



Republic of the Philippines

TALAVERA WATER DISTRICT

042 Diaz Street, Pag-asa District, Talavera, Nueva Ecija 3114

+6344 9406703 ✉ pacd@talaverawd.com ✉ ogm@talaverawd.com

Memorandum No. 08 - 2017

Sept 25, 2017

TO : All Concerned

FROM : The Office of the General Manager

**SUBJECT : TALAVERA WATER DISTRICT FREEDOM OF INFORMATION (FOI) MANUAL**

Pursuant to E.O No. 02 series of 2016 re: 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 (Annex 1), the TWD Freedom of Information (FOI) is hereby adopted with the following provisions and details:

1. **ACCESS TO INFORMATION** – Every Filipino shall have access to information, official records, public records pertaining to TWD official acts, transactions or decisions, as well as to government research data used as basis for policy development;
2. **EXCEPTIONS** – The exceptions to the coverage shall be the Office of the President's circularized list of Inventory of Exceptions and its updates;
3. **APPLICATION AND INTERPRETATION** – The determination of the applicability of any of the exceptions to the request shall be the responsibility of the General Manager;
4. **PROTECTION OF PRIVACY**– While providing access to information, public records, and official records, the TWD management shall afford full protection to the right to privacy of the employee as follows:
  - (a) 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) 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 or official 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, office rules or regulation.

5. **PROCESSING PROCEDURE**—The processing flowchart and its narrative procedure are shown in Annex 2.

The General Manager is responsible for all actions carried out under the FOI process and delegates this responsibility to the concerned Division Managers. An Action Officer is assigned to have overall responsibility for locating the information requested.

5.1 FILING PROCESSING:

- (a) Any person who requests access to information shall submit a written request to TWD. 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 mentioned in Item No. 2 above.
- (b) The receiving officer shall provide reasonable assistance, free of charge, 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 processed by the receiving officer indicating the date and time of receipt request, the name of the receiving officer with the corresponding signature, rank, title and position.
- (d) The requesting party shall be provided a copy of processed request.

5.2 RESPONDING TO REQUEST

- (e) TWD shall respond to a request fully compliant with requirements of 5(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 District or Division concerned to grant or deny access to the information requested.

- (f) The period to respond maybe extended whenever the information requested requires extensive search of the office records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. TWD 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.
- (g) The information is to be released only in hard copy after the person making the request has paid the applicable copying fees.
- (h) The Statements of Assets, Liabilities and Networth (SALN) shall be available for scrutiny only in accordance with existing laws, office rules and regulations, and the spirit and letter of this Order.

### 5.3 DENIAL PROCESSING

- (i) If TWD decides to deny the request, in whole or in part, it shall 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. The written notice to deny a request shall clearly state the grounds for and circumstances on which the denial is based.

### 5.4 APPEAL PROCESSING

- (j) A written appeal for the denial of information 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.
- (k) Denial of any request for access to information may be appealed to the person or office next higher in the authority. 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.

- (l) The appeal is to be decided by the person or office next higher in authority within thirty (30) working days from the filing of the said written appeal. Failure of such person or office to decide within the afore-stated period shall be deemed a denial of the appeal.
- (m) Failure of such person or office to decide within thirty (30) working days from the filing of said written shall be deemed a denial of the appeal.
- (n) Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate case in the proper court in accordance with the rules of court.

#### 5.6 SUBSEQUENT IDENTICAL OR SUBSTANTIALLY SIMILAR REQUEST PROCESSING

- (o) Unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied shall not be required to be acted upon.

### **6. MANUAL**

For the effective implementation of this order, a People's Freedom of Information (FOI) Manual is made available to aid the Public, with the following provisions:

- (a) Contact information of the processing unit
- (b) Procedure for filing and processing of the request
- (c) Standard forms for the submission of request and proper acknowledgement
- (d) Process for disposition of request
- (e) Procedure for administrative appeal for any denial for access to information
- (f) Schedule of applicable fees.

The manual forms part of the records of this system. Update to the Manual is to be authorized by the Head of the Service in charge of records keeping.

### **7. RECORDS KEEPING**

Subject to existing laws, rules and regulations, TWD 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 and that includes the following:

1. This Office Order
  2. Manual in Item No. 6 above
  3. Required reports pertaining to the administration of the FOI
8. **RESPONSIBILITIES**– Responsibilities of all concerned are shown in annex 3.
9. **ADMINISTRATIVE LIABILITIES** – Failure of the erring public officer or employee to comply with the provisions of this Order may be a ground for administrative liability, subject to existing office rules and regulations.

For concerned and strict compliance.



**ENGR. LEANDRO JUN C LACSAMANA**  
General Manager



Republic of the Philippines

TALAVERA WATER DISTRICT

042 Diaz Street, Pag-asa District, Talavera, Nueva Ecija 3114

+6344 9406703 ✉ pacd@talaverawd.com ✉ ogm@talaverawd.com

Memorandum No. 09 - 2017

Sept 25, 2017

TO : All Concerned

FROM : The Office of the General Manager

**SUBJECT : AGENCY FREEDOM OF INFORMATION (FOI) MANUAL (MEMORANDUM NO. 08-2017) ITEM NO. 2 – EXCEPTIONS**

In accordance with the Office of the President's Memorandum from the Executive Secretary dated November 24, 2016, following the list of exceptions under Item no. 2 of Memorandum No 08 - 2017:

1. Information covered by Executive privileged;
2. Privileged information relating to national security, defense or international relations;
3. Information concerning law enforcement and protection of public and personal safety;
4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victim of crimes, or the accused;
5. 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 of officers, in relation to the performance of their functions, or to inquiries or investigation conducted by the agencies in the exercise of their administrative, regulatory or quasi-judicial powers;
6. Prejudicial premature disclosure;
7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged;
8. Matters considered confidential under banking and finance laws, and their amendatory laws; and
9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations.

For compliance

  
**ENGR. LEANDRO JUN C LACSAMANA**  
General Manager

TALAVERA WATER DISTRICT

**People's  
Freedom of Information (FOI)  
Manual**

**TALAVERA, NUEVA ECIJA**

## FREQUENTLY ASKED QUESTIONS:

### A. WHAT IS E.O. NO. 02

EXECUTIVE ORDER (E.O.) No. 12 dated July 23, 2016 is entitled “**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.**”

It actuates the Constitutional provision on full public disclosure of all transactions involving public interest subject to reasonable conditions prescribed by law.

The manual is prepared in accordance with the requirements provided in section 8 thereon.

### B. TO WHOM AND WHERE CAN ONE SUBMIT REQUEST FOR INFORMATION?

**Administrative Division  
Talavera Water District  
042 Diaz Street, Pag-asa, Nueva Ecija – 3114  
Tel. No. (044) 940-6703, e-mail: [ogm@talaverawd.com](mailto:ogm@talaverawd.com)**

### C. WHO IS RESPONSIBLE FOR RECEIVING REQUEST FOR INFORMATION?

**Administrative Division  
Talavera Water District  
042 Diaz Street, Pag-asa, Nueva Ecija – 3114  
Tel. No. (044) 940-6703, e-mail: [ogm@talaverawd.com](mailto:ogm@talaverawd.com)**

### D. WHAT IS THE PROCEDURE FOR FILING AND PROCESSING OF THE REQUEST?

#### D.1 FILING OF REQUEST

- Name and contact information of the requesting party;
- Reasonable description of the information requested, provide as much detail as possible;
- Reason for, or purpose, of the request for information.

A valid proof of identification or authorization shall likewise be provided together with the request.

The request shall be stamped, including the indication of the following:

- Date and Time of Receipt;
- Name and Signature, Rank, Title and Position of the Action Officer.



The requesting party shall be given a copy of the processed request.

#### **D.2 RESPONDING TO REQUEST**

The person making the request shall be notified in writing, within the prescribed time frame, of any of the following:

- Decision to grant the information including the applicable fees
- Information directing the requesting party to where the information is readily and publicly available such as the website, publications, etc.
- Decision to deny the information.

The information is released in hard copy after the person making the request has paid the applicable fees.

#### **E. WHAT ARE THE STANDARD FORMS**

- Please see attached "**INFORMATION REQUEST** UNDER E.O. NO. 02 form
- Please see attached FOI under EO No. 02 **Response Form**

#### **F. WHAT IS THE PROCESS FOR DISPOSITION OF REQUEST?**

The person making the request shall be notified of the decision as soon as practicable, subject to the following:

- Not later than 15 working days from the receipt of request fully compliant with requirement;
- Within 20 working days, whenever the requested information requires extensive search of the office's records facilities, examination of voluminous records, the occurrence of fortuitous cases or analogous cases;
- Beyond 20 working days only when exceptional circumstances warrant a longer period.

#### **G. WHAT IS THE PROCEDURE FOR ADMINISTRATIVE APPEAL OF ANY DENIAL FOR ACCESS TO INFORMATION?**

Denial of any request for access to information may be appealed to the person or office next higher in the authority within fifteen (15) working days from notice of denial or lapse in period to respond by the responsible officer.

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.

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

**H. WHAT ARE THE FEES INVOLVED?**

Assistance	- Free of Charge
Copying Charges (all sizes)	- P3.00 per page

**FOI PROCESSING**  
Narrative Procedures

Person Responsible	Flow No.	Day	Activity	
Receiving Officer	1	1	Receive request	<ul style="list-style-type: none"> <li>- Check if request is valid</li> <li>- Stamp Received</li> <li>- Provide copy to requestor</li> <li>- Log details on FOI Tracker</li> <li>- Plan Work needed with Decision Maker (DM)</li> </ul>
Receiving Officer	2	2	CLARIFY REQUEST (If necessary)	<ul style="list-style-type: none"> <li>- If not clear what information is requested, seek clarification (15 working day stops)</li> <li>- Provide appropriate advice and assistance to requestor</li> <li>- When clarification is received, NEW working day period starts</li> <li>- If no clarification received, close request from receipt and notify applicant</li> <li>- Forward to action officer</li> </ul>
Action Officer	3	2-4	Assess Request	<ul style="list-style-type: none"> <li>- Does the Agency hold the information requested?</li> <li>- Is the information already accessible?</li> <li>- Is the request a repeat of a previous request from the same applicant?</li> </ul>
Action Officer	4	2-4	Locate Information	<ul style="list-style-type: none"> <li>- Obtain all relevant information</li> <li>- Prepare schedule of all information located</li> </ul>
Action Officer		2-4	Inform/Consult	<ul style="list-style-type: none"> <li>- Other officials with Key interest</li> </ul>
Action Officer/Concerned				<ul style="list-style-type: none"> <li>- Review content of documents and apply</li> </ul>

Dept. Manager		5-8	Consider/Response	<ul style="list-style-type: none"> <li>relevant exemptions</li> <li>- Consider comments/advice of officials</li> <li>- Organize documents</li> </ul>
Action Officer		9-10	Clearing Response	<ul style="list-style-type: none"> <li>- Seek clearance for personal information</li> <li>- Seek other clearances from the Legal Dept. if necessary</li> </ul>
Action Officer	5	11-15	ISSUE RESPONSE	- Prepare information for release
Receiving Officer	6	11-15		<ul style="list-style-type: none"> <li>- Update FOI Tracker and save response</li> <li>- Releases information after applicable copying fees have been paid by the requesting party.</li> </ul>

## APPEALS PROCESSING

Person Responsible	Flow No.	Day	Activity	
Receiving Officer	7	1	Receive Request	<ul style="list-style-type: none"> <li>- Check if written appeal is filed by the same requesting party within 15 calendar days from the notice of denial or from the lapse of the period to respond to the request</li> <li>- stamp received with the date</li> <li>- Provide copy to the requestor</li> <li>- Log details on FOI Tracker</li> <li>- Forwards to next higher authority</li> </ul>
Receiving Officer	8	1	Receive Request	<ul style="list-style-type: none"> <li>- Forwards request to next higher authority</li> </ul>
Next Higher Authority	9	2-30	Decide on Request	<ul style="list-style-type: none"> <li>- Decides on the request for appeal</li> <li>- Prepares written response to the appeal</li> </ul>
Receiving Officer	10	2-30	Release Response	<ul style="list-style-type: none"> <li>- Releases written response</li> <li>- Log details on FOI Tracker and save response</li> </ul>

## RESPONSIBLE UNIT AND RESPONSIBILITIES

Responsible Unit/Person	Responsibilities
<b>General Manager</b>	<ul style="list-style-type: none"> <li>- Decides on the applicability of any of the exceptions</li> <li>- Approve immediate resolution to request that pose doubts on the applicability of its inclusion as one of the exceptions provided for in the list of Exceptions and its updates.</li> </ul>
<b>Legal Counsel</b>	<ul style="list-style-type: none"> <li>- Determines applicability of any of the exceptions as referred to by the General Manager</li> <li>- Recommends immediate resolution to request that pose doubts on the applicability of its inclusion as one of the exceptions provided for in the list of exceptions and its updates</li> <li>- Provides written clearance prior to release of all personal information</li> </ul>
<b>Administrative Division</b>	<ul style="list-style-type: none"> <li>- Provides reasonable assistance to requesting parties, and particularly, those with special needs, to comply with the request requirements.</li> <li>- Processes appropriately the following:               <ul style="list-style-type: none"> <li>(a) fully compliant request for information</li> <li>(b) creation and/or maintenance of accurate and reasonably complete records of important information in appropriate format, facilitating easy identification, retrieval and communication of information to the public.</li> <li>(c) traceability of the status of all requests for information and appeals</li> <li>(d) unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied</li> </ul> </li> <li>- Forwards request for information to appropriate office who has custody of the records</li> <li>- Compiles required statistical information on the implementation of the FOI system</li> <li>- prepares required report detailing the administration of the FOI</li> <li>- Sends the requested information to requesting party within the set time frame</li> </ul>
<b>Action Officer/Concerned Department Manager</b>	<ul style="list-style-type: none"> <li>- Acts on the request for information</li> <li>- Grants or Denies the requested information taking into considering the required time frame</li> <li>- Signs the Response Form</li> </ul>

<p><b>Concerned Official or Employee</b></p>	<ul style="list-style-type: none"> <li>- Discloses personal information in the custody of the office that concerned official or employee has access to, whether authorized or unauthorized, only when authorized under this Order or pursuant to existing laws, rules or regulation.</li> <li>- Issues, as the owner of the personal information, a written clearance to the release of personal information.</li> <li>- Files a complaint relating to violation of privacy of personal information with the Administrative Division, if warranted.</li> </ul>
<p><b>Administrative Division</b></p>	<ul style="list-style-type: none"> <li>- Affords full protection to the right to privacy of the individual related to personal information in its custody or under its control</li> <li>- Ensures 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</li> <li>- Provides 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.</li> <li>- Obtains a written clearance prior to release of all personal information from the following: <ul style="list-style-type: none"> <li>(a) Legal Counsel</li> <li>(b) Owner of the personal information</li> </ul> </li> <li>- Acts on individual employee complaint against violation of privacy of personal information under the custody of Administrative Division</li> <li>- Issues, whenever applicable, administrative or disciplinary sanctions on responsible person failing to respond appropriately to provisions of this office order</li> <li>- Ensures the availability for scrutiny of the Statements of Assets, Liabilities and Net worth (SALN) only in accordance with existing laws, rules and regulations, and the spirit and letter of this order.</li> </ul>



Republic of the Philippines

TALAVERA WATER DISTRICT

042 Diaz Street, Pag-asa District, Talavera, Nueva Ecija 3114

+6344 9406703 ✉ pacd@talaverawd.com ✉ ogm@talaverawd.com

**INFORMATION REQUEST FORM  
UNDER E.O. NO. 02**

**To be filled up by the Requestor**

Date :	Contact no:
Name :	
Address :	Email:
Purpose of Request:	
Information/Documents being Requested ( <i>describe as much as possible to facilitate search and retrieval</i> )	

You will be informed of the copying fee charge for the document/s. This shall be paid before release of documents.

**To be filled up by the Administrative Division**

Received by Action Officer:	Printed Name and Signature	Designation
--------------------------------	----------------------------	-------------





Republic of the Philippines

TALAVERA WATER DISTRICT

042 Diaz Street, Pag-asa District, Talavera, Nueva Ecija 3114

+6344 9406703 ✉ pacd@talaverawd.com ✉ ogm@talaverawd.com

**FREEDOM OF INFORMATION (FOI) UNDER E.O NO. 02  
RESPONSE FORM**

TO: \_\_\_\_\_

Date :	Contact no:
Name :	
Address :	Email:

Your request for information is:

<input type="radio"/> Granted	<b>PARTICULARS</b>	Total copying fee payment before information is release in
<input type="radio"/>	This will be ready by date:	
<input type="radio"/>	The information requires extensive search of the office records, facilities, examination of voluminous documents. This will be ready by date:	
<input type="radio"/>	The information will be ready by date: Exceptional circumstances warrant a longer period.	
<input type="radio"/>	Other	
<input type="radio"/> Denied	Reason for Denial:	

Printed Name and Signature	Designation
----------------------------	-------------

# FOI REQUEST FLOW CHART

