



Catarman Water District

**FREEDOM OF
INFORMATION (FOI)
MANUAL**


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I. OVERVIEW

1. PURPOSE OF THE MANUAL

The purpose of this Freedom of Information Manual (Manual) is to provide the process by which Catarman Water District (CWD) shall deal with requests of information received under Executive Order No. 2, s. 2016 on Freedom of Information (FOI).

2. STRUCTURE OF THE MANUAL

This manual sets out the definition of terms, standard operating procedure, remedies, fees and administrative liability. It also provide for the relevant forms and other annexes

3. COVERAGE OF THE MANUAL

This manual shall cover all request for information directed to the Catarman Water District, as follows

- a. Board of Directors
- b. Office of the General Manager
- c. Office of the Administrative and Finance Section
- d. Office of the Commercial Section
- e. Office of the Technical and Operation Section

4. PERSONNEL ASSISTANCE AND COMPLAINT DESK (PACD)

For purposes of the Manual the PACD shall be the FOI receiving officer, who is located in front of CWD's office. He will assist the requesting party in filling out the request form and endorsed directly to the Administrative Section Head.

5. ADMINISTRATIVE AND FINANCE SECTION HEAD

The Admin Head, if the documents are not in her position, will inform all Section on the request for information, she will request the concern section to produce the documents and endorsed the same to the General Manager for evaluation.

6. GENERAL MANAGER

The General Manager will evaluate the request before recommending to the Board of Directors for approval or denial. The GM can seek the assistance of a legal attorney or from LWUA if the request is in conformance to the existing laws, rules and regulations.

7. BOARD OF DIRECTORS

The Board of Directors will approved or deny the request in a form of a resolution. If the request is denied the BOD will site in the resolution the ground for denial and provide necessary laws, rules and regulations.



II. DEFINITION OF TERMS:

1. **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 recording, magnetic or other tapes, electronic data, computer stored data, 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.

2. **OFFICIAL 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.


3. **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.

4. **PERSONAL INFORMATION** shall refer to any information, whether recorded in a material form or not, from which the identify 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.

5. **SENSITIVE PERSONAL INFORMATION** shall be as defined in the Data Privacy Act of 2012 (Republic Act No. 10173), i.e., personal information:

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

BOARD OF DIRECTORS – Board of Directors is the policy setting and legislative body of the Water Districts. Ensures the availability of adequate financial resources and approves annual budget. The powers and duties of the Board shall be defined in Chapter V of PD 198



GENERAL MANAGER - is an executive who has overall responsibility for managing all the elements of a Water District, usually oversees most or all of the District's functions as well as the day-to-day operations. Frequently, the general manager is responsible for effective planning,

Delegating, coordinating, staffing , organizing, and decision making to attain desirable mission and vision of the Water District.

ADMINISTRATIVE AND FINANCE SERVICES SECTION - Refers to human resource management, property management which will include inventory of all equipment and materials, utility services and other allied services, preparation of financial reports and supervision of all financial functions and administration of financial planning and control.

COMMERCIAL SECTION - refers to the preparation of this as well discusses the actions undertaken by the commercial to improve the marketing, billing and collection, including customer service rendering.

OPERATION and MAINTENANCE SECTION - The Section will tackle on its completed work orders on day to day operation, status of the uncompleted work orders, the new water service connection tapped and metered and details of its regular maintenance activities. The Water Quality of the water supply, report on its water sources/pumping stations, production, maintenance orders, service requests, potable water and preventive maintenance of pumping equipment and water sources.

III. PROMOTION OF OPENNESS IN GOVERNMENT

1. **ACCESS TO INFORMATION:** Catarman Water District recognizes the right of the people to information on matters of public concern, and adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to the procedures and limitations provided in E.O. No. 2. This right is indispensable to the exercise of the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making.

2. **EXCEPTIONS:** Access to information shall be denied when the information falls under any of the exceptions provided by law, such as, but not limited to: (a) Information relating to matters of national security; (b) Sensitive personal information; and (c) Other related information.

3. **PROTECTION OF PRIVACY:** While providing for access to information, CWD shall afford full protection to a person's right to privacy, as follows:

(a) CWD 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) CWD shall protect personal information in its custody or under its control by making reasonable security

arrangements against unauthorized access, leaks or premature disclosure. (c) The FRO, FDM, or any employee or official who has access, whether authorized or unauthorized, to personal

information in the custody of CWD, shall not disclose that information except as authorized by existing laws.

III. STANDARD OPERATING PROCEDURE

1. **Request for Information:** All requests for information must:

(a) Be in writing and be accomplished using the prescribed form;

(b) Provide the full name and contact information of the requesting party including a valid government identification card with photograph and signature; and

(c) Reasonably describe the information requested, and the reason for, or purpose of, the request for information.

The request for information shall be made available at the Catarman Water District office located at Brgy. J.P. Rizal, Catarman, Northern Samar and in the CWD's website address (catarmawaterdistrict.gov.ph).

If the PACD determines that the request is not complete, the PACD shall immediately return it and inform the requesting party to submit the complete form. (Annex B)

2. Manner of Making Request: A request for information shall be made by the requesting party by delivering it personally to the CWD office, by sending it by mail, or by sending it thru electronic email. In case the requesting party is unable to make a written request because of illiteracy or disability, he or she may make an oral request and the PACD shall reduce it into writing. The requesting party shall sign the form.

3. Receipt of Request:

A complete request for information shall be signed and stamped received by the PACD after it has been delivered to him/her by the personnel who actually received the request. The PACD shall indicate the date and time of receipt and the name of the said personnel at the receiving station. Annex C)

For email requests sent on a non-working day, and during non-working hours, receipt shall be at the start of the working hours of the next working day. A confirmation email shall then be sent to the requesting party. For email requests to be considered received:

1. They must be sent to catarmawater@yahoo.com; and

2. An acknowledgement email must be sent to the requesting party within 1 working day

4. Period to Respond:

4.1 The Office of Catarman Water District shall respond to the requesting party within fifteen (15) working days from the date of receipt of the complete request for information/Records.

4.2 A working day is any day other than a Saturday, Sunday, or a day which is declared a national public holiday in the Philippines In computing for the period.



The date of receipt shall be:

1) The date when the request is physically delivered to the Office of Catarman Water District located at Brgy J.P. Rizal, Catarman, Northern Samar.

2) The date when the request is received by mail by the Office of Catarman Water District; or

3) The date when the request is electronically received by the Office of Catarman Water District, provided that, when the request has been emailed to an employee of CWD who is absent and this

has generated an 'out of office' message with instructions on how to re-direct the message to another contact, then it shall be the date when the request electronically delivered to that contact.

4.3 The period may be extended whenever the request requires extensive search of the records of the Office of Catarman Water District. The General Manager shall inform the requesting party of the extension, setting forth the reasons for such extension. **(Annex D)**

In no case shall the extension exceed twenty (15) working days, unless exceptional circumstances warrant a longer period.

5. Transmittal of Request by the PACD to the Admin Head: The PACD shall forward the request for information to the Admin Head within the day from receipt. The PACD shall record the date and time and the name of the receiving person if in case the admin head is not in the office for official business in a record book with the corresponding signature.

6. Transmittal of Request by the Admin Head to the GM: The Admin Head or her authorized representative shall forward the request for information to the GM together with the requested information within two days from receipt or when the request requires extensive search of the records of the Office of Catarman Water District an extended time shall be made. The General Manager shall inform the requesting party of the extension, setting forth the reasons for such extension. **(Annex D)**

7. Response on the Request: Upon receipt of the request for information from the Admin Head, the GM shall assess and evaluate the request before recommending to the Board for approval or denial. Response shall be relayed by the GM to the requesting party through its authorized representative, by mail or by email.

8. Request Relates to More Than One Section: If the GM needs details from different sections, clarification from said sections shall be made.

8.1. Request Needs Clarification: If the GM needs further details to identify or locate the information, clarification from the requesting party shall be made. **(Annex E)**

This shall stop the running of the 15-day period, which will continue to run the day after the required details are received from the requesting party.

9. Approval of Request: The GM will present the request for information together with the requested documents/information to the Board of Directors. The Board of Directors will approved or deny the request in a form of a resolution. If the request is deny the BOD will site in the resolution the ground for denial and provide necessary laws, rules and regulations. The GM

notifies the requesting party through its authorized representative in writing the decision of the BOD. **(Annex F)**

10. **Denial of Request:** No request shall be denied by the Board of Directors unless:

10.1. The reason for the request is contrary to law or rules and regulations **(Annex G)**, or

10.2. The request falls under the exceptions under the Inventory of Exceptions issued by the Office of the President **(Annex H)**. The GM shall notify the requesting party in writing through its

authorized representative, clearly setting forth the ground for denial and the circumstances on which the denial is based.

11. **Requested Information is Substantially Similar or Identical to a Previous Request:** The Catarman Water District shall not be required to act if, upon determination by the General Manager, the requested information is substantially similar or identical to a previous request by the requesting party, whether the same has been granted or denied. The requesting party shall be advised accordingly. **(Annex I)**

12. **Requested Information is Available On-Line:** If the GM determines that the requested information is already available on the CWD website, the requesting party shall be advised accordingly and provided with the website link where the information is posted. **(Annex J)**

13. **Requested Information is not in the Custody of the Catarman Water District:** If the GM determines that the requested information refers to another government agency, the requesting party shall be advised accordingly and coursed through the concerned government agency. **(Annex K)**

14. **If the government agency is not within the coverage of E.O. No. 2,** the requesting party shall be advised accordingly and provided with the contact details of that office, if known. **(Annex L)**

IV. Remedies In Case Of Denial

1. In case of denial of a request for information, the requesting party may appeal to the Board of Directors. The appeal shall be in writing, and shall be filed within fifteen (15) working days from the receipt of notice of denial or from the lapse of the period to respond to the request. The appeal shall be decided within fifteen (15) working days from receipt of the appeal.

2. Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

V. Fees

The Catarman Water District will not charge any fee for accepting requests for information/Records.

VI. Administrative Liability

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

1. 1st Offense - Reprimand
2. 2nd Offense - Suspension of one day to thirty days
3. 3rd Offense - Suspension of one month to six months

4. 4th Offense - Dismissal from the service

FOI Receiving Officer (FRO)- Ms. Corazo C. Cuna

FOI Decision Maker (FDM)- Ms. Marissa F. Bandal

FOI Appellate Authority- GM Guido A. Mollejon

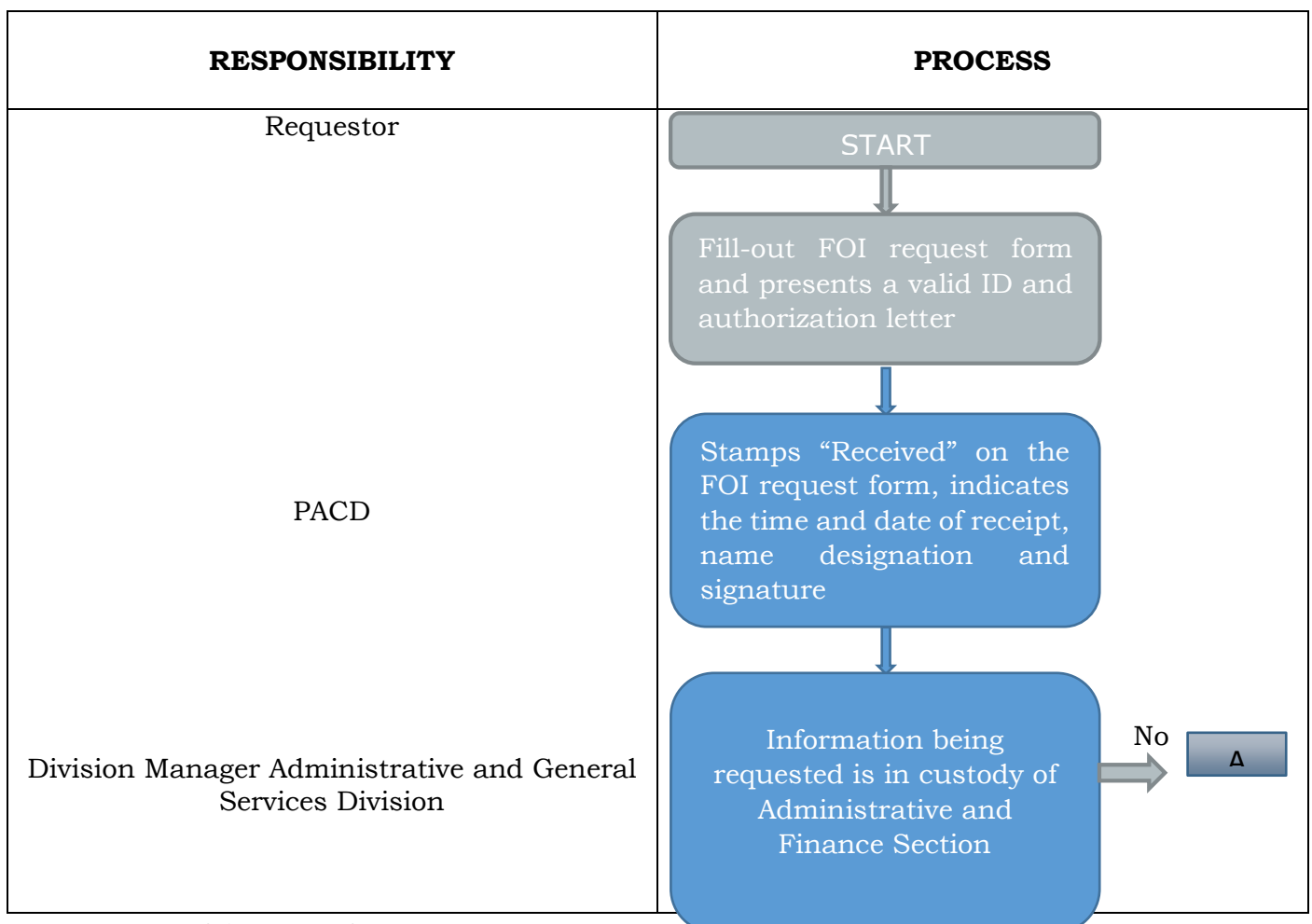
VIII. Process Flow Chart and Work Instructions

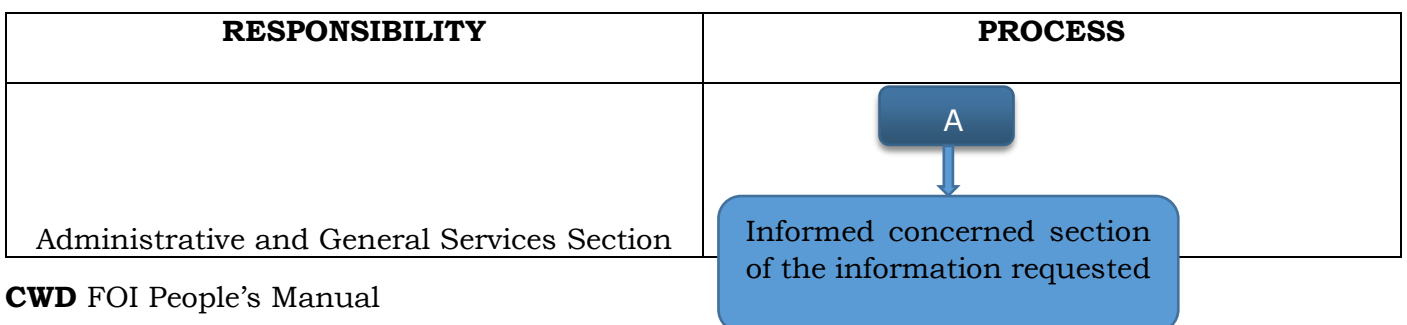
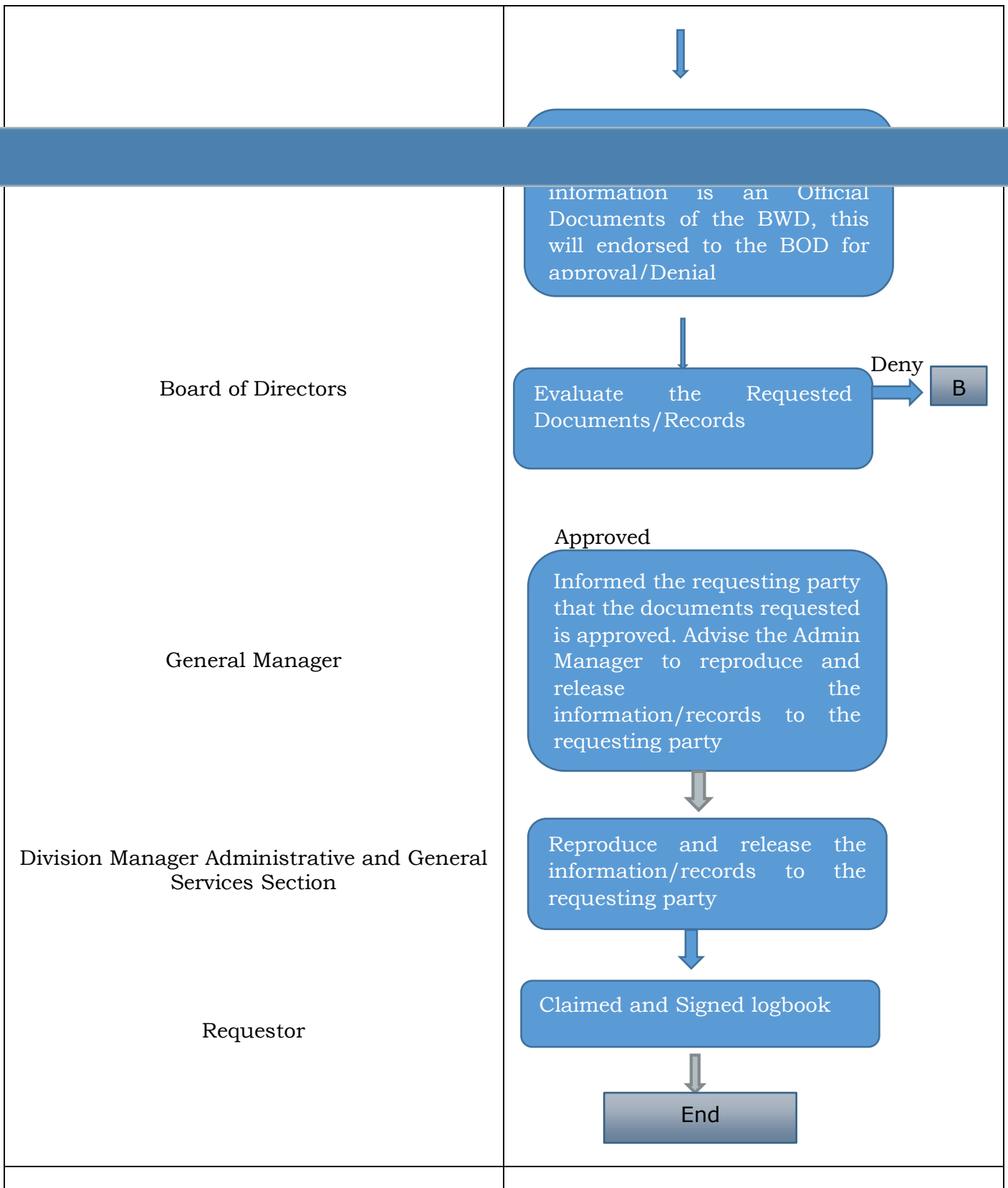
The procedure for Request for Information / Record covers the filing of request for information with the Catarman Water District (FOI Request Forms is available at the PACD located at the entrance of the CWD's office), receipt and evaluation of request, and approval/denial of request.

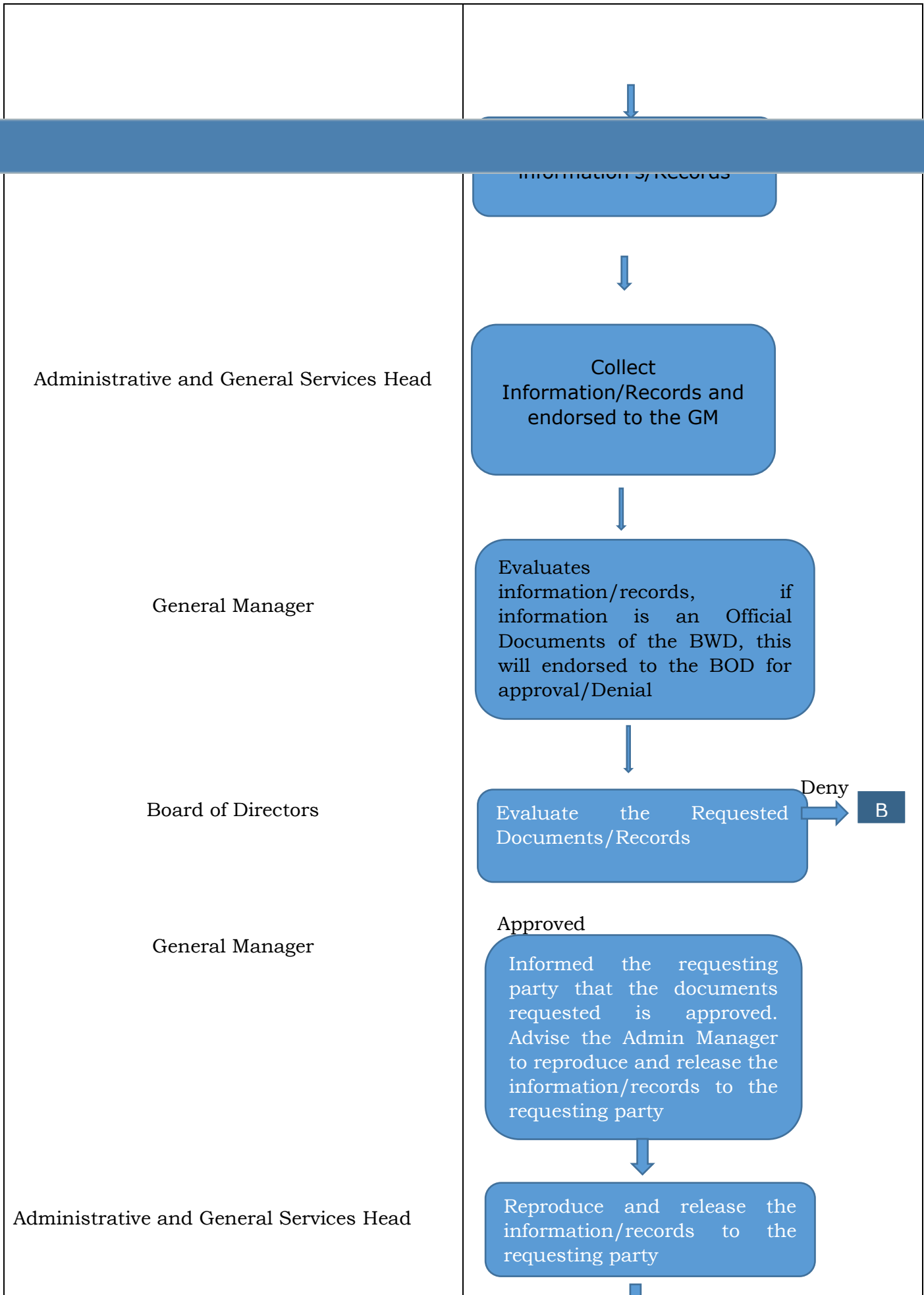
No Fees shall be collected from the requesting party.

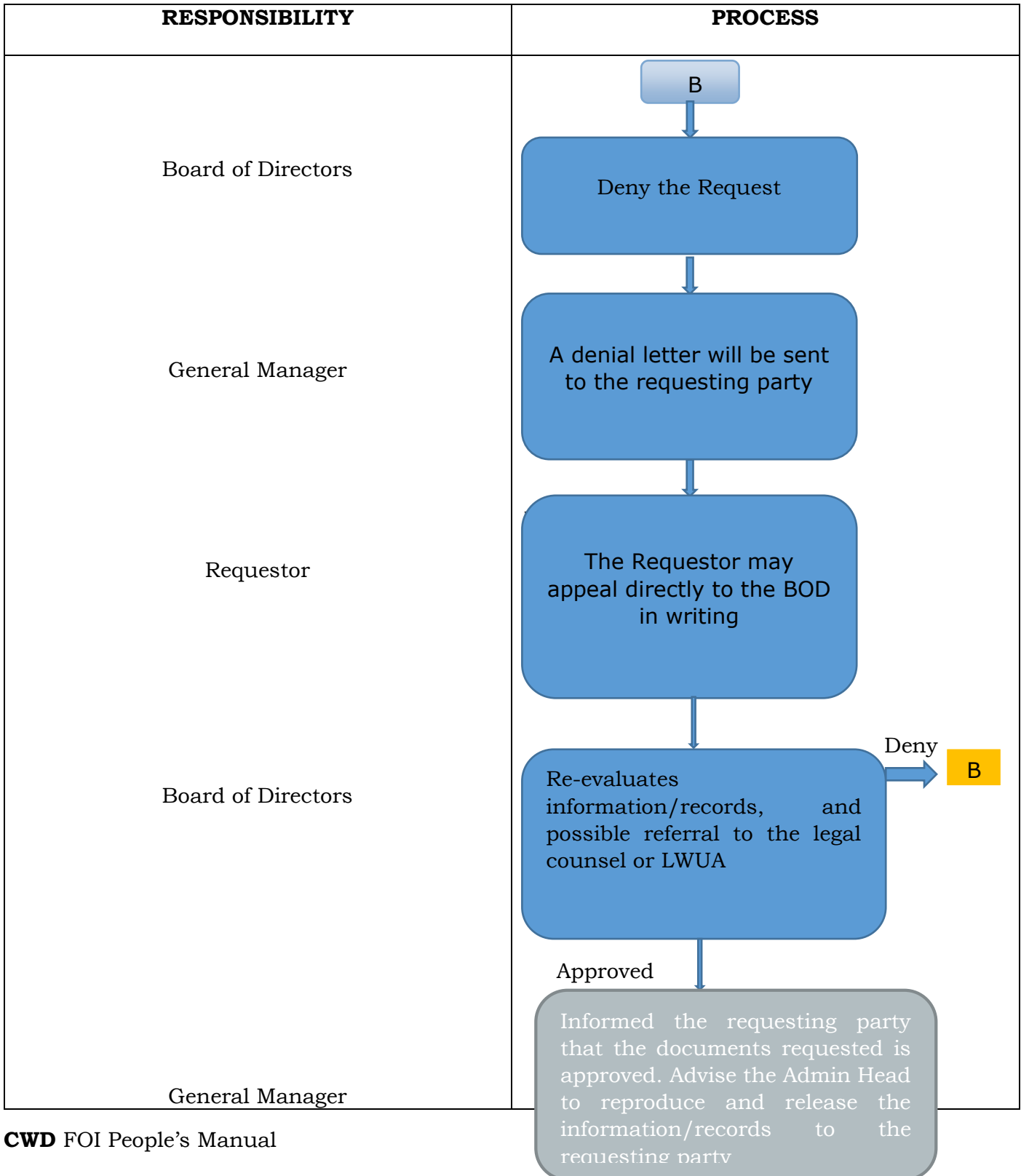
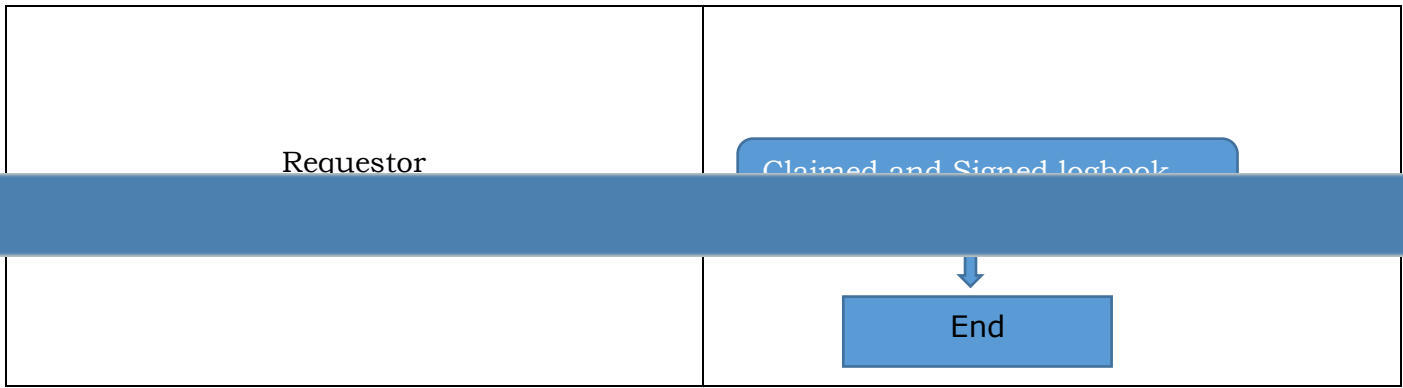
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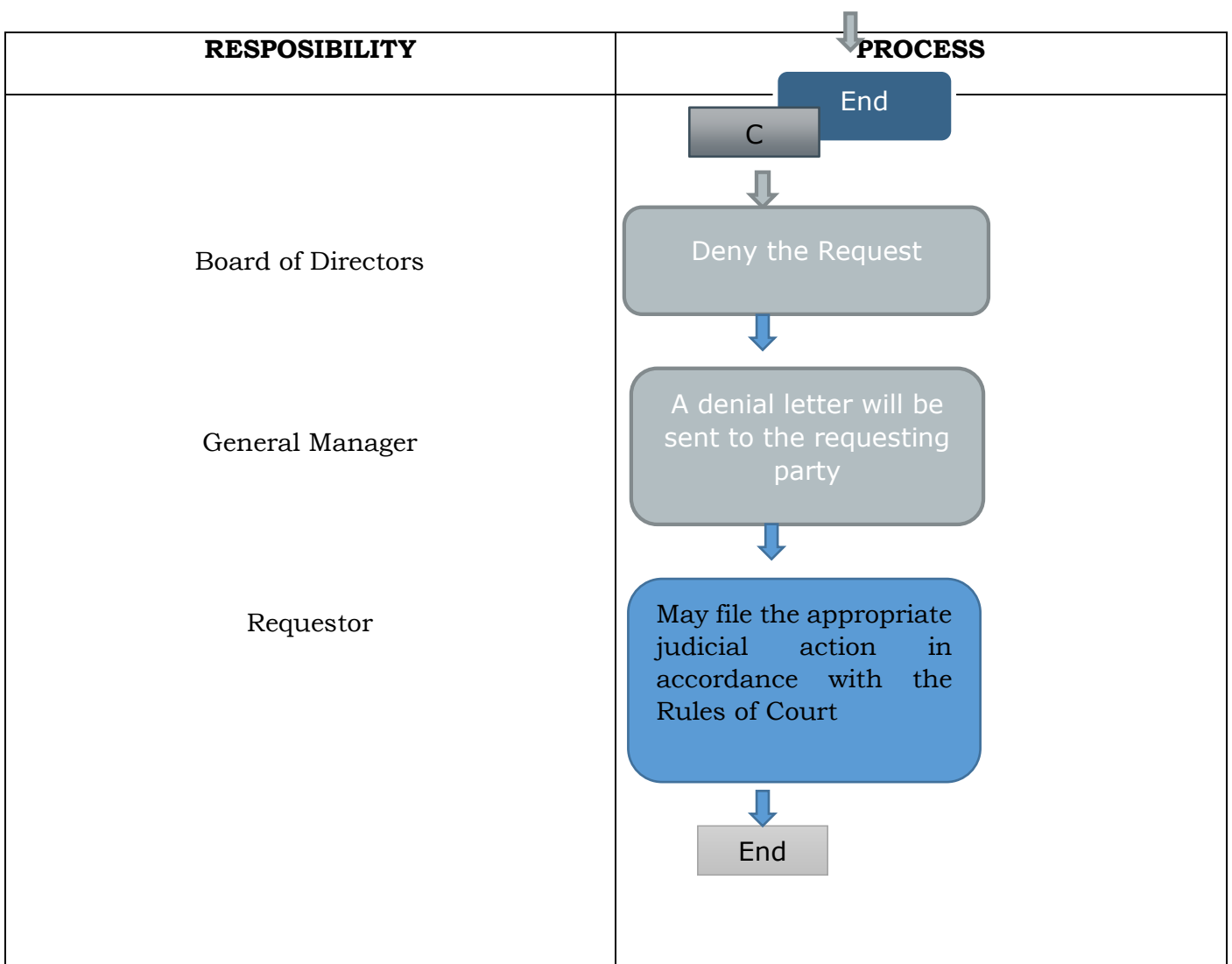
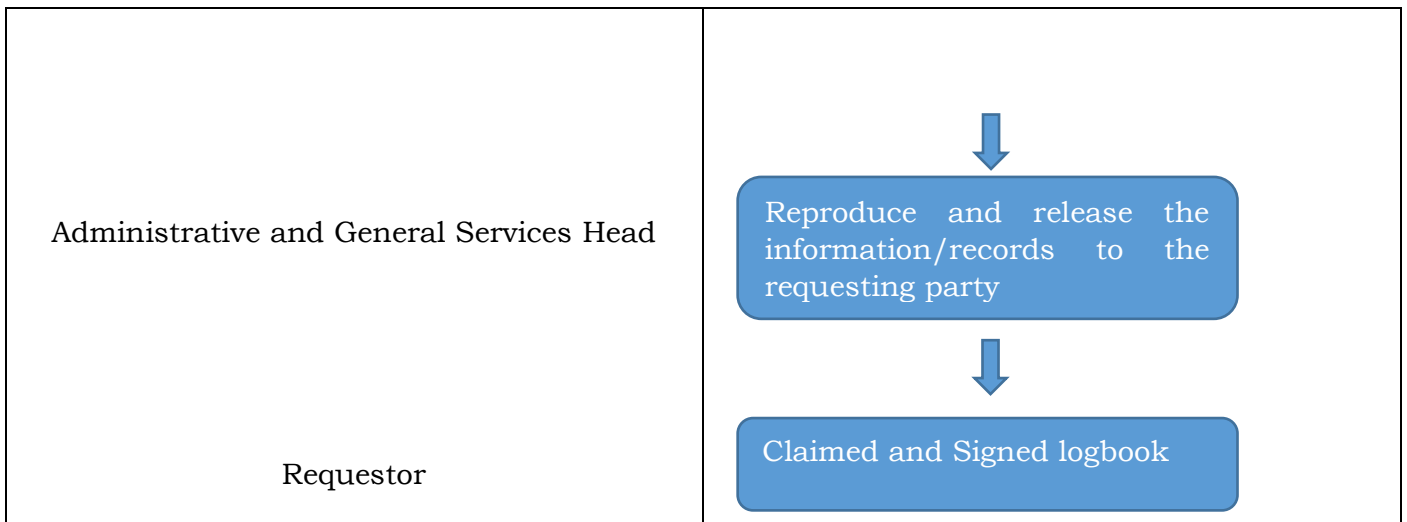
1. Duly accomplished Request Form
2. Valid identification card
3. For representatives, an authorization letter and valid ID











IX. Catarman Water District FOI Annexes

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?

colleges (SUCs).

FOI requests must be sent to the specific agency of interest, to be received by its respective Receiving Officer.

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. 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.

b. 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.

c. The request shall be forwarded to the officials involved to locate the requested information.

d. Once all relevant information is retrieved, officials will check if any exemptions apply, and will recommend appropriate response to the request.

e. If necessary, the head of the agency shall provide clearance to the response.

f. 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 will it take before I get a response?

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 FOI 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 FOI 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 FOI 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 FOI 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

ANNEX "B" FOI REQUEST FORM FOI Request Form

Title of the Documents: _____ Date: _____

Purpose: _____

Name: _____ Contact Nos. _____

Signature: _____ Proof of Identity: _____

Address: _____

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

Submitted to: _____ Date/Time of Submission: _____

Certified by: _____

Type of action conducted: _____

Received by:

Personnel Assistance and Complaint Desk (PACD)

Remarks:

ANNEX "C" FOI RESPONSE TEMPLATE- COMPLETION OF FORM



Republic of the Philippines
Catarman Water District
Catarman N. Samar

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:

After processing your request, we found that you have failed to provide the following necessary details: _____. For the processing of your request, please provide us with the necessary missing details.

Thank you.

Respectfully,

General Manager

ANNEX “D” FOI RESPONSE TEMPLATE – EXTENSION OF PERIOD



Republic of the Philippines
Catarman Water District
Catarman N. Samar

DATE

Dear Mr./Mrs. _____,

Greetings!

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

Information Requested:

You asked for _____.

Response to your request:

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

Thank you.

Respectfully,

General Manager

ANNEX “E” FOI RESPONSE TEMPLATE – CLARIFICATION



Republic of the Philippines
Catarman Water District
Catarman N. Samar

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:

In order to fully process your request, may we ask for the following clarificatory details:
_____.

Thank you.

Respectfully,

General Manager

ANNEX “F” FOI RESPONSE TEMPLATE – APPROVAL



Republic of the Philippines
Catarman Water District
Catarman N. Samar

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 APPROVED. The Catarman Water District will forward the copies of all the requested information to you in accordance to the information you have stated in the FOI request form.

Thank you.

Respectfully,

General Manager

ANNEX "G" FOI RESPONSE TEMPLATE – DENIAL (contrary to law, rules and regulations)



Republic of the Philippines
Catarman Water District
Catarman N. Samar

DATE

Dear Mr./Mrs. _____,

Greetings!

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

Information Requested:

You asked for _____.

Response to your request:

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

Thank you.

Respectfully,

General Manager



Republic of the Philippines
Catarman Water District
Catarman N. Samar

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 falls under the list of exceptions, specifically _____ . If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter to the Board of Directors of Catarman Water District.

Thank you.

Respectfully,

General Manager

ANNEX "I" FOI RESPONSE TEMPLATE – SIMILAR TO PREVIOUS REQUEST



Republic of the Philippines
Catarman Water District
Catarman N. Samar

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 requested information is substantially similar or identical to your previous request dated _____, the Catarman Water District shall not act upon your request. Please be guided accordingly.

Thank you.

Respectfully,

General Manager

ANNEX "J" FOI RESPONSE TEMPLATE – AVAILABLE ONLINE



Republic of the Philippines
Catarman Water District
Catarman N. Samar

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 would like to inform your requested information can be FOUND ONLINE at the website of the Catarman Water District. Your requested information can be found at the following link/s: www.catarmanwaterdistrict.gov.ph

Thank you.

Respectfully,

General Manager



Republic of the Philippines
Catarman Water District
Catarman N. Samar

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 would like to inform you the Catarman Water District is NOT IN POSSESSION of the information you have requested. You may file a request to _____.

Thank you.

Respectfully,

General Manager



Republic of the Philippines
Catarman Water District
Catarman N. Samar

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 would like to inform you the Catarman Water District is NOT IN POSSESSION of the information you have requested. You may file a request to _____ which can properly process your request.

Thank you.

Respectfully,

General Manager



LIST OF EXCEPTIONS

For the guidance of all government offices including GOCC's covered by Executive Order 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. 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 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 and boards or officers, in relation to the performance of their functions or to inquires 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, and rules and regulations.

Pursuant to Section 4 of E.O. 2, the list 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 list of exceptions as the need to do so arises, for circulation.

