




**LBP LEASING AND FINANCE
CORPORATION**

(A LANDBANK Subsidiary)


PEOPLE'S
FREEDOM OF
INFORMATION (FOI)
MANUAL

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	FREEDOM OF INFORMATION (FOI) MANUAL	Revision No.: 3	Effectivity Date: 01/29/2024
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12. FOI MC No. 05, s. 2017, Call for Submission of the Accomplished 2nd Qtr. Agency Information Inventory and the Standard FOI Registry for 01 April to 30 June 2017
13. FOI MC No. 01, s. 2018, Call for Submission: 2018 Freedom of Information (FOI) Reports
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15. FOI MC No. 4, s. 2019, Guidelines on Redaction and Extraction of Information before Disclosure to the Public
16. FOI MC No. 03, s. 2021, Retention Period of Personal Information and Sensitive Personal Information Gathered Through the Standard FOI Request Form and Electronic Freedom of Information (eFOI) Portal
17. FOI MC No. 04, s. 2021, De-identification of Requesters' Personal Information in the Electronic Freedom of Information Portal Otherwise Known as the "Policy on Anonymization"

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1. Statement of Policy:

It is the policy of the Corporation to ensure compliance with State policies by adopting and implementing a policy of full public disclosure of all transactions involving public interest, subject to reasonable conditions prescribed by law and as guaranteed by the 1987 Constitution to grant the right of the people to information on matters of public concern.

The LBP Leasing and Finance Corporation (LLFC) adheres to the above policies and has taken measures to operationalize the same through this People's Freedom of Information (FOI) Manual designed to accommodate requests of information from the public as regards matter falling within the mandate of the Corporation.


2. Purpose:

The purpose of this FOI Manual is to guide and assist LLFC Directors, Officers and Employees, as well as the public in dealing with requests for information. It is also designed to comply with the following issuances:

- Executive Order No. 2 (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 Therefore) dated July 23, 2016.
- Sections 8 and 16 of EO No. 2, s. 2016 instructed all government offices under the Executive Branch to prepare their respective People's Freedom of Information (FOI) Manual and Implementing Details (Agency FOI Manual) within 120 days upon the effectivity of said EO
- FOI MC No. 01. S.2016, Freedom of Information Program
- Memorandum Order (MO) No. 10, s. 2016 designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 2, s. 2016, and all other FOI programs and initiatives including electronic.
- Administrative Order No. 25, s. 2011 created the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting System which is mandated to harmonize, unify, streamline, and simplify all existing monitoring and reporting requirements and processes through the development of a common set performance scorecard and design a government executive information system.

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- Memorandum Circular (MC) No. 2017-1 to prescribe the criteria and conditions for the grant of the PBB.
- Section 5 of MC No. 2017-1 provides that the FOI Manual shall be uploaded in the agency Transparency Seal on or before 1 October 2017 as one of the Good Governance Conditions (GCCs) to be eligible to PBB, subject to compliance validation by the PCOO starting 1 October 2017
- FOI MC No. 001, s. 2019 Guidelines on FOI Appeals Mechanism

3. Structure of the Manual:

This Manual shall prescribe the rules and procedure to be followed by LBP Leasing and Finance Corporation (LLFC) when requests for access to information are received. LLFC shall be responsible for all actions carried out under this Manual. The President/CEO of LLFC may delegate a specific officer to act as the FOI Decision Maker (FDM) and shall have overall responsibility for the initial decision on FOI requests.

4. Coverage of the Manual:

The Manual shall cover all FOI requests directed to LLFC and all its organizational units.

5. Revision of the Manual

The Freedom of Information Manual shall be reviewed and be updated regularly or as often as may be deemed necessary by the Office of the General Counsel to incorporate changes in policies, procedures, and forms. The revised manual shall be presented to the Management Committee and the Board of Directors for approval.


6. Format/Lay-Out of the Manual

The contents of this Manual shall be printed in a form with the following information:

- Title of the Manual
- Revision No. – represents the number revision from the initial issuance.
- Revision Date – indicates the most recent date the policy/ procedure was revised.
- Page No. – represents the sequential page number of the sheet as part of the Manual.

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7. Administration, Distribution and Maintenance


The Office of the General Counsel (OGC) shall maintain a copy of the FOI Manual, which shall serve as a complete reference for all IT policies and procedures. The OGC shall also provide copies of the updated manual to all concerned Group/Units. Revisions and amendments should be cascaded to all concerned employees.

8. Revision History


Initial Issue Date/Revision Date	Date Approved	Board Resolution No.
Initial Issue Date: August 2017	24 July 2017	17-097A
Revision Date: June 2020	30 July 2020	20-126
Revision Date: December 2021	15 December 2021	21-337
Revision Date: January 2024	25 January 2024	24 - 012

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1. **Administrative FOI Appeal.** – refers to the procedure for appealing an unfavorable or adverse action by the FOI Decision Maker or an FOI request. Requesting parties who are dissatisfied with the response made on their initial request have a right to appeal that initial determination to a unit within the Corporation, which will then conduct an independent review.
2. **Anonymization** – refers to the process by which personal data is irreversibly altered in such a way that a data subject can no longer be identified both direct or indirectly.
3. **data.gov.ph.** – refers to an Open Data website that serves as the government’s comprehensive portal for all public government data that is searchable, understandable, and accessible.
4. **De-identification** – refers to the process of removing the association between a set of dataset or collection of data and data subject.
5. **eFOI.gov.ph** – refers to the website that serves as the government’s comprehensive FOI website for all information on the FOI.
6. **FOI Decision Maker or FDM** – refers to the office or person who evaluates FOI requests and has the authority to approve or deny such requests.
7. **FOI Document Owner or FDO** – refers to the office or person who assesses and clarifies the request, if necessary, and transmits the request and the recommended action to the FDM. FDO is also tasked to locate and retrieve the information requested.
8. **FOI Receiving Officer or FRO** – refers to the designated office or person where or to whom the public may file or submit FOI requests, inquire about the FOI process and the status of pending FOI requests.
9. **Exceptions to FOI** – refers to information that are outside the scope of the constitutional right to information and which may not be release or disclosed to the public, as provided under the Constitution, laws and jurisprudence.
10. **Freedom of Information (FOI)** – refers to the right of the people to information on matters of public concern, necessitating the adoption and implementation of a policy of full public disclosure of the Executive Branch’s transactions involving public interest, subject to the procedures and limitations provided in the 1987 Constitution, Executive Order No. 2, Republic Act No. 10173 or the Data Privacy Act of 2012, and other existing laws, rules, and regulation.

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11. **FOI Request** – refers to requests for information or records on any topic falling under LLFC’s mandate made by any Filipino, submitted to LLFC, personally or by other electronic means.
12. **FOI Receiving Office** – refers to the primary contact at LLFC where the requesting party can call and ask questions about the FOI process or the pending FOI requests.
13. **Full Denial** – refers to instances when LLFC cannot release any information and/or records in response to a FOI request, because, for example, the requested information and/or records is exempt from disclosure in its entirety or no records responsive to the request could be located.
14. **Full Grant** – refers to disclosure of information in response to an FOI request.
15. **Information** – refers to any record, document, paper, report, letter, contract, minutes, transcript of official meetings, maps, books, photographs, research datum, research material, film, sound and video recording, magnetic or other tape, electronic datum, computer-stored datum, or any other like or similar datum or material recorded stored or archived in whatever format, whether offline or online, which is made received, or kept in or under the control and custody of LLFC pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by the LLFC.
16. **Information for Disclosure** – refers to information promoting the awareness and understanding of policies, program, activities, rules, or revisions affecting the public, government agencies, and the community and economy. It also includes information encouraging familiarity with the general operation, 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 on government websites, such as *lbpleasing.gov.ph* or *data.gov.ph.*, without need for written requests from the public.
17. **Official Record** – refers 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.
18. **Open Data** – refers to publicly available data structured in a way that enables the data to be fully discoverable and usable by end users.

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19. **Partial Grant/Partial Denial** – refers to disclosure by LLFC of portions of records in response to an FOI request, and denial of the remaining portions of such records.
20. **Pending Request or Pending Appeal** – refers to an FOI request or an administrative appeal for which LLFC has not yet taken final action in all respects. It captures anything that is open at a given time including requests that that are well within the statutory response time.
21. **Personal Information** – refers 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.
22. **Proactive Disclosure** – refers to information made publicly available by LLFC without waiting for a specific FOI request.
23. **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.
24. **Received Request or Received Appeal** – An FOI request or administrative appeal that the LLFC has received within a fiscal year.
25. **Referral** – when the requested information is not in the possession of LLFC but available in another government agency, LLFC shall immediately refer the request to the appropriate government agency which is the proper repository or custodian of the requested information or records, or has control over the said information or records.
26. **Sensitive Personal Information** – Information pertaining to:
- An individual’s race, ethnic origin, marital status, age, and religious, philosophical affiliations.
 - An individual’s health, education, genetics, or sexual life, or any proceedings for any offense committed or alleged to have been committed by such individual, or the disposition of such proceedings by any court.
 - Issuances 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
 - Executive orders or Act of Congress specifically established to be kept classified.

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1. FOI Receiving Officer:

The FOI Receiving Officer (FRO) shall be any LLFC officer or employee who shall be designated by the LLFC President and CEO.

The duties and functions of the FRO are the following:

- a. Serve as the initial point of contact to the public on FOI requests for LLFC
- b. Receive on behalf of LLFC all FOI Requests and transmits the same to the FDM.
- c. Conduct initial evaluation of FOI requests and make determination whether these are for partial grant or partial denial.
- d. Deny or refuse to accept FOI requests based on the results of its initial evaluation.
- e. Undertake preliminary determination of the appropriate FOI Document Owner which has custody of the requested information and forward the request to such office.
- f. Forward a fully compliant FOI request to appropriate FOI Document Owner for evaluation.
- g. Monitor all FOI requests and appeals.
- h. Assist the FOI Decision Maker.
- i. Assist and support the public and staff about FOI.
- j. Compile statistical information as required; and
- k. Conduct initial evaluation of the request and advise the requesting party whether the form is completely accomplished, or the information is already disclosed in the LLFC's Official Website, data.gov.ph or at eFOI.gov.ph.
- l. Maintain a record book or disclosure log of all information requests.


2. FOI Document Owner:

The FOI Document Owner (FDO) shall be designated by the LLFC President and CEO upon the recommendation of the Group/Unit Head that has ownership over the documents containing the information and shall perform the following duties and functions:

- a. Assess and clarify the request, if necessary, and transmit the request and the recommended action to the FDM or its duly authorized representative, for final grant or denial.
- b. Make all the necessary steps to locate and retrieve the information requested.

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3. FOI Decision Maker:

The FOI Decision Maker (FDM) shall be designated by the LLFC President and CEO, with a rank of not lower than a Vice President or its equivalent.

The President shall designate the General Counsel as the FOI Decision Maker with confirmation from the LLFC Board of Directors.

The duties and functions of the FDM are the following:

- a. FDM shall have the primary function of evaluating the recommendations of the FDO on any FOI request and taking action thereon.
- b. The FDM may grant, deny, partially grant, or deny the request, order the redaction of certain information prior release, refer the request to other offices, or undertake such actions as may be appropriate.
- c. As a general rule, the FDM shall grant an FOI request, or deny it based on the following:
 - c.1 LLFC does not have the information requested.
 - c.2 The information requested contains sensitive personal information protected by the Data Privacy Act of 2012.
 - c.3 The information requested falls under the Inventory of Exceptions to Executive Order No. 2, series of 2016.
 - c.4 The information request is unreasonable; or,
 - c.5 The information request is identical or substantially similar from the same requesting party which has already been previously granted or denied by the LLFC.


4. FOI Committee:

The LLFC FOI Committee shall be composed of at least three (3) senior officers with equal or higher rank to the decision maker and the designated FDOs that will exercise the following functions:

- a. Receive, review, evaluate and assess the appeal on the denial of the request for information
- b. Determine if the appeal was filed within the period provided under EO No. 2, s.2016
- c. Recommend of the Head of Agency the actions on the appeal filed by the requesting party
- d. Ensure that the appeal be decided within the thirty (30) working days from the filing of said appeal
- e. Implement the decision of the Head of Agency regarding the appeal.

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5. Approval and Denial of Request for Information:

The FDM shall approve or deny all the FOI requests, noted by the LLFC President/CEO. In case where the FDM is on official leave, the President/CEO may delegate such authority to second Officer in rank not below the rank of Vice-President. Approval and denial of FOI requests will be based on item 3 of Chapter III of this manual

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1. Duty to Publish Information

The LLFC shall regularly publish, print, and disseminate at no cost to the public and in an accessible form, in conjunction with Republic Act No. 9485 or the Anti-Red Tape Act of 2007, as well as its Corporate Governance policies, 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 operational processes.
- b. A description of the frontline services it delivers and the procedure and length of time by which they may be availed of.
- c. The names of its Directors and 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, budgets, financial statements.
- e. Current and important database and the statistics generated, if any.
- f. Bidding processes and requirements.

2. Accessibility of Language and Form


The LLFC shall endeavor to translate key information into major Filipino languages and present them in popular form and means.

3. Keeping of Records

The LLFC shall create and/or maintain in appropriate formats, accurate and reasonably complete documentation of records, policies, transaction, decisions, resolutions, enactments, actions, procedures, operations, activities, communication, and documents received or filed with them, and the data generated or collected.

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1. While providing for access to information, the LLFC shall afford full protection to a person's right to privacy, as follows:
 - 1.1 LLFC shall ensure that any personal information, particularly the names of requesting parties, collected through the electronic FOI portal shall be anonymized or de-identified in compliance with Republic Act No. 10173 or the "Data Privacy Act of 2012".
 - 1.2 The FRO and FDM who has access to personal information in the eFOI portal must not disclose the information except when permitted or officially recognized under existing laws, rules, and regulations. They shall also exercise reasonable diligence in protecting said personal information against leaks, exposure or unwarranted disclosure which would unduly expose the requesting party to vilification, harassment, or any other wrongful act.
 - 1.3 In keeping the personal and sensitive information, 2-year retention period shall be counted after the transaction has been closed, whether successful or denied. All personal and sensitive information attached to all FOI requests shall be deleted.
 - 1.4 All personal and sensitive information shall be discarded and dispose in a secure manner that shall prevent further processing, unauthorized access, or disclosure to any other party or the public or prejudice the interests of the requesting party. For paper-based documents, LLFC shall discard the personal information by mode of redaction and shredding.

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Filing and Content of the FOI Request

1. The FOI Receiving Officer (FRO) shall receive the FOI Requests from the requesting party and check compliance with 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.
 - c. The request shall reasonably describe the information request, and the specific or adequately reason for, or purpose of, the request for information.
 - d. The request shall state whether a photocopy or a certified true copy of the subject information/document is requested.
 - e. The request shall include the preferred mode of communication and receipt of the response; and
 - f. If made through a representative, proof of authority shall be attached to the request.

Mode of Request


- 1.1 The requesting party shall use the standard FOI Request Form. An FOI request shall only be considered valid when accompanied by the standard FOI request form.
- 1.2 FOI requests may be made through registered mail, electronic mail or through official online portals, provided that the requesting party shall provide all the required information and attach the supporting documents.
- 1.3 If the requesting party chooses to file the FOI Request in a separate written request, by e-mail or other official portals, such request shall be accompanied by a duly filled out standard FOI Request Form attached to said written request or e-mail.

Identification and Proof of Authority

- 1.4 Requesting party shall attach to his or her FOI request the following:
 - 1.4.1 At least two (2) valid government IDs with photo and signature of the requesting party.
 - 1.4.2 If the request is made through a representative, a written authorization of the principal and at least two (2) valid government IDs with photo and signature of the representative.

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1.4.3 If the requesting party is a juridical entity, original or certified true copy of board resolution, corporate certificate and other acceptable written document showing the authority of the representative to act in behalf of such juridical entity.

1.4.4 If the requesting party is a natural person who is a member, employee, affiliated with or related to a juridical entity, company or organization, and the request is made not in behalf of such juridical entity, company or organization but arises from such membership, affiliation or relation, such other sufficient proof of authority or affiliation.

1.4.5 If the requesting party is a minor, his or her guardian or any competent supervising adult shall comply with the requirements for a representative.

The authorization shall expressly state the extent of the authority of the representative to make the request, provide clarification, receive the requested information, and to bind the principal for all the representations and/or undertaking made by the representative in connection with the request for information.

Reasonable Assistance

1.5 The FRO shall provide reasonable assistance, free of charge, to enable all requesting parties, and particularly those with special needs, to comply with the request requirements, without prejudice to Chapter VII of this Manual. In case the requesting party is unable to make a written request, he or she may make an oral request, and the attending FRO shall reduce it in writing. Reasonable assistance shall not cover reproduction costs of the requesting party's copy of the FOI request and the supporting documents.

Initial Action upon Receipt of the FOI Request


2. Upon receipt of the FOI request, the FRO shall ascertain whether the request is a fully compliant FOI request in accordance with the requirements provided in item no. 1 hereof.

Grounds for Denial During Initial Evaluation

3. During the initial evaluation by the FRO, the request may be denied on the following grounds:

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Non-compliant FOI Request

- 3.1 The FRO shall only accept a fully compliant FOI request and shall not accept a request that lacks any of the required contents or documents provided in item no. 1 hereof.
- 3.2 The requesting party shall be advised of the deficiency with instructions to comply with the deficiency, as soon as practicable, if the request was personally filed, or within the period prescribed in item no. 5 if the request was filed through registered mail or e-mail.
- 3.3 In case the request lacks any of the requirements provided in item nos. 1 and 2, the FRO may consider other relevant document or evidence as the circumstances may warrant or waive any requirement, upon showing of meritorious grounds, subject to the approval of the FDM.

Requested information is already posted and available on-line

- 3.4 Requested information already posted and available on-line. In case the requested information and/or record is already posted and publicly available in the LLFC website, data.gov.ph or foi.gov.ph, the FRO shall inform the requesting party of said fact and provide them with the website link where the information is posted.

Requested information is substantially similar or identical to the previous request


- 3.5 If the requested information is substantially similar or identical to a previous request by the same requester, the request shall be denied. However, the FRO shall inform the applicant of the reason of such denial.

Period to Respond to FOI Request

4. LLFC must respond to the request within fifteen (15) working days following the date of the receipt thereof. For purposes of computing the fifteen (15) working day period, the date of receipt of the FOI request shall be reckoned as follows:
 - 4.1 If made personally, the date actually filed and stamped "received" by the FRO.
 - 4.2 If made by registered mail, the date of actual receipt of the request by the FRO.

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4.3 If sent by e-mail or other official online portals, the date it was actually electronically delivered to or received by the designated e-mail or portal if the same arrived before 05:00PM of the working day. Requests received after 05:00PM shall be considered received on the next working day.

4.4 Where the officer in charge of the designated e-mail is unavailable and the designated e-mail has generated an “out of office” message with instructions on how to re-direct the message to another e-mail contact, the date of receipt will be the day the request is received in the e-mail inbox of the latter subject to the qualification in the preceding subsection; or

4.5 Where the FRO has requested the requesting party for further details to identify and locate the requested information, the date on which the necessary clarification to the satisfaction of the FRO is received.

Period to Advise Requesting Party of Denial Based on Initial Evaluation

5. The FRO shall, within fifteen (15) working days from receipt of the request, advise the requesting party of denial of the request, specifying the ground for the denial in accordance with Item No. 3 hereof.

Receiving of Request

6. Requests received via postal/courier service or personal delivery shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name of the person who actually received it, with a copy furnished to the requesting party. In case of email requests, the email shall be printed out and shall follow the same procedure for delivered or mailed requests and shall be acknowledged by electronic mail. The FRO shall input the details of the request on the Request Tracking System and allocate a reference number.


Transmittal of FOI Request

7. The FRO shall then forward the request to the duly designated FOI Document Owner (FDO) of the LLFC Group or Unit which has ownership over the documents containing the information within one (1) day from receipt of the written request. The FRO shall maintain a record of all transmitted requests to the concerned FDOs.

8. Upon receipt of the request, the FDO shall assess and clarify the request, if necessary, and transmit the request and the recommended action to the FOI Decision Maker (FDM), or his duly authorized representative, for final grant or denial.

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- 8.1 Upon full grant of the request by the FDM, the FDO shall make all the necessary steps to locate and retrieve the information requested. Thereupon, shall transmit the requested information to the FRO.
- 8.2 If the FDO needs further details to identify or locate information, he/she shall, through the FRO, seek clarification from the requesting party. The clarification shall stop the running of the 15-working day period which will resume the day after the required clarification from the requesting party is received.
- 8.3 If the information requested requires extensive search of the LLFC's office records facilities, examination of voluminous records, or cannot be easily retrieved due to occurrence of fortuitous events or other analogous cases, the FDO shall, in writing, inform the FRO of such circumstances and state that an extension of the 15-working day period is necessary. The FRO shall inform the requesting party of the extension, which in no case shall exceed twenty (20) working days in addition to the original 15-working day period, unless exceptional circumstances warrant a longer period.
- 8.4 If the FDO determines that a record contains information of interest to another LLFC Group/Unit or a government agency or office other than LLFC, the FDO shall consult with the LLFC Group/Unit concerned or the office/agency concerned regarding the legality of disclosing the information before making any determination.
- 8.5 Requested information is not in the custody of LLFC. If the requested record and/or information is in the custody of a government agency or office other than LLFC, the request will be immediately transferred to such appropriate agency through the most expeditious manner and the transferring office must inform the requesting party of said transfer within the 15 working day limit. The 15 working day requirement for the receiving office commences the day after it receives the request.
- 8.5.a. When the requested information is not in the possession of the LLFC but in the possession of another government agency, the request shall be immediately referred by LLFC to that government agency handling the information/records through the most expeditious manner but not exceeding three (3) working days from the receipt of the request. This shall be considered as the "first referral" and a fresh period will apply.

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

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


- 8.6 If the requested information and/or record refer to an office not within the coverage of Executive Order No. 2, the requesting party shall be advised accordingly and provided with the contact details of that office, if known.
9. Upon receipt of the requested information from the FDO, the FRO shall collate the same and ensure its completeness. The FRO shall attach a cover/transmittal letter signed by the FDM or his duly authorized representative and ensure transmittal of said letter and the requested information to the requesting party within the prescribed 15 working day period from the date of receipt of the request.

Approval and Denial of FOI Request

10. In case of approval and denial of the request by the FDM, the FRO shall prepare the response to the requesting party either in writing or by e-mail. All actions on FOI requests, whether approval or denial, shall pass through the LLFC President/CEO or his designated officer for final approval.
- 10.1 The FDM shall approve or deny all the FOI requests, noted by the LLFC President/CEO. In case where the FDM is on official leave, the President/CEO may delegate such authority to second Officer in rank not below the rank of Vice-President. Approval and denial of FOI requests will be based on Chapter III, item no. 2.
- 10.2 In case of approval, the FRO shall ensure that all records that have been retrieved and considered be checked for possible exemptions, prior the actual release. The FRO shall prepare the letter or e-mail informing the requesting party within the prescribed period that the request was granted and be directed to pay the applicable fees, if any.
- 10.3 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/s for denial and the circumstances on which the denial is based.

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10.4 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 LLFC's President or the designated officer.

10.5 An FOI request may be denied based on the following grounds: (1) The office does not have possession or custody of the information requested; (2) The information requested falls under the Exceptions to FOI; or (3) The request is an unreasonable subsequent, identical, or subsequently similar request from the same requesting party whose request has already been previously granted or denied by the LLFC.

Remedies in Case of Denial

11. A party whose request for access to information has been denied may avail of the remedy set forth herein.

11.1 Administrative FOI Appeal to the FOI Appeals Authority. The requesting party may file an appeal of the adverse or unfavorable action of the FDM with the FOI Appeals Authority. The appeal shall be filed within fifteen (15) calendar days from the receipt of the notice of denial or fifteen (15) calendar days from the lapse of the period to respond to the request.

11.2 The FOI Appeals Authority (LLFC FOI Committee) shall evaluate the appeal and forward its recommendation to the LLFC Corporate Governance Committee, which shall decide on the appeal within thirty (30) working days from receipt of the appeal. Failure to decide within the thirty (30)-day period shall be deemed a denial of the appeal.


11.3 The denial of the appeal by the FOI Appeals Authority shall be considered final, and the requesting party may file the appropriate judicial action in accordance with the Rules of Court

Tracking System

12. The LLFC shall develop and establish a system to ensure that all requests for information received, status of pending requests, and requests acted upon are properly documented and monitored.

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No filing fee for FOI Requests

1. LLFC shall not charge any fee for accepting requests for access to information.

Reasonable cost of Reproduction and Copying Information

2. LLFC may charge a reasonable fee to reimburse necessary costs, including actual costs of reproduction and copying of the information requested, subject to existing rules and regulations.


The FRO shall notify the requesting party in case there shall be reproduction and copying fee in connection with the requested information. The schedule of fees shall be posted by the LLFC.

Exemption from Fees

3. LLFC may exempt the requesting party from payment of fees, upon showing of justifiable grounds.

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GROUND FOR DISCIPLINARY ACTION

Non-compliance with FOI

1. Failure to comply with the provisions of this Manual shall be ground for disciplinary action under pertinent Administrative laws and LLFC issuances. However, nothing in this Manual shall be construed to derogate from any law, rule or regulation which provides for more stringent penalties, as prescribed by competent authority.

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1. All other LLFC issuances or parts of the foregoing which are inconsistent with this Manual, if any, are hereby repealed or modified accordingly.

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1. This Manual shall take effect upon the approval of the LLFC Board of Directors.

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2. Annex B FOI Process Flowchart
3. Annex C FOI Request Form
4. Annex D FOI One Page Manual
5. Annex E Administrative Order No. 25, s. 2011
6. Annex F Executive Order No. 2, s. 2016
7. Annex G Inventory of Exceptions to Executive Order No. 2
8. Annex H Memorandum Order (MO) No. 10, s. 2016
9. Annex I Memorandum Circular (MC) No. 2017-1
10. Annex J FOI MC No. 44, s.2017
11. Annex K FOI MC No. 04, s. 2017, Uploading of FOI Manual in the Agency Transparency Seal to be Eligible to the PBB
12. Annex L FOI MC No. 05, s. 2017, Call for Submission of the Accomplished 2nd Qtr. Agency Information Inventory and the Standard FOI Registry for 01 April to 30 June 2017
13. Annex M FOI MC No. 01, s. 2018, Call for Submission: 2018 Freedom of Information (FOI) Reports
14. Annex N FOI MC No. 001, s. 2019, Guidelines on the Freedom of Information (FOI) Appeals Mechanism
15. Annex O FOI MC No. 4, s. 2019, Guidelines on Redaction and Extraction of Information before Disclosure to the Public
16. Annex P FOI MC No. 03, s. 2021, Retention Period of Personal Information and Sensitive Personal Information Gathered Through the Standard FOI Request Form and Electronic Freedom of Information (eFOI) Portal
17. Annex Q FOI MC No. 04, s. 2021, De-identification of Requesters' Personal Information in the Electronic Freedom of Information Portal Otherwise Known as the "Policy on Anonymization"

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ANNEX A

FOI FREQUENTLY ASKED QUESTIONS

Introduction to FOI

1. What is FOI?

Freedom of Information (FOI) is the government's response to the call for transparency and full public disclosure of information. FOI is a government mechanism, which allows Filipino citizens to request any information about the government transactions and operations, provided that it shall not put into jeopardy privacy and matters of national security.

The FOI mechanism for the Executive Branch is enabled via Executive Order No. 2, series of 2016.

2. What is Executive Order No. 2 S. 2016?

Executive Order No. 2 is the enabling order for FOI. EO 2 operationalizes in the Executive Branch the People's Constitutional right to information. EO 2 also provides the State policies to full public disclosure and transparency in the public service.

EO 2 was signed by President Rodrigo Roa Duterte on July 23, 2016.

3. Who oversees the implementation of EO 2?

The Presidential Communications Operations Office (PCOO) oversees the operation of the FOI program. PCOO serves as the coordinator of all government agencies to ensure that the FOI program is properly implemented.

Making a Request

4. Who can make an FOI request?

Any Filipino citizen can make an FOI Request. As a matter of policy, requestors are required to present proof of identification.

5. What can I ask for under EO on FOI?

Information, official records, public records, and, documents and papers pertaining to official acts, transactions or decisions, as well as to government research data used as basis for policy development.

6. What agencies can we ask information?

An FOI request under EO 2 can be made before all government offices under the Executive Branch, including government owned or controlled corporations (GOCCs) and state universities and colleges (SUCs).

7. How do I make an FOI request?

- a. The requestor is to fill up a request form and submits to the agency's Receiving Officer. The Receiving Officer shall validate the request and logs it accordingly on the FOI tracker.
- b. If deemed necessary, the Receiving Officer may clarify the request on the same day it was filed, such as specifying the information requested, and providing other assistance needed by the Requestor.

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- c. The request is forwarded to the Decision Maker for proper assessment. The Decision Maker shall check if the agency holds the information requested, if it is already accessible, or if the request is a repeat of any previous request.
- d. The request shall be forwarded to the officials involved to locate the requested information.
- e. Once all relevant information is retrieved, officials will check if any exemptions apply, and will recommend appropriate response to the request.
- f. If necessary, the head of the agency shall provide clearance to the response.
- g. The agency shall prepare the information for release, based on the desired format of the Requestor. It shall be sent to the Requestor depending on the receipt preference.

8. How much does it cost to make an FOI request?

There are no fees to make a request. But the agency may charge a reasonable fee for necessary costs, including costs of printing, reproduction and/or photocopying.

9. What will I receive in response to an FOI request?

You will be receiving a response either granting or denying your request. If the request is granted, the information requested will be attached, using a format that you specified. Otherwise, the agency will explain why the request was denied.

10. How long it will take before I get a response?

It is mandated that all replies shall be sent fifteen (15) working days after the receipt of the request. The agency will be sending a response, informing of an extension of processing period no longer than twenty (20) working days, should the need arise.

11. What if I never get a response?

If the agency fails to provide a response within the required fifteen (15) working days, the Requestor may write an appeal letter to the Central Appeals and Review Committee within fifteen (15) working days from the lapse of required response period. The appeal shall be decided within thirty (30) working days by the Central Appeals and Review Committee.

If all administrative remedies are exhausted and no resolution is provided, requestors may file the appropriate case in the proper courts in accordance with the Rules of Court.

12. What will happen if my request is not granted?

If you are not satisfied with the response, the Requestor may write an appeal letter to the Central Appeals and Review Committee within fifteen (15) working days from the lapse of required response period. The appeal shall be decided within thirty (30) working days by the Central Appeals and Review Committee.

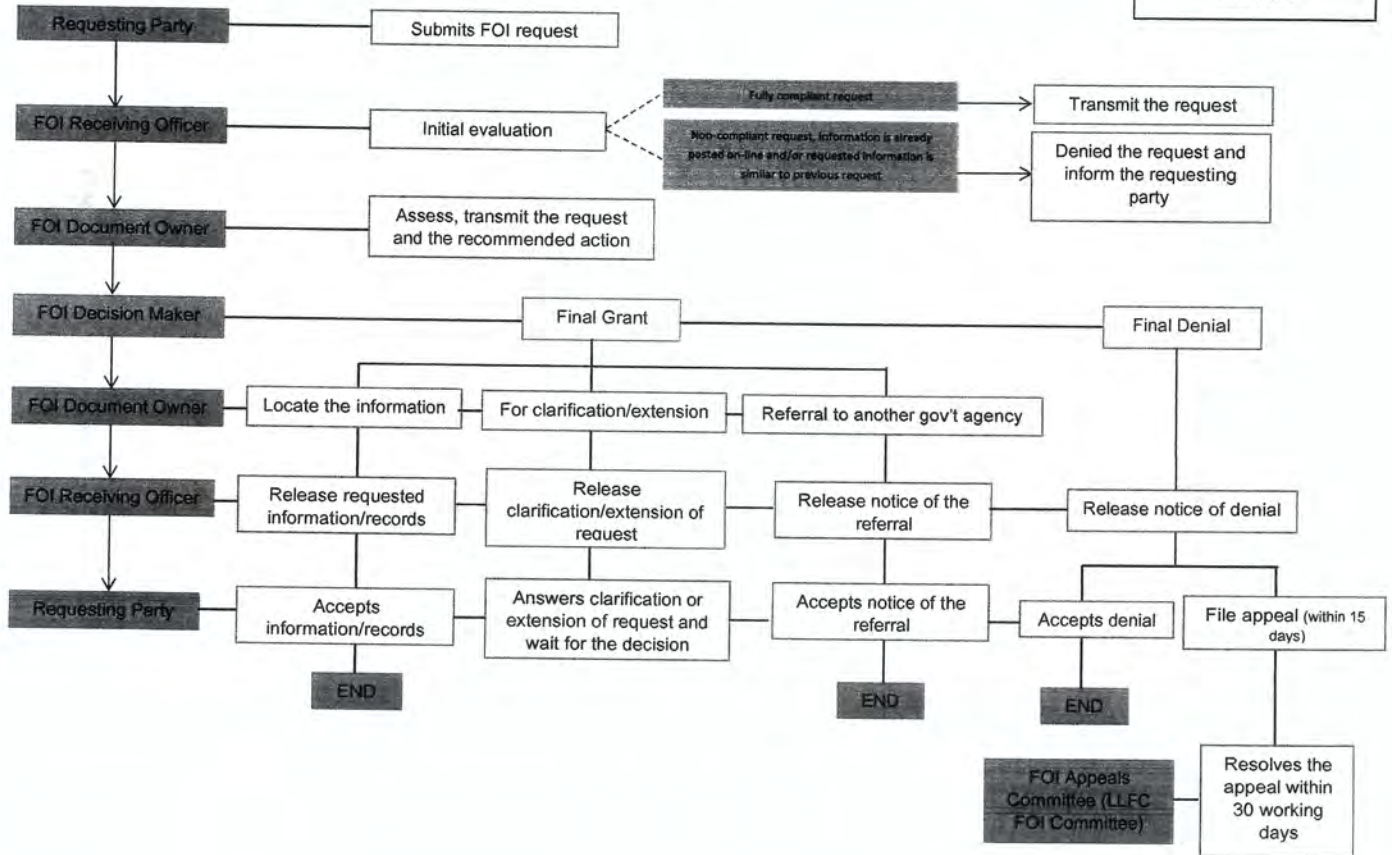
If all administrative remedies are exhausted and no resolution is provided, requestors may file the appropriate case in the proper courts in accordance with the Rules of Court.

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LBP LEASING AND FINANCE CORPORATION
FREEDOM OF INFORMATION (FOI) MANUAL
PROCESS FLOWCHART

ANNEX B



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LBP LEASING AND FINANCE CORPORATION

DOCUMENT CODE:

FREEDOM OF INFORMATION REQUEST FORM
(Pursuant to Executive Order No. 2., s.2016)

REVISION NO.:

EFFECTIVITY DATE:

INSTRUCTIONS:

Please read the following information carefully before proceeding with your application. Use blue or black ink. Write neatly and in BLOCK letters. Improper of incorrectly filled out forms will not be acted upon. Tick or mark with "X" where necessary. Note: (*) denotes a **MANDATORY** field.

I. REQUESTING PARTY

(You are required to supply your name and address for correspondence. Additional contact details help us deal with your application and correspond with you in the manner you prefer.)

1. **Title** (Mr., Mrs., Ms.) * _____ 2. **First Name/s** * _____ 3. **Last Name** * _____ 4. **M.I.** * _____

5. **Complete Address** (House No., Street, City/Municipality, Province, Zip Code) * _____

6. **Landline/Fax** * _____ 7. **Mobile/Phone Number** * _____ 8. **Email Address** * _____

9. **Preferred Mode of Communication** (If your request is successful, we will be sending the documents to you in this manner) _____ Fax _____ Email address _____ Postal address

10. **Preferred Mode of Reply** _____ Fax _____ Email address _____ Postal address _____ Pick-up at LLFC Office

11. **Type of ID Given** (Government Issued IDs) _____ Passport _____ Driver's License _____ SSS ID/UMID _____ Postal ID _____ Voter's ID _____ PhilSys ID

Others: _____ Company ID _____ School ID _____ (please specify)

II. REQUESTED INFORMATION

1. **Title of Document/Record Requested** (Please be detailed as possible) * _____
_____ Photocopy _____ Certified Photocopy _____ Certified True Copy

2. **Period Covered** (DD/MM/YY)* _____

3. **Purpose** * _____

4. **Document Type** * _____

5. **Any relevant information** _____

III. DECLARATION

Privacy Statement:

Information provided by the requester will be used by the LBP Leasing and Finance Corporation (LLFC) to deal and respond with the request as set out in the Freedom of Information Executive Order No. 2.

I declare that:

- Information provided in the form is complete and correct;
- I have read the Privacy Notice;
- I have presented at least two (2) ID to establish proof of 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.

Signature: _____ **Date:** _____

FOR OFFICIAL USE ONLY

RECEIVED BY:

Name and Signature: _____ Position: _____

Date and Time Received: _____

Remarks: _____

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LBP LEASING AND FINANCE CORPORATION
(A LANDBANK Subsidiary)

Annex D

FREEDOM OF INFORMATION

AGENCY : LBP LEASING AND FINANCE CORPORATION (LLFC)
RECEIVING OFFICER : MARIETTA TAN
DESIGNATION : FOI RECEIVING OFFICER
OFFICE : ACCOUNT SERVICING GROUP (ASG)
RECEIVING OFFICE : 15F SYCIP LAW CENTER
105 PASEO DE ROXAS, MAKATI CITY
CONTACT DETAILS : (02) 8818-2200 / mrtan@lbpleasing.com

MODES OF REQUEST

eFOI Portal



1. Go to www.lbpleasing.com and click the eFOI hyperlink logo.
2. Lodge the request through the eFOI Portal.
3. LBP Leasing and Finance Corporation (LLFC) will evaluate your request and notify you within 15 days from the date of receipt of request.

Standard Request



1. Send scanned copy of request through email at mrtan@lbpleasing.com or via postal/courier or personal delivery with a copy of duly-recognized government ID with photo.
2. LBP Leasing and Finance Corporation (LLFC) will evaluate your request and notify you within 15 days from the date of receipt of request.

FOI Appeals:

If you are not satisfied with the response, you may file a written appeal to the LLFC FOI Committee within 15 calendar days from receipt of reply from LLFC. The FOI Committee shall decide on the appeal within 30 working days from the date of receipt of appeal.

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MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 25

CREATING AN INTER-AGENCY TASK FORCE ON THE HARMONIZATION OF
NATIONAL GOVERNMENT PERFORMANCE MONITORING, INFORMATION
AND REPORTING SYSTEMS

WHEREAS, in line with its commitment to accountability and effective governance, the current Administration is focused on achieving the outputs and outcomes in its Social Contract with the Filipino People and the Philippine Development Plan (PDP) 2011-2016;

WHEREAS, performance monitoring, evaluation, information and reporting are essential components of an effective and efficient performance management system;

WHEREAS, performance monitoring and reporting in the public sector vary across departments, offices and agencies due to various government agencies with oversight functions that monitor, evaluate and report performance of government agencies and instrumentalities;

WHEREAS, many deficiencies and duplication have been noted in the present performance monitoring systems and processes used by government agencies within the Executive Branch of Government that have resulted in redundant data, reports in different formats, delay in submissions, inaccurate results, and inefficiencies in performance monitoring, evaluation, and reporting;

WHEREAS, there is a need to rationalize, harmonize, streamline, simplify, integrate and unify the efforts of government agencies mandated to exercise broad oversight of government agencies' performance relative to the National Leadership's Agenda, the Philippine Development Plan (PDP) 2011-2016, agency mandates, commitments and targets; and

WHEREAS, towards this end, a collaborative mechanism must be developed among these oversight agencies that will establish a unified and integrated Results-Based Performance Management System (RBPMS) across all departments and agencies within the Executive Branch of Government incorporating a common set performance scorecard, and at the same time, creating an accurate, accessible, and up-to-date government-wide, sectoral, and organizational performance information system.

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

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SECTION 1. Creation of an Inter-Agency Task Force. There is hereby created an Inter-Agency Task Force that will harmonize, unify, streamline and simplify all existing monitoring and reporting requirements and processes consistent with the RBPMS that will be created. The Inter-Agency Task Force shall be chaired by the Department of Budget and Management (DBM) and co-chaired by the Office of the Executive Secretary (OES), with the following as members:

- a. National Economic and Development Authority (NEDA);
- b. Presidential Management Staff (PMS); and
- c. Department of Finance (DOF).

Representatives to the Task Force shall have a rank not lower than an Assistant Secretary and duly authorized by the secretary concerned.

SECTION 2. Functions. The Inter-Agency Task Force shall undertake the following:

- a. To develop a Common Set Performance Scorecard;
- b. To design a Government Executive Information System, and
- c. Such other powers and functions as may be necessary to carry out the provisions of this Administrative Order (AO).

SECTION 3. Harmonized RBPMS. The Organizational Performance Indicators Framework (OPIF) and the Results Matrix (RM) shall be the underlying frameworks for the proposed RBPMS, which will be used by all government agencies mandated to exercise broad oversight over the performance of all agencies in the government.

The harmonized RBPMS shall likewise be used as basis for determining entitlement to performance-based allowances, incentives, or compensation of government personnel.

SECTION 4. Involvement of Other Government Oversight Offices. The Task Force shall involve the Civil Service Commission (CSC) and the Career Executive Service Board (CESB) in order to align the Strategic Performance Management (SPMS) of CSC and the Career Executive Service Performance Evaluation System (CESPES) of CESB to the proposed RBPMS. Other government departments, offices or agencies, such as the Commission on Audit (COA) and the Office of the Ombudsman, may be invited by the Task Force to provide their respective insights on the harmonization process.

SECTION 5. Private Sector Involvement. The Task Force shall likewise involve the private sector, through the National Competitiveness Council (NCC), for the



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purpose of providing inputs and aligning other advocated performance management systems with the proposed unified RBPMS.

SECTION 6. Secretariat and Technical Support. The Development Academy of the Philippines (DAP) shall serve as the Secretariat of the Task Force as well as its technical resource institution.

SECTION 7. Reporting. Within a period of six (6) months from the issuance of this AO, the Task Force shall submit its recommendation on the RBPMS to the President, through the Executive Secretary.

SECTION 8. Funding. The DBM shall provide for the funding requirements of the Inter-Agency Task Force.

SECTION 9. Separability Clause. If any provision of this AO is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

SECTION 10. Repealing Clause. All orders, rules, regulations, and issuances, or parts thereof, which are inconsistent with this Administrative Order, are hereby repealed, amended, or modified accordingly.

SECTION 11. Effectivity. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 21st day of December, in the year of Our Lord, Two Thousand and Eleven.



By the President:



PAQUITO N. OCHOA, JR.
Executive Secretary



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MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 02

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

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

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

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

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

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

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

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

THE PRESIDENT OF THE PHILIPPINES

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

- (a) "Information" shall mean any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recordings, magnetic or other tapes, electronic data, computer-stored data, or any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.
- (b) "Official record/records" shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.
- (c) "Public record/records" shall include information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by a government office.

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

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

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

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

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

Said inventory of exceptions shall periodically be updated to properly reflect any change in existing law and jurisprudence and the Department of Justice and the Office of the Solicitor General are directed to update the inventory of exceptions as

the need to do so arises, for circularization as hereinabove stated.

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

SECTION 6. Application and Interpretation. There shall be a legal presumption in favor of access to information, public records and official records. No request for information shall be denied unless it clearly falls under any of the exceptions listed in the inventory or updated inventory of exceptions circularized by the Office of the President as provided in Section 4 hereof.

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

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

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

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

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

own People's FOI Manual, which shall include, among others, the following information:

- (a) The location and contact information of the head, regional, provincial, and field offices, and other established places where the public can submit requests to obtain information;
- (b) The person or officer responsible for receiving requests for information;
- (c) The procedure for the filing and processing of the request, as provided in the succeeding Section 9 of this Order;
- (d) The standard forms for the submission of requests and for the proper acknowledgment of such requests;
- (e) The process for the disposition of requests;
- (f) The procedure for administrative appeal of any denial of request for access to information; and
- (g) The schedule of applicable fees.

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

- (a) Any person who requests access to information shall submit a written request to the government office concerned. The request shall state the name and contact information of the requesting party, provide valid proof of his identification or authorization, reasonably describe the information requested, and the reason for, or purpose of, the request for information: *Provided*, that no request shall be denied or refused acceptance unless the reason for the request is contrary to law, existing rules and regulations, or it is one of the exceptions contained in the inventory of exceptions as hereinabove provided.
- (b) The public official receiving the request shall provide reasonable assistance, free of charge, to enable all requesting parties, particularly those with special needs, to comply with the request requirements under this Section.
- (c) The request shall be stamped by the government office, indicating the date and time of receipt and the name, rank, title or position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the requesting party. Each government office shall establish a system to trace the status of all requests for information received by it.
- (d) The government office shall respond to a request fully compliant with the requirements of sub-section (a) hereof as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof. The response mentioned above refers to the decision of the office concerned to grant or deny access to the information requested.
- (e) The period to respond may be extended whenever the information requested requires extensive search of the government office's records facilities, examination of voluminous records, the occurrence of fortuitous events or other analogous cases. The government office shall

notify the person making the request of such extension, setting forth the reasons for the extension. In no case shall the extension go beyond twenty (20) working days counted from the end of the original period, unless exceptional circumstances warrant a longer period.

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

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

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

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

SECTION 13. Remedies in Case of Denial of Request for Access to Information. A person whose request for access to information has been denied may avail himself of the remedies set forth below:

- (a) Denial of any request for access to information may be appealed to the person or office next higher in authority, following the procedure mentioned in Section 8 (f) of this Order: Provided, that the written appeal must be filed by the same person making the request within fifteen (15) calendar days from the notice of denial or from the lapse of the relevant period to respond to the request.
- (b) The appeal shall be decided by the person or office next higher in authority within thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the afore-stated period shall be deemed a denial of the appeal.
- (c) Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

SECTION 14. Keeping of Records. Subject to existing laws, rules, and regulations, government offices shall create and/or maintain accurate and reasonably complete records of important information in appropriate formats, and implement a

records management system that facilitates easy identification, retrieval and communication of information to the public.

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

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

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

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

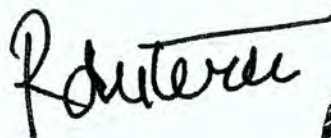
SECTION 19. Effectivity. This Order shall take effect immediately upon publication in a newspaper of general circulation.

Done, in the City of Manila, this 23rd day of July in the year of our Lord Two Thousand and Sixteen.

By the President:


SALVADOR C. MEDIALDEA
Executive Secretary







CERTIFIED COPY:


MARIANITO M. DIMAANDAL
DIRECTOR IV
MALACANANG RECORDS OFFICE

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MASTER FILE

**Office of the President
of the Philippines
Malacañang**

MEMORANDUM FROM THE EXECUTIVE SECRETARY

TO: All Heads of Departments, Bureaus and Agencies of the National/Local Governments Including Government-Owned and Controlled Corporations (GOCCs), Government Financial Institutions (GFIs), and All Others Concerned

SUBJECT: **INVENTORY OF EXCEPTIONS TO EXECUTIVE ORDER NO. 2 (S. 2016)**

DATE: 24 November 2016

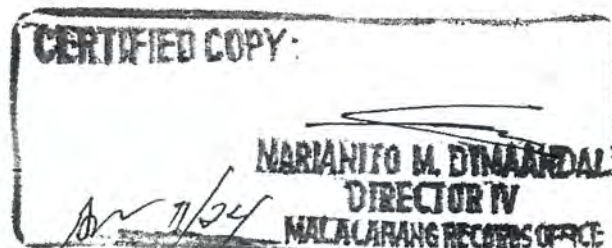
Pursuant to Section 4 of Executive Order (EO) No. 2 (s. 2016), the Office of the President hereby circularizes the inventory of exceptions to the right to access of information, for the guidance of all government offices and instrumentalities covered by EO No. 2 (s. 2016) and the general public.

The foregoing list of exceptions shall be without prejudice to existing laws, jurisprudence, rules or regulations authorizing the disclosure of the excepted information upon satisfaction of certain conditions in certain cases, such as the consent of the concerned party or as may be ordered by the courts.

In evaluating requests for information, all heads of offices are enjoined to ensure the meaningful exercise of the public of their right to access to information on public concerns.

For your information and guidance.

SALVADOR C. MEDIALDEA



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Exceptions to Right of Access to Information

For the guidance of all government offices and instrumentalities covered by EO No. 2 (s. 2016) and the general public, the following are the exceptions to the right of access to information, as recognized by the Constitution, existing laws, or jurisprudence:¹

1. Information covered by Executive privilege;
2. Privileged information relating to national security, defense or international relations;
3. Information concerning law enforcement and protection of public and personal safety;
4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes, or the accused;
5. Information, documents or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government agencies, tribunals, boards, 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;
6. Prejudicial premature disclosure;
7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged;
8. Matters considered confidential under banking and finance laws, and their amendatory laws; and
9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations.

¹ These exceptions only apply to governmental bodies within the control and supervision of the Executive department. Unless specifically identified, these exceptions may be invoked by all officials, officers, or employees in the Executive branch in possession of the relevant records or information.

For the implementation of the exceptions to the right of access to information, the following provide the salient details and legal bases that define the extent and application of the exceptions.

1. Information covered by Executive privilege:
 - a. Presidential conversations, correspondences, and discussions in closed-door Cabinet meetings;² and
 - b. Matters covered by deliberative process privilege, namely:
 - i. advisory opinions, recommendations and deliberations comprising part of a process by which governmental decisions and policies are formulated; intra-agency or inter-agency recommendations or communications during the stage when common assertions are still in the process of being formulated or are in the exploratory stage; or information pertaining to the decision-making of executive officials;³ and
 - ii. information, record or document comprising drafts of decisions, orders, rulings, policy decisions, memoranda, etc..⁴
2. Privileged information relating to national security, defense or international relations:
 - a. Information, record, or document that must be kept secret in the interest of national defense or security;⁵
 - b. Diplomatic negotiations and other information required to be kept secret in the conduct of foreign affairs;⁶ and

² This exception may only be invoked by the President and his close advisors. The extent of the privilege is defined by applicable jurisprudence: *Senate v. Ermita*, G.R. No. 169777, 20 April 2006, 488 SCRA 1; *Neri v. Senate Committee on Accountability of Public Officers and Investigations*, G.R. No. 180643, 4 September 2008, 564 SCRA 152; *Akbayan v. Aquino*, G.R. No. 170516, 16 July 2008, 558 SCRA 468; and *Chavez v. PCGG*, G.R. No. 130716, 9 December 1998, 299 SCRA 744.

³ *Akbayan v. Aquino*, *supra*; *Chavez v. NHA*, G.R. No. 164527, 15 August 2007; and *Chavez v. PCGG*, *supra*. The privilege of invoking this exception ends when the executive agency adopts a definite proposition (*Department of Foreign Affairs v. BCA International Corp.*, G.R. No. 210858, 20 July 2016).

⁴ Section 3(d) Rule IV, *Rules Implementing the Code of Conduct and Ethical Standards for Public Officials and Employees* (Rules on CCESPOE). Drafts of decisions, orders, rulings, policy decisions, memoranda, and the like, such as resolutions prepared by the investigating prosecutor prior to approval for promulgation and release to parties [*Revised Manual for Prosecutors of the Department of Justice (DOJ)*] are also covered under this category of exceptions.

⁵ *Almonte v. Vasquez*, G.R. No. 95367, 23 May 1995, 244 SCRA 286; *Chavez v. PCGG*, *supra*; *Legaspi v. Civil Service Commission*, L-72119, 29 May 1987, 150 SCRA 530; *Chavez v. NHA*, *supra*; *Neri v. Senate*, *supra*; *Chavez v. Public Estates Authority*, G.R. No. 133250, 9 July 2002, 384 SCRA 152; and Section 3(a), Rule IV, Rules on CCESPOE. This exception generally includes matters classified under Memorandum Circular (MC) No. 78, as amended by MC No. 196 as "Top Secret," "Secret," "Confidential," and "Restricted."

⁶ *Akbayan v. Aquino*, *supra*; Section 3(a) Rule IV, Rules on CCESPOE. This privilege may be invoked by the Department of Foreign Affairs and other government bodies involved in diplomatic negotiations.

- c. Patent applications, the publication of which would prejudice national security and interests;⁷
3. Information concerning law enforcement and protection of public and personal safety:
- a. Investigation 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 –
- i. interfere with enforcement proceedings;
 - ii. deprive a person of a right to a fair trial or an impartial adjudication;
 - iii. disclose the identity of a confidential source and in the case of a record compiled by a criminal law enforcement authority 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; or
 - iv. unjustifiably disclose investigative techniques and procedures;⁸
- b. Informer's privilege or the privilege of the Government not to disclose the identity of a person or persons who furnish information of violations of law to officers charged with the enforcement of law;⁹
- c. When disclosure of information would put the life and safety of an individual in imminent danger;¹⁰
- d. Any information given by informants leading to the recovery of carnapped vehicles and apprehension of the persons charged with carnapping;¹¹ and
- e. All proceedings involving application for admission into the Witness Protection Program and the action taken thereon;¹²
4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes, or the accused. These include:

⁷ The applicability of this exception is determined by the Director General of the Intellectual Property Office and subject to the approval of the Secretary of the Department of Trade and Industry. Section 44.3 of the *Intellectual Property Code* (RA No. 8293, as amended by RA No. 10372).

⁸ Section 3(f), Rule IV, Rules on CCESPOE; *Chavez v. PCGG, supra*. May be invoked by law enforcement agencies.

⁹ *Akbayan v. Aquino, supra*; and Section 51, *Human Security Act of 2007* (RA No. 9372). May be invoked by law enforcement agencies.

¹⁰ Section 3(b), Rule IV, Rules on CCESPOE.

¹¹ Section 19, *New Anti Carnapping Act of 2016* (RA No. 10883). May be invoked by law enforcement agencies.

¹² Section 7, *Witness Protection, Security and Benefit Act* (RA No. 6981).

- a. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy,¹³ personal information or records,¹⁴ including sensitive personal information, birth records,¹⁵ school records,¹⁶ or medical or health records;¹⁷

Sensitive personal information as defined under the *Data Privacy Act of 2012* refers to personal information:¹⁸

- (1) about an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
- (2) about an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;
- (3) 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
- (4) specifically established by an executive order or an act of Congress to be kept classified.

However, personal information may be disclosed to the extent that the requested information is shown to be a matter of public concern or interest, shall not meddle with or disturb the private life or family relations of the individual¹⁹ and is not prohibited by any law or regulation. Any disclosure of personal information shall be in accordance with the principles of transparency, legitimate purpose and proportionality.²⁰

Disclosure of personal information about any individual who is or was an officer or employee of a government institution shall be allowed, provided that such information relates to the position or functions of the individual, including: (1) the fact that the individual is or was an officer or employee of

¹³ Section 3(e), Rule IV, Rules on CCESPOE.

¹⁴ Sections 8 and 15, *Data Privacy Act of 2012* (RA No. 10173); *Personal information* refers 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 [Section 3(g), *Data Privacy Act of 2012*]; Article 26, Civil Code. May be invoked by National Privacy Commission and government personal information controllers.

¹⁵ Article 7, *The Child and Youth Welfare Code* [Presidential Decree (PD) No. 603].

¹⁶ Section 9(4), *Education Act of 1982* [Batas Pambansa (BP) Blg. 232].

¹⁷ Medical and health records are considered as sensitive personal information pursuant to Section 3(l)(2), *Data Privacy Act of 2012*; See also Department of Health-Department of Science and Technology (DOST)-Philippine Health Insurance Corporation Joint Administrative Order No. 2016-0002 (Privacy Guidelines for the Implementation of the Philippine Health Information Exchange).

¹⁸ Section 3(l), *Data Privacy Act of 2012*.

¹⁹ Article 26(2), *Civil Code*.

²⁰ Section 11, *Data Privacy Act of 2012*.

the government institution; (2) the title, business address and office telephone number of the individual; (3) the classification, salary range and responsibilities of the position held by the individual; and (4) the name of the individual on a document prepared by the individual in the course of employment with the government;²¹

- b. Source of any news report or information appearing in newspapers, magazines or periodicals of general circulation obtained in confidence;²² and
- c. Records of proceedings and processes deemed confidential by law for the privacy and/or protection of certain individuals, such as children, victims of crime, witnesses to a crime or rehabilitated drug offenders, including those pertaining to the following:
- (1) records of child and family cases;²³
 - (2) children in conflict with the law from initial contact until final disposition of the case;²⁴
 - (3) a child who is a victim of any offense under the *Anti-Child Pornography Act of 2009*, including the name and personal circumstances of the child, or the child's immediate family, or any other information tending to establish the child's identity;²⁵
 - (4) a child witness, who is a victim of a crime, an accused of a crime, or a witness to a crime, including the name, address, telephone number, school, or other identifying information of a child or an immediate family of the child;²⁶
 - (5) cases involving violence against women and their children, including the name, address, telephone number, school, business, address, employer, or other identifying information of a victim or an immediate family member;²⁷
 - (6) trafficked persons, including their names and personal circumstances, or any other information tending to establish the identity of the trafficked person;²⁸
 - (7) names of victims of child abuse, exploitation or discrimination;²⁹

²¹ Section 4, *Data Privacy Act of 2012*.

²² *An Act to Exempt the Publisher, Editor or Reporter of any Publication from Revealing the Source of Published News or Information Obtained in Confidence* (RA No. 53), as amended by RA No. 1477. May be invoked by government newspapers.

²³ Section 12, *Family Courts Act of 1997* (RA Act No. 8369).

²⁴ Section 43, *Juvenile Justice and Welfare Act of 2006* (RA No. 9344).

²⁵ Section 13, *Anti-Child Pornography Act of 2009* (RA No. 9775).

²⁶ Section 31, A.M. No. 00-4-07-SC, *Re: Proposed Rule on Examination of a Child Witness*.

²⁷ Section 44, *Anti-Violence Against Women and their Children Act of 2004* (RA No. 9262); and *People v. Cabalquinto*, G.R. No. 167693, 19 September 2006.

²⁸ Section 7, *Anti-Trafficking in Persons Act of 2003* (RA No. 9208), as amended by RA No. 10364.

²⁹ Section 29, *Special Protection of Children Against Abuse, Exploitation and Discrimination Act* (RA No. 7610).

- (8) disclosure which would result in undue and sensationalized publicity of any case involving a child in conflict with the law, child abuse, or violation of anti-trafficking of persons;³⁰
 - (9) records, documents and communications of proceedings involving domestic and inter-country adoptions, including the identity of the child, natural parents and adoptive parents;³¹
 - (10) names of students who committed acts of bullying or retaliation;³²
 - (11) first time minor (drug) offenders under suspended sentence who comply with applicable rules and regulations of the Dangerous Drugs Board and who are subsequently discharged; judicial and medical records of drug dependents under the voluntary submission program; and records of a drug dependent who was rehabilitated and discharged from treatment and rehabilitation centers under the compulsory submission program, or who was charged for violation of Section 15 (use of dangerous drugs) of the *Comprehensive Dangerous Drugs Act of 2002*, as amended; and³³
 - (12) identity, status and medical records of individuals with Human Immunodeficiency Virus (HIV), as well as results of HIV/Acquired Immune Deficiency Syndrome (AIDS) testing;³⁴
5. Information, documents or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government agencies, tribunals, boards, 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, such as but not limited to the following:
- a. Trade secrets, intellectual property, business, commercial, financial and other proprietary information;³⁵

³⁰ Section 14, *Juvenile Justice and Welfare Act of 2006*; Section 7, *Anti-Trafficking in Persons Act of 2003*, as amended; and Section 29, *Special Protection of Children Against Abuse, Exploitation and Discrimination Act*.

³¹ Section 15, *Domestic Adoption Act of 1998* (RA No. 8552) and Section 43, IRR of RA No. 8552; Sections 6 and 16(b), *Inter-Country Adoption Act of 1995* (RA No. 8043) and Sections 53, 54 and 55 of IRR of RA No. 8043.

³² Section 3(h), *Anti-Bullying Act* (RA No. 10627).

³³ Sections 60, 64 and 67, *Comprehensive Dangerous Drugs Act of 2002* (RA No. 9165).

³⁴ Sections 2(b), 18, 30, and 32, *Philippine AIDS Prevention and Control Act of 1998* (RA No. 8504).

³⁵ Sections 45, 106.1, and 150.2, *The Intellectual Property Code* (RA No. 8293, as amended by RA No. 10372); Section 66.2, *Securities Regulation Code* (RA No. 8799); DOST Administrative Order No. 004-16; Section 142, *The Corporation Code* (BP Blg. 68); Section 34, *Philippine Competition Act* (RA No. 10667); Sections 23 and 27 (c), *The New Central Bank Act* (RA No. 7653); *Anti-Money Laundering Act* (RA No. 9160); Section 18, *Strategic Trade Management Act* (RA No. 10697); Sections 10 and 14, *Safeguard Measures Act* (RA No. 8800); Section 12, *Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990* (RA No. 6969); Article 290, *Revised Penal Code*; Section 10.10, Rule 10, 2012 Revised IRR of *Build-Operate-Transfer Law* (RA No. 6957); and *Revised Philippine Ports Authority Manual of Corporate Governance*.

- b. Data furnished to statistical inquiries, surveys and censuses of the Philippine Statistics Authority (PSA);³⁶
- c. Records and reports submitted to the Social Security System by the employer or member;³⁷
- d. Information gathered from HIV/AIDS contact tracing and all other related health intelligence activities;³⁸
- e. Confidential information submitted to the Philippine Competition Commission prohibited from disclosure by law, including the identity of the person who provided the information under condition of anonymity;³⁹
- f. Applications and supporting documents filed pursuant to the *Omnibus Investments Code of 1987*;⁴⁰
- g. Documents submitted through the Government Electronic Procurement System;⁴¹
- h. Information obtained from accessing any electronic key, electronic data message, or electronic document, book, register, correspondence, information or other material pursuant to any powers conferred under the *Electronic Commerce Act of 2000*;⁴²
- i. Any confidential information supplied by the contractors in mineral agreements, and financial or technical assistance agreements pursuant to the *Philippine Mining Act of 1995* and its Implementing Rules and Regulations (IRR), during the term of the project to which it relates;⁴³
- j. Information received by the Department of Tourism (DOT) in relation to the accreditation of accommodation establishments (such as hotels and resorts) and travel and tour agencies;⁴⁴

³⁶ Section 26, *Philippine Statistical Act of 2013* (RA No. 10625); and Section 4, *Commonwealth Act No. 591*. May be invoked only by the PSA.

³⁷ Section 24(c), *Social Security Act of 1997* (RA No. 1161, as amended by RA No. 8282).

³⁸ Section 29, *Philippine AIDS Prevention and Control Act of 1998* (RA No. 8504).

³⁹ Section 34, *Philippine Competition Act* (PCA), RA No. 10667 and Section 13, Rule 4 of the IRR of PCA. This exception can be invoked by the Philippine Competition Commission subject to well-defined limitations under the PCA.

⁴⁰ Section 81, EO No. 226 (s. 1987), as amended.

⁴¹ Section 9, *Government Procurement Reform Act* (RA No. 9184).

⁴² Section 32, *Electronic Commerce Act of 2000* (RA No. 8792).

⁴³ Section 94(f), *Philippine Mining Act of 1995* (RA No. 7942).

⁴⁴ Section 1, Rule IX, DOT MC No. 2010-02 (Rules and Regulations to Govern, the Accreditation of Accommodation Establishments – Hotels, Resorts and Apartment Hotels); and Section 23, DOT MC No. 2015-06 (Revised Rules and Regulations to Govern the Accreditation of Travel and Tour Agencies).

- k. The fact that a covered transaction report to the Anti-Money Laundering Council (AMLC) has been made, the contents thereof, or any information in relation thereto;⁴⁵
 - l. Information submitted to the Tariff Commission which is by nature confidential or submitted on a confidential basis;⁴⁶
 - m. Certain information and reports submitted to the Insurance Commissioner pursuant to the *Insurance Code*;⁴⁷
 - n. Information on registered cultural properties owned by private individuals;⁴⁸
 - o. Data submitted by a higher education institution to the Commission on Higher Education (CHED);⁴⁹ and
 - p. Any secret, valuable or proprietary information of a confidential character known to a public officer, or secrets of private individuals;⁵⁰
6. Information of which a premature disclosure would:
- a. in the case of a department, office or agency which agency regulates currencies, securities, commodities, or financial institutions, be likely to lead to significant financial speculation in currencies, securities, or commodities, or significantly endanger the stability of any financial institution; or
 - b. be likely or significantly frustrate implementation of a proposed official action, except such department, office or agency has already disclosed to the public the content or nature of its proposed action, or where the department, office or agency is required by law to make such disclosure on its own initiative prior to taking final official action on such proposal.⁵¹
7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged, including but not limited to the following:

⁴⁵ Section 9(c), *Anti-Money Laundering Act of 2001*, as amended. May be invoked by AMLC, government banks and its officers and employees.

⁴⁶ Section 10, *Safeguard Measures Act*.

⁴⁷ Section 297 in relation with Section 295 and Section 356, *The Insurance Code* (as amended by RA No. 10607).

⁴⁸ Section 14, *National Cultural Heritage Act of 2009* (RA No. 10066).

⁴⁹ CHED Memorandum Order No. 015-13, 28 May 2013.

⁵⁰ Articles 229 and 230, *Revised Penal Code*; Section 3(k), *Anti-Graft and Corrupt Practices Act* (RA No. 3019); Section 7(c), *Code of Conduct and Ethical Standards for Public Officials and Employees* (RA No. 6713); Section 7, *Exchange of Information on Tax Matters Act of 2009* (RA No. 10021); and Section 6.2, *Securities Regulation Code* (RA No. 8799).

⁵¹ Section 3(g), Rule IV, Rules on CCESPOE.

- a. Mediation and domestic or international arbitration proceedings, including records, evidence and the arbitral awards, pursuant to the *Alternative Dispute Resolution Act of 2004*;⁵²
- b. Matters involved in an Investor-State mediation;⁵³
- c. Information and statements made at conciliation proceedings under the *Labor Code*;⁵⁴
- d. Arbitration proceedings before the Construction Industry Arbitration Commission (CIAC);⁵⁵
- e. Results of examinations made by the Securities and Exchange Commission (SEC) on the operations, books and records of any corporation, and all interrogatories propounded by it and the answers thereto;⁵⁶
- f. Information related to investigations which are deemed confidential under the *Securities Regulations Code*;⁵⁷
- g. All proceedings prior to the issuance of a cease and desist order against pre-need companies by the Insurance Commission;⁵⁸
- h. Information related to the assignment of the cases to the reviewing prosecutors or the undersecretaries in cases involving violations of the *Comprehensive Dangerous Drugs Act of 2002*;⁵⁹
- i. Investigation report and the supervision history of a probationer;⁶⁰
- j. Those matters classified as confidential under the *Human Security Act of 2007*;⁶¹

⁵² Sections 9, 23 and 33, *Alternative Dispute Resolution (ADR) Act of 2004* (RA No. 9285); and DOJ Circular No. 98 (s. 2009) or the IRR of the ADR Act.

⁵³ Article 10, International Bar Association Rules for Investor-State Mediation.

⁵⁴ Article 237, *Labor Code*.

⁵⁵ Section 7.1, Rule 7, CIAC Revised Rules of Procedure Governing Construction Arbitration.

⁵⁶ Section 142, *Corporation Code*. May be invoked by the SEC and any other official authorized by law to make such examination.

⁵⁷ Sections 13.4, 15.4, 29.2 (b), and 64.2 of the *Securities Regulation Code*.

⁵⁸ Section 53(b)(1) of the *Pre-Need Code of the Philippines*. The confidentiality of the proceedings is lifted after the issuance of the cease and desist order.

⁵⁹ DOJ Department Circular No. 006-16 (No. 6), 10 February 2016.

⁶⁰ Section 17, *Probation Law of 1976* [PD No. 968 (s.1976)].

⁶¹ Sections 9, 13, 14, 29, 33 and 34, *Human Security Act of 2007* (RA No. 9372).

- k. Preliminary investigation proceedings before the committee on decorum and investigation of government agencies;⁶² and
 - l. Those information deemed confidential or privileged pursuant to pertinent rules and regulations issued by the Supreme Court, such as information on disbarment proceedings, DNA profiles and results, or those ordered by courts to be kept confidential;⁶³
8. Matters considered confidential under banking and finance laws and their amendatory laws, such as:
- a. RA No. 1405 (*Law on Secrecy of Bank Deposits*);
 - b. RA No. 6426 (*Foreign Currency Deposit Act of the Philippines*) and relevant regulations;
 - c. RA No. 8791 (*The General Banking Law of 2000*);
 - d. RA No. 9160 (*Anti-Money Laundering Act of 2001*); and
 - e. RA No. 9510 (*Credit Information System Act*);
9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations, such as:
- a. Those deemed confidential pursuant to treaties, executive agreements, other international agreements, or international proceedings, such as:
 - (1) When the disclosure would prejudice legitimate commercial interest or competitive position of investor-states pursuant to investment agreements;⁶⁴
 - (2) Those deemed confidential or protected information pursuant to United Nations Commission on International Trade Law Rules on Transparency in Treaty-based Investor-State Arbitration and Arbitration Rules (UNCITRAL Transparency Rules);⁶⁵ and
 - (3) Refugee proceedings and documents under the *1951 Convention Relating to the Status of Refugees*, as implemented by DOJ Circular No. 58 (s. 2012);

⁶² Section 14, Civil Service Commission Resolution No. 01-0940.

⁶³ Section 18, Rule 139-B and Section 24, Rule 130 of the Rules of Court; and Section 11 of the Rule on DNA Evidence, A.M. No. 06-11-5-SC.

⁶⁴ Examples: Article 20 (2), ASEAN Comprehensive Investment Agreement; Article 15 (2) Agreement on Investment under the Framework Agreement on the Comprehensive Economic Cooperation between the ASEAN and the Republic of India; and Article 15 (2) of the Agreement on Investment under the Framework Agreement on the Comprehensive Economic Cooperation among the Government of the Member Countries of the ASEAN and the Republic of Korea.

⁶⁵ Article 7, UNCITRAL Transparency Rules.

- b. Testimony from a government official, unless pursuant to a court or legal order;⁶⁶
- c. When the purpose for the request of Statement of Assets, Liabilities and Net Worth is any of the following:
 - (1) any purpose contrary to morals or public policy; or
 - (2) any commercial purpose other than by news and communications media for dissemination to the general public;⁶⁷
- d. Lists, abstracts, summaries of information requested when such lists, abstracts or summaries are not part of the duties of the government office requested;⁶⁸
- e. Those information and proceedings deemed confidential under rules and regulations issued by relevant government agencies or as decided by the courts;⁶⁹
- f. Requested information pertains to comments and disclosures on pending cases in judicial proceedings;⁷⁰ and
- g. Attorney-client privilege existing between government lawyers and their client.⁷¹

⁶⁶ *Senate v. Neri, supra; Senate v. Ermita, supra.*

⁶⁷ Section 8(D), *Code of Conduct and Ethical Standards for Public Officials and Employees.*

⁶⁸ *Belgica v. Ochoa*, G.R. No. 208566, 19 November 2013; and *Valmonte v. Belmonte Jr.*, G.R. No. 74930, 13 February 1989, 252 Phil. 264.

⁶⁹ Examples: 2012 Guidelines and Procedures in the Investigation and Monitoring of Human Rights Violations and Abuses and the Provision of CHR Assistance; Government Service Insurance System's Rules of Procedure of the Committee on Claims; National Labor Relations Commission Resolution No. 01-02, Amending Certain Provisions of the New Rules of Procedure of the National Labor Relations Commission, 08 March 2002; Department of Agrarian Reform MC No. 07-11, 19 July 2011; Department of Social Welfare and Development MC No. 021-12, 16 October 2012; and Section 42, *Investment Company Act* (RA No. 2629); When the information requested is not a matter of public concern or interest as decided in *Hilado v. Judge Amor A. Reyes*, G.R. No. 163155, 21 July 2006.

⁷⁰ *Romero v. Guerzon*, G.R. No. 211816, 18 March 2015.

⁷¹ Canon 21 of the *Code of Professional Responsibility.*

Office of the President
of the Philippines
Malacañang

ANNEX H

MEMORANDUM CIRCULAR NO. 44

DIRECTING ALL GOVERNMENT AGENCIES AND INSTRUMENTALITIES, INCLUDING GOVERNMENT-OWNED OR-CONTROLLED CORPORATIONS, TO RESPOND TO ALL PUBLIC REQUESTS AND CONCERNS WITHIN FIFTEEN DAYS FROM RECEIPT THEREOF

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, Republic Act (RA) No. 9485, or the Anti-Red Tape Act of 2007, provides that the State shall take appropriate measures to promote transparency in each agency with regard to the manner of transacting with the public, with the objective of reducing red tape and expediting transactions in government;

WHEREAS, Section 5 (a) of RA No. 6713, or the Code of Conduct and Ethical Standards for Public Officials and Employees, provides that all public officials and employees shall, within fifteen (15) working days from receipt thereof, respond to letters, telegrams or other means of communications sent by the public and that the reply must contain the action taken on the request;

WHEREAS, the State shall provide the means to strengthen the people's channel of communication to the government by promoting and emphasizing the importance of responsive and service-oriented government agencies and instrumentalities, with the objective of fostering transparency and accountability;

NOW, THEREFORE, all government agencies and instrumentalities, including government-owned or- controlled corporations, performing frontline services as defined in RA No. 9485 are hereby directed to respond to all public requests and concerns within fifteen (15) days from receipt thereof, unless a shorter period is provided under applicable laws and issuances.

It is understood that "frontline services" under RA No. 9485 is defined as the process or transaction between clients and government offices or agencies involving applications for any privilege, right, permit, reward, license, concession, or for any modification, renewal or extension of the enumerated applications and/or requests which are acted upon in the ordinary course of business of the agency or office concerned.

This Memorandum Circular shall take effect immediately.

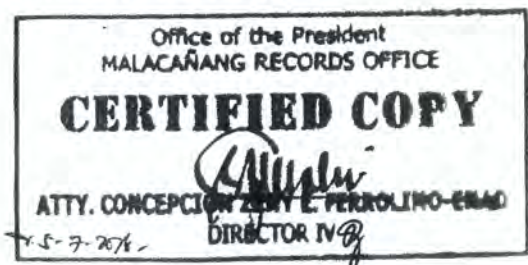
DONE in the City of Manila, this 4th day of May, in the year of Our Lord, Two Thousand and Eighteen.

By authority of the President:


SALVADOR C. MEDIALDEA
Executive Secretary

DC: _____
CONTROLLED COPY

DC: _____
MASTER FILE





INTER-AGENCY TASK FORCE ON THE HARMONIZATION OF
NATIONAL GOVERNMENT PERFORMANCE MONITORING, INFORMATION AND REPORTING SYSTEMS
(Administrative Order No. 25 s. 2011)

MEMORANDUM CIRCULAR NO. 2017- 1

March 9, 2017

TO : All Heads of Departments, Bureaus, Offices and Other Agencies of the National Government, including Constitutional Commissions, Congress, The Judiciary, Office of the Ombudsman, State Universities and Colleges, Government-Owned or-Controlled Corporations, Local Water Districts, and Local Government Units

SUBJECT: Guidelines on the Grant of the Performance-Based Bonus for Fiscal Year 2017 under Executive Order No. 80 s. 2012 and Executive Order No. 201 s. 2016

1.0 BACKGROUND AND RATIONALE

- 1.1 During his inaugural address, President Rodrigo Duterte expressed as among his priorities, the restoration of the confidence of the Filipino people in the capacity of the public servants to make people's lives better, safer and healthier. Thus, among others, he directed all agencies of government to be more transparent and expedient in their transactions with the public by reducing requirements and the processing time of all applications, and by making services accessible and convenient for the people.
- 1.2 In his quest to improve the quality of life of the Filipino people, President Duterte also laid out the 0+10 point Socio-economic Agenda towards more inclusive development. He issued Executive Order (EO) No. 1 s. 2016 to mobilize a more responsive government to significantly reduce poverty, improve the lives of most vulnerable sectors of society, promote social education to make them partners in effecting change, and listen to people's feedback. The President also issued EO No. 2 s. 2016 to enforce a more transparent bureaucracy that is accountable to Filipinos. In his message on the National Budget for FY 2017, he committed streamlined government operations, efficient delivery of services, intensified conduct of public financial management reforms with greater attention on formulating impactful programs, and strengthened partnership with communities toward achieving the collective aspirations of the Filipinos. These call for all agencies of government to focus their activities correspondingly and, in order to achieve the desired sectoral outcomes, execute programs in collaborative manner.
- 1.3 To heighten public accountability and transparency, promote greater collaboration among agencies, and ensure accessible and convenient delivery of services to the Filipino people, the Government is refocusing the Results-Based Performance Management System (RBPMS), along with its incentive component – the Performance-Based Incentive System (PBIS). The RBPMS will aim not only to promote Good Governance practices, link budget with outcomes and outputs, strengthen performance management and monitoring in the government but also speed up the streamlining of agency front line services. The PBIS consisting of the Productivity Enhancement Incentive (PEI) and the Performance-Based Bonus (PBB) which were authorized under EO No. 80 s. 2012 and EO No. 201, s. 2016 will continue to be an integrated scheme of rewarding exemplary performance in government through the grant of incentives linked with actual performance.
- 1.4 EO No. 201, s. 2016 also provided that the compensation and position classification be revised or updated to strengthen the Performance-Based Incentive System in recognition of government personnel who play a greater role and carry a heavier responsibility in attaining performance targets and delivering results.

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- 1.5 EO No. 201 stipulated that the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting System created under Administrative Order No. 25 s. 2011 shall prescribe the conditions on eligibility and procedures for the grant of the enhanced PBB, including the ranking system to recognize different levels of performance.

2.0 PURPOSE

This Memorandum Circular is issued to prescribe the criteria and conditions for the grant of Performance-Based Bonus (PBB) for FY 2017 performance to be given in FY 2018.

3.0 COVERAGE

- 3.1 This Circular covers all Departments, Bureaus, Offices and Other Agencies of the National Government, including Constitutional Commissions, Congress, The Judiciary, Office of the Ombudsman, State Universities and Colleges (SUCs), Government-Owned or-Controlled Corporations (GOCCs), Local Water Districts (LWDs) and Local Government Units (LGUs).
- 3.2 The implementation of this circular shall be done in close coordination with the following:
- Department of Budget and Management (DBM) for the Departments and attached agencies;
 - Office of the President-Office of the Executive Secretary (OP-OES), Office of the Cabinet Secretary (OP-OCS), and DBM for the Other Executive Offices (OEOs), including the OP-attached agencies and GOCCs covered by DBM;
 - Commission on Higher Education (CHED) for the SUCs;
 - Governance Commission for GOCCs (GCG) for GOCCs covered by Republic Act No. 10149;
 - Local Water Utilities Administration (LWUA) for LWDs;
 - Department of the Interior and Local Government (DILG) for LGUs; and
 - Department of Education (DepEd), since the PBB implementation in the Department and the schools has a separate timetable following the school calendar.
- 3.3 All officials and employees of eligible departments/agencies holding regular plantilla positions; contractual and casual personnel having an employer-employee relationship with the said agencies, and whose compensation are charged against the lump sum appropriation under Personnel Services; and those occupying positions in the DBM-approved contractual staffing pattern of the agencies concerned are covered by this Circular.

4.0 ELIGIBILITY CRITERIA

- 4.1 Each agency (*see Annex 1 – Master List of Departments/Agencies and prescribed delivery units in departments/ agencies*) must satisfy the following conditions to be eligible for the grant of PBB:
- Good Governance Conditions:** Satisfy 100% of the Good Governance Conditions for FY 2017 set by the AO 25 Inter-Agency Task Force (IATF) as provided in Section 5.0.
 - Performance Targets:** Achieve each one of the Congress-approved performance targets for the delivery of Major Final Outputs (MFOs) under the Performance Informed Budget of the FY 2017 General Appropriations Act, and the targets for Support to Operations (STO) and General Administration and Support Services (GASS) provided in Section 6.0. (See Annex 2 – Form A. Department/Agency Performance Accomplishment for FY 2017, and Annex 3 – Form A1. Details of Bureau/Office Performance Indicators and Accomplishments).

- b.1. For GOCCs under the coverage of DBM without budgetary support, the targets reflected under DBM Form No. 700 in their 2017 Corporate Operating Budgets (COBs) shall be used as basis in assessing their performance and determining their eligibility for the PBB.
 - b.2. For GOCCs covered by RA 10149, the targets reflected in their approved FY 2017 Performance Scorecard and eligibility requirements specified in a separate guideline to be issued by GCG shall be the basis in assessing their performance and authorizing the grant of PBB.
 - b.3. LWDs should achieve each one of the performance targets for the delivery of MFOs, STO and GASS indicators as identified by LWUA in a Joint Memorandum Circular to be issued by LWUA and DBM.
 - b.4. For LGUs, the performance targets shall be based on the Guidelines on the Grant of PBB for LGUs to be issued by the AO 25 IATF and DILG.
- c. Use the CSC-approved Strategic Performance Management System (SPMS) in rating the performance of First and Second Level officials and employees of departments/agencies of the national and local government to include those in GOCCs with original charters, and in SUCs; and officials holding managerial and Director positions but are not Presidential appointees. In rating the performance of Career Executive Service (CES) officers and incumbents of CES positions, the Career Executive Service Performance Evaluation System (CESPES) shall be the basis.

5.0 FY 2017 GOOD GOVERNANCE CONDITIONS (GGCs)

- 5.1 For FY 2017, the AO 25 IATF sets the following good governance conditions based on the existing performance drivers of the Results-Based Performance Management System (RBPMS) and the thrusts of the Duterte Administration for transparency, accountability and people-focused public service:
- a. Maintain/Update the Agency Transparency Seal pursuant to Section 93 of the General Provisions of the FY 2017 GAA, to enhance transparency and enforce accountability. The Agency Transparency Seal page should be accessible by clicking on the TS logo on the home page, and should contain the following documents;
 - a.1. Agency's mandates and functions, names of its officials with their position and designation, and contact information;
 - a.2. DBM-approved budget and corresponding targets for FY 2017;
 - a.3. Budget and Financial Accountability Reports;
 - For NGAs/SUCs
 - FY 2013 to FY 2017 FAR No. 1: SAAOBDB
 - FY 2013 to FY 2017 Summary Reports on Disbursements
 - FY 2013 to FY 2017 BAR No.1 – Quarterly Physical Reports of Operations/Physical Plan
 - For GOCCs and LWDs
 - FY 2013 to FY 2017 Annual Reports
 - a.4. Projects, Programs and Activities, Beneficiaries, and Status of Implementation for FY 2017. If this portion is not applicable, agencies should indicate "not applicable (NA)".

- a.5. FY 2017 Annual Procurement Plan (APP-nonCSE) in the format prescribed under GPPB Circular No. 07-2015, which should be posted not later than one month after the issuance of this Circular and the FY 2018 Annual Procurement Plan for Common-Use Supplies and Equipment (APP-CSE) based on the guidelines to be issued by DBM through a separate circular letter.
 - a.6. QMS ISO Certification of at least one core process by any international certification body (ICB) accredited by an International Accreditation Forum (IAF), following through with the progress achieved in 2016. The QMS ISO Certification should be posted not later than December 31, 2017. (See also Section 6.2.a and 10.9)
 - a.7. System of Ranking Delivery Units, which should be posted and disseminated to employees not later than October 1, 2017.
 - a.8. The (Freedom to Information) FOI Manual should be uploaded on or before October 1, 2017, as indicated in Section 5.1.d.
 - b. Maintain/update the posting of all Invitations to Bids and awarded contracts in the Philippine Government Electronic Procurement System (PhilGEPS) pursuant to the Government Procurement Reform Act (Republic Act No. 9184) for transactions from November 16, 2016 to November 15, 2017. (See also Section 10.6.a)
 - c. Compliance with the President's directive on improving all frontline services consistent with the objectives of the Anti-Red Tape Act of 2007 (RA No. 9485) and the President's directive to cut down processing time of all applications from submission to release, and to ensure accessible and convenient delivery of services to the public as reflected in CSC Memorandum Circular No. 14 s. 2016:
 - c.1. Maintain/update the Citizen's or Service Charter or its equivalent, reflecting the agency's enhanced service standards for all its front line services to citizens, businesses, and government agencies;
 - c.2. Self-assessment and reporting of improvements made by the agency to implement the CSC Memorandum Circular No. 14 s. 2016. The agency needs to target all possible actions/measures to reach the enhanced service standards in 2018 should events/factors prevent it from reaching these in 2017.
 - d. Develop the agency's FOI Manual pursuant to requirements and provisions of EO No. 2 s. 2016. For purposes of the FY 2017 PBB, the FOI Manual should be uploaded in the agency Transparency Seal on or before October 1, 2017, for validation by the Presidential Communications Operations Office (PCOO).
- 5.2 Non-compliance with any Good Governance Conditions will render the entire Department/Agency ineligible for the PBB.
- 5.3 Assessment of agency compliance with the GGCs requirements shall be conducted starting October 1, 2017.

6.0 FY 2017 PERFORMANCE TARGETS

- 6.1 **MFO Targets.** All MFO indicators and targets in the FY 2017 Performance-Informed Budget approved by Congress shall be the basis for assessing eligibility for the PBB. Organizational performance in the achievement of MFO targets shall be closely monitored through the use of the quarterly agency accountability reports uploaded in the DBM Unified Reporting System (URS) to indicate the progress towards the accomplishment of broader sectoral and societal outcomes targeted by the agency for improving the lives of Filipinos.

6.2 **STO Targets.** The common STO indicators and targets shall include the following:

- a. Certification/Continuing certification of the Quality Management System (QMS) for at least one core process. The certification must be issued by any international certification body (ICB) accredited by the International Accreditation Forum (IAF) members. Preferably, the ICB is accredited by the Philippine Accreditation Board, Department of Trade and Industry, which is a member of the IAF and authorized to accredit ICBs. The certification must be valid until December 31, 2017 or later date and must be posted in the agency Transparency Seal. (See also Section 10.9)
- b. If an agency is not yet ISO certified, it should have at least an ISO-aligned documentation for at least one (1) core process, to include the following:
 - b.1. Approved Quality Manual and approved Procedures and Work Instructions Manual, including Forms; and
 - b.2. Evidence of ISO 9001-aligned QMS implementation, i.e. (1) Certification of the Head of the Agency on the conduct of Internal Quality Audit; and (2) Minutes of the FY 2017 Management Review.

For frontline agencies, it is expected that the core process pertains to an agency process most demanded by citizens and businesses.

- c. The second STO target is identified in accordance with the priority of the Agency Head.

6.3 **GASS Targets.** The common GASS targets shall include the following:

- a. Budget Utilization Rate (BUR), which shall consist of:
 - a.1. Obligations BUR computed as obligations against all allotments still effective in FY 2017, both continuing and current year from all appropriation sources, including those released under the "GAA as the allotment order policy, for maintenance and other operating expenses (MOOE) and capital outlays (CO) in FY 2017; and
 - a.2. Disbursements BUR which is measured by the ratio of total disbursement (cash and non-cash, excluding personnel services) to total obligations for maintenance and other operating expenses (MOOE) and capital outlays (CO) in FY 2017.
 - a.3. BUR for GOCCs is computed as follows:
 - Obligations BUR = Total Obligations / DBM Approved Corporate Operating Budget (both net of Personnel Services)
 - Disbursement BUR = Total Actual Disbursement / Total Actual obligations (both net of Personnel Services)
 - a.4. BUR for SUCs is computed as follows:
 - Obligations and Disbursements BUR will be the same as those for department/agencies.
 - Because all earmarked income (e.g. trust funds, internally generated income, and revolving funds) should benefit and improve the SUCs operations, its Obligations and Disbursements utilization rates will also be reported following the reporting format in Annex 4.

- a.5. Pursuant to Item III. A of the FY 2017 President's Veto Message, Departments/Agencies are directed to ensure the obligation of programs, activities and projects funded under the FY 2017 GAA not later than December 31, 2017. Failure to do so will affect future budget levels of the respective departments/agencies.

Likewise, the Disbursements BUR of departments/agencies should be raised.

- b. Quarterly submission of Budget and Financial Accountability Reports (BFARs) online using the DBM's Unified Reporting System (URS) 30 days after end of each quarter, as provided in COA-DBM-DOF Joint Circular No. 2014-1 dated July 4, 2014.
- c. The Departments/Agencies shall have fully complied with at least 30% of the prior years' audit recommendations, as shown in the Report on Status of Implementation of Prior Years' Recommendations of the Annual Audit Report (AAR). The objective is to improve the agency's internal control processes, operate effectiveness, and eliminate most, if not all of these audit findings are resolved and remedied by the end of 2019.
- 6.4 In case a Department/Agency is assessed to have deficiencies in meeting its performance commitments, the Department Secretary or Head of Agency may request for re-evaluation of their compliance status and submit the justification/s to warrant a reconsideration of the initial assessment results. For the purpose of re-evaluation, justifiable reasons are factors that are considered outside of the control of the agency.

7.0 ELIGIBILITY OF INDIVIDUALS

- 7.1 Department Secretaries, Heads of Other Executive Offices, Chairpersons and Commissioners of Constitutional Offices, Heads of Attached Agencies, Presidents of SUCs, and non-ex officio Heads of GOCCs covered by DBM are eligible only if their respective departments/agencies/institutions are eligible. If eligible, their PBB rate for FY 2017 shall be equivalent to 65% of their monthly basic salary. They shall not be included in the Form 1.0 - Report on Ranking of Delivery Units (Annex 5).
- 7.2 Non-ex officio Board Members of GOCCs covered by DBM may be eligible to a rate equivalent to 65% of the monthly basic salary of the highest corporate official of the GOCC concerned subject to the following conditions:
- a. The GOCC has qualified for the grant of the FY 2017 PBB;
- b. The Board Member has 90% attendance to duly called board meetings and committee meetings as certified by the Board Secretary;
- c. The Board Member has nine (9) months aggregate service in the position; and
- d. The GOCC has submitted the appropriate annual Board- approved Corporate Operating Budget (COB) to DBM in accordance with the Corporate Budget Circular No. 22 dated December 1, 2016.
- 7.3 Employees belonging to the First, Second and Third Levels should receive a rating of at least "Satisfactory" based on the agency's CSC-approved Strategic Performance Management System (SPMS) or the CESPES. CESPES covers all incumbents of CES positions in various agencies of the national government including GOCCs with original charters, for an uninterrupted period of at least three (3) months. Payment of the PBB to Third Level officials shall be contingent on the release of results of the CESPES.
- 7.4 Personnel on detail to another government agency for six (6) months or more shall be included in the ranking of employees in the recipient agency that rated his/her performance. Payment of the PBB shall come from the mother agency.

- 7.5 Personnel who transferred from one government agency to another agency shall be rated and ranked by the agency where he/she served the longest. If equal months were served for each agency, he/she will be included in the recipient agency.
- 7.6 An official or employee who has rendered a minimum of nine (9) months of service during the fiscal year and with at least Satisfactory rating may be eligible to the full grant of the PBB.
- 7.7 An official or employee who rendered less than nine (9) months but a minimum of three (3) months of service and with at least Satisfactory rating shall be eligible for the grant of PBB on a pro-rata basis corresponding to the actual length of service rendered, as follows:

Length of Service	% of PBB
8 months but less than 9 months	90%
7 months but less than 8 months	80%
6 months but less than 7 months	70%
5 months but less than 6 months	60%
4 months but less than 5 months	50%
3 months but less than 4 months	40%

The following are the valid reasons for an employee who may not meet the nine-month actual service requirement to be considered for PBB on a pro-rata basis:

- a. Being a newly hired employee;
 - b. Retirement;
 - c. Resignation;
 - d. Rehabilitation Leave;
 - e. Maternity Leave and/or Paternity Leave;
 - f. Vacation or Sick Leave with or without pay;
 - g. Scholarship/Study Leave;
 - h. Sabbatical Leave
- 7.8 An employee who is on vacation or sick leave, with or without pay, for the entire year is not eligible to the grant of the PBB.
- 7.9 Personnel found guilty of administrative and/or criminal cases by final and executory judgment in FY 2017 shall not be entitled to the PBB. If the penalty meted out is only a reprimand, such penalty shall not cause the disqualification to the PBB.
- 7.10 Officials and employees who failed to submit the 2016 SALN as prescribed in the rules provided under CSC Memorandum Circular No. 3 s. 2015, shall not be entitled to the FY 2017 PBB.
- 7.11 Officials and employees who failed to liquidate all cash advances received in FY 2017 within the reglementary period, as prescribed in COA Circular 97-002 dated February 10, 1997 and reiterated in COA Circular 2009-002 dated May 18, 2009, shall not be entitled to the FY 2017 PBB.
- 7.12 Officials and employees who failed to submit their complete SPMS Forms shall not be entitled to the FY 2017 PBB.
- 7.13 Agency heads should ensure that officials and employees covered by RA 6713 submitted their 2016 SALN to the respective SALN repository agencies, liquidated their FY 2017 Cash Advances, and completed the SPMS Forms, as these will be the basis for the release of FY 2017 PBB to individuals.

- 7.14 Officials and employees responsible for submitting COA Annual Financial Reports and Statements to include Financial Statements (FSSs), Annual Financial Reports and Annual Audit Reports (AARs), shall not be entitled to the FY 2017 PBB if the Department/Agency fails to comply with the said reporting requirements as prescribed in COA Resolution 2014-003 dated January 14, 2014 and COA Circular 2015-002 dated March 9, 2015.
- 7.15 The Head of Procuring Entity (HOPE), Chairman and Secretariat of the Bids and Awards Committee (BAC) shall not be entitled to the FY 2017 PBB if the Department/Agency fails to submit the following:
- a. FY 2017 Annual Procurement Plan (APP-non CSE) to the Government Procurement Policy Board (GPPB) not later than one month after the issuance of this Circular in the format prescribed under GPPB Circular No. 07-2015
 - b. FY 2018 Annual Procurement Plan-Common-Use Supplies and Equipment (APP-CSE) to the DBM-Procurement Service on or before November 30, 2017.
 - c. Results of FY 2016 Agency Procurement Compliance and Performance Indicators (APCPI) System, per GPPB Resolution No. 10-2012, complete with the following forms: (1) APCPI - Self-Assessment Form; (2) APCPI - Consolidated Procurement Monitoring Report; (3) APCPI - Procurement Capacity Development Action Plan; and the Questionnaire on before March 31, 2017. The APCPI Tool may be downloaded from the GPPB website using this link: <http://www.gppb.gov.ph/apcpi/apcpi.html>
- 7.16 Officials and employees responsible for the non-compliance of prior years' audit recommendations shall not be entitled to the FY 2017 PBB. (See also Section 6.3.c)
- 7.17 Officials and employees responsible for the QMS certification or alignment specified in Sections 6.2.a and 6.2.b shall not be entitled to the FY 2017 PBB if the Department/Agency fails to comply with the said requirement.
- 7.18 Officials and employees responsible for posting and dissemination of the Department/Agency system of ranking performance of delivery units shall not be entitled to the FY 2017 PBB if the Department/Agency fails to comply.

8.0 RANKING OF DELIVERY UNITS

- 8.1 Departments/Agencies and their corresponding offices/delivery units that meet the criteria and conditions in Section 4.1 are eligible to the FY 2017 PBB. Bureaus, offices or delivery units eligible to the PBB shall be forced ranked according to the following categories:

Ranking	Performance Category
Top 10%	Best Delivery Units
Next 25%	Better Delivery Units
Next 65%	Good Delivery Units

- 8.2 The resulting ranking of offices/delivery units shall be indicated in the Form 1.0 - Report on Ranking of Delivery Units (Annex 5).
- 8.3 When identifying and determining delivery units, Departments/Agencies must be guided by the Master List of Departments/Agencies and prescribed delivery units per Department/Agency (Annex 1).
- a. A delivery unit is the primary subdivision of the Department/Agency performing substantive line functions, technical services or administrative support, as reflected in the Department's/Agency's organizational structure/functional chart.

The identification of a delivery unit will depend on the type of government entity, with due consideration to its mandate, organizational level, and scope of operations, as follows:

TYPE OF GOVERNMENT ENTITY	DELIVERY UNITS
Department or Department-Level	<ul style="list-style-type: none"> • Offices • Bureaus • Services • Regional Offices, if any
Agency	Intermediate Level <ul style="list-style-type: none"> • Offices • Bureaus • Services • Regional/Field Units, if any
	Division Level <ul style="list-style-type: none"> • Divisions • Field Units, if any
State University or College	<ul style="list-style-type: none"> • Offices • Services • Campuses • Colleges
GOCC	<ul style="list-style-type: none"> • Offices • Departments

- b. For purposes of this Circular, agencies attached to a department or department-level entity shall be treated as an agency separate from its parent department and shall have a separate ranking of delivery units.
- c. To facilitate the ranking of delivery units, agencies may group or cluster the delivery units based on similarities of tasks and responsibilities for purposes of evaluating and ranking group and individual performance, provided that the resulting ranking distribution shall be in accordance with Section 8.1.

- 8.4 Only the personnel belonging to eligible delivery units are qualified for the PBB. (Refer also to exclusion of individuals as cited in Sections 7). While individual ranking shall be the basis for merit increase, promotion, further training and/or disciplinary action, individual ranking shall no longer be included in the Form 1.0.
- 8.5 The GCG, LWUA and DILG shall issue pertinent guidelines on the ranking of delivery units for GOCCs covered by GCG, LWDs and LGUs, respectively.

9.0 RATES OF THE PBB

- 9.1 The rates of the PBB for each individual shall be based on the performance ranking of the individual's bureaus or delivery units with the rate of incentive as a multiple of one's monthly basic salary based on the table below:

Performance Category	Multiple of Basic Salary
Best Delivery Unit	0.65
Better Delivery Unit	0.575
Good Delivery Unit	0.50

10.0 SUBMISSION OF REPORTS

- 10.1 Departments/Agencies should submit FY 2017 accomplishments using Forms A, A-1 and Form 1.0 on or before January 31, 2018. They should submit duly completed and signed forms and reports to the IATF (two hard copies and e-copy of Forms A, A-1, 1.0 and other supporting documents) through the AO 25 Secretariat which shall endorse copies to the oversight/validating agencies for review/evaluation. All forms and reports should be signed by the agency head or the officially designated official.
- 10.2 Departments/Agencies should submit to COA the Report on Ageing of Cash Advance with a cut-off date of November 15, 2017 to the respective resident Auditors on or before November 30, 2017. Upon validation, the COA Resident Auditor will be responsible for forwarding the validated Report on Ageing of Cash Advances to their respective Supervising Auditor/Cluster Director for proper transmittal to Risk Management and Budget Office the COA Head Office. To facilitate the process, Departments/Agencies may submit directly to COA Head Office the Report on Ageing of Cash Advances duly signed by the Agency Head, Accounting Office and verified by the Agency's Resident COA Auditor.
- 10.3 COA Annual Financial Reports and Statements shall be submitted directly to COA in accordance with the mandated period of submission. Departments/Agencies must submit the FY 2016 financial reports not later than March 31, 2017. Large Agencies are given consideration until April 30, 2017. COA will provide the IATF the list of agencies that complied with this condition.
- 10.4 The Audit Team Leaders shall verify/monitor compliance of their respective agencies with the audit recommendations shown in the Status of Implementation of Prior Years' Audit Recommendations in the Annual Audit Report/Management Letter and submit a report thereon, to the concerned Supervising Auditor (SA). The SA will then prepare a summary report for submission to the concerned Cluster Director. Based on the reports submitted by the SAs, the Cluster Director shall submit to the IATF Secretariat, copy furnished the Sector Head and RMBO, PFMS, both of COA, a Summary List of Agencies that complied with the required minimum 30% full implementation of audit recommendations.
- 10.5 DBM financial reports including BFARs shall be submitted directly to DBM, online through the TS or to the URS, as appropriate.
- 10.6 Certificate of Compliance to the Transparency Seal and PhilGEPS are no longer necessary since the concerned oversight agency shall be conducting validation based on the agreed monitoring schedule.
 - a. Departments/agencies should ensure that the status of notices in their PhilGEP-System for all transactions for the period November 16, 2016 to November 15, 2017 is **updated** on or before December 1, 2017. (*Note: Failed or cancelled bid status should still be updated in the PHILGEPS*).

If the agency is unable to update the system or post the BAC Resolution, Notices of Award/Bid Results, Actual Approved/Awarded Contracts and Notices to Proceed/Purchase Orders for transactions above One Million (P1,000,000) in the PhilGEPS due to factors that are outside of the control of the agency, the agency should submit a report to or inform PhilGEPS and submit a letter of explanation (see Annex 6 for sample letter) addressed to the AO25 IATF on or before December 1, 2017. Acceptance of the explanation/reasons shall be subject to the recommendation of PhilGEPS.
 - b. To comply with Transparency Seal, see Annex 7 – Transparency Seal Guidelines.
 - c. Once a Department/Agency is found Non-Compliant with the ARTA requirement stated in Section 5.1.c1, the Department/Agency will be required to submit a Certificate of Compliance directly to the concerned CSC Regional/Field Office.

- d. To comply with the requirement on Section 5.1.c.2, Departments/Agencies with frontline services should submit their Certificate of Compliance (CoC) with the Anti-Red Tape Law and their self-assessment and report of improvements indicating all frontline transactions, current processing time standards of each transaction, actions that the agency has taken to improve each transaction, and substantial results as proof of successfully demonstrating each action taken. For this purpose, the CSC shall provide enrolled agencies with frontline services a copy of the Validation Guidelines and the corresponding Certificate of Compliance (Self-Assessment of Agency Frontline Transactions) format/template, to be accomplished and submitted on a date prescribed by the CSC to the concerned oversight agency (OP, PMS, or CSC).
- e. Agency compliance on substantial improvement of frontline services shall be assessed through actual audits by the oversight agencies to determine the consistency with agency submissions. The CSC shall establish guidelines relative to compliance with this requirement.

Agencies with no frontline services shall not be required to submit the Certificate of Compliance (Self-Assessment of Agency Frontline Transactions) herein mentioned but shall be validated based on their compliance with the posting requirement of their respective Service Charters, as required in previous years.

- f. In the spirit of participatory governance, the CSC validation shall be complemented with the reports on feedback and complaints from citizens gathered by the OP, PMS, CSC and PCOO from the 8888 and FOI portals. These oversight agencies shall issue a negative report on the agencies, including GOCCs and LGUs, complained about in terms of processing times, including the frequency of the complaints in their report. Based on this, the AO 25 IATF will determine the eligibility to the PBB.
- g. The objective is to substantially improve frontline transactions in government and the responsiveness to citizens and business so that at the end of 2018, processing time standards have reached almost ideal global standards.

- 10.7 The FY 2017 Annual Procurement Plan (APP-non CSE) approved by the Head of Procuring Entity (HOPE) shall be submitted to the Government Procurement Policy Board (GPPB) within one month after the issuance of this Circular in the format prescribed under GPPB Circular No. 07-2015. A scanned copy of the APP may be sent to GPPB-TSO's email: app@gppb.gov.ph.

The APP non-CSE submissions must indicate: **"APP for CY 2017 of <Complete Name of Head Office / Agency> <Regions __ to __, if applicable> for PBB"** in the subject line. The list of agencies complying with the APP submission requirement shall be posted in the GPPB website (www.gppb.gov.ph).

- 10.8 FY 2018 Annual Procurement Plan-Common-Use Supplies and Equipment (APP-CSE) to the DBM-Procurement Service on or before November 30, 2017 prescribed format based on the guidelines to be issued by DBM through a separate circular letter.
- 10.9 The APCPI results should be submitted on or before March 31, 2017, either in electronic (Excel) format through apcpi@gppb.gov.ph indicating: **"2016 APCPI Initial Results of <Complete Name of Head Office / Agency> for PBB"** in the subject line; or printed (signed) copies hand carried/mailed through the GPPB-TSO front desk. The list of agencies complying with the APCPI requirement shall be posted in the GPPB website (www.gppb.gov.ph).
- 10.10 A certified-true copy of the Agency's ISO QMS Certificate/s shall be submitted to the GQMC thru the DBM Secretariat – Systems and Productivity Improvement Bureau immediately after obtaining an ISO QMS Certificate or Recertification not later than December 31, 2017, for verification purposes.

- 10.11 Results of the validation showing non-compliant agencies shall be posted in the RBPMS website.
- 10.12 The Department of Education, except for its attached agencies, namely: National Council for Children's Television (NCCT), National Book Development Board (NBDB), and National Museum (NM), shall submit its physical accomplishments with April 1, 2018 cut-off on or before April 30, 2018. The same timeline for implementation of good governance conditions, common STO target, and common GASS targets as indicated in Section 15 apply to the Department of Education.
- 10.13 The IATF shall conduct spot-checks to validate claims and certifications made by departments/agencies.

11.0 COMPLIANCE VALIDATION

As with the previous cycles of the PBB, the following oversight agencies are tasked to conduct the compliance validation of the PBB requirements:

PBB REQUIREMENTS	VALIDATING AGENCY
Transparency Seal	DBM-OCIO
PhilGEPS Posting	PhilGEPS
Citizen's Charter	CSC
Assessment of Agency Frontline Services	OP, PMS, CSC
FOI Manual	PCOO
Submission of SALN of employees	Office of the President, Ombudsman, CSC <i>Note: The Departments/Agencies shall submit the list of SALN non-filers.</i>
Submission of Annual Financial Statements and Report on Ageing of Cash Advances	COA
Submission of APP-CSE and APP-nonCSE approved by the HOPE and APCPI results	GPPB-TSO, DBM-PS
MFO-Physical Accomplishments of <ul style="list-style-type: none"> • Departments • OEOs • GOCCs covered by DBM • GOCCs covered by RA 10149 • SUCs • LWDs 	DBM-Budget Management Bureaus (BMBs) OP-OES, OP-OCS DBM-BMB-C, and OP-OES GCG CHED and DBM-ROs DBM-BMB-C and LWUA
STO-Accomplishments <ul style="list-style-type: none"> • QMS Certification • STO identified by agency head 	GQMC DBM-BMBs concerned, OP-OES, CHED, LWUA
GASS <ul style="list-style-type: none"> • BUR of Departments, OEOs and GOCCs covered by DBM • BUR of SUCs • BFARs • Report on Status of Implementation of Prior Years' Recommendations in the Annual Audit Report 	DBM-BMBs concerned DBM Regional Offices DBM and COA COA
Agency Report on Ranking of Delivery Units <ul style="list-style-type: none"> • Departments • OEOs • GOCCs covered by DBM • GOCCs covered by RA 10149 • SUCs • LWDs 	DBM-OPCCB DBM-OPCCB and DBM-NCR DBM-BMB-C GCG DBM-RO LWUA and DBM-BMB-C

12.0 EFFECTS OF NON-COMPLIANCE

- 12.1 For FY 2017, agencies that are unable to comply with all the good governance conditions shall be considered ineligible for the PBB FY 2017.
- 12.2 Prohibited Acts: A Department/Agency/GOCC/LWD/LGU, which, after due process by the oversight agency has been determined to have committed the following prohibited acts, shall be disqualified from the PBB in the succeeding year of its implementation. Moreover, the CSC or Ombudsman shall file the appropriate administrative case:
- a. Misrepresentation in the submitted reports required for the PBB, commission of fraud in the payment of the PBB and violation of the provisions of this Circular; and,
 - b. Evenly distributing PBB among employees in an agency, in violation of the policy of paying the PBB based on the ranking of delivery units.

13.0 FEEDBACK AND CHANGE MANAGEMENT

- 13.1 Department Secretaries/Head of Agencies with the support of their Performance Management Groups shall develop and implement an internal communications strategy on PBIS, and fulfill the following:
- a. Engage their respective employees in understanding the PBIS, the performance targets of their respective departments/agencies, as well as the services and outputs that they will need to deliver in order to meet these targets.
 - b. Disseminate the performance targets and accomplishments of their departments/agencies to their employees through the intranet and other means, as well as publish these on their respective websites for the public's information.
 - c. Set up a Help Desk to respond to queries and comments on the targets and accomplishments of their departments/agencies. The Help Desk may be a facility that is embedded in the respective websites of departments/agencies.
 - d. Set up a Complaints Mechanism to respond to the PBIS-related issues and concerns raised by officials and employees of their respective departments/agencies. Such may be incorporated in the functions of their Grievance Committee.
- 13.2 The Department Secretary/Head of Agency shall designate a senior official who shall serve as a PBB focal person. The offices responsible for the performance management may be tasked to provide secretariat support to the PMG and to recommend strategies to instill a culture of performance within the Department/Agency.

14.0 INFORMATION AND COMMUNICATION

- 14.1 The Department Secretary/Head of Agency shall confirm with the IATF the name, position and contact details (e-mail, landline, facsimile, cellular phone) of the senior officials designated as the PBB focal person and the spokesperson, respectively.
- 14.2 Departments/Agencies should strengthen their communications strategy and ensure transparency and accountability in the implementation of the PBB.
- 14.3 The IATF shall maintain the following communication channels:

- a. AO 25 Secretariat at ao25secretariat@dap.edu.ph
- b. PBIS Info Board
- c. RBPMS website www.dap.edu.ph/rbpms
- d. PCDSPO e-mail at pbb@gov.ph
- e. Text hotline (Smart: +63920.498.9121)
- f. Facebook (www.facebook.com/PBBsecretariat)
- g. Twitter: @pbbsecretariat

15.0 TIMELINE FOR FY 2017 IMPLEMENTATION

Activity	Deadline
a. Submission to COA and DBM of 4 th Quarter BFARs (previous year) thru online URS	On or before January 31, 2017
b. Submission of FY 2017 APP-nonCSE approved by the HOPE to GPPB-TSO	Within one month after the issuance of this MC
c. Submission of FY 2016 Financial Reports to COA	
d. Submission of APCPI Self-Assessment Results for FY 2016 to GPPB-TSO	On or before March 31, 2017
e. Submission of FY 2016 Financial Reports to COA (<i>for Big Agencies</i>)	
f. Submission to COA and DBM of 1 st Quarter BFARs (current year) thru online URS	On or before April 30, 2017
g. Submission of 2016 SALN	
h. Submission to COA and DBM of 2 nd Quarter BFARs (current year) thru online URS	On or before July 31, 2017
i. Validation of Transparency Seal Compliance	
j. Validation of Citizen's Charter Compliance	
k. Validation of FOI Manual	October 1, 2017
l. Posting of Agency system of ranking delivery units	
m. Submission to COA and DBM of 3 rd Quarter BFARs (current year) thru online URS	On or before October 31, 2017
n. Submission of FY 2018 APP-CSE as prescribed by DBM-circular letter to DBM-PS	On or before November 30, 2017
o. Submission of Report on Ageing of Cash Advance Liquidation (with November 15, 2017 as cut-off)	
p. Submission of Letter of explanation/justification if unable to post in PhilGEPS (for transactions above P1,000,000 with November 15, 2017 as cut-off)	On or before December 1, 2017
q. Posting of QMS Certification in Agency Transparency Seal	
r. Submission of report on compliance with 30% of the audit recommendations as shown in the Status of Implementation of Prior Year's Recommendations in the Annual Audit Report	On or before December 31, 2017
s. Submission of report on all improvements made by the agency to implement CSC Memorandum Circular No. 14 s. 2016.	
t. Submission of physical accomplishments using Forms A, A1, and Form 1.0 (with December 31, 2017 as cut-off date) - <i>see Annexes 2, 3, 4, 5</i>	
u. Validation of QMS Certification	On or before January 31, 2018
v. Validation of STO Indicator as identified by Head of Agency	

ANNEX 1

**Master List of Departments/Agencies
and Prescribed Delivery Units in departments/agencies**

A. DEPARTMENTS

Department	Delivery Units
1. Office of the President	<ul style="list-style-type: none"> • Office of the Executive Secretary* • Technical and Staff Offices • Presidential Advisers/Assistants (per area of concern) • Office with special concerns
2. Office of the Vice-President	<ul style="list-style-type: none"> • Office of the Vice-President • Office of the Chief of Staff (including Office of the Vice-Chief of Staff) • Staff and Technical Offices
3. Department of Agrarian Reform a. Office of the Secretary (Proper)	<ul style="list-style-type: none"> • Office of the Secretary* • Council Secretariat • DAR Adjudication Boards • Services • Bureaus • Regional Offices
4. Department of Agriculture a. Office of the Secretary (Proper)	<ul style="list-style-type: none"> • Office of the Secretary* • Services • Bureaus • Regional Offices
b. Agricultural Credit Policy Council	<ul style="list-style-type: none"> • Office of the Executive Director* • Staff • Division
c. Bureau of Fisheries and Aquatic Resources	<ul style="list-style-type: none"> • Office of the Director* • Technical and Support Services • Centers • Regional Units
d. National Meat Inspection Services	<ul style="list-style-type: none"> • Office of the Executive Director* • Central Office Divisions • Regional Centers
e. Philippine Carabao Center	<ul style="list-style-type: none"> • Office of the Executive Director* • Central Office Division

Department	Delivery Units
<ul style="list-style-type: none"> f. Philippine Center for Post-Harvest Development and Mechanization g. Philippine Council for Agriculture and Fisheries h. Philippine Fiber Industry Development Authority 	<ul style="list-style-type: none"> • Centers • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Executive Director* • Central Office Divisions • Regional Offices
<ul style="list-style-type: none"> 5. Department of Budget and Management <ul style="list-style-type: none"> a. Office of the Secretary (Proper) b. Government Procurement Policy Board - Technical Support Office c. Procurement Service 	<ul style="list-style-type: none"> • Office of the Secretary* • Bureaus • Services • Regional offices • Office of the Executive Director* • Divisions • Office of the Executive Director* (including Internal Audit, Legal & Corporate Planning Divisions) • Functional Groups
<ul style="list-style-type: none"> 6. Department of Education <ul style="list-style-type: none"> a. Office of the Secretary (Proper) b. Early Childhood Development Center c. National Book Development Board d. National Council for Children's Television 	<ul style="list-style-type: none"> • Office of the Secretary* (including Early Childhood Care Development Council) • Bureaus • Services • Regional Offices • Schools Division Offices • Schools and Learning Centers • National Educators Academy of the Philippines • National Council for Children's Television • Office of the Executive Director* • Divisions

Department	Delivery Units
e. National Museum f. Philippine High School for the Arts	<ul style="list-style-type: none"> • Office of the Director* • Divisions • Office of the Director* • Basic and Arts Education • Staff Divisions
7. Department of Energy a. Office of the Secretary (Proper)	<ul style="list-style-type: none"> • Office of the Secretary* (including Investment Promotion Staff, Consumer Welfare and Promotion Staff, Public Affairs Staff and Internal Audit Division) • Services • Bureaus • Geographical Offices
8. Department of Environment and Natural Resources a. Office of the Secretary (Proper) b. Environmental Management Bureau c. Mines and Geo-Sciences Bureau d. National Mapping and Resource Information Authority e. National Water Resources Board f. Palawan Council for Sustainable Development Staff	<ul style="list-style-type: none"> • Office of the Secretary* • Bureaus • Services • Regional Offices • Office of the Director* • Central Office Divisions • Regional offices • Office of the Director* • Central Office Divisions • Regional Offices • Office of the Administrator* • Branches • Office of the Executive Director* • Divisions • Office of the Chairman* (including Office of the Executive Director) • Divisions
9. Department of Finance a. Office of the Secretary (Proper)	<ul style="list-style-type: none"> • Office of the Secretary* • Services • Offices • One-Stop Shop Center

Department	Delivery Units
<ul style="list-style-type: none"> b. Bureau of Customs c. Bureau of Internal Revenue d. Bureau of Local Government Finance e. Bureau of the Treasury f. Central Board of Assessment Appeals g. Insurance Commission h. National Tax Research Center i. Privatization and Management Office j. Securities and Exchange Commission 	<ul style="list-style-type: none"> • Office of the Commissioner* • Functional Groups • Collection/District Ports • Office of the Commissioner* (including Performance Evaluation Division) • Services • Revenue Data Centers • Revenue Regional Offices • Office of the Executive Director* • Services • Regional Offices • Office of the Treasurer of the Philippines* • Services • Regional Offices • Office of the Board* • Office of the Hearing Officers • Office of the Commissioner* (including Internal Audit Division) • Services • District Offices • Office of the Executive Director* • Branches • Office of the Executive Director* • Services • Office of the Chairperson* • Sectoral Offices • Departments • Extension Offices
<p>10. Department of Foreign Affairs</p> <ul style="list-style-type: none"> a. Office of the Secretary b. Technical Cooperation Council of the Philippines c. UNESCO National Commission of the Philippines 	<ul style="list-style-type: none"> • Office of the Secretary* (including Technical Cooperation Council of the Philippines, UNESCO National Commission of the Philippines) • Technical and Support Offices • Embassies • Consulate General

Department	Delivery Units
<p>d. Foreign Service Institute</p>	<ul style="list-style-type: none"> • Diplomatic Mission • Office of the Director General • Divisions
<p>11. Department of Health</p> <p>a. Office of the Secretary (Proper)</p> <p>b. Commission on Population</p> <p>c. National Nutrition Council</p>	<ul style="list-style-type: none"> • Office of the Secretary* • Bureaus • Services • Regional Offices • Special Hospital • Medical Centers • Office of the Executive Director* • Central Office Divisions • Regional Population Offices • Office of the Executive Director* • Central Office Divisions • Regional Nutrition Offices
<p>12. Department of Information and Communications Technology</p> <p>a. Office of the Secretary</p> <p>b. Cybercrime Investigation and Coordination Center</p> <p>c. National Privacy Commission</p> <p>d. National Telecommunications Commission</p>	<p><i>For consultation with DBM-OPCCB</i></p>
<p>13. Department of Interior and Local Government</p> <p>a. Office of the Secretary (Proper)</p> <p>b. Bureau of Fire Protection</p> <p>c. Bureau of Jail Management and Penology</p> <p>d. Local Government Academy</p> <p>e. National Police Commission</p>	<ul style="list-style-type: none"> • Office of the Secretary* • Technical and Support Services • Bureaus • Regional Offices • Office of the Chief of the Fire Bureau* • Technical and Support Services • Regional Fire Stations • Office of the Chief of the Jail Bureau* • Directorates • Jail Units by Region • Office of the Director* • Divisions • Office of the Commissioner*

Department	Delivery Units
<p>f. Philippine National Police</p> <p>g. Philippine Public Safety College</p>	<ul style="list-style-type: none"> • Staff Services • Regional Offices • Office of the Chief PNP • Directorate • Support Units • Regional Police Operations • Office of the President* • Functional Groups • Institutes • Academy • College
<p>14. Department of Justice</p> <p>a. Office of the Secretary</p> <p>b. Bureau of Corrections</p> <p>c. Bureau of Immigration</p> <p>d. Land Registration Authority</p> <p>e. National Bureau of Investigation</p> <p>f. Office of the Government Corporate Counsel</p> <p>g. Office of the Solicitor General</p> <p>h. Parole and Probation Administration</p>	<ul style="list-style-type: none"> • Office of the Secretary* • Technical and Support Services • Office of the Director* • Central Office Divisions • Prison and Penal Farms • Office of the Commissioner* (including board of Special Inquiry) • Central Office Divisions • Airport/Sub-port Offices • Office of the Administrator* • Technical and Support Services • Regional Offices • Office of the Director* • Services • Regional Offices • Office of the Government Corporate Counsel* • Administrative Unit • Sectoral Teams • Office of the Solicitor General* • Legal Divisions • Support Services • Office of the Administrator* • Central Office Divisions • Regional Offices

Department	Delivery Units
<ul style="list-style-type: none"> i. Presidential Commission on Good Government j. Public Attorney's Office 	<ul style="list-style-type: none"> • Office of the Commissioner* • Technical and Support Services • Office of the Chief Public Attorney* • Services • Regional Offices • District Offices
<p>15. Department of Labor and Employment</p> <ul style="list-style-type: none"> a. Office of the Secretary (Proper) b. Institute for Labor Studies c. National Conciliation and Mediation Board d. National Labor Relations Commission e. National Maritime Polytechnic f. National Wages and Productivity Commission g. Overseas Workers Welfare Administration h. Philippine Overseas Employment Administration 	<ul style="list-style-type: none"> • Office of the Secretary* • Services • Bureaus • Regional Offices • Philippines Overseas Labor Offices • Office of the Executive Director* • Divisions • Office of the Executive Director* • Central Office Divisions • Regional Conciliation Mediation Branches • Office of the Chairman* • Office of the Executive Clerk of Court • Court Divisions • Regional Arbitration Boards • Sub-Regional Arbitration Boards • Office of the Executive Director* • Divisions • Office of the Executive Director* • Central Office Divisions • Regional Tripartite Wages and Productivity Boards • Office of the Administration* • Technical and Staff Offices • Regional Welfare Offices • Foreign Posts • Office of the Administrator* • Branches • Technical and Staff Offices

Department	Delivery Units
i. Professional Regulation Commission	<ul style="list-style-type: none"> • Regional Centers • Office of the Commissioner* • Services • Offices • Regional Offices
<p>16. Department of National Defense</p> <p>a. DND Proper (Office of the Secretary)</p> <p>b. Government Arsenal</p> <p>c. National Defense College of the Philippines</p> <p>d. Office of Civil Defense</p> <p>e. Philippine Veterans Affairs Office (Proper)</p> <p>f. Veterans Memorial Medical Center</p> <p>g. Armed Forces of the Philippines</p> <p style="padding-left: 20px;">i. Philippine Army</p> <p style="padding-left: 40px;">ii. Philippine Air Force</p> <p style="padding-left: 40px;">iii. Philippine Navy</p> <p style="padding-left: 40px;">iv. General Headquarters</p>	<ul style="list-style-type: none"> • Office of the Secretary* • Support Services • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Administrator* • Services • Operation Center • Regional Offices • Office of the Administrator* • Services • Office of the Director* • Medical Service • Administrative and Support Divisions • Office of the Commanding General* • Staff • Combat Units • Office of the Commanding General* • Staff • Commands • Office of the Flag Officer in Command* • Staff • Commands • Office of the Chief of Staff* • Staff • Commands
17. Department of Public Works and Highways	<ul style="list-style-type: none"> • Office of the Secretary* • Bureaus

Department	Delivery Units
	<ul style="list-style-type: none"> • Support Services • Regional Offices • Unified Project Management Offices
<p>18. Department Science and Technology</p> <p>a. Office of the Secretary</p> <p>b. Advanced Science and Technology Institute</p> <p>c. Food and Nutrition Research Institute</p> <p>d. Forest Products Research and Development Institute</p> <p>e. Industrial Technology Development Institute</p> <p>f. Metals Industry Research and Development Center</p> <p>g. National Academy of Science and Technology</p> <p>h. National Research Council of the Philippines</p> <p>i. Philippine Atmospheric, Geophysical and Astronomical Services Administration</p> <p>j. Philippine Council for Agriculture, Aquatic and Natural Resources Research and Development</p> <p>k. Philippine Council for Health Research and Development</p> <p>l. Philippine Council for Industry, Energy and Emerging Technology Research and Development</p>	<ul style="list-style-type: none"> • Office of the Secretary* (<i>including Special Projects Division</i>) • Services • Regional Offices • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Executive Director* • Divisions • Office of the Executive Director* • Divisions • Office of the Executive Director* • Divisions • Office of the Administrator* • Divisions • Office of the Executive Director* • Divisions • Office of the Executive Director* • Divisions • Office of the Executive Director* • Divisions

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Department	Delivery Units
<p>m. Philippine Institute of Volcanology and Seismology</p> <p>n. Philippine Nuclear Research Institute</p> <p>o. Philippine Science High School</p> <p>p. Philippine Textile Research Institute</p> <p>q. Science Education Institute</p> <p>r. Science and Technology Information Institute</p> <p>s. Technology Application and Promotion Institute</p>	<ul style="list-style-type: none"> • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Executive Director* • Technical & Staff Divisions • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Director* • Divisions
<p>19. Department of Social Welfare and Development</p> <p>a. Office of the Secretary</p> <p>b. Council for the Welfare of Children</p> <p>c. Inter-Country Adoption Board</p> <p>d. National Council on Disability Affairs</p> <p>e. Juvenile Justice and Welfare Council</p>	<ul style="list-style-type: none"> • Office of the Secretary* • Services • Bureaus • Regional Offices • Office of the Executive Director* • Divisions • Office of the Director* • Divisions • Office of the Executive Director* • Divisions • Office of the Executive Director* • Divisions
<p>20. Department of Tourism</p> <p>a. Office of the Secretary</p>	<ul style="list-style-type: none"> • Office of the Secretary* • Offices • Services • Regional Offices

Department	Delivery Units
<ul style="list-style-type: none"> b. Intramuros Administration c. National Parks Development Committee 	<ul style="list-style-type: none"> • Foreign Field Offices • Office of the Administrator* • Divisions • Office of the Executive Director* • Divisions
<p>21. Department of Trade and Industry</p> <ul style="list-style-type: none"> a. Office of the Secretary b. Board of Investments c. Construction Industry Authority of the Philippines (Construction Manpower Development Foundation) d. Philippine Trade Training Center e. Design Center of the Philippines f. Intellectual Property Office 	<ul style="list-style-type: none"> • Office of the Secretary* • Bureaus • Services • Regional Offices • Office of the Governor* • Services • Office of the Executive Director* • Board • Foundation • Office of the Executive Director* • Divisions • Office of the Executive Director* • Divisions • Office of Director General* • Bureaus
<p>22. Department of Transportation</p> <ul style="list-style-type: none"> a. Office of the Secretary <ul style="list-style-type: none"> i. Land Transportation Office ii. Land Transportation Franchising & Regulatory Board b. Civil Aeronautics Board c. Maritime Industry Authority 	<ul style="list-style-type: none"> • Office of the Secretary* • Services • DOT-CAR • DOT-CARAGA • Central Office Divisions • Regional Offices • Central Office Divisions • Regional Franchising and Regulatory Offices • Office of the Executive Director* • Divisions

Department	Delivery Units
<ul style="list-style-type: none"> d. Office of Transportation Cooperatives e. Office for Transportation Security f. Philippine Coast Guard g. Toll Regulatory Board 	<ul style="list-style-type: none"> • Office of the Administrator* • Services • Regional Offices • Office of the Board Chairman <i>(including Office of the Executive Director)*</i> • Divisions • Office of the Administrator* • Services • Office of the Commandant* • Functional Groupings • Coast Guard Districts • Office of the Board of Directors* <i>(including Office of the Executive Director)</i> • Divisions
<p>23. National Economic and Development Authority</p> <ul style="list-style-type: none"> a. Office of the Director-General b. Philippine National Volunteer Service Coordinating Agency c. Public-Private Partnership Center of the Philippines d. Philippine Statistical Research and Training Institute e. Philippine Statistics Authority (National Statistics Office, Bureau of Agricultural Statistics, Bureau of Labor and Employment Statistics, National Statistical Coordination Board) f. Tariff Commission 	<ul style="list-style-type: none"> • Office of the Director-General* • Service • Staff • Regional Offices • Office of the Director* • Divisions • Office of the Executive Director* • Divisions • Office of the Executive Director* • Divisions • Office of the National Statistician* • Services • Regional Services Offices • Office of the Chairman* • Divisions

Department	Delivery Units
24. Presidential Communications Operations Office <ul style="list-style-type: none"> a. Presidential Communications Operations Office (Proper) b. Bureau of Broadcast Services c. Bureau of Communications Services d. National Printing Office e. News and Information Bureau f. Philippine Information Agency g. Presidential Broadcast Staff – Radio Television Malacañang (RTVM) 	<ul style="list-style-type: none"> • Office of the Press Secretary* • Services • Media Staff • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Director* • Divisions • Office of the Director* • Divisions • Presidential Press Staff • Philippine News Agency • Office of the Director* • Divisions • Regional Information Centers • Office of the Director* • Divisions

B. CONSTITUTIONAL OFFICES AND OTHERS

Agency	Delivery Units
1. Civil Service Commission	<ul style="list-style-type: none"> • Office of the Chairperson* • Technical and Staff offices • Services • Regional Offices
2. Commission on Audit	<ul style="list-style-type: none"> • Office of the Chairperson* • Technical and Staff Offices • Clusters • Services • Regional Offices
3. Commission on Human Rights	<ul style="list-style-type: none"> • Office of the Chairman* • Technical and Support Services • Field Operations
4. Office of the Ombudsman	

a. Office of the Ombudsman	<ul style="list-style-type: none"> • Office of the Ombudsman* • Technical and Support Offices • Clusters
b. Office of the State Prosecutor	<ul style="list-style-type: none"> • Office of the State Prosecutor* • Bureaus
5. Autonomous Region in Muslim Mindanao	<ul style="list-style-type: none"> • Office of the Governor* • Technical and Support Offices • Departments • Agencies

C. OTHER EXECUTIVE OFFICES

Agency	Delivery Units
1. Career Executive Service Board	<ul style="list-style-type: none"> • Office of the Executive Director • Divisions
2. Climate Change Commission	<ul style="list-style-type: none"> • Office of the Chairperson* • Divisions
3. Commission on Filipinos Overseas	<ul style="list-style-type: none"> • Office of the Chairman • Divisions
4. Commission on Higher Education	<ul style="list-style-type: none"> • Office of the Chairman* • Staff • Services • Regional Offices
5. Commission on the Filipino Language	<ul style="list-style-type: none"> • Office of the Chairman* • Divisions
6. Cooperative Development Authority	<ul style="list-style-type: none"> • Central Offices • Extension Offices
7. Dangerous Drugs Board	<ul style="list-style-type: none"> • Office of the Chairman* • Technical and Support Offices
8. Energy Regulatory Commission	<ul style="list-style-type: none"> • Office of the Chairman (<i>including the Office of the Executive Director</i>)* • General Counsel and Secretariat of the Commission • Services
9. Fertilizer and Pesticide Authority	<ul style="list-style-type: none"> • Office of the Executive Director* • Divisions
10. Film Development Council of the Philippines	<ul style="list-style-type: none"> • Office of the Chairman (<i>including the Office of the Executive Director</i>)* • Administrative and Finance Unit • Cinema Evaluation Board and Archive Unit • Festival and PFESO Unit
11. Games and Amusement Board	<ul style="list-style-type: none"> • Office of the Chairman*

	<ul style="list-style-type: none"> • Divisions • Field Offices
12. Governance Commission for Government-Owned or -Controlled Corporations	<ul style="list-style-type: none"> • Office of the Chairman* (<i>including Strategy Management Division</i>) • Technical and Staff Offices
13. Housing and Land Use Regulatory Board	<ul style="list-style-type: none"> • Office of the Chairman and Executive Officer* • Divisions • Project Pool • Field Offices
14. Housing and Urban Development Coordinating Council	<ul style="list-style-type: none"> • Office of the Chairman • Divisions
15. Metropolitan Manila Development Authority	<ul style="list-style-type: none"> • Office of the Chairman* (<i>including Council Secretariat, Management Information Staff and Public Affairs Staff</i>) • Office of the General Manager* • Services • Offices
16. Mindanao Development Authority	<ul style="list-style-type: none"> • Office of the Chairperson* • Divisions
17. Movie and Television Review and Classification Board	<ul style="list-style-type: none"> • Office of the Chairman • Office of the Executive Director • Divisions
18. National Anti-Poverty Commission	<ul style="list-style-type: none"> • Office of the Director General* • Technical and Support Services
19. National Commission for Culture and the Arts (Proper)	<ul style="list-style-type: none"> • Office of the Chairman (<i>including the Office of the Executive Director</i>)* • Divisions
20. National Historical Commission of the Philippines (National Historical Institute)	<ul style="list-style-type: none"> • Office of the Commission Chairman* • Office of the Executive Director* • Divisions
21. National Library of the Philippines	<ul style="list-style-type: none"> • Office of the Director* • Divisions
22. National Archives of the Philippines (formerly Records Management and Archives Office)	<ul style="list-style-type: none"> • Office of the Executive Director* • Divisions • Regional Archival Networks
23. National Commission on Indigenous Peoples	<ul style="list-style-type: none"> • Office of the Chairman* • Office of the Executive Director* • Technical and Support Offices • Regional Offices
24. National Commission on Muslim Filipinos	<ul style="list-style-type: none"> • Office of the Chairman* • Office of the Director* • Bureaus • Services • Regional Offices

25. National Intelligence Coordinating Agency	<ul style="list-style-type: none"> • Office of the Director General* • Directorates • Regional Offices
26. National Security Council	<ul style="list-style-type: none"> • Office of the Director General* • Technical and Support Units
27. National Youth Commission	<ul style="list-style-type: none"> • Office of the Chairman* (<i>including Office of the Executive Director</i>) • Divisions
28. Office of the Presidential Adviser on the Peace Process	<ul style="list-style-type: none"> • Office of the Presidential Adviser* • Technical and Support Services
29. Optical Media Board	<ul style="list-style-type: none"> • Office of the Executive Director* • Divisions
30. Pasig River Rehabilitation Commission	<ul style="list-style-type: none"> • Office of the Executive Director* • Services • Technical Offices
31. Philippine Commission on Women (National Commission on the Role of Filipino Women)	<ul style="list-style-type: none"> • Office of the Executive Director* • Divisions
32. Philippine Competition Commission	<ul style="list-style-type: none"> • Office of the Chairman* (<i>including Office of the Executive Director</i>) • Technical and Staff Offices
33. Philippine Drug Enforcement Agency	<ul style="list-style-type: none"> • Office of the Director General* • Support Services • Technical Offices • Regional Offices
34. Philippine Racing Commission	<ul style="list-style-type: none"> • Office of the Chairman* (<i>including Office of the Executive Director</i>) • Divisions
35. Philippine Sports Commission	<ul style="list-style-type: none"> • Office of the Chairman/Commission Members* • Office of the Executive Director • Services
36. Presidential Commission for the Urban Poor	<ul style="list-style-type: none"> • Office of the Chairman* • Divisions
37. Presidential Legislative Liaison Office	<ul style="list-style-type: none"> • Office of the Legislative Adviser* • Divisions
38. Presidential Management Staff	<ul style="list-style-type: none"> • Office of the PMS Head • Services • Technical Offices • Presidents' Personnel Group Secretariat
39. Technical Education and Skills Development Authority	<ul style="list-style-type: none"> • Office of the Executive Director* • Technical and Staff Offices • Services • Regional Offices

D. STATE UNIVERSITIES AND COLLEGES

Agency	Delivery Units
1. Colleges	<ul style="list-style-type: none"> • Office of the President* • Services • Campuses (with Charter) • Colleges (with CHED accreditation)
2. Universities	<ul style="list-style-type: none"> • Offices of the President* • Services • Campuses (with Charter) • Colleges (with CHED accreditation)

CAR

1. Abra Institute of Science and Technology
2. Apayao State College
3. Benguet State University
4. Ifugao State University
5. Kalinga State University (Kalinga-Apayao State College)
6. Mountain Province State University (Mt. Province State Polytechnic College)

Region I

7. Ilocos Sur Polytechnic State College
8. Don Mariano Marcos Memorial State University
9. Mariano Marcos State University
10. North Luzon Philippines State College
11. Pangasinan State University
12. University of Northern Philippines

Region II

13. Batanes State College
14. Cagayan State University
15. Isabela State University
16. Nueva Vizcaya State University
17. Quirino State College

Region III

18. Aurora State College of Technology
19. Bataan Peninsula State University
20. Bulacan Agricultural State College
21. Bulacan State University
22. Central Luzon State University
23. Don Honorio Ventura Technological State University
24. Nueva Ecija University of Science and Technology
25. Pampanga State Agricultural University (Pampanga Agricultural College)
26. Philippine Merchant Marine Academy

27. Ramon Magsaysay Technological University
28. Tarlac College of Agriculture
29. Tarlac State University

Region IV-A

30. Laguna State Polytechnic University
31. Southern Luzon State University
32. Batangas State University
33. University of Rizal System
34. Cavite State University

Region IV-B

35. Marinduque State College
36. Mindoro State University (Mindoro State College of Agriculture and Technology)
37. Occidental Mindoro State College
38. Palawan State University
39. Romblon State University
40. Western Philippines University

Region V

41. Bicol University
42. Bicol State College of Applied Sciences and Technology
43. Camarines Norte State College
44. Camarines Sur Polytechnic College
45. Catanduanes State College
46. Central Bicol State University of Agriculture
47. Dr. Emilio B. Espinosa, Sr. Memorial State College of Agriculture and Technology
48. Partido State University
49. Sorsogon State College

Region VI

50. Aklan State University
51. Capiz State University
52. Carlos Hilado Memorial State College
53. Guimaras State College
54. Iloilo State University of Science and Technology (Iloilo State College of Fisheries)
55. Central Philippines State University
56. Northern Iloilo State University (Northern Iloilo Polytechnic State College)
57. Northern Negros State College of Science and Technology
58. University of Antique
59. West Visayas State University
60. Iloilo Science and Technology University (Western Visayas College of Science and Technology)

Region VII

61. Bohol Island State University
62. Cebu Normal University
63. Cebu Technological University
64. Negros Oriental State University
65. Siquijor State College

Region VIII

66. Eastern Samar State University
67. Eastern Visayas State University
68. Leyte Normal University
69. Naval State University
70. Northwest Samar State University
71. Palompon Polytechnic State University (Palompon Institute of Technology)
72. Samar State University
73. Southern Leyte State University
74. University of Eastern Philippines
75. Visayas State University

Region IX

76. JH Cerilles State College
77. Jose Rizal Memorial State University
78. Western Mindanao State University
79. Zamboanga City State Polytechnic College
80. Zamboanga State College of Marine Sciences and Technology

Region X

81. Northwestern Mindanao State College of Science and Technology
82. Bukidnon State University
83. Camiguin Polytechnic State College
84. Central Mindanao University
85. Mindanao University of Science and Technology
86. Misamis Oriental State College of Agriculture and Technology

Region XI

87. Davao del Norte State College
88. Davao Oriental State College of Science and Technology
89. Southern Philippines Agri-Business, Marine and Aquatic School of Technology
90. University of Southeastern Philippines
91. Compostela Valley State College

Region XII

- 92. Cotabato State University (Cotabato City State Polytechnic College)
- 93. Cotabato Foundation College of Science and Technology
- 94. Sultan Kudarat State University
- 95. University of Southern Mindanao

CARAGA

- 96. Agusan Del Sur State College of Agriculture and Technology
- 97. Caraga State University
- 98. Surigao Del Sur State University
- 99. Surigao State College of Technology

ARMM

- 100. Basilan State College
- 101. Mindanao State University System
- 102. Sulu State College
- 103. Tawi-Tawi Regional Agricultural College
- 104. Adiong Memorial Polytechnic College

NCR

- 105. Marikina Polytechnic College (Marikina Polytechnic State College)
- 106. Eulogio "Amang" Rodriguez Institute of Science and Technology
- 107. Philippine Normal University
- 108. Philippine State College of Aeronautics
- 109. Polytechnic University of the Philippines
- 110. Rizal Technological University
- 111. Technological University of the Philippines
- 112. University of the Philippines System (UP)

GOCCs covered by RA No. 6758

1. Lung Center of the Philippines
2. National Kidney and Transplant Institute
3. Philippine Center for Economic Development
4. Philippine Children's Medical Center
5. Philippine Heart Center
6. Philippine Institute of Traditional and Alternative Health Care
7. Philippine Institute for Development Studies
8. Philippine Rice Research Institute
9. Aurora Pacific Economic and Freeport Zone Authority
10. Authority of Freeport Area of Bataan
11. Cagayan Economic Zone Authority
12. Philippine Economic Zone Authority
13. PHIVIDEC Industrial Authority
14. Subic Bay Metropolitan Authority
15. Zamboanga City Special Economic Zone Authority

GOCCs covered by RA No. 10149

Government Financial Institutions Sector

Banking Institutions

1. Al-Amanah Islamic Investment Bank of the Philippines
2. Development Bank of the Philippines
3. DBP Data Center, Inc.
4. Land Bank of the Philippines
5. LBP Resources and Development Corporation
6. Land Bank Countryside Dev't Foundation, Inc.
7. Philippine Postal Savings Bank, Inc.

Non Banking Institution

8. Credit Information Corporation
9. DBP Leasing Corporation
10. Home Guaranty Corporation
11. LBP Insurance Brokerage, Inc.
12. LBP Leasing and Finance Corporation
13. Masaganang Sakahan, Inc.
14. National Development Company
15. National Home Mortgage Finance Corporation

16. Philippine Crop Insurance Corporation
17. Philippine Deposit Insurance Corporation
18. Quedan & Rural Credit Guarantee Corporation
19. Small Business Corporation
20. Social Housing Finance Corporation
21. Trade and Investment Development Corporation of the Philippines

Social Security Institutions

22. Employees Compensation Commission
23. Occupational Safety and Health Center
24. Government Service Insurance System
25. Home Development Mutual Fund
26. Philippine Health Insurance Corporation
27. Social Security System
28. Veterans Federation of the Philippines

Trade, Area Development and Tourism Sector

Trade

29. Center for International Trade Expositions and Missions
30. Duty Free Philippines Corporation
31. Philippine International Trading Corporation
32. Philippine Pharma Procurement, Inc. (PITC Pharma, Inc.)

Area

33. Bases Conversion Development Authority
34. Clark Development Corporation
35. John Hay Management Corporation
36. Laguna Lake Development Authority
37. National Housing Authority
38. Palacio Del Gobernador Condominium Corporation
39. Partido Development Administration
40. Philippine Reclamation Authority
41. Poro Point Management Corporation
42. Quezon City Development Authority
43. Southern Philippines Development Authority
44. Tourism Infrastructure & Enterprise Zone Authority

Tourism

45. Corregidor Foundation Inc.
46. Marawi Resort Hotel Inc.
47. Philippine Retirement Authority
48. Tourism Promotions Board

Educational and Cultural Sector

Educational

- 49. Boy Scouts of the Philippines
- 50. Development Academy of the Philippines
- 51. Girl Scouts of the Philippines

Cultural

- 52. Cultural Center of the Philippines
- 53. Nayong Pilipino Foundation, Inc.

Gaming Sector

- 54. Philippine Amusement and Gaming Corporation
- 55. Philippine Charity Sweepstakes Office

Energy and Materials Sector

Energy

- 56. National Electrification Administration
- 57. National Power Corporation
- 58. National Transmission Corporation
- 59. Philippine National Oil Company
- 60. Power Sector Assets and Liabilities Management Corporation
- 61. PNOC Exploration Corporation
- 62. PNOC Renewables Corporation

Materials

- 63. Batong Buhay Gold Mines, Inc.
- 64. Bukidnon Forest, Inc.
- 65. Natural Resources Development Corporation
- 66. North Davao Mining Corporation
- 67. Philippine Mining Development Corporation (formerly NRMDC)

Agriculture, Fisheries and Food Sector

Agriculture and Fisheries

- 68. National Dairy Authority
- 69. National Food Authority
- 70. National Tobacco Administration

71. Philippine Coconut Authority
72. Philippine Fisheries Development Authority
73. Philippine Sugar Corporation (PMO)
74. Phividec Panay Agro-Industrial Corporation (PMO)
75. Sugar Regulatory Administration

Food

76. Food Terminal, Inc. (PMO)
77. National Sugar Development Company (PMO)
78. Northern Foods Corporation (PMO)

Utilities and Communications Sector

Utilities

79. Cebu Port Authority
80. Civil Aviation Authority of the Philippines
81. Clark International Airport Corporation
82. Light Rail Transit Authority
83. Local Water Utilities Administration
84. Mactan-Cebu International Airport Authority
85. Manila International Airport Authority
86. Metropolitan Waterworks and Sewerage System – CO
87. Metropolitan Waterworks and Sewerage System – RO
88. National Irrigation Administration
89. North Luzon Railway Corporation
90. PEA Tollway Corporation
91. Philippine Aerospace Development Corporation
92. Philippine National Construction Corporation (PMO)
93. Philippine National Railways
94. Philippine Ports Authority

Communications

95. APO Production Unit, Inc,
96. People's Television Network, Inc
97. Philippine Postal Corporation

Health Care Services Sector

98. La Union Medical Center

GOCCs Supervised by PCGG

99. Philippine Communications Satellite Corporation

Realty Holding Companies

- 100. Batangas Land Company, Inc.
- 101. First Cavite Industrial Estate, Inc.
- 102. G. Y. Real Estate, Inc.
- 103. Kamayan Realty Corporation
- 104. Pinagkaisa Realty Corporation

Note:

****Including the Office(s) of the Deputy Head(s) and immediate support staff.***

FORM A
DEPARTMENT/AGENCY PERFORMANCE ACCOMPLISHMENT FY 2017

DEPARTMENT/AGENCY:

MFOs AND PERFORMANCE INDICATORS ⁽¹⁾	DEPARTMENT/AGENCY FY 2016 ACTUAL ACCOMPLISHMENT	DEPARTMENT/AGENCY FY 2017 TARGET	RESPONSIBLE BUREAUS/OFFICES	DEPARTMENT/AGENCY FY 2017 ACTUAL ACCOMPLISHMENT	ACCOMPLISHMENT RATE	REMARKS ⁽⁴⁾
Major Final Outputs (MFOs) / Operations						
MFO 1:						
2017 Budget:						
Performance Indicator 1:						
Performance Indicator 2:						
Performance Indicator 3:						
MFO 2:						
2017 Budget:						
Performance Indicator 1:						
Performance Indicator 2:						
Performance Indicator 3:						
STO⁽²⁾						
2017 Budget						
a. QMS Certification or ISO-aligned QMS Documentation						
b. 2 nd STO Indicator to be identified in accordance with the priority of the Agency Head						

MFOs AND PERFORMANCE INDICATORS (1)	DEPARTMENT/AGENCY CY FY 2016 ACTUAL ACCOMPLISHMENT	DEPARTMENT /AGENCY FY 2017 TARGET	RESPONSIBLE BUREAUS/ OFFICES	DEPARTMENT/AGENCY FY 2017 ACTUAL ACCOMPLISHMENT	ACCOMPLISHMENT RATE	REMARKS (4)
GASS (3)						
2017 Budget						
A. Budget Utilization Rate						
a.1. Obligations BUR						
a.2. Disbursement BUR						
B. Quarterly Submission of Budget and Financial Accountability Reports b.1. - 1 st Quarter BFAR b.2. - 2 nd Quarter BFAR b.3. - 3 rd Quarter BFAR b.4. - 4 th Quarter BFAR						
C. Full Compliance with at least 30% of the prior years' COA audit recommendations						

Recommending Approval: _____ **Prepared by:** _____
Planning Officer **Date** **Budget Officer** **Date**

Approved by: _____
Department Secretary/Agency Head **Date**

DC: _____
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DC: _____
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Instructions to filling out FORM A - DEPARTMENT/AGENCY PERFORMANCE ACCOMPLISHMENT

- (1) MFOs and Performance Indicators specified in the Performance-Improved Budget of an agency must be indicated in the Form A/A1.
- (2) Certification/Continuing certification of the Quality Management System (QMS) for at least one core process. The certification must be issued by any international certification body (ICB) accredited by the International Accreditation Forum (IAF) members. Preferably, the ICB is accredited by the Philippine Accreditation Board, Department of Trade and Industry, which is a member of the IAF and authorized to accredit ICBs. The certification must be valid until December 31, 2017 or later date and must be posted in the agency Transparency Seal.

If an agency is not yet ISO certified, it should have at least an ISO-aligned documentation for at least one (1) core process, to include the i) Approved Quality Manual and approved Procedures and Work Instructions Manual, including Forms; and ii) Evidence of ISO 9001-aligned QMS implementation, i.e. Certification of the Head of the Agency on the conduct of Internal Quality Audit; and Minutes of the FY 2017 Management Review.

The second STO target is identified in accordance with the priority of the Agency Head.

- (3) Common General Administrative Support Service (GASS) indicators are:

- a. Budget Utilization Rate Formula

For department/agencies/SUCs.

- Obligations BUR computed as obligations against all allotments still effective in FY 2017, both continuing and current year from all appropriation sources, including those released under the "GAA as the allotment order policy, for maintenance and other operating expenses (MOOE) and capital outlays (CO) in FY 2017; and
- Disbursements BUR is measured by the ratio of total disbursement (cash and non-cash, excluding personnel services) to total obligations for maintenance and other operating expenses (MOOE) and capital outlays (CO) in FY 2017.

For GOCCs is computed as follows:

- Obligations BUR = Total Obligations / DBM Approved Corporate Operating Budget (both net of Personnel Services)
- Disbursement BUR = Total Actual Disbursement / Total Actual obligations (both net of Personnel Services)

- b. Quarterly submission of Budget and Financial Accountability Reports (BFARs) online using the DBM's Unified Reporting System (URS) 30 days after end of each quarter, as provided in COA-DBM-DOF Joint Circular No. 2014-1 dated July 4, 2014.
- c. Departments/Agencies shall have fully complied with at least 30% of the prior years' audit recommendations, as shown in the Report on Status of Implementation of Prior Years' Recommendations of the Annual Audit Report (AAR).

Notes
Annex

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- (4) Remarks column should include brief and concise explanation or justification if the agency's target for FY 2017 is not met. Supporting document may be provided to further expound the given explanation/justification. Remarks column may also contain additional information (i.e. computation, percentage, and/or absolute figures) regarding the target and/or accomplishment.

Notes
Annex

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FORM A1
DETAILS OF BUREAU/OFFICE PERFORMANCE INDICATORS AND ACCOMPLISHMENTS
DEPARTMENT/AGENCY:

MFOs/ Responsible Bureaus/Delivery Units (1)	Performance Indicator 1 (2)	FY 2017 TARGET for Performance Indicator 1 (3)	FY 2017 ACCOMPLISHM ENT for Performance Indicator 1 (4)	Performance Indicator 2 (5)	FY 2017 TARGET for Performance Indicator 2 (6)	FY 2017 ACCOMPLISHME NT for Performance Indicator 2 (7)	Performance Indicator n (8)	FY 2017 TARGET for Performance Indicator n (9)	FY 2017 ACCOMPLISHME NT for Performance Indicator n (10)	REMARKS (11)
A. Major Final Outputs (MFOs)										
<i>(Note: All MFOs and indicators enrolled in the 2017 GAA should be included. Agency may add rows and columns if necessary)</i>										
Major Final Output 1:										
Delivery Unit 1										
Delivery Unit 2										
Delivery Unit 3										
Major Final Output n:										
Delivery Unit 1										
Delivery Unit 2										
Delivery Unit 3										
B. Support to Operations (STO)										
STO	Certification/Continuing Certification of the agency QMS for at least one core process					2 nd STO Indicator for the Priority of the Agency Head				
Delivery Unit 1										
Delivery Unit 2										
Delivery Unit 3										
C. General Administration and Support Services (GASS)										
BUR	Obligations BUR					Disbursement BUR				
Delivery Unit 1										
Delivery Unit 2										
Delivery Unit 3										
Submission of BFAR	Submission of 1 st Quarter Budget and Financial Accountability Reports					Submission of 2 nd Quarter Budget and Financial Accountability Reports				
Delivery Unit 1										Submission of Quarter "n" Budget and Financial Accountability Reports
Delivery Unit 2										
Delivery Unit 3										

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MFOs/ Responsible Bureaus/Delivery Units (1)	Performance Indicator 1 (2)	FY 2017 TARGET for Performance Indicator 1 (3)	FY 2017 ACCOMPLISHM ENT for Performance Indicator 1 (4)	Performance Indicator 2 (5)	FY 2017 TARGET for Performance Indicator 2 (6)	FY 2017 ACCOMPLISHME NT for Performance Indicator 2 (7)	Performance Indicator n (8)	FY 2017 TARGET for Performance Indicator n (9)	FY 2017 ACCOMPLISHME NT for Performance Indicator n (10)	REMARKS (11)
Compliance to COA Audit Recommendation	Full Compliance with at least 30% of the prior years' COA audit recommendations									
Delivery Unit 1										
Delivery Unit 2										
Delivery Unit 3										

Recommending Approval:

Prepared by:

Planning Officer

Date

Budget Officer

Date

Approved by:

Bureau/Agency Head

Date

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**BUDGET UTILIZATION RATE FORM FOR STATE UNIVERSITIES AND COLLEGES
INCLUDING EARMARKED INCOMES
FY 2017 PBB**

ANNEX - 4

(In Thousand Pesos)

NAME OF SUC:	FUNDING SOURCE CODE	SOURCE OF REVENUE	LEGAL BASIS	NATURE OF EXPENDITURES	AMOUNT IN P'000						2017 Budget Utilization Rate
					2016 ACTUAL		2017 PROGRAM		2016 Budget Utilization Rate	2017 Budget Utilization Rate	
					Receipt	Expenditure	Receipt	Expenditure			
					Cash Balance as of Dec. 31, 2015	Cash Balance as of Dec. 31, 2016					
I. Off-Budgetary Funds											
1. Revolving Fund											
2. Retained Income/Receipts											
II. Custodial Funds											
1. Trust Receipts											
2. Others											
PREPARED BY:					APPROVED BY:					DATE:	
	CHIEF ACCOUNTANT					HEAD OF OFFICE/AGENCY					DAY/MO/YR

*Cash Balance as of Dec. 31, 2016 shall be equivalent to the Cash Balance as of December 31, 2015 plus 2016 Actual Receipt minus 2016 Actual Expenditure. The Budget Utilization Rate shall be computed as the ratio of expenditures to the beginning cash balance for the year plus receipt.

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REPORT ON RANKING OF DELIVERY UNITS

Department/Agency _____

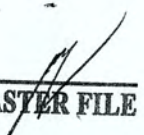
1.0 Summary of Information Required
1.1 Total No. of Delivery Units _____
1.2 Total No. of Delivery Units that achieved their performance targets _____
1.3 Total No. of Filled Positions as of December 31, 2017 _____
1.4 Total No. of Officials and Employees Entitled to PBB _____
1.5 Total Amount Required for Payment of PBB PHP _____

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2.2 Better (25%)	Delivery Unit 1	TOTAL BEST		
	Delivery Unit 2			
TOTAL BETTER				
2.3 Good (65%)	Delivery Unit 1	TOTAL GOOD		
	Delivery Unit 2			
TOTAL POOR				
2.4 Did not meet Targets (No PBB)	Delivery Unit 1			
	Delivery Unit 2			

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2.5 Did not submit SALN	TOTAL Did not submit SALN		
2.6 Did not liquidate Cash Advance within reglementary period	TOTAL Did not liquidate Cash Advance within reglementary period		
2.7 Did not submit SPMS Forms	TOTAL Did not submit SPMS Forms		
2.8 Excluded due to other reasons (i.e Responsible for not submitting APP, APCPI, or others)	TOTAL Excluded due to other reasons		

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**GUIDELINES/MECHANICS IN RANKING OF DELIVERY UNITS
FOR THE GRANT OF PERFORMANCE-BASED BONUS (PBB) FY 2017**

(Agency should provide the guidelines and process in determining and evaluating the performance ranking and rating of offices / delivery units within the department/agency.)

Head of HR

Date:

Department Agency Head

Date:

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EVALUATION MATRIX SUMMARY

(Agency should fill-out the Form 1.0 Evaluation Matrix and reflect the information therein in the Matrix Summary. It shall be the prerogative of the Agency to add as many delivery units as may be necessary.)

Ranking	No. of Delivery Units	Name of Delivery Unit	No. of Officials and Employees Entitled to PBB	Total Requirement
BEST				
	<i>Sub-Total</i>			
BETTER				
	<i>Sub-Total</i>			
GOOD				
	<i>Sub-Total</i>			
Agency Head		<i>(name of Incumbent)</i>	<i>(Position Title & Salary Grade)</i>	<i>(Rate of PBB)</i>
Grand Total				

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SAMPLE PHILGEPS LETTER OF EXPLANATION

(Department/Agency's Letterhead)

Date:

AO25 IATF
 c/o AO25 Secretariat
 The Development Academy of the Philippines
 DAP Building, San Miguel Avenue,
 Ortigas Center, Pasig City

The following are our reasons/explanation for not-updating/non-posting of Notices of Award/Bid Result, BAC Resolutions, Notices to Proceed/ Purchase Orders and the Actual Approved/Awarded Contracts for the following transaction in the PhilGEPS:

Reference No.	Notice Title	Line Item ID	Notice Status	Award Status	Reasons/Explanation

Signed by:

Noted by:

 BAC Chair

 Head of Procuring Entity

Date:

Date:

Note: To be issued by agency only if unable to post the Notices of Award/Bid Result, BAC Resolutions, Notices to Proceed/ Purchase Orders and the Actual Approved/Awarded Contract of all transactions above P500,000 within the period of November 16, 2016 to November 15, 2017 in PhilGEPS.

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Guideline on Transparency Seal

1. All agencies should maintain a Transparency Seal page, accessible by clicking the TS logo on the Home page. It should be visible. **Submit the link to the website (recommended gov.ph domain) when applying for PBB.**

2. The following are the **ONLY** required documents:

I. Agency's Mandate, Vision, Mission and List of Officials

II. **Annual Financial Reports** (whole year/as of December end of the year/4th Quarter. Incomplete or non-cumulative will not be counted)

A. *FOR NGA/SUCs*

2013-2017 FAR No. 1: SAAOBDB (Statement of Statement of Appropriations, Allotments, Obligations, Disbursements and Balances as of December YEAR)

2013-2017 Summary Report on Disbursements

2013-2017 BAR NO. 1 - Quarterly Physical Report of Operations/Physical Plan

2013-2017 FAR No. 5 - Quarterly Report on Revenue and Other Receipts

2013-2017 Financial Plan (Detailed Statement of Current Year's Obligations, Disbursements and Unpaid Obligations)

B. *FOR GOCC/WD*

2013-2017 Annual Report

III. **DBM Approved Budget and Targets** (only for current year)

Budget 2017

Targets/MFOs/GAA targets 2017

IV. **Projects, Programs and Activities, Beneficiaries, and Status of Implementation** (only for current year - indicate if not applicable or else zero rating will be given)

Projects, Programs 2017

Beneficiaries 2017

Status of Implementation 2017

V. **Annual Procurement Plan**

a. FY 2017 Annual Procurement Plan (APP-nonCSE) in the format prescribed under GPPB Circular No. 07-2015

b. FY 2018 Annual Procurement Plan-Common-Use Supplies and Equipment (APP-CSE) as prescribed by DBM memo circular

VI. **QMS Certification by any international organization approved by the Inter-Agency Task Force or ISO 9001:2015 aligned QMS documents**

VII. **System of Ranking Delivery Units** (to be posted by October 1, 2017)

3. It is recommended that the links to the documents open in a **new tab/page for preview with option to download**. Please no auto-download files. The following are the prescribed formats:
 - New page/section in the website (No pdfs, xls, jpgs etc.): Items I (Mandate, directory)
 - XLS. or PDF for Items II, III, IV and V. (Open in new tab for preview, please no automatic downloading of files. You can use google drive, Dropbox or any other file hosting software to let you preview the file when clicked)
4. Post the documents in the prescribed order (see above) for easier validation and checking.
5. Nesting folders are discouraged. Post the links to the documents in a single webpage reserved for the transparency seal. If the files are hidden in folders, there is a risk that the documents might be overlooked by the validator.

Office of the President
of the Philippines
Malacañang

ANNEX J

MEMORANDUM CIRCULAR NO. 44

DIRECTING ALL GOVERNMENT AGENCIES AND INSTRUMENTALITIES, INCLUDING GOVERNMENT-OWNED OR-CONTROLLED CORPORATIONS, TO RESPOND TO ALL PUBLIC REQUESTS AND CONCERNS WITHIN FIFTEEN DAYS FROM RECEIPT THEREOF

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, Republic Act (RA) No. 9485, or the Anti-Red Tape Act of 2007, provides that the State shall take appropriate measures to promote transparency in each agency with regard to the manner of transacting with the public, with the objective of reducing red tape and expediting transactions in government;

WHEREAS, Section 5 (a) of RA No. 6713, or the Code of Conduct and Ethical Standards for Public Officials and Employees, provides that all public officials and employees shall, within fifteen (15) working days from receipt thereof, respond to letters, telegrams or other means of communications sent by the public and that the reply must contain the action taken on the request;

WHEREAS, the State shall provide the means to strengthen the people's channel of communication to the government by promoting and emphasizing the importance of responsive and service-oriented government agencies and instrumentalities, with the objective of fostering transparency and accountability;

NOW, THEREFORE, all government agencies and instrumentalities, including government-owned or- controlled corporations, performing frontline services as defined in RA No. 9485 are hereby directed to respond to all public requests and concerns within fifteen (15) days from receipt thereof, unless a shorter period is provided under applicable laws and issuances.

It is understood that "frontline services" under RA No. 9485 is defined as the process or transaction between clients and government offices or agencies involving applications for any privilege, right, permit, reward, license, concession, or for any modification, renewal or extension of the enumerated applications and/or requests which are acted upon in the ordinary course of business of the agency or office concerned.

This Memorandum Circular shall take effect immediately.

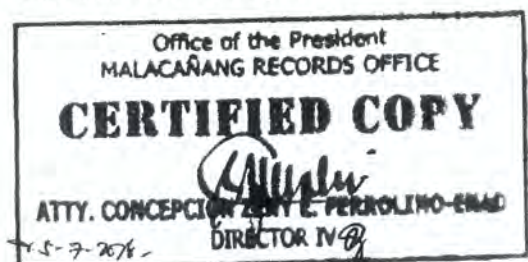
DONE in the City of Manila, this 4th day of **May**, in the year of Our Lord, Two Thousand and Eighteen.

By authority of the President:

SALVADOR C. MEDIALDEA
Executive Secretary

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ANNEX K

Republic of the Philippines
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Malacañang, Manila

FOI – MC No. 04, s. 2017

**FREEDOM OF INFORMATION
MEMORANDUM CIRCULAR**

FOR : All Agencies, Departments, Bureaus, Offices, and Instrumentalities of the Executive Branch including Government-Owned and/or -Controlled Corporations (GOCCs), Government Financial Institutions (GFIs), Government Corporate Entities (GCEs), Non-Chartered GOCCs, and State Universities and Colleges (SUCs)

SUBJECT : **UPLOADING OF FOI MANUAL IN THE AGENCY TRANSPARENCY SEAL TO BE ELIGIBLE TO THE PERFORMANCE-BASED BONUS**

DATE : 26 June 2017

WHEREAS, Executive Order (EO) No. 02, s. 2016 was issued by President Rodrigo R. Duterte on 23 July 2016 to operationalize the Constitutional mandate of the People's right to information;

WHEREAS, Sections 8 and 16 of EO No. 2, s. 2016 instructed all government offices under the Executive Branch to prepare their respective People's Freedom of Information (FOI) Manual and Implementing Details (Agency FOI Manual) within 120 days upon the effectivity of said EO;

WHEREAS, Memorandum Order (MO) No. 10, s. 2016 designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 2, s. 2016, and all other FOI programs and initiatives including electronic FOI;

WHEREAS, Administrative Order No. 25, s. 2011 created the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting System which is mandated to harmonize, unify, streamline and simplify all existing monitoring and reporting requirements and processes through the development of a common set performance scorecard and design a government executive information system;

WHEREAS, Section 5 of Executive Order No. 201, s. 2016 provides that the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring,

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Information and Reporting Systems created under Administrative Order No. 25, s. 2011 shall prescribe the conditions on eligibility and procedures for the grant of the enhanced Performance-Based Bonus (PBB);

WHEREAS, the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting Systems (Task Force AO 25) issued Memorandum Circular (MC) No. 2017-1 to prescribe the criteria and conditions for the grant of the PBB for fiscal year 2017;

WHEREAS, Section 5 of MC No. 2017-1 provides that the FOI Manual shall be uploaded in the agency Transparency Seal on or before 1 October 2017 as one of the Good Governance Conditions (GCCs) to be eligible to PBB, subject to compliance validation by the PCOO starting 1 October 2017;

NOW, THEREFORE, in consideration of the foregoing, strict observance to the following are hereby ordered:

Section 1. Scope. Section 3.1 of Task Force AO 25 MC No. 2017-1 provides that said Circular covers all Departments, Bureaus, Offices and Other Agencies of the National Government, including Constitutional Commissions, Congress, The Judiciary, Office of the Ombudsman, State Universities and Colleges (SUCs), Government-Owned or Controlled Corporations (GOCCs), Local Water Districts (LWDs) and Local Government Units (LGUs). However, Section 2 of EO No. 2, s. 2016 provides that said EO 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. Local government units (LGUs) are encouraged to observe and be guided by such EO.

To provide clarity and in consideration that the PCOO does not have jurisdictions nor authority to cover or bind other agencies outside the scope provided by EO No. 2, s. 2016, it shall be understood that this Memorandum Circular shall only cover Government Offices under the Executive Branch as defined under Section 2 of EO No. 2, s. 2016.

Section 2. Validation Process. The concerned agency shall send a letter to the PCOO requesting for a validation of its compliance to the posting requirement of its People's FOI Manual uploaded in its Transparency Seal not later than 30 September 2017.

The letter shall include the following:

Name of Agency:

Address:

Website:

Contact details:

Printed copy of screen shot of its People's FOI Manual uploaded in the transparency seal:

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The PCOO validation officer shall validate if the People's FOI manual uploaded in the official website of the agency concerned is consistent with the provisions of EO No. 2, s. 2016 and shall confirm that it is under the transparency seal.

Section 3. Issuance of Compliance Certificate. The PCOO shall issue a compliance certificate to the Agency concerned that can be used as an official document that it complied with the requirements of Task Force AO 25 MC No. 2017-1. Such certificate, signed by the FOI Program Director, shall also be the official document that will be submitted to the Department of Budget and Management (DBM) to be eligible to PBB.

Section 4. Non-compliance to posting of FOI Manual. The PCOO shall issue a list of Agencies that does not comply with the requirement of Task Force AO 25 MC No. 2017-1 to the DBM.

Section 5. Validation Period. The PCOO shall validate the compliance up to 12:00 mn of 1 October 2017 (Sunday). Request Letters received beyond 1 October 2017 shall not be acted upon.

Section 6. Contact. For questions and/or clarifications, please contact Ms. Danica Orcullo at telephone numbers 02-733-1102 or 02-733-8665 or email at foi.pco@gmail.com.

Letter request shall be addressed to:

Secretary Jose Ruperto Martin M. Andanar
Presidential Communications Operations Office (PCOO)
3/F New Executive Building, JP Laurel St.,
Malacañang, Manila

Section 7. Effectivity. This Circular shall take effect immediately.

Section 8. Compliance. For your guidance and strict compliance.


JOSE RUPERTO MARTIN M. ANDANAR
Secretary and FOI Champion 

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Republic of the Philippines
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Malacañang, Manila

FOI – MC No. 05, s. 2017

**FREEDOM OF INFORMATION
MEMORANDUM CIRCULAR**

FOR : All Agencies, Departments, Bureaus, Offices, and Instrumentalities of the Executive Branch including Government-Owned and/or -Controlled Corporations (GOCCs), Government Financial Institutions (GFIs), Government Corporate Entities (GCEs), Non-Chartered GOCCs, and State Universities and Colleges (SUCs)

SUBJECT : **CALL FOR SUBMISSION: ACCOMPLISHED SECOND QUARTER AGENCY INFORMATION INVENTORY AND THE STANDARD FREEDOM OF INFORMATION (FOI) REGISTRY FOR APRIL 1 TO JUNE 30, 2017**

DATE : 11 July 2017

WHEREAS, Executive Order (EO) No. 02, s. 2016 was issued by President Rodrigo R. Duterte on 23 July 2016 to operationalize the Constitutional mandate of the People's right to information;

WHEREAS, Sections 8 and 16 of EO No. 2, s. 2016 instructed all government offices under the Executive Branch to prepare their respective People's Freedom of Information (FOI) Manual and Implementing Details (Agency FOI Manual) within 120 days upon the effectivity of said EO;

WHEREAS, Section 16 of EO No. 02, s. 2016 states that failure to comply with the provisions of the EO may be a ground for administrative and disciplinary sanctions against any erring public officer or employee as provided under existing laws or regulations;

WHEREAS, Memorandum Order (MO) No. 10, s. 2016 designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 2, s. 2016, and all other FOI programs and initiatives including electronic FOI;

WHEREAS, Section 7, 10 and 16 of Memorandum Circular No. 1, s. 2016 provides that all agencies are required to submit to the PCOO the Agency Information Inventory and the accomplished quarterly FOI Registry starting March 2017;

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NOW, THEREFORE, in consideration of the foregoing, strict observance to the following are hereby ordered:

Section 1. Agency Information Inventory. The Agency Information Inventory is a master list of all government information held by an agency, containing the title, description, and file type of each information.

Information shall be classified according to the following disclosure categories:

Category	Meaning
Public	information can be disclosed for public consumption regardless of identity
Exception	information is under the Exceptions List
Internal	information only for agency consumption
With fee	information can be disclosed but with corresponding charges based on the agency's mandate/policies/business model
Limited	information, upon verification of the requesting party's identity, can only be disclosed to specific person/s and/or entity/ies

Section 2. Standard FOI Registry. The Registry is a log of all FOI requests—both standard and electronic—received by an agency for the specific quarter covered by the submission. The Registry, to be managed by the FOI Receiving Officers (FRO), will be the basis for measuring agency performance and compliance on the FOI program implementation.

FOI Requests shall be tagged with the corresponding statuses:

Status	Meaning
Accepted	request has been validated and verified by the FRO and has been forwarded to the FOI Decision Maker (FDM)
Awaiting clarification	request has incomplete details or missing field/s and has been returned to the requesting party
Processing	request has been received by the FDM and is now being processed by the agency
Successful: Information has been disclosed	request has been facilitated and information requested has been disclosed
Successful: Information Already Available Online	request has already been proactively disclosed via the website of the agency
Successful:	requested information has already been requested before through the eFOI portal

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Request has already been addressed	
Partially Successful	out of many requests, only a number of these information has been disclosed
Denied: Information under Exceptions List	requested information is included or is under the scope of the categories of the Exceptions List
Denied: Wrong Agency	requested information is not with the agency and/or another agency holds the information
Closed	request which has been returned to the requesting party for clarification and the requesting party failed to respond within 60 days
Red flags	request went beyond the deadline of either 15 or 35 (for those with requested extension) days

Section 3. Quarterly Submissions of Inventory and Registry. All agencies are required to submit the accomplished Inventory and the Registry quarterly. For the second quarter of 2017, all requirements shall be submitted on or before **31 July 2017**.

For the succeeding submissions, agencies shall observe the following quarterly submission schedule:

Quarter	Report Coverage	Submission Date
Q1	January 1 to March 31	April 30
Q2	April 1 to June 30	July 31
Q3	July 1 to September 30	October 30
Q4	October 1 to December 31	January 31

Section 4. Submission Process. Submissions should both be in electronic and hard copies attached to a cover memo which includes the following details:

- Name of Agency
- Address
- Website
- Contact details
- Quarter and Report Coverage
- Total number of requests received
- FOI Registry Summary (for standard AND eFOI requests):

Request Status	Number
Accepted	
Awaiting clarification	
Processing	
Successful: Information has been disclosed	

Successful: Information Already Available Online	
Successful: Request has already been addressed	
Partially Successful	
Denied: Information under Exceptions List	
Denied: Wrong Agency	
Closed	
Red flags	
Requests with extension	

Updated soft copies of the templates and instructional notes of both the Inventory and the Registry may be retrieved from this link: <http://bit.ly/foipco>.

Soft copy submissions shall be addressed to the above and shall be sent to foi.pco@gmail.com, cc: mmanzapcoo@gmail.com. Hard copy submissions shall be addressed to:

Secretary Jose Ruperto Martin M. Andanar
 Presidential Communications Operations Office (PCOO)
 3/F New Executive Building, JP Laurel St.,
 Malacañang, Manila

Section 5. Submission of Certifications. Certifications signed by the Head of Agency of the FOI Champion may be submitted only for the following reasons:

- a) No FOI requests have been received for the period covered; and/or
- b) No updates in the FOI Inventory since the agency's submission from the previous quarter.

Section 6. Contact. For questions and/or clarifications, please contact Ms. Michelle Manza at telephone numbers 02-733-1102 or 02-733-8665 or at the email addresses provided in Section 4.

Section 7. Effectivity. This Circular shall take effect immediately.

Section 8. Compliance. For your guidance and strict compliance.


JOSE RUPERTO MARTIN M. ANDANAR
 Secretary and FOI Champion

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REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Malacañang, Manila, Philippines

FOI-MC No. 01 s. 2018

**FREEDOM OF INFORMATION
MEMORANDUM CIRCULAR**

FOR : All Agencies, Departments, Bureaus, Offices, and Instrumentalities of the Executive Branch including Government-Owned and/or -Controlled Corporations (GOCCs), Government Financial Institutions (GFIs), Government Corporate Entities (GCEs), Non-Chartered GOCCs, and State Universities and Colleges (SUCs)

SUBJECT : **CALL FOR SUBMISSION: 2018 FREEDOM OF INFORMATION (FOI) REPORTS**

DATE : 7 March 2018

WHEREAS, Executive Order (EO) No. 02, s. 2016 was issued by President Rodrigo R. Duterte on 23 July 2016 to operationalize the Constitutional mandate of the People's right to information;

WHEREAS, Sections 8 and 16 of EO No. 2, s. 2016 instructed all government offices under the Executive Branch to prepare their respective People's Freedom of Information (FOI) Manual and Implementing Details (Agency FOI Manual) within 120 days upon the effectivity of said EO;

WHEREAS, Section 15 of EO No. 02, s. 2016 states that failure to comply with the provisions of the EO may be a ground for administrative and disciplinary sanctions against any erring public officer or employee as provided under existing laws or regulations;

WHEREAS, Memorandum Order (MO) No. 10, s. 2016 designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 2, s. 2016, and all other FOI programs and initiatives including electronic FOI;

WHEREAS, Section 7, 10 and 16 of FOI Memorandum Circular No. 1, s. 2016 provides that all agencies are required to submit to the PCOO the Agency Information Inventory and the accomplished quarterly FOI Registry starting March 2017;

WHEREAS, the FOI Inventory and FOI Registry templates have been reviewed and simplified for convenience in accomplishing the reports;

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NOW, THEREFORE, in consideration of the foregoing, strict observance to the following are hereby ordered:

Section 1. Agency Information Inventory. The Agency Information Inventory is a master list of all information recorded, stored, kept in or under the control and custody of a 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.

The revised and simplified Agency Information Inventory shall be submitted **annually** and shall contain the following data:

Data	Description
Agency abbreviation	Abbreviated name of the agency
Agency name	Official name of agency
Title	Title of the information
Description	Short description of what the information contains
Online publication	If information is available online (either YES or NO)
File format	Available file types/formats of the information (<i>ie.</i> , CSV, XLS, SHP, KML, TXT, PDF, DOC, PNG, JPEG, etc.)
Location or URL	URL of information if available online; otherwise, indicate physical location
Disclosure	Level of disclosure of information, whether: <ul style="list-style-type: none"> - Public: available for public consumption; - Exception: information is covered by the Exceptions list; - Internal: information is for agency consumption only and cannot be disclosed to the public; - With fee: information can be disclosed but with corresponding charges based on agency's mandate/policies/business model; and, - Limited: information can be disclosed to specific person/s and/or entity/ies upon verification of requesting party's identity.
Original data owner	Agency or office who processed the data
Data maintainer	Specific unit under the agency/office who is responsible for the data
Date released	Date when information was/is initially released (YYYY-MM-DD)
Frequency of update	If information is regularly published, whether daily, weekly, monthly, quarterly, biannually, or annually

Section 2. FOI Quarterly Registry. The FOI Registry is a log of all FOI requests—both in standard and electronic—received by an agency for the specific quarter covered by the submission. The Registry, to be managed by the FOI Receiving Officers (FRO), will be

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the basis for measuring agency performance and compliance on the FOI program implementation.

The revised and simplified FOI Registry shall be submitted **quarterly** and shall contain the following data:

Data	Description
Year-Quarter	Year and quarter of report coverage
Tracking Number	Internal FOI tracking number or the one indicated in the electronic FOI (eFOI) portal
Request type	Either eFOI (if through the eFOI portal) or standard (if paper-based)
Date received	Date the request was lodged by the requesting party (YYYY-MM-DD)
Title of request	Title of information being requested
Extension	If the agency requested for extension or additional 20 working days (either YES or NO)
Status	Status of request whether: <ul style="list-style-type: none"> - Successful: information being requested has been provided through the eFOI portal or standard means; - Proactively disclosed: information has already been uploaded via the agency's website even before it was requested; - Partially successful: out of many requests, only a number has been provided by the agency; - Info under exceptions: request has been denied since it is covered by the Exceptions list; - Info not maintained: request has been denied since it is not handled, maintained, or stored by the agency - Invalid request: request is a question, not an actionable item, or is not a request for information - Closed: the requesting party failed to provide the information needed for clarification within 60 calendar days - Pending: request submitted by the requesting party but not yet acknowledged by the FOI Receiving Officer - Accepted: request acknowledged by the FOI Receiving Officer and forwarded to the FOI Decision Maker concerned - Awaiting clarification: request has been returned to the requesting party for clarification or for additional information - Processing: request has been received by the Decision Maker and is currently being processed

Date finished	Date the request was processed/finished by the agency (YYYY-MM-DD); if not yet processed/finished, indicate ONGOING
Days lapsed	Number of days lapsed facilitating the request
Cost	Fees paid by the requesting party to facilitate the request; if none, indicate FREE
Appeal/s filed	If the requesting party or any other citizen filed an appeal for the specific request (either YES or NO)
Remarks	Additional details about the request

Section 3. FOI Quarterly Summary. The FOI Registry shall be accompanied with the FOI Quarterly Summary which outlines the quantitative performance of the agency. The Summary shall include the total number of requests received by the agency according to the status.

Section 4. Format. All agencies are required to submit the accomplished FOI Reports strictly in **Excel formats (.xls)** based on the templates provided in this link:

www.bit.ly/2018FOIReports

Submissions not compliant to the file format and templates will not be considered.

Section 5. Submission process. All agencies, including those already onboard the eFOI portal, are required to send **soft copy submissions** to foipco@gmail.com based on the following schedule:

FOI Report	Submission Date	
Agency Information Inventory	September 30	
FOI Quarterly Registry	Q1	April 30
	Q2	July 31
FOI Quarterly Summary	Q3	October 30
	Q4	January 31

All soft copy submissions shall be accompanied by an attached cover memo signed by at least an FOI Decision Maker and shall be addressed to:

JOSE RUPERTO MARTIN M. ANDANAR
 Secretary and FOI Champion
 Presidential Communications Operations Office
 Units 103-104, BFB Building, 1575 JP Laurel Street,
 San Miguel, Malacanang, Manila

Hard copy and incomplete submissions will not be considered.

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Section 6. Submission of Certifications. Certifications signed by the head of agency or the FOI Champion may be submitted only for the following reasons:

- a) No updates in the FOI Agency Information Inventory; and/or
- b) No FOI requests received for the period covered.

Section 7. Contact. For questions and/or further clarifications, contact the Freedom of Information Project Management Office at (02) 588-0691 or through the email address indicated in Section 5.

Section 8. Repeal. All orders, issuances, or parts thereof, which are inconsistent with the provisions of this Circular, are hereby repealed or modified accordingly.

Section 9. Effectivity. This Circular shall take effect immediately.

Section 10. Compliance. For your guidance and strict compliance.


JOSE RUPERTO MARTIN M. ANDANAR
Secretary and FOI Champion 

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REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
Malacañang, Manila

FOI – MC No. 001, s. 2019

**FREEDOM OF INFORMATION
MEMORANDUM CIRCULAR**

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

**SUBJECT : GUIDELINES ON THE FREEDOM OF INFORMATION
APPEALS MECHANISM**

WHEREAS, Executive Order (EO) No. 2, s. 2016 was issued by President Rodrigo R. Duterte on 23 July 2016 to operationalize the People's Constitutional Right to Information and the State Policies to full public disclosure and transparency in the public service;

WHEREAS, Section 8 of EO No. 2, s. 2016 instructed all government offices of the Executive Branch to prepare their respective People's Freedom of Information (FOI) Manual which shall include among others the procedure for the administrative appeal of any denial for access to information;

WHEREAS, Memorandum Order (MO) No. 10, s. 2016 designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 2, s. 2016, and all other FOI programs and initiatives including electronic FOI;

WHEREAS, Department Order No. 018, s. 2017, issued by the PCOO, created the Freedom of Information – Project Management Office (FOI-PMO) to exercise the mandate under MO No. 10, s. 2016;

WHEREAS, government offices shall respond to a request as soon as practicable but not exceeding fifteen (15) working days upon receipt thereof, whether to grant or deny access to the information requested. Period to respond may be extended for not more than twenty (20) working days in cases provided under EO No. 2, s. 2016;

WHEREAS, Section 12 of EO No. 2, s. 2016, provides that in case of denial of 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 of the denial in writing. The notice shall clearly set forth the ground/s

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for denial. Failure to notify the requesting party of the action taken within the period provided herein shall be deemed a denial of the request for information;

WHEREAS, pursuant to MO No. 10, s. 2016, the PCOO is mandated to develop programs and mechanisms to enhance the capacity of government agencies to comply with the FOI Programs;

WHEREAS, Section 13 of EO No. 2, s. 2016, provides the remedies in cases of denial of request for access to information, wherein denial of any request for information may be appealed to the person or office next higher in authority. However, while most agencies have formally established their appeals mechanism and designated those in charge to handle appeals, there are still those who do not have a formal appeals mechanism or who have not designated officers who should handle appeals from the denial of request for information;

WHEREAS, Administrative Order No. 22, s. 2011, prescribes for the rules and regulations governing appeals to the Office of the President;

NOW, THEREFORE, for and in consideration of the foregoing, the implementing agencies are encouraged to provide in their FOI Manual the following appeals mechanism for efficiency and uniformity:

Section 1. Creation of Central Appeals and Review Committee (CARC). Implementing agencies are advised to establish a Central Appeals and Review Committee that will exercise the following functions:

- Receive, review, evaluate, and assess the appeal on the denial of the request for information;
- Determine if the appeal was filed within the period provided under EO No. 2, s. 2016;
- Recommend to the head of agency the actions on the appeal filed by the requesting party;
- Ensure that the appeal be decided within thirty (30) working days from the filing of said appeal; and
- Implement the decision of the head of agency regarding the appeal.

Section 2. Composition of CARC. The CARC shall be composed of at least three (3) senior officers with equal or higher rank to the decision maker. The CARC shall review and analyze the grant or denial of request of information and provide expert advice to the head of agency on granting or denying of said request for information.

Section 3. Alternative to CARC. Appeal may be filed to a person or office next higher in authority, if the implementing agency does not establish its CARC or whose decision maker is the head of agency.

Section 4. Procedure of filing an Appeal. The requesting party shall file a written appeal to the CARC, or to the person or office next higher in authority,

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whichever is applicable, within fifteen (15) working days upon receipt of the notice of denial or lapse of the period within which the receiving officer or decision maker should have notified the requesting party of the denial of the request.

Where the decision maker is the head of agency, the requesting party may file its appeal to the department head where said agency/bureau is attached. In case the decision of the department head is unfavorable, the requesting party may file its appeal to the Office of the President.

Section 5. Submission of names to FOI-PMO. All agencies covered by EO No. 2, s. 2016 shall submit names of members of CARC or designated officer/s tasked to handle appeals to the denial of request for access to information to:

FREEDOM OF INFORMATION – PROJECT MANAGEMENT OFFICE
Presidential Communications Operations Office
Atty. Kristian R. Ablan
Assistant Secretary and FOI Program Director
Unit 103, 1575 BFB Building, JP Laurel St.,
San Miguel, Malacañang, Manila

Section 6. Filing of petition/case to proper Courts. The requesting party, upon exhaustion of administrative appeal remedies under AO No. 22, s. 2011, may file the appropriate petition or case to the proper court in accordance with the Rules of Court.

Section 7. Filing of Administrative Case. The requesting party, upon exhaustion of administrative remedies, may file the appropriate administrative case against erring public officials in violation of EO No. 2, s. 2016.

Section 8. Effectivity. This Circular shall take effect immediately.

JAN 31 2019 Manila, Philippines


JOSE RUPERTO MARTIN M. ANDANAR
Secretary and FOI Champion

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REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
Malacañang, Manila

FOI - MC No. 4, s. 2019

**FREEDOM OF INFORMATION
MEMORANDUM CIRCULAR**

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

SUBJECT : **GUIDELINES ON REDACTION AND EXTRACTION OF
INFORMATION BEFORE DISCLOSURE TO THE PUBLIC**

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

WHEREAS, Article III, Section 7 of the 1987 Constitution provides that the right of the people to information on matters of public concern shall be recognized. Access to official 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, shall be afforded the citizen, subject to such limitations as may be provided by law;

WHEREAS, Executive Order (EO) No. 02, s. 2016 was issued by President Rodrigo R. Duterte on 23 July 2016 to operationalize the constitutional mandate of the people's right to information;

WHEREAS, Memorandum Order (MO) No. 10, s. 2016 designated the PCOO as the lead agency in the implementation of EO No. 2, s. 2016, and all other FOI programs and initiatives including electronic FOI;

WHEREAS, Section 3 of EO No. 02, s. 2016 provides that 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;

WHEREAS, Article II, Section 11 of the 1987 Constitution provides that the State values the dignity of every human person and guarantees full respect for human rights;

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WHEREAS, Section 2 of RA No. 10173 or the Data Privacy Act of 2012, provides that it is the policy of the State to protect the fundamental human right of privacy, of communication while ensuring free flow of information to promote innovation and growth. The State recognizes the vital role of information and communications technology in nation-building and its inherent obligation to ensure that personal information in information and communications systems in the government and in the private sector are secured and protected;

WHEREAS, pursuant to National Privacy Commission (NPC) Advisory No. 2017-02, disclosure of Personal Data Sheet (PDS) shall only be allowed when permitted by law. Information in the PDS that relate to the position or function of a government official or employee shall be disclosed. Sensitive Personal Information¹ may only be disclosed if necessary to the declared, specified, and legitimate purpose of the requesting party. Information not necessary to be disclosed or prohibited to be disclosed under existing laws, rules and regulations, shall be redacted before release of information to the requesting party;

WHEREAS, there is a need to guide the information officers of the government agencies in disclosing information through FOI requests to avoid violation of the Data Privacy Act, Code of Conduct and Ethical Standards for Public Officials and Employees, privacy rights of individuals and existing laws, rules and regulations with respect to protection of personal information and disclosure of information;

NOW, THEREFORE, in consideration of the foregoing, this Memorandum Circular (MC) is issued to provide guidelines on how to balance the disclosure of information with the protection of personal information when a document will be disclosed under the Freedom of Information Program in the Executive Branch pursuant to EO No. 2, s. 2016.

SECTION 1. DEFINITION OF TERMS. The following shall be defined as follows:

- a. **FOI officers** – individuals designated as FOI receiving officers and shall include the decision maker/s of an agency.

¹ Section 3 (l) of RA No. 10173, provides that sensitive personal information refers to personal information:

- (1) About an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
- (2) About an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;
- (3) 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
- (4) Specifically established by an executive order or an act of Congress to be kept classified.

For requests made in the standard form, the FOI Receiving Officers (FROs) and FOI Decision Makers (FDMs) shall exercise reasonable diligence in protecting the personal information disclosed in the application form.

Section 2. Access to valid proof of identification (IDs). – FROs, FDMs, and FOI-PMO are allowed access to the IDs uploaded by the requesting parties during the process of signing up in the eFOI portal (Annex A).

They shall advise the requesting parties to refrain from uploading or posting any ID, personal information, or sensitive personal information in the individual request page (*Annex B*), a portion in the eFOI portal which is accessible to the general public that contains the request for information, the agency to which the request is made, and the status of the request.

Those who have access to personal information in the eFOI portal must not disclose the information except when permitted or officially recognized under existing laws, rules or regulations. They shall also exercise reasonable diligence in protecting said personal information against leaks, exposure or unwarranted disclosure which would unduly expose the requesting party to vilification, harassment, or any other wrongful act.

Section 3. Non-compliance. – In case of non-compliance, RA No. 10173, EO No. 02, series of 2016, and other existing laws, rules and regulations shall govern without prejudice to the filing of appropriate action.

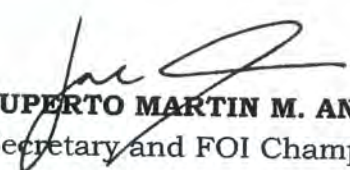
Section 4. Separability Clause. If, for any reason, any part or provision of this Circular is declared invalid or unconstitutional, those parts or provisions not affected shall remain in full force and effect.

Section 5. Repealing Clause. All previous orders, rules and regulations, memoranda, circulars, and issuances or any part thereof inconsistent with the provisions of this Circular are hereby repealed, amended or modified accordingly.

Section 6. Effectivity. This Memorandum Circular shall take effect immediately.

For guidance and strict compliance.

Manila, Philippines, 14th day of July 2021.


JOSE RUPERTO MARTIN M. ANDANAR
Secretary and FOI Champion

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ANNEX A

SIGN UP PAGE OF EFOI PORTAL (www.foi.gov.ph/signup)

foi.gov.ph/signup

Home Browse Requests View Requests Requests History Account Info

Create an account

Browse all participating 520 government agencies

SIGN UP LOGIN

Full Name (Pangalan) *

First Name Last Name

Email Address *

Enter your email address

Password * Confirm Password *

Address (Tirahan) *

Enter your address

Mobile No. * Landline (Telepono) *

0905 123 4567 02 425-2341

Proof of Identity *

Valid IDs includes: SSN, TIN, Passport, PhilHealth, Driver's, Voter's, Student ID, Company ID
(Accepted formats: JPG, PNG)
Maximum file size is 10MB

Upload File

Select an ID

Affiliation

Select an Affiliation

I'm not a robot

reCAPTCHA Privacy - Terms

Create Account

Executive Order No. 2

The executive order on Freedom of Information opens the executive branch along with the agencies below it to the people. It makes government as transparent as ever.

It strengthens the right to information as enshrined in our constitution.

Partners for Change

The executive order of FOI encourages citizen participation when there is engagement, everyone becomes a partner for change. This is the centerpiece of President Duterte's platform on good governance and transparency.

Every Filipino now has public access to information and official records.

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ANNEX B

REQUESTING PARTY'S INDIVIDUAL REQUEST PAGE



To: Presidential Communications Operations Office

Title of the Document (Pangalan ng Dokumento):

ex. The number of reported Dengue cases in the Philippines

Coverage or Time Period (Mga Taon o Panahong Saktaw)

MM/DD/YYYY - MM/DD/YYYY

Intended Purpose of Use (Layunin):

ex. Research and development

Your message:

ex. Hi! I would like to request for information regarding:
1) The number of reported dengue cases in the Philippines from the year 2000 - 2015.
2) The top 10 most affected provinces in country.

I agree to the Terms and Conditions

I'm not a robot



> Send My Request

FOI Request Tips

Everything that you enter on this page, including **your name**, will be **DISPLAYED PUBLICLY** on this website.

Make sure the information you are asking for is not already publicly available.

As much as possible, please be very specific and concise on your requests so we may be able to expedite the process.

Write your request in simple, precise language. Ask for specific documents or information, this site is not suitable for general enquiries. Keep it focused, you'll be more likely to get what you want.

Can I ask information about myself?

Nope, we only publish public government data. Visit our Help Section for more details. If you want to request for private information about yourself, feel free to inquire at your nearest government office.

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

FOI – MC No. 21-03

**FREEDOM OF INFORMATION
MEMORANDUM CIRCULAR**

FOR : **ALL AGENCIES, DEPARTMENTS, BUREAUS, OFFICES
AND INSTRUMENTALITIES OF THE EXECUTIVE
BRANCH, INCLUDING GOVERNMENT-OWNED AND/OR
CONTROLLED CORPORATIONS, STATE UNIVERSITIES
AND COLLEGES, LOCAL WATER DISTRICTS, AND
FREEDOM OF INFORMATION – PROJECT
MANAGEMENT OFFICE PERSONNEL**

SUBJECT : **RETENTION PERIOD OF PERSONAL INFORMATION
AND SENSITIVE PERSONAL INFORMATION GATHERED
THROUGH THE STANDARD FOI REQUEST FORM AND
ELECTRONIC FREEDOM OF INFORMATION (E-FOI)
PORTAL**

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

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

WHEREAS, Executive Order (EO) No. 02, s. 2016, was issued by President Rodrigo R. Duterte on 23 July 2016 to operationalize the People's Constitutional Right to Information and the State Policies to full public disclosure and transparency in the public service;

WHEREAS, Memorandum Order (MO) No. 10, s. 2016, designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 2, s. 2016, and all other Freedom of Information (FOI) programs and initiatives in the Executive Branch, including the electronic FOI (eFOI) platform;

WHEREAS, there are two (2) ways of accessing public information through the FOI Program – the standard FOI (paper-based) request form, and through the eFOI portal (www.foi.gov.ph);

WHEREAS, the standard FOI request form and the eFOI portal, which require the requesting party to divulge his/her sensitive personal information, shall be subjected to the existing rules and regulations of Republic Act No. 10173 or the Data Privacy Act of 2012¹, which prohibits unlawful disclosure of personal information and/or sensitive information. Further, any natural or juridical persons who are storing and processing such information are bound to observe and respect data privacy rights;

WHEREAS, the FOI-Project Management Office (FOI-PMO) abides by the provisions of the Data Privacy Act of 2012, to ensure that personal information and sensitive personal information of the requesting public will be protected.

NOW, THEREFORE, in view of the foregoing and pursuant to the function of the FOI-PMO to develop policies, rules, procedures, and regulations necessary to provide strategic direction in implementing the FOI Program, strict adherence to the following is hereby ordered:

Section 1. SCOPE. – This Memorandum Circular shall apply to **all** personal¹ and sensitive² personal information of the requesting parties obtained by any agency, through the FOI Receiving Officers (FRO) and FOI Decision Maker (FDM), as a requirement to submit a request under the Standard Mode and through the eFOI Portal.

Section 2. RETENTION. – Pursuant to Section 11 of RA 10173³, designated FOI Receiving Officers of all agencies, departments, bureaus, offices and instrumentalities of the Executive Branch, including government-owned

¹ Section 3(g) of Republic Act (RA) No. 10173 defines **Personal Information** as 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.

² Section 3(l) of RA No. 10173 refers **Sensitive Personal Information** as personal information: (1) About an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations; (2) About an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings; (3) 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 (4) Specifically established by an executive order or an act of Congress to be kept classified.

³ RA No. 10173 states that personal information must be, among others, retained only for as long as necessary for the fulfilment of the purpose for which the data was obtained or for legitimate purposes, or as provided by law.

and/or controlled corporations (GOCCs), state universities and colleges (SUCs), and local water districts (LWDs), are hereby directed to retain personal and sensitive personal information only for the fulfillment of the purpose for which these information were obtained in order to secure the privacy of personal information and sensitive personal information of the requesting parties.

Section 3. PERIOD TO RETAIN PERSONAL INFORMATION.⁴ Personal and sensitive personal information processed by government agencies for the purpose of making an FOI request shall be retained for two (2) years. Said information may include but are not limited to:

- i. FOI request forms containing personal and sensitive personal information;
- ii. Valid proof of identification (i.e., Government-issued IDs, school-ID, etc.);
- iii. Personal address; and
- iv. Personal contact numbers.

The FOI-PMO which is the manager and controller of the eFOI portal shall be responsible in handling and retention of personal and sensitive personal information uploaded and processed therein.

Section 4. RECKONING PERIOD. For the *standard mode*, the 2-year retention period shall be counted after the transaction has been closed, whether successful or denied.

For the *eFOI portal*, the 2-year retention period shall be counted from the last login of the requesting party.

Once the 2-year period lapsed, the eFOI system will send a notification to the requesting party via their registered email. The requesting party has the option whether to retain or delete their account permanently. They may retain their credentials by logging in within thirty (30) calendar days, however, failure to do so will prompt the system to delete their personal information with their IDs permanently.

Section 5. DISPOSAL OF PERSONAL INFORMATION. Agencies and FOI-PMO shall discard and dispose all personal and sensitive information in a secure manner that shall prevent further processing, unauthorized access or disclosure to any other party or the public, or prejudice the interests of the requesting party.

⁴Pursuant to National Privacy Commission Advisory Opinion No. 2017-24 on Retention Period of Personal Information, an organization may develop and maintain its own records management policy which provide for retention periods and procedures for disposal of records containing personal data.

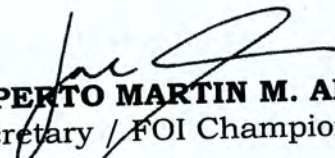
For paper-based documents, agencies and FOI-PMO may discard the personal information by mode of redaction and shredding. The FOI-PMO may also redact the personal and sensitive information gathered through the portal by using the initials of the requesting party instead of his/her complete name.

Section 6. SEPARABILITY CLAUSE. If, for any reason, any part or provision of this Memorandum Circular is declared invalid or unconstitutional, any part or provision not affected thereby shall remain in full force and effect.

Section 7. REPEALING CLAUSE. All previous FOI-PMO and PCOO Circulars, orders, memoranda, and other issuances or parts thereof that are inconsistent with the provisions of this Circular are hereby repealed or modified accordingly.

Section 8. EFFECTIVITY. This Memorandum Circular shall take effect immediately.

Manila, Philippines, 14th day of July 2021.


JOSE RUPERTO MARTIN M. ANDANAR
Secretary / FOI Champion

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