



# **IRIGA CITY WATER DISTRICT**

RUFINO LLAGAS SR. ST., SAN ROQUE, IRIGA CITY

Tel. Nos. (054) 299-6504\*Telefax (054) 299-5709

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## **AGENCY'S FREEDOM OF INFORMATION MANUAL**

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## INTRODUCTION

The Iriga City Water District (ICWD) is adopting this Manual to serve as a guide to the public in exercising their constitutional right to information on matters of public concern. This is an implementation of the provisions of Executive Order (EO) No. 2, Series 2016 on Freedom of Information (FOI).

This Manual sets the rules and procedures to be followed when a request for access to information is received. It also provides for limitations and remedies available in case of a denial of request for information of public concern directed to ICWD provided it is not within the list of exceptions within the list as provided by law.

While ICWD encourages the public to be informed of its operation. It, however condemns against abuse of such right and maintains the balance between the people's right to information and obligation to protect confidential information and ensure the efficient use of its resource.

## ARTICLE 1 SCOPE

Section 1. This Manual covers request for information, official records, public documents and papers which are made, received or kept in or under the custody of ICWD pursuant to law, executive orders, rules and regulations and in connection with the performance or transaction of official business of the agency which are not publicly available. An information, official record or public document is considered publicly available if it is published in the ICWD website, Official Gazette, Philippine Government Electronic Procurement System (PhilGEPS) and newspaper of general circulations and the ICWD official newsletter.

Section 2. Information which are protected or considered confidential pursuant to laws, rules and regulations and policies shall not be disclosed and access to information shall be denied when the information falls under any of the exceptions enshrined in the Constitution, existing laws and jurisprudence, the following are exceptions provided under EO No. 2.

- a. Information covered by Executive privilege;
- b. privileged information relating to national security, defense or international relations;
- c. information concerning law enforcement and protection of public and personal safety;
- d. information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes or accused;
- e. information, documents or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government agencies, tribunals, boards, or officers in relation to the performance of their functions, or to inquiries or investigation conducted by them in the exercise of their administrative, regulatory or quasi-judicial powers;
- f. prejudicial premature disclosure;
- g. records of proceedings or information from proceedings which, pursuant to law or relevant rules are treated as confidential or privileged;
- h. matters considered confidential under banking and finance laws, their amendatory laws; and
- i. other exceptions to the right to information under laws, jurisprudence, rules and regulations.

## ARTICLE 2 PROTECTION OF RIGHT TO PRIVACY

Section 1. While providing for access to information ICWD, however, shall give full protection to a person's right to privacy.

- a. It shall ensure that personal information, particularly, sensitive personal information in its custody or under its control is disclosed only as permitted by existing laws; It shall protect personal information in its custody or under its control

by making reasonable security arrangement against unauthorized access, leaks or premature disclosure;

- b. Any employee or official who has access whether authorized or unauthorized to personal information in the custody of the agency shall not disclose that information except as authorized by existing laws.

### ARTICLE 3 STANDARD OPERATING PROCEDURE

Section 1. The following requirements must be complied with.

- a. The request must be filed in writing;
- b. Valid proof of identification must be submitted;
- c. The information must be described including the reason or purpose of the request for information;
- d. The requester must submit all the requirements to the FRO at the  
PACD, Ground Floor  
Iriga City Water District  
Rufino Llagas St., San Roque, Iriga City
- e. 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 employee who received the documents which shall be officially logged;
- f. The required documents must be paid, if any and the receipt presented; and
- g. The requesting party is informed of the action on his request.

Section 2. The following steps are to be followed when requesting for Information:

- Step 1. Requesting party files documentary requirements to FRO.
- Step 2. FRO stamps RECEIVED, conducts initial evaluation and submits the request to appropriate Division in custody of the information requested.
- Step 3. Division evaluates and processes the request. Submit complete document to FRO within ten (10) days from receipt of such request.
- Step 4. FRO transmits complete information to GM for approval or denial of the request.
- Step 5. Inform the requesting party of the action on the request.
- Step 6. FRO releases the information.

Section 3. The Action on the Request

Upon receipt of the request for information from FRO, the Division concerned shall review the nature of the request and shall make all necessary steps to locate or retrieve the information requested.

- a. The FRO shall recommend for approval or denial of the request;
- b. As soon as the GM approves or denies the request, the FRO shall notify the requesting party within fifteen (15) days from receipt of the request unless extended. Service of notice shall be done either through the post, by electronic mail and unless the requesting party wants it send otherwise,
- c. Release of the document shall be made only after payment of the required fees, if any.
- d. Follow-up may be directed to the FRO only; and
- e. If the information request requires extensive search or through fortuitous occurrence, the requesting party shall be informed and an extension of twenty working (20) days or more when the request warrants a longer period.

## ARTICLE 4 REMEDIES IN CASE OF DENIAL

Section 1. The request may be denied in whole or in part on the following grounds:

- a. The information is not made, received or kept in or under the custody or control of the ICWD;
- b. The information is publicly available or already disclosed;
- c. The information requested contains sensitive personal information protected by Data Privacy Act of 2012;
- d. The request contains disclosure of confidential information is included in the list of exceptions as provided under EO No. 2;
- e. The request is an unreasonable subsequent denial or substantially a similar request from the same requesting party whose request from the same requesting party whose request has already been previously granted or denied by ICWD; and
- f. The document has been lost or destroyed and can therefore no longer be reproduced; and
- g. Notice of denial shall clearly set forth the ground or grounds for denial and the circumstances on which the denial is based. Failure to notify the requesting party of the action taken on the request within the period herein provided shall be deemed a denial of the request for information. All denials shall pass through the Office of the GM or his designated officer.

Section 2. A person whose request for access to information has been denied may avail himself of the remedy set forth:

- a. Filing a written appeal to the ICWD Appeal and Review Committee 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;
- b. The Appeal shall be decided by the General Manager upon the recommendation of the ICWD Appeal and Review Committee within thirty

- (30) working days from the filing of said written appeal. Failure to decide within the 30-day period shall be deemed a denial of the appeal;
- c. Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

## ARTICLE 5

### FOI Receiving Officer and the Creation of an Appeal and Review Committee

Section 1. The FOI Receiving Officer (FRO), Ms. Analene Albia-Idioma with contact number (054) 2995709 and cp # 0928488783, as designated by the GM who shall perform the functions provided under EO No. 2.

- a. Receive all requests for information and forward the same to the appropriate department who has custody of the records;
- b. Monitor all FOI requests and appeals;
- c. Provide assistance to the GM for decisions on requests or denials;
- d. Provide assistance and support to the public and staff regarding FOI;
- e. Compile statistical information as required;
- f. Conduct initial evaluation of the request and advise the requesting party whether the request will be forwarded to the GM for further evaluation;
- g. Deny the request based on the form which may be incomplete or the information is already discussed in the ICWD website.

Section 2. The ICWD Appeal and Review committee shall be composed of the members of the Board of Directors to review and analyze the grant or denial of request for information. The Committee shall also provide expert advice to the GM on the denial of such request.

## ARTICLE 6

### Fees

1. No fee shall be charged for the acceptance of request for access to information.
2. The FRO shall immediately notify the requesting party for reproduction, copying, and/or delivery fee in order to provide the information. Such fee shall be the actual amount spent by ICWD in providing the information to the requesting party. The schedule of fees shall be posted by ICWD.
3. An exemption of fee may be granted upon request of the requesting party stating the valid reason for the exemption.

## ARTICLE 7 Administrative Liability

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

1. 1st offense – Reprimand;
2. 2<sup>nd</sup> offence – Suspension of one (1) to thirty (30) days; and
3. 3<sup>rd</sup> offense – Dismissal from the service.

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

Section 3. Provisions for More Stringent Laws, Rules and Regulations. Nothing in this Manual shall be construed to derogate from any law, any rule or regulation prescribed by anybody or agency which provides for more stringent penalties.

### Approval

This Manual is hereby approved and adopted per Board Resolution No. 36 Series 2017 dated September 27, 2017, Iriga City, Philippines.

Approved by:

  
ROMULO M. CORPORAL, JR.  
General Manager



**Annex "A"**  
**Steps in Requesting for Information**

**Step 1**

- **Requesting Party Files Documentary requirement to FRO**

**Step 2**

- **FRO Stamp "Received" Conduct initial evaluation and submit the request to appropriate division in Custody of the information requested**

**Step 3**

- **Division Head evaluate and Process the request; Submit complete document to FRO within 10 days from receipt of such request**

**Step 4**

- **FRO transmit complete information to GM for approval or denial of the request**

**Step 5**

- **Inform the requesting party of the action of the request**

**Step 6**

- **FRO release the information**

**ANNEX "B"**  
**FOI Request Form**



**IRIGA CITY WATER DISTRICT**

RUFINO LLAGAS SR. ST., SAN ROQUE, IRIGA CITY

Tel. Nos. (054) 299-6504\*Telefax (054) 299-5709

FOI Request Form

Title of the Documents: \_\_\_\_\_

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

Purpose: \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_ Contact Nos. \_\_\_\_\_

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

Address: \_\_\_\_\_ Proof of Identity: \_\_\_\_\_

How would you like to receive the information? (Pick-up, Mail or E-mail, others)

\_\_\_\_\_

Submitted to: \_\_\_\_\_ Date/Time of Submission: \_\_\_\_\_

Certified by: \_\_\_\_\_

Type of action conducted: \_\_\_\_\_

Received by:

\_\_\_\_\_

**Personnel Assistance and Complaint Desk (PACD)**

**Remarks:**

\_\_\_\_\_

**ANNEX "C"**  
**Notice of Granting the Request**



**IRIGA CITY WATER DISTRICT**

RUFINO LLAGAS SR. ST., SAN ROQUE, IRIGA CITY  
Tel. Nos. (054) 299-6504\*Telefax (054) 299-5709

DATE

Dear Mr./Mrs. \_\_\_\_\_,

Greetings!

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

**Information Requested:**

You asked for \_\_\_\_\_.

**Response to your request:**

We will inform you the result of your request within (Ten)10 days.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager

**ANNEX "D"**  
**Notice of Extension of Time to Respond**



**IRIGA CITY WATER DISTRICT**

RUFINO LLAGAS SR. ST., SAN ROQUE, IRIGA CITY

Tel. Nos. (054) 299-6504\*Telefax (054) 299-5709

DATE

Dear Mr./Mrs. \_\_\_\_\_,

Greetings!

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

**Information Requested:**

You asked for \_\_\_\_\_.

**Response to your request:**

Since your request requires extensive search of the records and facilities of the Iriga City Water District or because of \_\_\_\_\_ which is beyond our control, we are asking for an extension of 15 days in order to fully process your request.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager

**ANNEX "E"**  
**Notice of Denial**



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Tel. Nos. (054) 299-6504\*Telefax (054) 299-5709

DATE

Dear Mr./Mrs. \_\_\_\_\_,

Greetings!

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

**Information Requested:**

You asked for \_\_\_\_\_.

**Response to your request:**

Your FOI request is DENIED because it is contrary to \_\_\_\_\_. If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter to the Board of Directors of Iriga City Water District.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager



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DATE

Dear Mr./Mrs. \_\_\_\_\_,

Greetings!

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

**Information Requested:**

You asked for \_\_\_\_\_.

**Response to your request:**

We are pleased to inform you that your request is granted.

Thank you.

Respectfully,

\_\_\_\_\_  
General Manager