

Republic of the Philippines
CENTRAL MINDANAO UNIVERSITY
University Town, Musuan, Bukidnon

Freedom of Information Manual



July 2023

TABLE OF CONTENTS

I.	Overview.....	3
	1. Title	3
	2. Background	3
	3. CMU.....	3
	3.1 Vision	
	3.2 Mission	
	3.3 Core Values	
	4. Objectives.....	4
	5. Coverage.....	4
	6. Structure.....	6
	6.1 Decision Maker	
	6.2 Receiving Office/ Contact Information	
	6.3 Receiving Officer	
	7. Protection of Privacy.....	6
	8. CMU.....	6
II.	Definition of Terms.....	7
III.	Procedure.....	10
IV.	Remedies in Case of Denial of Request.....	11
V.	Fees.....	12
VI.	Administrative Liability.....	12
VII.	Annexes	
	A. Request for Information Form.....	13
	B. List of Exceptions	14
	C. Request for Information Flowchart	16
	D. Executive Order No. 02.....	17

SECTION I. OVERVIEW

1. Title

This shall be known as the Central Mindanao University (CMU) Freedom of Information Manual.

2. Background

Executive Order (EO) No. 2, otherwise known as the Freedom of Information (FOI) EO, was signed by President Rodrigo Roa Duterte on 23 July 2016. The FOI EO seeks to operationalize the Constitutional provisions on full public disclosure of all State transactions involving public interests (Section 28, Article II) and the right of the people to information on matters of public concern (Section 7, Article III). EO No. 2 took effect immediately after its publication on 27 July 2016 in the Manila Bulletin.

Section 8 of EO No. 2 directed all government agencies under the Executive branch to prepare within one hundred twenty (120) calendar days from the effectivity thereof, a People's FOI Manual, which shall include among others the following provisions:

- (1) The location and contact information of the head, regional, provincial, and field offices, and other established places where the public can obtain information or submit requests;
- (2) The person or office responsible for receiving requests for information;
- (3) The procedure for the filing and processing of requests;
- (4) The standard forms for the submission of requests and for the proper acknowledgment of requests;
- (5) The process for the disposition of requests;
- (6) The procedure for the administrative appeal of any denial of access to information; and
- (7) The schedule of applicable fees.

Pursuant to and in compliance with the foregoing mandate of the FOI EO, the FOI Manual for Central Mindanao University is hereby formulated.

3. The Central Mindanao University

3.1 Vision

A leading ASEAN university actively committed to the total development of people for a globally sustainable environment and humane society.

3.2 Mission

To advance the frontier of knowledge through internationalization of education and equitable access to quality instruction, research, extension,

and production for economic prosperity, moral integrity, social and cultural sensitivity, and environmental consciousness.

3.3. Core Values

C- Commitment to Excellence and Service
M- Moral Integrity
U- Unity in Diversity

4. Objectives

Central Mindanao University aims to achieve the following objectives:

3.1. To promote transparency in the disposition of the University's mandate and functions,

3.2. To guide and assist the public in the processes and procedures involved in requests for information pursuant to Executive Order No. 2.

3.3. To set out the rules, procedures and guidelines to be followed by the officials and employees of CMU for requests for access to information.

5. Coverage

The Manual shall cover all requests for information directed, filed or submitted to the various Offices and Colleges of CMU, which are as follows:

- 4.1 Office of the President
- 4.2 Vice President for Administration
- 4.3 Vice President for Academic Affairs
- 4.4 Vice President for Research Development and Extension
- 4.5 Vice President for University Income Generation Program
- 4.6 Administrative Services Office
- 4.7 Accounting Office
- 4.8 Bids and Awards Committee
- 4.9 Budget Office
- 4.10 Cashiers' Office
- 4.11 Finance Management Services Office
- 4.12 Human Resource Management Office

- 4.13 Internal Audit Service Office
- 4.14 Office of the Director of Instruction
- 4.15 Legal Office
- 4.16 Management Information System Office
- 4.17 Office of the University Registrar
- 4.18 University Planning and Development Office
- 4.19 Auxiliary Services Office
- 4.20 Inspectorate Team for Supplies and Materials Office
- 4.21 Office of the National Service Training Program
- 4.22 Supply and Property Management Office
- 4.23 Records Management Office
- 4.24 University Library
- 4.25 University Hospital
- 4.26 Office of Student Affairs
- 4.27 University Press
- 4.28 University Center for Gender and Development
- 4.29 Office of Admissions, Scholarships and Placement
- 4.30 Center for Biodiversity Research and Extension in Mindanao
- 4.31 Natural Science Research Center
- 4.32 Security Services Office
- 4.33 Public Relations and Information Office
- 4.34 Capability Building Unit
- 4.35 University Extension Office
- 4.36 Information Communication Unit
- 4.37 Intellectual Property Licensing Office

- 4.38 International Relations Office
- 4.39 University Research Office
- 4.40 Techno Demo Services Unit
- 4.41 General Services Office
- 4.42 Alumni Relations and Linkages Office
- 4.43 Quality Assurance Office
- 4.44 College of Agriculture
- 4.45 College of Business and Management
- 4.46 College of Arts and Sciences
- 4.47 Central Mindanao University Laboratory High School
- 4.48 College of Education
- 4.49 College of Engineering
- 4.50 College of Forestry and Environmental Science
- 4.51 College of Human Ecology
- 4.52 College of Nursing
- 4.53 College of Veterinary Medicine

6. Structure

6.1 Decision Maker

To efficiently and effectively evaluate request/s access for information, the University President shall designate the Chief Legal Officer as FOI Decision Maker (DM) who shall have the overall responsibility for the initial decision on FOI requests (i.e. to decide whether to approve or disapprove request/s).

The determination of the applicability of any of the exceptions to the request shall be the responsibility of the DM who shall be in control of the information, public record or official record.

6.2 Receiving Office/ Contact Information

All requests for information from the different offices and colleges of the University shall be addressed to the Office of the Legal Counsel, Administration Building (Annex), CMU, Musuan, Bukidnon or requesting party contact this e-mail cmulegal@cmu.edu.ph.

6.3 Receiving Officer

The Receiving Officer (RO) shall be the staff of the Legal Office. The functions of the RO shall include receiving and monitoring the request for information from the requesting party/ies, on behalf of the University and all its offices and colleges. The RO shall make initial verification through the Records In-charge (RI) of the Office/College concern regarding the status of the requested information. The request shall then be forwarded to the DM for appropriate action with an information given by the RI. The RO shall notify the requesting party on the action made by the DM. If the request is approved, a claim slip shall be given to the requesting party which shall be presented to the RI of the appropriate office/college who has the custody of the requested record/s. On the other hand, if the request is disapproved, the RO shall inform the requesting party on the reason/s thereof.

7. Protection of Privacy

While providing access to information, CMU shall afford full protection to a person's right to privacy as mandated by laws, as follows:

- 7.1 It shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws;
- 7.2 It shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure;
- 7.3 Any official or employee who has access, whether authorized or unauthorized, to personal information in the custody of the offices of CMU, shall not disclose that information except as authorized by existing laws.

SECTION II. DEFINITION OF TERMS

1. **FREEDOM OF INFORMATION (FOI):** The Executive branch recognizes the right of the people to information on matters of public concerns and adopts and implements a policy of full public disclosure of all its transaction involving public interest, subject to the procedure and limitations provided for 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.

2. **FOI WEBSITE:** The website that serves as the government's comprehensive FOI website for all information on the FOI. This can be accessed at www.eFOI.gov.ph.
3. **REQUEST FOR INFORMATION:** A written request submitted to the CMU office personally or by e-mail asking for records or information. The FOI request can generally be made by any Filipino to the CMU office.
4. **CMU WEBSITE:** Government portal for CMU FOI requests developed and maintained by CMU and can be accessed at www.cmu.edu.ph.
5. **DECISION MAKER:** The one who would make initial decisions on request for information. The Chief legal Officer shall act as the Decision Maker (DM).
6. **RECEIVING OFFICER:** The one who would receive request for information and perform functions related to FOI.
7. **RECORDS In-charge:** The authorized employee who has the custody of the records of a certain office/ college.
8. **EXCEPTIONS:** Information that should not be released and disclosed in response to an FOI request because they are protected by the constitution, laws and jurisprudence.
9. **RECEIVING OFFICE/ CONTACT INFORMATION:** The primary contact at CMU where the requesting party can call and ask questions about the FOI process or the pending FOI request.
10. **FREQUENTLY REQUESTED INFORMATION:** Information released in response to an FOI request that CMU determines to have become or is likely to become the subject of a subsequent request for substantially the same records.
11. **GRANT/DENIAL OF REQUEST:** Giving or non-giving of information or access to information whether in whole or in part.
12. **INFORMATION:** 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, or any other similar data 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 and executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.

13. **INFORMATION FOR DISCLOSURE:** Information promoting the awareness and understanding of policies, programs, activities, rules or regulations affecting the public, government agencies, community and the economy. It also includes information encouraging familiarity with the general operations, thrusts, and programs of CMU. In line with the concept of proactive disclosure, this type of information is posted at the CMU website without need for written requests.
14. **OFFICIAL RECORDS:** 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.
15. **OPEN DATA:** Publicly available data structured in a way that enables the data to be fully discoverable and usable by end users. It is consistent with the following principles of Public, Accessible, Described, Reusable, Complete, Timely and Managed Post-Release. This can be accessed at www.data.gov.ph.
16. **PENDING REQUEST/APPEAL:** A request/appeal that is still for decision of the RO.DM or person or office next higher in authority, respectively.
17. **PERSONAL INFORMATION:** Any information, whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and can be directly ascertained by the entity holding the information or when put together with other information would directly and certainly identify an individual.
18. **PROCESSED REQUEST/APPEAL:** The number of requests/appeals received and acted upon by the various offices of CMU.
19. **PUBLIC RECORDS:** Information required by laws, executive orders, rules or regulations to be entered, kept, and made publicly available by a government office.
20. **RECEIVED REQUEST/APPEAL:** The number of requests/appeals received within the year.
21. **REFERRAL:** The requested information is not within the jurisdiction of the receiving office, the same will be forwarded to the concerned agency or office.
22. **SENSITIVE PERSONAL INFORMATION:** As defined in the Data Privacy Act of 2012, shall refer to personal information:
 - 22.a. About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;

22.b. About an individual health, education, genetic or sexual life of a person, or to any proceedings for any offense committed or alleged to have been committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;

22.c Issued by government agencies peculiar to an individual which includes, but not limited to social security numbers, previous or current health records, licenses and its denials, suspension or revocation, and tax returns; and

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

22. **TRADE SECRET:** Information, including a formula, pattern, compilation, program, device, method, technique or process, that derives independent economic value, actual or potential, from not being generally known or readily ascertainable through appropriate means by other persons who might obtain economic value from its disclosure or use; and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

SECTION III. PROCEDURE

The following procedure shall be observed in the filing and processing of request for information in accordance with Section 9 of Executive Order No. 2, s. 2016:

1. The Receiving Officer shall receive from the requesting party such request for information in the duly accomplished form which may be obtained from the Legal Office of CMU herein marked as Annex "A", stating the minimum requirements such as: the name, address and contact information of the requesting party, proof of his/her identification or authorization, description of the information requested, and reason or purpose of the request for information.
2. The request can also be made through email, provided that the requesting party shall attach a scanned copy of the Request for Information, Annex "A" and a copy of a valid competent proof of identity. Further, the request made through the telephone maybe accepted provided however that, the requesting party shall thereafter confirm through filing a request for information, prior to release of the information requested.
3. The Receiving Officer shall evaluate the request and provide the requesting party reasonable assistance/ information for the latter to comply with the requirements of CMU in accordance with the FOI Manual.
4. The Receiving Officer shall stamped "RECEIVED" to the request for information indicating the date and time of receipt thereof, complete name and position or designation of the receiving public officer or employee with the

corresponding signature, and a copy thereof furnished to the requesting party. In case the request was sent through email, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by electronic mail. The details of such request shall be encoded in the Document Tracking System (DTS) with a reference number.

5. The Receiving Officer shall verify the request and contact the Records In-charge of the concerned office/ college who has the custody of the document in order to get an initial information about the requested document.
6. The Receiving Officer shall then forward the request to the Decision Maker for appropriate action with the initial information from the Records In-charge, as one of the basis of the decision on the request.
7. The Decision Maker shall decide on the request indicating the grant or denial, in whole or in part, of access to information. The decided request shall be returned to the Receiving Officer. If the request is approved, the Receiving Officer shall notify the Requesting Party of such approval. A Claim Slip shall be provided to the latter to be presented to the Records In-charge of the office concerned who has the custody of the requested information. On the other hand, if the request is disapproved, the Records Officer shall inform the Requesting Party the reason/s thereof.
8. Upon receipt of the Claim Slip, the Records In-charge of the respective office/ college of the University, shall release the document to the Requesting Party and log the transaction in a separate logbook for record and monitoring purposes.
9. The request for information of the Requesting Party shall be properly acted upon within 15 days from receipt thereof. However, the same may be extended in a reasonable period of time if the requested information requires extensive search of office's records facilities, examination of voluminous records, or requires more time due to fortuitous events or analogous cases. The Receiving Officer and/or the Records In-charge shall notify the Requesting Party of such circumstances.
10. Any unreasonable subsequent identical or substantially similar request that was already granted or denied will no longer be entertained.

SECTION IV. REMEDIES IN CASE OF DENIAL OF REQUEST

Denial of any request for access to information falling under the exceptions provided in Annex "B" and other justifiable reasons may be elevated by the requesting party to the University President of Central Mindanao University through the following procedure:

1. The requesting party may file a written appeal within 15 calendar days from receipt of the notice of denial or from lapse of the period to respond to the request.

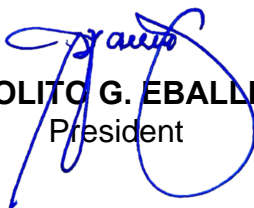
2. The appeal shall be decided by the University President within 30 working days from receipt thereof. Failure of such person of office to decide within the said period shall be deemed a denial of the appeal. Upon exhaustion of administrative remedies, the requesting party may file the case in the proper court.

SECTION V. FEES

1. The Receiving Officer/ Records In-charge shall immediately notify the requesting party in case there shall be a reproduction/authentication fee in order to provide the information. Such fee shall be the actual amount spent by the office in providing the information to the requesting party.
2. The concerned office may provide digital or electronic copy.

SECTION VI. ADMINISTRATIVE LIABILITY

1. **Non-compliance with FOI.** Failure to comply with the provisions of CMU FOI Manual may be a ground for administrative and disciplinary sanctions against any erring public officer/employee as provided under the Civil Service Commission and other existing laws, rules and regulations.
 - 1.1. 1st Offense - Reprimand;
 - 1.2. 2nd Offense - Suspension of one (1) to thirty (30) days; and
 - 1.3. 3rd Offense - Dismissal from the service.
2. **Procedure.** The Revised Rules on Administrative Cases in the Civil Service shall be applicable in the disposition of cases under this Manual.
3. **Provisions for More Stringent Laws, Rules and Regulations.** Nothing in this Manual shall be construed to derogate from any law, rules, or regulation prescribed by anybody or agency which provides for more stringent penalties.


ROLITO G. EBALLE
President



Request for Information Form

Date: _____ Type of ID Presented: _____
 ID No.: _____
 Name of Requestor : _____ Address: _____
 Telephone /Mobile No.: _____ E-Mail Address: _____
 Requested Information: _____
 Reason for Request: _____
 _____ No. of Copies: _____

 Signature of Requestor/Authorize Representative

Action Taken: Approved :
 Disapproved :
 Reason/s for Disapproval: _____

 Decision Maker

Referred to: _____

----- Claim Slip -----

CLAIM SLIP

Requestor: _____ Date of Release: _____
 Document Requested: _____
 No. of copies: _____

Records In-charge

REMINDERS:

- Email the duly filled out form to cmulegal@cmu.edu.ph
- Make sure that all the information requested are duly filled out and rest assured that the same will be held with utmost confidentiality and will be used solely for verification purposes.
- Attached your valid I.D for verification purpose
- For authorized representatives, please bring authorization letter, valid ID and photocopy of valid ID of requestor



Republic of the Philippines
CENTRAL MINDANAO UNIVERSITY
 University Town, Musuan, Bukidnon

LIST OF EXEMPTIONS

A. MANAGEMENT RECORDS:

1. Results of the Search for Presidency of the University
2. Results of the Search for Private Sector Representatives
3. Proceedings, Minutes, and Resolutions of the Personnel Selection for both the Faculty and Non-Teaching Personnel
4. Judicial affidavit/ Position Papers/memoranda (Ombudsman, Civil Service Commission, Court of Appeals, Supreme Court, and Sandiganbayan)
5. Filed cases (Court, Ombudsman and Sandiganbayan)
6. Financial Report not yet audited by COA
7. All reports not in the final form
8. Inter-office and inter-agency memorandum and correspondence
9. Office recommendation as member of inter-agency task force/ committee/body
10. Accomplished eligibility and evaluation forms for project proposals
11. Evaluation results for SUC levelling, AACUP Accreditation, , and similar quality assurance evaluations processes
12. Board Committee Report/s
13. Proceedings of anti-sexual harassment cases
14. Proceedings of any issue under the grievance committee
15. Investigation Reports by committees or bodies duly constituted by the University President and/or CMU Board of Regents or duly constituted authority/ies
16. Individual Performance Commitment Report(IPCR)
17. 201 Files of Employees
18. Academic Rank Evaluation Documents under the National Budget Circular (NBC)
19. SALN
20. Certificate of Live Birth of Employees
21. Document specifically indicated the birthdate and age of the person concerned

22. General Payroll of the University and respective Payslips of the employees
23. Proceedings and Minutes of the University Bids and Awards Committee
24. Abstract of Bids
25. Technical Working Group (TWG) recommendation/s
26. Minutes of TWG Meetings
27. Medical records/ examination results of the employees
28. Proceedings or notes during students' consultations with their respective advisers and counselling sessions

B. STUDENTS' RECORDS:

1. Duly accomplished and processed students' enrolment forms
2. School credentials submitted by the student-applicants during enrolment period
3. Grade sheets, class cards and class records
4. Transcript of Records (TORs), Diploma, Certificate of Good Moral and
5. Medical examination results of students

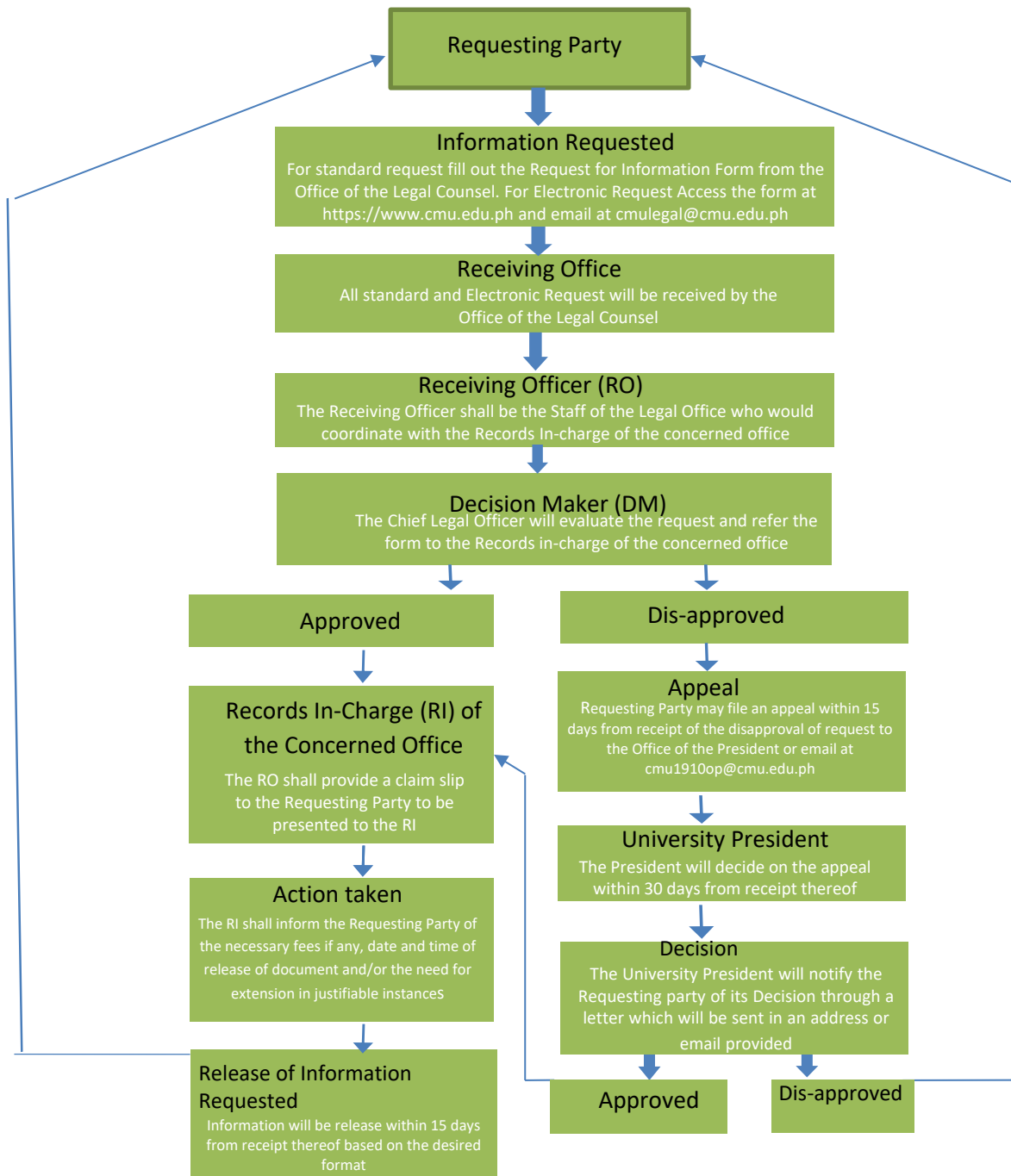
C. Any documents which may be found similarly related with the above documents as may be determined by the FOI Committee. In case that the documents requested are not found in the above list, EO No. 2 shall prevail.

Note: Subject to be revised regularly in accordance with the existing laws, rules and regulations.



Republic of the Philippines
CENTRAL MINDANAO UNIVERSITY
 University Town, Musuan, Bukidnon

**REQUEST FOR INFORMATION
 STANDARD REQUEST AND ELECTRONIC REQUEST**



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 02

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

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

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

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

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

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

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

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

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

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

official business by any government office.
(b) "Official record/records" shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.
(c) "Public record/records" shall include information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by a government office.

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

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

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

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

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

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

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

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

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

In making such determination, the Head of the Office or his designated officer shall exercise reasonable diligence to ensure that no exception shall be used or availed of to deny any request for information or access to public records, or official records if the denial is intended primarily and purposely to cover up a crime, wrongdoing, graft or corruption.

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

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

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

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

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

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

(c) The request shall be stamped by the government office, indicating the date and time of receipt and the name, rank, title and position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the requesting party. Each government office shall establish a system to trace the status of all requests for information received by it.

(d) The government office shall respond to a request fully compliant with requirements of sub-section (a) hereof as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof. The response mentioned above refers to the decision of the agency or office concerned to grant or deny access to the information requested.

(e) The period to respond may be extended whenever the information requested requires extensive search of the government office's records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. The government office shall notify the person making the request of the extension, setting forth the reasons for such extension. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.

(f) Once a decision is made to grant the request, the person making the request shall be notified of such decision and directed to pay any applicable fees.

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

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

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

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

(a) Denial of any request for access to information may be appealed to the person or office next higher in the authority, following the procedure mentioned in Section 7 (f) of this Order: Provided, that the written appeal must be filed by the same person making the request within fifteen (15) working days from the notice of denial or from the lapse of the relevant period to respond to the request.

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

(c) Upon exhaustion of administrative appeal remedies, the requesting part may file the appropriate case in the proper courts in accordance with the Rules of Court.

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

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

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

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

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

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

DONE, in the City of Manila, this 23rd day of July in the year of our Lord two thousand and sixteen.

(Sgd.) **RODRIGO ROA DUTERTE**
President of the Philippines

By the President:

(Sgd.) **SALVADOR C. MEDIALDEA**
Executive Secretary