

PILILLA WATER DISTRICT



PEOPLE'S FREEDOM OF INFORMATION MANUAL 2022

PiWaD FOI MANUAL

Pursuant to **Executive Order No. 2, s. 2016**, “Operationalizing in the Executive Branch the People’s Constitutional Right to Information and the State Policies to Full Public Disclosure and Transparency in the Public Service Providing Guidelines Therefor”, the Pililla Water District (PiWaD) hereby publishes its approved **AGENCY’S FREEDOM OF INFORMATION (FOI) MANUAL**.

Approved by:

A handwritten signature in black ink, consisting of a large circle followed by a stylized, cursive name.

ENGR. BOYCE A. DELA CRUZ
General Manager

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I. OVERVIEW

A. Purpose of the Manual

The purpose of the People's Freedom of Information (FOI) Manual is for Pililla Water District to efficiently address all requests that are covered under Executive Order No. 2, series 2016 issued by the President of the Philippines (Annex A). This guarantees the right of the people to information on matters of public concern. It is a recognition of the fundamental role of free and open exchange of information in a democracy to enhance transparency and accountability in government official acts, transactions, or decisions.

B. Structure of the Manual

This Manual shall set out the forms, rules and procedures to be followed when a request for access to information is received by PiWaD. The General Manager (GM) is responsible for all actions carried out under this Manual. The GM may delegate this responsibility to PiWaD key personnel as may be designated from time to time, to act as the FOI Champion, who shall give the final approval and denial of all requests for information. Likewise, the Division Manager of the Administrative/General Services/Finance/Commercial Division may also delegate his/her responsibility to PiWaD key personnel as may be designated from time to time, to act as the FOI Decision Maker, who shall have overall responsibility for the initial decision on FOI Requests, (i.e. to decide whether to release all the records, partially release the records or deny access).

C. Coverage of the Manual

This Manual shall cover all requests for information directed to PiWaD.

D. FOI Receiving Officer (FRO)

The Administrative Services Assistant A shall be the FOI Receiving Officer (FRO), with work station located at the PiWaD Building, National Road, Brgy. Bagumbayan, Pililla, Rizal. The functions of the said officers are:

- a. Receive on behalf of the PiWaD all requests for information and forward the same to the FDM for appropriate action;
- b. Monitor all FOI requests and appeals;
- c. Provide assistance to the FOI Decision Maker (FDM) and FOI Champion (FC);
- d. Provide assistance and support to the public and staff with regard to FOI;

- e. Compile statistical information as required;
- f. Responsible for the retrieval of information;
- g. Responsible for the FOI Request Feedback Form; and
- h. Conduct an initial evaluation of the request and advise the requesting party (RP) whether the request will be forwarded to the FDM for further evaluation, or deny request based on any of the following:
 - (i) That the form is incomplete
 - (ii) That the information is already disclosed in the PiWaD's official website:
prwd.gov.ph, foi.gov.ph or data.gov.ph.

E. FOI Decision Maker

The Designated Head of the Administrative/General Services/Finance/Commercial Division shall be the FOI Decision Maker. The FDM may delegate this responsibility to PiWaD key personnel as may be designated from time to time. The FDM shall evaluate the request for information, and recommends action, to grant or deny the request, to the FC based on the following:

- a. The PiWaD does not have the information requested;
- b. The information requested contains sensitive personal information protected by the Data Privacy Act of 2012;
- c. The information requested falls under the list of exceptions to FOI ;
- d. The request is unreasonable subsequent identical or subsequent similar request from the same requesting party whose request has already been previously granted or denied by the PiWaD; and
- e. The request is vexatious in nature.

F. FOI Champion (FC)

The FOI Champion is the General Manager of PiWaD. He is the one responsible for the approval and denial of all requests for information lodged in PiWaD. In case where the GM is on official leave, the GM may delegate such authority to the designated key personnel or Officer-In-Charge.

G. PiWaD Central Appeals and Review Committee (CARC)

There shall be a PiWaD FOI Central Appeals and Review Committee composed of three (3) members of the Board of Directors (BODs) or three (3) personnel designated by the BOD to exercise the following functions:

1. Receive, review, analyze, evaluate, and assess the appeal on the grant or denial of the request for information;
2. Determine if the appeal was filed within the period provided under EO No. 2, s. 2016;
3. Provide expert advice to the General Manager on granting or denying the said request for information;
4. Recommend to the General Manager the actions on the appeal filed by the requesting party;
5. Ensure that the appeal be decided within thirty (30) working days from the filing of the said appeal; and
6. Ensure implementation of the decision regarding the appeal.

II. DEFINITION OF TERMS

Board of Directors. The policy-making or legislative body of the water district. Ensures the availability of adequate financial resources and approves annual budget. The powers and duties of the BOD shall be defined in Chapter V of PD 198 (Provincial Water Utilities Act of 1973).

Consultation. When a government office located a record that contains information of interest to another office or another person, 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”.

data.gov.ph. The Open Data website that serves as the government’s comprehensive portal for all public government data that is searchable, understandable, and accessible.

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 on Annual FOI Reports.

Exceptions. 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). 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, s. 2016. 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 an 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 Office. The primary contact at each agency where the requesting party can call and ask questions about the FOI process or the pending FOI request.

Frequent or Overlapping Request. This occurs when a requesting party (RP) submits a correspondence involving the same issue frequently or submits the same request over a period of time before the office can have the opportunity to address the earlier request. However, there is no frequent or overlapping request when the information that was previously released has been updated or has already changed.

Frequently Requested Informaton. 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. When the agency cannot release any records in response to an 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.

General Manager. An executive official who as overall responsibility for managing the water district, usually oversee most or all of its functions as well as the day-to-day operations. The GM is responsible for effective planning, delegating, coordinating, staffing, organizing, and decision-making to attain the vision and mission of the water district.

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 for Disclosure. Information promoting the awareness and understanding of policies, programs, activities, rules, or revisions affecting the public, government agencies, and the community, and economy. It also includes information encouraging familiarity with the general operations, thrusts, and programs of the government. In line with the concept of proactive disclosure and open data, these types of information can already be posted to a government website, such as data.gov.ph, without need for written request from the public.

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.

One-Page FOI Manual. A shorter reference version of the FOI Manual. It is an easily comprehensible one-page manual that is more accessible to the public.

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

Personal Grudges. This occurs when the requesting party (RP) submits a correspondence on a particular government official or employee against whom she/he was some personal enmity; or the said request is made to express hatred to a particular official or employee.

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 or directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.

Premature Request. Information that is yet to be processed or will soon be published or the disclosure of which would be premature in relation to a planned announcement or publication.

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 missions.

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 Request or Received Appeal. A FOI request or administrative appeal that an agency has received within fiscal year.

Referral. Referral means 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.

Reprocessed Data. Request for information that will require the agency to reprocess the data. Reprocessed data means that the data was already proactively disclosed or the data was requested and was previously disclosed.

Sensitive Personal Information. As defined in the Data Privacy Act of 2012 or RA 10173, shall refer to personal information: 1) About an individual race, ethnic, origin, marital status, age, color, and religious philosophical or political affiliations; 2) About an individual health, education, genetic, or sexual life of a person, or to any proceedings 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. A FOI request that an agency anticipates will involve a small volume of material or which will be able to processed relatively quickly.

Unfounded Accusations. This occurs when the request makes completely unsubstantiated accusations against the public authority or specific employees.

Unreasonably Complex Request. Complex information means requests involving more than one subject matter which can only be processed within thirty-five (35) workng days or more. In requests for complex information, a valid reason or valid explanation should always be provided by the requesting party (RP).

Vexatious FOI Request. A FOI request is considered vexatious if it is frivolous, malicious, made in bad faith, intends to harass, vilify or embarrass, or if it possess an actual or imminent danger to the office, its officials or employees.

III. PROMOTION OF OPENNESS IN GOVERNMENT

The Pililla Water District shall regularly publish, print, and disseminate at no cost to the public and in an accessible form, in concurrence with Republic Act No. 9485, otherwise known as the Anti-Red Tape Act of 2007, and/or through PiWaD Website at prwd.gov.ph, timely, true, accurate and updated key information including, but not limited to:

1. A description of its mandate, structure, powers, functions, duties, and decision-making processes;
2. A description of the frontline services it delivers and the procedure and length of time by which they may be availed;
3. The name of its key officials, their powers, functions, and responsibilities, and their profiles;
4. Work programs, development plans, investment plans, projects and performance targets, and accomplishments, and budgets, revenue allotments and expenditures;
5. Important rules and regulations, orders or decisions;
6. Current and important database and statistics that it generates;
7. Bidding processes and requirements; and
8. Mechanisms or procedures by which the public may participate in or otherwise influence the formulation of policy or the exercise of its powers.

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

IV. PROTECTION TO PRIVACY

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

- a) The PiWaD shall ensure that personal information, particularly sensitive information, in its custody under its control is disclosed only as permitted by existing laws, rules, and regulations;
- b) The PiWaD shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks, exposure, unwarranted, or premature disclosure;
- c) The FRO, FDM, FC or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of the PiWaD, shall not disclose that information except as authorized by existing laws, rules, and regulations;
- d) The PiWaD shall exercise reasonable diligence in protecting the personal information disclosed in the FOI Application form of the RP; and
- e) The PiWaD shall adhere to the Data Privacy Act of 2012.

V. STANDARD OPERATING PROCEDURE

A. Standard or Emailed Mode of Request

Filing of Request of Information

The Requesting Party (RP) shall submit all the requirements to the FOI Receiving Officer (FRO) at Pililla Water District, National Road, Brgy. Bagumbayan, Pililla, Rizal, which opens from 8:00am – 5:00pm, Mondays to Fridays except holidays.

The RP shall submit and comply to the following requirements:

1. FOI Request Form (Annex C) must be filled-out completely;
2. Request shall reasonably and specifically describe the information requested, the reason for, and/or the purpose of request of information;
3. The RP must submit a valid identification or authorization.

In case the RP is unavailable 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 assist and produce it in writing.

If the RP cannot physically walk-in the PiWaD Office, the request can be made through email, provided that, the RP shall attach a scanned copy of the FOI request form, and a copy of a duly recognized government ID with photo.

Receipt of Request for Information

The FRO shall receive the request for information from the RP and check compliance of the request based on the submitted requirements.

The FRO shall stamped the request “RECEIVED” and indicate the date and time of the receipt of the written request, and/or the name, rank, title, and position with signature of the officer who actually received it. He/she shall provide contact information, a Reference Number and a copy of the request so the RP may follow up the request.

In case of emailed requests, the email shall be printed out and shall follow the procedure mentioned above. A copy of the received request with the reference number and other details mentioned above shall be emailed back to the RP.

The PiWaD must respond to the requests promptly, within the fifteenth (15) working day following the date of receipt of the request. The date of the receipt of the request will be either:

1. The date 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
2. If the government office has asked the RP to further details to identify and locate the requested information, the date on which the necessary clarification is received.

An exception to this will be where the request has been emailed to an absent member or staff, and this has generated an “out of office” message with instructions on how to re-direct the message to another contact. Where there is the case, the date of receipt will be the day the request arrives in the box of that contact.

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

Initial Evaluation of FRO

After receipt of the request for information, the FRO shall evaluate the contents of the request. The FRO shall conduct initial evaluation of the request and advise the RP whether the request will be forwarded to the FDM for further evaluation; or deny request based on any of the following:

1. That the form is incomplete; and
2. That the information is already disclosed in the PiWaD’s official website: prwd.gov.ph, foi.gov.ph or at data.gov.ph.

Endorsing the Request from FRO to FDM

The FRO log the request in the logbook and endorse it to the FDM within one (1) day from the receipt of the request.

Evaluating the Request

Upon receipt of the request for information from the FRO, the FDM shall assess and clarify the request if necessary. The FDM shall ensure that all the necessary steps to locate and retrieve the information requested are undertaken. The FDM shall identify whether the requested information is simple or complex or if it needs additional details.

For simple requests, the FDM shall direct the FRO to retrieve the information requested within ten (10) days upon receipt of request.

For complex requests, the FDM shall inform the FRO that the requested information is a complex request and would require extension. The FDM shall then direct the FRO to retrieve the information requested within twenty (20) days from receipt of request. The FRO shall inform the RP for the needed extension through phone call and formal communication signed by the FC.

If the FDM determines that a record contains information of interest to another office, the FDM shall consult with the agency concerned on the disclosability of the records before making any final determination.

If the requested information is not in custody of the PiWaD, following referral and discussion with the FC, the FDM shall direct the FRO to undertake the following steps: (i) if the records requested is not in the possession of the government agency (GA1) but available to another agency (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 apply. If GA1 fails to refer the request within 3 working days upon its receipt, the FRO shall act on it within the remaining period to respond pursuant to EO No. 2, 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 (GA3) under the same procedure for GA2. This shall be considered as the second referral and another fresh period shall apply. Referrals shall be limited to two (2) subsequent transfers of request. A written or email acknowledgment of the referral shall be made by the FRO of the government agency

where it was referred. The RP shall be notified of the referral and must be provided with the reason and rationale thereof, and contact details of the government office where the request was referred. If GA3, after the second referral, still cannot provide the information requested, it shall deny the said request and properly notify the RP. In all phases of the referral, the RP shall be informed in writing, email, and/or through the eFOI of the status of his/her request; (ii) if the records refer to an office not within the coverage of EO No. 2, the RP shall be advised accordingly and provided with the contact details of that office, if known. The FRO shall secure a transmittal signed by the FC. (Annex C)

If the information requested is already posted and publicly available at PiWaD's website, foi.gov.ph or data.gov.ph, the FDM shall direct the FRO to inform the RP of the said fact and provide them the website link where the information is posted. The FRO shall secure a transmittal signed by the FC. (Annex C)

If the requested information is substantially similar or identical to a previous request by the same requester, the request shall be denied. However, the FRO shall secure a transmittal signed by the FC (Annex C) and inform the applicant of the reason of such denial.

When additional details are needed, the FDM shall inform the FRO that the requested information requires additional details. The FRO shall inform the RP of the needed additional details through phone call and formal communication signed by the FC. Once additional details are received, the FRO shall endorse said details to the FDM. The running of the fifteen (15) working day period shall stop and will commence after it receives the additional details or clarification from the RP.

The FDM shall evaluate if the request is recommended to be approved or denied based on the list of exceptions in EO No. 2, s. 2016, and other existing laws and jurisprudence.

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 shall inform the FRO. The FRO shall inform the RP of the extension, giving 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.

In all circumstances, the FRO shall update the FOI Logbook.

Approving or Denying the Request

After evaluation, the FC shall give his final approval or denial of the request. The FC shall sign the transmittal and the FDM shall give feedback to the FRO whether to approve the release of all the records, partially release the records or deny access. The FRO shall update the FOI Logbook.

Releasing and/or Notifying the RP of the Decision

For approved requests, the FRO shall ensure all records have been retrieved prior to actual release. The FRO shall prepare a formal communication to be signed by the General Manager for final approval and endorsement of the requested information. Once approved, the FRO shall inform the RP that the request is ready for release and/or has been sent to the RP's email. For sensitive information, the FRO shall advise to personally claim the information along with other needed documents to attest the identity and/or intent of the RP.

For denied request, the FRO shall inform the RP of the denial in writing through formal communication, signed by the FC for final decision. The formal communication shall indicate the ground/s for denial and the circumstance/s on which the denial is based. Failure to notify the RP of the action taken on the request within the period herein provided shall be deemed a denial of the request to information.

FOI Feedback Form

The FRO shall request the RP to accomplish the FOI Feedback Form.

B. Through the eFOI Portal Mode of Request

Filing of Request of Information

The RP shall access the eFOI portal through www.foi.gov.ph. He/she then creates an account and submits a scanned copy of his/her valid ID as proof of identification. Once account has been created, the RP access the request window by clicking on the "Make a Request" button. The RP shall fill out all needed information and submits the request.

The FRO fills out the FOI request form using the details given by the RP in the eFOI portal and emails the copy of the form to the RP. The FRO contacts the RP and instructs the RP to sign and return the FOI request form to pw_district1991@yahoo.com.ph because it would be needed before the release of the requested information.

Receipt of Request for Information

An eFOI automated reply will be sent to the RP.

Endorsing the Request from FRO to FDM

The FRO shall log the request in the logbook and endorse it to the FDM within one (1) day from the receipt of the request. The FDM accepts the request through the eFOI portal and signs the logbook to acknowledge receipt of request.

Evaluating the Request

The FDM shall evaluate if the request is approved or denied based on the list of exceptions in EO No. 2, s. 2016, and other existing laws and jurisprudence and in the same process as the standard or emailed request.

Upon receipt of the request for information from the FRO, the FDM shall assess and clarify the request if necessary. The FDM shall ensure that all the necessary steps to locate and retrieve the information requested are undertaken. The FDM shall identify whether the requested information is simple or complex or if it needs additional details.

For simple requests, the FDM shall direct the FRO to retrieve the information requested within ten (10) days upon receipt of request.

For complex requests, the FDM shall inform the FRO that the requested information is a complex request and would require extension. The FDM shall then direct the FRO to retrieve the information requested within twenty (20) days from receipt of request. The FRO shall inform the RP for the needed extension through phone call and formal communication signed by FC.

If the FDM determines that a record contains information of interest to another office, the FDM shall consult with the agency concerned on the disclosability of the records before making any final determination.

If the requested information is not in custody of PiWaD, following referral and discussion with FC, the FDM shall direct the FRO to undertake the following steps: (i) if the records requested is not in the possession of the government agency (GA1) but available to another agency (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 apply. If GA1 fails to refer the request within 3 working days upon its receipt, the FRO shall act on it within the remaining period to respond pursuant to EO No. 2, 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 (GA3) under the same procedure for GA2. This shall be considered as the second referral and another fresh period shall apply. Referrals shall be limited to two (2) subsequent transfers of request. A written or email acknowledgment of the referral shall be made by the FRO of the government agency where it was referred. The RP shall be notified of the referral and must be provided with the reason and rationale thereof, and contact details of the government office where the request was referred. If GA3, after the second referral, still cannot provide the information requested, it shall deny the said request and properly notify the RP. In all phases of the referral, the RP shall be informed in writing, email, and/or through the eFOI of the status of his/her request; (ii) if the records refer to an office not within the coverage of EO No. 2, the RP shall be advised accordingly and provided with the contact details of that office, if known. The FRO shall secure a transmittal signed by the FC. (Annex C)

If the information requested is already posted and publicly available at PiWaD's website, foi.gov.ph or data.gov.ph, the FDM shall direct the FRO to inform the RP of the said fact and provide them the website link where the information is posted. The FRO shall secure a transmittal signed by the FC. (Annex C)

If the requested information is substantially similar or identical to a previous request by the same requester, the request shall be denied. However, the FRO shall secure a transmittal signed by the FC (Annex C) and inform the applicant of the reason of such denial.

When additional details are needed, the FDM shall inform the FRO that the requested information requires additional details. The FRO shall inform the RP of the needed additional details through phone call and formal communication signed by the FC. Once additional details are received, the FRO shall endorse said details to the FDM. The running of the fifteen (15) working day period shall stop and will commence after it receives the additional details or clarification from the RP.

The FDM shall evaluate if the request is recommended to be approved or denied based on the list of exceptions in EO No. 2, s. 2016, and other existing laws and jurisprudence.

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 shall inform the FRO. The FRO shall inform the RP of the extension, giving 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.

In all circumstances, the FDM updates the progress of the request in the eFOI portal and informs the FRO. The FRO shall update the FOI Logbook.

Approving or Denying the Request

After evaluation, the FC shall give his final approval or denial of the request. The FC shall sign the transmittal and the FDM shall give feedback to the FRO whether to approve the release of all the records, partially release the records or deny access. The FRO shall update the FOI Logbook.

Releasing and/or Notifying the RP of the Approval/Denial of the Request

For approved requests, the FRO shall ensure all records have been retrieved prior to actual release. The FRO shall prepare a formal communication to be signed by the General Manager for final approval and endorsement of the requested information. Once approved, the

FRO shall inform the RP that the request is ready for release and/or has been sent to the RP's email. For sensitive information, the FRO shall advise to personally claim the information along with other needed documents to attest the identity and/or intent of the RP.

For denied request, the FRO shall inform the RP of the denial in writing through formal communication, signed by the FC for final decision. The formal communication shall indicate the ground/s for denial and the circumstance/s on which the denial is based. Failure to notify the RP of the action taken on the request within the period herein provided shall be deemed a denial of the request to information.

FOI Feedback Form

The FRO shall request the RP to accomplish the FOI Feedback Form in the eFOI Portal.

VI. PERIOD OF ACTION TO RESPOND A REQUEST

The period of action in responding to the request will depend on the nature of the information requested and the approval or denial of such.

1. Simple Requests: Within fifteen (15) working days from receipt of the request;
2. Complex Requests: Within the thirty (30) working days from receipt of the request which constitutes the initial fifteen (15) working days upon request and additional twenty (20) working days for extension.
3. Requests Needing Additional Details: The FRO should inform the RP of the requested additional details and period of extension within fifteen (15) working days after the receipt of the request. Once the FRO has notified the RP of the needed additional details, the counting for the fifteen (15) working days will pause and will only commence the day after the requested additional details from the RP have been received. If no clarification is received from the requesting party after sixty (60) calendar days, the request shall be closed.
4. Denied Requests: the RP shall be notified in writing within fifteen (15) working days of the denial of the requests whether in part or as a whole. Failure to notify the RP of the action taken on the request within the period shall be deemed a denial of the request for access to information.
5. Referred Requests: the request shall be referred and the RP shall be notified in writing within three (3) days from receipt of request.

VII. RETENTION OF PERIOD OF PERSONAL AND SENSITIVE PERSONAL INFORMATION

The FRO shall retain personal and sensitive personal information only for the fulfillment of the purpose for which request for information were obtained in order to secure the privacy of personal information and sensitive personal information of the RP. Said information may include but are not limited to:

1. FOI request forms containing personal and sensitive personal information;
2. Valid proof of identification;
3. Personal address; and
4. Personal contact numbers.

The period to retain these information shall be two (2) years. For standard mode request, retention period shall be counted after the transaction has been closed or denied. For request made at the eFOI portal, the retention period shall be counted for the last login of the RP. The eFOI system will send a notification to the RP via their registered mail. The RP has the option to whether retain or delete their account permanently. They may retain their credentials by logging in within thirty (30) calendar days, however, failure to do so will prompt the system to delete their personal information with their IDs permanently.

The FOI-PMO is the one responsible in handling and retaining personal and sensitive personal information uploaded and processed in the eFOI because it is the manager and controller of the said portal.

PiWaD shall discard and dispose all personal and sensitive information in a secure manner that shall prevent further processing, unauthorized access or disclosure to any other party or the public, or prejudice the interests of the RP.

For paper-based documents, it may be discarded by mode of reduction and shredding pursuant to National Archives of the Philippines laws, rules, and regulations on Records Disposal.

VIII. LIST OF EXCEPTIONS

A Memorandum from the Office of the President updated the Inventory of Exceptions to the Right to Access of Information under Executive Order No. 2, s. 2016, was circularized on September 13, 2021 for the guidance of all government offices and instrumentalities covered by EO 2, s.2016, and the general public.

The foregoing list of exceptions shall be without prejudice to existing laws, jurisprudence, rules or regulations authorizing the disclosure of the excepted information upon satisfaction of certain conditions in certain cases, such as the consent of the concerned party or as may be ordered by the court:

1. Information covered by executive privilege:
 - a. Presidential conversations, correspondences, and discussions in closed door, cabinet meetings; and
 - b. Matters covered by deliberative process privilege, namely:
 - i. advisory opinions, recommendations, resolutions, minutes of the meetings, and deliberations comprising part of a process by which governmental decisions and policies are formulated; intra-agency or inter-agency recommendations or communications during the stage when common assertions are still in the process of being formulated or are in the exploratory stage; or information pertaining to the decision-making of executive officials; and
 - ii. information, record, or document comprising drafts of decisions orders, rulings, policy decisions, memoranda, etc.
2. Privileged information relating to national security, defense, or international relations:
 - a. Information, record, or document that must be kept secret in the interest of national defense or security;
 - b. Diplomatic negotiations and other information required to be kept secret in the conduct of foreign affairs; and
 - c. Patent applications, the publication of which would prejudice national security and interests;
3. Information concerning law enforcement and protection of public and personal safety:

- a. Investigation records compiled for law enforcement purposes or information which if written would be contained in such records, but only to the extent that the production of such records or information
 - i. would 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 disclosed investigative techniques and procedures.
 - 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;
 - c. When disclosure of information would put the life and safety of an individual in imminent danger;
 - d. Any information given by informants leading to the recovery of carnapped vehicles and apprehension of the persons charged with carnapping; and
 - e. All proceedings involving application for admission into the Witness Protection Program and the action taken thereon;
4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes, or the accused. These include:
- a. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy, personal information or records, including sensitive personal information, birth records, school records, or medical or health records;

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

- (1) about individual's race, ethnic, origin, marital status, age, color, and religious, philosophical or political affiliations;
- (2) about an individual's health, education, genetic, or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court

- in such proceedings;
- (3) issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and
 - (4) specifically established by an executive order or an act of Congress to be kept classified.

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

Disclosure of personal information about any individual who is or was an officer or employee of a government institution shall be allowed, provided, that such information relates to the position or functions of the individual, including: (1) the fact that the individual is or was an officer or employee of the government 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 with government;

- b. Source of any news report or information appearing in newspapers, magazines, or periodicals of general circulation obtained in confidence; and
- c. Records of proceedings and processes deemed confidential by law for the privacy and/or protection of certain individuals, such as children victims of crime, witnesses to a crime rehabilitated drug offenders, including those pertaining to the following:
 - (1) records of child and family cases
 - (2) children in conflict with the law from initial contact until final disposition of the case;
 - (3) a child who is a victim of any offense under the Anti-Child Pornography Act of 2009, including the name and personal circumstances of the child, or the child's immediate family, or any other information tending to establish the child's identity;

- (4) a child witness, who is a victim of 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;
 - (5) cases involving violence against women and their children, including the name, address, telephone number, school, business address, employer, or other identifying information of a victim or an immediate family member;
 - (6) trafficked persons, including their names, and personal circumstances, or any other information tending to establish the identity of the trafficked person;
 - (7) names of victims of child abuse, exploitation or discrimination;
 - (8) cases of gender-based streets and public spaces sexual harassment, including information on the victim and the accused who is minor;
 - (9) 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;
 - (10) records, documents, and communications of proceedings involving domestic, inter-country and administrative, adoptions, including the identity of the child, natural parents and adoptive parents;
 - (11) names of students who committed acts of bullying or retaliation;
 - (12) children in situations of armed conflict;
 - (13) 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
 - (14) Identity, status and medical records of individuals with Human Immunodeficiency Virus (HIV), as well as results of HIV/Acquired Immune Deficiency Syndrome (AIDS) testing;
5. Information, documents, or records shown 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, quasi-judicial powers such as but not limited to the following:

- a. Trade secrets, intellectual property, business, commercial, financial, and other propriety information;
- b. Data furnished to statistical inquiries, surveys, and censuses of the Philippines Statistics Authority;
- c. Records and reports submitted to the Social Security System by the employer or member;
- d. Information of registered persons with the Philippine Identification System;
- e. Information gathered for the HIV and AIDS monitoring and evaluation program under RA No. 11166 and all other related health intelligence activities;
- 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;
- g. Applications and supporting documents filed pursuant to the Omnibus Investments Code of 1987;
- h. Documents submitted through the Government Electronic Procurement System;
- i. Information obtained from accessing any electronic key, electronic data message, or electronic document, book, register, correspondence, information or other material pursuant to any powers conferred under the Electronic Commerce Act of 2000;
- 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;
- k. Information received by the Department of Tourism (DOT) in relation to the accreditation of accommodation of establishments (such as hotels and resorts) and travel and tour agencies;
- 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;
- m. Information submitted to the Tariff Commission which is by nature confidential or submitted on a confidential basis;

- n. Certain information and reports submitted to the Insurance Commissioner pursuant to the Insurance Code;
 - o. Information on registered cultural properties owned by private individuals;
 - p. Data submitted by a higher education institution to the Commission on Higher Education (CHED);
 - q. Any secret, valuable or propriety information of a confidential character known to a public officer, or secrets of public individuals;
 - r. Records or 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; and
 - s. Records of surveillance of suspects and interception and recording of communications acquired by a law enforcement agent or military personnel pursuant to the Anti-Terrorism Act of 2020
6. Prejudicial premature disclosure. Information of which a premature disclosure would:
- a. In the case of a department, office, or agency which agency regulates currencies, securities, commodities, or financial institutions, be likely to lead to significant financial speculation in currencies, securities, or commodities, or significantly endanger the stability of any financial institution; or
 - b. Be likely or significantly frustrate implementation of a proposed official action, except such department, office or agency has already disclosed to the public the content or nature of its proposed action, or where the department, office, or agency is required by law to make such disclosure on its own initiative prior to taking final official action on such proposal;
7. Records of proceedings or information for 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;
 - b. Matters involved in an Investor-State mediation;
 - c. Information an statements made at conciliation proceedings under the Labor Code;
 - d. Arbitration proceedings before the Constitution Industry Arbitration Commission (CIAC);

- e. Results of examinations made by the Securities and Exchange Commission (SEC) on the operations, books and records of any corporation, and all interrogatories, propounded by it and the answers thereto;
 - f. Information related to investigations which are deemed confidential under the Securities Regulations Code;
 - g. All proceedings prior to the issuance of a cease and desist order against pre-need companies by the Insurance Commission;
 - h. Information related to the assignment of the cases to the reviewing prosecutors or undersecretaries in cases involving violations of the Comprehensive Dangerous Drugs Act of 2002;
 - i. Investigation report and the supervision history of a probationer;
 - j. Those matters classified as confidential under the Anti-Terrorism Act of 2002 and its IRR;
 - k. Preliminary investigation proceedings before the committee on decorum and investigation of government agencies; and
 - l. Those information deemed confidential or privileged pursuant to pertinent rules and regulations issued by the Supreme Court, such as information on disbarment proceedings, DNA profiles and results, or those ordered by courts to be kept confidential:
8. Matters considered confidential under banking and finance laws, and their amendatory laws, such as:
- a. RA 1405 (Law on Secrecy of Bank Deposit);
 - b. RA 6426 (Foreign Currency Deposit Act of the Philippines) and relevant regulations;
 - c. RA 8791 (The General Banking Law of 2000)
 - d. RA 9160 (Anti-Money Laundering Act of 2001)
 - e. RA 9510 (Credit Information System Act); and
 - f. RA 245, as amended by Presidential Decree No. 1878; and
9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations, such as:
- a. Those deemed confidential pursuant to treaties, executive agreements, other international agreements, or international proceedings, such as:
 - (1) When the disclosure would prejudice legitimate commercial interest or competitive position of investor-states pursuant to investment agreements;

- (2) Those deemed confidential or protected information pursuant to United Nations Commission on International Trade Law Rules on Transparency in Treaty-based Investor-State Arbitration Rules (UNCITRAL Transparency Rules); and
- (3) Refugee proceedings and documents under the 1951 Convention Relating to the Status of Refugees, as implemented by DOJ Circular No. 58, s. 2012.
- b. Testimony from a government official, unless pursuant to a court or legal order;
- c. When the purpose for the request of Statement of Assets, Liabilities and Net Worth is any of the following:
 - (1) Any purpose contrary to morals or public policy; or
 - (2) Any commercial purpose other by than news and communications media for dissemination to the general public;
- d. List, abstracts, summaries of information requested when such lists, abstracts, or summaries are not part of the duties of the government office requested;
- e. Those information and proceedings deemed confidential under rules and regulations issued by relevant government agencies or as decided by the courts;
- f. Requested information pertains to comments and disclosures on pending cases in judicial proceedings; and
- g. Attorney-client privilege existing between government lawyers and their client.

IX. IDENTICAL OR SUBSTANTIALLY SIMILAR REQUESTS

The PiWaD shall not be required to act upon an unreasonable subsequent identical or substantially similar request from the same RP whose request has already been previously granted or denied by PiWaD.

X. VEXATIOUS REQUESTS

According to FOI – MC No.5, s. 2020 dated December 15, 2020 with the subject “Guidelines on Vexatious Freedom of Information Requests and Abuse of Rights Thereunder”, a request is considered vexatious if it is frivolous, malicious, made in bad faith, intends to harass, vilify or embarrass, or if it possess an actual or imminent danger to the office, its officials or employees.

The PiWaD shall consider all relevant circumstances in determining whether or not a request is vexatious. The following may be taken into consideration in evaluating requests:

1. Language of the request;
2. Burden on the concerned government agency;
3. Purpose, motive or intention for making the request;
4. Value of the requested information; or
5. History and context of the request.

A request is presumed to be vexatious if it involves:

1. Frequent or overlapping request;
2. Personal grudges;
3. Unfounded accusations;
4. Unreasonably complex request;
5. Reprocessed data; and
6. All other requests that are meant to harass, embarrass or put into actual or imminent danger the life or property of PiWaD, its officials and employees.

The PiWaD is not precluded from seeking clarification from the RPs. In case of doubt as to the nature of the request, the PiWaD may grant the RP the opportunity to clarify and/or

modify the request, the PiWaD shall not immediately deny the same, but shall instead extend advice or assistance so that a valid request may be filed.

Despite clarification and extension of reasonable assistance, to the RP the request still falls under Section 4 of FOI – MC No. 5, s. 2020, the proper authority may deny the request clearly stating forth the ground/s for denial and the circumstance/s on which the denial is based.

Denial of request on the ground that request is vexatious may be appealed in accordance with the appeals process.

XI. PROACTIVE DISCLOSURE

The PiWaD shall maintain a transparency seal at the official PiWaD website where proactive disclosure of the following information shall be maintained: (i) the agency's mandates and functions, name of its officials with their position and designation, and contact information, (ii) annual reports; (iii) approved budgets and corresponding targets; (iv) major programs and projects; (v) the program/projects beneficiaries; (vi) status of implementation and program/project evaluation and/or assessment reports; and (vii) annual procurement plan, contracts awarded and the name of the contractors/suppliers/consultants.

XII. REMEDIES IN CASE OF DENIAL

A person whose request for access to information has been denied may file an appeal to the PiWaD Central Appeals and Review Committee (CARC).

The RP may also file its appeal to the Local Water Utilities Administration, Katipunan Road, Balara, Quezon City. In case the decision of the department is unfavorable, the RP may file its appeal to the Office of the President.

XIII. PROCEDURE FOR FILING AN APPEAL

1. The RP shall file a written appeal to the PiWaD CARC within fifteen (15) working days upon receipt of the notice of denial or lapse of the period within which the FRO or FDM should have notified the RP of the denial of the request. It shall be addressed to:

DIR. ANICIA A. MARTINEZ

PiWaD Central Appeals and Review Committee

Pililla Water District

National Road, Brgy. Bagumbayan, Pililla, Rizal

2. The PiWaD CARC shall receive, review, analyze, and evaluate the appeal on the grant or denial of request for information as well as determine if the appeal was filed within the period provided under EO No. 2, s. 2016.
3. The PiWaD CARC shall recommend actions on the said appeal.
4. The PiWaD CARC shall ensure that the appeal shall be decided within thirty (30) working days from the filing of the said written appeal. Failure to decide within the afore-stated period shall be deemed a denial of the appeal.
5. The PiWaD CARC shall ensure implementation of the decision of the appeal.

Upon exhaustion of administrative appeals remedies, the RP may file the appropriate case in the proper courts in accordance with the Rules of Court.

XIV. REQUEST TRACKING SYSTEM

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

XV. SCHEDULE OF FEES

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

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

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

XVI. ADMINISTRATIVE LIABILITY

Non-Compliance with FOI. Failure to comply with the provisions of 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.

PILILLA WATER DISTRICT FOI OFFICERS

Designation	Name	Contact Number/ Email Address
FOI Champion/General Manager	Engr. Royce A. Dela Cruz	0917-3126514/ delacruzroyce06@gmail.com
FOI Decision Maker	Bernardo C. Tibay	8654-0817/8654-4089/ tibaybernardo@gmail.com
Officer-In-Charge, Engineering and Operations Division	Adrian Flor G. Quitilig	8654-0817/8654-4089/ pw_district1991@yahoo.com.ph
FOI Receiving Officer	Monina F. Vidanes	8654-4089 pw_district1991@yahoo.com.ph
FOI Central Appeals and Review Committee	Esperanza A. Santiago	8654-0817/8654-4089/ pw_district1991@yahoo.com.ph
FOI Central Appeals and Review Committee	Engr. Michelle N. Capistrano	8654-0817/8654-4089/ mitchcapistrano2021@gmail.com
FOI Central Appeals and Review Committee	Geraldine Mae G. Faustino	8654-0817/8654-4089/ pw_district1991@yahoo.com.ph

ANNEXES

A. EO No. 2, s. 2016

B. Process Flow

Standard or emailed Request for Information

Through eFOI Portal RequeST for Information

No Wrong Door Policy

Filing An Appeal

C. FOI Forms

FOI Request Form

FOI Response – Completion of Forms/Additional Details

FOI Response – Extension of Period

FOI Response – Clarification

FOI Response – Approval

FOI Response – Denial Contrary to Law, Rules and Regulations

FOI Response – Denial Falls Under List of Exceptions

FOI Response – Similar to Previous Request

FOI Response – Vexatious Request

FOI Response – Available Online

FOI Request – Not in Custody (Information not maintained/Information not with
Agency covered with EO 2)

FOI Request – Not in Custody/Referral (Information with Other Agency)

D. One-Page FOI Manual

E. FOI Feedback Form

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 OF 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 recordings, magnetic or other tapes, electronic data, computer-stored data, or 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, and instrumentalities, including government-owned or -controlled corporations, and state universities and colleges. Local government units (LGUs) are enjoined 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 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 laws 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 as provided in Section 4 hereof.

The determination of the applicability of any of the exceptions to the request shall be the responsibility of the Head of the Office which has custody or control of the information, public record or official record, or of 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 an individual's right to privacy 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 laws, 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; and
- (c) Any employee or official 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 regulations.

SECTION 8. People's Freedom of 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 information:

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

SECTION 9. Procedure. The following procedure shall govern the filing and processing of requests 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 of exceptions as hereinabove provided.
- (b) The public official receiving the request shall provide reasonable assistance, free of charge, to enable all requesting parties, 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 or 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 the 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 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 events or other analogous cases. The government office shall

notify the person making the request of such extension, setting forth the reasons for the extension. In no case shall the extension go beyond twenty (20) working days counted from the end of the original period, 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 requested, 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 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 wholly or partially, it shall, as soon as practicable and within fifteen (15) working days from the receipt of the request, 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 access to information.

SECTION 13. Remedies in Case of Denial of Request for Access to Information. A person whose request for access to information has been denied may avail himself of the remedies set forth below:

- (a) Denial of any request for access to information may be appealed to the person or office next higher in authority, following the procedure mentioned in Section 8 (f) 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 shall be decided by the person or office next higher in authority within thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the afore-stated period shall be deemed a denial of the appeal.
- (c) Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate judicial action 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 and effect.

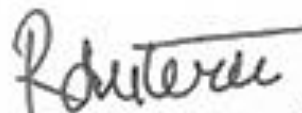
SECTION 18. Repealing Clause. All orders, rules and regulations, issuances or any part thereof inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly: *Provided*, that the provisions of Memorandum Circular No. 78 (s. 1964), as amended, shall not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

By the President:


SALVADOR C. MEDIALDEA
Executive Secretary

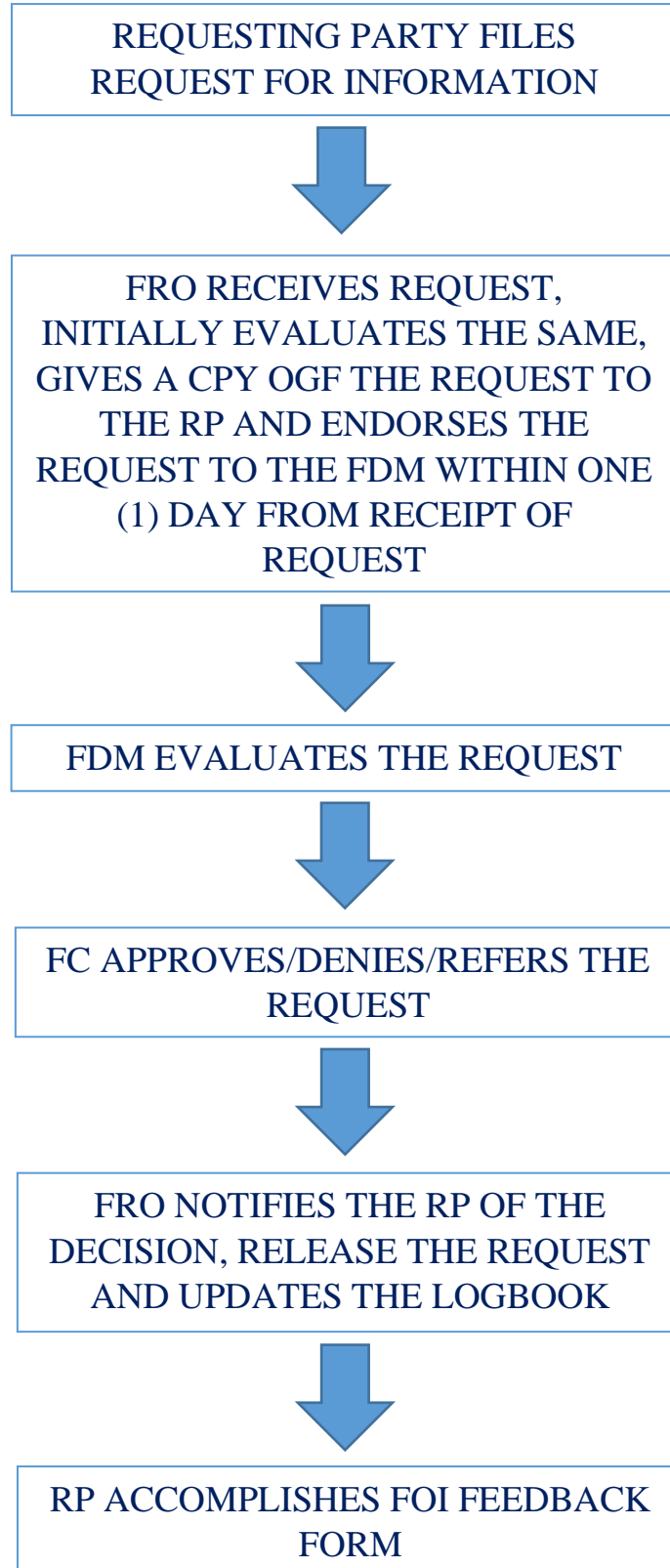




CERTIFIED COPY:

MARIANITO M. DIMAANDAL
DIRECTOR IV
MALACANANG RECORDS OFFICE
6

**ANNEX B
PROCESS FLOW**

STANDARD OR EMAILED REQUEST FOR INFORMATION



**ANNEX C
PROCESS FLOW**

THROUGH eFOI PORTAL REQUEST FOR INFORMATION

RP ACCESS THE eFOI PORTAL, CREATES AN ACCOUNT,
ATTACHES A VALID ID AND SUBMITS REQUEST



FRO RECEIVES REQUEST, INITIALLY EVALUATES THE
SAME, GIVES A CPY OGF THE REQUEST TO THE RP AND
ENDORSES THE REQUEST TO THE FDM WITHIN ONE (1)
DAY FROM RECEIPT OF REQUEST



FDM EVALUATES THE REQUEST AND UPDATES OF eFOI



FC APPROVES/DENIES/REFERS THE REQUEST



FDM UPDATES THE PROGRESS AT THE eFOI PORTAL AND
NOTIFIES THE FRO. FRO UPDATES THE LOGBOOK



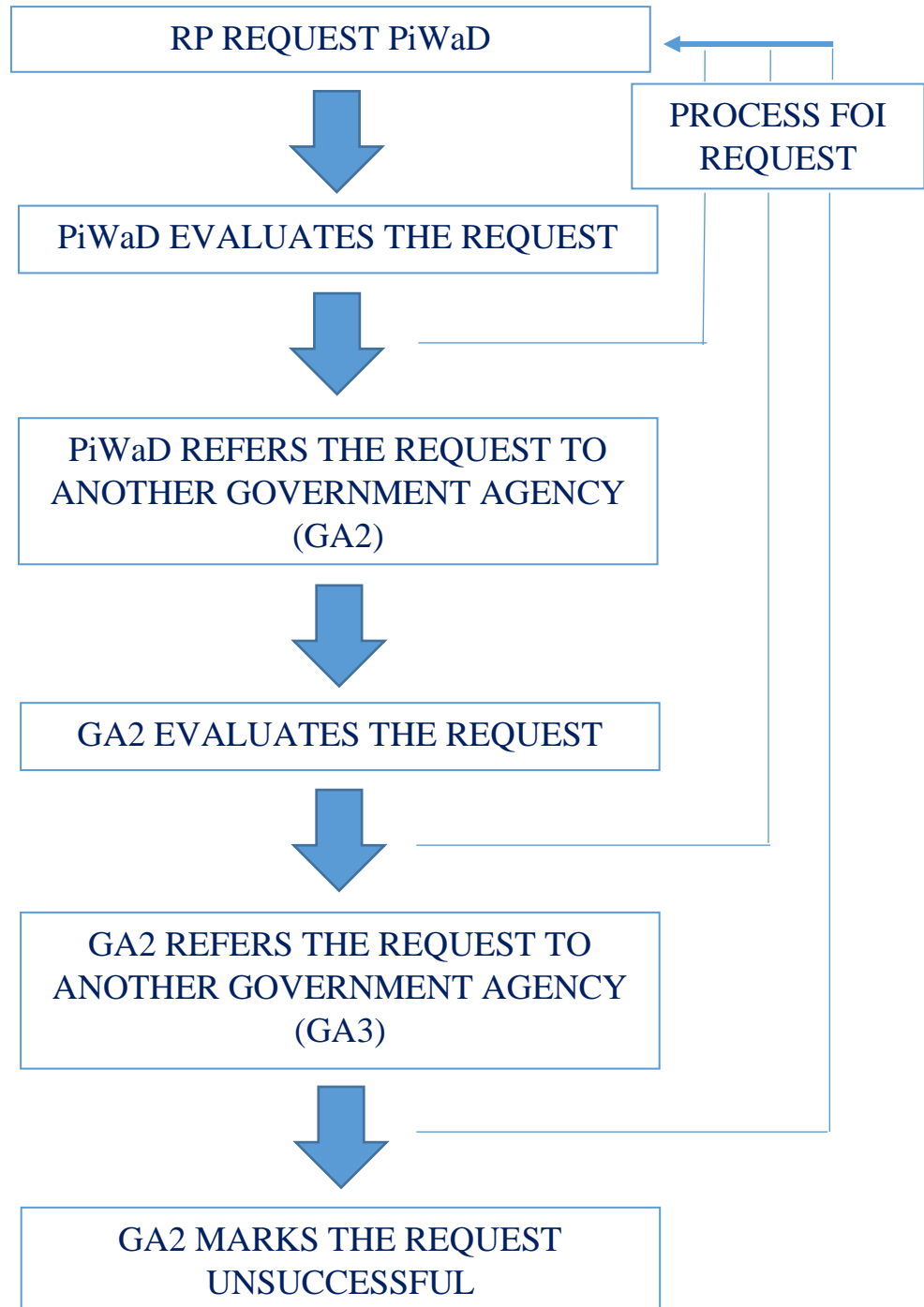
FRO NOTIFIES THE RP OF THE DECISION
AND/OR RELEASE THE REQUEST



RP ACCOMPLISHES FOI FEEDBACK
FORM

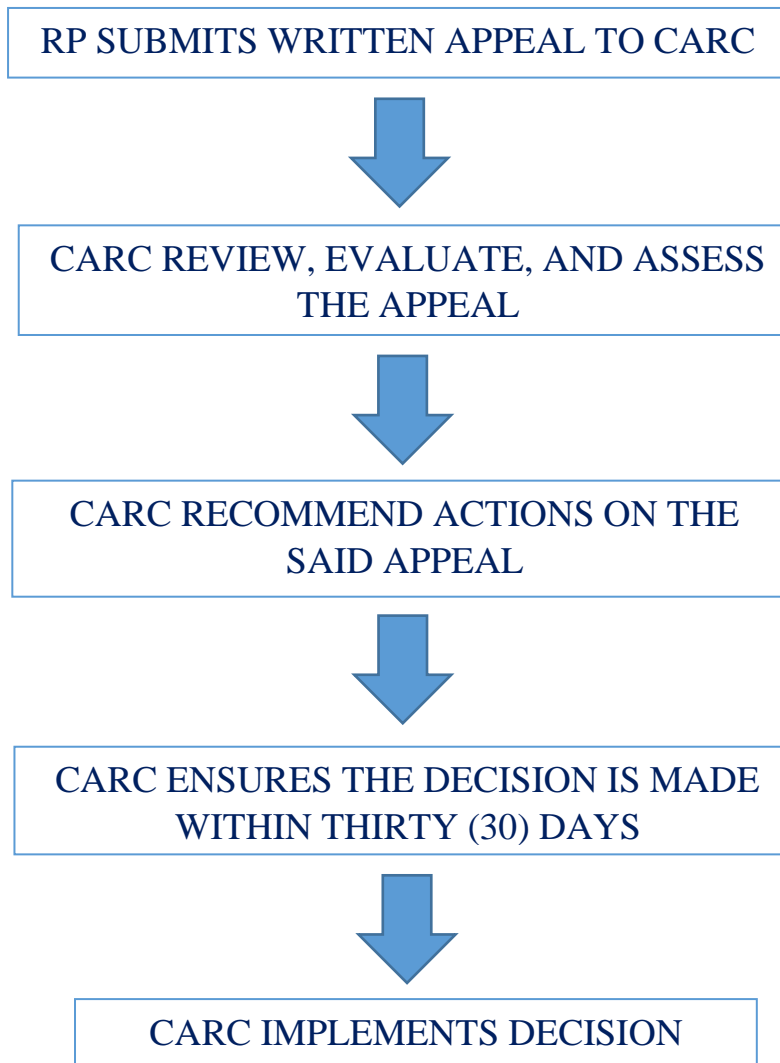
**ANNEX D
PROCESS FLOW**

NO WRONG DOOR POLICY



**ANNEX E
PROCESS FLOW**

FILING AN APPEAL



ANNEX F



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____
Name: _____ Contact No/s.: _____
Office/Address: _____ Proof of Identity: _____
Title of the Document/s Requested: _____

Purpose: _____
How would you like to receive the information? (Pick-up, Mail or E-mail) _____

(Signature over Printed Name) (Date)

RECEIPT

Date/Time Submitted/Received: _____ Tracking Number: _____

Received by:

MONINA F. VIDANES
(Signature over Printed Name) (Date/Time)

EVALUATION/RECOMMENDATION/ACTION

Remark/s and Recommendation/s of FDM: _____

Evaluated/Recommended by:

BERNARDO C. TIBAY
(Signature over Printed Name) (Date/Time)

Action Taken by FOI Champion:

- Approved
- Referred to Other Agency: _____
- For Clarification: _____ For Extension: _____
- Denied: _____

ENGR. ROYCE A. DELA CRUZ
General Manager /FOI Champion (Date/Time)

ANNEX G
FOI RESPONSE TEMPLATE – COMPLETION OF FORM /
ADDITIONAL DETAILS



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

After processing your request, we found that you have failed to provide the following necessary details: _____. For the processing of your request, please provide us the necessary missing details.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ
General Manager

ANNEX H
FOI RESPONSE TEMPLATE – EXTENSION OF PERIOD



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

Since your request requires extensive search of the records and facilities of the Pililla Water District or because of _____ which is beyond our control, we are asking for an extension of fifteen (15) days in order to fully process your request.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ
General Manager

ANNEX I
FOI RESPONSE TEMPLATE – CLARIFICATION



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

In order to fully process your request, may we ask for the following clarificatory details:

_____.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ

General Manager

ANNEX J
FOI RESPONSE TEMPLATE – APPROVAL



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

Your FOI request is APPROVED. The Pililla Water District will forward the copy or copies of all requested information in accordance to the information you have stated in the FOI request form.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ
General Manager

ANNEX K
FOI RESPONSE TEMPLATE – DENIAL



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

Your FOI request is DENIED because it is contrary to _____. If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter to the PiWaD Central Appeals and Review Committee, Pililla Water District, National Road, Brgy. Bagumbayan, Pililla, Rizal.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ

General Manager

ANNEX L
FOI RESPONSE TEMPLATE – DENIAL (falls under list of exceptions)



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

Your FOI request is DENIED because it falls under the list of exceptions, specifically _____ . If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter to the PiWaD Central Appeals and Review Committee, Pililla Water District, National Road, Brgy. Bagumbayan, Pililla, Rizal.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ

General Manager

ANNEX M
FOI RESPONSE TEMPLATE – SIMILAR TO PREVIOUS REQUEST



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

Since your requested information is substantially similar or identical to your previous request dated _____, the Pililla Water District shall not act upon your request. Please refer to your previous request.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ
General Manager

ANNEX N
FOI RESPONSE TEMPLATE – VEXATIOUS REQUEST



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

Since your requested information is presumed to be vexatious due to _____, the Pililla Water District shall _____ . Please be guided accordingly.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ
General Manager

ANNEX O
FOI RESPONSE TEMPLATE – AVAILABLE ONLINE



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

We would like to inform your requested information can be FOUND ONLINE at the website/FB Page of the Pililla Water District. Your requested information can be found at the following link/s: (www.prwd.gov.ph)/ FB Page: Local Water District of Pililla.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ
General Manager

ANNEX P
FOI RESPONSE TEMPLATE – NOT IN CUSTODY (Information not maintained/Information not with agency covered by EO No. 2)



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

We would like to inform you that Pililla Water District is NOT IN POSSESSION of the information you have requested.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ
General Manager

ANNEX Q
FOI RESPONSE TEMPLATE – NOT IN CUSTODY/REFERRAL (Information with other agency)



Republic of the Philippines
PILILLA WATER DISTRICT

National Road, Brgy. Bagumbayan, Pililla, Rizal
Tel No. 8654-0817 / 8654-4089
Website: www.prwd.gov.ph

Date: _____

Dear Mr./Ms. _____,

Greetings!

Thank you for your request dated _____ under Executive Order No. 2, s. 2016, of Freedom of Information on Executive Branch.

Information Requested:

You asked for _____.

Response to your request:

We would like to inform you that Pililla Water District is NOT IN POSSESSION of the information you have requested. We have referred your request to _____ dated _____.

Thank you.

Respectfully yours,

ENGR. ROYCE A. DELA CRUZ
General Manager

ANNEX R

ONE-PAGE FOI MANUAL

Freedom of Information Program

Agency: PILILLA WATER DISTRICT

Receiving Officer: Monina F. Vidanes
Designation: Executive Secretary
Office: Office of the General Manager

Receiving Office: National Rd., Brgy. Bagumbayan, Pililla, Rizal

Contact Nos.: 8654-4089/8654-0817/09959870971
Email: pw_district1991@yahoo.com.ph

Step 1

Go to www.foi.gov.ph to your browser's home address.



Step 2

Click the Sign Up button and provide all the required fields. Attach a valid ID to create an account.



Step 3

Once logged-in, you will be directed to your Dashboard. The Dashboard contains all the FOI requests of the account owner.



Step 4

Click the Make a Request button then select the name of the agency you wish to ask.



Step 5

You will now be directed to the Make a Request Page. Accomplish all fields then click Send My Request.



Step 6

The agency will evaluate your request and will notify you within 15 working days.



Step 7

The agency will prepare the information for release based on your desired format. It will be sent to you depending on the receipt of preference.



Mode of request

STANDARD



Submit request form with necessary personal documents

or

eFOI



Lodge a request through the eFOI Portal (foi.gov.ph)

FOI Appeals

If you are not satisfied with the response to your FOI request, you may ask us to carry out an internal review of the response by writing to tandag_water_district@yahoo.com.ph. Your review request should explain why you are dissatisfied with the response, and should be made within 15 calendar days from the date when you received this letter. We will complete the review and tell you the result within 30 calendar days from the date when we receive your appeal.



PILILLA WATER DISTRICT



FREEDOM OF INFORMATION PHILIPPINES

Be informed. Be engaged. Know your government better.

ANNEX S

FOI FEEDBACK FORM

We would like to hear your thoughts or feedback on how we can improve your experience!

This Feedback Form is in compliance with Section 6.6.1 of Anti-Red Tape Authority (ARTA) Memorandum Circular No. 2019-002, series of 2019 entitled Guidelines on the Implementation of the Citizen’s Charter in Compliance with Republic Act 11032 otherwise known as the “Ease of Doing Business and Efficient Government Service Delivery Act of 2018,” and its Implementing Rules and Regulations (IRR) which mandates all government agencies to establish their own feedback and complaints mechanism to ensure that the citizens availing their services are heard and to enable the agency to continuously improve their services.

Privacy Notice

Accomplishing this Feedback Form signifies authorizing the government agency to collect the information provided in this form. All personal information provided using this form shall be treated with utmost confidentiality. The data collected will be aggregated for analysis to help us continually improve our services. Disclosure of the personal information of the customers shall only be disclosed pursuant to applicable laws, guidelines, and regulations.

Directions:

Please answer the questions below to provide your feedback for the service provided by the agency. Mark your rating in the spaces provided.

Date Requested (Araw na Ginawa ang Request): _____

FOI Tracking Number: _____

Organization/Affiliation (Organisasyon/Pagkakaugnay): _____

Region (Rehiyon): _____

Name of the Organization/Affiliation (Pangalan ng Organisasyon/Pagkakaugnay):

Gender (Kasarian): _____ Age (Edad): _____

Educational Attainment (Natapos na Pag-aaral): _____

RESPONSIVENESS:

Question #1: Are you satisfied with the handling of your FOI request?

Strongly Disagree 1 2 3 4 5 Strongly Agree

Question #2: Did you receive your information within 15-35 working days?

- Yes, proceed to Question 2A.
- No, proceed to Question 2B.

Question #2A: For successful request, was the response you received easy to understand?

Strongly Disagree 1 2 3 4 5 Strongly Agree

Question 2B: For unsuccessful request, are you satisfied with the reason provided?

Strongly Disagree 1 2 3 4 5 Strongly Agree

Question #4: Is there anything we could do to improve our service in the future?
