of payment.

VI.

REMEDIES IN CASE OF DENIAL

1. **Administrative Remedies.**

- (a) FOI Requests that has been denied by the DICT-Central Office or by the Regional Offices/FOO Clusters may be appealed by the same requesting party within fifteen (15) working days from the notice of denial or the lapse of the Period to Respond and no decision has been communicated to the requesting party. The appeal shall be in writing and filed with the Committee.

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- (b) The appeal shall be decided by the Secretary, upon recommendation of the Committee, within thirty (30) working days from filing. Failure of the Secretary to decide within the 30-day period shall be deemed a denial of the appeal.
- (c) The denial of the appeal by the Secretary, expressly or by the lapse of the 30-day period, may be appealed further to the Office of the President under Administrative Order No. 22, s. 2011.
2. **Judicial Remedy.** An adverse decision of the Office of the President exhausts all administrative remedies. The requesting party may file the appropriate judicial action in accordance with the Rules of Court.

VII.
FEES

1. **No Request Fee.** The DICT shall not charge any fee for accepting FOI Requests.
2. **Reasonable Cost of Reproduction.** The FRO shall immediately notify the requesting party in case there shall be a reproduction and copying fee. The schedule of fees are as follows, subject to change to reflect current market prices:

Medium	Price
Per photocopied page, black ink only	PhP 0.75
Per page of computer printout, black ink only	PhP 1.00
Per half page of computer printout, colored ink	PhP 5.00
Per full page of computer printout, colored ink	PhP 10.00
Information transmitted via email not exceeding 1 gigabyte	Free
Per DVD	PhP 25.00
Others	As determined by the FRO

VIII.
INTRA-DEPARTMENT REQUEST DISPOSITION PROCEDURE

1. **Inventory of Information.** All units within the DICT shall prepare an inventory of Information under each respective unit's custody. The inventory shall be kept updated and shall be used as basis for denying a request because DICT is not in custody of the Information requested.

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2. **Identification of Custodial Unit.** The FRO shall identify and note in the request the office, unit, cluster, service, division, or project (hereinafter referred to as unit) where the information requested may be found.
3. **Transmittal of Information to FDM.** Upon request by the FDM, the appropriate unit in charge of the Information requested, shall deliver the same to the FDM. The head of each unit shall act as the de facto coordinator in ensuring that the Information is delivered to the FDM. Each unit shall have two (2) days to retrieve the information requested and deliver a copy of the same to the FDM.
4. **Reproduction of Information.** The FRO shall have the responsibility of reproducing the Information if approved.

IX.

ADMINISTRATIVE LIABILITY

1. **Non-compliance with FOI.** Failure to comply with the provisions of this Manual shall be a ground for the following administrative penalties:
 - (a) 1st Offense - Reprimand;
 - (b) 2nd Offense - Suspension of one (1) to thirty (30) days; and
 - (c) 3rd Offense - Dismissal from the service.
2. **Procedure.** The Revised Rules on Administrative Cases in the Civil Service shall be applicable in the disposition of administrative 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, any rules, or regulation prescribed by any body or agency, which provides for more stringent penalties.

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ANNEX "A"

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 02

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

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

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

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

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

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

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

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

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

- (a) "Information" shall mean any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.
- (b) "Official record/records" shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a

public function or duty.

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

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

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

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

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

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

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

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

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

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

In making such determination, the Head of the Office or his designated officer shall exercise reasonable diligence to ensure that no exception shall be used or availed of to deny any request for information or access to public records, or official records if the denial

is intended primarily and purposely to cover up a crime, wrongdoing, graft or corruption.

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

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

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

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

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

- (a) Any person who requests access to information shall submit a written request to the government office concerned. The request shall state the name and contact information of the requesting party, provide valid proof of his identification or authorization, reasonably describe the information requested, and the reason for, or purpose of, the request for information: *Provided*, that no request shall be denied or refused acceptance unless the reason for the request is contrary to law, existing rules and regulations or it is one of the exceptions contained in the inventory or updated inventory of exception as hereinabove provided.
- (b) The public official receiving the request shall provide reasonable assistance, free of charge, to enable, to enable all requesting parties and particularly those with special needs, to comply with the request requirements under this Section.
- (c) The request shall be stamped by the government office, indicating the date and time of receipt and the name, rank, title and position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the

requesting party. Each government office shall establish a system to trace the status of all requests for information received by it.

- (d) The government office shall respond to a request fully compliant with requirements of sub-section (a) hereof as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof. The response mentioned above refers to the decision of the agency or office concerned to grant or deny access to the information requested.
- (e) The period to respond may be extended whenever the information requested requires extensive search of the government office's records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. The government office shall notify the person making the request of the extension, setting forth the reasons for such extension. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.
- (f) Once a decision is made to grant the request, the person making the request shall be notified of such decision and directed to pay any applicable fees.

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

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

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

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

- (a) Denial of any request for access to information may be appealed to the person or office next higher in the authority, following the procedure mentioned in Section 7 (f) of this Order: Provided, that the written appeal must be filed by the same person making the request within fifteen (15) working days from the notice of denial or from the lapse of the relevant period to respond to the request.
- (b) The appeal be decided by the person or office next higher in authority within thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the afore-stated period shall be deemed a denial of the appeal.
- (c) Upon exhaustion of administrative appeal remedies, the requesting party 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

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ANNEX "B"

FOI Receiving Offices of the DICT

Unit	Address	Email and Phone
DICT-Central Office	Records Office Basement, DICT Building CP Garcia, Diliman Quezon City	Tel: 920-0101
Field Operations Office – Luzon Cluster 1	Polo Field, Pacdal, Baguio City	Tel: (074) 304-4616; 442-3362
Field Operations Office – Luzon Cluster 2	Capitol Compound, Malolos, Bulacan	Tel: (044) 305-0276
Field Operations Office – Luzon Cluster 3	Provincial Capitol Site Kumintang Ibaba, Batangas City	Tel: (043) 980-6440
Field Operations Office – Visayas Cluster 1	Zamora Street, Iloilo City	Tel: (033) 337-7069
Field Operations Office – Visayas Cluster 2	Port Area, Cebu City	Tel: (032) 416-6903
Field Operations Office – Mindanao Cluster 1	Telecommunications Office Bldg., Port Area, Zamboanga City	Tel: (062) 991-2193; 992-0989
Field Operations Office – Mindanao Cluster 2	T. Chavez Street, Cagayan de Oro City	Tel: (088) 880-1761; 880-1760
Field Operations Office – Mindanao Cluster 3	F. Torres Street, Davao City	

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COMMUNICATIONS TECHNOLOGY

ANNEX "C"

Request Form

Department of Information and Communications Technology

CP Garcia Avenue, Diliman, Quezon City

PORMULARYO NG KAHILINGAN (FOI)

FOI Request Form

TITULO NG DOKUMENTO / (Title of the Document):

MGA TAON/PANAHONG SAKLAW / (Year):

LAYUNIN / (Purpose):

PANGALAN / (Name): _____ **CONTACT Nos.**

LAGDA / (Signature): _____ **PETSA** / (Date):

TIRAHAN / (Address): _____

KATIBAYAN NG PAGKAKAKILANLAN/(Proof of Identity):

PARAAN NG PAGTANGGAP NG IMPORMASYON/

Email _____

Fax _____

Postal Address _____

Pick-up(Office hours) _____

REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY

Gawaing itinalaga kay:

(Submitted to)
nakalimbag)

(Lumagda sa ibaba ng pangalang

Petsa/Oras ng Pagkatalaga:

(Date / Time of Submission)

Taong nagpapatunay ng Gawaing Natapos:

(Certified by)

(Lumagda sa ibaba ng pangalang nakalimbag)

Uri ng isinagawang aksiyon:

(Type of action conducted)

Iniskedyul ni / (Received by):

FOI Receiving Officer

Remarks:



Freedom of Information/Privacy Act Request
Presidential Communications Operations Office
Malacañang, Manila

Form G-639
OMB No. 1615-0102
Expires 03/31/2017

NOTE: Use of this request is optional. Any written format for a Freedom of Information or Privacy Act request is acceptable.

► **START HERE** - Type or print in black ink

Part 1. Requestor Information

1. Are you the Subject of Record for this request?

☐ Yes ☐ No

If you answered "No" to Item Number 1., provide the information requested in Part 2. If you answered "Yes" to Items Number 1., skip to Part 3.

Requestor's Full Name

- 2.a. Family Name
(Last Name)

- 2.b. Given Name
(First Name)

- 2.c. Middle Name

Requestor's Mailing Address

- 3.a. In Case Of Name (if any)

- 3.b. Street Number
and Name

- 3.c. ☐ Apt. ☐ Ste. ☐ Flr.

- 3.d. City or Town

- 3.e. State

- 3.f. ZIP Code

- 3.g. Province

- 3.h. Postal Code

- 3.i. Country

Requestor's Contact Information

4. Requestor's Daytime Telephone Number

5. Requestor's Mobile Telephone Number (if any)

6. Requestor's Email Address (if any)

Requestor's Certification

By my signature, I consent to pay all cost incurred for search duplication, and review of documents up to Php500. (See Form G-639 Instructions for more information.)

- 7.a. Requestor's Signature

- 7.b. Date of Signature (mm/dd/yyyy)

Part 2. Description of Records Requested

NOTE: While you are not required to respond to every item in Part 2., failure to provide complete and specific information may delay processing of your request or create an inability to locate the records or information requested.

1. Purpose:

Full Name of the Subject of Record

- 2.a. Family Name
(Last Name)

- 2.b. Given Name
(First Name)

- 2.c. Middle Name

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY

ANNEX "C-1"

FOI RESPONSE TEMPLATE - DOCUMENT ENCLOSED

DATE

Dear _____,

Greetings!

Thank you for your request dated <insert data> under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

Your request

You asked for <quote request exactly, unless it is too long/complicated>.

Response to your request

Your FOI request is approved. I enclose a copy of [some/most/all]* of the information you requested [in the format you asked for]

Thank you.

Respectfully,

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY

ANNEX "C-2"

FOI RESPONSE TEMPLATE - ANSWER

DATE

Dear _____,

Greetings!

Thank you for your request dated <insert data> under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

Your request

You asked for <quote request exactly, unless it is too long/complicated>.

Response to your request

Your FOI request is approved. The answer to your request is <insert answer>

Thank you.

Respectfully,

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY

ANNEX "C-3"

FOI RESPONSE TEMPLATE - DOCUMENT AVAILABLE ONLINE

DATE

Dear _____,

Greetings!

Thank you for your request dated <insert data> under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

Your request

You asked for <quote request exactly, unless it is too long/complicated>.

Response to your request

[Some/Most/All] of the information you have requested is already available online from <add details of where that specific information can be obtained e.g. data.gov.ph, foi.gov.ph or other government websites>.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to <insert name of Secretary and postal / e-mail address>. Your review request should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result, within 30 calendar days from the date when we receive your review request.

If you are not satisfied with result of the review, you then have the right to appeal to the Office of the President under Administrative Order No. 22 (s. 2011).

Thank you.

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY

ANNEX "C-4"

FOI RESPONSE TEMPLATE - DOCUMENT NOT AVAILABLE

DATE

Dear _____,

Greetings!

Thank you for your request dated <insert data> under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

Your request

You asked for <quote request exactly, unless it is too long/complicated>.

Response to your request

While our aim is to provide information whenever possible, in this instance this Office does not have [some of]* the information you have requested. However, you may wish to contact <insert name of other authority/organization> at <insert contact details>. Who may be able to help you. The reasons why we don't have the information are explained in the Annex to this letter.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to <insert name of Secretary and postal / e-mail address>. Your review request should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result, within 30 calendar days from the date when we receive your review request.

If you are not satisfied with result of the review, you then have the right to appeal to the Office of the President under Administrative Order No. 22 (s. 2011).

Thank you.

Respectfully,

REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY

ANNEX "C-5"

FOI RESPONSE TEMPLATE – UNDER EXCEPTIONS

DATE

Dear _____,

Greetings!

Thank you for your request dated <insert data> under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

Your request

You asked for <quote request exactly, unless it is too long/complicated>.

Response to your request

While our aim is to provide information whenever possible, in this instance we are unable to provide [some of]* the information you have requested because an exception(s) under section(s) <insert specific section number(s) of the List of Exceptions applies to that information. The reasons why that exemption(s) applies are explained in the Annex to this letter.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to <insert name of Secretary and postal / e-mail address>. Your review request should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result, within 30 calendar days from the date when we receive your review request.

If you are not satisfied with result of the review, you then have the right to appeal to the Office of the President under Administrative Order No. 22 (s. 2011).

Thank you.

Respectfully,