GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

PEOPLE'S FREEDOM OF INFORMATION

MANUAL

GovernmentProcurementPH gppb@gppb.gov.ph gppb.gov.ph

FOREWORD

With the continued advancement of information and communications technology, access to public information has become more immediate and within reach—enabling greater public awareness and participation in government processes. This evolving environment underscores the State's responsibility to ensure that information is not only available, but accessible, timely, and meaningful.

The issuance of Executive Order No. 2, series of 2016, or the Freedom of Information (FOI) Order, institutionalized the public's right to information as a cornerstone of transparent and accountable governance. In the field of public procurement—where government resources are translated into public goods and services—this principle takes on particular significance, as transparency serves as a safeguard for integrity, fairness, and public trust.

Consistent with these principles and in line with the reform objectives of the New Government Procurement Act, the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) presents this FOI Manual as a practical guide for accessing procurement-related information. This Manual outlines clear procedures for requesting information, while observing the limitations and exceptions provided under Section 4 of EO No. 2 (s. 2016), to balance transparency with the protection of legitimate interests.

Through this initiative, the GPPB-TSO affirms its commitment to an open procurement system—one that promotes informed participation, strengthens accountability, and supports continuous improvement in government contracting. We trust that this Manual will contribute to a more transparent, professional, and responsive procurement regime in support of inclusive national development.

ATTY. SOFIA C. YANTO-ABAD
Officer-in-Charge

Republic of the Philippines gppb Government Procurement Policy Board

Republic of the Philippines gppb-tso Government Procurement Policy Board Technical Support Office

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SECTION I: OVERVIEW

1. Purpose

The purpose of this FOI Manual is to provide the process to guide and assist the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) in dealing with requests of information received under Executive Order No. 2, series of 2016, or the Freedom of Information FOI[1].

2. Structure of the Manual

This Manual shall set out the rules and procedures to be followed by the GPPB-TSO when a request for access to information is received. The GPPB-TSO Executive Director is responsible for all actions carried out under this Manual and may delegate this responsibility to any one of the officers with the position of Division Chief or above. The GPPB-TSO Executive Director may delegate a specific officer to act as the FOI Decision Maker (FDM), who shall have overall responsibility for the decision on FOI requests (i.e. to decide whether to release all the records, partially release the records or deny access).

3. Coverage of Manual

The Manual shall cover all requests for information (RFIs) directed to the GPPB-TSO, received under Executive Order (EO) No. 2 s. 2016 by the GPPB-TSO, including all its officials and divisions, thru its official and FOI Receiving Officer (FRO) e-mail addresses, eFOI agency login, and mail. The Manual shall exclude RFIs that are covered by office protocols for issuance of Email Reply (ER), Letter Reply (LR) and Non-Policy Matter (NPM) Opinion.

4. FOI Receiving Officer

There shall be an FOI Receiving Officer (FRO) designated at the GPPB-TSO. The FRO shall preferably come from the Public Assistance or Information Office, or its equivalent. The FRO shall hold office at the office of the GPPB-TSO at Unit 2504 Raffles Corporate Center, F. Ortigas, Jr. Road, Ortigas Center, Pasig City, Philippines, 1605.

The FRO shall include the following functions:

a. Receive FOI requests and appeals on behalf of the GPPB-TSO*;*
b. Forward FOI requests to the appropriate division that has custody of the records;
c. Monitor all FOI requests and appeals;
d. Provide assistance to the FOI Decision Maker;
e. Provide assistance and support to the public and staff with regard to FOI;
f. Compile the statistical information as required (FOI) Reports; and
g. Conduct initial evaluation of the request and advise the

[1] See Annex B for full text of EO No. 2 s. 2016

requesting party whether the request will be forwarded to the FOI Decision Maker for further evaluation or deny the request based on:

i. Completeness of the form;
ii. Information is already disclosed in the GPPB-TSO Official Website or at data.gov.ph;
iii. The GPPB-TSO does not have the information requested; and
iv. The requested information is considered vexatious pursuant to FOI Memorandum Circular No. 5 dated 15 December 2020; and

h. Prepare and submit FOI requirements on set deadlines, to comply with the FOI Program pursuant to EO No. 2, s. 2016 and AO25 Inter-Agency Task Force Memorandum Circular No. 1, s. 2018 dated 28 May 2018.

5. FOI Decision Maker

There shall be an FOI Decision Maker (FDM), designated by the GPPB-TSO Executive Director, with a rank of not lower than a Division Chief or its equivalent, who shall conduct evaluation of the request for information and has the authority to grant the request, or deny it on the following:

a. The GPPB-TSO does not have the information requested;
b. The information requested falls under the list of exceptions to FOI;
c. The information requested contains personal and sensitive information protected by the Data Privacy Act of 2012;
d. The request is identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by the GPPB-TSO; or
e. Other grounds as may be allowed by the law.

6. Central Appeals and Review Committee

There shall be a Central Appeals and Review Committee (CARC) composed of at least three (3) senior officers with equal or higher rank to the decision maker, designated by the GPPB-TSO Executive Director to review and analyze the grant or denial of a request for information and provide advice to the GPPB-TSO Executive Director on granting or denying the request for information.

The CARC shall receive, review, evaluate, and assess the appeal on the denial of the request for information; determine if the appeal was filed within the period provided for under EO No. 2, s. 2016; if applicable, recommend to the FDM for actions on the appeal filed by the requesting party; ensure that the appeal is decided within thirty (30) working days from the filing of said appeal; and implement the decision of the CARC or FOI Appeals Authority regarding the appeal.

7. Approval and Denial of Request to Information

The FRO shall conduct the initial review of all incoming FOI requests either for endorsement to the FDM or denial thereof based on (i) incompleteness of the form; (ii) disclosed information; (iii) unmaintained information requested; and (iv) requested information is considered vexatious pursuant to FOI Memorandum Circular No. 5 dated 15 December 2020. All requests which have been endorsed to the FDM shall be subject for the latter's approval or denial based on the following grounds: (i) information contains personal and sensitive information protected by the Data Privacy Act; (ii) information requested falls under the list of exceptions to FOI; and (iii) other grounds for denial as may be allowed by the law.

8. No Wrong Door Policy[2]

As a general rule, all fully compliant requests for information shall be accepted by the FOI Receiving Officer (FRO) and FOI Decision Maker (FDM). No request for information shall be denied or refused acceptance by a government office unless the reason for the request is contrary to the Constitution, pertinent laws, existing rules and regulations, or it is one of the exceptions provided under the Inventory of Exceptions.

8.1. Process of Referral

When the requested information is not in the possession of a government agency (government agency no. 1 or GA1) but is available in another government agency (government agency no. 2 or GA2) under the Executive Branch, the request shall be immediately referred by GA1 to GA2 through the most expeditious manner but not exceeding three (3) working days from the receipt of the request. This shall be considered as the “First Referral” and a fresh period will apply.

Referral to the appropriate government agency shall mean that another government office is the proper repository or custodian of the requested information or records, or have control over the said information or records.

If GA1 fails to refer the request within three (3) working days upon its receipt, the FRO shall act on it within the remaining period to respond pursuant to EO No. 02, s. 2016. No fresh period shall apply. If GA1, in good faith, erroneously referred the request to GA2, the latter shall immediately notify the former as well as the requesting party, that the information requested is not available in their agency. GA2, to whom

[2] FOI Memorandum Circular No. 21-05 or the Guidelines on the Referral of Requested Information, Official Record/s and Public Record/s to the Appropriate Government Agency, otherwise known as the “No Wrong Door Policy for FOI” Annex H for the No Wrong Door Policy Flowchart

the request was referred under the First Referral may subsequently refer the request to another government agency (government agency no. 3 or GA3) under the procedure set forth in the first paragraph of this Section. This shall be considered as the "Second Referral" and another fresh period shall apply. Referrals under this Order shall only be limited to two (2) subsequent transfers of request. A written or email acknowledgement of the referral shall be made by the FRO of the government agency where it was referred. The requesting party shall be notified of the referral and must be provided with the reason or rationale thereof, and contact details of the government office where the request was referred.

8.2. The No Wrong Door Policy Flowchart is attached in Annex "H".

9. Application and Interpretation

Consistent with EO No. 2, s. 2016, the provisions of this Manual shall be liberally construed 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 circularized by the Office of the President.

The determination of the applicability of any of the exceptions shall be the responsibility of the FDM. In making such a determination, reasonable diligence shall be exercised to ensure that no exception shall be applied to deny any RFI or access to public records or official records with the intent to purposely cover up a crime, wrongdoing or graft and corruption.

SECTION II: DEFINITION OF TERMS

FOI.gov.ph	The website that serves as the government's comprehensive FOI website for all information on the FOI. Among many other features, FOI.gov.ph provides a central resource for the public to understand the FOI, to locate records that are already available online, and to learn how to make a request for information that is not yet publicly available. FOI.gov.ph also promotes agency accountability for the administration of the FOI by graphically displaying the detailed statistics contained in Annual FOI Reports, so that they can be compared by agency and over time.
Exceptions	Information that should not be released and disclosed in response to a FOI request because they are protected by the Constitution, laws, or jurisprudence.
Freedom of Information (FOI)	The Executive Branch recognizes the right of the people to information on matters of public concern and adopts and implements a policy of full public disclosure of all its

	transactions involving public interest, subject to the procedures and limitations provided in EO No. 2. This right is indispensable to the exercise of the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making.
FOI Contact	The name, address, and phone number at each government office where you can make a FOI request.
FOI Request	A written request submitted to a government office personally or by email asking for records on any topic. An FOI request can generally be made by any Filipino to any government office.
FOI Receiving Officer (FRO)	The primary contact at each agency where the requesting party can call and ask questions about the FOI process or the pending FOI request.
Frequently Requested Information	Info released in response to a FOI request that the agency determines has become or is likely to become the subject of subsequent requests for substantially the same records.
Full Denial	When the GPPB-TSO or any of its office, bureau, or agency cannot release any records in response to a FOI request, because, for example, the requested information is exempt from disclosure in its entirety or no records responsive to the request could be located.
Full Grant	When a government office is able to disclose all records in full in response to an FOI request.
Information	Shall mean any records, documents, papers, reports, letters, contracts, minutes, and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer-stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.
Information Disclosure	Information promoting the awareness and understanding of policies, programs, activities, rules, or revisions affecting the public, government agencies, and the community and economy. It also includes information encouraging familiarity with the general operations, thrusts, and

	programs of the government. In line with the concept of proactive disclosure and open data, these types of information can already be posted to government websites, such as data.gov.ph, without the need for written requests from the public.
Multi-Track Processing	A system that divides incoming FOI requests according to their complexity so that simple requests requiring relatively minimal review are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
Official Record/s	Shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.
Open Data	Refers to publicly available data structured in a way that enables the data to be fully discoverable and usable by end users.
Partial Grant / Partial Denial	When a government office is able to disclose portions of the records in response to a FOI request, but must deny other portions of the request.
Pending Request or Pending Appeal	An FOI request or administrative appeal for which a government office has not yet taken final action in all respects. It captures anything that is open at a giver time including requests that are well within the statutory response time.
Perfected Request	An FOI request, which reasonably describes the records, is sought, and is made in accordance with the government office's regulations.
Personal Information	Shall refer to any information, whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.
Proactive Disclosure	Information made publicly available by government agencies without waiting for a specific FOI request. Government agencies now post on their websites a vast amount of material concerning their functions and mission.
Processed Request or Processed Appeal	The number of requests or appeals where the agency has completed its work and sent a final response to the requester.

Public Records	Shall include information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government office.
Received Requests or Received Appeals	An FOI request or administrative appeal that an agency has received within a fiscal year.
Referral	When a government office locates a record that originated with, or is of otherwise primary interest to another agency, it will forward that record to the other agency to process the record and to provide the final determination directly to the requester. This process is called a "referral."
Sensitive Personal Information	As defined in the Data Privacy Act of 2012, shall refer to personal information: i. An individual's race, ethnic origin, marital status, age, color, and religious, philosophical affiliations; ii. An individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed by such individual, the disposal of such proceedings, or the sentence of any court proceedings; iii. Issuances 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
Simple Request	An FOI request that a agency anticipates will involve a small volume of material or which will be able to be processed relatively quickly.

SECTION III: PROMOTION OF OPENNESS IN GOVERNMENT

1. **Duty to Publish Information.** The GPPB-TSO shall regularly publish, print and disseminate in its website, at no cost to the public and in an accessible form, timely, true, accurate and updated key information including, but not limited to:
    a. A description of its mandate, structure, powers, functions, duties, and decision-making process;
    b. A description of the frontline services it delivers and the procedure and length of time by which they may be availed of;
    c. The names of its key officials, their powers, functions, and responsibilities, and their profiles and curriculum vitae.
    d. Work programs, development plans, investment plans, projects, performance targets and accomplishments, and budgets, revenue allotments and expenditures;

e. Important rules and regulations, orders or decisions;
f. Current and important database and statistics that it generates;
g. Bidding processes and requirements; and
h. Mechanisms or procedures by which the public may participate in or otherwise influence the formulation of policy or the exercise of its powers.

2. **Keeping of Records.** The Administrative Division and the Information Management Division are mainly responsible for the general administration and support services of the GPPB-TSO. Among its core functions include the maintenance and storage in appropriate formats of accurate and complete records, policies, transactions, decisions, resolutions, enactments, actions, procedures, operations, activities, communications, and documents received or filed, and the data generated or collected. For the centralized recording of the GPPB-TSO's incoming and outgoing documents, the Administrative Division utilizes the Document Management System (DMS), a system adapted from the Department of Budget and Management.

3. **Plain Language.** The FRO shall ensure that the response to an FOI request shall be written in a brief and concise manner and shall use plain language which can easily be understood by the requesting party.
   a. The GPPB-TSO shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws.
   b. The GPPB-TSO shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure.
   c. The FDM, FRO, or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of the GPPB-TSO, shall not disclose that information except as authorized by existing laws.

SECTION IV: PROTECTION OF PRIVACY

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

a. The GPPB-TSO shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws.
b. The GPPB-TSO shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure.
c. The FRM, FRO, or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of

the GPPB-TSO, shall not disclose that information except as authorized by existing laws.

If the FDM considers that any or all of the information sought should not be released in full or in part, the FDM should review guidance available in the inventory of exceptions and apply as appropriate.

Best practices such as redaction and extraction pursuant to FOI Memorandum Circular No. 4 dated 28 September 2019 can be used to balance the disclosure of information with the protection of personal information when a document will be disclosed.

SECTION V: STANDARD PROCEDURE[3]

1. Receipt of Request of Information

1.1. The FRO shall receive the request for information either through any of the following modes:

a. Standard (paper-based) form by writing a letter request to the GPPB-TSO addressed to the FDM or the FRO and provided that the requesting party shall provide a copy of the FOI Request Form[4], and a copy of his/ her duly recognized government identification with photo. The letter request can be sent either through e-mail at gppb@gppb.gov.ph or mail at GPPB-TSO Unit 2504 Raffles Corporate Center, F. Ortigas, Jr. Road, Ortigas Center, Pasig City, Philippines, 1605;
b. Electronic FOI Portal at www.foi.gov.ph which link can also be accessed thru the GPPB Website; or
c. Walk-in request by accomplishing the FOI Request Form. The FRO shall assist the requesting party in accomplishing said Form. In case the requesting party is unable to make a written request, because of illiteracy or due to being a person with a disability, he/she may make an oral request, and the FRO shall reduce it in writing.

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

1.3. The FRO shall receive the FOI request from the requesting party and check compliance of the following requirements:

a. The request must be in writing and transmitted through any of the modes above-mentioned;
b. The request shall state the name and contact information of the requesting party, as well as provide valid proof of identification or authorization; and

[3] See Annex E for the Standard Procedure Flowchart
[4] See Annex F for the Request Form

c. The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information

1.4. With the current protocols of the GPPB-TSO in receiving physical documents and electronic mails, upon receipt of an RFI, either through physical or electronic mail, the Records Officer of the Administrative Division of the GPPB-TSO shall immediately upload the RFI to the GPPB-TSO DMS for proper tracking and recording purposes and route to the FRO for appropriate action. The FRO shall acknowledge the RFI promptly upon receipt from the DMS. The FRO shall inform the requesting party that the processing of the request shall be within fifteen (15) working days from the date of its receipt. A working day is any day other than a Saturday, Sunday or a day which is declared a national public holiday in the Philippines. In computing for the period, Article 13 of the New Civil Code shall be observed.

The date of the receipt of the request will either be:

a. The day on which the request is physically or electronically delivered to the government office, or directly into the email inbox of a member of staff; or
b. If the government office 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 exemption to this will be if the request has been emailed to an absent member of staff, and has generated an 'out of office' message with instructions on how to re-direct the message to another contact. In this is the case, the date of receipt will be the day the request arrives in the inbox of that contact.

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

2. Initial Evaluation

After receipt of the request for information, the FRO shall evaluate the contents of the request. The FRO may either endorse the request to the FDM or deny the request based on specific grounds as provided under Section 1, Item No. 4.g. hereof.

Requests which have been evaluated by the FRO as incomplete in form, the GPPB-TSO does not have the information requested, already disclosed in the GPPB Official Website or at data.gov.ph, unmaintained information requested or requested information is considered vexatious pursuant to FOI Memorandum Circular No. 5 dated 15 December 2020 may be denied by the FRO and need no longer be endorsed to the FDM.

The FRO shall determine the appropriate action to be taken in the following cases:

a. *Requested information is not within the custody of the GPPB-TSO but is definitely known to be available in another agency*

   Consistent with FOI Memorandum Circular No. 5, series of 2021, the FRO shall refer the requesting party to the appropriate agency that may have such information and provide contact details of the person or unit to coordinate with, if available. The RFI shall be considered successful.

b. *Requested information is not within the purview of EO No. 2. series of 2016*

   The FRO shall refer and endorse the concern to the appropriate unit or agency or the FRO may directly endorse such request to the appropriate unit or agency.

c. *Request relating to more than one (1) office under the GPPB-TSO*

   The FRO shall forward such request to the said office concerned and ensure that it is well coordinated and monitor its compliance. The FRO shall also clear with the respective record personnel of such offices that they will only provide the specific information that relates to their offices.

d. *Requested information falls under any of the exceptions enshrined in the Constitution, existing laws and jurisprudence*

   The FRO shall endorse to the FDM its recommendation.

e. *Requested information covers sensitive personal information protected by the Data Privacy Act*

   The FRO shall endorse to the FDM its recommendation.

3. Transmittal of the Request by the FRO to the FDM

After initial evaluation of the RFI, the FRO shall endorse the appropriate RFI to the FDM. The copy of the RFI shall be forwarded to such FDM within one (1) day from receipt of the written request. To assist the FDM, the FRO shall perform the necessary steps to locate and retrieve the information requested, and include in the transmittal to the FDM a recommended response and/or copy of the requested information.

4. Processing and Evaluation

a. After endorsement from the FRO, the FDM shall assess and clarify the request as well as verify and validate the recommended response provided by the FRO.

The FDM provide and finalize a complete and accurate response to the RFI within the prescribed period in accordance with E0 No. 2, s. 2016.

b. If the If the FDM needs further time to respond, he shall, through the FRO, seek clarification from the Requesting Party. The clarification shall stop the running of the fifteen (15) working day period and will commence the day after it receives the required clarification from the requesting party.

c. The FDM shall determine the appropriate action to be taken, in consideration of the recommendation of the FRO, as follows:

i. Requested information falls under any of the exceptions enshrined in the Constitution, existing laws and jurisprudence

The FDM shall deny the request.

ii. Requested information covers sensitive personal information protected by the Data Privacy Act

The FDM shall deny the request.

iii. Requested information can be provided

The FDM shall provide the information requested and tag the request as successful.

iv. The requested information is not fully available

The FDM shall partially grant the request and provide only the information which is available.

v. Requested information pertains to information of interest to another agency

The FDM, through the FRO, shall advise the requesting party to conduct consultation with the office concerned. After the consultation, the FDM shall decide whether to provide.

5. Notice to the Requesting Party of the Approval / Denial of Request

The FDM shall immediately notify the FRO if the request was approved or denied in order to prepare the appropriate response to the requesting party either in writing or by email.

6. Approval of Request

In case of approval, the FRO shall ensure that all records that have been retrieved and considered are checked for possible exemptions, prior to actual

release. The FRO shall prepare the response to the requesting party within the prescribed period that the request was granted and be directed to pay the applicable fees, if applicable.

Thus, the information requested either in: (a) Standard (paper-based) format, subject to terms provided under Section 5, Item 1.1.a hereof; or (b) Digital format, which is for free.

7. Denial of Request

In case of denial of the request wholly or partially, the FDM shall, within the prescribed period, notify the requesting party of the denial in writing. The notice shall clearly set forth the ground or grounds for denial and the circumstances on which the denial is based. Failure to notify the requesting party of the action taken on the request within the period herein provided shall be deemed a denial of the request for information.

SECTION VI: REMEDIES IN CASE OF DENIAL

Requesting Parties whose processed requests were denied may request an internal review or appeal to the Executive Director, provided, that the written appeal must be filed by the same requesting party within fifteen (15) calendar days from receipt of the denial or in case of no response, from the lapse of the relevant period to respond to the request.

The appeal shall be decided by the Executive Director within thirty (30) working days from the filing of said written appeal. Failure to decide within the 30-day period shall be deemed a denial of the appeal.

Upon exhaustion of administrative remedy, the requesting party may file the appropriate case in the proper courts in accordance with the Rules of Court.

SECTION VII: REQUEST TRACKING SYSTEM

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

For this purpose, the FOI Officers of the GPPB-TSO shall utilize the DMS to properly monitor the status of all requests which will be tag as “FOI Requests” under Document Type with corresponding DMS Reference Number.

SECTION VIII: FEES

1. **No Request Fee.** The GPPB-TSO shall not charge any fee for accepting requests for access to information not exceeding ten (10) pages. Any excess, the amount of One Peso (PhP 1.00) per page shall be paid to recover the administrative cost.

2. **Reasonable Cost of Reproduction and Copying of Information.** The FRO shall immediately notify the requesting party 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 GPPBTSO in providing the information to the requesting party. The schedule of fees shall be posted by the GPPB-TSO.

3. **Exemption from Fees.** The GPPB-TSO 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 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
   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 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 anybody or agency, which provides for more stringent penalties.

Section X: ANNEXES

Annex A. FOI Frequently Asked Questions (FAQs)

Introduction to FOI

1. What is FOI?

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 EO No. 2, series of 2016.

2. What is EO No. 2 s. 2016?

EO No. 2 is the enabling order for FOI. EO No. 2 operationalizes in the Executive Branch the People's Constitutional right to information. EO No. 2 also provides the State policies to full public disclosure and transparency in the public service.

EO No. 2 was signed by His Excellency, President Rodrigo Roa Duterte on 23 July 2016.

3. Who oversees the implementation of EO No. 2 s. 2016?

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

Making a Request

4. Who can make an FOI request?

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

5. What can I ask for under the FOI?

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

6. What agencies can we ask for information?

An FOI request under EO No. 2 can be made before all government offices under the Executive Branch, including government owned or controlled corporations (GOCCs) and state universities and colleges (SUCs).

FOI requests must be sent to the specific agency of interest, to be received by its respective FRO.

7. How do I make an FOI request?

a. The requesting party will be asked to fill-up a Request Form and submit it to the agency's FRO. The FRO shall validate the request and logs it accordingly on the Document Management and Tracking System.

b. If deemed necessary, the FRO 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.

c. The Request Form is forwarded to the FDM for proper assessment. The FDM shall check if the agency holds the information requested, if it is already accessible, or if the request is a repeat of any previous request.

d. The Request Form shall be forwarded to the officials involved to locate the requested information.

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

f. If necessary, the GPPB-TSO Executive Director shall provide clearance to the response.

g. The GPPB-TSO 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 an FOI request?

There are no fees to make a request. However, the GPPB-TSO may charge a reasonable fee for necessary costs, including costs of printing, reproduction and/or photocopying.

9. What will I receive in response to an FOI request?

The requesting party may receive a formal response either by official letter or electronic mail citing whether the request for information will be granted or denied.

If the request is granted, the information requested will be attached to the correspondence, using a format the requesting party specified. Otherwise, the GPPB-TSO will explain why the request was denied.

10. How long will it take before I get a response?

It is mandated that all replies shall be sent fifteen (15) working days after the

receipt of the request. An extension of processing period no longer than twenty (20) working days will be conveyed to the requesting party depending on the nature or complexity of the request.

11. What if I never got a response?

If there is no response received within the required fifteen (15) working days, the requesting party may write an appeal letter to the Central Appeals and Review Committee within fifteen (15) calendar days from the lapse of required response period. The appeal shall be decided within thirty (30) working days by the Central Appeals and Review Committee.

12. What will happen if my request was not granted?

If the requesting party is not satisfied with the response, the requesting party may write an appeal letter to the Central Appeals and Review Committee within fifteen (15) calendar days from the lapse of required response period. The appeal shall be decided within thirty (30) working days by the Central Appeals and Review Committee.

If all administrative remedies are exhausted and no resolution is provided, the requesting party may file the appropriate case in the proper courts in accordance with the Rules of Court.

Annex B. Executive Order No. 2 s. 2016

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

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

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

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

WHEREAS, the President, under Section 17, Article VII of the Constitution, has control over all executive 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 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 C. FOI Officers of GPPB-TSO[5]

Name of Office	Location of FOI Receiving Office	Assigned FOI Implementing Officer	Contact Details Office No. and Email Address
Government Procurement Policy Board – Technical Support Office	Unit 2504 Raffles Corporate Center, F. Ortigas, Jr. Road, Ortigas Center, Pasig City, Philippines, 1605	**Engr. Diphdalyn A. Salazar** *FOI Decision Maker*	(02) 7900-6740 to 41 and 43 to 44 gppb@gppb.gov.ph
Government Procurement Policy Board – Technical Support Office	Unit 2504 Raffles Corporate Center, F. Ortigas, Jr. Road, Ortigas Center, Pasig City, Philippines, 1605	**Mr. Randy E. Flores** *FOI Receiving Officer*	(02) 7900-6740 to 41 and 43 to 44 gppb@gppb.gov.ph
Central Appeals and Review Committee (CARC)			
Government Procurement Policy Board – Technical Support Office	Unit 2504 Raffles Corporate Center, F. Ortigas, Jr. Road, Ortigas Center, Pasig City, Philippines, 1605	Atty. Ma. Jozzenne Claire M. Beltran-Carandang *Deputy Executive Director (DED) IV and Head of CARC*	(02) 7900-6740 to 41 and 43 to 44 gppb@gppb.gov.ph
Government Procurement Policy Board – Technical Support Office	Unit 2504 Raffles Corporate Center, F. Ortigas, Jr. Road, Ortigas Center, Pasig City, Philippines, 1605	Atty. Maria Dionesia A. Rivera-Guillermo *DED IV and Member of CARC*	(02) 7900-6740 to 41 and 43 to 44 gppb@gppb.gov.ph
Government Procurement Policy Board – Technical Support Office	Unit 2504 Raffles Corporate Center, F. Ortigas, Jr. Road, Ortigas Center, Pasig City, Philippines, 1605	Ms. Julie D. Abrigo *Officer-in-Charge, Administrative Division and Member, CARC*	(02) 7900-6740 to 41 and 43 to 44 gppb@gppb.gov.ph

[5] Office Order No. 2023-070 dated 22 May 2023 "Reconstitution of the Freedom of Information Officers and Creation of the Central Appeals and Review Committee"

Annex D. Exceptions to Right to Access of Information

(updated as per Memorandum Circular No. 15, s. 2023 Re: Updating the Inventory of Exceptions of Information under Executive Order No. 02, (s. 2016) issued on 17 March 2023)

For the guidance of all government offices and instrumentalities covered by EO No. 02 (s.2016) and the general public, the following are the exceptions to the right of access to information, as recognized by the Constitution, existing laws, or jurisprudence:[6]

1. Information covered by Executive privilege;

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

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

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

5. Information, documents or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government agencies, tribunals, boards, or officers, in relation to the performance of their functions, or to inquiries or investigation conducted by them in the exercise of their administrative, regulatory or quasi-judicial powers;

6. Prejudicial premature disclosure;

7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged;

8. Matters considered confidential under banking and finance laws, and their amendatory laws; and

9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations.

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

1. Information covered by Executive privilege:

    a. Presidential conversations, correspondences, and

[6] These exceptions only apply to governmental bodies within the control and supervision of the Executive department. Unless specifically identified, these exceptions may be invoked by all officials, officers, or employees in the Executive branch in possession of the relevant records or information.

discussions in closed-door Cabinet meetings;[7] and

b. Matters covered by deliberative process privilege, namely:

i. advisory opinions, recommendations and deliberations comprising part of a process by which governmental decisions and policies are formulated; intra-agency or inter-agency recommendations or communications during the stage when common assertions are still in the process of being formulated or are in the exploratory stage; or information pertaining to the decision-making of executive officials;[8] and

ii. information, record or document comprising drafts of decisions, orders, rulings, policy decisions, memoranda, etc.;[9]

2. Privileged information relating to national security, defense or international relations:

a. Information, record, or document that must be kept secret in the interest of national defense or security;[10]

b. Diplomatic negotiations and other information required to be kept secret in the conduct of foreign affairs;[11] and

c. Patent applications, the publication of which would prejudice national security and interests;[12]

3. Information concerning law enforcement and protection of public and personal safety:

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

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

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

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

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

[12] The applicability of this exception is determined by the Director General of the Intellectual Property Office and subject to the approval of the Secretary of the Department of Trade and Industry. Section 44.3 of the Intellectual Property Code (RA No. 8293, as amended by RA No. 10372).

a. Investigation records compiled for law enforcement purposes or information which if written would be contained in such records, but only to the extent that the production of such records or information would –

   i. interfere with enforcement proceedings;

   ii. deprive a person of a right to a fair trial or an impartial adjudication;

   iii. disclose the identity of a confidential source and in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source; or

   iv. unjustifiably disclose investigative techniques and procedures;[13]

b. Informer's privilege or the privilege of the Government not to disclose the identity of a person or persons who furnish information of violations of law to officers charged with the enforcement of law;[14]

c. When disclosure of information would put the life and safety of an individual in imminent danger;[15]

d. Any information given by informants leading to the recovery of carnapped vehicles and apprehension of the persons charged with carnapping;[16] and

e. All proceedings involving application for admission into the Witness Protection Program and the action taken thereon;[17]

4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes, or the accused. These include:

   a. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy,[18] personal information or records,[19] including sensitive personal information, birth

[13] Section 3(f), Rule IV, Rules on CCESPOE; Chavez v. PCGG, supra. May be invoked by law enforcement agencies.
[14] *Akbayan v. Aquino*, *supra*; and Section 51, *Human Security Act of 2007* (RA No. 9372). May be invoked by law enforcement agencies.
[15] Section 3(b), Rule IV, Rules on CCESPOE.
[16] Section 19, New Anti Carnapping Act of 2016 (RA No. 10883). May be invoked by law enforcement agencies.
[17] Section 7, Witness Protection, Security and Benefit Act (RA No. 6981).
[18] Section 3(e), Rule IV, Rules on CCESPOE.
[19] Sections 8 and 15, Data Privacy Act of 2012 (RA No. 10173); Personal information refers to any information whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly

records,[20] school records,[21] or medical or health records;[22]

Sensitive personal information as defined under the *Data Privacy Act of 2012* refers to personal information:[23]

(1) about an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;

(2) about an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;

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

(4) specifically established by an executive order or an act of Congress to be kept classified.

However, personal information may be disclosed to the extent that the requested information is shown to be a matter of public concern or interest, shall not meddle with or disturb the private life or family relations of the individual[24] and is not prohibited by any law or regulation. Any disclosure of personal information shall be in accordance with the principles of transparency, legitimate purpose and proportionality.[25]

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

identify an individual [Section 3(g), Data Privacy Act of 2012]; Article 26, Civil Code. May be invoked by National Privacy Commission and government personal information controllers.

[20] Article 7, *The Child and Youth Welfare Code* [Presidential Decree (PD) No. 603].

[21] Section 9(4), Education Act of 1982 [Batas Pambansa (BP) Blg. 232].

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

[23] Section 3(l), Data Privacy Act of 2012.

[24] Article 26(2), Civil Code.

[25] Section 11, Data Privacy Act of 2012.

with the government;[26]

b. Source of any news report or information appearing in newspapers, magazines or periodicals of general circulation obtained in confidence;[27] and

c. Records of proceedings and processes deemed confidential by law for the privacy and/or protection of certain individuals, such as children, victims of crime, witnesses to a crime or rehabilitated drug offenders, including those pertaining to the following:

    (1) records of child and family cases;[28]

    (2) children in conflict with the law from initial contact until final disposition of the case;[29]

    (3) a child who is a victim of any offense under the *Anti- Child Pornography Act of 2009*, including the name and personal circumstances of the child, or the child's immediate family, or any other information tending to establish the child's identity;[30]

    (4) a child witness, who is a victim of a crime, an accused of a crime, or a witness to a crime, including the name, address, telephone number, school, or other identifying information of a child or an immediate family of the child;[31]

    (5) cases involving violence against women and their children, including the name, address, telephone number, school, business, address, employer, or other identifying information of a victim or an immediate family member;[32]

    (6) records of cases and documents involving actions for support including petitions for recognition and enforcement of foreign decisions or judgements on support; [33]

    (7) trafficked persons, including their names and personal circumstances, or any other information tending to establish the identity of the trafficked person;[34]

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[26] Section 4, *Data Privacy Act of 2012*.

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

[28] Section 12, Family Courts Act of 1997 (RA Act No. 8369).

[29] Section 43, Juvenile Justice and Welfare Act of 2006 (RA No. 9344).

[30] Section 13, Anti-Child Pornography Act of 2009 (RA No. 9775).

[31] Section 31, A.M. No. 00-4-07-SC, Re: Proposed Rule on Examination of a Child Witness.

[32] Section 44, *Anti-Violence Against Women and their Children Act of 2004* (RA No. 9262); and *People v. Cabalquinto*, G.R. No. 167693, 19 September 2006.

[33] Sections 29 and 30, A.M. No. 21-03-02-SC Re. Rules on Action for Support and Petition for Recognition and Enforcement of Foreign Decisions or Judgements on Support.

[34] Section 7, Anti-Trafficking in Persons Act of 2003 (RA No. 9208), as amended by RA No. 10364.

(8) names of victims of child abuse, exploitation or discrimination;[35]

(9) cases of gender-based streets and public spaces sexual harassment, including information on the victim and the accused who is a minor;[36]

(10) disclosure which would result in undue and sensationalized publicity of any case involving a child in conflict with the law, child abuse, or violation of anti-trafficking of persons;[37]

(11) records, documents and communications of proceedings involving domestic and inter-country adoptions, including the identity of the child, natural parents and adoptive parents;[38]

(12) names of students who committed acts of bullying or retaliation;[39]

(13) children in situations of armed conflict;[40]

(14) first time minor (drug) offenders under suspended sentence who comply with applicable rules and regulations of the Dangerous Drugs Board and who are subsequently discharged; judicial and medical records of drug dependents under the voluntary submission program; and records of a drug dependent who was rehabilitated and discharged from treatment and rehabilitation centers under the compulsory submission program, or who was charged for violation of Section 15 (use of dangerous drugs) of the *Comprehensive Dangerous Drugs Act of 2002*, as amended; and [41]

(15) identity, status and medical records of individuals with Human Immunodeficiency Virus (HIV), as well as results of HIV/Acquired Immune Deficiency Syndrome (AIDS) testing;[42]

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[35] Section 29, Special Protection of Children Against Abuse, Exploitation and Discrimination Act (RA No. 7610).

[36] Section 26, Safe Spaces Act (RA No. 11313)

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

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

[39] Section 3(h), Anti-Bullying Act (RA No. 10627).

[40] Section 19, Special Protection of Children in Situations of Armed Conflict Act (RA No. 11188).

[41] Sections 60, 64 and 67, Comprehensive Dangerous Drugs Act of 2002 (RA No. 9165).

[42] Sections 2(b), 18, 30, and 32, Philippine AIDS Prevention and Control Act of 1998 (RA No. 8504).

5. Information, documents or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government agencies, tribunals, boards, or officers, in relation to the performance of their functions, or to inquiries or investigation conducted by them in the exercise of their administrative, regulatory or quasi-judicial powers, such as but not limited to the following:

    a. Trade secrets, intellectual property, business, commercial, financial and other proprietary information;[43]

    b. Data furnished to statistical inquiries, surveys and censuses of the Philippine Statistics Authority (PSA);[44]

    c. Records and reports submitted to the Social Security System by the employer or member;[45]

    d. Information of registered persons with the Philippine Identification System;[46]

    e. Information gathered from HIV/AIDS contact tracing and all other related health intelligence activities;[47]

    f. Confidential information submitted to the Philippine Competition Commission prohibited from disclosure by law, including the identity of the person who provided the information under condition of anonymity;[48]

    g. Applications and supporting documents filed pursuant to the *Omnibus Investments Code of 1987*;[49]

    h. Documents submitted through the Government Electronic Procurement System;[50]

    i. Information obtained from accessing any electronic key, electronic data message, or electronic document, book, register,

[43] Sections 45, 106.1, and 150.2, The Intellectual Property Code (RA No. 8293, as amended by RA No. 10372); Section 66.2, Securities Regulation Code (RA No. 8799); DOST Administrative Order No. 004-16; Section 142, The Corporation Code (BP Blg. 68); Section 34, Philippine Competition Act (RA No. 10667); Sections 23 and 27 (c), The New Central Bank Act (RA No. 7653); Anti- Money Laundering Act (RA No. 9160); Section 18, Strategic Trade Management Act (RA No. 10697); Sections 10 and 14, Safeguard Measures Act (RA No. 8800); Section 12, Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990 (RA No. 6969); Article 290, Revised 35 Penal Code; Section 10.10, Rule 10, 2012 Revised IRR of Build-Operate-Transfer Law (RA No.6957); and Revised Philippine Ports Authority Manual of Corporate Governance.

[44] Section 26, Philippine Statistical Act of 2013 (RA No. 10625); and Section 4, Commonwealth Act No. 591. May be invoked only by the PSA.

[45] Section 24(c), Social Security Act of 1997 (RA No. 1161, as amended by RA No. 8282).

[46] Section 17, Philippine Identification System Act (RA No. 11055)

[47] Section 29, Philippine AIDS Prevention and Control Act of 1998 (RA No. 8504).

[48] Section 34, Philippine Competition Act (PCA), RA No. 10667 and Section 13, Rule 4 of the IRR of PCA. This exception can be invoked by the Philippine Competition Commission subject to well-defined limitations under the PCA.

[49] Section 81, EO No. 226 (s. 1987), as amended.

[50] Section 9, Government Procurement Reform Act (RA No. 9184).

correspondence, information or other material pursuant to any powers conferred under the *Electronic Commerce Act of 2000*;[51]

j. Any confidential information supplied by the contractors in mineral agreements, and financial or technical assistance agreements pursuant to the *Philippine Mining Act of 1995* and its Implementing Rules and Regulations (IRR), during the term of the project to which it relates;[52]

k. Information received by the Department of Tourism (DOT) in relation to the accreditation of accommodation establishments (such as hotels and resorts) and travel and tour agencies;[53]

l. The fact that a covered transaction report to the Anti-Money Laundering Council (AMLC) has been made, the contents thereof, or any information in relation thereto;[54]

m. Information submitted to the Tariff Commission which is by nature confidential or submitted on a confidential basis;[55]

n. Certain information and reports submitted to the Insurance Commissioner pursuant to the *Insurance Code*;[56]

o. Information on registered cultural properties owned by private individuals;[57]

p. Data submitted by a higher education institution to the Commission on Higher Education (CHED);[58] and

q. Any secret, valuable or proprietary information of a confidential character known to a public officer, or secrets of private individuals;[59]

r. Records of information in connection with any investigation conducted by the Presidential Anti-Corruption Commission (PACC) when such disclosure will deprive the respondent of the right to a fair and impartial investigation;[60]

s. Records of surveillance of suspects and interception and recording

[51] Section 32, Electronic Commerce Act of 2000 (RA No. 8792).
[52] Section 94(f), Philippine Mining Act of 1995 (RA No. 7942).
[53] Section 1, Rule IX, DOT MC No. 2010-02 (Rules and Regulations to Govern, the Accreditation of Accommodation Establishments – Hotels, Resorts and Apartment Hotels); and Section 23, DOT MC No. 2015-06 (Revised Rules and Regulations to Govern the Accreditation of Travel and Tour Agencies).
[54] Section 9(c), Anti-Money Laundering Act of 2001, as amended. May be invoked by AMLC, government banks and its officers and employees.
[55] Section 10, Safeguard Measures Act.
[56] Section 297 in relation with Section 295 and Section 356, The Insurance Code (as amended by RA No. 10607).
[57] Section 14, National Cultural Heritage Act of 2009 (RA No. 10066).
[58] CHED Memorandum Order No. 015-13, 28 May 2013.
[59] Articles 229 and 230, Revised Penal Code; Section 3(k), Anti-Graft and Corrupt Practices Act (RA No. 3019); Section 7(c), Code of Conduct and Ethical Standards for Public Officials and Employees (RA No. 6713); Section 7, Exchange of Information on Tax Matters Act of 2009 (RA No. 10021); and Section 6.2, Securities Regulation Code (RA No. 8799).
[60] Section 3, Rule IV, PACC Resolution No. 001, s.2018 (IRR of the PACC).

of communications acquired by law enforcement agent or military personnel pursuant to the Anti-Terrorism Act of 2020.[61]

6. Information of which a premature disclosure would:

    a. in the case of a department, office or agency which agency regulates currencies, securities, commodities, or financial institutions, be likely to lead to significant financial speculation in currencies, securities, or commodities, or significantly endanger the stability of any financial institution; or

    b. be likely or significantly frustrate implementation of a proposed official action, except such department, office or agency has already disclosed to the public the content or nature of its proposed action, or where the department, office or agency is required by law to make such disclosure on its own initiative prior to taking final official action on such proposal.[62]

7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged, including but not limited to the following:

    a. Mediation and domestic or international arbitration proceedings, including records, evidence and the arbitral awards, pursuant to the *Alternative Dispute Resolution Act of 2004*;[63]

    b. Matters involved in an Investor-State mediation;[64]

    c. Information and statements made at conciliation proceedings under the *Labor Code*;[65]

    d. Arbitration proceedings before the Construction Industry Arbitration Commission (CIAC);[66]

    e. Results of examinations made by the Securities and Exchange Commission (SEC) on the operations, books and records of any corporation, and all interrogatories propounded by it and the answers thereto;[67]

    f. Information related to investigations which are deemed confidential under the *Securities Regulations Code*;[68]

    g. All proceedings prior to the issuance of a cease and desist order

[61] Section 16, The Anti-Terrorism Act of 2020 (RA No. 11479_-

[62] Section 3(g), Rule IV, Rules on CCESPOE.

[63] Sections 9, 23 and 33, Alternative Dispute Resolution (ADR) Act of 2004 (RA No. 9285); and DOJ Circular No. 98 (s. 2009) or the IRR of the ADR Act.

[64] Article 10, International Bar Association Rules for Investor-State Mediation.

[65] Article 237, Labor Code.

[66] Section 7.1, Rule 7, CIAC Revised Rules of Procedure Governing Construction Arbitration.

[67] Section 7.1, Rule 7, CIAC Revised Rules of Procedure Governing Construction Arbitration.

[68] Sections 13.4, 15.4, 29.2 (b), and 64.2 of the Securities Regulation Code

against pre-need companies by the Insurance Commission; [69]

h. Information related to the assignment of the cases to the reviewing prosecutors or the undersecretaries in cases involving violations of the *Comprehensive Dangerous Drugs Act of 2002*;[70]

i. Investigation report and the supervision history of a probationer;[71]

j. Those matters classified as confidential under the *Anti-Terrorism Act of 2020 and its IRR;*[72]

k. Preliminary investigation proceedings before the committee on decorum and investigation of government agencies;[73]

l. Investigation proceedings and records during the preliminary investigation in administrative cases in the civil service;[74]

m. Those information deemed confidential or privileged pursuant to pertinent rules and regulations issued by the Supreme Court, such as information on disbarment proceedings, DNA profiles and results, or those ordered by courts to be kept confidential;[75] and

n. Information on a bank inquiry order issued by the Court of Appeals, including its contents and its receipt.[76]

8. Matters considered confidential under banking and finance laws and their amendatory laws, such as:

    a. RA No. 1405 (*Law on Secrecy of Bank Deposits*);

    b. RA No. 6426 (*Foreign Currency Deposit Act of the Philippines*) and relevant regulations;

    c. RA No. 8791 (*The General Banking Law of 2000*);

    d. RA No. 9160 (*Anti-Money Laundering Act of 2001*), as amended by RA No. 11521;

    e. RA No. 9510 (*Credit Information System Act*); and

    f. RA No. 245, as amended by Presidential Decree No. 1878;

[69] Section 53(b)(1) of the Pre-Need Code of the Philippines. The confidentiality of the proceedings is lifted after the issuance of the cease and desist order.
[70] DOJ Department Circular No. 006-16 (No. 6), 10 February 2016.
[71] Section 17, Probation Law of 1976 [PD No. 968 (s.1976)].
[72] Sections 18 and 45, the Anti-Terrorism Act of 2020 (RA No. 11479) and Rules 5.8 and 5.19 of the IRR of RA No. 11479.
[73] Section 14, Civil Service Commission Resolution No. 01-0940
[74] Section 21, 2017 Rules on Administrative Cases of Civil Service, CSC Resolution No. 1701077.
[75] Section 18, Rule 139-B and Section 24, Rule 130 of the Rules of Court; and Section 11 of the Rule on DNA Evidence, A.M. No. 06-11-5-SC.
[76] Section 16, A.M. No. 21-03-5-CA, Re: Rule of Procedure in Cases of Bank Inquiry into or Examination of Deposit and Investment Accounts Relating to an Unlawful Activity or a Money Laundering Offense under Republic Act No. 9160, as Amended

9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations, such as:

    a. Those deemed confidential pursuant to treaties, executive agreements, other international agreements, or international proceedings, such as:

        (1) When the disclosure would prejudice legitimate commercial interest or competitive position of investor- states pursuant to investment agreements;[77]

        (2) Those deemed confidential or protected information pursuant to United Nations Commission on International Trade Law Rules on Transparency in Treaty-based Investor-State Arbitration and Arbitration Rules (UNCITRAL Transparency Rules);[78]and

        (3) Refugee proceedings and documents under the *1951 Convention Relating to the Status of Refugees*, as implemented by DOJ Circular No. 58 (s. 2012);

    b. Testimony from a government official, unless pursuant to a court or legal order;[79]

    c. When the purpose for the request of Statement of Assets, Liabilities and Net Worth is any of the following:

        (1) any purpose contrary to morals or public policy; or

        (2) any commercial purpose other than by news and communications media for dissemination to the general public;[80]

    d. Failure to comply with regulations on access of records imposed by the records custodian;[81]

    e. Lists, abstracts, summaries of information requested when such lists, abstracts or summaries are not part of the duties of the government office requested;[82]

    f. Those information and proceedings deemed confidential under rules and regulations issued by relevant government agencies or as

[77] Examples: Article 20 (2), ASEAN Comprehensive Investment Agreement; Article 15 (2) Agreement on Investment under the Framework Agreement on the Comprehensive Economic Cooperation between the ASEAN and the Republic of India; and Article 15 (2) of the Agreement on Investment under the Framework Agreement on the Comprehensive Economic Cooperation among the Government of the Member Countries of the ASEAN and the Republic of Korea.

[78] Article 7, UNCITRAL Transparency Rules.

[79] Senate v. Neri, supra; Senate v. Ermita, supra.

[80] Section 8(D), Code of Conduct and Ethical Standards for Public Officials and Employees.

[81] Birago v. Ombudsman Martires, G.R. No. 254516, 02 February 2021

[82] Belgica v. Ochoa, G.R. No. 208566, 19 November 2013; and Valmonte v. Belmonte Jr., G.R. No. 74930, 13 February 1989, 252 Phil. 264.

decided by the courts;[83]

g. Requested information pertains to comments and disclosures on pending cases in judicial proceedings;[84] and

h. Attorney-client privilege existing between government lawyers and their client.[85]

10. GPPB-TSO identified documents such as the following:

a. Minutes of the GPPB, GPPB Review Committee (GRC), Technical Working Group (TWG), and other GPPB and GPPB-TSO sanctioned meetings;

b. GPPB-TSO, GRC and TWG Recommendations;

c. Identified Resolutions issued by the GPPB which was deemed containing sensitive and/or confidential information;

d. Official correspondences / communications with agencies and/or private entities requesting GPPB approval;

e. Official correspondences / communications between agencies and/or private entities with the GPPB-TSO;

f. Agenda Items (Proposals of the Proponents);

g. Materials for presentation during GPPB, GRC, TWG and other GPPB and GPPB-TSO sanctioned meetings;

h. Agency Procurement Compliance and Performance Indicators (APCPI) Scores / Report of government entities;

i. Full context of other reportorial requirements of government entities such as the following:

(1) Blacklisting and/or Delisting Order/s;
(2) List of Pre-Selected Suppliers for Limited Source Bidding (LSB);
(3) Contract Extensions;
(4) Protests;
(5) Court Cases;

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

[84] Romero v. Guerzon, G.R. No. 211816, 18 March 2015.

[85] Canon 21 of the Code of Professional Responsibility.

(6) Complaints; and
(7) List of Observers.

j. Internal Department of Budget and Management (DBM) Circulars, Memoranda and other official documents of such nature;

k. Internal GPPB-TSO Memoranda, Office Orders, and other official documents of such nature;

l. Information on ongoing evaluation / review of the Bids and Awards Committee (BAC) and such other similar committees;

m. Internal emails of past and present officers and personnel;

n. Unofficial drafts and notes of officers and personnel;

o. Records of pending and completed internal investigations on officers, personnel or untoward incidents; and

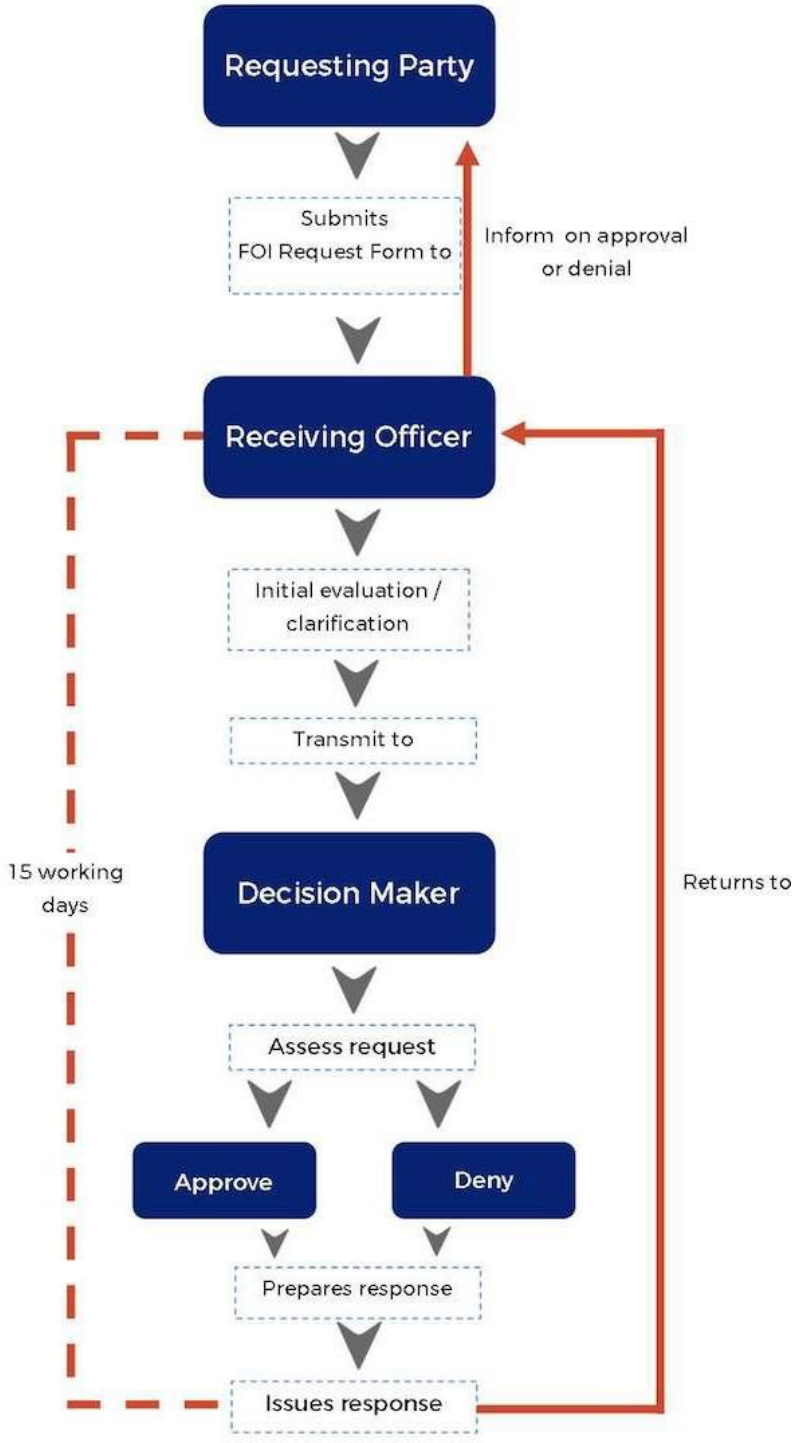
p. Document and/or information pertaining to matters under litigation, the purpose of which is to prejudge a pending issue before a court or obstruct the administration justice.

q. Training Request Form; and

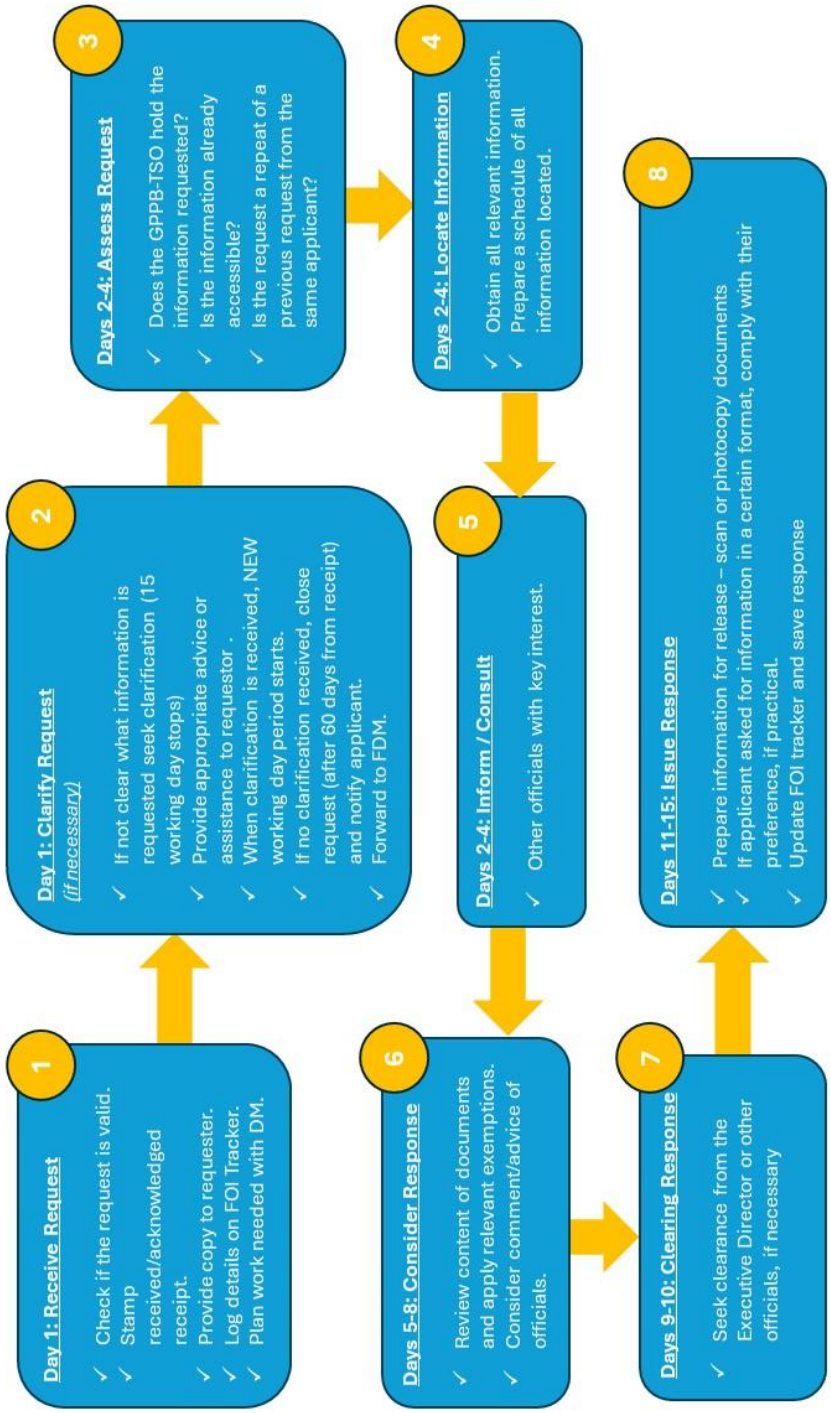
r. Database of Participants and Trainers and similar documents.

Annex E. FOI Request Flow Charts

E.1. General Flow Charts



E.2. Detailed FOI Request Process Flow Chart



E.3. FOI Request Process in terms of Days

Day 1	Days 2-4	Days 5-8	Days 9-10	Days 11-15
RECEIVE REQUEST • Check if the request is valid. • Stamp received/ acknowledged receipt. • Provide copy to requester. • Log details on FOI Tracker. • Plan work needed with DM. **CLARIFY REQUESTS** (if necessary) • If not clear what information is requested seek clarification (15 working day stops) • Provide appropriate advice or assistance to requestor . • When clarification is received, NEW working day period starts. • If no clarification received, close request (after 60 days from receipt) and notify applicant. • Forward to FDM.	**ASSESS REQUEST** • Does the GPPB-TSO hold the information requested? • Is the information already accessible? • Is the request a repeat of a previous request from the same applicant? **LOCATE INFORMATION** • Obtain all relevant information. • Prepare a schedule of all information located. **INFORM / CONSULT** • Other officials with key interest.	**CONSIDER RESPONSE** • Review content of documents and apply relevant exemptions. • Consider comment/ advice of officials.	**CLEARING RESPONSE** • Seek clearance from the Executive Director or other officials, if necessary	**ISSUE RESPONSE** • Prepare information for release – scan or photocopy documents • If applicant asked for information in a certain format, comply with their preference, if practical. • Update FOI tracker and save response

Notes:

1. This table sets our targets, at various point within the 15 working day response period, for completion of key steps in the process of handling an FOI request.
2. Each FOI request is different, so not all these actions will be required in each case – some will be much simpler – and sometimes actions will be completed earlier or later than the targets in this table. **However, it is always important to allow sufficient time for Decision Makers, etc. to clear FOI responses before expiry of the 15 working day deadline.**
3. For any request, it is essential to start as it as soon as it is received, to assess what work needs to be done and to plan that work so that the request is answered on time. This table is intended to help with that planning.

Annex F. FOI Request Form

Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

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FOI Tracking Number:

FREEDOM OF INFORMATION REQUEST FORM

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

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

A. Requesting Party

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

1. Title *(e.g. Mr, Mrs, Ms, Miss)*
2. Given Name/s *(including M.I)* ◄
3. Surname ◄
4. Complete Address *(Apt/House Number, Street, City/Municipality, Province)* ◄
5. Landline/Fax
6. Mobile ◄
7. Email
8. Preferred Mode of Communication ☐ Landline ☐ Mobile Number ☐ Email ☐ Postal Address
   (If your request is successful, we will be sending the documents to you in this manner.)
9. Preferred Mode of Reply ☐ Email ☐ Fax ☐ Postal Address ☐ Pick-Up at Agency
10. Type of ID Given *(Please ensure your IDs contain your photo and signature)* ☐ Passport ☐ Driver's License ☐ SSS ID ☐ Postal ID ☐ Voter's ID ☐ School ID ☐ Company ID ☐ Others

B. Requested Information

11. Agency - Connecting Agency *(if applicable)* ◄ ◄
12. Title of Document/Record Requested *(Please be as detailed as possible)* ◄
13. Date or Period *(DD/MM/YY)* ◄
14. Purpose ◄
15. Document Type ◄
16. Reference Numbers *(if known)* ◄
17. Any other Relevant Information ◄

FREEDOM OF INFORMATION

C. Declaration

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

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

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

Signature ◄_____

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

D. FOI Receiving Officer [INTERNAL USE ONLY]

Name *(Print name)* ◄_____

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

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

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

The request is recommended to be: ☐ Approved ☐ Denied

If Denied, please tick the Reason for the Denial ☐ Invalid Request ☐ Incomplete ☐ Data already available online

Second Receiving Officer Assigned *(print name)* ◄

Decision Maker Assigned to Application *(print name)* ◄

Decision on Application ☐ Successful ☐ Partially Successful ☐ Denied ☐ Cost

If Denied, please tick the Reason for the Denial ☐ Invalid Request ☐ Incomplete ☐ Data already available online ☐ Exception Which Exception? _____

Date Request Finished *(DD/MM/YYYY)* ◄_____

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

FOI Registry Accomplished ☐ Yes ☐ No

RO Signature ◄_____

Date *(DD/MM/YYYY)* ◄_____

Annex G. FOI Response Templates

G.1. Request Approved with requested document Attached / Enclosed

Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

[Date]

[Name of Requesting Party]
[Position]
[Name of Company, *if applicable*]
[Home or Office Address, *whichever is applicable*]

Subject : [Input the title of request]

Dear [_____]:

This pertains to your letter request dated [insert data] relative to the abovementioned subject which was received through [insert data] with Document Management System Reference No. [insert data] or eFOI Portal Reference No. [insert data].

Relative thereto, the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) provides herewith the copy of your request.

If you are unhappy with this response to your FOI request, you may make an appeal by writing to [insert name of Official] at [insert email and address]. Your appeal should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result within 30 workings days from the date when we receive your appeal.

To help us in our constant endeavor to provide excellent public service, we would appreciate it if you shared your thoughts concerns and comments, and suggestions through the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) Customer Satisfaction Feedback Survey which may be accessed at https://bit.ly/GPPBTSOFEEDBACK. Please select “EXTERNAL” for the Client Category, “ON-LINE” for the Mode of Service Delivery, and “FREEDOM OF INFORMATION (FOI) REQUESTS” for the Type of Services Availed from the GPPB-TSO. Your feedback is important to us!

Thank you.

Respectfully,

[Name of FDM]_____
FOI Decision Maker

G.2. Simple Response to Inquiry

Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

[Date]

[Name of Requesting Party]
[Position]
[Name of Company, *if applicable*]
[Home or Office Address, *whichever is applicable*]

Subject : [Input the title of request]

Dear [_____]:

This pertains to your letter request dated [insert data] relative to the abovementioned subject which was received through [insert data] with Document Management System Reference No. [insert data] or eFOI Portal Reference No. [insert data].

Please be advised that [insert data].

If you are unhappy with this response to your FOI request, you may make an appeal by writing to [insert name of Official] at [insert email and address]. Your appeal should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result within 30 workings days from the date when we receive your appeal.

To help us in our constant endeavor to provide excellent public service, we would appreciate it if you shared your thoughts concerns and comments, and suggestions through the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) Customer Satisfaction Feedback Survey which may be accessed at https://bit.ly/GPPBTSOFEEDBACK. Please select “EXTERNAL” for the Client Category, “ON-LINE” for the Mode of Service Delivery, and “FREEDOM OF INFORMATION (FOI) REQUESTS” for the Type of Services Availed from the GPPB-TSO. Your feedback is important to us!

Thank you.

Respectfully,

[Name of FDM]_____
FOI Decision Maker

G.3. Requested Document Available Online

Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

[Date]

[Name of Requesting Party]
[Position]
[Name of Company, *if applicable*]
[Home or Office Address, *whichever is applicable*]

Subject : [Input the title of request]

Dear [_____]:

This pertains to your letter request dated [insert data] relative to the abovementioned subject which was received through [insert data] with Document Management System Reference No. [insert data] or eFOI Portal Reference No. [insert data].

Please be advised that [insert data].

If you are unhappy with this response to your FOI request, you may make an appeal by writing to [insert name of Official] at [insert email and address]. Your appeal should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result within 30 workings days from the date when we receive your appeal.

To help us in our constant endeavor to provide excellent public service, we would appreciate it if you shared your thoughts concerns and comments, and suggestions through the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) Customer Satisfaction Feedback Survey which may be accessed at https://bit.ly/GPPBTSOFEEDBACK. Please select “EXTERNAL” for the Client Category, “ON-LINE” for the Mode of Service Delivery, and “FREEDOM OF INFORMATION (FOI) REQUESTS” for the Type of Services Availed from the GPPB-TSO. Your feedback is important to us!

Thank you.

Respectfully,

[Name of FDM]_____
FOI Decision Maker

G.4. Requested Document Not Available

Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

[Date]

[Name of Requesting Party]
[Position]
[Name of Company, *if applicable*]
[Home or Office Address, *whichever is applicable*]

Subject : [Input the title of request]

Dear [_____]:

This pertains to your letter request dated [insert data] relative to the abovementioned subject which was received through [insert data] with Document Management System Reference No. [insert data] or eFOI Portal Reference No. [insert data].

Please be advised that [insert data].

If you are unhappy with this response to your FOI request, you may make an appeal by writing to [insert name of Official] at [insert email and address]. Your appeal should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result within 30 workings days from the date when we receive your appeal.

To help us in our constant endeavor to provide excellent public service, we would appreciate it if you shared your thoughts concerns and comments, and suggestions through the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) Customer Satisfaction Feedback Survey which may be accessed at https://bit.ly/GPPBTSOFEEDBACK. Please select “EXTERNAL” for the Client Category, “ON-LINE” for the Mode of Service Delivery, and “FREEDOM OF INFORMATION (FOI) REQUESTS” for the Type of Services Availed from the GPPB-TSO. Your feedback is important to us!

Thank you.

Respectfully,

[Name of FDM]_____
FOI Decision Maker

G.5. Requested Document is included in the List of Exceptions

Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

[Date]

[Name of Requesting Party]
[Position]
[Name of Company, *if applicable*]
[Home or Office Address, *whichever is applicable*]

Subject : [Input the title of request]

Dear [_____]:

This pertains to your letter request dated [insert data] relative to the abovementioned subject which was received through [insert data] with Document Management System Reference No. [insert data] or eFOI Portal Reference No. [insert data].

Please be advised that [insert data].

If you are unhappy with this response to your FOI request, you may make an appeal by writing to [insert name of Official] at [insert email and address]. Your appeal should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result within 30 workings days from the date when we receive your appeal.

To help us in our constant endeavor to provide excellent public service, we would appreciate it if you shared your thoughts concerns and comments, and suggestions through the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) Customer Satisfaction Feedback Survey which may be accessed at https://bit.ly/GPPBTSOFEEDBACK. Please select “EXTERNAL” for the Client Category, “ON-LINE” for the Mode of Service Delivery, and “FREEDOM OF INFORMATION (FOI) REQUESTS” for the Type of Services Availed from the GPPB-TSO. Your feedback is important to us!

Thank you.

Respectfully,

[Name of FDM]_____
FOI Decision Maker

G.6. FOI Request is identical to previous requests

Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

[Date]

[Name of Requesting Party]
[Position]
[Name of Company, *if applicable*]
[Home or Office Address, *whichever is applicable*]

Subject : [Input the title of request]

Dear [_____]:

This pertains to your letter request dated [insert data] relative to the abovementioned subject which was received through [insert data] with Document Management System Reference No. [insert data] or eFOI Portal Reference No. [insert data].

Please be advised that [insert data].

If you are unhappy with this response to your FOI request, you may make an appeal by writing to [insert name of Official] at [insert email and address]. Your appeal should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result within 30 workings days from the date when we receive your appeal.

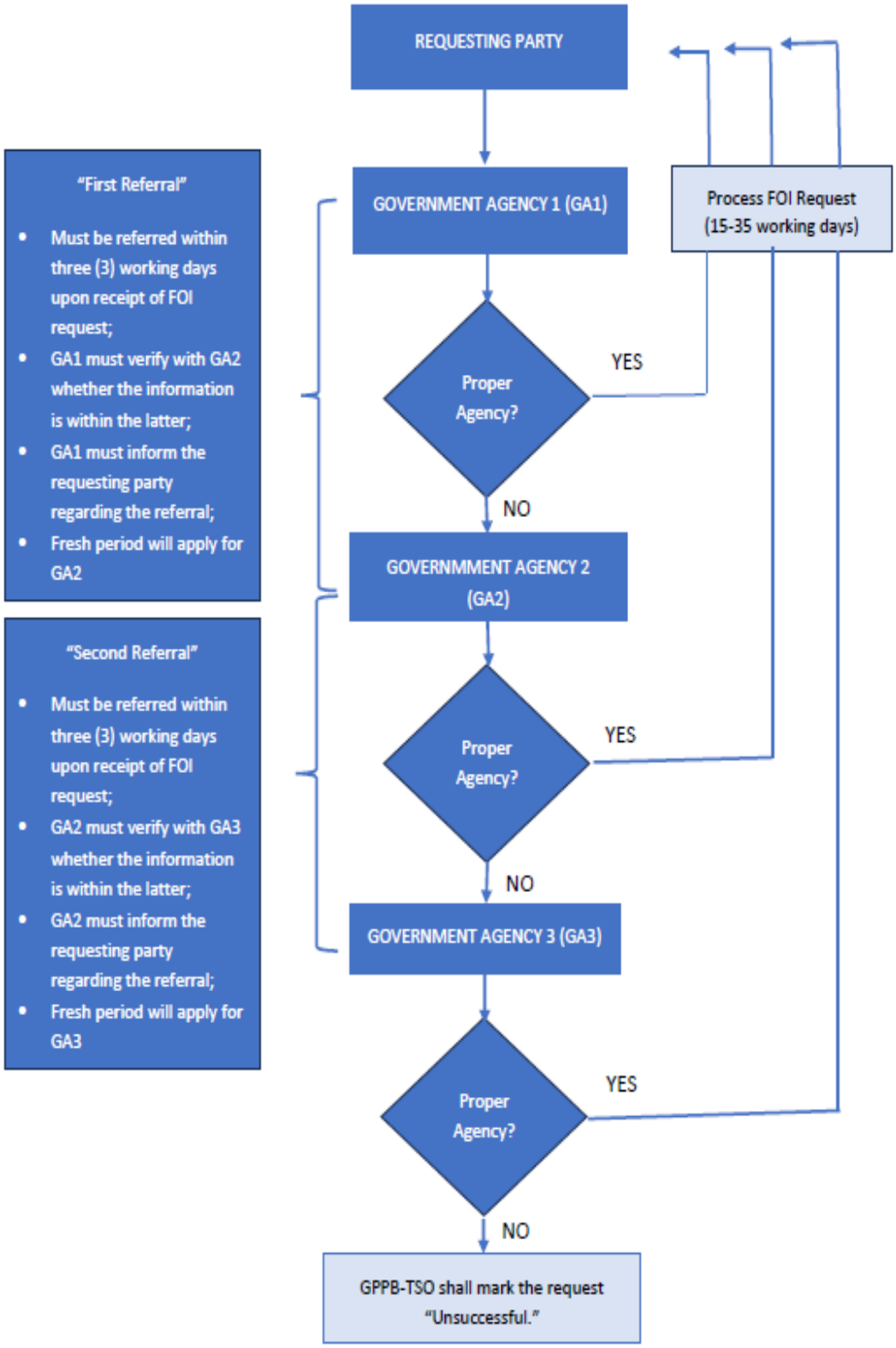
To help us in our constant endeavor to provide excellent public service, we would appreciate it if you shared your thoughts concerns and comments, and suggestions through the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) Customer Satisfaction Feedback Survey which may be accessed at https://bit.ly/GPPBTSOFEEDBACK. Please select “EXTERNAL” for the Client Category, “ON-LINE” for the Mode of Service Delivery, and “FREEDOM OF INFORMATION (FOI) REQUESTS” for the Type of Services Availed from the GPPB-TSO. Your feedback is important to us!

Thank you.

Respectfully,

[Name of FDM]_____
FOI Decision Maker

Annex H. No Wrong Door Policy Flowchart



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

GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE