



STO. NIÑO WATER DISTRICT

PEOPLE'S FREEDOM OF INFORMATION MANUAL



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Purpose

Pursuant to Section 28, Article II of the 1987 Constitution, the State adopts and implements a policy of full public disclosure off all its transactions involving public interest. This Manual identifies the persons responsible and provides the guidelines to assist the Sto. Niño Water District (SNWD) in dealing with requests of information pursuant to Executive Order (E.O.) No. 2, Series of 2016, on Freedom of Information (FOI).

Executive Order States that:

“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.” (E.O. No.2 Section 3).

Structure of the Manual

This Manual shall set out the rules and procedures to be followed by the Sto. Niño Water District (SNWD) when a request for access to information is received. The General Manager is responsible for all actions carried out under this Manual and act as the Decision Maker (DM), who shall have overall responsibility for the decision on FOI requests, (i.e. to decide whether to release all the records, partially release the records or deny access).



Coverage of the Manual

This Manual shall cover all requests for information directed to the Sto. Niño Water District (SNWD).

FOI Receiving Officer

E.O. No.2 Section 8.b There shall be an FOI Receiving Officer (FRO) designated at Sto. Niño Water District. The functions of the FRO shall include receiving on behalf of the SNWD all requests for information and forward the same to the appropriate office who has custody of the records; monitor all FOI requests and appeals; provide assistance to the FOI Decision Maker; provide assistance and support to the public and staff with regard to FOI; compile statistical information 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 That the form is incomplete.

Exceptions to Access to Information

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



FOI Decision Maker

The General Manager of SNWD shall conduct evaluation of the request for information and has the authority to grant the request, or deny it based on the following:

- a. The SNWD does not have the information requested;
- b. The information requested contains sensitive personal information protected by the Data Privacy Act of 2012;
- c. The request is an unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by the SNWD.

Protection of privacy

While providing access to information, public records, and official records, SNWD shall afford full protection to the right to privacy of its employees as follows:

- a. SNWD 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 the existing law, rules or regulations;
- b. SNWD must protect personal information in its custody or control by making reasonable security arrangements against leaks or premature disclosure of personal information which unduly exposes the individual whose personal information is requested, to vilification, harassment or any other wrongful acts.
- c. Any employee, manager of SNWD who has access, authorized or unauthorized, to personal information in the custody of the office, must not disclose any information except when authorized under EO No.2 or pursuant to existing laws, rules and regulation.



Denial of Request to Information

Denial of any request for access to information may be appealed to SNWD provided, that the written appeal must be filed by the same person making the request within fifteen (15) days from the Notice of Denial was received.

Remedies in case of denial of request for access to information.

E.O. No. 2 Section 13

1. 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 E.O No.2.
2. The appeal of the requesting party shall be decided by the person or office next higher in authority within thirty (30) working days from the filing of said written appeal.
3. Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.



Procedure in filing and processing of request for access to information.

1. Requesting Party shall submit a formal written request letter addressed to the SNWD General Manager through SNWD FOI receiving officer /PACD.
2. The SNWD FRO/PACD will provide the SNWD freedom of Information request form and gives assistance to enable all requesting parties to comply with the request requirements by completely filing out the form. Then the requesting party shall return the same to the FRO/PACD.
3. The request shall be stamped “RECEIVE” upon receiving by the FRO/PACD indicating the name, rank title or position of the FRO/PACD, date and time with corresponding signature. Then a copy will be given to the requesting party and 2nd copy for SNWD to establish a system to trace the status of all requests.
4. Then the FRO/PACD will endorse the FOI request form to the Office of the General Manager for further verification/evaluation whether to issue office order to deny or grant the said request.
 - a.) The General Manager, Decision Maker (DM) will issue an Office Order directing concerned officer where data is available within the scope of Sto. Niño Water District (SNWD).
 - b.) The SNWD shall respond to the request not exceeding fifteen (15) working days from receipt thereof. If the request needs extension, designated officer will prepare Notice of Extension Letter Sec. 9 (e). extension should not be more than twenty (20) working days from the end of original period.
 - c.) If the Decision Maker (DM) decides to deny the request, the designated officer will notify the requesting party signed by the General Manager. This should be done with-in fifteen (15) working days from the receipt of the request.
 - d.) Once a decision is made to grant the request, the requesting party shall be notified by designated officer the availability of the request.
 - e.) Releasing of requested documents.



SNWD FOI Requested Information

All information that SNWD releases in line with FOI requests will be one (1) hard copy only and should be watermarked as “Certified True Copy” produced through Freedom of Information request.

All other copies of same information that do not bear the watermark will not be honoured. The requested information will only be honoured and used according to the purpose stipulated in the request form.

Schedule of Fees

1. No Request Fee. NSWD shall not charge any fee for accepting requests for access to information.
2. No Processing and Production Fee. The FRO/PACD will provide 1 hard copy only of the information. The Requesting Party is already responsible for the reproduction of the information.

Commitment

The Sto. Niño Water District (SNWD) commits to deliver results, be accountable, work as a team, continuously improve and grow, communicate effectively in accordance for the implementation of this Freedom of Information (FOI) Manual.



Effectivity

The Sto. Niño Water District Freedom of Information (FOI) Manual will take effect upon the approval of the SNWD Board of Directors.

Acronyms and Definition of terms

E.O.	-	Executive Order
FOI	-	Freedom of Information
SNWD	-	Sto. Niño Water District
GM	-	General Manager
DM	-	Decision Maker
FRO	-	Freedom of Information Receiving Officer
PACD	-	Public Assistance and Complaints Desk

1987 Constitution – (Saligang batas ng pilipinas o Kunstitusyon ng Pilipinas) is the constitution or supreme law of the Republic of the Philippines. Its final draft was completed by the Constitutional Commission on October 12, 1986 and was ratified by a nationwide Plebiscite on February 2, 1987.

Purpose - the reason for which something is done or created or for which something exists.

Manual - a book of instructions, especially for operating a machine or learning a subject; a handbook.

Information - facts provided or learned about something or someone.

Freedom - the power or right to act, speak, or think as one wants without hindrance or restraint.

Exceptions - a person or thing that is excluded from a general statement or does not follow a rule.

Denial - the refusal of something requested or desired.

Remedies – a way of dealing with a problem or making a bad situation better.

Procedures - an established or official way of doing something.

Process - a series of actions or steps taken in order to achieve a particular end.

Commitment - the state or quality of being dedicated to a cause, activity, etc.

Effectivity - power to be effective; the quality of being able to bring about an effect



FREEDOM OF INFORMATION (FOI) REQUEST FORM

A. REQUESTING PARTY

1. FULLNAME

SURNAME	FIRSTNAME	MIDDLENAME	EXTENSION

2. COMPLETE ADDRESS

HOUSE/BLOCK/LOT NO.	STREET	BRGY.	CITY/MUN.	POSTAL CODE

3. CONTACT INFORMATION

LANDLINE	MOBILE NO.	EMAIL ADDRESS

4. EVIDENCE OF AUTHORITY/ PROOF OF IDENTITY (Please attach photocopy of valid ID).

PASSPORT NO.	DRIVERS LICENSE NO.	PRC LICENSE NO.	OTHER VALID ID

B.

TITLE OF REQUESTED DOCUMENT/INFORMATION

PURPOSE OF THE REQUEST

OTHER RELEVANT INFORMATION

C. DECLARATION

I declare and certify that the information provided in this form is complete and correct. I am aware that the record/s and /or information requested be used other than what is stated above I shall be legally held liable. I bind myself to use the requested information only for the specific purpose stated and subject to such condition prescribed by SNWD. I understand that the SNWD may collect, use and disclose personal information contained in this request.

Signature over printed name

Date

Name of SNWD FOI Receiving Officer :	
Signature :	
Date/Time Receive :	

Note: The cost of reproduction of the document/s is subject to the applicable fees as prescribed by SNWD Board.

NOTICE OF DENIAL TO ACCESS INFORMATION



We would like to inform that your request to access information titled _____

_____ with Request no. _____.

Is denied due to the following exceptions.

E.O. No. 2 Section 4. Access to information shall be denied when the information falls under any of the exceptions enshrined in the Constitution, existing laws or jurisprudence.

E.O. No. 2 Section 11. The SNWD shall not be required to act upon unreasonable subsequent identical or substantially similar, request from the same requesting party whose request has already been previously granted or denied by SNWD.

Others: _____

_____.

Sincerely yours,

MR. RENE M. FORMACION
Acting General Manager/ FOI Decision Maker

NOTICE OF EXTENSION OF REQUEST



We would like to inform you that your request to access information titled _____

_____ with Request no. _____.

Is extended for twenty (20) working days counted from the end of the original period. (E.O. No.2 Section 9 (e)).

Reason for extension: _____

_____.

Sincerely yours,

MR. RENE M. FORMACION
Acting General Manager/ FOI Decision Maker

NOTICE OF AVAILABILITY OF REQUEST



This pertains to your request to access information with request no. _____. Dated _____

We would like to inform you the availability of your request to access information titled _____

is available to NSWDC office for pick-up on _____ during office hours only.

Sincerely yours,

MR. RENE M. FORMACION
Acting General Manager/ FOI Decision Maker

