



# Freedom of Information Manual

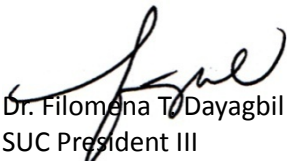


Updated as of October 2020  
Cebu Normal University



**CEBU NORMAL UNIVERSITY**

# **FREEDOM OF INFORMATION MANUAL**

  
Dr. Filomena T. Dayagbil  
SUC President III

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## I. Overview

**Purpose<sup>1</sup>.** This Freedom of Information (FOI) Manual is developed by Cebu Normal University in response to Executive Order No. 2 (Freedom of Information) on “operationalizing in the executive branch the people’s constitutional right to information and the state policies to full public disclosure and transparency in the public service and providing guidelines therefor.” This provides guidance for the University to address requests of information for academics, non-academics, and research purposes. This likewise stipulates the rules, procedures, and guidelines to be followed by the employees of the university for requests for access to information.

**Protection of Privacy<sup>2</sup>.** Inasmuch as the University will provide access to information for different purposes, it shall also afford full protection of the right to privacy of persons as mandated by laws, which shall include the following:

1. Ensure sensitive personal information in its custody or under its control shall only be disclosed as permitted by existing laws;
2. Protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks, or premature disclosure;
3. Any employee or any official who has access, whether authorized or unauthorized, to personal information in the custody of the University shall not disclose that information except as authorized by the University or under existing laws.

**Coverage of the Manual.** The Manual shall cover all requests for information directed to the PIO of Cebu Normal University.

## II. Definition of Terms<sup>3</sup>

The following definition of terms are applied for the purpose of this FOI manual only:

**Administrative FOI appeal** – is an independent review of the initial determination made in response to an FOI request. Requesting parties who are dissatisfied with the response made on their initial request have the right to appeal that initial determination to an office within the agency, which will the conduct an independent review.

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<sup>1</sup> CHED Freedom of Information Manual

<sup>2</sup> CHED Freedom of Information Manual; People’s Freedom of Information Manual

<sup>3</sup> CHED Freedom of Information Manual; People’s Freedom of Information Manual

**Annual FOI report** – is a report to be filed each year with the Presidential Communications Operations Office (PCOO) by all government agencies detailing the administration of the FOI. Annual reports contain detailed statistics on the number of FOI requests received, processed, and pending at each government office.

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

**Exceptions** – are information that should not be released and disclosed in response to an FOI request because they are protected by the Constitution, laws, or jurisprudence.

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

**FOI contact** – is the name, address, and phone number at each government office where you can make an FOI request.

**FOI request** – is a request submitted to a government office personally, by email, or through the online FOI portal asking for records on any topic. An FOI request can generally be made by any Filipino to any government office.

**FOI receiving office** – is the primary contact where the requesting party can call and ask questions about the FOI process or the pending FOI request.

**Frequently requested information** – are information released in response to an FOI request that the agency determines have become or are likely to become the subject of subsequent requests for substantially the same records.

**Full denial** – is when the University cannot release any records in response to an FOI request, because the requested information is exempt from disclosure in its entirety or, no records responsive to the request could be located.

**Full grant** – is 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 of disclosure** – are 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 without the need for written requests from the public.

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

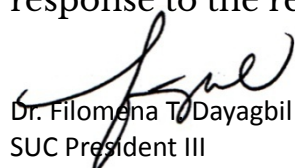
**Partial grant/partial denial** – is when a government office is able to disclose portions of the records in response to an FOI request, but must deny other portions of the request.

**Pending request or pending appeal** – is an FOI request or administrative appeal for which a government office has not yet taken final action in all respects. It captures anything that is open at a given time including requests that are well within the statutory response time.

**Perfect request** – is an FOI request, which reasonably describes the records, sought and is made in accordance with the government office's regulations.

**Proactive disclosure** – is information made publicly available by government agencies without waiting for specific FOI request.

**Processed request or processed appeal** – is the number of request or appeals where the agency has completed its work and sent a final response to the requester.

  
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**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.

**Public service contractor** – shall be defined as a private entity that has dealing, contract, or a transaction, or whatever form or kind with the government or a government agency or office that utilizes public funds.

**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 or certainly identify an individual.

**Public Information Office** – is the FOI Receiving Office of the University.

**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 user.

**Received request or received appeal** – is an FOI or administrative appeal that an agency has received within a fiscal year.

**Referral** – is 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 as “referral.”

**Sensitive personal information** – as defined in the Data Privacy Act of 2012, shall refer to personal information:

1. About an individual race, ethnic origin, marital status, age, color, and religious philosophical and political affiliations;
2. About an individual health, education, genetic or sexual life or a person, or to any proceedings for any offense committed or alleged to have been committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;
3. Issued by government agencies peculiar to an individual which includes, but not limited to social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and
4. Specifically established by an executive order or an act of Congress to be kept classified.



**Simple request** – is an FOI request that an agency anticipates will involve a small volume of material or which is expected to be processed relatively quickly.

### III. Functions of FOI Offices, Officials, and Employees<sup>4</sup>

#### a. FOI Receiving Office (FRO)

All FOI request pertaining to the University shall be filed with and/or submitted to the FRO.

The public may request information on all FOI related concerns in the University, including copy of this manual, with the FRO.

The Head of FRO, which is the **Public Information Officer (PIO)**, shall designate an **FRO Officer (FROO)** from among his subordinates to assist in the proper discharge of the functions of the FRO.

The FRO shall: (a) serve as the initial point of contact to the public on FOI requests. It shall conduct initial evaluation of the FOI requests and make a determination whether these are fully compliant and valid FOI requests; (b) deny or refuse to accept requests based in the results of its initial evaluation; (c) undertake preliminary determination of the appropriate office that has custody of the requested information and forward the fully compliant request to such office; (d) monitor all requests and appeals; and (e) compile statistical information on requests and actions taken thereon. It shall also provide other assistance to the decision maker and the evaluating office.

The names and official contact information of the office personnel shall be conspicuously displayed outside the office and in the University website for the public's viewing. Any change of information shall likewise be posted in the same manner.

#### b. FOI Evaluating Office (FEO)

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<sup>4</sup> People's Freedom of Information Manual



The office that has possession of custody of the requested document shall be the FEO for the particular request.

FEO shall: (a) review the merits of the request and determine whether it has possession of the requested information; (b) evaluate whether the requested information falls under any of the Exceptions to FOI and determine whether grounds for denial of the request exist; (c) coordinate with different offices prior to taking action on the request and prepare necessary recommendation in the request to the FOI Decision Maker (FDM), such grant, denial, partial grant or denial, redacting certain information, referral to other office, or such other actions as may be appropriate.

The Head of the FEO shall designate an **FEO Officer (FEOO)** from among his subordinates to perform the functions of the FEO.

The FEOs of the University are the Offices of the: Vice-President for Administration; Vice-President for Academic Affairs; and Vice-President for Research, Extension, and Publication.

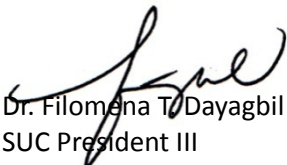
**c. FOI Decision Maker (FDM)**

The Head of office of the FEO shall be the FDM.

He or she shall: (a) have the primary function of evaluating the recommendations of the FEO on any request and taking action thereon; (b) grant, deny, partially grant or partially deny the request, order the redaction of certain information prior to release, refer the request to other offices, or undertake such other actions as may be appropriate.

As a general rule, the FDM shall grant an FOI request, unless there exists a ground to deny the same.

The FDMs of the University are the: Vice-President for Administration; Vice-President for Academic Affairs; and Vice-President for Research, Extension, and Publication.

  
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#### **d. Central Appeals and Review Committee<sup>5</sup>**

There shall be a Central Appeals and Review Committee (CARC) composed of the **Presidential Assistant for Planning and Development, Presidential Assistant for Quality Assurance, Board and University Secretary, Data Privacy Officer, and the University Legal Officer** designated by the University President to review and analyze the grant or denial of request of information. The committee shall also provide expert advice to the University President on the denial of such request.

The **University President**, or his/her duly authorized representative, shall be the FOI Appeals Authority. It will have the power to review by appeal decisions of the FDM and take final action on any request as informed by the advice of the CARC.

### **IV. Promotion of Openness in Government<sup>6</sup>**

#### **a. Duty to Publish Information**

The University shall regularly publish, print, and disseminate at no cost to the public and in an accessible form, in conjunction with Republic Act 9485, or the Anti-Red Tape Act of 2007, and through their website, timely, true, accurate, and updated key information including, but not limited to:

- a. A description of its mandate, structure, powers, functions, duties and decision-making process;
- b. A description of 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, budgets, revenue allotments and expenditures;

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<sup>5</sup> PCOO Freedom of Information People's Manual

<sup>6</sup> CHED Freedom of Information Manual

- 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.

#### **b. Accessibility of Language and Form**

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

#### **c. Keeping of Records**

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

### **V. Standard Procedure<sup>7</sup>**

#### **a. Receipt of Request for Information**

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

- a. The request must be in writing or via the online portal (foi.gov.ph);
- 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
- c. The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information.

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<sup>7</sup> CHED Freedom of Information Manual; People's Freedom of Information Manual

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

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.

The request shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name, rank, title, and position of the public officer who actually received it, with a corresponding signature and a copy, furnished to the requesting party.

In case of email requests, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by electronic mail. The FRO inputs the details of the request on the Request Tracking System and allocate a reference number.

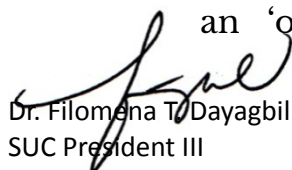
#### **b. Time to Respond to Request**

The University must respond to any FOI request promptly, within the fifteen (15) working days following the date of receipt of the request. 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, Art. 13 of the New Civil Code shall be observed.

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

- 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 or 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 exception to this will be where the request has been emailed to an absent member or staff, and this has generated an 'out of office' message with instructions on how to

  
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re-direct the message to another contact. Where this is the case, the date of receipt will be the day the request arrives in the inbox of that contact.

Should the requested information need further details to identify or locate, then the 15 working days will commence the day after it receives the required clarification from the requesting party.

### **c. Initial Evaluation**

#### **C.1 Request relating to more than one office**

If a request for information is received which requires to be complied with, of different bureaus and offices, the FRO shall forward such request to the said attached agency, bureau and office concerned and ensure that it is well coordinated and monitor its compliance. The FRO shall also clear with the respective FROs of such bureaus and offices that they will be only provided the specific information that relates to their agencies, bureaus, and offices.

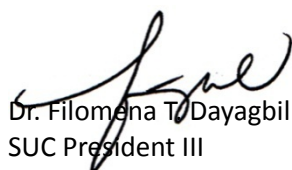
#### **C.2 Information is not in custody**

If the requested information is not in the custody of the University, upon referral and discussions with the FDM, the FRO shall undertake the following steps:

- a. If the records requested refer to another department, the request will be immediately transferred to such appropriate department through the most expeditious manner and the transferring office must inform the requesting party that the information is not held within the 15 working day limit. The 15 working day requirement for the receiving office commences the day after it receives the request.
- b. If the records refer to an office not within the coverage of E.O. No. 2, the requesting party shall be advised accordingly and provided with the contact details of that office, if known.

#### **C.3 Requested information already available**

If the information being requested is already posted and publicly available in the University website, data.gov.ph,

  
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or foi.gov.ph, the request shall be denied. However, the FRO shall inform the applicant of the reason of such denial.

#### **C.4 Similar or Identical request for information**

Should the requested information be substantially similar or identical to a previous request by the same requesting party whose request has already been previously granted or denied, the request shall be denied unless the requesting party can provide justifiable explanation for the subsequent request.

#### **d. Transmittal from FRO to FDM**

After receipt of the request for information from the FRO, the FDM shall assess and clarify the request if necessary. He or she shall make all necessary steps to locate and retrieve the information requested to be submitted to the FRO within 10 days upon receipt of such request.

#### **e. Evaluation and Action**

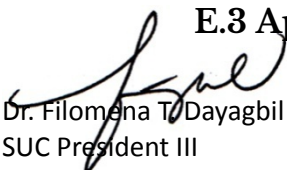
##### **E.1 Extension of Time**

If the information requested requires extensive search of the government's office records facilities, examination of voluminous records, the occurrence of fortuitous events or other analogous cases, the FDM should inform the FRO. The FRO shall inform the requesting party of the extension, setting forth the reasons for such extension. In no case shall the extension exceed twenty (20) working days on top of the mandated fifteen (15) working days to act on the request, unless exceptional circumstances warrant a longer period as to be determined by the University President upon request by the FDM.

##### **E.2 Notification of the requesting party of the decision**

Once the FDM approved or denied the request, he shall immediately notify the FRO who shall prepare the response to the requesting party either in writing or by email. All actions on FOI requests whether approval or denial, shall pass through the University President or duly designated officer for final approval.

##### **E.3 Approval of request**

  
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In case of approval, the FRO shall ensure that all records that have been retrieved and considered be checked for possible exemptions, prior to actual release. The FRO shall prepare the letter or email informing the requesting party within the prescribed period that the request was granted and be directed to pay the applicable fees, if any.

#### **E.4 Denial of request**

In case of denial of the request wholly or partially, the FRO 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 to information. All denials on FOI requests shall pass through the University President or the duly designated officer.

#### **f. Remedies in Case of Denial of Request<sup>8</sup>**

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

1. Administrative FOI Appeal to the CNU Central Appeals and Review Committee: Provided, that the written appeal must be filed by the same requesting party within fifteen (15) calendar days from the notice of denial or from the lapse of the period to respond to the request.
  - a. Denial of a request may be appealed by filing a written appeal to the CNU Central Appeals and Review Committee within fifteen (15) calendar days from the notice of denial or from the lapse of the period to respond to the request.
  - b. The appeal shall be decided by the University President, upon the recommendation of the CNU Central Appeals and Review Committee within thirty (30) working days from the filing of said written appeal. Failure to decide within the 30-day period shall be deemed denial of the appeal.

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<sup>8</sup> PCOO Freedom of Information People's Manual



2. The denial of the appeal by the University President shall be considered final. Upon exhaustion of administrative FOI appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

#### **g. Request Tracking System**

The University President's Office in coordination with the PIO shall establish a system to trace the status of all requests of information received by it, which may be paper-based, online, or both.

#### **h. Fees**

##### **H.1 No Request fee**

The University shall not charge any fee for accepting requests for access to information.

##### **H.2 Reasonable cost of reproduction and copying of the 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 the University in providing the information to the requesting party.

##### **H.3 Exemption of fees**

The University may exempt any requesting party from payment of fees due to indigency, lack of funds, or similar circumstances, upon request stating the valid reason why such requesting party shall not pay the fee.

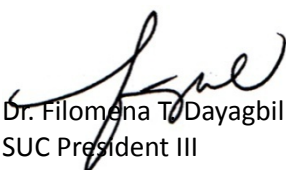
#### **i. Administrative Liabilities**

##### **I.1 Non-compliance with FOI**

Failure to comply with the provisions of this manual shall be a ground for the following administrative penalties:

1. 1<sup>st</sup> Offense – Reprimand;
2. 2<sup>nd</sup> Offense – Suspension of one (1) to (30) days; and
3. 3<sup>rd</sup> Offense – Dismissal from service.

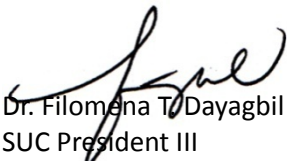
##### **I.2 Procedure**

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

**I.3 Provisions for more stringent laws, rules, and regulations**

Nothing in this Manual shall be construed to derogate from any law, any rules, or regulation prescribed by any body or agency, which provides for more stringent penalties.



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**ANNEX "A"**

**MALACAÑAN PALACE  
MANILA**

**BY THE PRESIDENT OF THE PHILIPPINES**

**EXECUTIVE ORDER NO. 02**

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

**WHEREAS**, pursuant to 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;

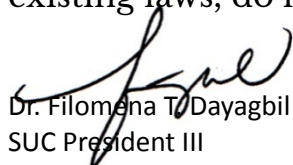
**WHEREAS**, the incorporation of this right in the Constitution is a recognition of the fundamental role of free and open exchange of information in a democracy, meant to enhance transparency and accountability in government official acts, transactions, or decisions;

**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 PCOOs, 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

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

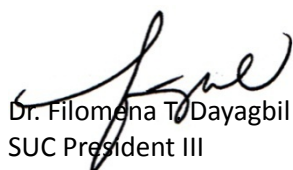
- (a) “Information” shall mean any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like 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, PCOOs, 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 PCOO 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.

  
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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 PCOO 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.

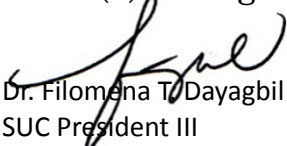
**SECTION 6. Application and Interpretation.** There shall be a legal presumption in favor of access to information, public records and official records. No request for information shall be denied unless it clearly falls under any of the exceptions listed in the inventory or updated inventory of exceptions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

  
Dr. Filomena T. Dayagbil  
SUC President III

custody or control by making reasonable security arrangements against leaks or premature disclosure of personal information, which unduly exposes the individual, whose personal information is requested, to vilification, harassment or any other wrongful acts.

- (c) Any employee, official or director of a government office per Section 2 hereof who has access, authorized or unauthorized, to personal information in the custody of the office, must not disclose that information except when authorized under this order or pursuant to existing laws, rules or regulation.

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

- (a) The location and contact information of the head, regional, provincial, and field offices, and other established places where the public can obtain information or submit requests;
- (b) The person or office responsible for receiving requests for information;
- (c) The procedure for the filing and processing of the request as specified in the succeeding section 9 of this Order.
- (d) The standard forms for the submission of requests and for the proper acknowledgment of requests;
- (e) The process for the disposition of requests;
- (f) The procedure for the administrative appeal of any denial for access to information; and
- (g) The schedule of applicable fees.

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

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



- (c) The request shall be stamped by the government office, indicating the date and time of receipt and the name, rank, title and position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the requesting party. Each government office shall establish a system to trace the status of all requests for information received by it.
- (d) The government office shall respond to a request fully compliant with requirements of sub-section (a) hereof as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof. The response mentioned above refers to the decision of the PCOO or office concerned to grant or deny access to the information requested.
- (e) The period to respond may be extended whenever the information requested requires extensive search of the government office's records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. The government office shall notify the person making the request of the extension, setting forth the reasons for such extension. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.
- (f) Once a decision is made to grant the request, the person making the request shall be notified of such decision and directed to pay any applicable fees.

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

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

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



on the request within the period herein stipulated shall be deemed a denial of the request for access to information.

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

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

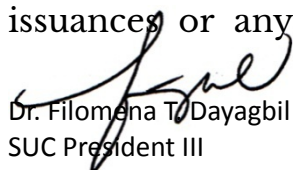
**SECTION 14. Keeping of Records.** Subject to existing laws, rules, and regulations, government offices shall create and/or maintain accurate and reasonably complete records of important information in appropriate formats, and implement a records management system that facilitates easy identification,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

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

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

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

**SECTION 18. Repealing Clause.** All orders, rules and regulations, issuances or any part thereof inconsistent with the provisions of this

  
Dr. Filomena T. Dayagbil  
SUC President III

Updated as of October 2020  
Cebu Normal University

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.

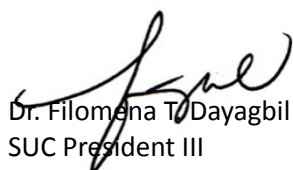
**SECTION 19. Effectivity.** This Order shall take effect immediately upon  
publication in a newspaper of general circulation.

**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

  
Dr. Filomena T. Dayagbil  
SUC President III

## ANNEX "B"

### LIST OF EXEMPTIONS TO FOI

The following are the exceptions:

- Judicial affidavit (Ombudsman)
- Judicial affidavit (Sandiganbayan)
- Filed cases (Courts, Ombudsman, and Sandiganbayan)
- 201 files
- PSB documents
- SALN
- BAC minutes of meetings
- Abstract of bids
- TWG recommendation
- IPCR
- Financial report not yet audited by COA
- Minutes of TWG meetings
- All reports not yet in the final form
- Inter-office and inter-agency memo/correspondence
- Office recommendation as member of inter-agency task force/committee/body
- Accomplished eligibility and evaluation forms for project proposals
- TF evaluation on SUC levelling
- MARC (as this is an attachment to a recommendation to an inter-agency task force)
- REC/Task force evaluation report
- CEB endorsement for SUC levelling to the NEC
- Evaluation report on LUC/SUC

## ANNEX "C"



REPUBLIC OF THE PHILIPPINES  
**PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE**  
*Tanggapang Pampanguluhan sa Operasyong Komunikasyon*  
Ermita, City of Manila

**FOI-MC No. 21- 05**

### **FREEDOM OF INFORMATION MEMORANDUM CIRCULAR**

**FOR : ALL AGENCIES, DEPARTMENTS, BUREAUS, OFFICES AND INSTRUMENTALITIES OF THE EXECUTIVE BRANCH INCLUDING GOVERNMENT-OWNED AND/OR CONTROLLED CORPORATIONS (GOCCS), STATE UNIVERSITIES AND COLLEGES (SUCS), AND LOCAL WATER DISTRICTS (LWDS)**

**SUBJECT : 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"**

---

**WHEREAS**, Executive Order (EO) No. 02, s. 2016 was issued by President Rodrigo Roa R. Duterte to operationalize the Constitutional Right of Access to Information, and Policy of Full Public Disclosure in the Executive Department;

**WHEREAS**, Memorandum Order (MO) No. 10, s. 2016 designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 02, s. 2016;

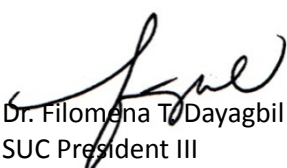
**WHEREAS**, Department Order No. 18, s. 2017, issued by the PCOO, created the Freedom of Information – Project Management Office (FOI-PMO) to exercise the mandate of MO No. 10, s. 2016;

**WHEREAS**, in order to ensure the policy of the President to have an open, transparent and accountable government, it is the mandate of the PCOO to develop programs and mechanisms to enhance the capacity of government agencies to comply with the FOI program;

**WHEREAS**, there is a need to break the prevailing "silo system" and lack of interconnection among government agencies, with the end goal of a government acting as a singular unit serving its primary client, its citizens;

---

7th Floor Times Plaza Building, United Nations Ave., Ermita, City of Manila, Philippines

  
Dr. Filomena T. Dayagbil  
SUC President III

**NOW, THEREFORE**, by virtue of PCOO's mandate to develop programs and mechanism to ensure compliance with the FOI program, particularly on addressing the issue regarding the referral of any requested information, official record/s, or public record/s to the appropriate government agency, these rules are hereby prescribed and promulgated for the information, guidance and compliance of all concerned:

**Section 1. Purpose.** – This rule seeks to set guidelines for the referral of any requested information, official record/s, or public record/s to the appropriate government agency by another agency which does not have in its possession or custody the requested information or records, or is not authorized to release the information to the public.

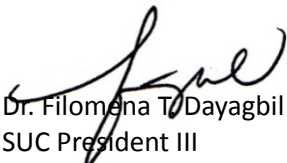
**Section 2. Coverage.** – This Order shall cover all government agencies under the Executive branch implementing the FOI Program, pursuant to EO No. 2, s. 2016 and all other related issuances, and applies to both paper-based and electronic form of requesting information.

**Section 3. Request for Information.** – Any person who requests for access to information shall comply with Section 9 of EO No. 02, s. 2016 and all other pertinent laws, existing rules and regulations, issuances, and orders. For purposes of this rule, information and records shall refer to information, official record/s, or public record/s as defined under EO No. 02, s. 2016.

**Section 4. Acceptance of request.** – 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.

**Section 5. 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.

  
Dr. Filomena T. Dayagbil  
SUC President III



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 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.

**Section 6. FOI Internal Messenger.** - The FOI-PMO shall create a **"FOI Internal Messenger"**. Such feature shall be included in the dashboards of FROs and FDMs, located at the eFOI portal or [www.foi.gov.ph](http://www.foi.gov.ph), where all FROs and FDMs can ask or confirm with each other on which agency has the control and custody of any information or record being requested.

Please see Annex "A" of this Circular for the No Wrong Door Policy Flowchart.

**Section 7. Status of the Request.** - A request that is referred to the appropriate government agency is considered **successful** if the same is acknowledged and the requested information is disclosed to the requestor.

If GA3, after the second referral, still cannot provide the information requested, it shall deny the said request and shall properly notify the requesting party.

In all phases of the referral, the requesting party shall be informed in writing, email, and/or through the eFOI of the status of his/her request.

**Section 8. Inventory of Receiving Officers and Decision Makers, and Agency Information Inventory.** - For the convenience of all FROs and FDMs

in implementing this Circular, an inventory of the names and contact details of all designated FROs and FDMs of government agencies, and an Agency Information Inventory (AII) shall be compiled by the FOI-PMO.

The FOI-PMO shall be the central repository of the inventory of all designated FROs and FDMs and shall collate and update the names and contact information of the designated FROs and FDMs of each government agency. The inventory shall be posted at the eFOI portal, [www.foi.gov.ph](http://www.foi.gov.ph). FOI-PMO shall strictly adhere to Republic Act No. 10173 or the Data Privacy Act of 2012.

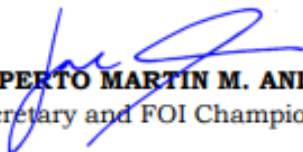
To assist the FROs in locating the requested information or record, an annual updating of the AII shall be required of all agencies on-boarded on the eFOI Portal. The consolidated inventory of information shall likewise be made available in the dashboard of the FRO and FDM for ease of access and information.

**Section 9. Separability Clause.** If, for any reason, any part or provision of this Memorandum Circular is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

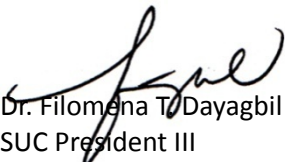
**Section 10. Repealing Clause.** All orders, rules and regulations, memoranda, circulars, and issuances or any part thereof inconsistent with the provisions of this Memorandum Circular are hereby repealed, amended or modified accordingly.

**Section 11. Effectivity.** This Memorandum Circular shall take effect immediately.

**Manila, Philippines, 27th day of August 2021.**

  
**JOSE RUPERTO MARTIN M. ANDANAR**  
Secretary and FOI Champion

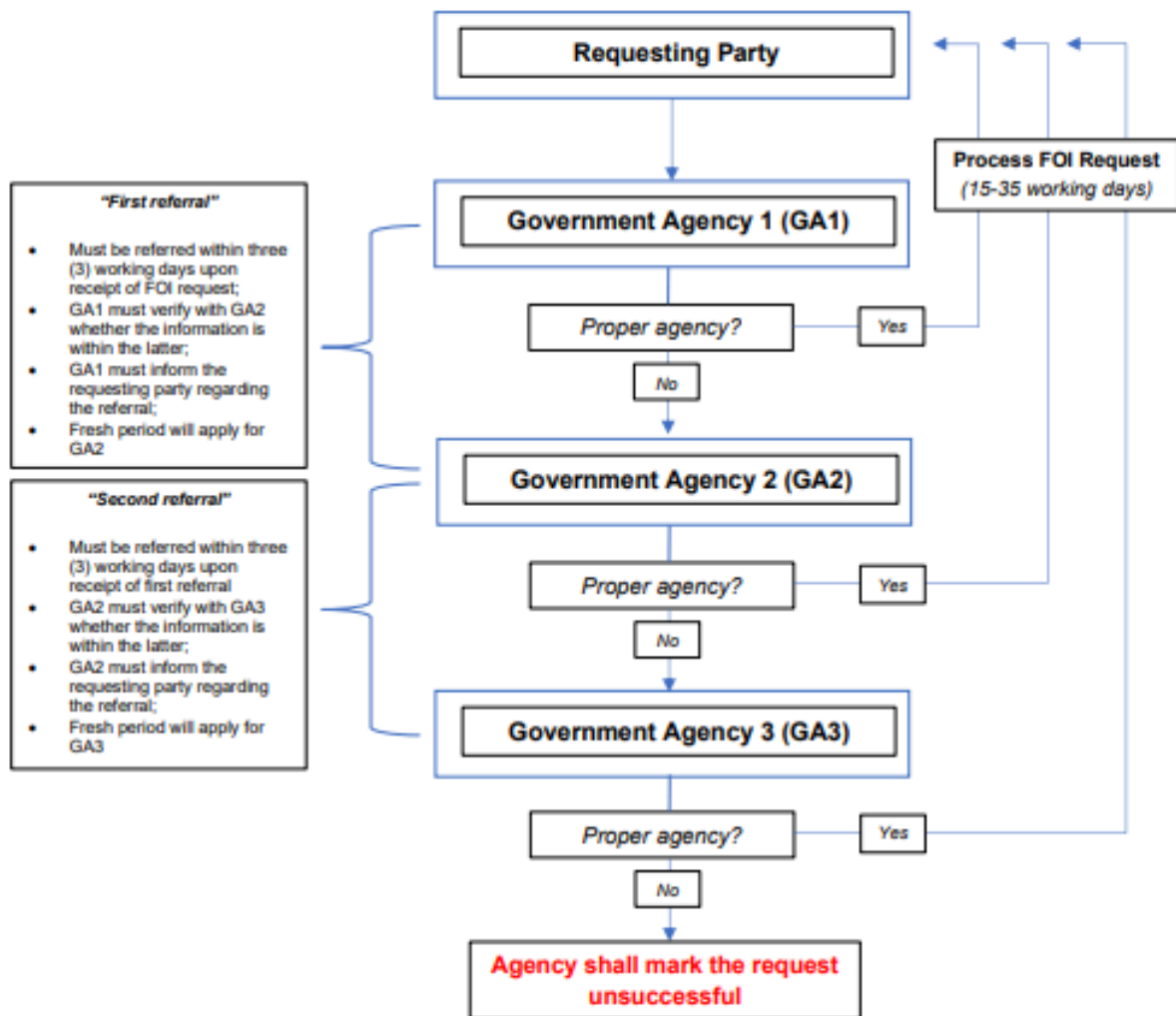
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Dr. Filomena T. Dayagbil  
SUC President III



Annex A

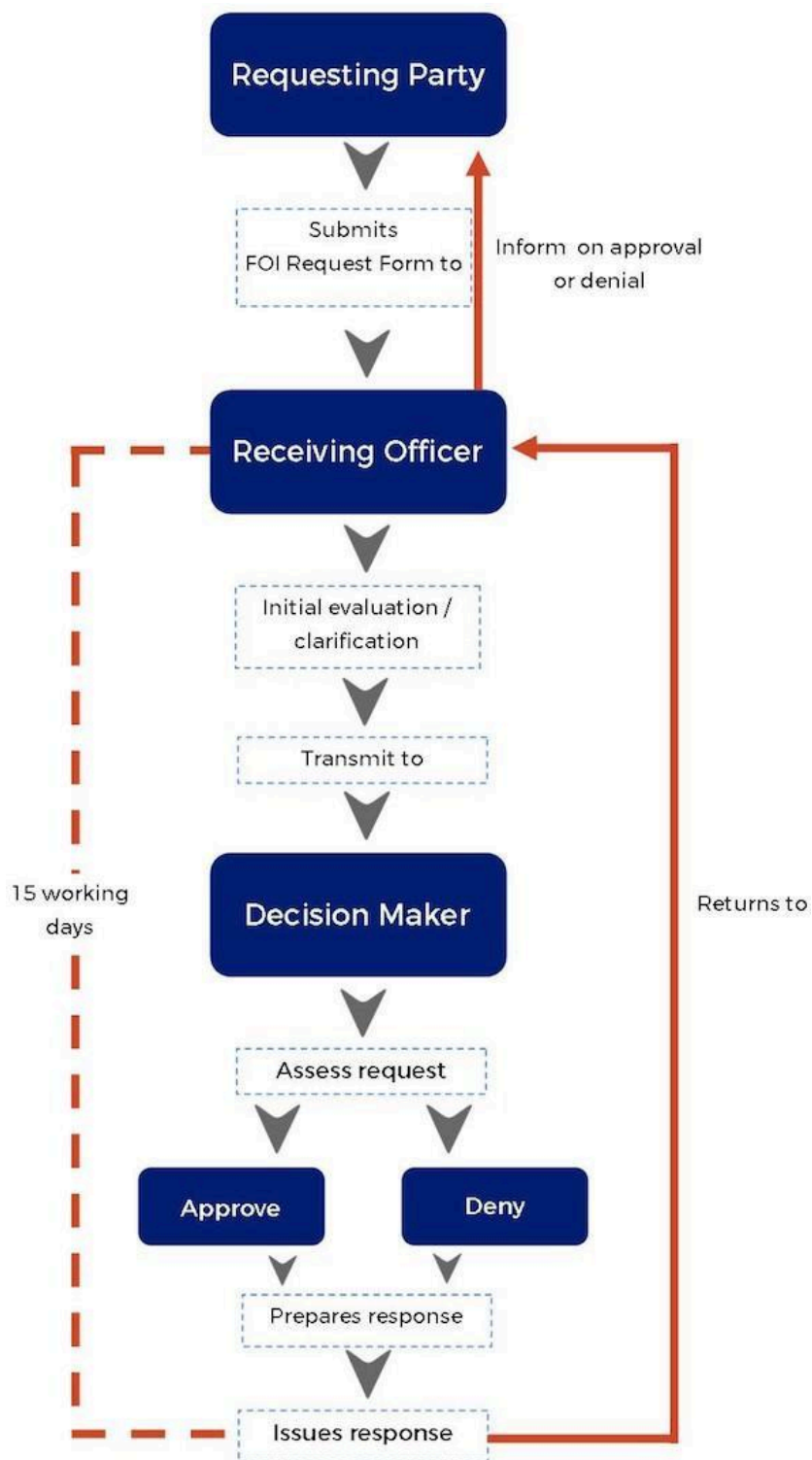
**NO WRONG DOOR POLICY FLOWCHART**



**NOTE:**

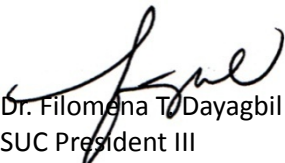
If GA1 fails to refer the request within three (3) working days upon its receipt, the FOI Receiving Officer (FRO) shall act on it within the remaining period to respond pursuant to EO No. 2, s. 2016. No fresh period shall apply.

### ANNEX "D" FOI REQUEST FLOW CHART<sup>9</sup>



<sup>9</sup> PCOO Freedom of Information People's Manual

Updated as of October 2020  
Cebu Normal University



Dr. Filomena T. Dayagbil  
SUC President III

## ANNEX "E" FOI REQUEST FORM<sup>10</sup>

This document may be reproduced  
and is NOT FOR SALE

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

<sup>10</sup> PCOO Freedom of Information People's Manual

### 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? \_\_\_\_\_

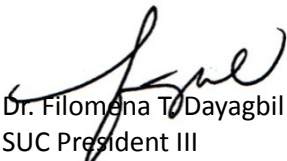
Date Request Finished (DD/MM/YYYY) ◀ \_\_\_\_\_

Date Documents (if any) Sent (DD/MM/YYYY) ◀ \_\_\_\_\_

FOI Registry Accomplished  Yes  No

RO Signature ◀ \_\_\_\_\_

Date (DD/MM/YYYY) ◀ \_\_\_\_\_

  
Dr. Filomena T. Dayagbil  
SUC President III

ANNEX "F"

FOI RESPONSE TEMPLATE – DOCUMENT ENCLOSED

Republic of the Philippines  
Cebu Normal University  
Osmeña Boulevard, Cebu City

---

DATE

Dear \_\_\_\_\_,

Greetings!

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

Your request

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

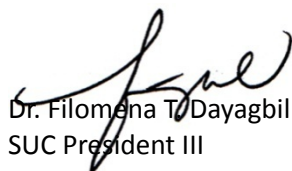
Response to your request

Your FOI request is approved. I enclosed a copy of \_\_\_\_\_ of the information you requested [in the format you specified].

Thank you.

Respectfully,

-----  
FOI Receiving Officer

  
Dr. Filomena T. Dayagbil  
SUC President III

**FOI RESPONSE TEMPLATE – ANSWER**

Republic of the Philippines  
Cebu Normal University  
Osmeña Boulevard, Cebu City

---

DATE

Dear \_\_\_\_\_,

Greetings!

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

Your request

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

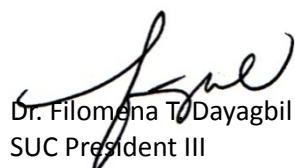
Response to your request

Your FOI request is approved. The answer to your request is \_\_\_\_\_.

Thank you.

Respectfully,

\_\_\_\_\_  
FOI Receiving Officer

  
Dr. Filomena T. Dayagbil  
SUC President III



**FOI RESPONSE TEMPLATE – UNDER EXCEPTIONS**

Republic of the Philippines  
Cebu Normal University  
Osmeña Boulevard, Cebu City

---

DATE

Dear \_\_\_\_\_,

Greetings!

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

Your request

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

Response to your request

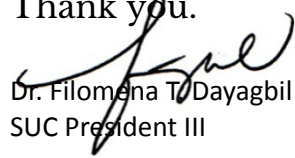
While our aim is to provide information whenever possible, in this instance we are unable to provide [some of]\* the information you have requested because a(n) exception(s) under section(s) \_\_\_\_\_ apply(ies) and are explained in the annex of this letter.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to our University President. Your review request should explain why you are dissatisfied with this response, and should be made within 15 calendar days from the date when you received this letter.

We will complete the review and tell you the result, within 30 days from the date when we received your review request.

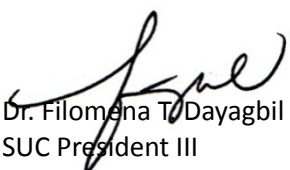
Thank you.

  
Dr. Filomena T. Dayagbil  
SUC President III

Updated as of October 2020  
Cebu Normal University

Respectfully,

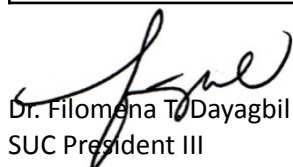
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**FOI Receiving Officer**

  
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SUC President III

**ANNEX “G”**

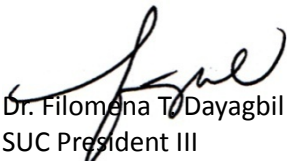
**FOI RECEIVING OFFICER, DECISION MAKERS, & CENTRAL  
APPEALS AND REVIEW COMMITTEE**

<b>FOI Officer</b>	<b>Name</b>	<b>Designation in the University</b>	<b>Email</b>
FOI Receiving Officer (FRO)	Dr. Lelani C. Dapat	Public Information Officer/Director, Information and FM Station Unit	dapatl@cnu.edu.ph
FOI Decision Maker (FDM)	Dr. Joseph Elvir C. Tubilan	Vice President for Academic Affairs	vpacademic@cnu.edu.ph joseph tubilan@cnu.edu.ph
FOI Decision Maker (FDM)	Dr. Allan Roy B. Elnar	Vice President for Administration, Finance, and External Affairs	vpadmin@cnu.edu.ph elnara@cnu.edu.ph
FOI Decision Maker (FDM)	Dr. Cristina B. Corcino	Vice President for Research, Publication, Innovation, Commercialization, and Extension	vp prep@cnu.edu.ph corcinoc@cnu.edu.ph
Central Appeals and Review Committee	Dr. Jeson A. Bustamante	Director, Planning, Foresight and Future's Thinking Unit	bustamantej@cnu.edu.ph plandev@cnu.edu.ph
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Central Appeals and Review Committee	Mr. Omar Roma	Data Privacy Officer	omar@cnu.edu.ph

  
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Central Appeals and Review Committee	Atty. Christiana Jude D. Bien	University and Board Secretary	sec@cnu.edu.ph
Appeals Authority	Dr. Daniel A. Ariaso, Sr.	University President	pres@cnu.edu.ph ariasosrd@cnu.edu.ph

  
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