



Circular No. 501
Series of 2017

IMPLEMENTING GUIDELINES ON PEOPLE'S RIGHT TO INFORMATION (EXECUTIVE ORDER NO. 02, s. 2016)

1. RATIONALE

The government recognizes the right of the people to information on matters of public concern. As a result, it adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to the procedures and limitations provided by law. Under Section 7, Article III of the Constitution guarantees the right of the people to information on matters of public concern in recognition of the fundamental role of free and open exchange of information in a democracy, meant to enhance transparency and accountability in government official acts, transactions, or decisions. In this connection, Executive Order No. 02 was issued on 23 July 2016 to operationalize these Constitutional provisions.

Public officials and employees in the performance of their duties under the said E.O. as well as Filipino citizens, in the exercise of their rights must handle information kept or obtained fairly, lawfully and with due regard to the full protection of the right to privacy of individuals.

2. OBJECTIVES

- 2.1 To operationalize in QUEDANCOR the people's constitutional right to information and full public disclosure of all transactions involving public interest, subject to reasonable conditions prescribed by law;
- 2.2 To promote timely delivery and/or retrieval of reliable, processed, or validated data and/or information;
- 2.3 To provide guidance to QUEDANCOR officers and employees responsible for dealing with requests for information under this Act.

3. LEGAL BASIS

- 3.1 Executive Order (EO) No. 02 issued on 23 July 2016 entitled "***Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies of Full Public Disclosure and Transparency in the Public Service and Providing Guidelines Therefor***"; and
- 3.2 Memorandum from the Executive Secretary Salvador C. Medialdea of the Office of the President of the Philippines dated 24 November 2016 to all Heads of Departments, Bureaus

and Agencies of the National/Local Governments Including Government-Owned and Controlled Corporations (GOCCs), Government Financial Institutions (GFIs), and all Others Concerned regarding Inventory of Exceptions to the right to access of information under Section 4 of the abovementioned EO.

4. SCOPE

This Circular shall cover the policies, rules and procedures for the disposition of requests embodied under E.O. 02, s. 2016, directed specifically at QUEDANCOR personnel responsible for responding to requests for information and the process whereby information requests are handled.

5. DEFINITION OF TERMS

For the purpose of this Circular, the following terms shall mean:

- 5.1 **“Information”** refers to any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recordings, magnetic or other tapes, electronic data, computer-stored data, or 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;
- 5.2 **“Official record/records”** shall refer to information produced or received by a public officer of employee, or by a government office in an official capacity or pursuant to a public function or duty;
- 5.3 **“Personal Information”** shall refer to any information whether recorded in a material from or not, from which the identity 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 (**Sec. 3(g), Data Privacy Act of 2012**).
- 5.4 **“Public record/records”** shall include information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by a government office.
- 5.5 **“Requester”** or **“Requesting party”** shall refer to one who, or that which, makes a request.

6. STATEMENT OF POLICIES

6.1 Responsibility

- 6.1.1 The President and CEO shall determine the applicability of any of the exceptions enshrined in the Constitution, existing laws or jurisprudence listed in the inventory or updated inventory of exceptions circularized by the Office of the President.

In making such determination, he/she or his/her designated officer shall exercise reasonable diligence to ensure that no exception shall be used or availed of to deny any request for information or access to public records or official records if the denial is intended primarily and purposely to cover up a crime, wrongdoing, graft or corruption.

In the absence of the President and CEO, the decision to determine the applicability of exceptions shall be passed on to the Executive Vice-President (EVP).

- 6.1.2 As designated Information Officer (IO), the Head of the Public Information Office (PIO) shall be responsible for facilitating requests for information at the Central Office while the Regional Assistant Vice-Presidents (RAVPs) shall be responsible for their respective regions subject to clearance from the President. The designated Information Officer (IO) in addition to other obligations shall:
- a. Be responsible for recording, acknowledgement of new requests and processing of the same; and perform a monitoring role on information requests within the Corporation;
 - b. Coordinate the identification and retrieval of requested information;
 - c. Be the main point of contact between the office and the public on all information issues - helping individuals who are trying to find information and receiving complaints about the performance of the Office in information disclosure;
 - d. Issue fees notices, where appropriate;
 - e. Prepare final response to request for signature by the President and CEO or higher authority.
 - f. Act as a focal person who will cascade guidance and training on FOI to co-employees in coordination with the Manpower Resources Division; and
 - g. Ensure that QUEDANCOR complies with the law on access to information and promoting best practices of disclosing information.

In the event that nobody is available to deal with the request, a copy of the same shall be passed on immediately to the QUEDANCOR officer designated by the President and CEO.

- 6.1.3 While providing access to information, public records, and official records, the President and CEO/duly designated officer/IO shall afford full protection to an individual's right to privacy. He/She shall:
- a. 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 E.O. No. 02, s. 2016 or existing laws, rules or regulations;
 - b. 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; and
 - c. QUEDANCOR officer/employee who has access, authorized or unauthorized, to personal information in the custody of the office must not disclose that information except when authorized under E.O. 02, s. 2016 or pursuant to existing laws, rules or regulations.

- 6.1.4 QUEDANCOR personnel, particularly the front line service providers, have to recognize the importance of being vigilant when dealing with correspondence or verbal inquiries, so that requests for information which are not part of normal business processes are filtered out and passed immediately to the IO.
- 6.1.5 QUEDANCOR shall ensure that the public has easy access to the following information by posting/publishing it to the QUEDANCOR website and FOI handbook/manual:
- a. The name, location and contact information of the Information Officer (head of PIO/ RAVP) where the public can submit requests to obtain information;
 - b. The procedure for the filing and processing of the request;
 - c. The standard forms for the submission of requests and for the proper acknowledgement of such requests;
 - d. The process for the disposition of requests;
 - e. The procedure for administrative appeal of any denial of request for access to information; and
 - f. The schedule of applicable fees.
- 6.1.6 QUEDANCOR IO shall submit a semestral report to the President and CEO on the activities of the Office in relation to providing public access to information. The report from field offices shall be consolidated by the PIO to include the following information:
- a. The number of requests for information received, granted in full or in part, and refused;
 - b. How often and which section of the FOI law were relied upon to refuse, in part or in full, requests for information, if any;
 - c. Appeals from refusals to communicate information;
 - d. Fees charged for requests for information; and
 - e. How it has trained QUEDANCOR officers and informed the public about their right of access to information
- 6.1.7 QUEDANCOR IOs and QUEDANCOR officials shall undergo training or seminars on FOI subject to availability of funds. If the freedom of information law is to work properly, it requires that officials who administer the act should understand the guiding principles and how to make it work.
- 6.1.8 A handbook of FOI/People's FOI Manual shall be prepared by PIO which explains the basic concept and principles of the law. The information details under item no. 6.1.5 of this Circular shall also be included. This shall be updated regularly, as necessary.

Also, all information about FOI should be posted at the strategic places in all QUEDANCOR premises.

6.2 Access to Information

- 6.2.1 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. Anybody can be a requester of information.
- 6.2.2 Access to information shall be denied when information falls under any of the exceptions listed in the inventory of exceptions enshrined in the Constitution, existing laws or jurisprudence (**Exhibit 1**). The list of exceptions shall be without prejudice to existing laws, jurisprudence, rules or regulations authorizing the disclosure of the excepted information upon satisfaction of certain conditions in certain cases, such as the consent of the concerned party or as may be ordered by the courts.
- 6.2.3 This inventory of exceptions shall periodically be updated by the Department of Justice and the Office of the Solicitor General as deemed necessary to properly reflect any change in existing law and jurisprudence.
- 6.2.4 In evaluating requests for information, the President and CEO shall ensure the meaningful exercise of the public of their right to access to information on public concerns.
- 6.2.5 Requests for information shall be processed immediately and fairly. If the Office decides to deny the request wholly or partially, it shall notify the requesting party of the denial in writing within fifteen (15) working days from the receipt of the request. The notice shall clearly state the ground/s for denial and the circumstances on which the 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 access to information.
- 6.2.6 The following information of significant public interest shall be disseminated by posting in the QUEDANCOR website and in strategic places at the workplace:
 - a. QUEDANCOR Vision, Mission, structure, functions;
 - b. Details of QUEDANCOR services it provides to the public and the nature of information in our custody or control;
 - c. Any public request or complaints mechanism;
 - d. A simple guide containing the types and forms of information it holds, the categories of information it publishes and the procedure to be followed in making a request for information;
 - e. Directory of QUEDANCOR officers and regional personnel; and
 - f. All announcements for public procurements and its decisions to award the tenders.

The posting/publication of information shall reduce the number of requests for information if commonly requested information can be made readily available to the public. Requests for these types of information can be simply coursed to the website for the requested information.

6.3 Recorded Information

The right of access applies to information recorded in any form. This includes:

- 6.3.1 Information that is held electronically (such as on a computer or shared electronic networks);
- 6.3.2 Information that is recorded on paper (such as a letter, memorandum, contracts, reports or papers on file, and the like); and
- 6.3.3 Sound and video recordings (such as a CD or video tape).

6.4 Means of Communicating Information

- 6.4.1 A request may indicate the following preferences as to the form of communication of information:
 - a. A true copy of the record in permanent or other form;
 - b. Copy the record, using the requesting party's own equipment;
 - c. A written transcript of the words contained in a sound or visual form;
 - d. A transcript of the content of a record, in print, sound or visual form where such transcript is capable of being produced using equipment normally available to the Office; or
 - e. A transcript of the record from shorthand or other codified form.
- 6.4.2 QUEDANCOR shall not be required to communicate information in the form indicated by the person making the request where to do so would:
 - a. Unreasonably interfere with the effective operation of the Office; or
 - b. Be detrimental to the preservation of the record.
- 6.4.3 Electronic copies of requested information shall be in PDF or in any format that cannot be altered for security purposes.

6.5 Fees

- 6.5.1 QUEDANCOR shall not charge any fee for accepting requests for access to information but only for the necessary costs (actual costs of reproduction and copying of the requested information subject to existing rules and regulations, if applicable).
- 6.5.2 If a fee is to be charged, the IO, in consultation with the General Services Division (GSD)/duly designated Regional Administrative Officer (RO AO) must calculate the

amount. The IO shall advise the applicant regarding the fee immediately. The 15-working day time limit is suspended pending receipt of the fee.

Once the fee has been received, the IO may proceed to deal with the request and the 15-working day time limit commences again. However, if the fee has not been paid within a month, the IO shall send the requester a letter for the final reminder and in case there is no reply after three (3) working days from the time of receipt of the reminder, he/she shall cancel the request and then the copy of the letter shall be held in the file.

6.6 Procedure in Filing and Processing of Request for Access to Information

6.6.1 The following procedure shall govern the filing and processing of requests for access to information:

- a. Any person who requests access to information shall submit a request (**Exhibit 2**) addressed to the President and CEO through mail, e-mail, fax or in person stating the following:
 - i. Name and contact information of the requesting party (or e-mail address) for correspondence;
 - ii. Clear and precise description of information requested and any other information that may make the documents easier to locate;
 - iii. Reason/Purpose of the request for information; and
 - iv. The form in which the information is required. It may be by consulting the document, or in the form of a simple copy; a certified copy; or e-copy.
- b. If the requester may not know what information exactly to look for, where to look for it, or how to file a request, the IO shall provide reasonable assistance.
- c. Persons (walk-ins) who are unable, because of illiteracy or disability, to make a written request for information may make an oral request. The IO who receives an oral request shall either:
 - i. Put it into writing and shall write his/her name and position, then give a copy thereof to the person who made the request; or
 - ii. Advise the requester to come back with a written request for submission to ask somebody who will be the one to put it into writing.

Special assistance shall also be made to ensure full access to information for certain groups with special needs (e.g. those who do not speak the language of the record, or those who suffer disabilities such as blindness, etc.).

- d. Any QUEDANCOR officer who receives a request for information shall refer that request to the IO.
- e. When an IO receives the request, he/she shall consider whether or not QUEDANCOR has a record containing the information. If the requested

information might not be with QUEDANCOR and if he/she knows the office which holds the relevant record, he/she shall either:

- i. Transfer the request to that office and inform the person making the request of such transfer; or
- ii. Inform the person making the request which office holds the relevant record.

The requester shall, if possible be asked if they are amenable to the transfer. The request shall then be forwarded to the concerned office. Since the 15-day time limit commences from the date of receipt of a request, it is important that the transfer of request should take place immediately to avoid delays.

- f. The IO shall also determine if the information being requested is already publicly available or published/posted, in QUEDANCOR website, or in information bulletins. If so, the IO shall provide him/her a copy or tell him/her where he/she can find the information.
- g. If the Office holds the information and it is not publicly available, the IO determines if the request contains sufficient details to enable him/her to respond. If the request does not comply with the requirements, this is not a reason to reject the request. As much as possible, the IO shall help the requester formulate a valid request.
- h. Upon checking, the IO shall stamp date of receipt on the request.
- i. The IO shall record the details of the corresponding request either manually or in a computer log. The duly accomplished acknowledgement letter (**Exhibit 3**) with a reference number on it is then issued.

The IO shall keep a record of each request to monitor how many requests were received and on what subjects. The record will also be needed in the event of a follow-up, such as an appeal, or a further request for the same or related information. The minimum information that should be recorded are as follows:

- i. Name of applicant;
 - ii. Reference No.;
 - iii. Summary of requests;
 - iv. Date Received;
 - v. Target Completion Date;
 - vi. Actual Completion Date;
 - vii. Fees (if applicable); and
 - viii. Any exemption/s that were applied:
- j. The IO shall explain the procedure on how the request will be handled. If there is a leaflet/manual for handling information request, provide the applicant/requester a copy.

Upon acceptance of the request it is important to explain the following to the requester:

- i. The maximum time limit within which the Office must respond to the request;
 - ii. The different options for providing access to the information (viewed in person, sent a copy, computer disk, etc.)
 - iii. The fee and what the fee is for; and
 - iv. If the information request is refused, a written explanation will be provided.
- k. The IO shall, as soon as possible, arrange for the search and retrieval of the relevant records in coordination with the Records Officer and various units. He/She should first identify the division/department where the information is most likely to be held and issue the Information Request Memo to the head of the concerned division/department.

Once the search has been completed, all found records are forwarded to the IO.

- l. Upon receipt of the records, the IO shall determine if:
- i. Any information shall be blocked out from the records; or
 - ii. Withheld entirely in accordance with FOI Act; or
 - iii. There is a serious question as to whether the information request might fall within the scope of an exception.

In this case, the IO shall forward the written request with the records to the President and CEO for decision.

- m. The IO shall keep the person informed of the progress of their request, especially if it involves a large amount of information which will take time to find.
- n. If the request is unclear or very broad, the IO shall contact the requester to seek clarification through e-mail or mail. It is important that a detailed record of any letters and e-mails shall be kept. The statutory fifteen (15) working day time limit is suspended pending receipt of clarification.
- o. The IO shall have a Tracking System to trace the status of all requests for information received. In case of extension, the requester shall be notified immediately.
- p. Once all records have been reviewed and decided upon, the material/letter is prepared for release.
- q. A letter shall first be sent to the requester and instructs him to pay applicable fees.
- r. The requested copies of records shall only be released upon receipt of payment.

6.7 Time Limits for Responding to Requests

6.7.1 QUEDANCOR shall respond to a request fully compliant with the requirements as soon as practicable within fifteen (15) working days from the receipt thereof. The response refers to the decision to grant or deny access to the information requested.

The only reasons to delay providing information to a request are the following:

- i. If the request involves a large number of documents and will take time to retrieve; and
- ii. If there is a serious question as to whether it might fall within the scope of an exception.

6.7.2 The period to respond may be extended whenever the information requested requires extensive search of the requested records, facilities, and examination of voluminous records, the occurrence of fortuitous events or other analogous cases.

6.7.3 In case of extension, the requester shall be notified of such extension, setting forth the reasons for such. In no case shall the extension go beyond twenty (20) working days counted from the end of the original period, unless exceptional circumstances warrant a longer period.

6.7.4 Once a decision is made to grant the request, the requester shall be notified of such decision and directed to pay applicable fees, if any.

6.8 Making a Decision

6.8.1 In each case where it appears that a piece of information may constitute an exception to the general rule of maximum disclosure, the following questions can be applied to see whether it should indeed be treated as an exception and not to be disclosed:

- a. Does this information relate to a legitimate aim specified in the FOI (such as contrary to law, existing rules and regulations, etc.)
- b. Would its disclosure do substantial harm to that aim?
- c. Would it nevertheless be in the public interest to disclose the information?

Public interest means that there is a benefit to the public in certain information being made available. To provide some firmer guidance, the following are part of the definition:

- i. Detecting or exposing crime or a serious misdemeanor;
- ii. Protecting public health or safety;

- iii. Preventing the public from being misled by some statement or action by an individual or organization;
 - iv. Exposing misuse of public funds or other forms of corruption by public bodies
 - v. Revealing potential conflicts of interest by those in positions of power and influence;
 - vi. Exposing corporate greed; and
 - vii. Exposing hypocritical behavior by those holding high office.
- 6.8.2 If the restriction refers to the whole document on grounds specified by law, deny access, issue written explanation and inform him/her of possibility of appeal. However, if the restriction does not refer to the whole document, give partial access and inform the concerned person of possibility of appeal.
- 6.8.3 Privacy may be a legitimate exception to granting access to information. In that case, it may be necessary to seek the consent of the third party referred to in the record. Or it may be necessary to release only that part of the record that does not refer to the third party.
- 6.8.4 Granting partial access to a document
- a. If there are grounds for restricting access to the information request, but these only apply to part of the document, QUEDANCOR can grant partial access. It is important that only information that genuinely falls under one of the exceptions is withheld - and not the entire record that contains the information, e.g. private information was blanked out when the record was released. Indicate to the requesting party which parts of the document have been withheld, for example by listing the missing page numbers, or by simply blanking out the necessary sentences or paragraphs (so that they can see how much has been removed).
 - b. In this case, the Office must provide a written explanation as to why access has been denied and why it is in the public interest to withhold some of the information.
- 6.8.5 If the requested information has been destroyed/disposed in accordance with the QUEDANCOR Records Disposal, the concerned officer should provide full written details of the circumstances.

6.9 Releasing the information

- 6.9.1 If the information may be the subject of more requests, the Office should look into ways of publishing the information to save both the requester and the Office of having to go through the requests process again.
- 6.9.2 For identical or substantially similar requests, QUEDANCOR shall not be required to act upon an unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by the same office.

6.10 Remedies in Case of Denial of Request for Access to Information

A person whose request for access to information has been denied may avail him/herself of the remedies set forth below:

6.10.1 Denial of any request for access to information may be appealed to the QUEDANCOR Governing Board Chairperson, following the same procedure herein mentioned. The written appeal must be filed by the same person making the request within fifteen (15) calendar days from the notice of denial or from the lapse of the relevant period to respond to the request.

6.10.2 The appeal shall be decided by the same within thirty (30) working days from the filing of said written appeal. Failure to do so within the afore-cited period shall be deemed a denial of the appeal.

6.10.3 Upon exhaustion of administrative appeal remedies, the requester may file the appropriate judicial action in accordance with the Rules of Court.

6.11 Keeping of Records

QUEDANCOR shall create an accurate and reasonably complete record of important information in appropriate formats, and implement a records management system that facilitates easy identification, retrieval and communication of information to the public.

7. Availability of SALN

Subject to the provisions contained in item no. 6.2 under E.O. No. 2 dated July 23, 2016, QUEDANCOR officers and employees are reminded of their obligation to file and make available for scrutiny their Statements of Assets, Liabilities and Net Worth (SALN) in accordance with existing laws, rules and regulations.

8. Administrative Liability

Failure to comply with the provisions of E.O. No. 02, s. 2016 may be a ground for administrative and disciplinary sanctions against any erring QUEDANCOR officer/employee as provided under existing laws or regulations.

9. Separability

If any section or part of this Circular is held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

10. Repealing Clause

All orders, rules and regulations, issuances or any part thereof inconsistent with the provisions of E.O. No. 02, s. 2016 are hereby repealed, amended or modified accordingly.

11. DETAILED OPERATING PROCEDURES

A. REQUEST FOR INFORMATION

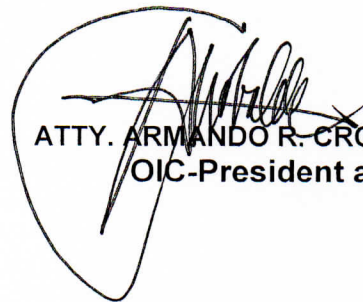
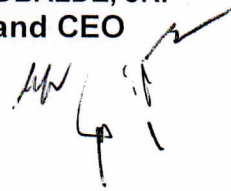
<u>Responsibility</u>	<u>Action</u>
Requester	1. Submits request with complete details addressed to the President and CEO either by mail, fax or e-mail. <i>N.B. If it is an oral request, the Information Officer (IO) asks the concerned person to put it in writing.</i>
Information Officer (IO)	2. Asks the following questions initially: <ul style="list-style-type: none"> a. Does QUEDANCOR hold the information? If not, refers request to the specific office which holds the information and inform the requesting party. b. If the information is already published/posted, provide the information or refer to where the information can be found. If not, proceed to item c. c. Does the request contain sufficient details to enable to respond? If no, helps the requesting party to complete the details, otherwise proceed to item 3.
	3. Date stamps the request. Provides him/her a reference number.
	4. Registers request. Informs him/her of the procedure including time limits.
	5. Retrieves records.
	6. Determines if the request falls under the exceptions/partial access. If so, forwards request to the President and CEO. If not, proceed to item no.10.
President and CEO	7. Applies 3-test to decide. If there is no ground for denial of access, provides full access immediately or within the time limits provided for under E.O. No. 2, then proceed to item no.10. If yes, proceed to item no. 8.
	8. If the restriction refers to the whole document, denies access, issues written explanation as to why access has been denied and informs the requesting party of possibility of appeal. If it is partial access only, proceed to item no. 9.
	9. Gives partial access and explains to the requester

	why it is in the public interest to withhold some of the information.
IO	10. Informs the requester of the applicable fees. Releases the requested records/documents depending on the requested form upon receipt of payment. <i>N.B. Depending on the form the requester would like to receive the information, notifies the concerned person how much is the fee. The release of information shall be made upon payment of fee.</i>
B. APPEAL	
<u>Responsibility</u>	<u>Action</u>
Person whose request for access to information has been denied	1. Files a written appeal/complaint to the QUEDANCOR Governing Board Chairperson/Duly designated Board member within fifteen (15) calendar days from the notice of denial or from the lapse of the relevant period to respond to the request. <i>N.B. Same procedures in requesting for information shall be followed in making an appeal</i>
QUEDANCOR Board Chairperson/Duly Designated QUEDANCOR Board member	2. Receives the written appeal. Reviews the decision to withhold the information (full or partial) or a complaint about the handling of the request.
	3. Makes a decision within thirty (30) working days from the filing of said written appeal in accordance with the applicable laws on the freedom of information.
	4. Issues a decision letter immediately when the review has been completed informing the concerned requesting party of their right of appeal to the next higher authority should they remain dissatisfied with the decision.
Requester who is making an appeal/appellant	<i>N.B. Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.</i>

11. EFFECTIVITY

This Circular shall take effect immediately.

1/31/17
Date Signed


ATTY. ARMANDO R. CROBALDE, JR.
OIC-President and CEO


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 implementation of the exceptions to the right of access to information, the following provide the salient details and legal bases that define the extent and application of the exceptions.

1. Information covered by Executive privilege:
 - a. Presidential conversations, correspondences, and discussions in closed-door Cabinet meetings;² and
 - b. Matters covered by deliberative process privilege, namely:
 - i. advisory opinions, recommendations and deliberations comprising part of a process by which governmental decisions and policies are formulated; intra-agency or inter-agency recommendations or communications during the stage when common assertions are still in the process of being formulated or are in the exploratory stage; or information pertaining to the decision-making of executive officials;³ and
 - ii. information, record or document comprising drafts of decisions, orders, rulings, policy decisions, memoranda, etc.;⁴
2. Privileged information relating to national security, defense or international relations:
 - a. Information, record, or document that must be kept secret in the interest of national defense or security;⁵
 - b. Diplomatic negotiations and other information required to be kept secret in the conduct of foreign affairs;⁶ and

² This exception may only be invoked by the President and his close advisors. The extent of the privilege is defined by applicable jurisprudence: *Senate v. Ermita*, G.R. No. 169777, 20 April 2006, 488 SCRA 1; *Neri v. Senate Committee on Accountability of Public Officers and Investigations*, G.R. No. 180643, 4 September 2008, 564 SCRA 152; *Akbayan v. Aquino*, G.R. No. 170516, 16 July 2008, 558 SCRA 468; and *Chavez v. PCGG*, G.R. No. 130716, 9 December 1998, 299 SCRA 744.

³ *Akbayan v. Aquino*, *supra*; *Chavez v. NHA*, G.R. No. 164527, 15 August 2007; and *Chavez v. PCGG*, *supra*. The privilege of invoking this exception ends when the executive agency adopts a definite proposition (*Department of Foreign Affairs v. BCA International Corp.*, G.R. No. 210858, 20 July 2016).

⁴ Section 3(d) Rule IV, *Rules Implementing the Code of Conduct and Ethical Standards for Public Officials and Employees* (Rules on CCESPOE). Drafts of decisions, orders, rulings, policy decisions, memoranda, and the like, such as resolutions prepared by the investigating prosecutor prior to approval for promulgation and release to parties [*Revised Manual for Prosecutors of the Department of Justice (DOJ)*] are also covered under this category of exceptions.

⁵ *Almonte v. Vasquez*, G.R. No. 95367, 23 May 1995, 244 SCRA 286; *Chavez v. PCGG*, *supra*; *Legaspi v. Civil Service Commission*, L-72119, 29 May 1987, 150 SCRA 530; *Chavez v. NHA*, *supra*; *Neri v. Senate*, *supra*; *Chavez v. Public Estates Authority*, G.R. No. 133250, 9 July 2002, 384 SCRA 152; and Section 3(a), Rule IV, Rules on CCESPOE. This exception generally includes matters classified under Memorandum Circular (MC) No. 78, as amended by MC No. 196 as "Top Secret," "Secret," "Confidential," and "Restricted."

⁶ *Akbayan v. Aquino*, *supra*; Section 3(a) Rule IV, Rules on CCESPOE. This privilege may be invoked by the Department of Foreign Affairs and other government bodies involved in diplomatic negotiations.

- c. Patent applications, the publication of which would prejudice national security and interests;⁷
3. Information concerning law enforcement and protection of public and personal safety:
- a. Investigation records compiled for law enforcement purposes or information which if written would be contained in such records, but only to the extent that the production of such records or information would –
 - i. interfere with enforcement proceedings;
 - ii. deprive a person of a right to a fair trial or an impartial adjudication;
 - iii. disclose the identity of a confidential source and in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source; or
 - iv. unjustifiably disclose investigative techniques and procedures;⁸
 - b. Informer's privilege or the privilege of the Government not to disclose the identity of a person or persons who furnish information of violations of law to officers charged with the enforcement of law;⁹
 - c. When disclosure of information would put the life and safety of an individual in imminent danger;¹⁰
 - d. Any information given by informants leading to the recovery of camapped vehicles and apprehension of the persons charged with camapping;¹¹ and
 - e. All proceedings involving application for admission into the Witness Protection Program and the action taken thereon;¹²
4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes, or the accused. These include:

⁷ The applicability of this exception is determined by the Director General of the Intellectual Property Office and subject to the approval of the Secretary of the Department of Trade and Industry. Section 44.3 of the *Intellectual Property Code* (RA No. 8293, as amended by RA No. 10372).

⁸ Section 3(f), Rule IV, Rules on CCESPOE; *Chavez v. PCGG, supra*. May be invoked by law enforcement agencies.

⁹ *Akbayan v. Aquino, supra*; and Section 51, *Human Security Act of 2007* (RA No. 9372). May be invoked by law enforcement agencies.

¹⁰ Section 3(b), Rule IV, Rules on CCESPOE.

¹¹ Section 19, *New Anti Camapping Act of 2016* (RA No. 10883). May be invoked by law enforcement agencies.

¹² Section 7, *Witness Protection, Security and Benefit Act* (RA No. 6981).

- a. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy,¹³ personal information or records,¹⁴ including sensitive personal information, birth records,¹⁵ school records,¹⁶ or medical or health records;¹⁷

Sensitive personal information as defined under the *Data Privacy Act of 2012* refers to personal information:¹⁸

- (1) about an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
- (2) about an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;
- (3) 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
- (4) specifically established by an executive order or an act of Congress to be kept classified.

However, personal information may be disclosed to the extent that the requested information is shown to be a matter of public concern or interest, shall not meddle with or disturb the private life or family relations of the individual¹⁹ and is not prohibited by any law or regulation. Any disclosure of personal information shall be in accordance with the principles of transparency, legitimate purpose and proportionality.²⁰

Disclosure of personal information about any individual who is or was an officer or employee of a government institution shall be allowed, provided that such information relates to the position or functions of the individual, including: (1) the fact that the individual is or was an officer or employee of

¹³ Section 3(e), Rule IV, Rules on CCESPOE.

¹⁴ Sections 8 and 15, *Data Privacy Act of 2012* (RA No. 10173); *Personal information* refers to any information whether recorded in a material form or not, from which the identity 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 [Section 3(g), *Data Privacy Act of 2012*]; Article 26, Civil Code. May be invoked by National Privacy Commission and government personal information controllers.

¹⁵ Article 7, *The Child and Youth Welfare Code* [Presidential Decree (PD) No. 603].

¹⁶ Section 9(4), *Education Act of 1982* [Batas Pambansa (BP) Blg. 232].

¹⁷ Medical and health records are considered as sensitive personal information pursuant to Section 3(l)(2), *Data Privacy Act of 2012*; See also Department of Health-Department of Science and Technology (DOST)-Philippine Health Insurance Corporation Joint Administrative Order No. 2016-0002 (Privacy Guidelines for the Implementation of the Philippine Health Information Exchange).

¹⁸ Section 3(l), *Data Privacy Act of 2012*.

¹⁹ Article 26(2), *Civil Code*.

²⁰ Section 11, *Data Privacy Act of 2012*.

the government institution; (2) the title, business address and office telephone number of the individual; (3) the classification, salary range and responsibilities of the position held by the individual; and (4) the name of the individual on a document prepared by the individual in the course of employment with the government;²¹

- b. Source of any news report or information appearing in newspapers, magazines or periodicals of general circulation obtained in confidence,²² and
- c. Records of proceedings and processes deemed confidential by law for the privacy and/or protection of certain individuals, such as children, victims of crime, witnesses to a crime or rehabilitated drug offenders, including those pertaining to the following:
 - (1) records of child and family cases;²³
 - (2) children in conflict with the law from initial contact until final disposition of the case;²⁴
 - (3) a child who is a victim of any offense under the *Anti-Child Pornography Act of 2009*, including the name and personal circumstances of the child, or the child's immediate family, or any other information tending to establish the child's identity;²⁵
 - (4) a child witness, who is a victim of a crime, an accused of a crime, or a witness to a crime, including the name, address, telephone number, school, or other identifying information of a child or an immediate family of the child;²⁶
 - (5) cases involving violence against women and their children, including the name, address, telephone number, school, business, address, employer, or other identifying information of a victim or an immediate family member;²⁷
 - (6) trafficked persons, including their names and personal circumstances, or any other information tending to establish the identity of the trafficked person;²⁸
 - (7) names of victims of child abuse, exploitation or discrimination;²⁹

²¹ Section 4, *Data Privacy Act of 2012*.

²² *An Act to Exempt the Publisher, Editor or Reporter of any Publication from Revealing the Source of Published News or Information Obtained in Confidence* (RA No. 53), as amended by RA No. 1477. May be invoked by government newspapers.

²³ Section 12, *Family Courts Act of 1997* (RA Act No. 8369).

²⁴ Section 43, *Juvenile Justice and Welfare Act of 2006* (RA No. 9344).

²⁵ Section 13, *Anti-Child Pornography Act of 2009* (RA No. 9775).

²⁶ Section 31, A.M. No. 00-4-07-SC, *Re: Proposed Rule on Examination of a Child Witness*.

²⁷ Section 44, *Anti-Violence Against Women and their Children Act of 2004* (RA No. 9262); and *People v. Cabalquinto*, G.R. No. 167693, 19 September 2006.

²⁸ Section 7, *Anti-Trafficking in Persons Act of 2003* (RA No. 9208), as amended by RA No. 10364.

²⁹ Section 29, *Special Protection of Children Against Abuse, Exploitation and Discrimination Act* (RA No. 7610).

- (8) disclosure which would result in undue and sensationalized publicity of any case involving a child in conflict with the law, child abuse, or violation of anti-trafficking of persons;³⁰
 - (9) records, documents and communications of proceedings involving domestic and inter-country adoptions, including the identity of the child, natural parents and adoptive parents;³¹
 - (10) names of students who committed acts of bullying or retaliation;³²
 - (11) first time minor (drug) offenders under suspended sentence who comply with applicable rules and regulations of the Dangerous Drugs Board and who are subsequently discharged; judicial and medical records of drug dependents under the voluntary submission program; and records of a drug dependent who was rehabilitated and discharged from treatment and rehabilitation centers under the compulsory submission program, or who was charged for violation of Section 15 (use of dangerous drugs) of the *Comprehensive Dangerous Drugs Act of 2002*, as amended; and³³
 - (12) identity, status and medical records of individuals with Human Immunodeficiency Virus (HIV), as well as results of HIV/Acquired Immune Deficiency Syndrome (AIDS) testing;³⁴
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, such as but not limited to the following:
- a. Trade secrets, intellectual property, business, commercial, financial and other proprietary information;³⁵

³⁰ Section 14, *Juvenile Justice and Welfare Act of 2006*; Section 7, *Anti-Trafficking in Persons Act of 2003*, as amended; and Section 29, *Special Protection of Children Against Abuse, Exploitation and Discrimination Act*.

³¹ Section 15, *Domestic Adoption Act of 1998* (RA No. 8552) and Section 43, IRR of RA No. 8552; Sections 6 and 16(b), *Inter-Country Adoption Act of 1995* (RA No. 8043) and Sections 53, 54 and 55 of IRR of RA No. 8043.

³² Section 3(h), *Anti-Bullying Act* (RA No. 10627).

³³ Sections 60, 64 and 67, *Comprehensive Dangerous Drugs Act of 2002* (RA No. 9165).

³⁴ Sections 2(b), 18, 30, and 32, *Philippine AIDS Prevention and Control Act of 1998* (RA No. 8504).

³⁵ Sections 45, 106.1, and 150.2, *The Intellectual Property Code* (RA No. 8293, as amended by RA No. 10372); Section 66.2, *Securities Regulation Code* (RA No. 8799); DOST Administrative Order No. 004-16; Section 142, *The Corporation Code* (BP Blg. 68); Section 34, *Philippine Competition Act* (RA No. 10667); Sections 23 and 27 (c), *The New Central Bank Act* (RA No. 7653); *Anti-Money Laundering Act* (RA No. 9160); Section 18, *Strategic Trade Management Act* (RA No. 10697); Sections 10 and 14, *Safeguard Measures Act* (RA No. 8800); Section 12, *Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990* (RA No. 6969); Article 290, *Revised Penal Code*; Section 10.10, Rule 10, 2012 Revised IRR of *Build-Operate-Transfer Law* (RA No. 6957); and *Revised Philippine Ports Authority Manual of Corporate Governance*.

- b. Data furnished to statistical inquiries, surveys and censuses of the Philippine Statistics Authority (PSA);³⁶
- c. Records and reports submitted to the Social Security System by the employer or member;³⁷
- d. Information gathered from HIV/AIDS contact tracing and all other related health intelligence activities;³⁸
- e. Confidential information submitted to the Philippine Competition Commission prohibited from disclosure by law, including the identity of the person who provided the information under condition of anonymity;³⁹
- f. Applications and supporting documents filed pursuant to the *Omnibus Investments Code of 1987*;⁴⁰
- g. Documents submitted through the Government Electronic Procurement System;⁴¹
- h. Information obtained from accessing any electronic key, electronic data message, or electronic document, book, register, correspondence, information or other material pursuant to any powers conferred under the *Electronic Commerce Act of 2000*;⁴²
- i. Any confidential information supplied by the contractors in mineral agreements, and financial or technical assistance agreements pursuant to the *Philippine Mining Act of 1995* and its Implementing Rules and Regulations (IRR), during the term of the project to which it relates;⁴³
- j. Information received by the Department of Tourism (DOT) in relation to the accreditation of accommodation establishments (such as hotels and resorts) and travel and tour agencies;⁴⁴

³⁶ Section 26, *Philippine Statistical Act of 2013* (RA No. 10625); and Section 4, *Commonwealth Act No. 591*. May be invoked only by the PSA.

³⁷ Section 24(c), *Social Security Act of 1997* (RA No. 1161, as amended by RA No. 8282).

³⁸ Section 29, *Philippine AIDS Prevention and Control Act of 1998* (RA No. 8504).

³⁹ Section 34, *Philippine Competition Act* (PCA), RA No. 10667 and Section 13, Rule 4 of the IRR of PCA. This exception can be invoked by the Philippine Competition Commission subject to well-defined limitations under the PCA.

⁴⁰ Section 81, EO No. 226 (s. 1987), as amended.

⁴¹ Section 9, *Government Procurement Reform Act* (RA No. 9184).

⁴² Section 32, *Electronic Commerce Act of 2000* (RA No. 8792).

⁴³ Section 94(f), *Philippine Mining Act of 1995* (RA No. 7942).

⁴⁴ Section 1, Rule IX, DOT MC No. 2010-02 (Rules and Regulations to Govern, the Accreditation of Accommodation Establishments – Hotels, Resorts and Apartment Hotels); and Section 23, DOT MC No. 2015-06 (Revised Rules and Regulations to Govern the Accreditation of Travel and Tour Agencies).

- k. The fact that a covered transaction report to the Anti-Money Laundering Council (AMLC) has been made, the contents thereof, or any information in relation thereto;⁴⁵
 - l. Information submitted to the Tariff Commission which is by nature confidential or submitted on a confidential basis;⁴⁶
 - m. Certain information and reports submitted to the Insurance Commissioner pursuant to the *Insurance Code*;⁴⁷
 - n. Information on registered cultural properties owned by private individuals;⁴⁸
 - o. Data submitted by a higher education institution to the Commission on Higher Education (CHED);⁴⁹ and
 - p. Any secret, valuable or proprietary information of a confidential character known to a public officer, or secrets of private individuals;⁵⁰
6. Information of which a premature disclosure would:
- a. in the case of a department, office or agency which agency regulates currencies, securities, commodities, or financial institutions, be likely to lead to significant financial speculation in currencies, securities, or commodities, or significantly endanger the stability of any financial institution; or
 - b. be likely or significantly frustrate implementation of a proposed official action, except such department, office or agency has already disclosed to the public the content or nature of its proposed action, or where the department, office or agency is required by law to make such disclosure on its own initiative prior to taking final official action on such proposal.⁵¹
7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged, including but not limited to the following:

⁴⁵ Section 9(c), *Anti-Money Laundering Act of 2001*, as amended. May be invoked by AMLC, government banks and its officers and employees.

⁴⁶ Section 10, *Safeguard Measures Act*.

⁴⁷ Section 297 in relation with Section 295 and Section 356, *The Insurance Code* (as amended by RA No. 10607).

⁴⁸ Section 14, *National Cultural Heritage Act of 2009* (RA No. 10066).

⁴⁹ CHED Memorandum Order No. 015-13, 28 May 2013.

⁵⁰ Articles 229 and 230, *Revised Penal Code*; Section 3(k), *Anti-Graft and Corrupt Practices Act* (RA No. 3019); Section 7(c), *Code of Conduct and Ethical Standards for Public Officials and Employees* (RA No. 6713); Section 7, *Exchange of Information on Tax Matters Act of 2009* (RA No. 10021); and Section 6.2, *Securities Regulation Code* (RA No. 8799).

⁵¹ Section 3(g), Rule IV, Rules on CCESPOE.

- a. Mediation and domestic or international arbitration proceedings, including records, evidence and the arbitral awards, pursuant to the *Alternative Dispute Resolution Act of 2004*;⁵²
- b. Matters involved in an Investor-State mediation;⁵³
- c. Information and statements made at conciliation proceedings under the *Labor Code*;⁵⁴
- d. Arbitration proceedings before the Construction Industry Arbitration Commission (CIAC);⁵⁵
- e. Results of examinations made by the Securities and Exchange Commission (SEC) on the operations, books and records of any corporation, and all interrogatories propounded by it and the answers thereto;⁵⁶
- f. Information related to investigations which are deemed confidential under the *Securities Regulations Code*;⁵⁷
- g. All proceedings prior to the issuance of a cease and desist order against pre-need companies by the Insurance Commission;⁵⁸
- h. Information related to the assignment of the cases to the reviewing prosecutors or the undersecretaries in cases involving violations of the *Comprehensive Dangerous Drugs Act of 2002*;⁵⁹
- i. Investigation report and the supervision history of a probationer;⁶⁰
- j. Those matters classified as confidential under the *Human Security Act of 2007*;⁶¹

⁵² Sections 9, 23 and 33, *Alternative Dispute Resolution (ADR) Act of 2004* (RA No. 9285); and DOJ Circular No. 98 (s. 2009) or the IRR of the ADR Act.

⁵³ Article 10, International Bar Association Rules for Investor-State Mediation.

⁵⁴ Article 237, *Labor Code*.

⁵⁵ Section 7.1, Rule 7, CIAC Revised Rules of Procedure Governing Construction Arbitration.

⁵⁶ Section 142, *Corporation Code*. May be invoked by the SEC and any other official authorized by law to make such examination.

⁵⁷ Sections 13.4, 15.4, 29.2 (b), and 64.2 of the *Securities Regulation Code*.

⁵⁸ Section 53(b)(1) of the *Pre-Need Code of the Philippines*. The confidentiality of the proceedings is lifted after the issuance of the cease and desist order.

⁵⁹ DOJ Department Circular No. 006-16 (No. 6), 10 February 2016.

⁶⁰ Section 17, *Probation Law of 1976* [PD No. 968 (s.1976)].

⁶¹ Sections 9, 13, 14, 29, 33 and 34, *Human Security Act of 2007* (RA No. 9372).

- k. Preliminary investigation proceedings before the committee on decorum and investigation of government agencies;⁶² and
 - l. Those information deemed confidential or privileged pursuant to pertinent rules and regulations issued by the Supreme Court, such as information on disbarment proceedings, DNA profiles and results, or those ordered by courts to be kept confidential;⁶³
8. Matters considered confidential under banking and finance laws and their amendatory laws, such as:
- a. RA No. 1405 (*Law on Secrecy of Bank Deposits*);
 - b. RA No. 6426 (*Foreign Currency Deposit Act of the Philippines*) and relevant regulations;
 - c. RA No. 8791 (*The General Banking Law of 2000*);
 - d. RA No. 9160 (*Anti-Money Laundering Act of 2001*); and
 - e. RA No. 9510 (*Credit Information System Act*);
9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations, such as:
- a. Those deemed confidential pursuant to treaties, executive agreements, other international agreements, or international proceedings, such as:
 - (1) When the disclosure would prejudice legitimate commercial interest or competitive position of investor-states pursuant to investment agreements;⁶⁴
 - (2) Those deemed confidential or protected information pursuant to United Nations Commission on International Trade Law Rules on Transparency in Treaty-based Investor-State Arbitration and Arbitration Rules (UNCITRAL Transparency Rules);⁶⁵ and
 - (3) Refugee proceedings and documents under the *1951 Convention Relating to the Status of Refugees*, as implemented by DOJ Circular No. 58 (s. 2012);

⁶² Section 14, Civil Service Commission Resolution No. 01-0940.

⁶³ Section 18, Rule 139-B and Section 24, Rule 130 of the Rules of Court; and Section 11 of the Rule on DNA Evidence, A.M. No. 06-11-5-SC.

⁶⁴ Examples: Article 20 (2), ASEAN Comprehensive Investment Agreement; Article 15 (2) Agreement on Investment under the Framework Agreement on the Comprehensive Economic Cooperation between the ASEAN and the Republic of India; and Article 15 (2) of the Agreement on Investment under the Framework Agreement on the Comprehensive Economic Cooperation among the Government of the Member Countries of the ASEAN and the Republic of Korea.

⁶⁵ Article 7, UNCITRAL Transparency Rules.

- b. Testimony from a government official, unless pursuant to a court or legal order;⁶⁶
- c. When the purpose for the request of Statement of Assets, Liabilities and Net Worth is any of the following:
 - (1) any purpose contrary to morals or public policy; or
 - (2) any commercial purpose other than by news and communications media for dissemination to the general public;⁶⁷
- d. Lists, abstracts, summaries of information requested when such lists, abstracts or summaries are not part of the duties of the government office requested;⁶⁸
- e. Those information and proceedings deemed confidential under rules and regulations issued by relevant government agencies or as decided by the courts;⁶⁹
- f. Requested information pertains to comments and disclosures on pending cases in judicial proceedings;⁷⁰ and
- g. Attorney-client privilege existing between government lawyers and their client.⁷¹

⁶⁶ *Senate v. Neri, supra; Senate v. Ermita, supra.*

⁶⁷ Section 8(D), *Code of Conduct and Ethical Standards for Public Officials and Employees.*

⁶⁸ *Belgica v. Ochoa*, G.R. No. 208566, 19 November 2013; and *Valmonte v. Belmonte Jr.*, G.R. No. 74930, 13 February 1989, 252 Phil. 264.

⁶⁹ Examples: 2012 Guidelines and Procedures in the Investigation and Monitoring of Human Rights Violations and Abuses and the Provision of CHR Assistance; Government Service Insurance System's Rules of Procedure of the Committee on Claims; National Labor Relations Commission Resolution No. 01-02, Amending Certain Provisions of the New Rules of Procedure of the National Labor Relations Commission, 08 March 2002; Department of Agrarian Reform MC No. 07-11, 19 July 2011; Department of Social Welfare and Development MC No. 021-12, 16 October 2012; and Section 42, *Investment Company Act* (RA No. 2629); When the information requested is not a matter of public concern or interest as decided in *Hilado v. Judge Amor A. Reyes*, G.R. No. 163155, 21 July 2006.

⁷⁰ *Romero v. Guerzon*, G.R. No. 211816, 18 March 2015.

⁷¹ Canon 21 of the *Code of Professional Responsibility.*

Date

Dear (QUEDANCOR President and CEO):

With reference to Executive Order No. 2 dated 23 July 2016 entitled "**OPERATIONALIZING IN THE EXECUTIVE BRANCH THE PEOPLE'S CONSTITUTIONAL RIGHT TO INFORMATION AND THE STATE POLICIES OF FULL PUBLIC DISCLOSURE AND TRANSPARENCY IN THE PUBLIC SERVICE AND PROVIDING GUIDELINES THEREFOR**", may I request for the following:

Information request no. 1 with description

Information request no. 2 with description

Information request no. 3, with description

Further, may I request that the above information be provided in the form of _____ (e.g. paper, electronic copy, audio-tape version or an opportunity to view, etc.).

In case you have further clarification on the requested information, kindly contact me at _____ (telephone number and/or e-mail address).

Thank you.

Very truly yours,

(Signature over Printed Name)

Complete Address:

Republic of the Philippines
QUEDAN AND RURAL CREDIT GUARANTEE CORPORATION
Quezon City

ACKNOWLEDGEMENT

Reference No. _____

Dear _____,

This is to acknowledge receipt of your request for information as outlined below:

Please be informed that your request was received on _____ and is currently in process under the terms of **Executive Order No. 02** entitled **“Operationalizing in the Executive Branch the People’s Constitutional Right to Information and the State Policies of Full Public Disclosure and Transparency in the Public Service and Providing Guidelines Therefor”**, dated 23 July 2016.

Rest assured that your request shall be processed within the prescribed period of fifteen (15) working days reckoned from the day we received your request. We shall give you feedback on _____ at the latest.

Details on the procedures of your request are available in our Quedancor website for your reference.

If you have any queries about the matter, please contact me at _____. Please quote the aforesaid reference number in your future communications to us for fast action on your request.

Very truly yours,

Information Officer

Republic of the Philippines
QUEDAN AND RURAL CREDIT GUARANTEE CORPORATION
Quezon City

ACKNOWLEDGEMENT

Reference No. _____

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Very truly yours,

Information Officer