



Republic of the Philippines  
**BATANGAS STATE UNIVERSITY**

Batangas City

Tel Nos.: (043) 980-0385 loc. 1546/1822

Email Address: [batstateupresident@gmail.com](mailto:batstateupresident@gmail.com) Website Address: <http://www.batstate-u.edu.ph>

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## EXECUTIVE SUMMARY

### Batangas State University Freedom of Information (FOI) Manual

Pursuant to the Executive Order No. 02, series of 2016 signed by His Excellency on 23 July 2016, President Rodrigo Roa Duterte, directing to all government offices of the Executive Branch to formulate their respective implementing details within 120 days from its effectivity, this proposed Manual sets forth the specific rules and regulations on the basic right of the stakeholders of the University to information. The said order finds its legal bases on Section 28, Article II and Section 7, Article III of the 1987 Philippine Constitution and under the provisions of Republic Act (RA) No. 10173 or the Data Privacy Act.

In brief, the BatStateU Freedom of Information (FOI) Manual is culled from the FOI Manual of the CHED with certain modifications to fit with the organizational structure of the University and the documents in custody of BatStateU. The provisions of the Batangas State University FOI Manual are summarized to wit:

1. **As to purpose and coverage.** The purpose of this Manual is to provide the process by which the Batangas State University (BatStateU), its extension campuses, units and offices deal with requests of information received under Executive Order No. 2, s. 2016 on Freedom of Information (FOI). The Manual shall cover all requests for information directed to the BatStateU and all its extension campuses and offices under it.
2. **As to responsible officers.** Considering the difference with the organizational structure of the University and CHED, the present manual considers the following persons as the responsible officers herein: **(a)** FOI Receiving Officer (FRO)- To be identified by the ExeCom (preferably from the Records Office); **(b)** FOI Decision Maker (FDM)- Vice President and/or Executive Director who has primary concern over the requested document; and **(c)** FOI Appellate Authority- The University President shall be the Appellate Authority as regards denied requests.
3. **As to the substance.** Substantially, the content of the CHED Manual and the present manual are the same. The terms defined as used in the Manual are the same. It provides for the proper procedure for requesting certain information allowed by existing laws rules and regulations and well as the remedies in case of denial. It likewise provides that reasonable fees may be imposed for the reproduction of the documents requested. The liability for non-compliance of the Manual is also set forth in herein where the procedural due process per Revised Rules on Administrative Cases in the Civil Service shall be applicable. Standard forms are likewise devised to expedite all requests.

4. **As to documents allowed and exempted.** As a general rule, all public documents held by the University may be requested by a party concerned subject to the procedures outlined in the Manual. As an exception, those documents specifically listed under the Manual as exempted (e.g. sensitive personal information, Section 6 (2.1) therein and listed under Annex B thereof) cannot be allowed to be subject of requests, hence requests regarding such documents may be denied following the proper procedure.

With the adoption of the BatStateU FOI Manual, the University can fully comply not only with the requirements of EO No. 02 but likewise with all constitutional and statutory provisions affirming the basic right of people to information. That public trust is an essential attribute of public office; the Batangas State University must have to continually serve our stakeholders with utmost transparency. It must be recognized that with the affirmation of the right to information, active participation of all our stakeholders in the operations of the University will likewise be acknowledged. Such participation between the management and the stakeholders is the very core of the success of the University in honing the youth through provision of quality education.

The same was presented to the Academic and Administrative Councils of the University and was duly approved through Resolution 0308-2, S. 2017, to the Board of Regents Finance Committee which likewise approved the same, and to the Board of Regents during its 53<sup>rd</sup> Regular Meeting and was approved through BoR Res. No. 587, s. 2017. The University deemed it necessary to adhere to the policy, thus providing the BatStateU FOI Manual for the adoption of all of its stakeholders.



**Dr. TIRSO A. RONQUILLO**  
University President





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**EXCERPT FROM THE MINUTES OF THE FIFTY-THIRD (53<sup>rd</sup>) REGULAR MEETING OF THE BATANGAS STATE UNIVERSITY BOARD OF REGENTS HELD AT THE CONFERENCE ROOM, 7<sup>TH</sup> FLOOR, CIRTC BUILDING, BATSTATEU PABLO BORBON MAIN I ON MARCH 25, 2017 AT 11:00 AM**

**PRESENT:**

- |  |   |                  |
|--|---|------------------|
| Dr. ALEX B. BRILLANTES, JR.<br>CHED Commissioner   | - | Chairperson      |
| Dr. TIRSO A. RONQUILLO<br>University President   | - | Vice-Chairperson |
| Sen. FRANCIS JOSEPH G. ESCUDERO<br>Chairperson, Senate Committee on Education, Arts and Culture<br>Represented by: Atty. CESAR A. CASTOR | - | Member           |
| Dir. LUIS G. BANUA<br>Director, NEDA – Region IV   | - | Member           |
| Dir. ALEXANDER R. MADRIGAL<br>Director, DOST – Region IV   | - | Member           |
| Mr. FAUSTINO RICARDO G. CAEDO<br>Private Sector Representative   | - | Member           |
| Dr. GEORGE P. COMPASIVO<br>Faculty Regent  | - | Member           |
| Mr. JOEY C. ESPINO<br>Student Regent   | - | Member           |
| Prof. ENRICO M. DALANGIN<br>Board and University Secretary   | - | Head Secretariat |

**OTHERS PRESENT:**

- |                             |   |                                       |
|-----------------------------|---|---------------------------------------|
| Ms. BLAISEDEL REGACHO       | - | Executive Assistant, Comm. Brillantes |
| Atty. LUZVIMINDA C. ROSALES | - | VP Administration and Finance         |
| Engr. ANTONIO A. GAMBOA     | - | Director, Project Management Office   |
| Ms. MICAH ALEYAH A. ACUZAR  | - | Technical Staff                       |
| Mr. ARISTEO G. DIMASACAT    | - | Technical Staff                       |
| Ms. LOUWELYN A. LUISTRO     | - | Technical Staff                       |

**Res. No. 587, S. 2017**

**WHEREAS, Executive Order No. 02, S. 2016 directs all government offices of the Executive Branch to formulate their respective implementing details within 120 days from its effectivity;**

**WHEREAS, in adherence to the Executive Order, Batangas State University proposed its Freedom of Information (FOI) Manual;**

**WHEREAS, the proposed manual was presented to the Academic and Administrative Councils of the University and was approved through Resolution No. 0308-2, S. 2017;**

**WHEREAS, the same was presented to the Finance Committee of the Board and was approved for endorsement after thorough discussion and deliberation through Resolution No. 002, S. 2017;**

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**WHEREAS, during its 53<sup>rd</sup> Regular Meeting, the Board accepted the endorsement of the Finance Committee;**

**NOW, THEREFORE, in view of the foregoing premises, the Board approved, as it is hereby approved, the Batangas State University Freedom of Information Manual.**

**Attached and made as an integral part of this resolution is the copy of the manual.**

**APPROVED.**

Certified Correct:

A handwritten signature in black ink, appearing to be "MD", is written above the name of the official.

**Prof. ENRICO M. DALANGIN**  
Board and University Secretary





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**EXCERPT FROM THE MINUTES OF THE JOINT MEETING OF THE BATANGAS STATE UNIVERSITY ACADEMIC AND ADMINISTRATIVE COUNCILS HELD AT THIRD FLOOR, AUDIO-VISUAL BUILDING, BATSTATEU PABLO BORBON MAIN I, BATANGAS CITY ON MARCH 8, 2017 AT 8:00AM**

**RESOLUTION NO 0308-2, S.2017  
APPROVING THE ADOPTION OF THE BATANGAS STATE UNIVERSITY FREEDOM OF INFORMATION (FOI) MANUAL**

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

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

**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;

**WHEREAS**, Executive Order No. 02 issued by President Rodrigo R. Duterte provides the 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**, it covers 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;

**WHEREAS**, the Vice President for Administration and Finance presented the proposed Batangas State University Freedom of Information (FOI) Manual to the members of the Executive Committee and was approved through Resolution No. 0301-5, s. 2017 during its meeting on March 1, 2017;

**WHEREAS**, it was also presented to the members of the Academic and Administrative Councils during its meeting on March 8, 2017;

**WHEREAS**, after careful discussion and deliberation by the body, the Academic and Administrative Councils of the University resolved to approve the proposed Batangas State University Freedom of Information (FOI) Manual.

**NOW THEREFORE, BE IT RESOLVED**, that the members of the Academic and Administrative Councils of the University, with substantial purpose pursuant to the terms and provisions for the considerations provided, approved as it is hereby approved the proposed Batangas State University Freedom of Information (FOI) Manual.

**FURTHER RESOLVED**, that the members of the Academic and Administrative Councils approved for endorsement of the same to the BatStateU Board of Regents for final approval.

**APPROVED.**

**Certified Correct:**

**ENRICO M. DALANGIN**  
University and Board Secretary

Head Secretariat Academic and Administrative Councils



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# **Freedom of Information**

## **Manual of the**

# **Batangas State University**

Approved as per BOR Resolution NO.587, s. 2017 in the 53<sup>rd</sup> Reg. Meeting held last March 25,2017



## SECTION 1: OVERVIEW

**1. Purpose of the Manual.** The purpose of this Freedom of Information Manual (Manual) is to provide the process by which the Batangas State University (BatStateU), its extension campuses, units and offices deal with requests of information received under Executive Order No. 2, s. 2016 on Freedom of Information (FOI). **(Annex A)**

**2. Structure of the Manual.** This Manual sets out the definition of terms, standard operating procedures, remedies, fees, and administrative liability. It also provides for the relevant forms and other annexes.

This Manual sets the rules and procedures to be followed by the Batangas State University and its extension campuses, whenever a request for access to information is received. The University President shall be responsible for all actions carried out under this Manual and may delegate this responsibility to the respective Vice Presidents and/or Executive Directors of the University campuses. The University President, with the authority of the Board of Regents, may delegate to a specific committee or official the authority to act as the Decision Maker (DM) and shall have overall responsibility for the initial decision on FOI request, (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 BatStateU and all its extension campuses and offices under it, to wit:

3.1. Batangas State University Governor Pablo Borbon Main Campus I

3.2. Batangas State University Governor Pablo Borbon Main Campus II

3.3. Batangas State University ARASOF-Nasugbu Campus

3.4. Batangas State University Balayan Campus

3.5. Batangas State University JPLPC Malvar Campus

3.6. Batangas State University Lemery Campus

3.7. Batangas State University Lipa Campus

3.8. Batangas State University Lobo Campus

3.9. Batangas State University Rosario Campus

3.10. Batangas State University San Juan Campus

**4. Responsible Officers.** For purposes of the Manual, there shall be the FOI Receiving Officer (FRO), the FOI Decision Maker (FDM), and the FOI Appellate Authority designated at BatStateU. The Executive Committee shall identify the FRO preferably from the Records Office of the University or its equivalent office in BatStateU. The FDM shall refer to the Vice President and/or Executive Director who has primary concern over the requested document. The University President shall be the Appellate Authority as regards denied requests.

The functions of the FRO shall include receiving on behalf of the BatStateU or any of its extension campuses, all requests for information. The FRO shall maintain a logbook of all requests chronologically received for accountability purposes.

The request shall be forwarded to the appropriate person who has custody of the records. The FRO shall monitor all FOI requests and appeals, provide assistance to the FOI Decision Maker (FDM), provide assistance and support to the public with regard to FOI requests, compile statistical information as required, and conduct initial evaluation of the request. Upon completion of the evaluation within the period set in the EO No. 02, the FRO shall advise the requesting

party of any decision of the request. Should the request be denied, the decision may be appealed to the Appellate Authority as set forth in this manual.

## SECTION 2: DEFINITION OF TERMS

1. **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.
2. **INFORMATION FOR DISCLOSURE.** Information promoting the awareness and understanding of policies, programs, activities, rules or revisions affecting the public, government agencies, and the community and economy. It also includes information encouraging familiarity with the general operations, thrusts and programs of the government. In line with the concept of proactive disclosure and open data, these types of information can already be posted to government websites, such as data.gov.ph, without need for written requests from the public.
2. **OFFICIAL RECORDS** shall refer to information produced or received by a public officer or employee or by a government office in an official capacity or pursuant to a public function or duty.
3. **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.
4. **PERSONAL INFORMATION** shall refer to any information, whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.
5. **SENSITIVE PERSONAL INFORMATION** shall be as defined in the Data Privacy Act of 2012 (Republic Act No. 10173), i.e., personal information:
  - a. About an individual's race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
  - b. About an individual's 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 OR TERMS

1. **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.
2. **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 received, processed, and pending at each government office.
3. **CONSULTATION.** When a government office locates a record that contains information of interest to another office, it will ask for the views of that other agency on the disclosability of the records before any final determination is made. This process is called a "consultation."
4. **EXCEPTIONS.** Refers to those class of privileged information that are outside the scope of the constitutional right to information and which may not be released or disclosed to the public, as provided under the Constitution, laws or jurisprudence. These exceptions are enumerated in "Annex B" hereof.
5. **FREEDOM OF INFORMATION (FOI).** The Executive Branch recognizes the right of the people to information on matters of public concern, and adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to the procedures and limitations provided in Executive Order No. 2. This right is indispensable to the exercise of the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making.
6. **FOI CONTACT.** The name, address and phone number at each government office where you can make a FOI request.
7. **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.
8. **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.
9. **FREQUENTLY REQUESTED INFORMATION.** Information 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.
10. **FULL DENIAL.** When the BatStateU or any of its extension campuses cannot release any records in response to a FOI request, because the requested information is exempt from disclosure in its entirety or, no records responsive to the request could be located.
11. **FULL GRANT.** When the BatStateU is able to disclose all records in full in response to a FOI request.
12. **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.
13. **PARTIAL GRANT/PARTIAL DENIAL.** When the BatStateU is able to disclose portions of the records in response to a FOI request, but must deny other portions of the request.
14. **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.

15. **PERFECTED REQUEST.** A FOI request, which reasonably describes the records, sought and is made in accordance with the government office's regulations.
16. **PROACTIVE DISCLOSURE.** Information made publicly available by BatStateU without waiting for specific FOU request. Government agencies now post on their websites a vast amount of material concerning their functions and mission.
17. **PROCESSED REQUEST OR PROCESSED APPEAL.** The number of request or appeals where the agency has completed its work and sent a final response to the requester.
18. **RECEIVED REQUEST OR RECEIVED APPEAL.** An FOI request or administrative appeal that an agency has received within a fiscal year.
19. **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. This process is called a "referral."
20. **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 TRANSPARENCY IN GOVERNMENT**

1. **Access to Information:** The BatStateU 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 E.O. 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. **Duty to Publish Information.** The BatStateU shall regularly publish, print and disseminate at no cost to the public and in an accessible form, in conjunction with Republic Act 9485, or the Anti-Red Tape Act of 2007, and through its website, timely, true, accurate and updated key information including, but not limited to:
  - a. A description of its mandate, structure, powers, functions, duties and decision-making process;
  - b. A description of 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, program of receipts 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.
3. **Accessibility of Language and Form.** The BatStateU shall endeavor to translate key information into major Filipino languages and present them in popular form and means.



4. **Keeping of Records.** The BatStateU 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 data generated or collected.
5. **Exceptions:** Access to information shall be denied when the information falls under any of the exceptions as provided for herein or in the attached list marked as **Annex "B"**.

## **SECTION 5. PROTECTION OF PRIVACY**

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

- a. The BatStateU 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 BatStateU 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 any official who has access, whether authorized or unauthorized, to personal information in the custody of the BatStateU, shall not disclose that information except as authorized by BatStateU or under existing laws.

## **SECTION 6. STANDARD PROCEDURE**

### **1. Receipt of Request for Information**

- 1.1. The FOI Receiving Officer (FRO) shall receive the request for information from the requesting party and check compliance of the following requirements:
  - a. The request must be in writing;
  - b. The request shall state the name and contact information of the requesting party, as well as provide valid proof of identification or authorization; and
  - c. The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information. (See **Annex "E"**)

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

- 1.2 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.
- 1.3 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 email. The FRO input the details of the request on the Request Tracking System and allocate a reference number.

1.4 The BatStateU and its extension campuses must respond to any FOI request promptly, within the fifteenth (15) working days 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 the receipt of the request will be either be:

- a. The day on which the request is physically or electronically delivered to the government office, or directly into the email inbox of a member or staff; and
- b. 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.

2.1. **Requests exempted from coverage.** If the request is exempted from coverage, the FRO shall recommend the denial of the request for information to the FDM. The FDM shall evaluate the recommendation of the FRO and shall notify the requesting party of the decision the request.

The following are the exceptions:

- Documents related to a pending case before a judicial and quasi-judicial agencies;
- 201 Files
- Personnel Selection Board and Faculty Selection Board Documents
- Statement of Assets, Liabilities and Net Worth
- Resolutions of the Board of Regents except Excerpt thereof
- Minutes of the Meetings of the Board of Regents, Finance Committee and Executive Committee
- Bids and Awards Minutes of meetings
- Abstract of Bids
- Technical Working Group Recommendation
- Individual Performance Commitment Review
- Financial Report not yet audited by the Commission on Audit
- Minutes of Technical Working Group meetings
- All reports not in the final form
- Inter-office and inter-agency memorandum/correspondence



- Office recommendation as member of inter-agency task force/committee/body
- All documents listed in Annex "B" hereof and all other documents that may be categorized by laws, rules and regulations as confidential in nature.
- All other documents as may be identified by the University in accordance with the provisions of the Data Privacy Act of 2012 (e.g. those classified as Sensitive Personal Information).

2.2. **Request relating to more than one office other than the University:** If a request for information is received which requires to be complied with, of different attached agencies, bureaus and offices, the FRO shall forward such request to the said attached agency, bureau and office concerned and ensure that it is well coordinated and monitor its compliance.

The FRO shall also clear with the respective FROs of such agencies, bureaus and offices that they will be only provided the specific information that relates to their agencies, bureaus and offices.

2.3. **Requested information is not in the custody of the BatStateU.** If the requested information is not in the custody of the BatStateU and/or of any of its extension campuses, upon referral and discussions with the FDM, the FRO shall undertake the following steps:

- If the records requested refer to another government agency, the requested will be immediately transferred to such appropriate department through the most expeditious manner and the transferring office must inform the requesting party of such transfer within 15 working days.
- If the records refer to an office not within the coverage of E.O. No. 2, the requesting party shall be advised accordingly and provided with the contact details of that office, if known.

2.4. **Requested information is already posted and available online.** If the information being requested is already posted and publicly available in the BatStateU website, data.gov.ph or foi.gov.ph, the request shall be denied. However, the FRO shall inform the applicant of the reason of such denial.

2.5. **Requested Information is substantially similar or identical to the previous request.** The BatStateU, through the FDM, upon recommendation of the FOI officer, shall deny an unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied and that the applicant shall be informed of the reason for such denial.

3. **Transmittal of Request by the FRO to the FDM.** After 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 be submitted to the FRO within 10 days upon receipt of such request.

4. **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 the date and time of receipt of the information from the FDM and report to the University President in case 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.

5. **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 FDM and ensure the transmittal of such to the requesting party within 15 working days upon receipt of the request for information.
6. **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 the extension exceed twenty (20) working days on top of the mandated fifteen (15) working days to act on the request, unless exceptional circumstances warrant a longer period.
7. **Notice to the Requesting Party of the Approval/Denial of the Request.** Once the FDM 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 University President for final approval.
8. **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.
9. **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 University President.

## **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 University President.** 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.. The appeal shall be decided by the University President upon the recommendation of the Director for Legal Affairs 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.
2. Upon exhaustion of administrative FOI appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

## **SECTION 8. REQUEST TRACKING SYSTEM**

The BatStateU through the Office of Vice President for External Affairs and ICT in coordination with the Records Section 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 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 9 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 subsection (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 9 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. [research date of publication]

**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



Annex "B"

EXCEPTIONS  
FOI Manual

ANNEX "B"

1. Information that directly relates to the national security or defense and its revelation may cause grave damage to national security or internal or external defense of the state.
2. National Security Matters.  
At the very least, this jurisdiction recognizes the common law holding that there is a military, diplomatic and other national security matters.
3. Executive Privilege involving information relating to the President's commander-in chief, appointing, pardoning and diplomatic powers.
4. Information pertaining to the foreign affairs of the Republic of the Philippines when its revelation shall/ may unduly weaken the negotiating position of the government in an ongoing bilateral or multilateral negotiation or seriously jeopardize the diplomatic relations of the Philippines with one or more states.
5. Information on inter-government exchange s prior to the conclusions of treaties and executive agreements may be subject to reasonable safeguards for the sake of national interest.
6. Deliberate Process Privilege
7. Presidential Communication's Privilege.
8. The information requested pertains to internal and/ or external defense, law enforcement and border control, when the disclosure thereof may:
  - a. Lead to the disclosure of the identify of a confidential source, including a government, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a law enforcement authority in the course of an investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, or
  - b. Disclosure legitimate techniques and procedure for law enforcement investigations or prosecutions, or would disclose legitimate guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or
  - c. Endanger the life or physical safety of any individual, or

d. Deprive a person of a right to a fair trial and impartial adjudication.

9. Criminal Matters.

Also excluded are classified law enforcement matters, such as those relating to the apprehension, the prosecution and the detention of criminals, which courts may not inquire into prior to such arrest, detention and prosecution. Efforts at effective law enforcement would be seriously jeopardized by free public access to, for example, police information regarding rescue operations, the whereabouts of fugitives, or lead on covert criminal activities.

10. Investigation or proceeding conducted by public authorities.

11. Information related to the assignment of the cases to the reviewing prosecutors or the undersecretaries.

12. Prohibition on the Disclosure of investigatory records compiled for law enforcement purposes or information which if written would be contained in such records, but only to the extent that the production of such records or information would:

a. Interfere with enforcement proceedings:

b. Deprive a person of a right to a fair trial or an impartial adjudication;

c. Disclose the identity of a confidential source and in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source unjustifiably disclose investigative techniques and procedures.

13. Proceeding before the Committee on Decorum and Investigation during preliminary investigation.

14. Informer's privilege of the Government not to disclose the identity of a person or persons whom furnish information of violations law to officers charged with the enforcement of the law and the identity of a confidential informant.

15. Prohibition on disclosure the identity of persons who furnish information of violations of law to officers in charge with the enforcement of the law.

16. Prohibition on the disclosure of information that would put the life and safety of an individual in imminent danger.

17. The information requested consist of drafts of orders, resolutions, decisions, memoranda or audit reports by any executive, administrative, regulatory, constitutional, judicial or quasi-judicial body in the exercise of their regulatory audit and adjudicatory function.



18. Proceeding before, or information in the possession of, any government agency, tribunal, board, or officer, which under its respective rules or regulations are treated as confidential and privileged.
19. Confidential information generally refers to information not yet made a matter of public records relating to pending cases, such as notes drafts, research papers, internal discussions, internal memoranda, records of internal deliberations, and similar papers. Even after the decision, resolution, or order is made public, such information that a justice or judge uses in preparing a decision, resolution, or order shall remain confidential.
20. Courts records, including pleadings and other documents filed by litigants are confidential
21. Requested information pertains to an act which tends to exact testimony from government officials by a citizen are confidential
22. Such information, record or document compromises drafts of decision orders, rulings, policy decisions, memoranda, etc.
23. The information required pertains to the personal information of a natural person other than the requesting party, and its disclosure would constitute an unwarranted invasion of his or her privacy, unless it forms part of the public record, or the person is or was an official of the government agency and the information relates to his or her other public function or the person has consented, in writing to the disclosure of the information.
24. Information concerning the application, together with all the records, documents and communications relating thereto and its processes shall be confidential.
25. Information requested pertains to trade secrets and commercial or financial information obtained from a natural or juridical person other than the requesting party, obtained in confidence or covered by privileged communication, and/or filed with a government agency, whenever the release thereof would prejudice the interest of such natural or juridical person in trade, industrial, financial or commercial competition.
26. Trade Secrets and Banking Transactions.
27. Confidential, commercial and financial information are excluded from disclosure.
28. Confidential business information gathered by certain government agencies or officials on the operations, books, records or private corporations and business not required to be made public.

29. Anti-Money laundering concerns, covered or suspicious transaction reports, or any other information in relation thereto.
30. Prohibition of disclosing information under the National Internal Revenue Code.
31. Prohibition on the disclosure of confidential information under the National Revenue Code.
32. Trade secrets acquired by government agencies or officials in the discharge of their duties.
33. Information relating to potential intellectual property right.
34. Documents submitted through the Government Electronic Procurement System (G-EPS).
35. Confidential matters under the Arbitration Law and Alternative Dispute Resolution Law involving arbitration proceeding and when the parties in an arbitration clause so provided that the proceeding and its incidents shall be confidential and information acquired in mediation or arbitration proceedings.
36. An oral or written statement made or which occurs during mediation or for purposes of considering, conducting, participating, initiating, continuing or reconvening mediation or retaining a mediator.
37. Pleading, motions, manifestations, witness statement, reports filed or submitted in arbitration or for expert evaluation.
38. Information on on-going evaluation or review of bids or proposals being undertaken by the bidding or review committee which are not yet considered as "official acts, transaction, or decisions" on the bids or proposals or "definite propositions" on the part of the government.
39. Information considered as privilege communications | legal proceeding by law or by the Rulers of Court.
40. Privileged communication under the Rules of Court (in respect of government lawyers, government doctors, and other public officers and employees).
  - a. A public officer cannot be examined during his term of office or afterwards as to communications made to him in official confidence, when the court finds that the public interest would suffer by the disclosure.
41. Attorney-client privilege existing between a government lawyer and their client.



42. Client identity is privileged where a strong probability exists that revealing the clients name would implicate that client in the activity for which he sought the lawyers advice or would expose the client to evil liability.
43. Confidentiality of information relating to pending cases even after the decision, resolution or order is made public.
44. Requesting information pertains to comments and disclosure on pending cases in judicial proceedings.
45. Records of cases that are still pending for decision are privileged materials that cannot be disclosure, except only for pleading, orders and resolutions that have been made available by the court to the general public.
46. Identify of News, Informants under R.A. 1477 (The Shield Law).
47. Requested information pertains to unauthorized recording from all the parties of any private communication spoken word to secretly overhear, intercept or record of such communication by using any recording device
48. Secrets of private individual know by public officer by reason of his or her office.
49. Divulging valuable information of a confidential character, acquired by his office or by him on account of his official position to unauthorized person, or releasing such information in advance of its authorized released date.
50. Confidential or classified information officially known to public officer and employees by reason of their office and not made available to the public
51. Non-disclosure of Statement of Assets, Liabilities and Net Worth if the purpose/s is /or any of the following purposes (a) any purpose contrary to morals or public policy; or (b) any commercial purpose other than by news and communications media for dissemination to the general public
52. The information is of a nature that its premature disclosure would: (1) in the case of an agency that regulates or deals with currencies, interest rates, securities, commodities, or financial institutions, be likely to lead speculations in currencies, interest rates, securities, commodities market; or (2) in the case of other agencies, be likely to frustrate the effective implementation of a proposed official action: Provided, that the information shall be disclosed once the above-mentioned dangers have ceased.
53. Information involving a subsequent identical or substantially similar request from the same requesting party where it has previously complied with a request for

information unless a reasonable interval has lapsed between compliance between with the previous request and the making of the current request.

54. The right information may be subject to reasonable regulations as to manner and hours of examination, efforts to avoid loss or damage, undue interference with the duties of the custodian of the records, and ensuring the right of the persons entitled to also inspect the records. Requesting citizens, further, cannot compel custodians of records to prepare list of abstracts of the data.

55. Government officials cannot be compelled to prepare lists and detailed reports on how congressional funds were disbursed.

#### **Other Exceptions**

- Confidentiality of information known to a public official or employee by reason of his office.
- Information and statements made at reconciliation proceedings.
- Expenditure relating to classified information, such as the purchaser of information and payments of rewards.

#### **RULE 4 of RA 6713**

##### **(Code of Conduct and Ethical Standards for Public Officials and Employees)**

- Information, record or documents kept secret in the interest of national defence or security
- Conduct of foreign affairs
- Disclosure would put the life and safety of an individual in imminent danger
- Information, record or document sought falls within the concepts of established privilege or recognized exceptions
- Information, record or document compromises drafts of decisions, orders, rulings, policy, decisions, memoranda
- Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy
- It would disclose investigatory records compiled for law enforcement purposes
- Interfere with enforcement proceedings
- Deprive a person of a right to a fair trial or an impartial adjudication
- Disclose the identity of a confidential source
- Unjustifiably disclose investigate techniques and procedures
- Premature disclosure of which would lead to significant financial speculation in currencies, securities, or commodities, or significantly endanger the stability of any financial institution
- Likely or significantly to frustrate implementation of a proposed official action.





# WORK INSTRUCTION

Document Reference No.:  
BatStateU-WI-PO-04

## Document Title: Approval and Denial of the Freedom of Information Requests

**1.0 Objective**  
To have a common procedure in the process of approval and denial of request of Freedom of Information

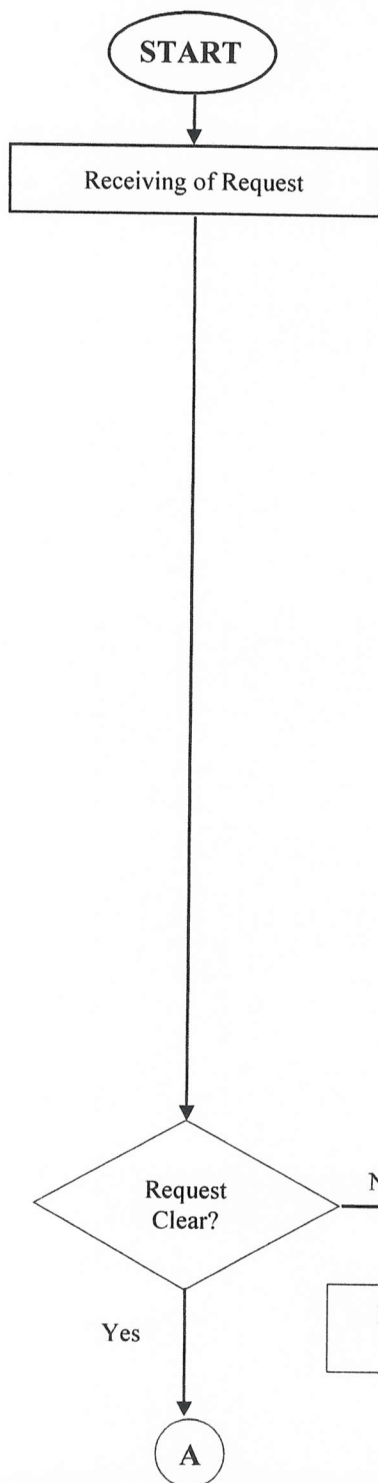
**2.0 Scope**  
This shall apply to parties requesting for information

**3.0 Procedure**

**PROCESS FLOW**

**RESPONSIBILITY**

**DETAILS**



FOI Receiving Officer (FRO)

The FOI Receiving Officer (FRO) shall receive the request for information from the requesting party and check compliance of the following requirements: a. The request must be in writing; b. The request shall state the name and contact information of the requesting party, as well as provide valid; proof of identification or authorization; and c. The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information.

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.

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.

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

FOI Receiving Officer (FRO)

If the request is not clear, the FRO must seek clarification from the client (15 working day stops). When needed clarification is received, the NEW working day period starts. If no clarification received, close request (after 60 days from receipt) and notify the client



**WORK INSTRUCTION**

**Document Reference No.:**  
**BatStateU-WI-PO-04**

**Document Title:** **Approval and Denial of the Freedom of Information Requests**

PROCESS FLOW	RESPONSIBILITY	DETAILS
	FOI Receiving Officer (FRO)	If the request is clear, forward the request to appropriate FDM
	FOI Decision Maker (FDM)	The FDM shall upon receipt of the request, evaluate the same.
	FOI Decision Maker (FDM)	If the request be disapproved due to circumstances per the Manual, the FDM must notify the FRO in writing with specific reasons of such denial.
	FOI Receiving Officer (FRO)	The FRO, on the other hand shall be the one to inform the client in writing of such denial This is without prejudice to the Appeal to the University President.
	FOI Decision Maker (FDM)	If the request be approved, the FDM shall instruct his/her staff, if any, to locate and prepare the record/s being requested. Such record/s shall be duly transmitted to the FRO.
	FOI Receiving Officer (FRO)	The FRO shall, after receipt of the duly transmitted record/s, duly prepare a transmittal/response letter addressed to the client informing the latter that his request was approved and attached thereto is/are the requested record/s.

**4.0 References**

- BatStateU-QMS: Quality Management System Manual
- BatStateU-PM-01: Control of Documented Information
- BatStateU-DOC-AF-09: Freedom of Information Manual of the Batangas State University
- BatStateU-FO-PO-01: Freedom of Information Request Form
- BatStateU-FO-PO-02: FOI Response for Completion of Form
- BatStateU-FO-PO-03: FOI Response for Clarification
- BatStateU-FO-PO-04: FOI Response for Extension of Period
- BatStateU-FO-PO-05: FOI Response for Approval of Request






**WORK INSTRUCTION**


**Document Reference No.:**  
**BatStateU-WI-PO-04**

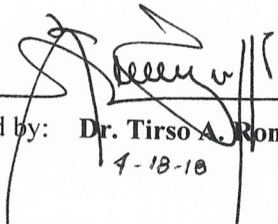
**Document Title: Approval and Denial of the Freedom of Information Requests**

- BatStateU-FO-PO-06 FOI Response for Denial of Request (contrary to laws, rules and regulations)
- BatStateU-FO-PO-07 FOI Response for Denial of Request (falls under the list of exemptions)
- BatStateU-FO-PO-08 FOI Response for Similar to Previous Request
- BatStateU-FO-PO-09 FOI Response for Available Online
- BatStateU-FO-PO-10 FOI Response for Not in Custody (information with the other executive agency)
- BatStateU-FO-PO-11 FOI Response for Not in Custody (information not with the agency covered by the executive branch)

Executive Order No. 2, series of 2016  
 Republic Act No. 10173 (Data Privacy Act of 2012)  
 Section 28, Article II of the 1987 Philippine Constitution  
 Section 7, Article III of the 1987 Philippine Constitution

Prepared by:   
**Ms. Aikea Andrea D. Aguirre**  
 Date: 4-11-18

Reviewed by:   
**Mr. Jonas Erik L. Ebor**  
 Date: 4-13-18

  
 Approved by: **Dr. Tirso A. Ronquillo**  
 4-18-18

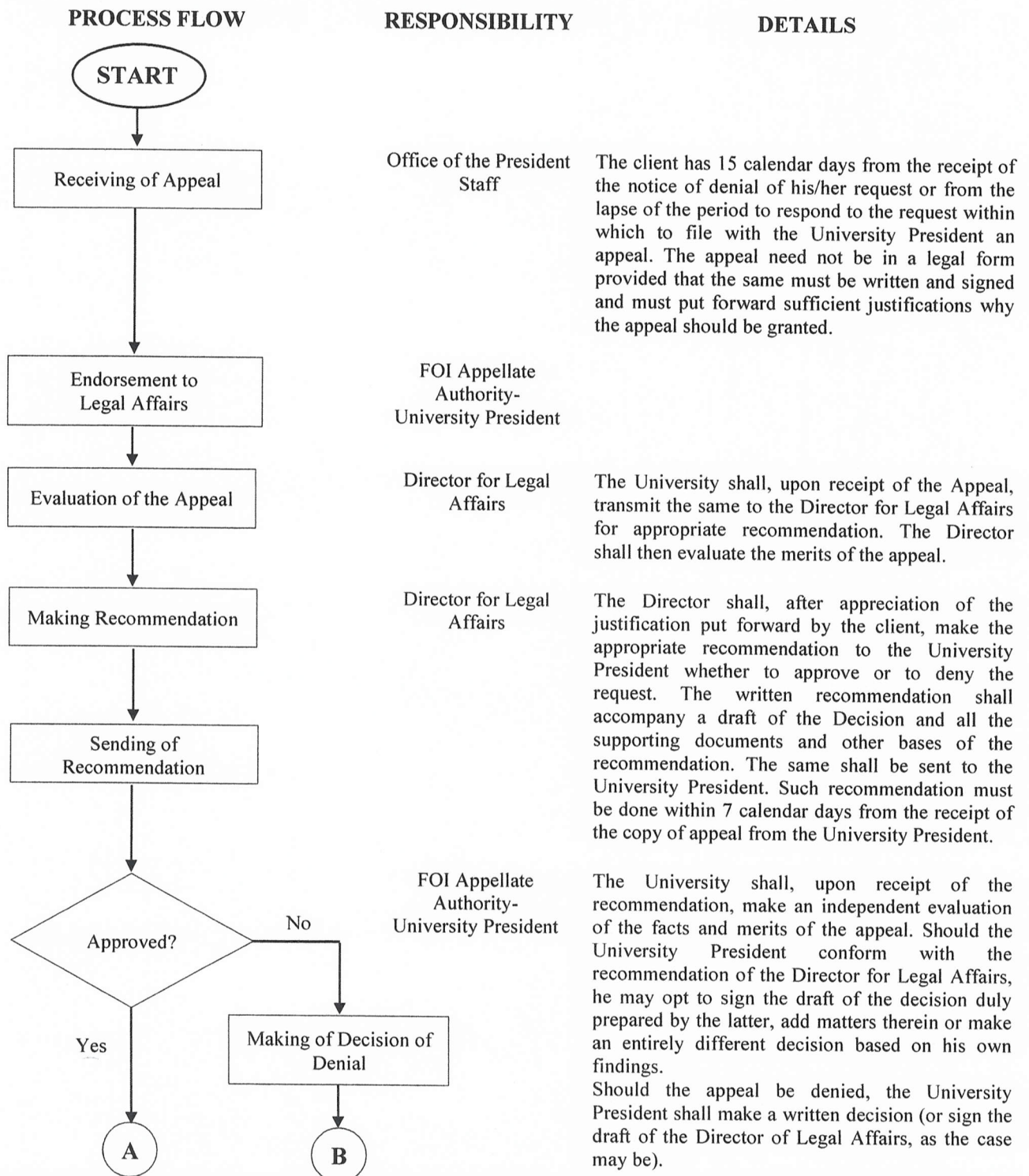


**WORK INSTRUCTION**

**Document Reference No.:**  
**BatStateU-WI-PO-05**

**Document Title: Administrative FOI Appeal to the Appellate Authority**

- 1.0 Objective**  
To have a common procedure in the process of Freedom of Information Appeal
- 2.0 Scope**  
This shall to the requesting parties who have been denied of their requests
- 3.0 Procedure**







**WORK INSTRUCTION**

**Document Reference No.:  
BatStateU-WI-PO-05**

**Document Title: Administrative FOI Appeal to the Appellate Authority**

PROCESS FLOW	RESPONSIBILITY	DETAILS
	FOI Appellate Authority- University President	The same shall be transmitted to the FRO.  The denial is without prejudice to appropriate judicial action with due consideration of the exhaustion of administrative remedies.
	FOI Receiving Officer (FRO)	The FRO shall notify the denial of such appeal.
	FOI Appellate Authority- University President	Should the appeal be approved, the University President shall make a written decision (or sign the draft of the Director of Legal Affairs, as the case may be).
	FOI Appellate Authority- University President	The same shall be transmitted to the FRO.
	FOI Receiving Officer (FRO)	The FRO shall notify the client of the approval of the appeal.
	FOI Receiving Officer (FRO)	The Decision shall also be sent by the FRO to the FDM for the release of the documents as indicated in the Decision. The duty of the FDM in this instance shall be ministerial.
	FOI Decision Maker (FDM)	The FDM shall instruct his/her staff, if any, to locate and prepare the record/s being requested. Such record/s shall be duly transmitted to the FRO.
	FOI Receiving Officer (FRO)	The FRO shall, after receipt of the duly transmitted record/s, duly prepare a transmittal/response letter addressed to the client informing the latter that his request was approved and attached thereto is/are the requested record/s.

**4.0 References**

- |                     |  |
|---------------------|--|
| BatStateU-QMS:      | Quality Management System Manual                               |
| BatStateU-PM-01:    | Control of Documented Information                              |
| BatStateU-DOC-AF-09 | Freedom of Information Manual of the Batangas State University |
| BatStateU-FO-PO-02  | FOI Response for Completion of Form                            |
| BatStateU-FO-PO-03  | FOI Response for Clarification                                 |
| BatStateU-FO-PO-04  | FOI Response for Extension of Period                           |



**WORK INSTRUCTION**

**Document Reference No.:  
BatStateU-WI-PO-05**


**Document Title:**

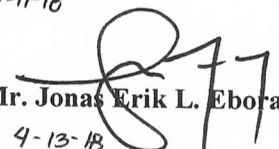
**Administrative FOI Appeal to the Appellate Authority**

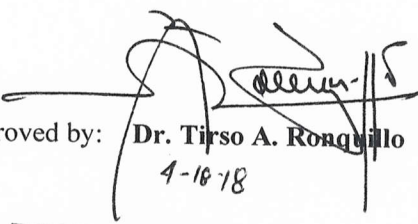
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- BatStateU-FO-PO-05      FOI Response for Approval of Request
- BatStateU-FO-PO-06      FOI Response for Denial of Request (contrary to laws, rules and regulations)
- BatStateU-FO-PO-07      FOI Response for Denial of Request (falls under the list of exemptions)
- BatStateU-FO-PO-08      FOI Response for Similar to Previous Request
- BatStateU-FO-PO-09      FOI Response for Available Online
- BatStateU-FO-PO-10      FOI Response for Not in Custody (information with the other executive agency)
- BatStateU-FO-PO-11      FOI Response for Not in Custody (information not with the agency covered by the executive branch)

Executive Order No. 2, series of 2016  
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 Section 7, Article III of the 1987 Philippine Constitution

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 Date: 4-11-18

Reviewed by:   
**Mr. Jonas Erik L. Eborá**  
 Date: 4-13-18

Approved by:   
**Dr. Tirso A. Ronquillo**  
 4-18-18





Reference No.: BatStateU-FO-PO-01

Effectivity Date: April 17, 2018

Revision No.: 01

Title:

**FREEDOM OF INFORMATION REQUEST FORM**

Name/Pangalan:

FOI Request No.:

Address/Tirahan:

Contact No.:

Email:

Mode of Receiving the Information/  
Paraan ng Pagtanggap ng Impormasyon:

- Email  
 Fax  
 Postal Address  
 Pick-up (Official Hours)

Proof of Identity/  
Katibayan ng Pagkakakilanlan:  
(ID that contains your photo and signature)

- Passport: \_\_\_\_\_  
 Driver's Lic.: \_\_\_\_\_  
 Others (please specify): \_\_\_\_\_

**REQUESTED INFORMATION**Title of the Document/  
Titulo ng Dokumento:

Year/Taon:

Purpose/ Layunin:

**DECLARATION**

I hereby declare that the information provided in this form is complete and correct and I have presented at least one (1) government-issued ID to establish proof of my identity. I understand that it is an offense to give misleading information about my identity, and that doing so may result in a decision to refuse to process my request.

I further declare that any and all information provided by the University under this request shall only be used for the purpose herein stated, otherwise, I may be subjected to appropriate sanctions, which I am fully aware of.

*Aking ipinahahayag na ang impormasyong aking ibinigay ay kumpleto at tama at ako ay nagpakita ng isang ID na ibinigay ng pamahalaan upang patunayan ang aking pagkakakilanlan. Aking naiintindihan na isang pagkakasala ang magbigay ng nakakalinlang na impormasyon tungkol sa aking pagkakakilanlan, at ito ay maaaring magresulta sa hindi pagproseso ng aking kahilingan.*

*Akin ding ipinahahayag na ang anuman at lahat ng impormasyong ibinigay ng Unibersidad sa pamamagitan ng kahilingang ito ay akin lamang gagamitin sa layunin nakasaad, kung hindi naman, ako ay maaaring mapailalim sa naayong kaparusahan, kung saan ay lubos kong nauunawaan.*

Signature

Date: \_\_\_\_\_

**\*\*\*FOR INTERNAL USE ONLY\*\*\***

Received by:

Date and Time received:

\_\_\_\_\_  
 Signature over Printed Name  
**FOI RECEIVING OFFICER**

The request is recommended to be:

- Approved  
 Denied

Reason: \_\_\_\_\_

Certified action is done:

Type of Action Conducted:

- 
- Approved

Attachment (if any): \_\_\_\_\_

- 
- Disapproved

Reason: \_\_\_\_\_

- 
- Others (Please specify): \_\_\_\_\_

\_\_\_\_\_  
Signature over Printed Name

Designation: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**FOI DECISION MAKER**

Received by:

Remarks:

\_\_\_\_\_  
Signature over Printed Name

Date Signed: \_\_\_\_\_

**FOI RECEIVING OFFICER**



Republic of the Philippines  
**BATANGAS STATE UNIVERSITY**

Batangas City

Tel. Nos.: (043) 980-0385 loc. 1546 & 1822

E-mail Address: [batstateupresident@gmail.com](mailto:batstateupresident@gmail.com) Website Address: <http://www.batstate-u.edu.ph>

---

Date

**NAME OF REQUESTING PARTY**

Address of Requesting Party line 1

Address of Requesting Party line 2

Dear salutation and surname.

Greetings from Batangas State University!

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

**Information Requested**

You asked for *quote the request*.

**Response to your Request**

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

Thank you!

Respectfully,

Name of FOI receiving officer.

FOI Receiving Officer





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

**Information Requested**

You asked for *quote the request*.

**Response to your Request**

In order to fully process your request, may we ask for the following clarificatory details: *list the needed details for processing of request*

Thank you!

Respectfully,

Name of FOI receiving officer.

FOI Receiving Officer



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Thank you for your request dated date of the request. under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.

**Information Requested**

You asked for quote the request.

**Response to your Request**

[Since your request requires extensive search of the records and facilities of the OVP] or [Because of (mention specific fortuitous event) which is beyond our control], we are asking for an extension of number of days days in order to fully process your request.

Thank you!

Respectfully,

Name of FOI receiving officer.

FOI Receiving Officer





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Date

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Greetings from Batangas State University!

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

**Information Requested**

You asked for *quote the request*.

**Response to your Request**

Your FOI request is APPROVED. Enclosed is a copy of [some/most/all]\* of the requested information [in your preferred format]

Thank you!

Respectfully,

Name of FOI receiving officer.

FOI Receiving Officer



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Greetings from Batangas State University!

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

**Information Requested**

You asked for *quote the request*.

**Response to your Request**

Your FOI request is DENIED because it is contrary to [cite specific provision law, rule or regulation]. If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter.

Thank you!

Respectfully,

Name of FOI receiving officer.

FOI Receiving Officer





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**Information Requested**

You asked for *quote the request*.

**Response to your Request**

Your FOI request is DENIED because it falls under the list of exceptions, specifically [*cite ground for exemption*]. If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter.

Thank you!

Respectfully,

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**Information Requested**

You asked for *quote the request*.

**Response to your Request**

Since your requested information is substantially similar or identical to your previous request dated \_\_\_\_\_, the OVP shall not act upon your request. Please be guided accordingly.

Thank you!

Respectfully,

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**Information Requested**

You asked for *quote the request*.

**Response to your Request**

We would like to inform your requested information can be FOUND ONLINE at the website of the Office of the Vice President. Your requested information can be found at the following link/s: [www.]

Thank you!

Respectfully,

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FOI Receiving Officer



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

**Information Requested**

You asked for *quote the request*.

**Response to your Request**

We would like to inform you the Office of the Vice President is NOT IN POSSESSION of the information you have requested. As such, we have transmitted your request to [NAME OF AGENCY] which can properly process your request. You may follow up your request with [NAME OF CONTACT PERSON] at this number [CONTACT NUMBER OF AGENCY].

Thank you!

Respectfully,

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FOI Receiving Officer





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