

**REPUBLIC OF THE PHILIPPINES  
PROVINCE OF TARLAC  
MUNICIPALITY OF PANIQUI**



**FREEDOM OF INFORMATION  
PEOPLE'S MANUAL**



## **EXECUTIVE ORDER NO. 10, s. 2020**

### **CREATION OF THE MUNICIPAL CENTRAL APPEALS AND REVIEW COMMITTEE ON FREEDOM OF INFORMATION (FOI)**

**WHEREAS**, pursuant to Article 28, Article II of the 1987 Constitution, the state adopts and implements a policy of full 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 the matters of public concern;

**WHEREAS**, the Data Privacy Act of 2012 (RA 10173) including its implementing Rules and Regulation, strengthens the fundamental human rights of privacy and communication while ensuring the free flow of information to promote innovation and growth;

**WHEREAS**, Executive Order No. 2 Series of 2016, operationalizing in the Executive Branch the People's Constitutional Rights to Information and the State of Policies to full Public Disclosure and Transparency in the Public service and providing guidelines therefor was issued last July 23, 2016 by President Rodrigo S. Duterte to have Constitutional Rights to Information as a true mark of democracy of the Filipino people;

**NOW, THEREFORE**, I, **LEONARDO M. ROXAS**, Municipal Mayor, by virtue of the power vested upon me by law, do hereby order the organization of the Municipal Central Appeals and Review Committee who shall review and analyze the grant or denial of such request to be composed of the following:

<b>Chairperson</b>	:	<b>LEONARDO M. ROXAS</b> Municipal Mayor
<b>Co-Chairperson</b>	:	<b>AIDA D. ROXAS II</b> Municipal Vice-Mayor
<b>Members</b>	:	<b>ENGR. ANIEL BON C. SANTILLAN</b> Municipal Administrator
		<b>ZOILO C. BRIONES</b> Municipal HRMO
		<b>BETTY A. SAGABAEN</b> Municipal Budget Officer
		<b>ENGR. VLADIMIR L. SANTILLAN, EnP.</b> MPDC
		<b>ALELYN I. PARAGAS, CPA</b> Municipal Treasurer
		<b>ARVIN KENNEX V. SAN DIEGO, CPA</b> Municipal Accountant





Republic of the Philippines  
**MUNICIPALITY OF PANIQUI**  
Province of Tarlac



**OFFICE OF THE MUNICIPAL MAYOR**

**ENGR. MAYBELYN C. ARANZASO**  
Municipal Engineer

**GEORGE M. PAYUMO**  
Municipal Agriculturist

**LOLITA B. MOLINA, REA**  
Municipal Assessor

**EUGENE B. GALANGA, RSW**  
MSWD Officer

**RAYMOND P. TAÑEDO**  
Municipal Health Officer

**JOLAB O. DAGURO**  
Chief of Hospital, Paniqui General Hospital


**ESTRELITA M. SANCHEZ**  
Municipal Civil Registrar

**OMAR JAMES N. GABRIEL**  
LGOO VI, DILG

The Committee shall formulate a People's Manual to serve as guide in complying with the requirements, procedures and rules of the general public when requesting for access to information. There shall be a Freedom of Information (FOI) Receiving Officer and FOI Decision Maker Designated by the Local Chief Executive (LCE) among the members of the committee whose function are stated in the Municipality's manual.

This Executive Order shall take effect immediately.

Done in the Municipality of Paniqui, Tarlac this **25<sup>th</sup>** day of **September, 2020**.

  
**LEONARDO M. ROXAS**  
Municipal Mayor



Republic of the Philippines  
Province of Tarlac  
**MUNICIPALITY OF PANIQUI**

**OFFICE OF THE MUNICIPAL MAYOR**

**EXECUTIVE ORDER NO. 21, s.2022**

**AN ORDER TO OPERATIONALIZE FREEDOM OF INFORMATION IN THE  
MUNICIPAL GOVERNMENT OF PANIQUI.**

**WHEREAS**, Section 28, Article II of the 1987 Philippine Constitution declares that *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 1987 Philippine Constitution guarantees the right of the people to information on matters of public concern;

**WHEREAS**, on 23 July 2016, President Rodrigo R. Duterte issued Executive Order No. 02 entitled *"Operationalizing in the Executive Branch the People's Right to Information and the State Policies to Full Public Disclosure and Transparency in Public Service and Providing Guidelines Therefor";*

**WHEREAS**, the afore-stated Executive Order recognizes the urgent need to operationalize constitutional right of the people to information on public concern;

**WHEREAS**, the Presidential Communications Operation Office and Department of the Interior of Local Government issued Joint Memorandum Circular No. 2018-01, dated 09 October 2018 entitled *"Reiteration of Executive Order No. 2, s.2016 – Operationalizing the People's Right to Information and the State Policies of Full Public Disclosure and Transparency in the public Service";*

**WHEREAS**, the said Joint Memorandum Circular No. 2018-01 states the Local Government Units (LGUs) are highly encouraged to operationalize, at the local level, the people's right to information and state policies of full public disclosure and transparency in public service by enacting an ordinance, or issuing an executive order from the office of the governor or mayor, supporting the Freedom of Information (FOI); and

**WHEREAS**, the Municipal Government of Paniqui, Tarlac believes that the Freedom of Information, as a constitutional right of the people should be respected and uphold.

**NOW, THEREFORE, I, LEONARDO M. ROXAS, Municipal Mayor, Paniqui, Tarlac**, by virtue of the powers vested in me, do hereby order to operationalize Freedom of Information in the Municipal Government of Paniqui, Tarlac.

**SECTION 1. Definition of Terms.**

For the purpose of this 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 stores data, any other like similar data or materials recorded, stored or archived in



control and custody of any government office under the Municipal Government of Paniqui, Tarlac pursuant to law, ordinance, executive order, and rules and regulations or in connection with the performance or transaction of official business by the Municipal Government of Paniqui, Tarlac.

- b) **"Official record"** shall refer to information produced or received by a public officer or employee, or by government office in an official capacity or pursuant to a public function or duty.
- c) **"Public record"** 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 offices of the Municipal Government of Paniqui, Tarlac.

## **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, in the custody of the Municipal Government of Paniqui, Tarlac.

## **SECTION 4. Exceptions.**

Access to information shall be denied when the information falls under any of the exceptions enshrined in the Constitution, existing law, or jurisprudence, such as those listed in the Memorandum from the Executive Secretary, Office of the President dated 24 November 2016. Among others:

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

## **SECTION 5. Availability of Statement of Assets, Liabilities and Net worth (SALN).**

Subject to the provisions contained in Section 3 and 4 of this Order, officials and employees of the Municipal Government of Paniqui, Tarlac 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.

## **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 of FOI exceptions. The Municipal Government of Paniqui, Tarlac



shall adopt the “disclose to one, disclose to all” policy for the information requested through this Order and shall exercise proactive disclosure of information not subject to the exceptions.

The determination of the applicability of any of the exceptions to the request of any citizen shall be the responsibility of the head of every office, who is in custody or control of the information, public record or official record.

In making such determination, the head of office or his/her 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.**

Responsible officials and employees of the Municipal Government of Paniqui, Tarlac who are providing access to information, public records and official records shall consider the right to privacy of any individual pursuant to Republic Act No. 10172 otherwise known as the “Data Privacy Act of 2012”, which are as follows:

- a) Each office 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 existing laws, rules or regulations and this Ordinance;
- b) Each 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 abuse, harassment or any other wrongful acts.
- c) Any employee or official of the Municipal Government of Paniqui, Tarlac who has access, authorized or unauthorized, to personal information in the custody of their office, must not disclose that information except when authorized under this ordinance or pursuant to existing laws, rules or regulation.

#### **SECTION 8. FOI Focal Person and FOI Receiving Officers.**

- a) The head of the Public Information Office is designated to be the FOI Focal Person. He/she is tasked to oversee the implementation of this FOI Order. The focal person shall also develop the standard forms for the submission of requests and for the proper acknowledgement of such requests.
- b) The FOI Focal Person shall monitor the status of all requests for access to information filed in the Municipal Government of Paniqui, Tarlac. Thus, the FOI Focal Person shall establish a system to trace the status of all requests for information in the Municipal Government of Paniqui, Tarlac.
- c) Every Office under the Municipal Government of Paniqui, Tarlac shall also designate an FOI Receiving Officer who will accommodate requests for access to information filed through their office.



## **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 may consult the FOI Focal Person to identify the concerned office that keeps the information being requested. However, the requestor may also go directly to the concerned office which he/she thinks has the information being requested.
- b) The requestor shall submit a written request to the FOI Receiving Officer of the concerned office using the standard form. The requestor shall state his/her name and contact information, provide valid proof of identification or authorization, reasonably describe the information requested, and the reason for, or purpose of the request. Provided, that no request shall be denied or refused acceptance, unless the reason for the request is contract to law, existing rules and regulations or it is one of the exceptions contained in the inventory of the FOI exceptions as hereinabove provided.
- c) The FOI Receiving Officer receiving the request shall provide reasonable assistance to enable all requesting parties and particularly those with special needs, to comply with the request requirements under this Section.
- d) The Request shall be stamped by the concerned office, indicating the date and time of receipt and the full name of the FOI Receiving Officer with the corresponding signature, and a copy thereof furnished to the requesting party. Each office shall establish a system to trace the status of all requests for information received by it.
- e) The concerned office shall respond to a request fully compliant with requirements of subsection (b) hereof as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof. The response mentioned herein refers to the decision of the concerned office to grant or deny access to the information requested.
- f) The period to respond may be extended whenever the information requested requires extensive search of the office's records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. The concerned office shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.
- g) 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.**

No fee shall be charged for accepting requests for access to information. Likewise, there shall be no charge for obtaining information in digital format (i.e. PDF, JPEG, etc.). However, fees can be imposed for printing, photocopying, and certification services rendered by any office of the Municipal Government of Paniqui, Tarlac.

The fee shall be paid to the Municipal Treasurer's Office at the time of the request. The Official Receipt number, the amount of the total fees, and the date of payment shall be indicated at the button of the document/s requested.

**SECTION 11. Remedies in Cases of Denial of Request for Access to Information.**

Denial of any request for access to information may be appealed to the Local Chief Executive. 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.

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

Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate case in the proper courts.

**SECTION 12. Keeping of Records.**

Every office in the Municipal Government of Paniqui, Tarlac 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 13. Separability Clause.**

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

**SECTION 14. Repealing Clause**

Any/all issuances inconsistent with the foregoing are hereby repealed and/or modified accordingly.

**SECTION 15. Effectivity.**

This Executive Order shall take effect immediately.

Done this day of 28<sup>th</sup> October 2022, Paniqui, Tarlac.

  
**HON. LEONARDO M. ROXAS**  
Municipal Mayor





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## Section 1. OVERVIEW

Purpose: The purpose of this FOI People's Manual is to provide the process to guide and assist the general public in making request for information under Executive Order NO. 2 (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 Therefore) dated July 23, 2016 (Annex "A")

- 1. Structure of the Manual:** This manual shall set out the rules and procedures which will guide the general public when making requests for access for information. The LCE is responsible for all actions carried out under this Manual or may delegate a specific officer to act as the FOI Decision Maker (FDM) and shall have overall responsibility for the initial decision on information requests, (i.e. to decide whether to release all the records, partially release the records or deny access)
- 2. Coverage of the Manual:** The Manual shall cover all request for information directed to the Municipality of Paniqui.
- 3. FOI Receiving Officer:** There shall be an FOI Receiving Officer (FRO) to be designated by the LCE. The names, offices and contact numbers of the FROs of the Municipality of Paniqui are indicated on the attached list. (Annex B)

The duties and functions of the FROs are the following:

- Receive on behalf of the Municipality of Paniqui all request for information and transmits the same to the FDM
  - Monitor all information request and appeals
  - Provide assistance to the FOI Decision Maker
  - Provide assistance and support to the public and staff with regard to FOI
  - Compile statistical information as required
  - Conduct initial evaluation of the request and advise the requesting party whether the form is completely accomplished or the information is already disclosed in the Municipality's official website ( <https://www.paniquitarlac.gov.ph/> ).
- Maintain a record book or disclosure log of all information requests.

#### 4. FOI Decision Maker

There shall be an FDM, designated by the LCE who shall conduct evaluation of all requests for information and has the authority to grant the request, or deny it based on the following:

- The municipality does not have the information requested;
- The information requested contains sensitive personal information protected by the Data Privacy Act of 2012
- The information requested falls under the list of exceptions of FOI:
- The information request is unreasonable;
- The information request is identical or substantially similar from the same requesting party which has already been previously granted or denied by the LGU.

**5. Approval and Denial of Request of Information:** The FDM shall approve or deny all the request of information. In case the FDM is on Official Leave, the OIC shall take charge.

**6. LGU Central Appeals and Review Committee:** There shall be a Central Appeals and Review Committee that will review and analyze the grant or denial of request for information. The committee shall also provide expert advice on the grant or denial of such request.





## SECTION 2: DEFINITION OF TERMS

**Data.gov.ph.** The open website that serves as the government's comprehensive portal of all public government data that is searchable, understandable, and accessible.

**eFOI.gov.ph.** The website that serves as the Government's comprehensive FOI website for all information on the FOI. Among many others features, eFOI.gov.ph provides central resource for the public to understand the FOI, to locate records that are already available on line, and to learn how to make a request for information that is not yet publicly available. eFOI.gov.ph also promotes agency accountability for the administration of the FOI by graphically displaying the detailed statistics contained in Annual FOI reports, so that they can be compared by agency and over time.

**Information.** Shall mean any records, documents, papers, reports, letters, contracts, minutes and transcript of official meetings, maps, books photographs, data research materials, films, sounds and video recording, magnetic or 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, program, activities, rules or revisions affecting the public government agencies and the community and economy. It also includes information encouraging familiarity with the general operation, thrust, and programs of the government. In line with the concept of proactive disclosure and open data, these types of information can already be posted to government websites, such as data.gov.ph. without need for written request from the public.

**Official 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.

**Open Data.** Refers to publicly available data structured in a way that enables the data to be fully discoverable and usable and end-users.

**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 a dealing, contract, or a transaction of 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 and certainly identify an individual.

**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 or political affiliations.
2. About an individual health, education and, genetic or sexual life of a person, or to any proceedings for any offense committed or alleged to have committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;
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.



### SECTION 3. PROTECTION OF PRIVACY

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

- a. The Municipality of Paniqui shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws;
- b. The Municipality of Paniqui shall protect personal information in its custody or under its control by making reasonable security arrangement against unauthorized access, leaks or premature disclosure;
- c. The FRO, FDM or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of the LGU, shall not disclose that information except authorized by existing laws.

### SECTION 4. STANDARD PROCEDURE

(See Annex "D" for flowchart)

#### 1. Receipt of Request for Information

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

- The request must be in writing.
- The request shall state the name and contact information of the requesting party as well as provide valid proof of identification or authorization and
- The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information (see Annex "E")

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

**1.2** Where the requesting party is unable to read and write or whose impediment or physical defect incapacitates him to make a request in writing, he may make an oral request, and the FRO shall fill out the form for him.

**1.3** After receipt of the request for information, the FRO shall evaluate if the request form is duly accomplished. Then the request shall be stamped "RECEIVED" indicating the date and time of receipt of the written request, and the name, rank, title and position of the FRO who actually received it with his signature and furnishing the requesting party a copy thereof. In case of email requests, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by electronic mail. The FRO shall encode the details of the request on the Request Tracking system all allocate a reference no. The date of receipt of the request will be the actual receipt of the request form. In case electronic request, it is deemed received from the date of acknowledgement by the FRO.

**1.4** The LGU must respond to request within fifteen (15) working days from the date of receipt of the request. In computing by the period, Art. 13 of the New Civil Code shall be observed.

**2. Initial Evaluation.** After receipt of the information request, the FRO shall evaluate the same.

**2.1 Request concerning different offices of the LGU:** The FRO shall forward such request to the Service concerned, and ensure its compliance.





- 2.2 Requested information is not in the custody and/or authority of the LGU to disclose:** If the requested information is not in the custody and or authority of the LGU, following referral and discussions with the FDM, the request shall be immediately referred to the concerned agency through the most expeditious manner.

If the records refer to an office not within the coverage of E.O.NO. 2, the requesting party shall be advised accordingly.

- 2.3 Requested information is already posted and available on line:** The FRO shall inform the requesting party that the information requested is publicly available in the LGU website, <https://www.paniquitarlac.gov.ph/> or in the eFOI portal.

- 2.4 Requested information is substantially similar or identical to the previous request:** Where the requested information be substantially similar or identical to a previous request by the same requestor, the request shall be denied, and FRO shall inform the applicant of the reason of such denial.

- 3. Transmittal of Request by the FRO to the Unit or Service Concerned:** The FRO shall determine which unit or service has the information requested. He shall then forward the request to the concerned unit or service within one day from receipt of the written request. The FRO shall record in a book the date and time of receipt, and the name and signature of the person who received the request form.

If the FRO needs further details to identify or locate the information, he shall seek clarification from the requesting party. The clarification shall stop the running of the 15 working day period and will commence to run again the day after it receives the required clarification from the requesting party.

Where the information requested is of another's agency's interest, the FRO shall forward the request to the said agency for appropriate action. This shall stop the running of the 15 working period and will commence to run again the day after it receives the required information from other agency.

- 4. Role of the FDM:** Upon receipt of the information request from the unit or service concerned, the FDM shall assess whether or not the same shall be granted. If there are no grounds for denial, the FDM shall forward the request to the FRO for transmittal to the requesting party. The FDM shall ensure that the complete information requested is submitted to the FRO within (10) working days from the former's receipt of such request.

If grounds for denial exist, the FDM shall inform the FRO in writing the grounds of such denial within the prescribed period.

In case the FDM fails to act on the request within the 10-working day period, the FRO shall note the date and time of receipt of the information from the FDM and report the same.

- 5. Role of the FRO to transmit the Information to the Requesting Party:** Upon receipt of the requested information from the FDM, the FRO shall transmit the requested information to the requesting party. He shall attach a cover/transmittal letter signed by the FDM.

The FRO shall keep a record of the date and time of receipt of the information from the FDM. The FRO shall likewise keep a record of the date and time of receipt by the requesting party from the FRO and the mode by which the information requested is transmitted.

- 6. Notice to the Requesting Party of Extension of Time:** When the information requested cannot be provided to the requesting party within the 15 working day period due to the following circumstances:

- Information requested requires extensive search of the LGU's record facilities
- Examination of voluminous records
- The occurrences of fortuitous events
- Other analogous cases; the FDM shall immediately inform the FRO.



The FRO shall inform the requesting party of the extension, setting forth the reasons for such extensions. In no case shall the extension exceed twenty (20) working days on top of the mandated fifteen (15) working days to act on the request, unless exceptional circumstances warrant a longer period.

7. **Approval of Request:** In case of approval, the FRO shall inform the requesting party that the request was granted and be directed to pay the applicable fees, if any.
8. **Denial of Request:** In case of the denial of the request wholly or partially, the FDM through 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.

## SECTION 5. REMEDIES IN CASE OF DENIAL

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

1. Administrative FOI Appeal to the LGU. Provided that the written appeal must be filed by the same requesting party within fifteen (15) working days from the notice of denial or from the lapse of the period to respond to the request.
  - a. Denial of the Request by the FDM may be appealed by filing a written appeal to the LGU's Committee within fifteen (15) working days from the notice of denial or from the lapse of the period to respond to the request. The Committee shall review and analyze the grant or denial of request for information and submit its recommendations to the LCE.
  - b. The appeal shall be decided by the LCE or the designated OIC within thirty (30) working days from the filing of said written appeal. Failure to decide within the prescribed period shall be deemed a denial of the appeal.
  - c. The denial of the Appeal by the LCE or the lapse of the period to respond to the request may be appealed further to the Office of the President under Administrative Order No. 22, s 2011.
2. Upon exhaustion of administrative FOI appeal remedies, the requesting party may file the appropriate judicial action in accordance with Rules of Court.

## SECTION 6. FEES

1. **No Request Fee.** The LGU shall not charge any fee for accepting requests for access to information.
2. **Reasonable cost of Reproduction and Copying of the Information.** The FRO shall immediately notify the requesting party in case there shall be a production and copying fee in order to provide the information. Such fee shall be the actual amount spent by the LGU in providing information to the requesting party. The schedule of fees shall be posted by the LGU.
3. **Exemption of Fees.** The LGU may exempt any requesting party from payment of fees, upon request stating the valid reason why such requesting party shall not pay the fee.





## SECTION 7. ADMINISTRATIVE LIABILITY

1. **Non-compliance with FOI.** Failure to comply with the provisions of this Manual shall be a ground for the following administrative penalties:
  - a. **1<sup>st</sup> Offense** - Reprimand
  - b. **2<sup>nd</sup> Offense** – Suspension of One to Thirty days and
  - c. **Third Offense** – Dismissal from the Service
2. **Procedure.** The Revised Rules on Administrative Cases in the Civil Service shall be applicable in the disposition of cases under this Manual.
3. Provisions for more stringent laws, rules and regulations. Nothing in this manual shall be construed to derogate from any law, any rules, or regulation prescribed by anybody r agency, which provided for more stringent penalties.

## SECTION 8. GLOSSARY

**ADMINISTRATIVE FOI APPEAL.** An independent review of the FDM’s decision made in response to an information request. Requesting parties who are dissatisfied with the response made on their request have a right to appeal the FDM’s decision to the Central Appeal and Review Committee (CARC), which will then conduct an independent review.

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

**EXCEPTIONS.** Information that should not be released and disclosed in response to 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 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.** The name, address and phone number of PSA where the public can make an information request.

**FOI REQUEST.** A written request submitted to a government office personally or by email asking for records on any topic. An information request can generally be made by any Filipino to any government office.

**FOI RECEIVING OFFICER.** The primary contact of the PSA where the requesting party can call and ask questions about the FOI process or the pending information request.

**FREQUENTLY REQUESTED INFORMATION.** Information released in response to an information request that the municipality determines to have become or are likely to become the subject of subsequent requests for substantially the same records.



**FULL DENIAL.** When the Municipality cannot release any records in response to an information request on grounds herein provided.

**FULL GRANT.** When the Municipality discloses all records requested.

**MULTI-TRACK PROCESSING.** A system that divides incoming information requests according to their complexity so that simpler request requiring relative minimal review are placed in one processing track and more complex requests are placed in one or more other tracks. Request granted expedited processing are placed in yet another track. Request in each track is processed on a first in/first out basis.

**PARTIAL GRANT / PARTIAL DENIAL.** When the Municipality discloses significant portions of the records in response to an information request, but denies other portions of the request.

**PENDING REQUEST OR PENDING APPEAL.** An information request or administrative appeal for which the FDM or CARC has not yet taken final action.

**PERFECTED REQUEST.** An information request which has been duly acted upon by the Municipality.

**PRO-ACTIVE DISCLOSURE.** Information made publicly available by the Municipality without waiting for a specific request which includes website postings.

**PROCESSED REQUEST OR PROCESSED APPEAL.** The number of requests or appeals where the Municipality has completed its work and sent final action to the requestor.

**RECEIVED REQUEST OR RECEIVED APPEAL.** An information request or administrative appeal that the Municipality has received within a calendar year.

**REFERRAL.** When the Municipality locates a record that originated from, or is, of another agency's interest, the former will forward the request to the said agency for appropriate action.

**SIMPLE REQUEST.** An information request that the Municipality considers to be small volume or which can be processed within a reasonable time.

**COMPLEX REQUEST.** Any information request that is not simple.





## ANNEX "A"

### FOI RECEIVING OFFICERS OF THE MUNICIPALITY OF PANIQUI

ASSIGNED FOI RECEIVING OFFICER	LOCATION OF FOI RECEIVING OFFICE	CONTACT DETAILS
CHRISTOPHER M. OBCENA	Office of the Mayor, Municipality of Paniqui, Tarlac	(045) 931-2161 loc 101
ENGR. VLADIMIR L. SANTILLAN	Office of the MPDO, Municipality of Paniqui, Tarlac	(045) 931-2161 loc 104
ZIOLO C. BRIONES	Office of the HRMO, Municipality of Paniqui, Tarlac	(045) 931-2161 loc 105
ANIEL BON C. SANTILLAN	Office of the Administrator, Municipality of Paniqui, Tarlac	(045) 931-2161 loc 102
RAYMOND C. GAMBITO	Office of the Budget, Municipality of Paniqui, Tarlac	(045) 931-2161 loc 108



## ANNEX "B"

### LIST OF EXCEPTIONS

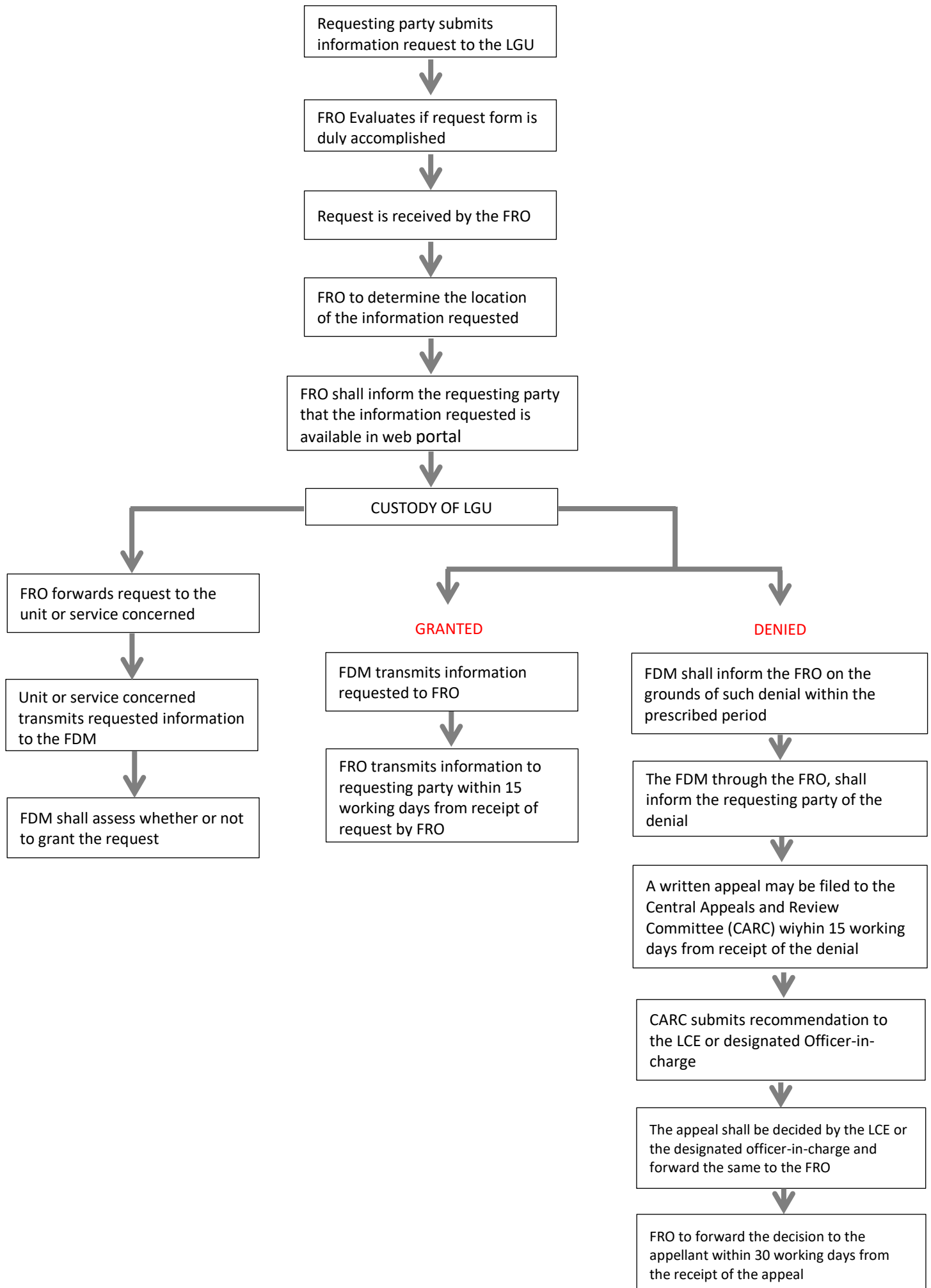
1. Information covered by Executive Privileged
2. National Security, Defense or International Relations
3. Law Enforcement and Protection of Public and Personal Safety
4. Confidential Information for the protection of the privacy of persons
5. Confidential Information by reason of official capacity
6. Prejudicial premature disclosure
7. Records of proceedings
8. Confidential information under Banking and Finance Laws
9. Other exceptions under Laws, Jurisprudence and IRR





## ANNEX "C"

### FLOWCHART





## FOI REQUEST FORM

### Municipality of Paniqui

#### Pormularyo ng Kahilingan (FOI) Request Form

Pangalan (Name) \_\_\_\_\_ Contact No. \_\_\_\_\_  
 Lagda (Signature) \_\_\_\_\_ Petsa (Date) \_\_\_\_\_  
 Tirahan (Address) \_\_\_\_\_ Katibayan ng Pagkakalinlan (Proof of Identity)  
 Paraan ng Pagtanggap ng impormasyon \_\_\_\_\_  
 Passport No. \_\_\_\_\_  
 Driver's License \_\_\_\_\_  
 Other \_\_\_\_\_

Titulo ng Dokumento (Title of the Document) \_\_\_\_\_  
 Taon/Panahong Saklaw (Year) \_\_\_\_\_  
 Layunin (Purpose) \_\_\_\_\_

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Gawaing itinalaga kay: \_\_\_\_\_  
 (Submitted to) Signature

Petsa/Oras ng Pagkakatalaga: \_\_\_\_\_  
 (Date/Time of Submission) Signature

Taong nagpapatunay ng gawaing natapos: \_\_\_\_\_  
 (Certified by) Signature

Uri ng Isinagawang aksiyon: \_\_\_\_\_  
 (Type of Action conducted) Signature

Iniskedyul ni (Received by):

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

(How would you like to receive the information?)

E-mail \_\_\_\_\_  
 Fax \_\_\_\_\_  
 Postal Address \_\_\_\_\_  
 Pick-up \_\_\_\_\_

Remarks: