

Republic of the Philippines

**TARLAC STATE UNIVERSITY**

Romulo Boulevard, San Vicente, Tarlac City

**PEOPLE'S FREEDOM OF INFORMATION  
(FOI) MANUAL**




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EO No. 2, series 2016

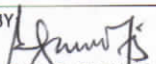
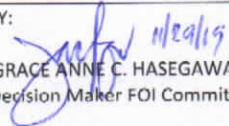
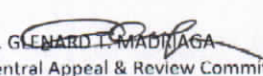
	<b>PEOPLE'S FREEDOM OF INFORMATION (FOI) MANUAL</b>	TSU-FOI-01-01	
	Section: Freedom of Information Committee	Effectivity Date: November 28, 2019	
	Subject: Preface	Revision: 00	Page 1 of 1

## PREFACE

This Freedom of Information (FOI) Manual is in compliance with Executive Order No. 02, series of 2016 issued by the President for the Republic of the Philippines, "Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies to Full Public Disclosure and Transparency in the Public Service and Providing Guidelines thereof".

The Tarlac State University Freedom of Information (FOI) Manual is in response to the advocacy of the government to be transparent to the general public.



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**Article I. Legal Basis**

In compliance to Executive Order No. 02, s. 2016 entitled "Operationalizing in the Executive Branch the People's Right to Information and the State Policies to full Public Disclosure and Transparency in the Public Service and Providing Guidelines", the Tarlac State University created this Freedom of Information (FOI) Manual adhering to the directive that every government office should prepare its own People's Freedom of Information Manual.

**Article II. Overview**

**Section 1. Declaration of Policy**

The University promotes and sponsor effective records management practices to ensure that information specifically on matters of public concern can be easily located, retrieved in a timely manner and readily available to public. Tarlac State University recognizes the right of people to information and is committed to the implementation of Executive Order 02, s. 2016 by providing information involving public interest subject to stipulated conditions and limitations in the 1987 Philippine Constitution, other applicable laws, rules and regulations.

**Section 2. Objectives**

The FOI Manual aims to provide guidelines and detailed procedures to the public in requesting for information, official records, and documents in the university as well as to guide and assist the Tarlac State University community in dealing with requests for information received under Executive Order 2 also known as Freedom of Information Order or the "Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies to Full Public Disclosure and Transparency in the Public Service and Providing Guidelines".

**Section 3. Scope**

The manual shall cover all requests for information directed to the various offices in all Tarlac State University campuses.

**Section 4. Definition of Terms**

- a. Approval / Disapproval of Requested Information. Granting or denial of requested information or access to information whether in whole or in part.
- b. Consultation. It refers to the process of asking the assessment, opinion of other agency as to the disclosability of records which are found to contain information of interest to such other government agency when such records are in possession of the University.
- c. Exceptions. It refers to Information that should not be released and disclosed in response to an FOI request because they are protected by the constitution, laws or jurisprudence.



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PEOPLE'S FREEDOM OF INFORMATION (FOI) MANUAL

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- d. Freedom of Information. The Philippines Government specifically the Executive Branch Recognizes and guarantees the right of people to access information. The right of people to access information which 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.
- e. FOI Request Form. Tarlac State University official request form to be accomplished and submitted by the requestor or requesting party personally or by electronic mail asking, for information, documents records.
- f. FOI Appeal. It refers to and independent review of the initial determination made in response to an FOI request in accordance with the procedures established herein.
- g. Information. It means any records, documents, papers, report letters, contracts, minutes and transcripts of official meetings, maps , books, photographs, date research materials, films sound and video recording, magnetic or other tapes, recorded, stored or archived in whatever format, weather offline or online, which are made, received or kept 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 transactions of official business by any government office.
- h. Information for Disclosure. It refers to the information promoting the awareness and understanding of policies, programs, activities, rules or revisions affecting the public, government agencies and the community and economy. It also includes information encouraging familiarity with the general operations, thrusts and programs of the University. In accordance with the concept of proactive disclosure and open data, this type of information is posted at the Tarlac State University Website and other government websites, such as data.gov.ph without the need for written requests.
- i. Official Records. It refers to any 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.
- j. Open Data. It is defined as publicly available data structured in a way that enables the data to fully discoverable and usable by the end user.
- k. Received Request /Appeal. It refers to the number of requests / appeals received within a certain period.
- l. Private / Personal Information. It is defined as 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 certainly identify an individual.
- m. Public Records. It is defined as information required by laws, executive orders, rules or regulations to be entered, kept and made publicly available by a government office.
- n. Personal Information. It 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 information, or when put together with other information would directly or certainly identify an individual.



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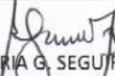
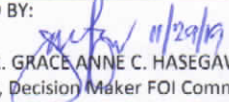
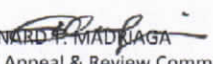
- o. Referral. It refers to the process conducted by the University whenever the requested information is not within the jurisdiction of the university and such request needs to be forwarded to other concerned government agency.

**Section 5. Sensitive Personal Information**

As defined in the Data Privacy Act of 2012, this shall refer to personal information:

- 5.1 About an individual race, ethnic origin, marital status, age, color and religious philosophical or political affiliations.
- 5.2 About an individual health, education, genetic or sexual life 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
- 5.3 Issued by the government agencies peculiar to an individual which includes, but not limited to social security numbers, previous or current health record, licenses or its denials, suspension or revocation and tax returns; and
- 5.4 Specifically established by an executive order or an act of Congress to be kept classified.



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<b>PEOPLE'S FREEDOM OF INFORMATION (FOI) MANUAL</b>	<b>TSU-FOI-01-04</b>	
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**Article III. The University's Freedom of Information Committee (Decision Makers) And FOI Receiving Officer**

**Section 6. The Freedom of Information Committee; Their Duties and Responsibilities**

The university's Freedom of information committee shall be assigned / designated by the University President.

The committee shall perform the following functions:

- 6.1 Advise the assigned FOI receiving officer in each campus of their responsibilities with respect to freedom of information;
- 6.2 Provide guidance and training to the University employees regarding Executive Order No. 2, s. 2016
- 6.3 Advise the University in all matters pertaining to freedom of information;
- 6.4 Supervise the creation and development of the University's FOI Guidelines / Manual;
- 6.5 Ensure that he processes are followed for dealing with requests for access;
- 6.6 Create a standard fee of charging for access requests in accordance with the Fees Regulations as set out by the government
- 6.7 Manage procedures for the processing of appeals and complaints in relation to freedom of information
- 6.8 Make sure that difficulties in matters related to freedom of information are promptly resolved;

**Section 7. The Freedom of Information Receiving Officers; Their Duties and Responsibilities.**

The University President together with the Freedom of Information Committee shall designate Receiving Officer for each campus of the University upon prior recommendation of the Deans and Directors, Unit Heads or by the Vice Presidents.

The FOI receiving officer shall have the following duties and responsibilities


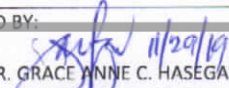

- 7.1 Serve as the official receiving officer on behalf of Tarlac State University
- 7.2 Receive and facilitates all requests for information under the offices assigned to him/her
- 7.3 Provide assistance and support to the public with regards to FOI request in the university;
- 7.4 Release and File the FOI request form in his/her respective offices assignment;
- 7.5 Ensure that the FOI Request forms in correctly and completely accomplished;




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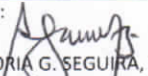
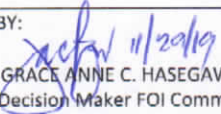
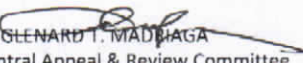
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- 7.6 Process all requests and forward to the concerned office (s) which has custody to the requested record (s) or document (s) (If necessary after consultation and approval of the FOI Committee)
- 7.7 Ensuring all the received requests are responded to within the prescribed period;
- 7.8 Maintain an FOI log sheet of all the requests chronologically received for accountability purposes;
- 7.9 Monitor all FOI requests and appeals, provide pertinent information to the FOI Committee of the University;
- 7.10 Record and compile statistical information needed pertinent to FOI
- 7.11 After completion of the process on the requested information, inform the requesting person/party regarding the status of the request and decision within Five (5) working days.
- 7.12 Prepare all other necessary FOI reports



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	<b>PEOPLE'S FREEDOM OF INFORMATION (FOI) MANUAL</b>	<b>TSU-FOI-01-05</b>	
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**Article IV. Promotion of Transparency in Governance of Tarlac State University**

**Section 8. Duty to Publish Information**

The Tarlac State University shall regularly publish, print and disseminate at no cost to the public and in an accessible form, in conjunction with Republic Act No. 9485 otherwise known as the Anti-Red Tape Act of 2007, and through their website, timely, true, accurate and updated key information including but not limited to:

- 8.1 A description of its mandate, structure, powers, functions, duties and decision – making processes
- 8.2 A description of frontline services its delivers and the procedure and length of time by which a such services may be availed of;
- 8.3 The names if its key officials, their powers, functions and responsibilities as well as their provide and curriculum vitae;
- 8.4 Work programs, development plans, investment plans, projects, performance targets and accomplishments, budgets, revenue allotments and expenditures;
- 8.5 Important rules and regulations, orders or decisions;
- 8.6 Current and important database and statistics that it generates;
- 8.7 Bidding processes and requirements; and
- 8.8 Mechanisms or procedures by which the public may participate in or otherwise influence the formulation of policy or the exercise of power.

**Section 9. Accessibility of Language and Form**

The University shall endeavor to translate its key information into Filipino language, Pampango and Ilocano dialect and present them in popular forms and means.

**Section 10. Keeping of Records**

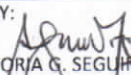


The University shall create and / or maintain in appropriate formats accurate and reasonably complete documentation or records, policies, transactions, decisions, resolutions, enactments, actions, procedures, operation, activities, communications and documents received or files with them and the date generated or collected.

**Section 11. Protection Privacy**


While providing for access to information, the University and its colleges, units and offices shall afford full protection to a person's right to privacy as follows:

- 11.1 The University, its colleges, units and offices shall ensure that personal information particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws.
- 11.2 The University, its colleges, units and offices shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure.
- 11.3 The FRO, FDM or any employees or any official who has access, whether authorized or unauthorized, to personal information in the custody of the University, its colleges, units and offices, shall not disclose that information except as authorized by the University or under existing laws.



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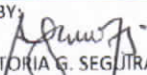
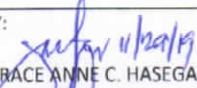

**Article V. Procedures and Action in The Processing of Request Information**

**Section 12. Procedures and Action for Requested Information**

In relation to Tarlac State University Integrated Management System (IMS) Certification, standard processes in the access of information and forms of transactions pertinent to Freedom of Information for all TSU stakeholders and outside party shall be implemented.

- 12.1 For utmost adherence to the Freedom of Information, any requesting party shall accomplish or fill out the Request FOI form available in the Records Office of the University and can be downloaded in the TSU Official Website.
- 12.2 The assigned FOI Receiving Officer in the campus where the information was requested shall receive and process the requested information or documents. The FOI receiving Personnel shall promptly checked the accomplished form before processing the request and must ensure that it includes the necessary details in the request to avoid confusion or delay of the request. The request form shall be stamped received, indicating date and time of receipt and signed by the FOI Receiving Officer.
- 12.3 After checking the request form, the FOI receiving officer shall assess or evaluate the requested information whether it is allowed to be given or subject to exceptions enshrined in the constitution, existing law and other special laws pertinent to Freedom of information.
- 12.4 In the case of any request submitted or sent through the official email of the University the receiver of the email shall acknowledge the email of the requesting party, print out the request form and forward it to the FOI receiving personnel of the concerned office within two working (2) days.
- 12.5 The request then shall be forwarded to the concerned personnel or official, which has custody of the requested information, document or record.
- 12.6 The FOI receiving personnel shall notify the requesting party within five (5) working days regarding the status, approval or disapproval of the request. If the request was approved, the FOI receiving personnel shall ensure that all information, records and documents that have been retrieved are checked for possible exemptions, prior to the release date. The FOI receiving officer shall prepare the assessment of the applicable fees to be paid by the requester.
- 12.7 If consultation to the FOI committee is necessary regarding the requested information, the decision of the committee and the processing of the requested information must be done within seven (7) working days. The FOI receiving personnel shall notify the requesting party regarding the status, approval or disapproval of the request.
- 12.8 Should the requested information needs further consultation in other government agencies, the FOI Committee or FOI receiving officer must ensure that it is well coordinated and the notification and processing of the request must be done within fifteen (15) working days after the request was received by the concerned government agency. The requesting party shall also be informed regarding the other processes conducted by the University.

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TSU-FOI-01-06

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12.9 If the information requested requires extension of time due to extensive search of the University's record facilities, examination of records, or there is unexpected or unavoidable incidence or other analogous cases, the FOI receiving officer must inform the FOI committee for further actions and decision making. The FRO shall also inform the requestor about the needed time extension, setting forth the reasons for such extension. In no cases shall the extension exceed twenty (20) working days on top of the mandated 15 working days to act on the request, unless exceptional circumstance warrant a longer period.

**Section 13. Disapproval of Request**

If the requested information or documents is exempted from the coverage of this manual, the FOI receiving officer shall deny the request for information and inform the requestor regard the disapproval. In case of denial of the request, wholly or partially, the requesting party shall be notified in writing or other forms of communication by the responsible FOI officer of such denial within the prescribed period. Failure to notify the requesting party of the action taken on the request within the period provided herein shall be considered as denial to access information and subject to administrative liabilities and penalties.

**Section 14. Requested information is already posted and available online**

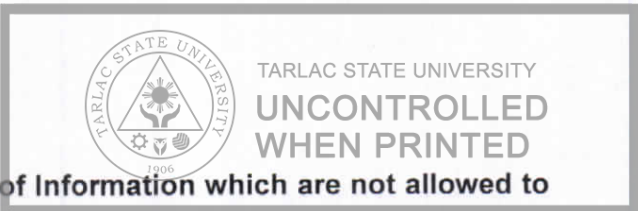
If the requested information is already posted and publicly available in the Tarlac State University website, data.gov.ph or foi.gov.ph, the request shall be denied. However, the University shall inform the requesting party of the reasons for such denial.

**Section 15. Requested Information is not covered of Freedom of Information**

If requested documents is not within the coverage of Executive Order No. 02. The requesting party shall be notified and advised accordingly.

**Section 16. List of Documents which may be requested in the University.**

- 16.1 TSU Administrative Order
- 16.2 TSU Memorandum Order
- 16.3 Office Memo
- 16.4 Minutes of the meetings of the University Administrative Council
- 16.5 Minutes of meetings of the University Academic Council
- 16.6 Accomplishment Report
- 16.7 Forms uploaded website
- 16.8 Notice of meeting
- 16.9 Establishment of Committee
- 16.10 Board Resolution



**Section 17. List of Exceptions to Freedom of Information which are not allowed to be released or disclosed.**

- 17.1 Minutes of the meetings of the TSU Board of Regents, its Finance Committee and other committees which may create
- 17.2 Judicial affidavits filed in all cases involving the University
- 17.3 All pending cases involving the University and its employees
- 17.4 201 files all employees



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**TSU-FOI-01-06**

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- 17.6 Statement of Assets and Liabilities and Network
- 17.7 BAC Minutes of Meetings
- 17.8 Abstract of Bids
- 17.9 Minutes of TWG meetings and recommendations of Technical Working Group
- 17.10 OPCR's and DPCR's
- 17.11 Financial Reports and financial documents not yet audited by the Commission on Audit
- 17.12 All Reports not in the final form
- 17.13 Student records
- 17.14 Pay slips

**Section 18.** The freedom of Information Committee of the University upon prior determination and approval of the University President and its Board of Regents, Academic Council and Administrative Council, may provide other information or documents which may be exempted from the coverage of this manual in addition to the foregoing enumeration.



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MASTER COPY**

PREPARED BY:

*Victoria G. Seguirra*  
VICTORIA G. SEGUIRRA, MPA  
Receiving Officer Main Campus and  
Over-all FOI Officer


REVIEWED BY:

*Grace Anne C. Hasegawa*  
DR. GRACE ANNE C. HASEGAWA  
Chair, Decision Maker FOI Committee

APPROVED BY:

*Glenard T. Madriaga*  
DR. GLENARD T. MADRIAGA  
Chair, FOI Central Appeal & Review Committee



	<b>PEOPLE'S FREEDOM OF INFORMATION (FOI) MANUAL</b>	<b>TSU-FOI-01-07</b>	
	Section: Freedom of Information Committee	<b>Effectivity Date: November 28, 2019</b>	
	Subject: Procedure of Appeal in Case of Denial of Request and Administrative Liabilities & Penalties	<b>Revision: 00</b>	<b>Page 1 of 1</b>

**Article VI. Procedure of Appeal in Case of Denial of Request**

**Section 19. Procedure of Appeal**

The requesting party whose request for information has been disapproved or denied within the prescribed period, may apply for appeal (2) working days after the receipt of disapproval or denial. No appeal shall be recognized by the university without the written request of appeal containing the following: full name and address of the appealing party, full name and office address of the FOI receiving office who denied the request for information, a narration of the relevant and materials facts leading to the filing of the appeal, and certified true copies of the documentary evidence and affidavit of witnesses (if any). Failure of the requesting party comply with any of the mentioned requirements may cause the dismissal of the appeal. The appeal shall be decided by the University President within thirty (30) working days from the receipt of the said appeal. Failure to decide the appeal within the 30-day period shall be considered as a denial of the appeal.

**Section 20. Resort to Court action**

Upon exhaustion of all administrative procedures FOI appeal remedies, the requesting party may file the case in the court.

**Article VII. Administrative Liabilities and Penalties**

**Section 21. Non-compliance with the FOI**

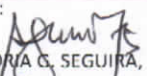
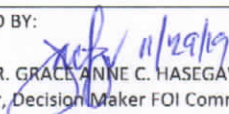

Failure to comply with any of the provisions of Tarlac State University FOI Manual shall be a ground for administrative and disciplinary action. If found guilty, the following penalties shall be imposed:


- 1<sup>st</sup> offense - Reprimand
- 2<sup>nd</sup> offense - Suspension of seven (7) to thirty (30) days
- 3<sup>rd</sup> offense - Dismissal from service

**Section 22. Procedure**

The Revised Rules on Administrative Cases in the Civil Security shall be applicable in the disposition of cases under this manual.



PREPARED BY:  VICTORIA G. SEGUIRA, MPA Receiving Officer Main Campus and Over-all FOI Officer	REVIEWED BY:  DR. GRACE ANNE C. HASEGAWA Chair, Decision Maker FOI Committee	APPROVED BY:  DR. GLENARD T. MADRIGA Chair, FOI Central Appeal & Review Committee
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	<b>PEOPLE'S FREEDOM OF INFORMATION (FOI) MANUAL</b>	<b>TSU-FOI-01-08</b>	
	Section: Freedom of Information Committee	<b>Effectivity Date: November 28, 2019</b>	
	Subject: Fees	<b>Revision: 00</b>	<b>Page 1 of 1</b>

**Article VIII. Fees**

**Section 23. Fees**

The FOI receiving officer shall determine the actual amount spent for the reproduction / authentication and copying fee and notify the requestor or requesting party.

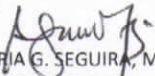
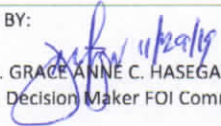

**Section 24. Payment of Requested Information**

All fees pertaining to the request of information shall be paid at the Cashiering Office. The University or any of its colleges, units or offices shall not collect any fee pertinent to the request for information or any appeal on denial of such request. The FOI Committee or FOI receiving officer may exempt any requesting party from payment of fees due to indigence, lack of fund or similar circumstances, upon request and subject to the showing of proof of any of such circumstances.

**Section 25. Effectivity**

The Policy shall take effect upon approval of the Tarlac State University Board of Regents.



PREPARED BY:  VICTORIA G. SEGUIRAN, MPA Receiving Officer Main Campus and Over-all FOI Officer	REVIEWED BY:  DR. GRACE ANNE C. HASEGAWA Chair, Decision Maker FOI Committee	APPROVED BY:  DR. GLENARD T. MAQUIRAGA Chair, FOI Central Appeal & Review Committee
---	--	---



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**FREEDOM OF INFORMATION (FOI) REQUEST FORM**

(Pursuant to Executive Order No. 2 s. 2016)

(For use of External Requests)

**A. Requesting Party**

1. SURNAME	2. GIVEN NAME	3. MIDDLE NAME

4. Complete Residence Address/Office Address:  
 \_\_\_\_\_  
 \_\_\_\_\_

Mobile No./ Landline No.: \_\_\_\_\_ Email Address / FAX: \_\_\_\_\_

5. Preferred Mode of Communication on the action of request:  
 Landline     Mobile     Email     FAX     Postal Address     Pick up    Specify: \_\_\_\_\_

6. Type of ID provided (with photo and duly signed):  
 \_\_\_\_\_

7. Preferred mode of Reply:  Pick up     Electronic (Email or Fax)     Others

**B. Requested Information**

8. Title of Document / Records Requested:	9. Coverage/Time Period:
10. Purpose:	

**C. Declaration**

*Privacy Notice: I was informed that the information from my application will be used by the Tarlac State University (TSU), to deal with my application as set out in the Freedom of Information Executive Order No. 2. If the Department or Agency gives me access to a document, and if the document contains no personal information about me, the document will be published online in the Agency's Website or disclosure log, along with my name and the date I applied, and if another person, company or body will use or benefit from the documents sought, the name of that person, entity or body must be indicated.*

I declare that:

- The information provided by me in the form is complete and correct;
- I have read the Declaration
- I have presented at least one (1) government – issued ID to establish proof of my identity, which is specified in no. 6 of the Form.

11. Signature over Printed Name (Requesting Party)                      Date: \_\_\_\_\_

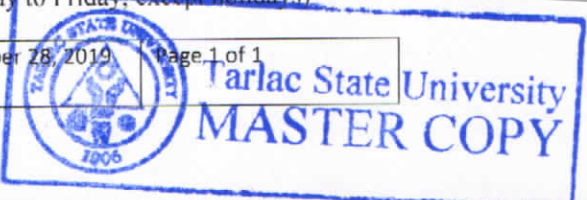
**D. FOI Receiving Officers (RO)**

12. First Receiving Officer:  _____ (Signature Over Printed Name)    Date: _____	14. Decision Maker Assigned to Application  _____ (Signature Over Printed Name)    Date: _____
13. Second / Third Receiving Officer:  _____ (Signature Over Printed Name)    Date: _____	15. Decision on Application: <input type="checkbox"/> Successful <input type="checkbox"/> Partially Successful <input type="checkbox"/> Denied <input type="checkbox"/> Cost <input type="checkbox"/> Invalid <input type="checkbox"/> Incomplete <input type="checkbox"/> Exemption <input type="checkbox"/> Data Already Available Online

16. Date Request Finished/Sent: _____	18. FOI Registry Accomplished: <input type="checkbox"/> YES <input type="checkbox"/> NO
17. Date Request Received: _____	19. Receiving Officer _____ (Signature Over Printed Name)    Date: _____



**Note:** Processing of request – 7:00am to 12:00nn and 1:00pm to 6:00pm (Tuesday to Friday, except holidays)





Republic of the Philippines  
**TARLAC STATE UNIVERSITY**  
Romulo Boulevard, San Vicente, Tarlac City  
Tel. No. (045) 606-8101, (045) 606-8200, (045) 606-8121  
Fax No. (045) 982-0110 Official Website: <http://www.tsu.edu.ph>

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**TSU ADMINISTRATIVE COUNCIL REFERENDUM CALLING FOR THE  
APPROVAL OF THE AMENDMENTS OF THE FREEDOM OF  
INFORMATION MANUAL**

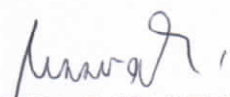
**Referendum No. 009, s. 2019**

November 28, 2019

**APPROVING THE AMENDMENTS ON SOME PROVISIONS OF THE  
FREEDOM OF INFORMATION MANUAL OF THE TARLAC STATE  
UNIVERSITY IN COMPLIANCE TO EXECUTIVE ORDER NO. 2, S. 2019**

**APPROVED BY MAJORITY VOTE.**

Certified Correct:

  
**AURELIA S. VALENCIA**  
University Secretary



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**MEMBERS OF THE ADMINISTRATIVE COUNCIL:**

NAMES	APPROVED	DISAPPROVED	REMARKS
MALLARI, MYRNA			
LACANLALE, ERWIN			
MADRIAGA, GLENARD			
SICAT, LOLITA V			
ROSEL, ARMEE			
CORPUZ, NIÑO			
MANABAT, JAZZEL LLANELI			
BOGNOT, CYNTHIA			
ADVENTO, GARRY			
CAOLENG, EDWIN			Well done!
CORPUZ, BRIGIDO			
DELA CRUZ, MARLON C.			
DELA RAMA, JOSE			
DOMINGO, JESSIE			
GABRIEL, JONATHAN			
GALVEZ, MIRIAM			
GAMIDO, MARLON			
GUTIERREZ, WINNIEFE			
HASEGAWA, GRACE ANNE			
LAGASCA, JULIETA M.			
LAGMAN, CONSOLACION			
MADRIAGA, ALOYSIUS			
MENDOZA, JASPER JAY			
MARCOS, FERDINAND			
PABUSTAN, JAY			
PANLILIO, JHONEL			
PANLILIO, JOHN ERWIN			
PIAO, LEO			
PULMANO, RITA			
RIGOR, MARY JANE			
SEGUIRA, FABIAN P.			
SICANGCO, EMIR LENARD			
SIMBOL, VALARIE			
SUERTE FELIPE, PEDRO JR.			
TIMPAC, THEODORE			
TOLEDANO, REDEMPTOR			
VALENCIA, AURELIA S.			
VALENCIA, FERDINAND			



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# TARLAC STATE UNIVERSITY

Romulo Blvd., San Vicente, Tarlac City, Philippines 2300  
Tel. Nos. (045) 982-1624, (045) 982-2605, (045) 982-5574  
Fax No. (045) 982-0110 Official Website: <http://www.tsu.edu.ph>

## TSU ADMINISTRATIVE COUNCIL

### Referendum No. 009, s. 2019

November 28, 2019

**Approval of the Amendment to the Freedom of Information (FOI) Manual in compliance to the Executive Order No. 2, s. 2019**

### AMENDMENTS

1. ARTICLE III AS FOLLOWS "THE UNIVERSITY'S FREEDOM OF INFORMATION COMMITTEE (DECISION MAKERS) FOI RECEIVING OFFICER" IS AMENDED BY ARTICLE III AS FOLLOWS "THE UNIVERSITY'S FREEDOM OF INFORMATION COMMITTEE"

2. SECTION 6 AS FOLLOWS "THE FREEDOM OF INFORMATION RECEIVING OFFICERS; THEIR DUTIES AND RESPONSIBILITIES." IS AMENDED BY SECTION 6 AS FOLLOWS "THE DESIGNATED FREEDOM OF INFORMATION RECEIVING OFFICERS. DUTIES AND RESPONSIBILITIES"

NAME	OFFICE	DESIGNATIONS	CONTACT DETAILS	EMAIL ADDRESS
Victoria Seguiria	Records and Archives Unit, Head	Receiving Officer, Main Campus and Over-all FOI Officer	(045) 606-8156	tsu_foi@tsu.edu.ph
Theodore Timpac	College of Criminal Justice Education, Dean	Receiving Officer, Lucinda Campus		tsu_foi@tsu.edu.ph
Valarie Simbol	College of Computer Studies, Dean	Receiving Officer, San Isidro Campus	(045) 606-8173	tsu_foi@tsu.edu.ph

6.1 SERVE AS THE OFFICIAL RECEIVING OFFICER ON BEHALF OF TARLAC STATE UNIVERSITY

6.2 RECEIVE ALL REQUEST FROM CLIENTS (EXTERNAL AND INTERNAL) FOR INFORMATION IN THE CAMPUS WHERE HE/SHE IS ASSIGNED.

6.3 PROVIDE ASSISTANCE AND SUPPORT TO THE PUBLIC WITH REGARDS TO FOI REQUEST IN THE UNIVERSITY;

6.4 RELEASE AND FILE THE FOI REQUEST FORM IN HIS/HER RESPECTIVE OFFICES ASSIGNMENT;

6.5 ENSURE THAT THE FOI REQUEST FORMS IS CORRECTLY AND COMPLETELY ACCOMPLISHED;

6.6 PROCESS ALL REQUESTS AND FORWARD TO THE CONCERNED OFFICE (S) WHICH HAS CUSTODY TO THE REQUESTED RECORD (S) OR DOCUMENT (S) (IF NECESSARY AFTER CONSULTATION AND APPROVAL OF THE FOI COMMITTEE)

6.7 ENSURING ALL THE RECEIVED REQUESTS ARE RESPONDED TO WITHIN THE PRESCRIBED PERIOD;



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6.8 MAINTAIN AN FOI LOG SHEET OF ALL THE REQUESTS CHRONOLOGICALLY RECEIVED FOR ACCOUNTABILITY PURPOSES;

6.9 MONITOR ALL FOI REQUESTS AND APPEALS, PROVIDE PERTINENT INFORMATION TO THE FOI COMMITTEE OF THE UNIVERSITY;

6.10 RECORD AND COMPILE STATISTICAL INFORMATION NEEDED PERTINENT TO FOI

6.11 AFTER COMPLETION OF THE PROCESS ON THE REQUESTED INFORMATION, INFORM THE REQUESTING PERSON/PARTY REGARDING THE STATUS OF THE REQUEST AND DECISION WITHIN FIVE (5) WORKING DAYS.

6.12 PREPARE ALL OTHER NECESSARY FOI REPORTS

3. SECTION 7 AS FOLLOWS "THE FREEDOM OF INFORMATION COMMITTEE THEIR DUTIES AND RESPONSIBILITIES – THE UNIVERSITY'S FREEDOM OF INFORMATION COMMITTEE SHALL BE ASSIGNED / DESIGNATED BY THE UNIVERSITY PRESIDENT" IS AMENDED BY SECTION 7 AS FOLLOWS "THE DESIGNATED FREEDOM OF INFORMATION DECISION MAKERS, DUTIES AND RESPONSIBILITIES"

NAME	OFFICE	DESIGNATIONS	CONTACT DETAILS	EMAIL ADDRESS
Grace Anne Hasegawa	Planning & Development, Director	Chair, Decision Maker	(045) 606-8126	ghasegawa@tsu.edu.ph
Winniefe Gutierrez	Chief Administrative Office, Director	Member, Decision Maker	(045) 606-8154	wfgutierrez@tsu.edu.ph
Marlon Dela Cruz	Human Resource Development & Management Office, Director	Member, Decision Maker	(045) 606-8155	mdelacruz@tsu.edu.ph
Marlon Gamido	College of Computer Studies, Dean	Member, Decision Maker	(045) 606-8173	mvgamido@tsu.edu.ph
Edwin Caoleng	Student Affairs And Services, Dean	Member, Decision Maker	(045) 606-8130	etcaoleng@tsu.edu.ph
Jay Pabustan	Institutional Performance Monitoring and Evaluation Office, Director	Member, Decision Maker	(045) 606-8126	Jrpabustan@tsu.edu.ph
Grace Rosete	Admission & Registrar Office	Member, Decision Maker	(045) 606-8182	ora@tsu.edu.ph

7.1 ADVISE THE ASSIGNED FOI RECEIVING OFFICER IN EACH CAMPUS OF THEIR RESPONSIBILITIES WITH RESPECT TO FREEDOM OF INFORMATION;

7.2 PROVIDE GUIDANCE AND TRAINING TO THE UNIVERSITY EMPLOYEES REGARDING EXECUTIVE ORDER NO. 2, S. 2016;



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7.3 ADVISE THE UNIVERSITY IN ALL MATTERS PERTAINING TO FREEDOM OF INFORMATION;

7.4 SUPERVISE THE CREATION AND DEVELOPMENT OF THE UNIVERSITY'S FOI GUIDELINES / MANUAL;

7.5 ENSURE THAT THE PROCESSES ARE FOLLOWED FOR DEALING WITH REQUESTS FOR ACCESS;

7.6 CREATE A STANDARD FEE OF CHARGING FOR ACCESS REQUESTS IN ACCORDANCE WITH THE FEES REGULATIONS AS SET OUT BY THE GOVERNMENT.

7.7 MANAGE PROCEDURES FOR THE PROCESSING OF APPEALS AND COMPLAINTS IN RELATION TO FREEDOM OF INFORMATION

7.8 MAKE SURE THAT DIFFICULTIES IN MATTERS RELATED TO FREEDOM OF INFORMATION ARE PROMPTLY RESOLVED.

4. SECTION 8. THE DESIGNATED FREEDOM OF INFORMATION CENTRAL APPEAL & REVIEW COMMITTEE (CARC). DUTIES AND RESPONSIBILITIES.

NAME	OFFICE	DESIGNATIONS	CONTACT DETAILS	EMAIL ADDRESS
Vice President for Administration and Finance	Vice President for Administration and Finance	Chair, Central Appeal & Review Committee	(045) 606-8112	vpaf@tsu.edu.ph
Vice President for Academic and Affairs	Vice President for Academic and Affairs	Member, Central Appeal & Review Committee	(045) 606-8115	
Vice President for Planning and Quality Assurance	Vice President for Planning and Quality Assurance	Member, Central Appeal & Review Committee	(045) 606-8116	tsuintlaffairs@tsu.edu.ph
Vice President for Research & Extension	Vice President for Research & Extension	Member, Central Appeal & Review Committee	(045) 606-8111	vprepd@tsu.edu.ph

8.1 RECEIVE ALL COMPLAINTS IN WRITING ABOUT MATTERS PERTAINING TO THE FREEDOM OF INFORMATION IN THE UNIVERSITY;

8.2 CONDUCT INVESTIGATIONS AND HEARINGS ABOUT THE COMPLAINANTS AND ISSUE FINAL DECISION ON THE MATTER;

8.3 REVIEW AND REVISE THE POLICIES, GUIDELINES AND MANUAL IN THE IMPLEMENTATION OF THE FREEDOM OF INFORMATION TO THE UNIVERSITY STAKEHOLDERS; AND

8.4 PERFORM OTHER FUNCTIONS RELATED TO THEIR MAJOR DESIGNATIONS TO BE ASSIGNED BY PROPER AUTHORITIES



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5. SECTION 8.3 AS FOLLOWS “THE NAMES IF ITS KEY OFFICIALS, THEIR POWERS, FUNCTIONS AND RESPONSIBILITIES AS WELL AS THEIR PROVIDE AND CURRICULUM VITAE” IS AMENDED BY SECTION 9.3 AS FOLLOWS “THE NAMES OF ITS KEY OFFICIALS, THEIR POWERS, FUNCTIONS AND RESPONSIBILITIES AS WELL AS OTHER INFORMATION THAT THEY MAY PROVIDE AND THEIR CURRICULUM VITAE”

6. SECTION 12.1 AS FOLLOWS “FOR UTMOST ADHERENCE TO THE FREEDOM OF INFORMATION, ANY REQUESTING PARTY SHALL ACCOMPLISH OR FILL OUT THE REQUEST FOI FORM AVAILABLE IN THE RECORDS OFFICE OF THE UNIVERSITY AND CAN BE DOWNLOADED IN THE TSU OFFICIAL WEBSITE” IS AMENDED BY SECTION 13.1 AS FOLLOWS “FOR UTMOST ADHERENCE TO THE FREEDOM OF INFORMATION, ANY REQUESTING PARTY SHALL ACCOMPLISH OR FILL OUT THE FOI REQUEST FORM (INTERNAL / EXTERNAL) AVAILABLE IN THE RECORDS AND ARCHIVES UNIT OF THE UNIVERSITY AND CAN BE DOWNLOADED IN THE TSU OFFICIAL WEBSITE.”

7. SECTION 12.2 AS FOLLOWS “THE ASSIGNED FOI RECEIVING OFFICER IN THE CAMPUS WHERE THE INFORMATION WAS REQUESTED SHALL RECEIVE AND PROCESS THE REQUESTED INFORMATION OR DOCUMENTS. THE FOI RECEIVING PERSONNEL SHALL PROMPTLY CHECKED THE ACCOMPLISHED FORM BEFORE PROCESSING THE REQUEST AND MUST ENSURE THAT IT INCLUDES THE NECESSARY DETAILS IN THE REQUEST TO AVOID CONFUSION OR DELAY OF THE REQUEST. THE REQUEST FORM SHALL BE STAMPED RECEIVED, INDICATING DATE AND TIME OF RECEIPT AND SIGNED BY THE FOI RECEIVING OFFICER.” IS AMENDED BY SECTION 13.2 AS FOLLOWS “THE ASSIGNED FRO’S IN THE CAMPUS WHERE THE INFORMATION WAS REQUESTED SHALL RECEIVE AND PROCESS THE REQUESTED INFORMATION OR DOCUMENTS. THE FRO’S SHALL PROMPTLY CHECK THE ACCOMPLISHED FORM BEFORE PROCESSING THE REQUEST AND MUST ENSURE THAT IT INCLUDES THE NECESSARY DETAILS IN THE REQUEST TO AVOID CONFUSION OR DELAY OF THE REQUEST. THE REQUEST FORM SHALL BE STAMPED RECEIVED, INDICATING DATE AND TIME OF RECEIPT AND SIGNED BY THE FRO’S.

8. SECTION 12.3 AS FOLLOWS “AFTER CHECKING THE REQUEST FORM, THE FOI RECEIVING OFFICER SHALL ASSESS OR EVALUATE THE REQUESTED INFORMATION WHETHER IT IS ALLOWED TO BE GIVEN OR SUBJECT TO EXCEPTIONS ENSHRINED IN THE CONSTITUTION, EXISTING LAW AND OTHER SPECIAL LAWS PERTINENT TO FREEDOM OF INFORMATION” IS AMENDED BY SECTION 13.3 AS FOLLOWS “AFTER CHECKING THE FOI REQUEST FORM, THE FRO’S SHALL ASSESS OR EVALUATE THE REQUESTED INFORMATION WHETHER IT IS ALLOWED TO BE GIVEN OR SUBJECT TO EXCEPTIONS ENSHRINED IN THE CONSTITUTION, EXISTING LAW AND OTHER SPECIAL LAWS PERTINENT TO FREEDOM OF INFORMATION”

9. SECTION 12.5 AS FOLLOWS “THE REQUEST THEN SHALL BE FORWARDED TO THE CONCERNED PERSONNEL OR OFFICIAL, WHICH HAS CUSTODY OF THE



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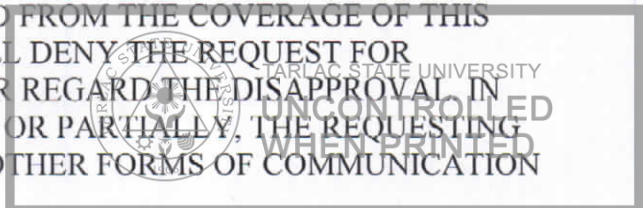
REQUESTED INFORMATION, DOCUMENT OR RECORD.” IS AMENDED BY SECTION 13.5 AS FOLLOWS “THE REQUEST THEN SHALL BE FORWARDED TO THE CONCERNED FOI DECISION MAKER (FDM), WHICH HAS CUSTODY OF THE REQUESTED INFORMATION, DOCUMENT OR RECORD.”

10. SECTION 12.6 AS FOLLOWS “THE FOI RECEIVING PERSONNEL SHALL NOTIFY THE REQUESTING PARTY WITHIN FIVE (5) WORKING DAYS REGARDING THE STATUS, APPROVAL OR DISAPPROVAL OF THE REQUEST. IF THE REQUEST WAS APPROVED, THE FOI RECEIVING PERSONNEL SHALL ENSURE THAT ALL INFORMATION, RECORDS AND DOCUMENTS THAT HAVE BEEN RETRIEVED ARE CHECKED FOR POSSIBLE EXEMPTIONS, PRIOR TO THE RELEASE DATE. THE FOI RECEIVING OFFICER SHALL PREPARE THE ASSESSMENT OF THE APPLICABLE FEES TO BE PAID BY THE REQUESTER.” IS AMENDED BY SECTION 13.6 AS FOLLOWS “THE FRO’S SHALL NOTIFY THE REQUESTING PARTY REGARDING THE STATUS (APPROVAL / DISAPPROVAL) WITHIN THE PRESCRIBED PERIOD OF TIME FOR SIMPLE OR COMPLEX TRANSACTION. IF THE REQUEST WAS APPROVED, THE FRO’S SHALL ENSURE THAT ALL INFORMATION, RECORDS AND DOCUMENTS THAT HAVE BEEN RETRIEVED ARE CHECKED FOR POSSIBLE EXEMPTIONS, PRIOR TO THE RELEASE DATE. THE FRO’S SHALL PREPARE THE ASSESSMENT OF THE APPLICABLE FEES TO BE PAID BY THE REQUESTER.”

11. SECTION 12.7 AS FOLLOWS “IF CONSULTATION TO THE FOI COMMITTEE IS NECESSARY REGARDING THE REQUESTED INFORMATION, THE DECISION OF THE COMMITTEE AND THE PROCESSING OF THE REQUESTED INFORMATION MUST BE DONE WITHIN SEVEN (7) WORKING DAYS. THE FOI RECEIVING PERSONNEL SHALL NOTIFY THE REQUESTING PARTY REGARDING THE STATUS, APPROVAL OR DISAPPROVAL OF THE REQUEST.” IS AMENDED BY SECTION 13.7 AS FOLLOWS “IF CONSULTATION TO THE FOI COMMITTEE IS NECESSARY REGARDING THE REQUESTED INFORMATION, THE DECISION OF THE COMMITTEE AND THE PROCESSING OF THE REQUESTED INFORMATION MUST BE DONE WITHIN SEVEN (7) WORKING DAYS FROM RECEIPT OF THE REQUEST. THE FRO’S SHALL NOTIFY THE REQUESTING PARTY REGARDING THE STATUS, APPROVAL OR DISAPPROVAL OF THE REQUEST.

12. SECTION 12.8 AS FOLLOWS “SHOULD THE REQUESTED INFORMATION NEEDS FURTHER CONSULTATION IN OTHER GOVERNMENT AGENCIES, THE FOI COMMITTEE OR FOI RECEIVING OFFICER MUST ENSURE THAT IT IS WELL COORDINATED AND THE NOTIFICATION AND PROCESSING OF THE REQUEST MUST BE DONE WITHIN FIFTEEN (15) WORKING DAYS AFTER THE REQUEST WAS RECEIVED BY THE CONCERNED GOVERNMENT AGENCY. THE REQUESTING PARTY SHALL ALSO BE INFORMED REGARDING THE OTHER PROCESSES CONDUCTED BY THE UNIVERSITY.” IS AMENDED BY SECTION 13.8 AS FOLLOWS “SHOULD THE REQUESTED INFORMATION NEEDS FURTHER CONSULTATION IN OTHER GOVERNMENT AGENCIES, THE FOI COMMITTEE OR FRO’S MUST ENSURE THAT IT IS WELL COORDINATED. SUCH NOTIFICATION AND PROCESSING OF THE REQUEST MUST BE DONE WITHIN FIFTEEN (15) WORKING DAYS FROM RECEIPT OF THE REQUEST. THE REQUESTING PARTY SHALL ALSO BE INFORMED REGARDING THE OTHER PROCESSES CONDUCTED BY THE UNIVERSITY.”

13. SECTION 13. AS FOLLOWS “DISAPPROVAL OF REQUEST. IF THE REQUESTED INFORMATION OR DOCUMENTS IS EXEMPTED FROM THE COVERAGE OF THIS MANUAL, THE FOI RECEIVING OFFICER SHALL DENY THE REQUEST FOR INFORMATION AND INFORM THE REQUESTOR REGARD THE DISAPPROVAL IN CASE OF DENIAL OF THE REQUEST, WHOLLY OR PARTIALLY, THE REQUESTING PARTY SHALL BE NOTIFIED IN WRITING OR OTHER FORMS OF COMMUNICATION





BY THE RESPONSIBLE FOI OFFICER OF SUCH DENIAL WITHIN THE PRESCRIBED PERIOD. FAILURE TO NOTIFY THE REQUESTING PARTY OF THE ACTION TAKEN ON THE REQUEST WITHIN THE PERIOD PROVIDED HEREIN SHALL BE CONSIDERED AS DENIAL TO ACCESS INFORMATION AND SUBJECT TO ADMINISTRATIVE LIABILITIES AND PENALTIES.” IS AMENDED BY SECTION 14. AS FOLLOWS “DISAPPROVAL OF REQUEST. IF THE REQUESTED INFORMATION OR DOCUMENTS IS EXEMPTED FROM THE COVERAGE OF THIS MANUAL, THE FRO’S SHALL DENY THE REQUEST FOR INFORMATION AND INFORM THE REQUESTOR REGARDING THE DISAPPROVAL. IN CASE OF DENIAL OF THE REQUEST, WHOLLY OR PARTIALLY, THE REQUESTING PARTY SHALL BE NOTIFIED IN WRITING OR IN OTHER FORMS OF COMMUNICATION BY THE RESPONSIBLE FDM OF SUCH DENIAL WITHIN FIFTEEN (15) DAYS FROM RECEIPT OF REQUEST. FAILURE TO NOTIFY THE REQUESTING PARTY OF THE ACTION TAKEN ON THE REQUEST WITHIN THE PERIOD PROVIDED HEREIN SHALL BE CONSIDERED AS DENIAL TO ACCESS INFORMATION AND SUBJECT TO ADMINISTRATIVE LIABILITIES AND PENALTIES.”

14. SECTION 14 AS FOLLOWS “REQUESTED INFORMATION IS ALREADY POSTED AND AVAILABLE ONLINE. IF THE REQUESTED INFORMATION IS ALREADY POSTED AND PUBLICLY AVAILABLE IN THE TARLAC STATE UNIVERSITY WEBSITE, DATA.GOV.PH OR FOI.GOV.PH, THE REQUEST SHALL BE DENIED. HOWEVER, THE UNIVERSITY SHALL INFORM THE REQUESTING PARTY OF THE REASONS FOR SUCH DENIAL.” IS AMENDED BY SECTION 15 AS FOLLOWS “REQUESTED INFORMATION THAT ARE ALREADY POSTED AND AVAILABLE ONLINE. IF THE REQUESTED INFORMATION IS ALREADY POSTED AND PUBLICLY AVAILABLE IN THE TARLAC STATE UNIVERSITY WEBSITE, DATA.GOV.PH OR FOI.GOV.PH, THE REQUESTOR SHALL BE GUIDED IN THE SITE WHERE THE INFORMATION CAN BE ACCESSED.”

15. SECTION 15 AS FOLLOWS “REQUESTED INFORMATION IS NOT COVERED OF FREEDOM OF INFORMATION. IF REQUESTED DOCUMENTS IS NOT WITHIN THE COVERAGE OF EXECUTIVE ORDER NO. 02. THE REQUESTING PARTY SHALL BE NOTIFIED AND ADVISED ACCORDINGLY.” IS AMENDED BY SECTION 16 AS FOLLOWS “REQUESTED INFORMATION NOT COVERED. IF REQUESTED DOCUMENTS IS NOT WITHIN THE COVERAGE OF EXECUTIVE ORDER NO. 02, THE REQUESTING PARTY SHALL BE NOTIFIED AND ADVISED ACCORDINGLY BY THE FRO’S

16. SECTION 16. AS FOLLOWS “ LIST OF DOCUMENTS WHICH MAY BE REQUESTED IN THE UNIVERSITY”

- 16.1 TSU ADMINISTRATIVE ORDER
- 16.2 TSU MEMORANDUM ORDER
- 16.3 OFFICE MEMO
- 16.4 MINUTES OF THE MEETINGS OF THE UNIVERSITY ADMINISTRATIVE COUNCIL
- 16.5 MINUTES OF MEETINGS OF THE UNIVERSITY ACADEMIC COUNCIL
- 16.6 ACCOMPLISHMENT REPORT
- 16.7 FORMS UPLOADED WEBSITE
- 16.8 NOTICE OF MEETING
- 16.9 ESTABLISHMENT OF COMMITTEE
- 16.10 BOARD RESOLUTION

IS AMENDED BY SECTION 17 AS FOLLOWS “LIST OF DOCUMENTS WHICH MAY BE REQUESTED IN THE UNIVERSITY”

- 17.1 MANDATES AND FUNCTIONS OF TSU
- 17.2 TSU PRESIDENT’S ISSUANCES



TARLAC STATE UNIVERSITY  
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- 17.3 BOARD RESOLUTIONS
- 17.4 MINUTES OF THE MEETINGS OF THE UNIVERSITY ADMINISTRATIVE COUNCIL
- 17.5 MINUTES OF MEETINGS OF THE UNIVERSITY ACADEMIC COUNCIL
- 17.6 ACCOMPLISHMENT REPORTS/ ANNUAL REPORTS
- 17.7 FORMS UPLOADED WEBSITE
- 17.8 NOTICE OF MEETINGS
- 17.9 PHOTO GALLERY

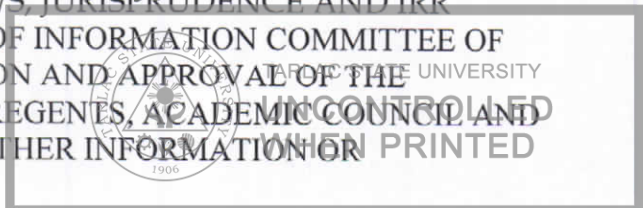
17. SECTION 17 AS FOLLOWS "LIST OF EXCEPTIONS TO FREEDOM OF INFORMATION, WHICH ARE NOT ALLOWED TO BE RELEASED OR DISCLOSED"

- 17.1 MINUTES OF THE MEETINGS OF THE TSU BOARD OF REGENTS, ITS FINANCE COMMITTEE AND OTHER COMMITTEES WHICH MAY CREATE
- 17.2 JUDICIAL AFFIDAVITS FILED IN ALL CASES INVOLVING THE UNIVERSITY
- 17.3 ALL PENDING CASES INVOLVING THE UNIVERSITY AND ITS EMPLOYEES
- 17.4 201 FILES ALL EMPLOYEES
- 17.5 DOCUMENTS OF THE UNIVERSITY SELECTION BOARD
- 17.6 STATEMENT OF ASSETS AND LIABILITIES AND NETWORTH
- 17.7 BAC MINUTES OF MEETINGS
- 17.8 ABSTRACT OF BIDS
- 17.9 MINUTES OF TWG MEETINGS AND RECOMMENDATIONS OF TECHNICAL WORKING GROUP
- 17.10 OPCRS AND DPCRS
- 17.11 FINANCIAL REPORTS AND FINANCIAL DOCUMENTS NOT YET AUDITED BY THE COMMISSION ON AUDIT
- 17.12 ALL REPORTS NOT IN THE FINAL FORM
- 17.13 STUDENT RECORDS
- 17.14 PAY SLIPS

IS AMENDED BY SECTION 18 AS FOLLOWS "EXCEPTIONS TO FREEDOM OF INFORMATION. THE FOLLOWING CANNOT BE RELEASED OR DISCLOSED"

- 17.1 INFORMATION COVERED BY EXECUTIVE PRIVILEGE
- 17.2 NATIONAL SECURITY, DEFENSE OR INTERNATIONAL RELATIONS
- 17.3 LAW ENFORCEMENT & PROTECTION OF PUBLIC & PERSONAL SAFETY
- 17.4 CONFIDENTIAL INFORMATION FOR THE PROTECTION OF PRIVACY OF PERSONS
- 17.5 CONFIDENTIAL INFORMATION BY REASON OF OFFICIAL CAPACITY
- 17.6 STATEMENT OF ASSETS AND LIABILITIES AND NETWORTH
- 17.7 PREJUDICIAL PREMATURE DISCLOSURE
- 17.8 RECORDS OF PROCEEDINGS
- 17.9 CONFIDENTIAL INFORMATION UNDER BANKING AND FINANCE LAWS
- 17.10 OTHER EXCEPTIONS UNDER LAWS, JURISPRUDENCE AND IRR

18. SECTION 18 AS FOLLOWS "THE FREEDOM OF INFORMATION COMMITTEE OF THE UNIVERSITY UPON PRIOR DETERMINATION AND APPROVAL OF THE UNIVERSITY PRESIDENT AND ITS BOARD OF REGENTS, ACADEMIC COUNCIL AND ADMINISTRATIVE COUNCIL, MAY PROVIDE OTHER INFORMATION OR





DOCUMENTS WHICH MAY BE EXEMPTED FROM THE COVERAGE OF THIS MANUAL IN ADDITION TO THE FOREGOING ENUMERATION.” IS AMENDED BY SECTION 19 AS FOLLOWS “THE FREEDOM OF INFORMATION COMMITTEE OF THE UNIVERSITY UPON PRIOR DETERMINATION AND APPROVAL OF THE UNIVERSITY PRESIDENT AND ITS BOARD OF REGENTS, ACADEMIC COUNCIL AND ADMINISTRATIVE COUNCIL, MAY PROVIDE OTHER INFORMATION OR DOCUMENTS WHICH MAY BE EXEMPTED FROM THE COVERAGE OF THIS MANUAL IN ADDITION TO THE FOREGOING ENUMERATION AS APPROVAL BY THE PCCO.”

19. SECTION 23 FEES AS FOLLOWS “THE FOI RECEIVING OFFICER SHALL DETERMINE THE ACTUAL AMOUNT SPENT FOR THE REPRODUCTION / AUTHENTICATION AND COPYING FEE AND NOTIFY THE REQUESTOR OR REQUESTING PARTY.” IS AMENDED BY SECTION 24 FEES AS FOLLOWS “THE FDM’S SHALL DETERMINE THE ACTUAL AMOUNT COLLECTED FOR THE REPRODUCTION / AUTHENTICATION AND COPYING FEE, SUBJECT BY THE APPROVAL OF THE BOARD OF REGENTS”

The amendment was approved by the Administrative Council through Referendum No. 9, s. 2019 held on November 29, 2019. The matter is pending with the Board of Regents which will be passed upon during the Special Meeting on December 18, 2019 at the CHED Central Office, Diliman, Quezon City.



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ANNEX A  
EXECUTIVE ORDER NO. 2, SERIES OF 2016

Signed on July 23, 2016

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 02

**OPERATIONALIZING IN THE EXECUTIVE BRANCH THE PEOPLE'S CONSTITUTIONAL RIGHT TO INFORMATION AND THE STATE POLICIES TO FULL PUBLIC DISCLOSURE AND TRANSPARENCY IN THE PUBLIC SERVICE AND PROVIDING GUIDELINES THEREFOR**

**WHEREAS**, pursuant to Section 28, Article II of the 1987 Constitution, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to reasonable conditions prescribed by law;

**WHEREAS**, Section 7, Article III of the Constitution guarantees the right of the people to information on matters of public concern;

**WHEREAS**, the incorporation of this right in the Constitution is a 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;

**WHEREAS**, the Executive Branch recognizes the urgent need to operationalize these Constitutional provisions;

**WHEREAS**, the President, under Section 17, Article VII of the Constitution, has control over all executive departments, bureaus and offices, and the duty to ensure that the laws be faithfully executed;

**WHEREAS**, the Data Privacy Act of 2012 (R.A. 10173), including its implementing Rules and Regulations, strengthens the fundamental human right of privacy, and of communication while ensuring the free flow of information to promote innovation and growth;

**NOW, THEREFORE, I, RODRIGO ROA DUTERTE**, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

**SECTION 1. Definition.** For the purpose of this Executive Order, the following terms shall mean:  
(a) "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.  
(b) "Official record/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.  
(c) "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.

**SECTION 2. Coverage.** This order shall cover 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 this Order.





**SECTION 3. Access to information.** Every Filipino shall have access to information, official records, public records and to documents and papers pertaining to official acts, transactions or decisions, as well as to government research data used as basis for policy development.

**SECTION 4. Exception.** Access to information shall be denied when the information falls under any of the exceptions enshrined in the Constitution, existing law or jurisprudence.

The Department of Justice and the Office of the Solicitor General are hereby directed to prepare an inventory of such exceptions and submit the same to the Office of the President within thirty (30) calendar days from the date of effectivity of this Order.

The Office of the President shall thereafter, immediately circularize the inventory of exceptions for the guidance of all government offices and instrumentalities covered by this Order and the general public.

Said inventory 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 inventory of exceptions as the need to do so arises, for circularization as hereinabove stated.

**SECTION 5. Availability of SALN.** Subject to the provisions contained in Sections 3 and 4 of this Order, all public officials 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, and the spirit and letter of this Order.

**SECTION 6. Application and Interpretation.** There shall be a legal presumption in favor of access to information, public records and official records. No request for information shall be denied unless it clearly falls under any of the exceptions listed in the inventory or updated inventory of exceptions circularized by the Office of the President provided in the preceding section.

The determination of the applicability of any of the exceptions to the request shall be the responsibility of the Head of the Office which is in custody or control of the information, public record or official record, or the responsible central or field officer duly designated by him in writing.

In making such determination, the Head of the Office or his 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.

**SECTION 7. Protection of Privacy.** While providing access to information, public records, and official records, responsible officials shall afford full protection to the right to privacy of the individual as follows:

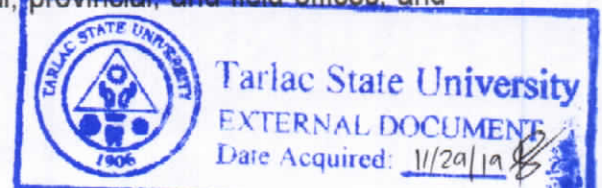
(a) Each government office per Section 2 hereof shall ensure that personal information in its custody or under its control is disclosed or released only if it is material or relevant to the subject-matter of the request and its disclosure is permissible under this order or existing law, rules or regulations;

(b) Each government office must protect personal information in its custody or control by making reasonable security arrangements against leaks or premature disclosure of personal information which unduly exposes the individual whose personal information is requested, to vilification, harassment or any other wrongful acts.

(c) Any employee, official or director of a government office per Section 2 hereof who has access, authorized or unauthorized, to personal information in the custody of the office, must not disclose that information except when authorized under this order or pursuant to existing laws, rules or regulation.

**SECTION 8. People's Freedom to Information (FOI) Manual.** For the effective implementation of this Order, every government office is directed to prepare within one hundred twenty (120) calendar days from the effectivity of this Order, its own People's FOI Manual, which shall include among others the following provisions:

(a) The location and contact information of the head, regional, provincial, and field offices, and





- other established places where the public can obtain information or submit requests;
- (b) The person or office responsible for receiving requests for information;
  - (c) The procedure for the filing and processing of the request as specified in the succeeding section 8 of this Order.
  - (d) The standard forms for the submission of requests and for the proper acknowledgment of requests;
  - (e) The process for the disposition of requests;
  - (f) The procedure for the administrative appeal of any denial for access to information; and
  - (g) The schedule of applicable fees.

**SECTION 9. Procedure.** The following procedure shall govern the filing and processing of request for access to information:

- (a) Any person who requests access to information shall submit a written request to the government office concerned. The request shall state the name and contact information of the requesting party, provide valid proof of his identification or authorization, reasonably describe the information requested, and the reason for, or purpose of, the request for information: Provided, that no request shall be denied or refused acceptance unless the reason for the request is contrary to law, existing rules and regulations or it is one of the exceptions contained in the inventory or updated inventory of exception as hereinabove provided.
- (b) The public official receiving the request shall provide reasonable assistance, free of charge, to enable, to enable all requesting parties and particularly those with special needs, to comply with the request requirements under this Section.
- (c) The request shall be stamped by the government office, indicating the date and time of receipt and the name, rank, title and position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the requesting party. Each government office shall establish a system to trace the status of all requests for information received by it.
- (d) The government office shall respond to a request fully compliant with requirements of subsection (a) hereof as soon as practicable but not exceeding fifteen (15) working days from the receipt thereof. The response mentioned above refers to the decision of the agency or office concerned to grant or deny access to the information requested.
- (e) The period to respond may be extended whenever the information requested requires extensive search of the government office's records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. The government office shall notify the person making the request of the extension, setting forth the reasons for such extension. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.
- (f) Once a decision is made to grant the request, the person making the request shall be notified of such decision and directed to pay any applicable fees.

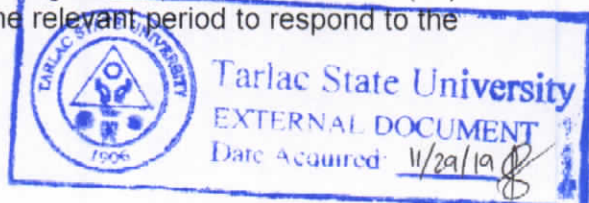
**SECTION 10. Fees.** Government offices shall not charge any fee for accepting requests for access to information. They may, however, charge a reasonable fee to reimburse necessary costs, including actual costs of reproduction and copying of the information required, subject to existing rules and regulations. In no case shall the applicable fees be so onerous as to defeat the purpose of this Order.

**SECTION 11. Identical or Substantially Similar Requests.** The government office shall not be required to act upon an unreasonable subsequent identical or substantially similar request from the same requesting party whose request from the same requesting party whose request has already been previously granted or denied by the same government office.

**SECTION 12. Notice of Denial.** If the government office decides to deny the request, in whole or in part, it shall as soon as practicable, in any case within fifteen (15) working days from the receipt of the request, notify the requesting party the denial in writing. The notice shall clearly set forth the ground or grounds 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 stipulated shall be deemed a denial of the request for access to information.

**SECTION 13. Remedies in Cases of Denial of Request for Access to Information.**

- (a) Denial of any request for access to information may be appealed to the person or office next higher in the authority, following the procedure mentioned in Section 7 (f) of this Order: Provided, that the written appeal must be filed by the same person making the request within fifteen (15) working days from the notice of denial or from the lapse of the relevant period to respond to the





request.

(b) The appeal be decided by the person or office next higher in authority within thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the afore-stated period shall be deemed a denial of the appeal.

(c) Upon exhaustion of administrative appeal remedies, the requesting part may file the appropriate case in the proper courts in accordance with the Rules of Court.

**SECTION 14. Keeping of Records.** Subject to existing laws, rules, and regulations, government offices shall create and/or maintain accurate and reasonably complete records of important information in appropriate formats, and implement a records management system that facilitates easy identification, retrieval and communication of information to the public.

**SECTION 15. Administrative Liability.** Failure to comply with the provisions of this Order may be a ground for administrative and disciplinary sanctions against any erring public officer or employee as provided under existing laws or regulations.

**SECTION 16. Implementing Details.** All government offices in the Executive Branch are directed to formulate their respective implementing details taking into consideration their mandates and the nature of information in their custody or control, within one hundred twenty (120) days from the effectivity of this Order.

**SECTION 17. Separability Clause.** If any section or part of this Order is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force or effect.

**SECTION 18. Repealing Clause.** All orders, rules and regulations, issuances or any part thereof inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly: Provided, that the provisions of Memorandum Circular No. 78 (s. 1964), as amended, shall not be deemed repealed pending further review.

**SECTION 19. Effectivity.** This Order shall take effect immediately upon publication in a newspaper of general circulation.

**DONE**, in the City of Manila, this 23rd day of July in the year of our Lord two thousand and sixteen.

(Sgd.) **RODRIGO ROA DUTERTE**  
President of the Philippines

By the President:

(Sgd.) **SALVADOR C. MEDIALDEA**  
Executive Secretary



ANNEX B  
Board Resolution on the Approval of FOI



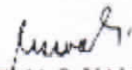
Republic of the Philippines  
**TARLAC STATE UNIVERSITY**  
Romulo Blvd., San Vicente, Tarlac City, Philippines 2300  
Tel. Nos. (045) 982-1624, (045) 982-2695, (045) 982-5577  
Fax No. (045) 982-0-10 Official Website: <http://www.tsu.edu.ph>

EXCERPTS FROM THE MINUTES OF THE SPECIAL MEETING OF THE  
BOARD OF REGENTS OF THE TARLAC STATE UNIVERSITY  
Held at the CIED Conference Room CHED  
DILIMAN QUEZON CITY ON MARCH 15, 2018

Resolution No. 18, s. 2018

APPROVING THE PROPOSED FREEDOM OF  
INFORMATION (FOI) MANUAL OF THE TARLAC STATE  
UNIVERSITY, IN COMPLIANCE TO EXECUTIVE ORDER NO. 02,  
S. 2016, SUBJECT TO REVISION AFTER ONE YEAR.

Certified Correct

  
AURELLA S. VALENCIA  
Board Secretary

