REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF SCIENCE AND TECHNOLOGY
PHILIPPINE SCIENCE HIGH SCHOOL SYSTEM
Senator Miriam P Defensor-Santiago Avenue, Diliman, Quezon City

FREEDOM OF INFORMATION
IMPLEMENTING DETAILS

SECTION 1: OVERVIEW

1. **Purpose:** The purpose of the FOI Manual is to provide the process to guide and assist the PSHS System in dealing with requests of information received under Executive Order (EO) No. 2 on Freedom of Information (FOI). **(Annex "A")**

2. **Structure of the Manual:** This Manual shall set out the rules and procedures to be followed by the PSHS System when a request for access to information is received. The Executive Director is responsible for all actions carried out under this Manual and may delegate this responsibility to PSHS Campus Directors. The Executive Director or the respective Campus Directors, may delegate a specific officer to act as the Decision Maker (DM) and 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).

3. **Coverage of the Manual:** The Manual shall cover all requests for information directed to the PSHS System and all its 16 regional campuses.

4. **FOR Receiving Officer:** There shall be an FOI Receiving Officer (FRO) designated at the Office of the Executive Director (OED), and at each PSHS campus. The FRO shall preferably come from the Public Assistance or Information Office, or its equivalent. The FRO shall hold office at a designated location (See Annex B).

   The functions of the FRO shall include the following:

   a. Receive, on behalf of the campus or the Office of the Executive Director, as the case may be, all requests for information;
   b. Forward the same to the appropriate office who has custody of the records; monitor all FOI requests and appeals;
   c. Provide assistance to the FOI DM;
   d. Provide assistance and support to the public and staff with regard to FOI;
   e. Compile statistical information as required; and
   f. Conduct initial evaluation of the request.

SECTION 2: DEFINITION OF TERMS

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.

eFOI.gov.ph. The website that serves as the government's comprehensive FOI website for all information on the FOI. Among many other features, eFOI.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. 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 transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.

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

NO WRONG DOOR POLICY - Refers to the policy where FOI requests are not denied simply because they were submitted to the wrong agency. Instead, the receiving agency has the responsibility to refer the request to the proper government office that has custody of the records.

OFFICIAL RECORD/S. Shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.

OPEN DATA. Refers to publicly available data structured in a way that enables the data to be fully discoverable and useable by 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 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 identify 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:

a. About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
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 committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;
c. 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
d. Specifically established by an executive order or an act of Congress to be kept classified.

SECTION 3. GLOSSARY OF TERMS

ADMINISTRATIVE FOI APPEAL. An independent review of the initial determination made in response to a FOI request. Requesting parties who are dissatisfied with the response made on their initial request have a right to appeal that initial determination to an office within the agency, 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 requests and appeals received, processed, and pending at each government office.

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

EXCEPTIONS. Information that should not be released and disclosed in response to a FOI request because they are protected by the Constitution, laws or jurisprudence.

FREEDOM OF INFORMATION. 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 at each government office where you can make a FOI request.

FOI REQUEST. A written request submitted to a government office personally or by email asking for records on any topic. A 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.

FREQUENTLY REQUESTED INFORMATION. Info released in response to a 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 DEPARTMENT or any of its office, bureau and agency cannot release any records in response to a FOI request, because, for example, the requested information is exempt from disclosure in its entirety or no records responsive to the request could be located.

FULL GRANT. When a government office is able to disclose all records in full in response to a FOI request.

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

PARTIAL GRANT/PARTIAL DENIAL. When a government office is able to disclose portions of the records in response to a FOI request, but must deny other portions of the request.

PENDING REQUEST OR PENDING APPEAL. An FOI request or administrative appeal for which a government office has not yet taken final action in all respects. It captures anything that is open at a given time including requests that are well within the statutory response time.

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

PHILIPPINE SCIENCE HIGH SCHOOL SYSTEM (PSHS System). Is composed of the Office of the Executive Director, and all PSHS campuses.

PROACTIVE DISCLOSURE. Information made publicly available by government agencies without waiting for a specific FOI request. Government agencies now post on their websites a vast amount of material concerning their functions and mission.

PROCESSED REQUEST OR PROCESSED APPEAL. The number of requests or appeals where the agency has completed its work and sent a final response to the requester.

RECEIVED REQUEST OR RECEIVED APPEAL. An FOI request or administrative appeal that an agency has received within a fiscal year.

REFERRAL. When a government office locates a record that originated with, or is of otherwise primary interest to another agency, it will forward that record to the other agency to process the record and to provide the final determination directly to the requester. The process is called a "referral".

SIMPLE REQUEST. A FOI request that an agency anticipates will involve a small volume of material or which will be able to be processed relatively quickly.

SECTION 4. PROMOTION OF OPENNESS IN GOVERNMENT

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

    a. A description of its mandate, structure it delivers and the procedure and decision-making processes;
    b. A description of the frontline services it delivers and the procedure and length of time by which they may be availed of;
    c. The names of its key officials, their powers, functions and responsibilities, and their profiles and curriculum vitae;
    d. Work programs, development plans, investment plans, projects, performance targets and accomplishments, and budgets, revenue allotments and expenditures;
    e. Important rules and regulations, orders or decisions;
    f. Current and important database and statistics that it generates;
    g. Bidding processes and requirements; and
    h. Mechanisms or procedures by which the public may participate in or otherwise influence the formulation of policy or the exercise of its powers.

2. **Accessibility of Language and Form.** The PSHS System shall endeavor to translate key information into major Filipino languages and present them in popular form and means.

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

SECTION 5. PROTECTION OF PRIVACY

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

a. The PSHS System 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 PSHS System shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure;
c. The FRO, FDM, or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of the the PSHS System, shall not disclose that information except as authorized by existing laws.

SECTION 6. STANDARD PROCEDURE
Office of the Executive Director

*(See **Annex "B"** for flowchart)*

1. Receipt of Request for Information.

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

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

    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.

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

c. The request shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name, rank, title and position of the public officer who actually received it, with a corresponding signature and a copy, furnished to the requesting party. In case of email requests, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by electronic mail. The FRO shall

input the details of the request on the Request Tracking System and allocate a reference number.

d. The PSHS System must respond to the requests promptly, within the fifteenth (15) working day following the date of receipt of the request. A working day is any day other than a Saturday, Sunday or a day which is declared a national public holiday in the Philippines. In computing for the period, Art. 13 of the New Civil Code shall be observed.

The date of receipt of the request will be either:

i. The day on which the request is physically or electronically delivered to the government office, or directly into the email inbox of a member of staff; or
ii. If the government office has asked the requesting party for further details to identify and locate the requested information, the date on which the necessary clarification is received.

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

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

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

a. **Request relating to more than one PSHS campus or Office under the PSHS System:** If a request for information is received which requires to be complied with, by different offices or PSHS campuses, the FRO shall forward such request to the said office or campus, and ensure that it is well coordinated and monitored of its compliance. The FRO shall also clear with the respective FROs of such office or campus that they will only provide the specific information that relates to them.

b. **Request relating to more than one office under the DOST System:** If a request for information is received which requires to be complied with, by different attached agencies, bureaus and offices under the DOST System, the FRO shall forward such request to the said attached agency, bureau and office concerned, through the Office of the Executive Director, and ensure that it is well coordinated and monitored of its compliance. The FRO shall also clear with the respective FROs of

such agencies, bureaus and offices that they will only provide the specific information that relates to them.

c. **Requested information is not in the custody of the PSHS System:** The PSHS System adheres to the "**No Wrong Door Policy**" as established under **FOI-MC No. 21-05** (*See **Annex "F"** for the issuance and flowchart*), which dictates that no request for information shall be denied or refused acceptance solely because the requested record is not in the possession or custody of the PSHS System. Upon initial evaluation, if it is determined that the PSHS System (Government Agency 1 or GA1) does not have custody of the information but the record is available in another government agency (Government Agency 2 or GA2) under the Executive Branch, the FRO shall immediately refer the request to GA2 through the most expeditious manner possible.

   Pursuant to the process of referral stated in **FOI-MC No. 21-05**, this referral must be executed within three (3) working days from the receipt of the request. This is classified as the "First Referral," which triggers a fresh fifteen (15) working day period for the receiving agency (GA2) to act on the request. If the PSHS System fails to refer the request within the mandated three-day window, the FRO is required to process the request within the remaining period of the original timeline, and no fresh period shall apply.

   The requesting party must be notified of the referral in writing or via email, including the rationale for the transfer and the contact details of the government office where the request was referred. In the event that GA2, in good faith, determines it is also not the proper custodian, it may refer the request to a third agency (GA3) following the same three-day procedure. This "Second Referral" allows for another fresh period for GA3, but referrals are strictly limited to two (2) subsequent transfers.

   If the requested information falls under an office not covered by Executive Order No. 2, such as the Judiciary or Legislature, a formal referral is not required; however, the FRO shall advise the requesting party accordingly and provide the contact details of that office if known. For requests involving multiple attached agencies within the DOST, the FRO shall coordinate the referral through the Office of the Executive Director to ensure the process is monitored and the requester is properly guided. All referral actions must be documented and logged by the agency to ensure a complete and transparent record of the request's status.

d. **Requested information is already posted and available on-line:** Should the information being requested is already posted and publicly available in the PSHS System website, data.gov.ph or foi.gov.ph, the FRO shall inform the requesting party of the said fact and provide them the website link where the information is posted.

e. **Requested information is substantially similar or identical to the previous request:** Should the requested information be substantially similar or identical to a previous request by the same requester, the request

shall be denied. However, the FRO shall inform the applicant of the reason of such denial.

e. **Transmittal of request by the FRO to the FDM:** After receipt of the request for information, the FRO shall evaluate the information being requested, and notify the FDM of such request. The copy of the request shall be forwarded to such FDM within one (1) day from receipt of the written request. The FRO shall record the date, time and name of the FDM who received the request in a record book with the corresponding signature of acknowledgement of receipt of the request.

f. **Role of FDM in processing the request:** Upon receipt of the request for information from the FRO, the FDM shall assess and clarify the request if necessary. He or she shall make all necessary steps to locate and retrieve the information requested. The FDM shall ensure that the complete information requested be submitted to the FRO within 10 days upon receipt of such request.

   The FRO shall note of the date and time of receipt of the information from the FDM and report to the Executive Director, or the Campus Director as the case may be, in case the submission is beyond the 10-day period.

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

   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.

g. **Role of FRO to transmit the information to the requesting party:** Upon receipt of the requested information from the FDM, the FRO shall collate and ensure that the information is complete. He shall attach a cover/transmittal letter signed by the Executive Director, or the Campus Director concerned, as the case may be, and ensure the transmittal of such to the requesting party within 15 working days upon receipt of the request for information.

h. **Request for an Extension of Time:** If the information requested requires extensive search of the government's office records facilities, examination of voluminous records, the occurrence of fortuitous events or other analogous cases, the FDM should inform the FRO.

   The FRO shall inform the requesting party of the extension, setting forth the reasons for such extension. In no case shall 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.

i. **Notice of the Requesting Party of the Approval/Denial of the Request:** Once the DM approved or denied the request, he shall immediately notify the FRO who shall prepare the response to the requesting party either in writing or by email. All actions on FOI requests, whether approval or denial, shall pass through the Executive Director or the Campus Director as the case may be.

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

k. **Denial of Request:** In case of denial of the request wholly or partially, the FRO shall, within the prescribed period, notify the requesting party of the denial in writing. The notice shall clearly set forth the ground or grounds for denial and the circumstances on which the denial is based. Failure to notify the requesting party of the action taken on the request within the period herein provided shall be deemed a denial of the request to information. All denials on FOI requests shall pass through the Office of the Executive Director, or the Office of the Campus Director, as the case may be.

SECTION 7. 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 respective FOI Appeals Committee of the campus or office concerned. Provided, that the written appeal must be filed by the same requesting party within fifteen (15) calendar days from the notice of denial or from the lapse of the period to respond to the request.

    a. Denial of the Appeal by the Campus Directors or by the Executive Director may be appealed by filing a written appeal to the Board of Trustees within (15) calendar days from the notice of denial or from the lapse of the period to respond to the request.
    b. The appeal shall be decided by the Board of Trustees, upon the review and recommendation of the Executive Committee within thirty (30) working days from the filing of said written appeal. Failure to decide within the 30-day period shall be deemed a denial of the appeal.

c. The denial of the Appeal by the Board of Trustees 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 in accordance with the Rules of Court.

SECTION 8. REQUEST TRACKING SYSTEM

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

SECTION 9. FEES

1. **Free Access and Processing.** The Philippine Science High School (PSHS) System shall not charge any fee for receiving, accepting, processing, or providing access to requested information.

2. **Free Reproduction and Printing.** The copying, printing, scanning, or reproduction of requested documents—whether in physical or electronic format—shall be provided to the requesting party **free of charge**.

3. **Delivery or Mailing Costs.** In cases where the requesting party requests the physical delivery or courier mailing of documents, the requesting party shall shoulder or arrange the actual cost of delivery, unless sent through official electronic channels or designated pickup.

SECTION 10. ADMINISTRATIVE LIABILITY

1. **Non-compliance with FOI.** Failure to comply with the provisions of this Manual shall be grounded for the following administrative penalties:

    a. 1st Offense - Reprimand
    b. 2nd Offense - Suspension of one (1) to thirty (30) days; and
    c. 3rd Offense - Dismissal from the service

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

3. **Provisions for More Stringent Laws, Rules and Regulations.** Nothing in this Manual shall be construed to derogate from any law, any rules, or

regulation prescribed by anybody or agency, which provides for more stringent penalties.

Signed:



RONNALEE N. ORTEZA, PH.D.
Executive Director

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

REPUBLIC OF THE PHILIPPINES
PRRD 2016 - 000156

CERTIFIED COPY:

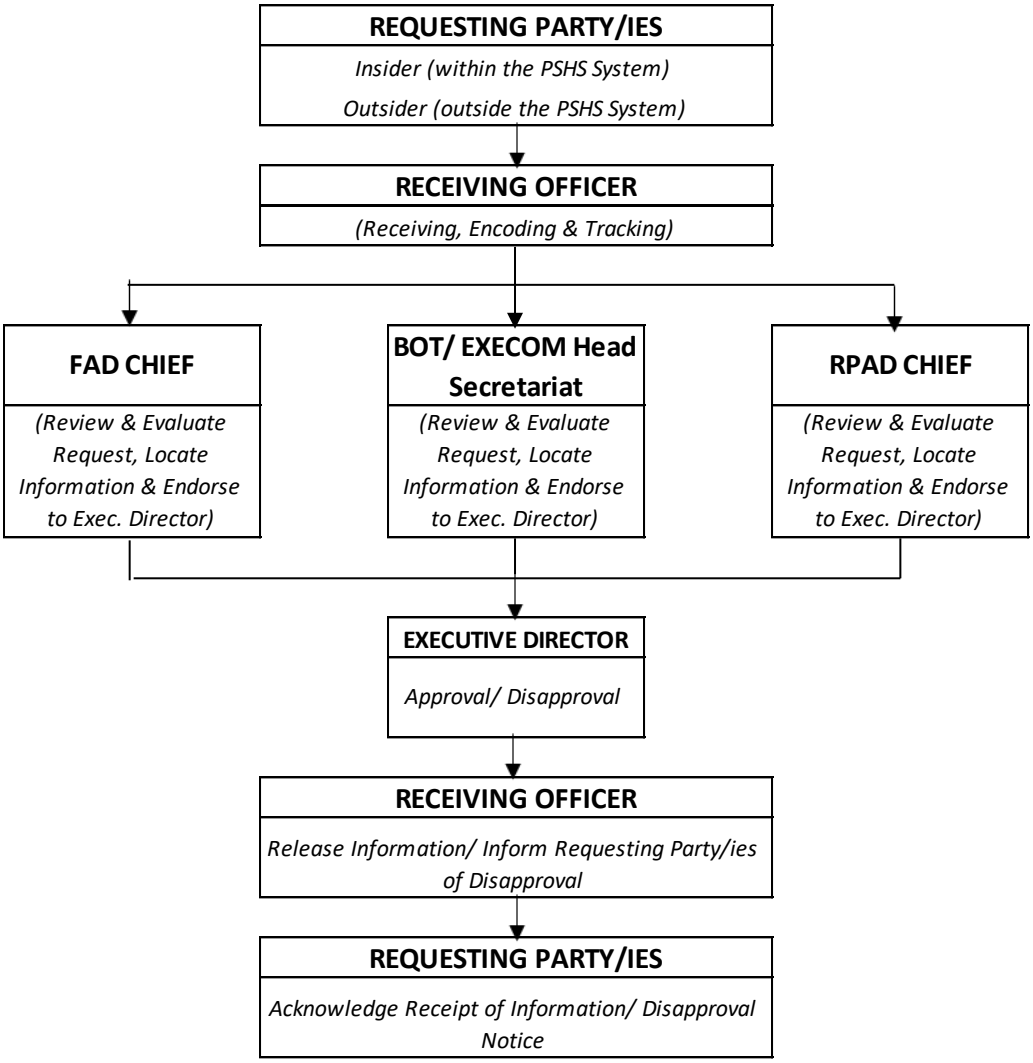
MARIANITO M. DIMAANDAL
DIRECTOR IV
MALACAÑANG RECORDS OFFICE

7-25-2016

ANNEX B

PROCEDURE FOR WRITTEN REQUESTS FOR INFORMATION

(Philippine Science High School System -- Office of the Executive Director)

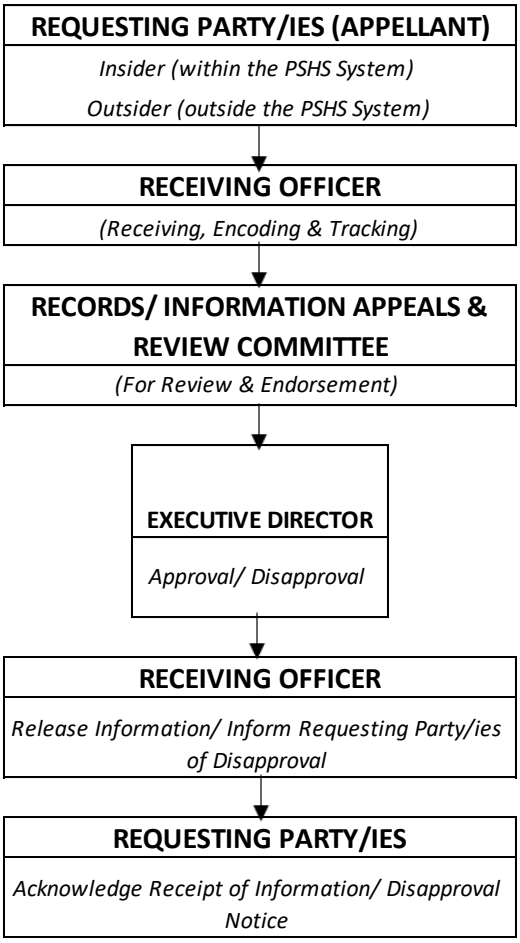


Notes:

- All request must be in writing and must conform to the prescribed form as per Section 6.1 of the DOST FOI Manual).
- All request should be processed within 15 working days.
- Period to respond may be extended when:
  1. the information requested requires extensive search of the government office's record facilities,
  2. examination of voluminous records,
  3. the occurrence of fortuitous cases,
  4. Other analogous cases
- Period of extension: Not more than 20 Calendar days UNLESS exceptional circumstances warrant a longer period.
- **Reference:** DOST - Freedom of Information Manual

ANNEX B

PROCEDURE FOR HANDLING APPEALS FOR ACCESS TO RECORDS & INFORMATION
(Philippine Science High School System -- Office of the Executive Director)



Notes:
Requesting Party may file an Appeal to the Appellate Officer (person/office next higher in authority) or the Appeal or Review Committee

All appeals must be in writing.

Period of Appeal: within 15 days from receipt of Notice of Denial or upon lapse of period to respond.

Form: Must also be written.
Failure to respond the Appeal within 30 days shall be deemed a denial of the Appeal.
Upon exhaustion of administrative remedies, the requesting party may file the appropriate case in the proper courts in accordance with the Rules of Court.

Reference: DOST - Freedom of Information Manual

ANNEX B-1

UPDATED LIST OF FOI RECEIVING OFFICERS AND DECISION MAKERS OF DOST-PHILIPPINE SCIENCE HIGH SCHOOL SYSTEM AND ITS CAMPUSES

NAME OF CAMPUS	LOCATION	DESIGNATED FOI RECEIVING OFFICER (NAME / EMAIL ADDRESS / CONTACT NUMBER)	ALTERNATE FOI RECEIVING OFFICER (NAME / EMAIL ADDRESS / CONTACT NUMBER)	DECISION MAKER (NAME / EMAIL ADDRESS / CONTACT NUMBER)
OFFICE OF THE EXECUTIVE DIRECTOR	Gate 4, Senator Miriam P. Defensor-Santigao Avenue, Diliman, Quezon City	**BERNIE PAULO P. TANGENTE** Administrative Officer III bpptangente@pshssystem.edu.ph 8939-7747 loc 207		**DR. RONNALEE N. ORTEZA** Executive Director rnorteza@pshssystem.edu.ph 8939-7747 loc 100
ILOCOS REGION CAMPUS	Poblacion East, San Ildefonso, Ilocos Sur	**LEA MARIANNE M. BUENCONSEJO** Administrative Officer IV records@irc.pshs.edu.ph 09163682975	**RODEL GREG P. ROMANO** Information Systems Analyst II romanorp@irc.pshs.edu.ph 09154979687	**DR. MARY GRACE R. NAVARRO** Director III navarromr@irc.pshs.edu.ph 09178681327
CAGAYAN VALLEY CAMPUS	Brgy. Masoc, Bayombong, Nueva Vizcaya	**ATTY. ROMINA ROSA A. LONGBOY** Administrative Officer IV rralongboy@cvc.pshs.edu.ph 09275232493	**JUNABELLE M. SORIANO** Administrative Assistant II jmsoriano@cvc.pshs.edu.ph 09171104139	**DR. HAROLD V. GALLO** Director III hvgallo@cvc.pshs.edu.ph 09064733939
CORDILLERA ADMINISTRATIVE REGION CAMPUS	Purok 12, Irisan, Baguio City	**RYAN C. ESPINO** Administrative Assistant III rcespino@carc.pshs.edu.ph 09280703218	**ANSELMO H. BACATE** Administrative Officer IV ahbacate@carc.pshs.edu.ph 09228123717	**EDWARD C. ALBARACIN** Director III ecalbaracin@carc.pshs.edu.ph 09688532451
CENTRAL LUZON CAMPUS	Lily Hill St., Clark Freeport Zone, Angeles City	**ALAN RODNEY L. ARRIOLA** Administrative Officer IV alarriola@clc.pshs.edu.ph 0916-693-3049	**HOMER R. CANTONJOS** Information Systems Analyst II hrcantonjos@clc.pshs.edu.ph 0920-570-3979	**THERESA ANNE O. DIAZ** Director III taodiaz@pshs.edu.ph 0917-709-4477
MAIN CAMPUS	Senator Miriam P. Defensor-Santigao Avenue, Diliman, Quezon City	**JONAMELLE VIANA** Administrative Assistant II javiana@pshs.edu.ph (02) 8817-4729 loc 102	**CARYLJAE R. COLIPAPA** Administrative Officer II cjcolipapa@pshs.edu.ph (02) 8817- 4729 loc 201	**DR. ROD ALLAN A. DE LARA** Director III radelara@pshs.edu.ph (02) 8817-4729 loc 202
CALABARZON REGION CAMPUS	Brgy. Sampaga, Batangas City	**MA. THERESA P. PAGULAYAN** Supervising Administrative Officer mppagulayan@cbzrc.pshs.edu.ph 09177910029	**JORGE M. JOB** Special Science Teacher III jmjob@cbzrc.pshs.edu.ph 09602120242	**REX S. FORTEZA** Director III rsforteza@cbzrc.pshs.edu.ph 09285219117
BICOL REGION CAMPUS	Tagongtong, Goa, Camarines Sur	**JAY P. BASSIG** Special Science Teacher IV jpbassig@brc.pshs.edu.ph		**ENGR. LORVI B. PAGOROGON** Director III lbpagorogin@brc.pshs.edu.ph 09985794942
MIMAROPA REGION CAMPUS	Brgy. Rizal, Odiongan, Romblon	**IVY MAY F. FAMATIGA** Supervising Administrative Officer imffamatiga@mrc.pshs.edu.ph 09778518141	**ABEGAIL B.FACTOR** Administrative Officer IV abfactor@mrc.pshs.edu.ph 09366965087	**DR. ROMEO C. ONGPOY, JR.** Director III rcongpoy@mrc.pshs.edu.ph 09272723651
WESTERN VISAYAS CAMPUS	Jaro District, Iloilo City	**MAY ANN G. JANAS** Administrative Assistant III ajanas@wvc.pshs.edu.ph 09228405565	**HERBERT JOHN ESCULLAR** Information Systems Analyst II hjescullar@wvc.pshs.edu.ph 09910112358	**DR. MYRNA B. LIBUTAQUE** Director III mlibutaque@wvc.pshs.edu.ph 033- 328-2217 or 329-2011 local 1201
CENTRAL VISAYAS CAMPUS	Talaytay, Argao, Cebu	**CYRIL B. MAGALLANES** Information Systems Analyst II cbmagallanes@cvisc.pshs.edu.ph 0927-9526059	**DIANA JANE P. ZAMORA** Administrative Officer IV djpzamora@cvisc.pshs.edu.ph 0977-7884645	**DR. RACHEL LUZ V. RICA** Director III rvrica@cvisc.pshs.edu.ph 0917-1040044

NAME OF CAMPUS	LOCATION	DESIGNATED FOI RECEIVING OFFICER (NAME / EMAIL ADDRESS / CONTACT NUMBER)	ALTERNATE FOI RECEIVING OFFICER (NAME / EMAIL ADDRESS / CONTACT NUMBER)	DECISION MAKER (NAME / EMAIL ADDRESS / CONTACT NUMBER)
EASTERN VISAYAS CAMPUS	Pawing, Palo, Leyte	**LALAINE E. LLOSE** Special Science Teacher IV lalainellose@evc.pshs.edu.ph 09063956334	**ALLAN A. MIRALLES** Information Systems Specialist II amiralles@evc.pshs.edu.ph 09703362264	**YVONNE M. ESPERAS** Director III yesperas@evc.pshs.edu.ph 09176276309
NORTHERN MINDANAO CAMPUS	Nangka, Balo-i, Lanao del Norte	**IAN CRIS L. CADILE** Special Science Teacher V iclcadile@cmc.pshs.edu.ph 09275159601	**MARISA L. DAHAN** Supervising Administrative Officer mldahan@cmc.pshs.edu.ph 09190021691	**DR. CHUCHI P. GARGANERA** Director III cpgarganera@cmc.pshs.edu.ph 09989713481
SOCCSKSARGEN REGION CAMPUS	Paraiso, Koronadal City, South Cotabato	**JIMMY E. UNILONGO, JR**. Special Science Teacher III jeunilongo@src.pshs.edu.ph 0917 708 0874	**ERICKA MICHELLE L. FACTOR** Special Science Teacher I elfactor@src.pshs.edu.ph 09166806029	**DR. ROCHELLE T. PAPASIN** Director III rtpapasin@src.pshs.edu.ph 09184248042
DAVAO REGION CAMPUS	Brgy. Sto. Niño, Tugbok District, Davao City	**JOCELYN V. LOPE** Administrative Officer IV jocelyn.lope@smc.pshs.edu.ph 09666496038	**CAMILLE A. CASAS** Special Science Teacher II camille.casas@smc.pshs.edu.ph 09288276407	**DR. JONALD P. FENECIOS** Director III jpfenecios@smc.pshs.edu.ph 09981007988
CARAGA REGION CAMPUS	Brgy. Ampayon, Butuan City	**MICHAEL A. FRANCISCO** Information Systems Analyst II mafrancisco@crc.pshs.edu.ph 09062859273	**JUNLOU R. TORDOS** Information Systems Analyst I jtordos@crc.pshs.edu.ph 09555598885	**ENGR. RAMIL A. SANCHEZ** Director III rsanchez@crc.pshs.edu.ph 09177064698
ZAMBOANGA PENINSULA REGION CAMPUS	Brgy. Cogon, Dipolog City	**JOHN BON JUVI D. JUMARITO** Special Science Teacher I jdjumarito@zrc.pshs.edu.ph 09456624420	**PHILIP BRYAN PADAO** Information Systems Analyst I pgpadao@zrc.pshs.edu.ph 09214222567	**DR. EDMAN H. GALLAMASO** Director III ehgallamaso@zrc.pshs.edu.ph 09478935964

ANNEX C

LIST OF EXCEPTIONS

A. STUDENT RECORDS

The following records and documents are confidential in nature and cannot be disclosed to the public or any person except when there is an order from the court or when public safety requires otherwise, to wit:

1. Student Personal Information
2. Medical Records
3. Class Records
4. Student Permanent Records
5. Student Directory
6. Scholarship Categorization Papers
7. Counselling Case Notes
8. Student Individual Inventory Records
9. Psychological Test Results (Standardize and Non-Standardize)
10. Student Assessment Scores, such as Admission Test Scores (e.g. NCE, LAQE), Readiness Test Results, Scholastic Aptitude Test Scores, College Admission Test, ICAS, etc.

B. CLASSIFIED INFORMATION

Those specifically authorized to be kept Confidential and Classified by the PSHS System Board of Trustees by reason of sensitivity including but not limited to board resolutions, memoranda, internal audit reports by the executive director or campus director, proceedings of executive sessions, records of minutes, advice given and opinions expressed during decision making or policy formulation.

C. INFORMATION NECESSARY FOR THE PROTECTION OF MINORS AND INDIVIDUALS

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

D. INFORMATION DEEMED CONFIDENTIAL BY REASON OF OFFICIAL CAPACITY

Information, documents or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government agencies, tribunals, boards, or officers, in relation to the performance of their functions, or to inquiries, or investigation conducted by them in the exercise of their administrative or quasi-judicial functions. Examples include: intellectual property; proprietary information; data furnished to statistical inquiries/ surveys/

censuses of the Philippine Statistics Authority (PSA); records and reports submitted to the Social Security System by employer or member; documents submitted through the Government Electronic Procurement System; information obtained from accessing electronic data subject to conditions set under the data privacy act; and similar others.

E. PREJUDICIAL PREMATURE DISCLOSURE

Information when disclosed maybe detrimental or damaging or injurious or harmful to the interest and/or rights of an individual, such as disclosure of manuscripts prior to its publication or copyright, or disclosure of inventions or inventive idea prior to filing a patent, and similar others that may infringe the rights or interest of others.

F. CONFIDENTIAL BY VIRTUE OF LAW AND REGULATION

Records of proceedings or information from proceedings which pursuant to law or relevant rules and regulations, are treated as confidential or privileged e.g. judicial and medical records of employees /students; personal information of personnel other than the requesting party; personal identifying information of victims of child abuse, exploitation, discrimination, or bullying including personal information of the bully or his / her accomplices; and others.

G. PRIVATE AND PRIVILEGED COMMUNICATION

Information classified as private or privileged communication in legal or administrative proceedings (e.g. preliminary investigation report, fact-finding report, proceedings in an administrative case, etc.)

EXCEPTION TO THE MANDATE OF CONFIDENTIALITY

Confidentiality can be waved when responding to the *subpoena duces tecum* and *subpoena ad testificandum* issued by the court with jurisdiction over legal proceedings, subject to applicable laws and rules on its issuance.

ANNEX D

FOI RESPONSE TEMPLATE – DOCUMENT ENCLOSED

(Date)

Dear _____,

Greetings!

Thank you for your request dated *<insert data>* under Executive Order No. 2 (s.2016) on Freedom of Information in the Executive Branch.

Your request

You asked for *< quote request exactly, unless it is too long/ complicated>*.

Response to your request

Your FOI request is approved. I enclose a copy of [some/most/ all]* of the information you requested [in the format you asked for].

Thank you.

Respectfully,

_____
FOI Receiving Officer

ANNEX E

FOI RESPONSE TEMPLATE – ANSWER

(Date)

Dear _____,

Greetings!

Thank you for your request dated *<insert data>* under Executive Order No. 2 (s.2016) on Freedom of Information in the Executive Branch.

Your request

You asked for *< quote request exactly, unless it is too long/ complicated>*.

Response to your request

Your FOI request is approved. The answer to your request is *< insert answer >*.

Thank you.

Respectfully,

_____
FOI Receiving Officer

"ANNEX F"

NO WRONG DOOR POLICY

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

FOI-MC No. 21- 05

FREEDOM OF INFORMATION
MEMORANDUM CIRCULAR

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

SUBJECT : **GUIDELINES ON THE REFERRAL OF REQUESTED INFORMATION, OFFICIAL RECORD/S AND PUBLIC RECORD/S TO THE APPROPRIATE GOVERNMENT AGENCY OTHERWISE KNOWN AS THE "NO WRONG DOOR POLICY FOR FOI"**

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

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

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

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

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

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

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

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

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

Section 4. Acceptance of request. – As a general rule, all fully compliant requests for information shall be accepted by the FOI Receiving Officer (FRO) and FOI Decision Maker (FDM). No request for information shall be denied or refused acceptance by a government office unless the reason for the request is contrary to the Constitution, pertinent laws, existing rules and regulations, or it is one of the exceptions provided under the Inventory of Exceptions.

Section 5. Process of Referral. – When the requested information is not in the possession of a government agency (government agency no. 1 or GA1), but is available in another government agency (government agency no. 2 or GA2) under the Executive Branch, the request shall be immediately referred by GA1 to GA2 through the most expeditious manner but not exceeding three (3) working days from the receipt of the request. This shall be considered as the "**First Referral**" and a fresh period will apply.

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

If GA1 fails to refer the request within three (3) working days upon its receipt, the FRO shall act on it within the remaining period to respond pursuant to EO No. 02, s. 2016. No fresh period shall apply.

If GA1, in good faith, erroneously referred the request to GA2, the latter shall immediately notify the former as well as the requesting party, that the information requested is not available in their agency.

GA2, to whom the request was referred under the First Referral may subsequently refer the request to another government agency (government agency no. 3 or GA3) under the procedure set forth in the first paragraph of this Section. This shall be considered as the **"Second Referral"** and another fresh period shall apply.

Referrals under this Order shall only be limited to two (2) subsequent transfers of request. A written or email acknowledgement of the referral shall be made by the FRO of the government agency where it was referred.

The requesting party shall be notified of the referral and must be provided with the reason or rationale thereof, and contact details of the government office where the request was referred.

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

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

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

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

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

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

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

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

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

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

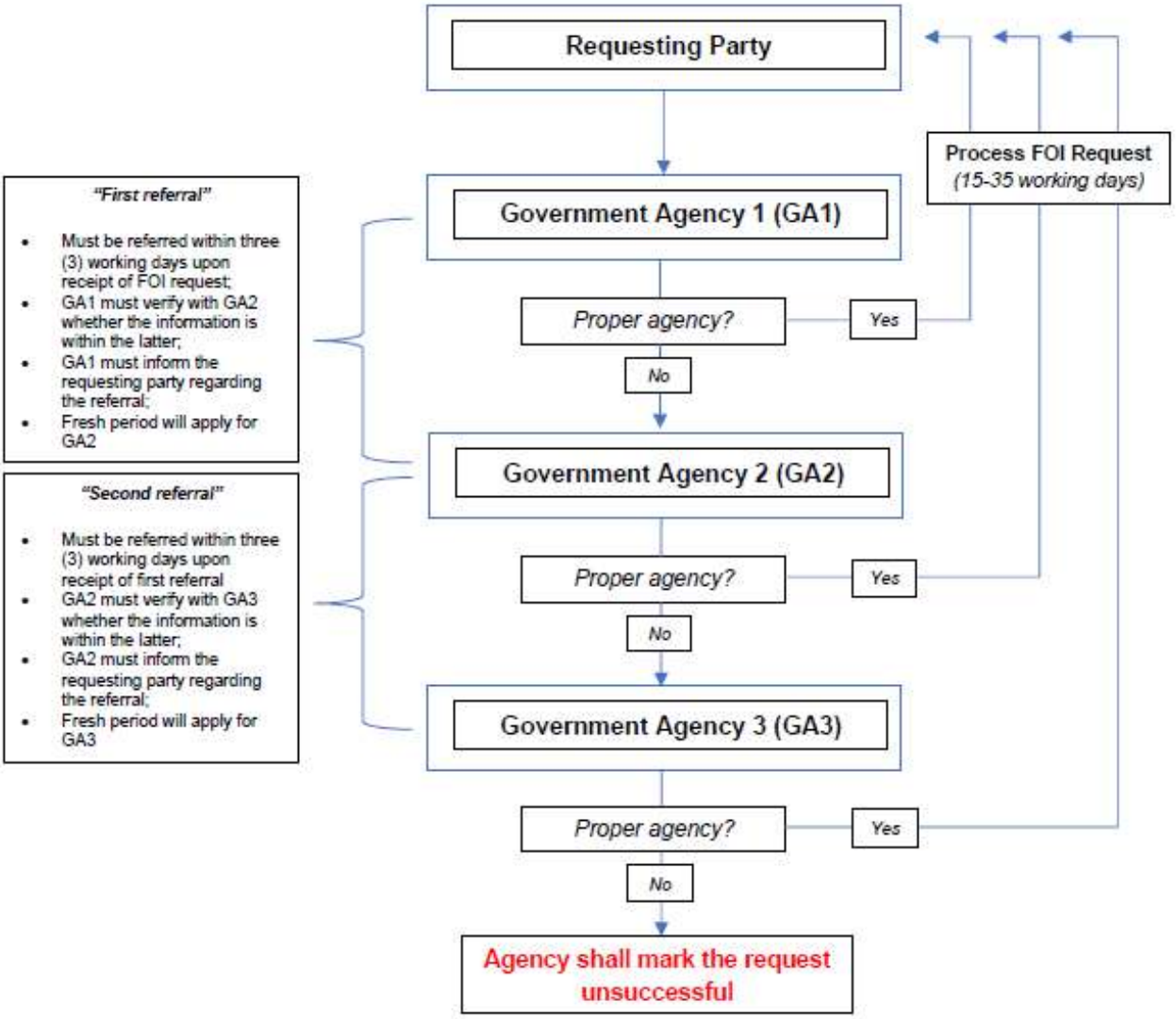
Section 10. Repealing Clause. All orders, rules and regulations, memoranda, circulars, and issuances or any part thereof inconsistent with the provisions of this Memorandum Circular are hereby repealed, amended or modified accordingly.

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

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

JOSE RUPERTO MARTIN M. ANDANAR
Secretary and FOI Champion

NO WRONG DOOR POLICY FLOWCHART



NOTE:

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

ANNEX G

PHILIPPINE SCIENCE HIGH SCHOOL SYSTEM
FOI REQUEST FORM
(PORMULARYO NG KAHILINGAN)

Campus/ Office: _____

TITULO NG DOKUMENTO *(Title of the Document)* _____

MGA TAON/PANAHONG SAKLAW *(Year)* _____

LAYUNIN *(Purpose)*

_____

_____

_____

PANGALAN / *(Name)* _____ **CONTACT Nos.** _____

LAGDA / *(Signature)* _____ **PETSA** *(Date)* _____

TIRAHAN / *(Address)* _____ **KATIBAYAN NG PAGKAKAKILANLAN** *(Proof of Identity)*

Passport No. _____
Driver's License _____
Other _____

PARAAN NG PAGTANGGAP NG MGA IMPORMASYON
(How would you like to receive the information?)

- ☐ Email _____
- ☐ Fax _____
- ☐ Postal Address _____
- ☐ Pick-up *(Office hours)* _____

Gawaing itinalaga kay: _____
(Submitted to) *(Lumagda sa ibaba ng pangalang nakalimbag)*

Petsa / Oras ng Pagkatalaga: _____
(Date / Time of Submission)

Taong nagpapatunay ng Gawaing Natapos: _____
(Certified by)

(Lumagda sa ibaba ng pangalang nakalimbag)

Uri ng isinagawang aksiyon: _____
(Type of Action Conducted)

Iniskedyul ni *(Received by):*

_____
FOI Receiving Officer

Remarks: