



**BALANGA WATER DISTRICT**

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# **Agency Freedom of Information Manual**

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<b>SECTION 1: OVERVIEW</b> .....	4
1. Purpose.....	4
2. Structure of the Manual.....	4
3. Coverage of the Manual.....	4
4. FOI Receiving Officer.....	4
5. FOI Decision Maker.....	4
6. Central Appeals and Review Committee.....	5
7. Approval and Denial of Request to Information.....	5
SECTION 2: DEFINITION OF TERMS.....	5
SECTION 3. PROTECTION OF PRIVACY.....	9
SECTION 4. STANDARD PROCEDURE.....	9
1. Receipt of Request for Information.....	9
2. Initial Evaluation.....	10
2.1. Request relating to more than one office under the Balanga Water District (BLWD):.....	10
2.2. Requested information is not in the custody of the Balanga Water District (BLWD) or any of its offices:.....	11
2.3. Requested information is already posted and available on-line.....	11
2.4. Requested information is substantially similar or identical to the previous request.....	11
3. Transmittal of Request by the FRO to the FDM.....	11
4. Role of FDM in processing the request.....	11
5. Role of FRO to transmit the information to the requesting party.....	12
6. Request for an Extension of Time.....	12
7. Notice to the Requesting Party of the Approval/Denial of the Request.....	12
8. Approval of Request.....	12
9. Denial of Request.....	13
SECTION 5. REMEDIES IN CASE OF DENIAL.....	13
SECTION 6. REQUEST TRACKING SYSTEM.....	13
SECTION 7. FEES.....	14

SECTION 8. ADMINISTRATIVE LIABILITY .....	14
ANNEXES .....	15
ANNEX A (FOI FAQs).....	16
ANNEX B (Executive Order No. 02) .....	19
ANNEX C (FOI Receiving Officers of the Balanga Water District) .....	25
ANNEX D (List of Exceptions to FOI) .....	26
ANNEX E (Flow Chart).....	37
ANNEX F (FOI Request Form).....	40

## SECTION 1: OVERVIEW

1. **Purpose:** The purpose of this FOI Manual (Manual) is to provide the process to guide and assist the Balanga Water District (BLWD) in dealing with requests of information received under Executive Order (E.O.) No. 2, Series of 2016, on Freedom of Information (FOI). (**Annex "B"**)
2. **Structure of the Manual:** This Manual shall set out the rules and procedures to be followed by the Balanga Water District (BLWD) when a request for access to information is received. The Balanga Water District (BLWD) Head is responsible for all actions carried out under this Manual and may delegate this responsibility Head and /or to the concerned Department Head of the BLWD. The BLWD Head may delegate a specific officer to act as the Decision Maker (DM), who shall have overall responsibility for the initial decision on FOI requests, (i.e. to decide whether to release all the records, partially release the records or deny access).
3. **Coverage of the Manual:** The Manual shall cover all requests for information directed to the BLWD.
4. **FOI Receiving Officer:** There shall be an FOI Receiving Officer (FRO) designated at the Balanga Water District (BLWD). The FRO shall preferably come from the Public Assistance or Information Office, or its equivalent, of the BLWD. The FRO shall hold office at the Admin Department of BLWD.

The functions of the FRO shall include receiving on behalf of the BLWD 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:

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

Local offices of the BLWD shall assign their respective FROs. (**Annex "C"**)

5. **FOI Decision Maker:** There shall be an FOI Decision Maker (FDM), designated by the Balanga Water District (BLWD) Head, with a rank of not lower than a Division Chief or its equivalent, who 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 BLWD does not have the information requested;
  - 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 to FOI; or
  - d. 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 BLWD.
6. **Central Appeals and Review Committee:** There shall be a central appeals and review committee composed of three (3) officials with a rank not lower than a Director or its equivalent, designated by the Head of the BLWD to review and analyze the grant or denial of request of information. The Committee shall also provide expert advice to the BLWD Head on the denial of such request.
7. **Approval and Denial of Request to Information:** The Decision Maker shall approve or deny all request of information. In case where the Decision Maker is on official leave, the Head of the BLWD may delegate such authority to his Chief of Staff or any Officer not below the rank of a Director.

## **SECTION 2: DEFINITION OF TERMS**

**CONSULTATION.** When a government office locates a record that contains information of interest to another office, it will ask for the views of that other agency on the disclosability of the records before any final determination is made. This process is called a "consultation."

**data.gov.ph.** The Open Data website that serves as the government's comprehensive portal for all public government data that is searchable, understandable, and accessible.

**FOI.gov.ph.** The website that serves as the government's comprehensive FOI website for all information on the FOI. Among many other features, FOI.gov.ph provides a central resource for the public to understand the FOI, to locate records that are already available online, and to learn how to make a request for information that is not yet publicly available. FOI.gov.ph also promotes agency accountability for the administration of the FOI by graphically displaying the detailed statistics contained in Annual FOI Reports, so that they can be compared by agency and over time.

**EXCEPTIONS.** Information that should not be released and disclosed in response to a FOI request because they are protected by the Constitution, laws or jurisprudence.