



Republic of the Philippines
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Malacañang, Manila

07 July 2017

BERNABE KARLO O. GONZALES III

Chairman

Balamban Water District (BWD)

Aliwanay, Balamban, Cebu

Dear Chairman **GONZALES III**:

Greetings from the PCOO!

Please accept our gratitude to the Balamban Water District (BWD) for complying with the FOI Program and for supporting PCOO initiatives to ensure the smooth implementation of the Program.

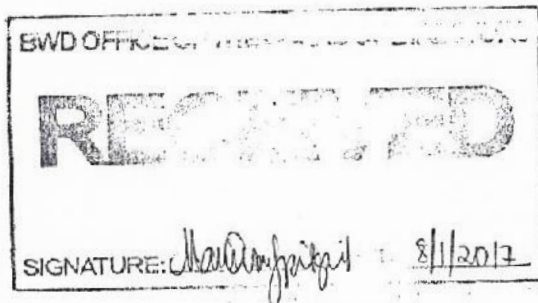
We would like to gladly inform you that, after a thorough review of your FOI Manual, BWD is **FULLY COMPLIANT** with EO No. 2, s. 2016.

Once again, thank you for supporting the FOI Program.

Very truly yours,

ATTY. KRISTIAN R. ABLAN

Assistant Secretary and
FOI Program Director



New Executive Building Jose P. Laurel St., San Miguel, Manila, Philippines

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

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 complete list of the Inventory of Exceptions to Executive Order (EO) No. 2, s. 2016 issued by the Office of the Executive Secretary, you may download the softcopy at bit.ly/foipco.



Republic of the Philippines
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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,

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:

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 