



Republic of the Philippines  
**BATO WATER DISTRICT**  
Rizal St., Libod Poblacion, Bato, Catanduanes  
Email address: [batowatercat@yahoo.com](mailto:batowatercat@yahoo.com)

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**FREEDOM OF  
INFORMATION  
AGENCY MANUAL  
(Updated)**



Republic of the Philippines  
**BATO WATER DISTRICT**  
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Email address: batowatercat@yahoo.com

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## INTRODUCTION

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

This Manual sets the rules and procedures to be followed in dealing with request of information received. It also provides for limitations and remedies available in case of refusal of request for information for public concern directed to Bato WD, provided that it is not within the list of exclusions as provided by law.

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## SECTION 1. OVERVIEW

1. **Purpose** - The purpose of this FOI Manual is to provide a process that will guide and assist the Bato Water District (BWD) in dealing with request of information received under Executive Order (E.O.) No. 2 on Freedom of Information (FOI).
2. **Structure** - This manual shall set out the rules and procedures to be followed by BATO WD when a request for access to information is received. The General Manager is primarily responsible for all actions carried out under this manual. He/she may however, delegate this responsibility to key personnel of the District as may be designated from time to time.
3. **Coverage** - This manual shall cover all requests for information directed to the Bato Water District.
4. **FOI Receiving Officer**- There shall be a designated FOI Receiving Office (FRO) with the assistance of employee from the Commercial Section.

### Contact Information:

#### FOI Receiving Officer

**LINDY T. TORZAR**  
Utilities/Cust. Service Assistant A  
Commercial Section  
0950-886-1929  
[Torzarlindy81@gmail.com](mailto:Torzarlindy81@gmail.com)

**The functions** of the FRO shall include receiving on behalf of the Bato WD all requests for information and forwarding the same to the appropriate office which has custody of the records; monitor all FOI requests and appeals; provides assistance to the FOI Decision Maker: provides assistance and support to the public and staff with regard to FOI; compile statistical data as required; and conduct initial evaluation of the request and advise the requesting party whether the request will be forwarded to the FOI Decision Maker for further evaluation, or deny the request based on:

- a. That the form is incomplete; or
- b. That the information is already disclosed in the BWD's official website, [foi.gov.ph](http://foi.gov.ph) or at [data.gov.ph](http://data.gov.ph)

**5. FOI Decision Maker** - There shall be FOI Decision maker (FDMs) designated by the General Manager and Board of Directors with a rank next to the General Manager due to the size (Category D) of Bato WD, who shall conduct evaluation of the request for information and have the authority to grant the request, or deny based on the following: .

- a. Bato WD does not have the information requested;



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- b. The information requested contains sensitive personal Information protected by the Data Privacy Act of 2012;
  - c. The information requested falls under the list of exceptions of FOI ("Annex D")
  - d. The request is unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by BWD
6. **General Manager** - The General Manager shall evaluate the transmitted completed information for approval or denial of the request and amount of fees to be paid.
  7. **Appeals and Review Committee**- There shall be an appeal and review committee composed of three (3) members of the Board of Directors designated by the Chairman of the Board to review and analyze the grant or denial of request of information. The committee shall also provide expert advice to the General Manager on the denial of such request.
  8. **Approval and Denial of Request to Information**- The Manager shall approve or deny all request of information. In case where the General Manager is on official leave, he/she may delegate such authority to the designated officer-in-charge of the District.

## **SECTION 11. PROTECTION OF RIGHT TO PRIVACY**

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

- a. It shall ensure that personal information, particularly sensitive personal information in its custody or under its control is disclosed only as permitted by existing laws;
- b. It shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks, premature disclosure;
- c. Any employee or official who has access whether authorized or unauthorized to personal information in the custody of the Bato WD, shall not disclose that information except authorized by existing laws.

## **SECTION 111. STANDARD PROCEDURE OF FILING A REQUEST**

1. The requesting party shall comply with the following requirements:
  - a. The request must be filed in writing by using FOI Request form (Annex "B");
  - b. Present valid proof of identification;
  - c. Describe the information requested and the valid reason for or purpose of the request for information.
  - d. The party shall submit all the requirements to the FOI Receiving Officer (FRO)/ Focal Person as follows:



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LINDY T. TORZAR  
Commercial Section  
Bato Water District  
Rizal St., Libod Poblacion, Bato, Catanduanes

e. The request shall be stamped "RECEIVED" by the FRO indicating the date and time of receipt of the written request, and the name, rank, title and position of the employee who actually received the documents, copy furnished to the requesting party. The FRO shall log the receipt of the same.

2. The following steps are to be followed when requesting information: (Annex "B")

- a. The requesting party shall file a written request together with all documentary requirements to FRO. In case the party is unable to make a written request due to illiteracy or being a person with disability, he/she make an oral request, such request shall be transformed into writing by the FRO.
- b. FRO stamps RECEIVED, conducts initial evaluation and submits the request to appropriate division/person in custody of information requested.
- c. Person in charge having the information shall evaluates and processes the request. Submit completed documents to FRO within ten (10) working days from receipt of such request.
- d. FRO submits the complete information to the General Manager for approval or denial of request.
- e. Inform the requesting party of the action on the request.
- f. FRO releases the information.

3. Action on the Request

Upon receipt of the request for information from the FRO, the concerned division or employee having the custody of information/data shall review the nature of request and shall make all the necessary steps to retrieve the information requested.

- a. The FRO shall recommend for approval or denial of request.
- b. The General Manager approves or denies the request, the FRO shall notify the requesting party within ten (10) working days from receipt of the request unless extended. Notice shall be done either via post, personal delivery or in any mode the requesting party may specify.
- c. Release of the document shall be made only after payment of required fees, if any.
- d. Follow up may be directed to the FRO only.
- e. If the information requested requires extensive search or through fortuitous event, the requesting party shall be notified and an extension of longer period may also be necessary.



#### **SECTION IV. REMEDIES IN CASE OF DENIAL**

1. Denial of request may be in whole or in part based on the following grounds:
  - a. The information is not made, received or kept in or not under the custody or control of Bato
  - b. The information is publicly available or already disclosed;
  - c. The information requested contains sensitive personal information protected by Data Privacy Act of 2012;
  - d. The request contains disclosure of confidential information is included in the list of exemptions as provided under EO No. 2;
  - e. The request is an unreasonable subsequent denial or substantially request from the same requesting party whose request has already been previously granted or denied by BWD;
  - f. The documents have been lost or destroyed and therefore can no longer be reproduced;
2. Denial of Request: The FRO shall, within the prescribed period, notify the requesting party in writing. The notice shall clearly set forth the ground/s for denial and the circumstances on which denial is based. Failure to notify the requesting party of the action taken on the request within the period herein provided shall be deemed a denial of the request for information. All denials shall pass through the office of the General Manager or his designated officer.
3. Remedy: A person whose request for access to Information has been denied may avail himself of the remedy set forth below;
  - a. A written appeal must be filed by the same requesting party within fifteen (15) calendar days from the date of notice of denial or from the lapse of the period to respond to the request;
  - b. The appeal shall be decided by the General Manager upon the recommendation of the Appeals and Review Committee within thirty (30) working days from the filing of said written appeal. Failure to decide within the 30-day period shall be deemed a denial of the appeal;
  - c. Upon exhaustion of administrative FOI appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

#### **V. FEES**

1. Request Fee-No fee shall be charged for the acceptance of request for access to information.
2. Reasonable cost of reproduction, copying and/or delivery of the information



The FRO shall immediately the requesting party for the cost of reproduction, copying and/or delivery fee in order to provide the information such fee shall be the actual amount spent by the District in providing the information to the requesting party.

3. Exemption- The BWD may grant exemption in the payment of fee upon request of the party stating the valid reason for such exemption.

The schedule of fees is the following:

| Item# | Service                                                                     |   | Cost/copy |
|-------|-----------------------------------------------------------------------------|---|-----------|
| 1     | Reproduction or photocopy — Long or short                                   | P | 2.00      |
| 2     | Retrieval Fee                                                               | P |           |
|       | a. Documents retrieval within one (1) day                                   |   | 50.00     |
|       | b. Documents retrieval for more than one (1)                                |   | 150.00    |
| 3     | Delivery Charge —Registered mail                                            | P | 60.00     |
| 4     | Appeal of Notice of denial (covers administrative expenses and research fee | P | 200.00    |

## VI. ADMINISTRATIVE LIABILITY

1. Non-Compliance with FOI Failure to comply with the provisions of this Manual shall be found for the following administrative penalties:
  - a. Offense - Reprimand;
  - b. 2<sup>nd</sup> Offense - Suspension of one (1) to thirty (30) days; and
  - c. 3<sup>rd</sup> Offense - Dismissal from the service
2. Procedure- The revised rules on Administrative Case in the Civil Service shall be applicable in the disposition of cases under this Manual
3. Provisions for More Stringent Laws, Rules and Regulations - Nothing in this Manual shall construed to derogate from any law, any rule or regulation prescribed by anybody or agency which provides for more stringent penalties.



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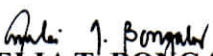
## VII. POSTING & EFFECTIVITY

This FOI Manual shall take effect immediately upon approval of the Board of Directors and shall be posted in Bato Water District website.

## VIII. APPROVAL

This Manual was originally approved and adopted under Board Resolution No. 2, series of 2018 dated January 22, 2018 at Bato, Catanduanes, Philippines. Subsequent updates are hereby incorporated pursuant to FOI Memorandum Circulars issued by the PCOO.

Certified Correct:

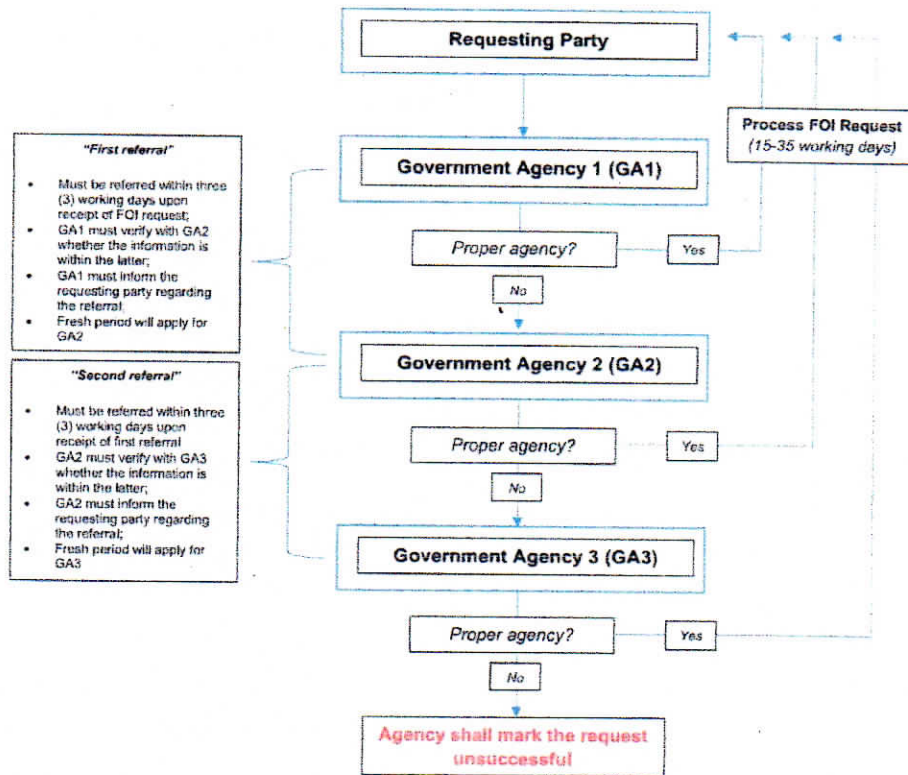
  
**AMELIA T. BONGALOS**  
General Manager





Annex A

**NO WRONG DOOR POLICY FLOWCHART**



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



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ANNEX "B" FOI Request Form

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

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

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

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

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

Address: \_\_\_\_\_

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

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

\_\_\_\_\_

Submitted to: \_\_\_\_\_

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

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

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

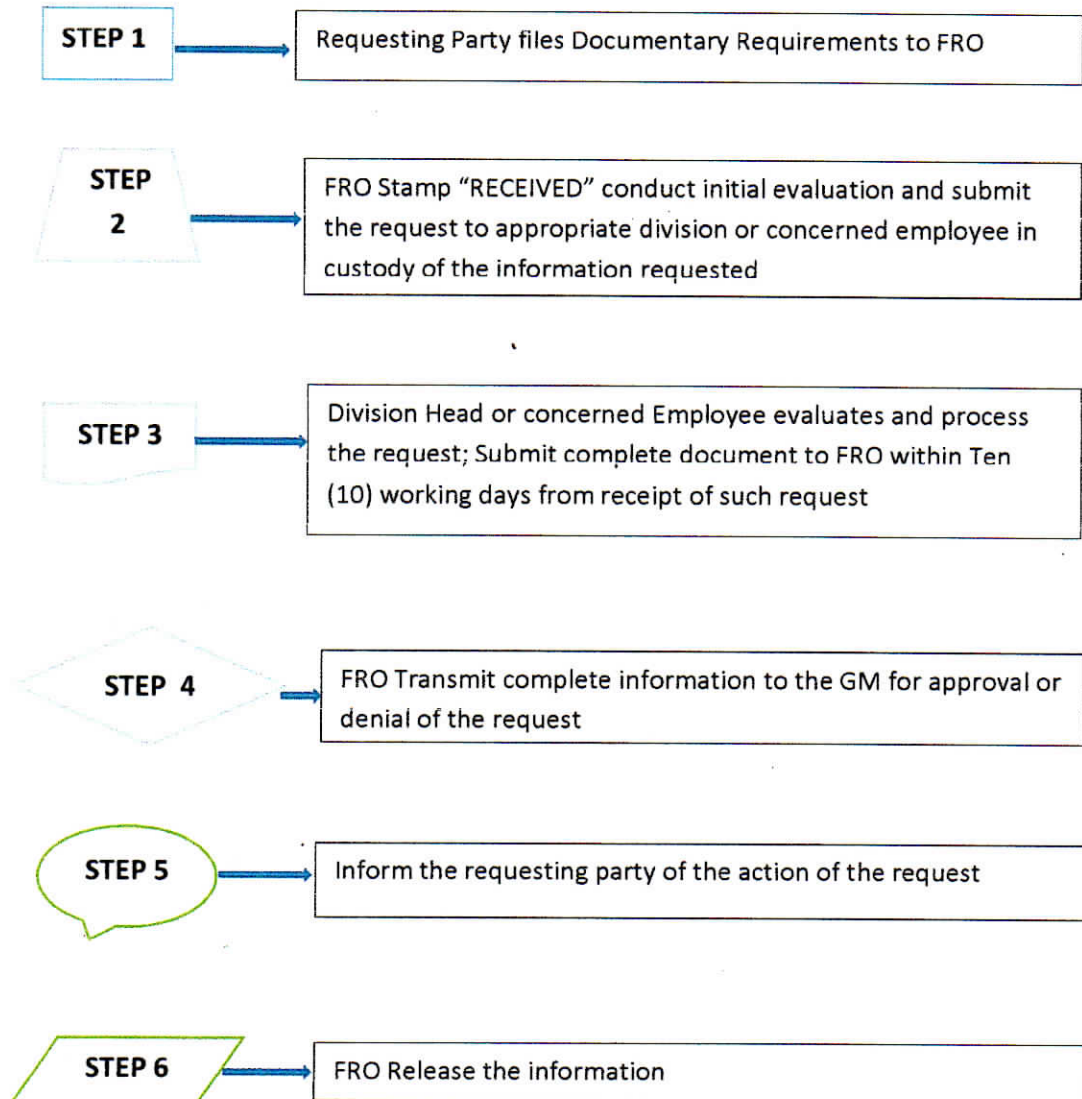
Received by: \_\_\_\_\_

Commercial Section

Remarks: \_\_\_\_\_



**ANNEX "C" STEPS IN REQUESTING INFORMATION**





Republic of the Philippines  
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**Annex "D"**  
**Notice of Granting the Request**

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

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

Greetings!

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

**Information Requested :**

You asked for

\_\_\_\_\_

**Response to your request:**

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

Thank you.

Very truly yours,

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



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

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

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

Greetings!

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

**Information Requested:**

You asked for

\_\_\_\_\_

Response to your request:

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

Thank you,

Very truly yours,

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



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**ANNEX "F"**  
**Notice of Denial**

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

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

Greetings!

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

**Information Requested:**

You asked for

\_\_\_\_\_

**Response to your request:**

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

Thank you,

Very truly yours,

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



Republic of the Philippines  
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**ANNEX "G"**  
**Notice of Final Decision**

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

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

Greetings!

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

**Information Requested:**

You asked for

\_\_\_\_\_

**Response to your request:**

The Bato Water District is pleased to inform you that your request is granted.

Thank you,

Very truly yours,

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



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

**FOI MEMORANDUM CIRCULAR NO. 22-01**

**FREEDOM OF INFORMATION  
MEMORANDUM CIRCULAR**

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

**SUBJECT : FREEDOM OF INFORMATION (FOI) PROGRAM  
CRITERIA AND VALIDATION PROCESS FOR THE  
ELIGIBILITY TO FISCAL YEAR 2022 PERFORMANCE-  
BASED BONUS (PBB)**

**WHEREAS**, Executive Order (EO) No. 2, series of 2016, was issued by President Rodrigo R. Duterte on 23 July 2016 to operationalize the People's Constitutional 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 within 120 days from its effectivity;

**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 the electronic FOI (eFOI), in the Executive Branch;

**WHEREAS**, Department Order No. 18 (s. 2017) created the FOI-Project Management Office (FOI-PMO) to exercise the mandate of the PCOO under MO No. 10 (s. 2016), pursuant to EO No. 2 (s. 2016);

**WHEREAS**, FOI Memorandum Circular (MC) No. 01 (s. 2018) instructed all government offices under the Executive Branch to submit their FOI Report (Agency Information Inventory, FOI Quarterly Registry, and FOI Quarterly





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Summary);

**WHEREAS**, FOI MC No. 3 (s. 2017) required all government offices under the Executive Branch to enroll in, and be onboard to, the eFOI program ([www.foi.gov.ph](http://www.foi.gov.ph)) to ensure public convenience in requesting for information from the different agencies under the Executive Branch;

**WHEREAS**, FOI MC No. 1 (s. 2020) recommended that all government offices produce a One-Page FOI Manual, based on the template provided for by the FOI-PMO, and make the same available to the public for each government office;

**WHEREAS**, the FOI-PMO rolled-out the FOI Assessment Tool, entitled the "Assessing Information Disclosure Practices for FOI (AID-FOI) Compliance Tool", in 2019 to determine the capacity and performance of agencies to comply with the FOI Program and their ability to respond to information requests;

**WHEREAS**, the FOI-PMO aims to generate verifiable data to determine the efficiency and effectiveness of the implementing agencies' compliance to the FOI Program through an FOI Request Feedback Report to be included in the FOI Report;

**WHEREAS**, Administrative Order (AO) No. 25 (s. 2011) created the Inter- Agency Task Force on the Harmonization of National Government Performance Monitoring, Information, and Reporting System (Task Force AO 25), 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 the design of a government executive information system;

**WHEREAS**, Section 5 of EO No. 201 (s. 2016) provides that Task Force AO 25 shall prescribe the conditions for eligibility, and the procedures for the grant, of the enhanced Performance-Based Bonus (PBB);

**WHEREAS**, Task Force AO 25 issued MC No. 2022-1, which provides for the guidelines for the grant of the PBB for Fiscal Year (FY) 2022 under EO No. 80 (s. 2012), and EO No. 201 (s. 2016);

**WHEREAS**, Section 5 (c) of MC No. 2022-1, under Agency Accountabilities, provides that agencies covered by EO No. 2 (s. 2016) must comply with the set of FOI Program requirements. Compliance with these requirements, will be used as one of the bases in determining the eligibility of responsible units and individuals.

**NOW, THEREFORE**, in consideration of the foregoing, strict adherence to the following is hereby ordered:

*Page 2 of 5/FOI MC\_PBB FY 2022/s2022*



**Section 1. Scope.** This FOI MC shall cover all Government Offices under the Executive Branch, including but not limited to the national government and all its offices, departments, bureaus, offices, and instrumentalities, including government-owned or -controlled corporations (GOCCs), local water districts (LWDs), and state universities and colleges (SUCs), pursuant to Section 2 of EO No. 2 (s. 2016).

**Section 2. Validation Process.** Covered agencies shall accomplish the validation form through the link "[bit.ly/2022FOIPBB](http://bit.ly/2022FOIPBB)," starting 1 January 2023 and to be submitted on or before the deadline prescribed in Section 4 of this Circular.

The agency shall provide the following details in the validation form:

- a) Name of Agency;
- b) Head of Agency and Designation;
- c) Office Address;
- d) FOI Receiving Officer/Focal Person and Designation;
- e) Contact Details of FOI Receiving Officer/Focal Person;
- f) Direct hyperlink to the following uploaded requirements in the Transparency Seal page:
  - i. Updated People's FOI Manual (including new designated list of FOI Receiving Officer/s with corresponding contact details) duly signed by the Head of the Agency;
  - ii. Updated One-Page FOI Manual (including the name of FOI Receiving Officer/s with corresponding contact details and the step-by-step procedure of FOI Request in standard paper-based and electronic format);
  - iii. Updated FOI Report (Agency Information Inventory, 2022 FOI Registry, and 2022 FOI Summary Report); and,
  - iv. Link to the agency's dashboard in the electronic FOI (eFOI) portal ([www.foi.gov.ph](http://www.foi.gov.ph)).
- g) Upload the updated accomplished Assessing Information Disclosure Practices for FOI Compliance (AID-FOI) Tool.

**Section 3. Format of Requirements.** Submissions that do not comply with the file format and templates below shall not be considered for validation. However, modifications to said file to reflect agency identity and information shall be allowed.

Agencies with no revision in their existing People's FOI Manual shall retain their existing uploaded manual in their respective Transparency Seal. Further, Agencies shall submit the accomplished FOI Report, strictly in single Excel sheet (.xls) and based on the template provided in the link "[www.bit.ly/2022FOIReports](http://www.bit.ly/2022FOIReports)," to the FOI-PMO and shall incorporate the same in their respective Transparency Seals with the file name "2022 FOI Reports."



All templates (One-page FOI Manual, FOI Reports, Onboarding Form, AID-FOI Tool, and FOI Request Feedback Form) may be downloaded from the link "<<http://bit.ly/2022FOIPBBTEMPLATES>>."

**Section 3. Issuance of Compliance Certificates.** A Certificate of Compliance shall be issued to agencies that have complied with Section 2 of this Circular.

**Section 4. Deadline of Submission.** The FOI-PMO shall commence the validation process on the following dates:

| REQUIREMENTS                                                                                      | DEADLINE                    |
|---------------------------------------------------------------------------------------------------|-----------------------------|
| Updated People's FOI Manual                                                                       | 30 January 2023<br>(Monday) |
| Updated One-Page FOI Manual                                                                       |                             |
| Updated FOI Report (Agency Information Inventory, 2022 FOI Registry, and 2022 FOI Summary Report) |                             |
| Onboarding to the eFOI portal ( <a href="http://www.foi.gov.ph">www.foi.gov.ph</a> )              |                             |
| Updated Accomplished AID-FOI Tool                                                                 |                             |
| FOI Feedback Report                                                                               |                             |

**Section 5. Non-compliance.** The FOI-PMO shall issue in March 2023 a list of agencies who failed to comply with the requirements and deadlines prescribed by this Circular.

These agencies may file a request for reconsideration, through a letter from its head of agency, addressed to the FOI-PMO.

The said request shall contain justifiable reasons, which must be factors beyond the agency's control, along with documents pertinent to the matter.

**Section 6. Contact Information.** Concerned agencies may reach the FOI-PMO through the following contact information:

- a. Telephone number: (02) 8711-99-35 ; and
- b. email address: <[foi.pco@gmail.com](mailto:foi.pco@gmail.com)>.

**Section 7. 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.

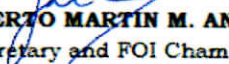


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**Section 8. Repealing Clause.** All orders, rules and regulations, memoranda, circulars, and issuances, or any part thereof, inconsistent with the provisions of this Circular are hereby repealed, amended or modified accordingly.

**Section 9. Effectivity Clause.** This Memorandum Circular shall take effect immediately.

Manila, Philippines, 2<sup>nd</sup> day of May year 2022.

  
**JOSE RUPERTO MARTIN M. ANDANAR**  
Secretary and FOI Champion