



Republic of the Philippines
Department of Environment and Natural Resources
NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY

OCT 05 2018


Memorandum Circular No. 007
Series of 2018

SUBJECT : Implementation of NAMRIA Freedom of Information (FOI) Manual

In the interest of the service and in compliance with Executive Order No. 02, series of 2016, on Freedom of Information (FOI) and the FOI Program guidelines issued by the Presidential Communications Operations Office, the "Freedom of Information (FOI) Manual of NAMRIA" is hereby implemented effective immediately.

The manual is intended to guide NAMRIA in dealing with requests for data and information from the general public.

For compliance.


Usec. PETER N. TIANGCO, PhD
Administrator



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ISO 9001:2008 CERTIFIED FOR MAPPING AND GEOSPATIAL INFORMATION MANAGEMENT



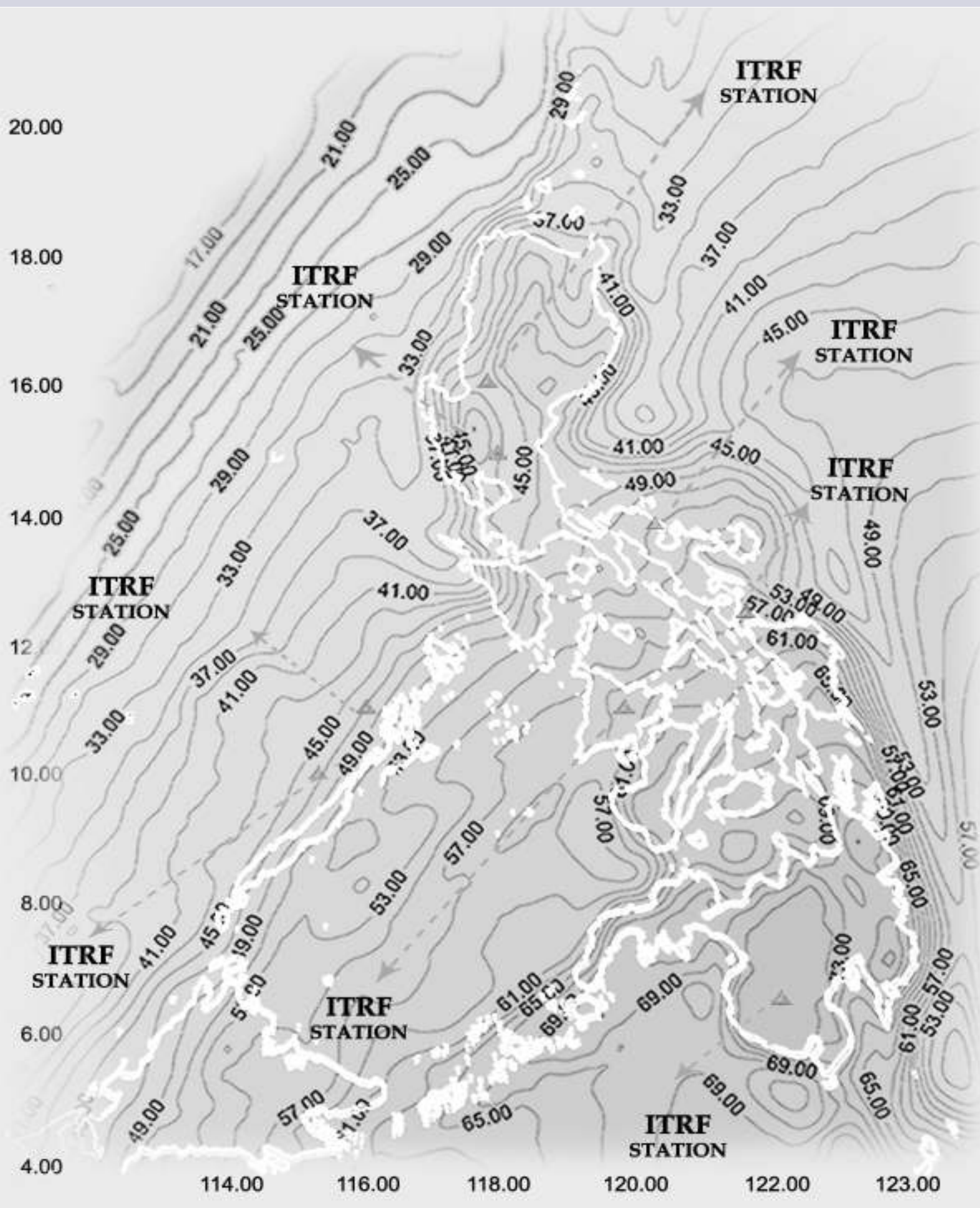
NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY

FREEDOM *of* INFORMATION MANUAL

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**EXECUTIVE ORDER NO. 02
SERIES OF 2016**

**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**




FOREWORD

On behalf of the National Mapping and Resource Information Authority-Department of Environment and Natural Resources (NAMRIA-DENR), whose mandate is to provide both public and private sectors with mapmaking services and related geographic and resource information, I am very pleased to present the Freedom of Information (FOI) Manual of NAMRIA.

The manual is intended to provide guidelines to the general public in making FOI requests to NAMRIA. It is our hope that through this publication, the Filipino people will have better access to information they need from the agency.

Executive Order number 02, series of 2016, is certainly a landmark order of the Duterte Administration for promoting, through its FOI Program, transparency, accountability, and public participation in governance. NAMRIA's preparation of its own manual is just part of the agency's compliance with the requirements set by the program, to which again, on behalf of the agency, I extend our assurance of continuing support.



Usec. PETER N. TIANGCO, PhD
NAMRIA Administrator

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SECTION I: OVERVIEW

- A. Purpose of the Manual:** This FOI Manual shall guide and assist NAMRIA in dealing with written requests for information/documents/records under the custody of the agency as required by Executive Order 02, series of 2016, on FOI (Annex “A”). These requests may be submitted to the agency personally or through the electronic FOI (eFOI) portal (<https://www.foi.gov.ph>). The NAMRIA Administrator is responsible for all actions carried out under this Manual and may delegate this responsibility to a Deputy Administrator.
- B. Structure of the Manual:** This Manual basically contains the following information:
1. Rules and procedures to be followed by NAMRIA when FOI requests are received;
 2. Requirements and procedures to be observed by a requester in filing a complete and official FOI request;
 3. Location of NAMRIA and contact information of the person or office in the agency that is responsible for receiving FOI requests;
 4. Standard form for filing an FOI request; and
 5. Appeals mechanism in case of denial.
- C. Coverage of the Manual:** This Manual shall cover FOI requests to NAMRIA.
- D. The NAMRIA:**
- 1. Vision**
The vision of NAMRIA, as central mapping agency of the government, is stated as follows:
“NAMRIA is a center of excellence building a geospatially-empowered Philippines”
 - 2. Mission**
In order to achieve its vision, NAMRIA shall aim:
“To provide quality topographic maps, nautical charts, and other geospatial products and services in a timely and coordinated manner”
 - 3. Mandates of NAMRIA Branches**
 - MAPPING AND GEODESY BRANCH (MGB)** – Branch in charge of national geodetic reference frame development and topographic base map production.
 - HYDROGRAPHY BRANCH (HB)** – Branch in charge of the agency’s bathymetric and oceanographic surveys, nautical charting and delineation of the country’s maritime zones.
 - RESOURCE DATA ANALYSIS BRANCH (RDAB)** – Branch in charge of land and coastal resource mapping, land classification, and thematic mapping activities.
 - GEOSPATIAL INFORMATION SYSTEM MANAGEMENT BRANCH (GISMB)** – Branch in charge of the agency’s geospatial system development and client services.
 - SUPPORT SERVICES BRANCH (SSB)** – Branch in charge of administrative, policy, finance, and engineering services.

E. NAMRIA FOI Receiving Officer:

There shall be an FOI Receiving Officer (FRO) at NAMRIA designated by the Administrator, and an alternate, in case the NAMRIA FRO is unavailable or on official leave. The FRO shall come from the Records or Receiving Office of the agency. The FRO shall hold office at the NAMRIA main building with the following address: Lawton Avenue, Fort Bonifacio, 1634 Taguig City. (Site map in Annex “C”).

The functions of the NAMRIA FRO shall include receiving on behalf of the agency all FOI requests and forwarding the same to the Office of the Administrator; monitoring all FOI requests and appeals; providing assistance to the NAMRIA FOI Decision Maker; providing assistance to the public and NAMRIA frontline staff with regard to FOI; compiling statistical information as required; and, conducting initial evaluation of the FOI request and advising the requester whether the request will be forwarded to the NAMRIA FOI Decision Maker for further evaluation, or denied owing to the following reasons:

1. Incompleteness of the form; or
2. The information is readily available to the general public as published in NAMRIA’s official website, foi.gov.ph, or at data.gov.ph.

F. NAMRIA FOI Decision Makers:

All Branch Directors, shall serve as FOI Decision Makers (DMs), along with the Chief, Administrative Division-Support Services Branch (SSB) who is concurrently the agency’s Data Privacy Officer. In case where the Branch Director is not available, the Assistant Directors and the NAMRIA Data Privacy Committee Vice Chairperson shall act in their stead.

The DM shall conduct evaluation of the FOI request and have the authority to grant or deny the request. The request shall be denied on the following reasons:

1. NAMRIA does not have the information requested;
2. The information requested contains sensitive personal information protected by the Data Privacy Act of 2012;
3. The information requested falls under the list of exceptions to FOI; or
4. The request is an unreasonable subsequent identical or substantially similar request from the same requester whose request has already been previously granted or denied by NAMRIA.

In line with NAMRIA’s compliance in the implementation of the government’s FOI program using the Electronic FOI (eFOI) Platform, all DMs are assigned their respective IEmail addresses in the eFOI platform. The agency’s Data Privacy Officer shall likewise have an IEmail address for addressing requests on Data Privacy that are coursed through the eFOI platform. The following are the official IEmail addresses of NAMRIA’s DMs: MGB, mgbfoi@namria.gov.ph; HB, hbfoi@namria.gov.ph; GISMB, gismbfoi@namria.gov.ph; RDAB, rdabfoi@namria.gov.ph; SSB, ssbfoi@namria.gov.ph; and the Chief, Administrative Division-SSB and concurrent NAMRIA Data Privacy Officer, dpofoi@namria.gov.ph. The Geospatial Information and Communications Technology Division-GISMB shall be in charge of operation of the e-mail system of NAMRIA for the FOI.

G. NAMRIA Appeals and Review Official:

The Administrator as NAMRIA Appeals and Review official, shall review and analyze the grant or denial of an FOI request.

SECTION II: DEFINITION OF TERMS

A. General Terms

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

eFOI Portal – the electronic FOI portal or website (<https://www.foi.gov.ph/>) launched on 25 November 2016 and being maintained by the Presidential Communications Operations Office (PCOO). It serves as the government’s comprehensive website for all information on the FOI. It is the central platform for citizens and government agencies to facilitate online FOI requests. It provides a tracking system for citizens to follow their lodged requests and also provides statistics on all online FOI requests, the response time, and the outcomes. It provides a central resource for the public to understand the FOI, to locate records that are already available online, and to learn how to make a request for information that is not yet publicly available. It also promotes Agency accountability for the administration of the FOI by graphically displaying the detailed statistics contained in Annual FOI Reports.

Freedom of Information (FOI) – refers to the constitutional right of the people to access information/documents/records on matters of public concern, as recognized by Executive Order number 02, also known as the Freedom of Information Executive Order which was signed into law by President Rodrigo Roa Duterte on 23 July 2016. Freedom of Information is an integral element of President Duterte’s Good Governance Plan aligned to reforms and initiatives that pursue greater transparency, accountability, and citizen participation in governance.

FOI Program – is the Government’s response to the call for transparency and full public disclosure of information. FOI is a government mechanism which allows Filipino citizens to request any information about government transactions and operations, provided that it shall not put into jeopardy privacy and matters of national security. The FOI mechanism for the Executive Branch is enabled via Executive Order No. 2, series of 2016. The PCOO oversees the operation of the FOI program. The PCOO serves as the coordinator of all government agencies to ensure that the FOI program is properly implemented.

Personal Information – refers to any information, whether recorded in a material form or not, from which the identify of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or, when put together with other information, would directly and certainly identify an individual.

Sensitive Personal Information – as defined in the Data Privacy Act of 2012, refers to information: (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, 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 include, but are not limited to, social security numbers, previous or current health records, licenses or their denial, suspension or revocation, and tax returns; and (4) Specifically established by an executive order or an act of Congress to be kept classified.

B. Specific NAMRIA Terms

Access to Information and Exceptions – principle stating that every Filipino shall have access to information, official records, public records, documents and papers pertaining to official acts, transactions or decisions, as well as government research data used as basis for policy development, except, as in the case of NAMRIA, those in the master list of exceptions from the Office of the President (Annex D) and in the inventory of exceptions defined by the DENR and made part of this Manual (D-1).

ARTA Request – refers to client requests for NAMRIA’s regular frontline products and services being provided by the following units of the agency: (a) MGB, (b) HB, (c) RDAB, (d) GISMB, and (e) SSB. ARTA is the Anti-Red Tape Act of 2007 or Republic Act No. 9485, which aims to promote transparency in government with regard to the manner of transacting with the public by requiring each agency to simplify frontline service procedures and formulate service standards to observe in every transaction and make known these standards to the client.

Article 13, Chapter I of the Civil Code of the Philippines – states that “When the laws speak of years, months, days or nights, it shall be understood that years are of three hundred sixty-five days each; months, of thirty days; days, of twenty-four hours; and nights from sunset to sunrise. If months are designated by their name, they shall be computed by the number of days which they respectively have. In computing a period, the first day shall be excluded, and the last day included.” [source: <https://www.chanrobles.com/civilcodeofthephilippines1.htm>]

Classification of NAMRIA Documents – For the purpose of this manual, NAMRIA documents are classified as follows:

- 1. General/Public Circulation.** The information is of public concern or directly promotes the objectives of ENR conservation, development, or management.
- 2. Limited Circulation.** These are completed technical and detailed reports prepared by NAMRIA personnel which may require the agency’s assistance for useful and/or accurate interpretation.
- 3. Restricted Documents.** These refer to inter-office communications/reports awaiting action or decision by NAMRIA officials, including unprocessed, unvalidated, or unofficial data and other documents that are intended for internal use of the agency.
- 4. Confidential Information.** These are information, the unauthorized disclosure of which, while not endangering the national security, would be prejudicial to the interest or prestige of the nation or any government activity, or would cause administrative embarrassment or injury to an individual. Such information include the following:
 - a. Information affecting the reputation of individuals or organizations related to NAMRIA;
 - b. Information communicated by NAMRIA with other government offices, like directives and other information whereby policy formulation is still in progress;
 - c. Geospatial information still being processed and/or subject to proprietary rights arising from license agreements;
 - d. Information for general disclosure but not yet completed or contingent upon the accomplishment of other actions or the existence of certain conditions; and
 - e. All other information that fall under the agency’s list of approved exceptions (Annex “D-2”).
- 5. Top Secret/Secret Documents.** These are information, the unauthorized disclosure of which, would cause damage to the nation, politically, economically, or from a security aspect, or may cause serious injury to the interest or prestige of the nation.

Consultation – the process wherein the views of other offices are consulted as to the disclosability of the records before any final determination is made

eFOI Request – refers to FOI requests coursed through the eFOI website

Exceptions – refers to information that should not be released and disclosed in response to a NAMRIA FOI request because they are protected by the Constitution, laws or jurisprudence. The information referred to includes documents and records which are included in the master

list of exceptions from the Office of the President (Annex “D”) and the inventory of exceptions defined by DENR and made part of this Manual (Annex “D-1”).

FOI Receiving Officer – refers to the primary contact at NAMRIA where the requester can call and ask questions about the agency’s FOI process or a pending FOI request

FOI Request Form – is the standard form issued by the PCOO that clients shall use for NAMRIA FOI requests. The client can use this form in the absence of a request letter.

Frequently Requested Information – refers to information released in response to an FOI request that NAMRIA determines have become or are likely to become the subject of subsequent requests for substantially the same records

Full Denial – refers to instances wherein NAMRIA cannot release any records in response to a FOI request, because, for example, the requested information is exempt from disclosure in its entirety or no records responsive to the request could be located

Full Grant – refers to instances wherein NAMRIA is able to disclose all records in full in response to a FOI request

Information – any record, document, paper, report, letter, contract, minutes and transcripts of official meetings, map, book, photograph, data, research material, film, sound and video recording, magnetic or other tapes, electronic data, computer stored data, or any other similar data or material 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 NAMRIA pursuant to law, executive order, and rules and regulations or in connection with its performance or transaction of official business

Information for Disclosure – information promoting the awareness and understanding of NAMRIA policies, programs, activities, rules or regulations affecting the public, government agencies, the community, and the economy. It also includes information encouraging familiarity with the general operations, thrusts, and programs of the agency. In line with the concept of proactive disclosure, these types of information are posted on the agency’s website without need for written requests.

Manual Request – refers to paper-based FOI request made using the FOI form or through written request

NAMRIA Website – the NAMRIA portal www.namria.gov.ph, developed and being maintained by the agency

National Security –

1. “The ability to preserve the nation’s physical integrity and territory; to maintain its economic relations with the rest of the world on reasonable terms; to preserve its nature, institution, and governance from disruption from outside; and to control its borders” - Former US Secretary of State (1977-81) Harold Brown (Source: <https://www.thedailystar.net/op-ed/politics/political-violence-threat-national-security-2383>)
2. “Safeguarding the sovereignty, territorial integrity, citizenry and socioeconomic functionality of a nation from an aggressor intent on undermining a particular valued aspect of a nation through violent or unjust means” – Upeka Premaratne (Source: https://www.revolvy.com/topic/National%20security&item_type=topic)

Non-FOI Directory – refers to the complete listing of NAMRIA information that are identified to be NOT covered by EO 2. These are the regular Products and Services of NAMRIA along with the agency branch/division that holds them. (Annex “E”)

Official Records – information produced or received by a NAMRIA officer or employee in an official capacity or pursuant to a public function or duty

Open Data – publicly available data structured in a way that enables the data to be fully discoverable and usable by end users. It is consistent with the following principles of Public, Accessible, Described, Reusable, Complete, Timely, and Managed Post-Release. This can be accessed at the NAMRIA website.

Partial Grant/Partial Denial – refers to instance wherein NAMRIA is able to disclose portions of the records in response to a FOI request, but must deny other portions of the request

Pending Request or Pending Appeal – FOI request or administrative appeal for which NAMRIA has not yet taken final action in all respects. It captures anything that is open at a given time including requests that are well within the statutory response time.

Perfect Request – an FOI request, which reasonably describes the records, sought and is made in accordance with the agency's regulations

Proactive Disclosure – act of making publicly available information without waiting for a specific FOI request. NAMRIA posts on its website a vast amount of geospatial materials relating to its functions and mission.

Processed Request or Processed Appeal – number of requests or appeals where NAMRIA has completed its work and sent a final response to the requester

Public Records – information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by NAMRIA

Received Request or Received Appeal – number of FOI requests or administrative appeals that NAMRIA has received within a fiscal year

Referral – the process of indorsing a request to another agency in case the information being requested is not available in NAMRIA

Requester – any Filipino citizen making an FOI request to NAMRIA

Simple Request – an FOI request that can be acted upon within a short span of time

SECTION III: PROTECTION OF PRIVACY

While providing access to information, public records, and official records, responsible officials of the various offices of NAMRIA shall afford full protection to the right to privacy of the individual by using the following guides:

- A. Each office of NAMRIA 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 existing laws, rules and regulations, and jurisprudence;
- B. Each office of NAMRIA must protect personal information in its custody or control by making reasonable security arrangements against leaks and premature disclosure of personal information which unduly exposes the individual whose personal information is requested, to harassment or any other wrongful acts;
- C. Any employee or official of the various offices of NAMRIA who has access, whether authorized or unauthorized, to personal information in the custody of the office, must not disclose that information except when authorized pursuant to existing laws, rules and regulations.

SECTION IV: STANDARD PROCEDURES (See Annex “F” for flowchart)

A. For NAMRIA’s FOI Receiving Officer

1. Receipt of Request for Information.

- a.** The NAMRIA FRO shall receive the request for information from the requester and check compliance with the following requirements:

- The request must be in writing;
- The request shall state the name and contact information of the requester, as well as provide valid proof of identification or authorization; and
- The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information. (See Annex “F” for request form)

The request can be made through electronic mail (email), provided that the requester shall attach in the email a scanned copy of the FOI request form, and a copy of a duly recognized government ID with photo.

- b.** In case the requester is unable to make a written request, because of illiteracy or due to being a person with disability, he or she may make an oral request, and the FRO shall reduce it in writing.
- c.** The request shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name, rank, title and position of the public officer who actually received it, with a corresponding signature and a copy, furnished to the requester. In case of email requests, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by email. The FRO shall input the details of the request on the Request Tracking System and allocate a reference number.
- d.** NAMRIA must respond to requests promptly, within 15 working days following the date of receipt of the request. A working day is any day other than a Saturday, Sunday or a day which is declared a national public holiday in the Philippines. In computing for the period, Article 13 of the New Civil Code shall be observed. The date of receipt of the request shall be either:
- The day on which the request is physically or electronically delivered to NAMRIA, or directly into the email inbox of a member of staff; or
 - If NAMRIA has asked the requester for further details to identify and locate the requested information, the date on which the necessary clarification is received.

An exception is when the request has been emailed to an absent member of staff, and has generated an ‘out of office’ message with instructions on how to re-direct the message to another contact. Where this is the case, the date of receipt will be the day the request arrives in the inbox of that contact.

Should the requested information need further details to identify or locate the same, the 15 working days will commence from the day the required clarification is received from the requester. If no clarification is received from the requester after 60 calendar days, the request shall be closed.

2. Initial Evaluation. After receipt of the request for information, the FRO shall evaluate the contents of the request, based on the following:

- a. Request requiring action by more than one office of NAMRIA:** If a request for information requires action by different NAMRIA offices, the FRO shall forward such request to the concerned offices and shall ensure that it is well coordinated and monitored for compliance.
- b. Requested information is not in the custody of NAMRIA:** If the requested information is not in the custody of NAMRIA, as determined after consultation with the DM, the FRO shall undertake the following steps:
 - If the record requested is located in another government agency, the request will be immediately indorsed to the appropriate government office, further informing the requester on such indorsement. The 15-working-day requirement commences on the day after it receives the request.
 - If the record is located in an office not within the coverage of Executive Order number 02, series of 2016, the requester shall be advised accordingly and provided with the contact details of that office, if known.
- c. Requested information is already posted and available online:** Should the information being requested is already posted and publicly available in the NAMRIA website, data.gov.ph or foi.gov.ph, the FRO shall inform the requester and direct them to the website link where the information is posted.
- d. Requested information is substantially similar or identical to the previous request:** Should the requested information be substantially similar or identical to a previous FOI request by the same requester, the request shall be denied. However, the FRO shall inform the applicant of the reason for such denial.

3. Transmittal of Request by the FRO to the DM. After receipt of the request for information, the FRO, after initial evaluation, shall notify the concerned DM of such request within one (1) day from receipt of the written request. The FRO shall record the date, time and name of the DM who received the request with the corresponding signature acknowledging receipt of request.

4. Role of DM in Processing the Request. Upon receipt of the request from the FRO, the DM shall assess, and clarify the request if necessary. He or she shall make all necessary steps to locate and retrieve the information requested, and ensure that the complete information requested is submitted to the FRO within 10 days upon receipt of request.

The FRO shall note the date and time of receipt of the information from the DM and report to the NAMRIA Administrator or the designated officer, in case the submission is already beyond the 10-day period. If the DM needs further details to identify or locate the information, he shall, through the FRO, seek clarification from the requester. The clarification shall stop the running of the 15 working day period and will commence the day after it receives the required clarification from the requester. If the DM determines that a record contains information located in another agency, the DM shall consult with the agency concerned on the disclosability of the records before making any final determination.

5. Role of FRO to Transmit the Information to the Requester: Upon receipt of the requested information from the DM, the FRO shall collate and ensure that the information is complete. He shall attach a cover/transmittal letter signed by the NAMRIA Administrator, or the designated officer, and ensure the transmittal of such to the requester within 15 working days upon receipt of the request for information.

- 6. Request for Extension of Time:** If the information requested requires extensive search of NAMRIA's office records facilities, examination of voluminous records, and should there be occurrence of fortuitous events or other analogous cases, the DM should inform the FRO.

The FRO shall inform the requester of the extension, setting forth the reasons for such extension. In no case shall the extension exceed twenty (20) working days on top of the mandated fifteen (15) working days to act on the request, unless exceptional circumstances warrant a longer period.

- 7. Notice to the Requester of the Approval/Denial of the Request:** Once the DM approved or denied the request, he shall immediately notify the FRO who shall prepare the response to the requester either in writing or by email. All actions on FOI requests, whether approval or denial, shall pass through the NAMRIA Administrator or his designated officer for final approval.
- 8. Approval of Request:** In case of approval, the FRO shall ensure that all records that have been retrieved and considered are checked for possible exemptions, prior to actual release. The FRO shall prepare the letter or email informing the requester within the prescribed period that the request was granted and shall be directed to pay the applicable fees, if any.
- 9. Denial of Request:** In case of denial of the request wholly or partially, the FRO shall, within the prescribed period, notify the requester of the denial in writing. The notice shall clearly set forth the ground or grounds for denial and the circumstances on which the denial was based. Failure to notify the requester of the action taken on the request within the period herein provided shall be deemed a denial of the request to information. All denials on FOI requests shall pass through the Office of the NAMRIA Administrator or his designated officer.

B. Procedure for the General Public in Making a NAMRIA FOI Request

The request process slightly varies depending on which platform is used.

1. FOI Platform:

- a. The requester shall place his/her request in writing by filling out a request form and submitting the form to NAMRIA's FRO (the form can be downloaded via the website <https://www.foi.gov.ph/> maintained by the PCOO. The requester shall state his/her full name and contact information, and provide a valid copy of his/her government-issued ID as proof of identity. The requester shall describe in detail the document that is wished to be accessed.
- b. If the request does not fall under the FOI but is under the regular frontline services of NAMRIA, the NAMRIA FRO shall advise the requester to write a formal letter of request addressed to the NAMRIA Administrator, as follows:

Usec. PETER N. TIANGCO, PhD

Administrator

National Mapping and Resource Information Authority
(NAMRIA)

Lawton Avenue, Fort Bonifacio, 1634 Taguig City

The requester can also make online inquiries at the NAMRIA main client service unit through the email address oss@namria.gov.ph, or through the telephone numbers 8875466 and 8104831, local 401 or 444. The requester can also personally visit the NAMRIA main office in Taguig City for a discussion of the details of the

request with the agency's technical staff. This Manual contains a list of NAMRIA Non-FOI, regular products and services (Annex "E").

- c. The NAMRIA FRO shall validate the request and will log it accordingly on the FOI tracker or registry.
- d. If deemed necessary, NAMRIA's FRO may clarify the request on the same day it was filed, such as the specific information being requested, and provide other assistance needed by the requester.
- e. The request will be forwarded to the NAMRIA DM for proper assessment and check if the agency holds the information requested, whether it is already accessible, or if the request is a repeat of any previous request.
- f. Once all relevant information are retrieved, the NAMRIA DM will check if any exemptions apply, and will recommend appropriate response to the request.
- g. If necessary, the head of the agency shall provide clearance to the response.
- h. The agency shall prepare the information for release, based on the requester's desired format. It shall be sent to the requester depending on the preference of delivery.

2. eFOI Platform:

Similar to the paper-based FOI platform, requests made through the eFOI platform will be automatically sent to NAMRIA for immediate processing. The requester will be first required to create an eFOI account. Through this account, the requester can view his/her FOI requests in the FOI dashboard, and the results of his/her FOI requests. eFOI Requesters must create/log in to his/her account through the following procedure:

- a. Click the Log-in button and enter the email address and password.
- b. In case the requester is a new user, click the Sign-up button, and provide the required information.
- c. Once logged-in, the user will be directed to the Dashboard. The Dashboard contains all the requests done by the account owner.
- d. Click the Make a Request button. Once clicked, the user may choose the name of the agency, in this case, NAMRIA.
- e. User will be directed to the Make a Request Page. Complete the required fields. Once sent, the request will be forwarded to the NAMRIA FRO.
- f. The same process of clarification, retrieval, and approval of release applies to the eFOI platform.
- g. Once approved, the response will be posted to the user's Dashboard.

SECTION V: REMEDY IN CASE OF DENIAL OF REQUEST

Denial of any request for information covering documents classified as restricted and/or limited may be elevated by the same requester to the Administrator, by filing the written appeal within 15 working days from the notice of denial or from the lapse of the period to respond to the request. The appeal shall be decided within 30 working days from filing such appeal. Failure of such person or office to decide within the said period shall be deemed a denial of the appeal. The requester may file further appeal to next higher authorities.

SECTION VI: REQUEST TRACKING SYSTEM

NAMRIA shall establish a system to trace the status of all requests for information received by it, which may be paper-based, online or both.

SECTION VII: FEES

- A. Reasonable Cost of Reproduction and Copying of the Information:** The FRO shall immediately notify the requester in case reproduction/copying or authentication fee will be charged. The schedule of fees shall be posted by NAMRIA.
- B. Exemption from Fees:** NAMRIA may exempt any requester from payment of fees, upon request, or reasonable ground, but shall only provide digital or electronic copy.

SECTION VIII: ADMINISTRATIVE LIABILITY

Non-Compliance with FOI. Failure to comply with this Manual may be a ground for administrative and disciplinary sanctions as provided under Civil Service and other existing laws, rules and regulations. The requester shall submit a written complaint to the NAMRIA Administrator stating the grounds and reasons for filing such complaint. The NAMRIA Administrator shall forthwith follow the mechanism in place in handling such complaints.

SECTION IX: REFERENCES

The following were used as references for this Manual: the DENR FOI Manual, the PCOO FOI People's Manual (Updated as of 23 January 2017), and the Department of Budget and Management FOI Manual. The following were the respective sources for Annex "A" (EO 2) and Annex "D" (Exceptions to Right of Access to Information - Office of the President):

<http://www.officialgazette.gov.ph/downloads/2016/07jul/20160723-EO-2-RRD.pdf>
and
<https://op-proper.gov.ph/wp-content/uploads/2016/11/Exceptions-to-Right-of-Access-to-Information.pdf>

SECTION X: ANNEXES (in the succeeding pages)

ANNEX “A”**Executive Order No. 02**

MALACANAN 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 OF 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:

THE PRESIDENT OF THE PHILIPPINES

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 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.
- (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, and instrumentalities, including government-owned or -controlled corporations, and state universities and colleges. Local government units (LGUs) are enjoined 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 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 laws 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 as provided in Section 4 hereof

The determination of the applicability of any of the exceptions to the request shall be the responsibility of the Head of the Office which has custody or control of the information, public record or official record, or of 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 an individual's right to privacy 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 laws, 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; and
- (c) Any employee or official 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 regulations.

SECTION 8. People's Freedom of 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 information:

- (a) The location and contact information of the head, regional, provincial, and field offices, and other established places where the public can submit requests to obtain information;
- (b) The person or officer responsible for receiving requests for information;
- (c) The procedure for the filing and processing of the request, as provided in the succeeding Section 9 of this Order;
- (d) The standard forms for the submission of requests and for the proper acknowledgment of such requests;
- (e) The process for the disposition of requests;
- (f) The procedure for administrative appeal of any denial of request for access to information; and
- (g) The schedule of applicable fees.

SECTION 9. Procedure. 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 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 of exceptions as hereinabove provided.
- (b) The public official receiving the request shall provide reasonable assistance, free of charge, to enable all requesting parties, 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 or 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 the requirements of sub-section (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 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 events or other analogous cases. The government office shall

notify the person making the request of such extension, setting forth the reasons for the extension. 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.

- (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 requested, 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 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 wholly or partially, it shall, as soon as practicable and within fifteen (15) working days from the receipt of the request, notify the requesting party of 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 provided shall be deemed a denial of the request for access to information.

SECTION 13. Remedies in Case of Denial of Request for Access to Information. A person whose request for access to information has been denied may avail himself of the remedies set forth below:

- (a) Denial of any request for access to information may be appealed to the person or office next higher in authority, following the procedure mentioned in Section 8 (f) of this Order. Provided, that 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.
- (b) The appeal shall 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 party may file the appropriate judicial action 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 and 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

By the President

R. Duterte



SALVADOR C. MEDIALDEA
Executive Secretary

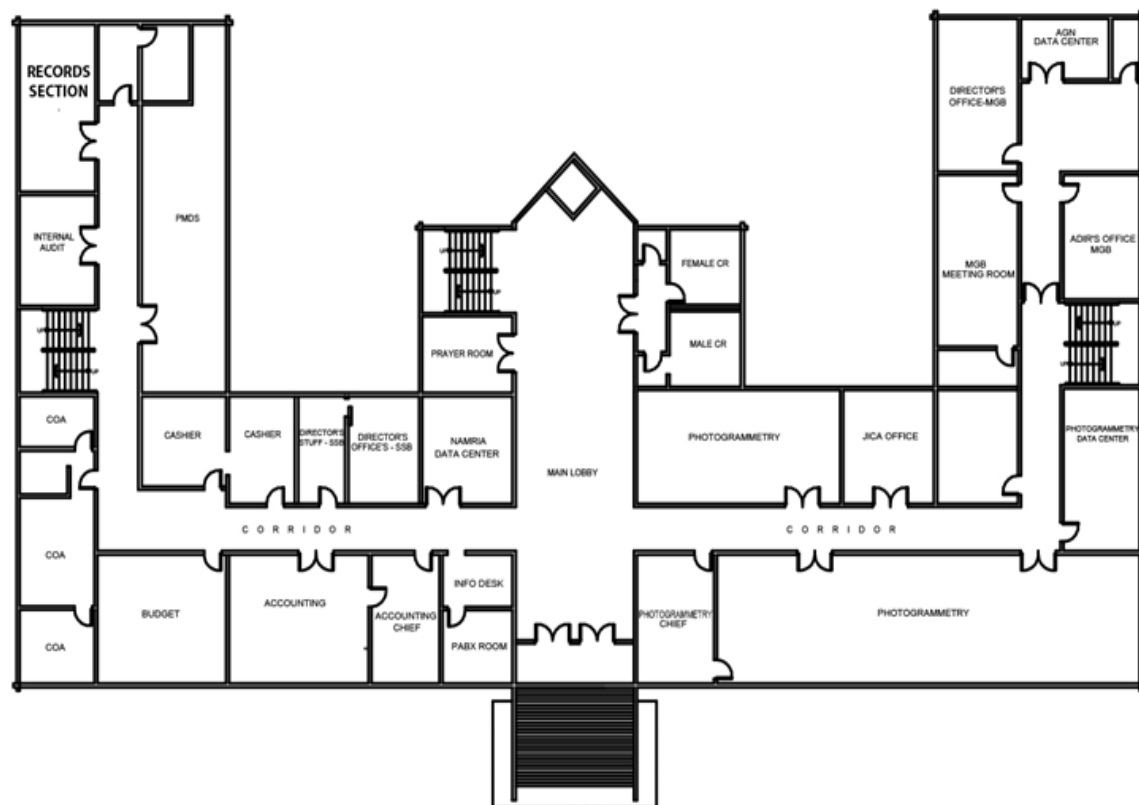


CERTIFIED COPY:

MARIANITO M. DIMAANDAL
DIRECTOR IV
MALACANANG RECORDS OFFICE

ANNEX “B”**NAMRIA FOI Receiving Officer**

Location of Records Office	Contact Details	Assigned Records Officer
Lawton Avenue, Fort Andres Bonifacio, 1634 Taguig City	(02) 889-9955 zaleano@namria.gov.ph	Zenaida A. Leaño (primary)
Lawton Avenue, Fort Andres Bonifacio, 1634 Taguig City	(02) 889-9955 rgrazal@namria.gov.ph	Rowel G. Razal (alternate)

ANNEX “C”**Site Map for NAMRIA Records Office****MAIN BUILDING 2ND FLOOR**

ANNEX "D"**Exceptions to Right of Access to Information - Office of the President**

**Office of the President
of the Philippines
Malacañang**

MEMORANDUM FROM THE EXECUTIVE SECRETARY

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

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

DATE: **24 November 2016**

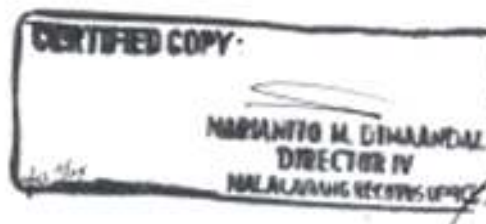
Pursuant to Section 4 of Executive Order (EO) No. 2 (s. 2016), the Office of the President hereby circularizes the inventory of exceptions to the right to access of information, for the guidance of all government offices and instrumentalities covered by EO No. 2 (s. 2016) and the general public.

The foregoing 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.

In evaluating requests for information, all heads of offices are enjoined to ensure the meaningful exercise of the public of their right to access to information on public concerns.

For your information and guidance.

SALVADOR C. MEDIALDEA
N *sc*



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, 292 SCRA 744.

³ *Akbayan v. Aquino*, *supra*; *Chavez v. NHA*, G.R. No. 184527, 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. SCA 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 *Almonde v. Vasquez*, G.R. No. 96387, 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 carjacked vehicles and apprehension of the persons charged with carjacking;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 Carjacking 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;¹² 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

¹² 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) Bg. 232].

¹⁷ Medical and health records are considered as sensitive personal information pursuant to Section 3(i)(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(f), *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. 167683, 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 56 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. 004-10; 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. 1181, 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 8(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. 8713); 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, CIV Service Commission Resolution No. 01-0940.

⁶³ Section 15, 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-S-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;⁶⁰
- 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;⁶¹
- d. Lists, abstracts, summaries of information requested when such lists, abstracts or summaries are not part of the duties of the government office requested;⁶²
- e. Those information and proceedings deemed confidential under rules and regulations issued by relevant government agencies or as decided by the courts;⁶³
- f. Requested information pertains to comments and disclosures on pending cases in judicial proceedings;⁶⁴ and
- g. Attorney-client privilege existing between government lawyers and their client.⁶⁵

⁶⁰ *Senale v. Neri*, *supra*; *Senale v. Ermita*, *supra*.

⁶¹ Section 8(D), Code of Conduct and Ethical Standards for Public Officials and Employees.

⁶² *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.

⁶³ 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 *Mado v. Judge Amor A. Reyes*, G.R. No. 163155, 21 July 2006.

⁶⁴ *Romero v. Guerron*, G.R. No. 211816, 18 March 2015.

⁶⁵ Canon 21 of the Code of Professional Responsibility.

ANNEX “D-1”**List of Exceptions (Non-Disclosure of Information)**

As an attached agency of the DENR, NAMRIA shall adopt the Department’s List of Exceptions, as follows:

1. Any information that directly relates to national security or defense and its revelation may cause grave damage to national security or internal or external defense of the state.

At the very least, this jurisdiction recognizes the common law holding that there is a governmental privilege against public disclosure with respect to state secrets regarding military, diplomatic and other national security matters.

2. Executive privilege involving information relating to the President as Commander-in-Chief, appointing, pardoning authority and diplomatic powers.
3. Any information pertaining to the foreign affairs of the Republic of the Philippines, when its revelation or disclosure, shall unduly weaken the negotiating position of the government in an ongoing bilateral or multilateral negotiation or seriously jeopardize the diplomatic relations of the Philippines with one or more states.
4. Any information or inter-government exchanges prior to the conclusion of treaties and executive agreements may be subject to reasonable safeguards for the sake of national interest.
5. Disclosure of information on the Presidential communication’s privilege.
6. Any information requested which pertains to internal or external defense, law enforcement and border control, when the disclosure thereof may:
 - 6.1. Lead to the disclosure of the identity of a confidential source, including a government, or foreign agency or authority or any private institution which furnished information on a confidential basis and, in the case of a record or information compiled by a law enforcement authority or agency, in the course of an intelligence investigation involving national security.
 - 6.2. Disclosure of legitimate techniques, procedures and guidelines for law enforcement investigations or prosecutions if such disclosure could reasonable result to circumvention of the law.
 - 6.2.1. Endanger the life, safety and security of any individual.
 - 6.2.2. Deprive a person of the right to a fair trial and impartial adjudication.
7. On criminal matters such as classified law enforcement information relating to the apprehension, prosecution and detention of criminals, which the courts may not inquire into prior to such arrest, prosecution and detention.

8. Disclosure of confidential source, investigation proceedings, and records of assigned hearing officers, investigators, and deputized inspectors, when the premature disclosure thereof may result to the endangering the life, safety and security of any individual, and pre-empt the resolution of a case.
9. Disclosure of proceedings before the Committee on Decorum and Investigation (CODI) during preliminary investigation.
10. Personal and sensitive information concerning natural persons resulting in invasion of privacy unless waived in writing by the person concerned pursuant to Republic Act No. 10173 (Data Privacy Act of 2012).
11. Prohibition of disclosure of the identity of persons who furnish information on any violation of the law to public officers.
12. Disclosure of information such as drafts of proceedings, orders, resolutions, decisions, memoranda or audit reports by any administrative or quasi-judicial body in the exercise of its regulatory and adjudicatory functions.
13. Information pertaining to trade secrets and commercial or financial information submitted by a natural or juridical person obtained in confidence or covered by privileged communication, and/or filed in connection with an application in a government agency, the revelation of which would prejudice the interests of such natural or juridical person in trade, industrial, financial or commercial competition.
14. Any information related to the Republic Act 9160 (Anti-Money Laundering Act of 2001 as amended).
15. Disclosure of confidential information under the National Internal Revenue Code.
16. Disclosure of information related to the Republic Act No. 8293 (Intellectual Property Rights Act).
17. Disclosure of information related to the Republic Act No. 10055 (Philippine Technology Transfer Act of 2009).
18. Disclosure of information related to the Republic Act 9285 (Alternative Dispute Resolution Act of 2004).
19. Disclosure of information on an on-going evaluation, review of bids or proposals being undertaken by the Bids and Awards Committee (BAC) or its technical working group (TWO) which are not yet considered as official acts, transactions, or decisions.
20. Disclosure of information related to identity of news informants or sources under Republic Act No. 1477 (The Shield Law).
21. Disclosure of information in violation of Republic Act No. 4200 (The Anti- Wiretapping Law).

22. Disclosure of Statement of Assets, Liabilities and Net Worth shall be subject to approval of the Office of the Ombudsman and/or the Civil Service Commission (CSC).
23. Disclosure of information concerning the nature and specific location of a potentially significant cave pursuant to Republic Act No. 9072 (National Caves and Cave Resources Management and Protection Act of 2001).
24. Any information which may put business operations at risk, and other application data in connection with application for various pollution permits pursuant to Republic Act No. 6969 (Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990).
25. Any data in the course of applying for an Environmental Compliance Certificate (ECC) pursuant to Presidential Decree No. 1586 (Philippine Environmental Impact Statement System).
26. During the lifetime or existence of a mining permit, results of metallurgical analysis (Fire Assay/Chemical Analysis), results of test, documents submitted by the mining clients in support of their mining applications, feasibility study of mining companies, company's drilling report, mineral resource report, final exploration report declaring a mineral resources inventory, and geologic reports.
27. Philippine Geoportal Data from Philippine Institute of Volcanology and Seismology (ground rupture, active fault) and Lands Management Bureau (parcel data, municipal boundary data); location of mirror server; raw and processed hydrographic surveys singlebeam and multibeam data; and confidential documents and information such as charts/maps related to territorial and other claims.

In addition, specific NAMRIA products and confidential documents are also included in the list of exceptions (Annex "D-2").

ANNEX "D-2"**NAMRIA List of Exceptions**

Republic of the Philippines
Department of Environment and Natural Resources
NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY

23 August 2016

JUSTICE REYNALDO L. SALUDARES
Assistant Solicitor General
OFFICE OF THE SOLICITOR GENERAL
134 Amorsolo Street, Legaspi Village
Makati City

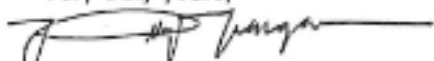
Dear Assistant Solicitor General Saludares:

In response to your letter dated 08 August 2016, we are providing you the following initial inventory of data from NAMRIA that should be included in the inventory of exceptions to the coverage of Executive Order No. 2:

1. Philippine Geoportal Data
 - A. PHILVOCS data in shape file format:
 - i. Ground rupture
 - ii. Active Fault
 - B. Land Management Bureau
 - i. Parcel Data
 - ii. Municipal Boundary data
2. Location of Mirror Server
Backup for application servers for NAMRIA
3. Participants' profile
Personal details of participants who were trained by the NAMRIA Geomatics Training Center
4. Raw Hydrographic Surveys Singlebeam and Multibeam data
5. Processed Hydrographic Surveys Singlebeam and Multibeam data
6. Confidential documents and information such as, but not limited to, charts/maps related to territorial and other claims
7. Confidential correspondences

We hope that these will be duly considered. Thank you.

Very truly yours,


DR. PETER N. TIANGCO, CESO I
Administrator

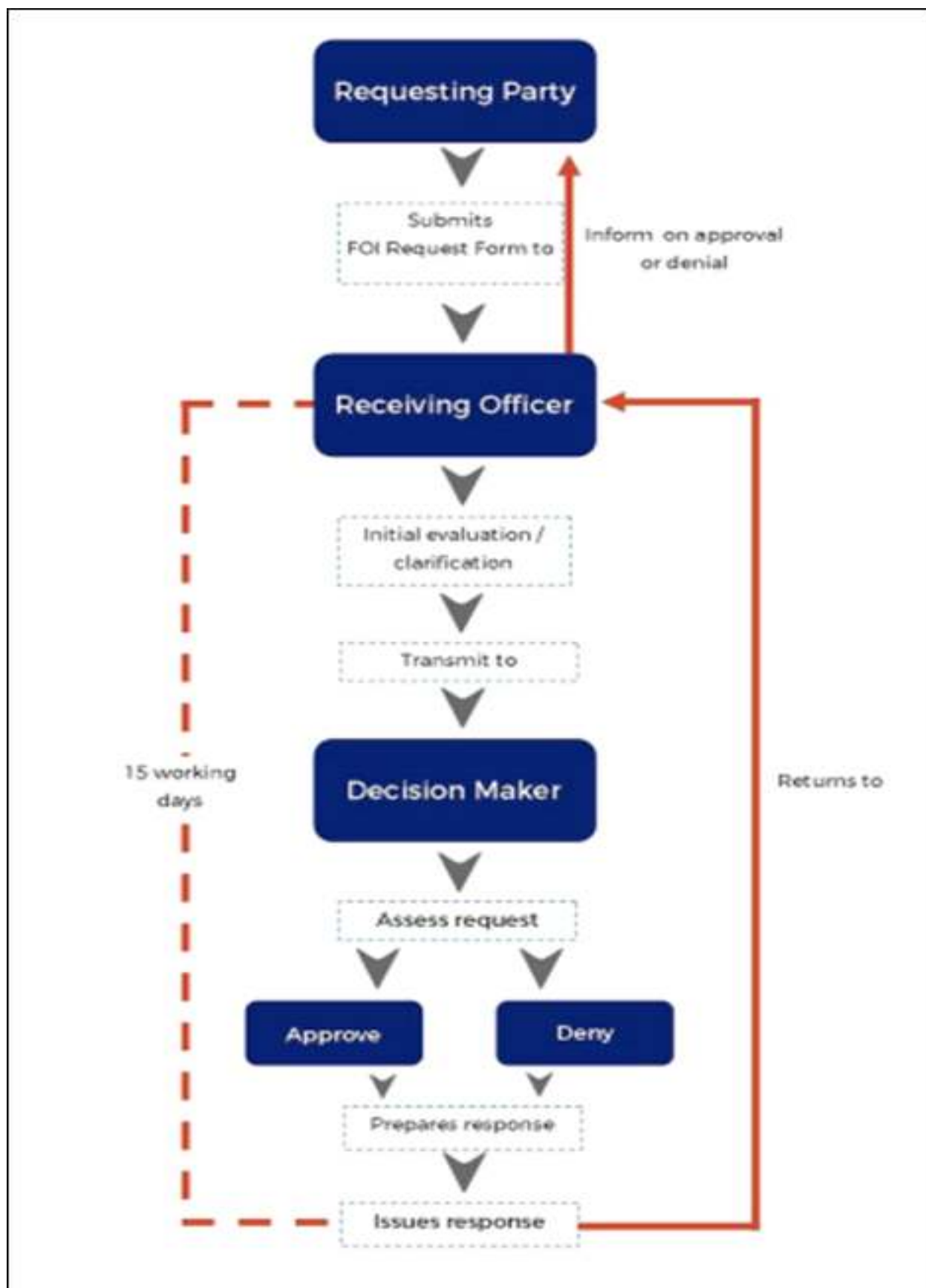


ANNEX “E”**List of NAMRIA Non-FOI Regular Products and Services**

Analog Maps
Topographic Maps (36 inches x 36 inches)
Administrative Map
Philippine Map (42 inches x 45 inches)
Regional Maps (various sizes, minimum of 36 inches x 36 inches)
Provincial Maps (various sizes, minimum of 36 inches x 36 inches)
Nautical Charts
Black and White (AO or 1.1 x 0.75 meters)
Colored (AO or 1.1 x 0.75 meters)
Isogonic Chart (AO or 1.1 x 0.75 meters)
Nautical Chart Index (AO or 1.1 x 0.75 meters)
Land Classification Map
Digital Data
Topographic Maps (Vector)
Scale 1:10,000, per sheet (3 minutes x 3 minutes approximately 5.4 km x 5.4 km)
Scale 1:50,000, per megabyte, per map sheet
Scale 1:250,000, per megabyte, per map sheet
Topographic Maps (Scanned)
All scales, per square centimeter
Topographic Maps (Georeferenced)
Scale 1:10,000, per sheet
Scale 1:50,000, per sheet
Scale 1:250,000, per sheet
Satellite Imageries
SPOT (2.5 x 2.5 meter resolution) 15 minutes x 15 minutes Orthoimage
Advanced Land Observing Satellite satellite imagery (raster, Geotiff) (15 minutes x 15 minutes)
WorldView 2 & GeoEye (0.5 x 0.5 meter resolution), 3 minutes x 3 minutes orthoimage
Aerial Photograph
Orthophoto 1:5,000 or 1:10,000 (1.5 minutes x 1.5 minutes or 3 minutes x 3 minutes approximately 2.7km x 2.7km or 5.4km x 5.4km respectively, 0.20 - 1.5 meters GSD)
Interferometric Synthetic Aperture Radar (IFSAR) orthorectified radar image, per hectare (minimum of 500 hectares, 0.625 meter GSD)
IFSAR digital surface model, per hectare (minimum of 500 hectares, 5 meters GSD)
IFSAR digital terrain model, per hectare (minimum of 500 hectares, 0.625 meter GSD)
Scanned aerial photograph negative (digital 10 inches x 10 inches)
Land Cover Map (Vector)
Current Series Land Cover Map (per hectare)
Old Series Land Cover Map (per hectare)
Coastal Resource Map (Vector)
Coastal Resources Data
Slope Map (Vector)
IFSAR-Based Slope Map
Hydrographic Smooth Sheet (Inshore: Ports and Harbors)
Hydrographic Smooth Sheet, A0 size, digital (raster or vector)
Gridded Bathymetric Data (xyz) per square kilometer
Digital Chart (scanned) per square centimeter
Digital Chart (georeferenced)
Electronic Navigational Chart (ENC) per cell
ENC update per cell

Publications
<i>Notice to Mariners</i>
<i>Tide and Current Tables</i>
<i>Philippine List of Lights</i>
Services
Production of Aerial Photographs
Paper print, 10 inches x 10 inches (25.4 centimeters x 25.4 centimeters)
2X enlargement 22 inches x 22 inches (55.88 centimeters x 55.8 centimeters)
3X enlargement 32 inches x 32 inches (81.28 centimeters X 81.28 centimeters)
4X enlargement 42 inches x 42 inches (106.60 centimeters x 106.60 centimeters)
Global Positioning System (GPS) survey evaluation, network adjustment, processing, per point
Certification of GPS receivers, per receiver
Certification of horizontal control data, per station
Certification of gravity station data, per station
Certification of vertical control data, per station
Certification of tide gage benchmark (tgbm), per station
Processed tidal hourly heights per month per station
Processed times and heights of high and low waters including tidal interval of daily heights per station per month
Annual mean tidal datum plane including monthly mean tidal datum planes per datum
Annual mean sea level including monthly means per station
Processed tide reducers per month per station (per datum)
Highest and lowest tide observed per station (historical)
Advanced copy of tide prediction per month per station
Raw data of tidal heights per month per station
Tidal extremes per station per year including monthly data
Tidal data analysis and processing per month and per station
Processed serial cast Conductivity Temperature Depth/Expendable Bathythermograph (sound velocity, temperature, salinity, conductivity, pressure) per inshore or offshore oceanographic station
a. Combination of 3 parameters or less
b. Combination of 4 or more parameters
Raw data of tidal current per month
Processed data of tidal current per month
Magnetic Observatory Data
Magnetic observatory one-month raw data
Magnetic observatory one-month processed data
Magnetic observatory one-month raw and processed data
Hydrographic Surveys
Inshore survey including rivers and lakes, multibeam
Inshore survey including rivers and lakes, single beam
Offshore Survey, multibeam
Certification of Municipal Water Boundaries
Certification of NTM publication for exploration activities
Certification of nautical distances, for 25 nautical miles + 25.00/additional nautical mile
Bathymetric chart, shallow waters series
Bathymetric chart, deep waters series
Bathymetric chart, grid file
Bathymetric data, ASCII xyz file

Certification and Evaluation of Maps and Map Products for Publication
Application Fee
Evaluation Fee
Certification Fee
Certified True Copy of corresponding DENR Forestry Administrative Order (FAO)/Department Administrative Order (DAO)
Certification of No Records of FAO/DAO
Philippine Active Geodetic Network
Registration Fee
Receiver Independent Exchange Format Download
Per download per station
Unlimited Downloads Per Station
1 day
5 days
15 days
1 month
Real-Time Kinematic (single base)
Per connection
Unlimited Connection
1 day
5 days
15 days
1 month
Printing of Topographic/Administrative Maps/Nautical Charts and Other Maps
Plain Paper, per square centimeter
Photo Paper, Matte, per square centimeter
Photo Paper, Glossy, per square centimeter
Printing of RDAB Thematic Maps
Ordinary paper (1.00/sq. in)
A0 (42" x 36")
A1 (23" x 33")
A2 (16" x 23")
A3 (11 " x 16")
Photo Paper, Glossy (2.00/sq.in.)
A0 (42" x 36")
A1 (23" x 33")
A2 (16" x 23")
A3 (11 " x 16")
Printing of Orthoimage/Orthophoto
1:5,000 or 1:10,000, per square centimeter
Tarpaulin
Customized GIS Map (Processing and Printing), per sheet
Geomatics Training, per person per day


ANNEX “F”**FOI Request Flowchart**

ANNEX “G”

FOI Request Form

This document may be reproduced and is NOT FOR SALE

FOI Tracking Number: _____



FREEDOM OF INFORMATION REQUEST FORM
(Pursuant to Executive Order No. 2/s. 2016)
(as of November 2016)

Please read the following information carefully before proceeding with your application. Use blue or black ink. Write neatly and in BLOCK letters. Improper or incorrectly-filled out forms will not be acted upon. Tick or mark boxes with "X" where necessary. Note: (★) denotes a MANDATORY field.

A. Requesting Party

You are required to supply your name and address for correspondence. Additional contact details will help us deal with your application and correspond with you in the manner you prefer.

1. Title (e.g. Mr, Mrs, Ms, Miss) _____ 2. Given Name/s (including M.I) _____ 3. Surname _____
4. Complete Address (Apt/House Number, Street, City/Municipality, Province) _____
5. Landline/Fax _____ 6. Mobile _____ 7. Email _____
8. Preferred Mode of Communication ☐ Landline ☐ Mobile Number ☐ Email ☐ Postal Address:
(if your request is successful, we will be sending the documents to you in this manner.)
9. Preferred Mode of Reply ☐ Email ☐ Fax ☐ Postal Address ☐ Pick-Up at Agency
10. Type of ID Given (Please ensure your IDs contain your photo and signature) ☐ Passport ☐ Driver's License ☐ SSS ID ☐ Postal ID ☐ Voter's ID
☐ School ID ☐ Company ID ☐ Others

B. Requested Information

11. Agency - Connecting Agency (if applicable) _____
12. Title of Document/Record Requested (Please be as detailed as possible) _____
13. Date or Period (DD/MM/YY) _____
14. Purpose _____
15. Document Type _____
16. Reference Numbers (if known) _____
17. Any other Relevant Information _____

C. Declaration

Privacy Notice: Once deemed valid, your information from your application will be used by the agency you have applied to, to deal with your application as set out in the Freedom of Information Executive Order No. 2. If the Department or Agency gives you access to a document, and if the document contains no personal information about you, the document will be published online in the Department's or Agency's disclosure log, along with your name and the date you applied, and, if another person, company or body will use or benefit from the documents sought, the name of that person, entity or body.

I declare that:

- The information provided in the form is complete and correct;
- I have read the Privacy notice;
- I have presented at least one (1) government-issued ID to establish proof of my identity

I understand that it is an offense to give misleading information about my identity, and that doing so may result in a decision to refuse to process my application.

Signature



Date Accomplished (DD/MM/YYYY)



D. FOI Receiving Officer [INTERNAL USE ONLY]

Name (Print name)



Agency - Connecting Agency (if applicable, otherwise N/A)



Date entered on eFOI (if applicable, otherwise N/A)



Proof of ID Presented (Photocopies of original should be attached)

- ☐ Passport
 ☐ Driver's License
 ☐ SSS ID
 ☐ Postal ID
 ☐ Voter's ID
☐ School ID
 ☐ Company ID
 ☐ Others _____

The request is recommended to be:

- ☐ Approved
 ☐ Denied

If Denied, please tick the Reason for the Denial

- ☐ Invalid Request
 ☐ Incomplete
 ☐ Data already available online

Second Receiving Officer Assigned (print name)



Decision Maker Assigned to Application (print name)



Decision on Application

- ☐ Successful
 ☐ Partially Successful
 ☐ Denied
 ☐ Cost

If Denied, please tick the Reason for the Denial

- ☐ Invalid Request
 ☐ Incomplete
 ☐ Data already available online
☐ Exception Which Exception?

Date Request Finished (DD/MM/YYYY)



Date Documents (if any) Sent (DD/MM/YYYY)



FOI Registry Accomplished

- ☐ Yes
 ☐ No

RO Signature



Date (DD/MM/YYYY)



ANNEX “H”**Manual of Approval**

Republic of the Philippines
Department of Environment and Natural Resources
NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY

JAN 27 2016

MEMORANDUM ORDER No. 001
Series of 2016

SUBJECT : REVISED MANUAL OF APPROVAL

In the interest of the service, and upon the recommendation of the Delegation of Authority Committee, the Revised Manual of Approval is hereby approved.

This Order shall take effect immediately and supersedes the Delegation of Authority contained in Memorandum Order No. 001, s. 2013 dated 16 October 2013.

For guidance and compliance.


DR. PETER N. TIANGCO, CESO I
Administrator



ISO 9001:2008 CERTIFIED FOR MAPPING AND GEOSPATIAL INFORMATION MANAGEMENT
NAMRIA OFFICES:
Main : Lawton Avenue, Fort Bonifacio, 1634 Taguig City, Philippines Tel. No.: (632) 810-4831 to 41
Branch : 423 Barroto St. San Nicolas, 1010 Manila, Philippines, Tel. No. (632) 241-3494 to 98
www.namria.gov.ph

MANUAL OF APPROVAL

09 December 2015

FUNCTIONS	RECOMMENDING / ENDORISING / CERTIFYING / SIGNING	APPROVING	REMARKS
I. ADMINISTRATIVE MATTERS			
A. Personnel Management			
1. Appointment and Promotion			
1.1 Career Service			
a. 3 rd Level / Career Executive Service (Including Promotion)			
- Deputy Administrator Level and up	DENR Secretary	President	
- Directors I and II	PSB for 3 rd Level	Administrator	Maybe endorsed to OP for approval and CESO rank
b. 1 st and 2 nd Levels			
- Original / Permanent Appointment	PSB	Administrator	
- Temporary Appointment	PSB	Administrator	
- Promotion	PSB	Administrator	
1.2 Exempt Service			
- Commissioned Officers (Ensign up to Commodore)	Administrator endorses for signature of DENR Secretary	President	Upon recommendation of PB for Commissioned Officers
- Probationary Ensign	HB Director	Administrator	
- Enlisted Personnel	HB Director	Administrator	Upon recommendation of PB for EP
1.3 Non-Career Service			
a. Contractual	Director	Administrator	
b. Consultants / Co-terminus		Administrator	
2. Inter-Branch Assignment / Transfer and Secondment to Other Agency	Director	Administrator	
3. Intra-Branch Assignment including MSOs and Other Facilities and Installations	Director	Supervising DA	
4. Designation as Commanding and Executive Officers of Survey Vessels	HB Director	Administrator	
5. Resignation, Retirement and Separation			
5.1 Civilian Employee	Director	Administrator	
5.2 Commissioned Officers	Administrator endorses for signature of DENR Secretary	President	
5.3 Enlisted Personnel	HB Director	Administrator	
5.4 Probationary Ensign	HB Director	Administrator	6 months probationary period



FUNCTIONS	RECOMMENDING / ENDORISING / CERTIFYING / SIGNING	APPROVING	REMARKS
6. Human Resource Development			
6.1 Training / Seminar / Scholarships / Conference			
a. Local	PDC	Administrator	Upon recommendation of Director
b. Foreign	Administrator	DENR Secretary	Upon recommendation of Director and PDC
6.2 Trainees			
a. Office OJT	Director	Supervising DA / Administrator	
b. Survey Vessels Apprentices	HB Director	Administrator	1 year maximum apprenticeship
c. Certificates of Training/Apprenticeship	Director	Administrator	
7. Leave Administration			
7.1 Official Leave of Absence			
- 7 days or less	Division Chief	Director	
- 8 to 15 days	Director	Supervising DA / Administrator	
- 16 days or more	Director / Supervising DA	Administrator	
- Management Level (DA's, Directors, Assistant Directors)	Next Higher Rank	Administrator	
7.2 Mandatory Leave	Division Chief	Director	For Disapproval: Branch Director, recommending; For Approval: Administrator
7.3 Maternity Leave	Director	Administrator	
7.4 Paternity Leave	Division Chief	Director	
7.5 Privilege Leave	Division Chief	Director	
7.6 Monetized Leave / Commutation Leave	Director	Administrator	Chief, FMD to certify availability of funds
7.7 Terminal Leave	Director	Administrator	
7.8 Special Emergency Leave / Calamity Leave	Division Chief	Director	Maximum of 5 days
B. Administrative Issuances to cover Special Order, Memoranda, Office Orders / Circulars, etc.	Supervising DA / Director / Chief, Administrative Officer	Administrator	
C. Authority to Render Overtime	Director	Administrator	
D. OB and Personal Pass-outs			
- Liberty pass for vessels	Commanding Officer	Director	
- Division Chief		Director	
- Section Chief and below		Division Chief	

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FUNCTIONS	RECOMMENDING / ENDORISING / CERTIFYING / SIGNING	APPROVING	REMARKS
E. Free Issue of Maps, Publications and Other Pertinent Data	Director / DAs	Administrator	
F. Other Administrative Services			
1. Notice of Salary Adjustments	Chief, HRMS	Administrator	
2. Notice of Step Increment for Civilian Employees	Chief, HRMS	Administrator	
3. Notice / Adjustment of Longevity Pay	HB Director	Administrator	
4. Certification of Employment	Chief Administrative Officer		
5. Certification of Compensation	Chief Administrative Officer		
6. Service Records	Chief Administrative Officer		
7. Certification of No Pending Administrative Case	Chief Administrative Officer		
8. Certification of Training / Appreciation	Chief, Admin. / HRDS / other authorized officials	Administrator	Copy furnished HRDS
9. Certification of Earned Leave	Chief, HRMS		
10. Control of Leave Application	Chief, HRMS		
11. Certification of Payments (salary deduction made to GSIS, PAG-IBIG, etc.)	Chief Accountant		
G. Awards / Commendations / Citations	PRAISE Committee	Administrator	In coordination with concerned Branch Directors
II. BUDGET AND FISCAL MATTERS			
A. Purchase / Work Order Request			
1. Direct Payment	Director Concerned with initial of Division Chief as end-user	Administrator	With Staff Cover Memo
2. Document for Liquidation	End-user	Director	
B. Purchase/Work Orders	Chief, Administrative Officer / Chief Accountant / Director Concerned	Administrator	
C. Disbursement Voucher (DV) for payment of supplies, materials, services, fixed expenditures, remittances and cash advances etc.	Director / Chief Accountant	Administrator	
D. Inspection of Supplies, Materials and Equipment	Chief, Internal Audit Section / Designated Inspectors		
E. Signatory on Checks			
1. Php 500,000.00 and below	Cashier	Administrator	Pensioner's Checks and Separation Pay Checks drawn from CSORBSF
2. Above Php 500,000.00	Chief, FMD	Administrator	
F. List of Due and Demandable Accounts Payable – Advice to Debit Accounts (LDDAP-ADA)	Cashier / Chief, Accounting Section / Chief, FMD	Chief, FMD / Administrator	
G. Advice of Checks Issued and Cancelled	Cashier / Chief, Accounting Section / Chief, FMD	Chief, FMD / Administrator	
H. Property Acknowledgement Receipt (PAR)	End User	Supply Officer	Vessels, vehicles and firearms to be approved by the Administrator

FUNCTIONS	RECOMMENDING / ENDORISING / CERTIFYING / SIGNING	APPROVING	REMARKS
I. Payrolls			
1. Salary / Bonus	Chief Administrative Officer	Director	
2. Overtime	Cashier	Administrator	
J. Project Fund Monitoring	Division Chief	Director	
K. Financial Reports			
1. Budget			
1.1 Budget Proposals	Chief, FMD and Chief, PPD	Administrator	
1.2 Registry of allotments and obligations, financial expenses (RAOFE, RAOPS, RAOMO, RAOCO)	Chief, FMD		
2. Accounting			
2.1 Report of accountability for accountable forms	Chief Accountant		
2.2 Liquidation Report	Chief Accountant		
2.3 Petty Cash Replenishment Report	Cashier		
2.4 Report of Disbursements	Disbursing Officer		
2.5 Report of Checks Issued	Cashier		
2.6 Report of Collections/Deposits	Cashier		
2.7 Registry of Allotments and NCA (RANCA)	Chief Accountant / Chief, FMD		
2.8 Financial Statements	Chief Accountant		
2.9 Bank Accounts Reconciliation	Chief Accountant		
L. Government estimates for repairs, maintenance, Job Orders (JO) etc.	Director	Administrator	
III. OPERATIONS			
A. Travel Orders			
1. 7 days or less	Division Chief	Director	
2. 8 - 15 days	Director	Supervising DA / Administrator	
3. 16 - 30 days	Director	Administrator	
4. (Management Level) DAs, Directors, Asst. Directors	Next Higher Rank	Administrator	
B.			
1. Certification and Authentication of Documents (Maps, Products, LC / Legal Status)	Custodian of document / Director		
2. Certification of technical data	Concerned Director / Authorized representative		
3. Certification of municipal water delineation	HB Director		
C. Travel Documents			
1. Itinerary of Travel	Division Chief	Director	
2. Certification of Travel Completed	Division Chief	Director	
3. Liquidation Report	Division Chief	Director	
4. Field Completion Reports	Team Leader	Division Chief	



FUNCTIONS	RECOMMENDING / ENDORISING / CERTIFYING / SIGNING	APPROVING	REMARKS
D. Accomplishment Reports			
1. Agency wide		Administrator	
2. Branch level		Director	
E. Endorsement of Project Proposals to DENR and NEDA	Director	Administrator	
F. MOA	Director	Administrator	
G. MOU and Contracts with Government or Private Agencies / Entities	Director	Administrator	
H. Allocation of POL Products			
1. Main Office (Gas Folder)	Chief, Transport Engineering Section	SSB Director	
2. San Nicolas Office (Gas Folder)	Staff Officer for Logistics (SOL)	HB Director	
I. Architectural and Engineering Designs / Plans	SSB Director	Administrator	
J. Trip Ticket			
1. Main Office	Chief, TES		
2. San Nicolas Office	HB Director		
3. Aboardship	Commanding Officer		
K. Allocation of Office Spaces	SSB Director	Administrator	
IV. LEGISLATIVE MATTERS			
Legislative and other policy issues	Legal Officer / Director / Supervising DA	Administrator	
V. MISCELLANEOUS			
A. Routine Replies / Report of Less Importance / Not Needing Administrator's signature	Supervising DA / Director / Division Chief Concerned		
B. Study/ Observation Tour of NAMRIA Facilities			
1. NAMRIA Main Office	Chief, GISD		
2. Survey Vessels	HB Director		



Republic of the Philippines
Department of Environment and Natural Resources
NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY
Lawton Ave., Fort Bonifacio, Taguig City 1634

FEB 14 2018

SPECIAL ORDER

NO. 102
Series of 2018

SUBJECT : Recomposition of the Delegation of Authority Committee

In the interest of the service, the Delegation of Authority Committee is hereby amended as follows:

Chairperson	-	DA Jose C. Cabanayan, Jr.
Members	-	All Branch Directors Chief of Staff Chief, Administrative Division Chief, Financial Management Division
Secretariat	-	Office of the Administrator

The committee is tasked to review the Delegation of Authority as contained in NAMRIA Memorandum Order No. 001, Series of 2016, and recommend possible improvements and amendments thereon.

The committee members shall be guided by existing rules and regulations in the performance of their functions.

All orders inconsistent herewith are repealed.

For guidance and compliance.


DR. PETER N. TIANGCO, CESO I
Administrator



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929-7041 to 43



FEB 11 2000

ADMINISTRATIVE ORDER
No. 2000 - 16

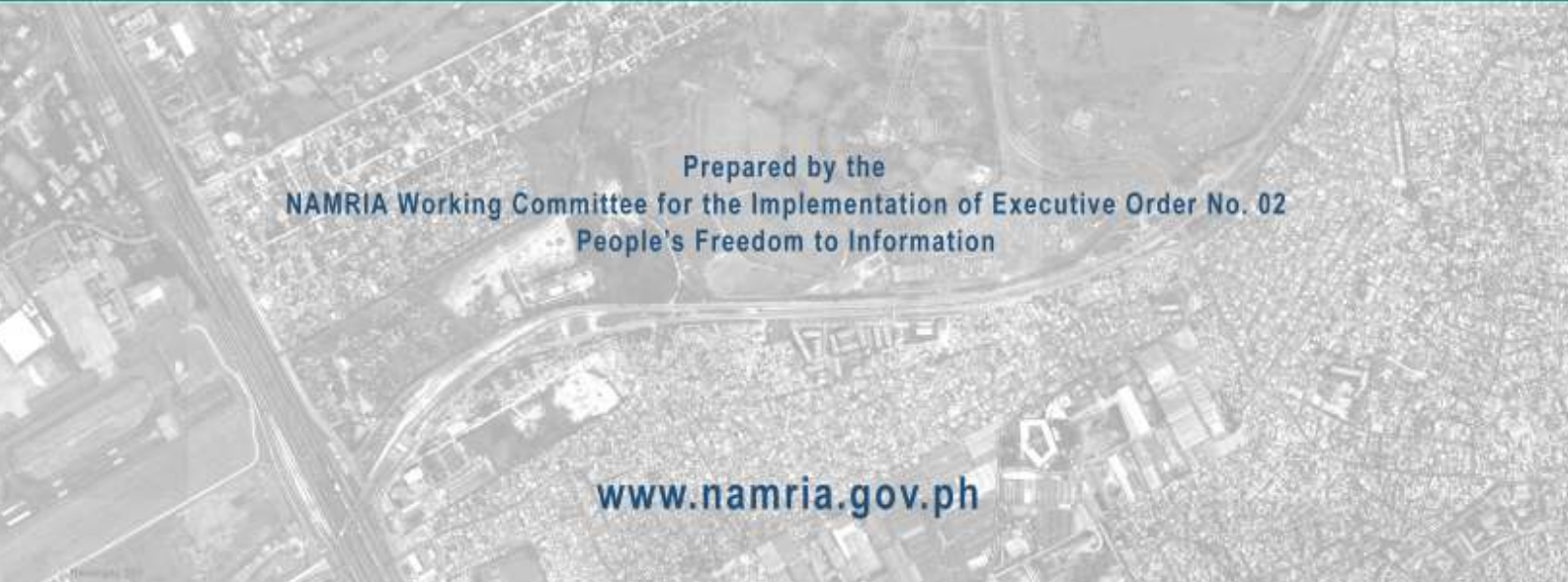
SUBJECT: RATES OF FEES FOR CERTAIN ADMINISTRATIVE SERVICES RENDERED

Pursuant to Section 54, Chapter 12, Book IV of Executive Order No. 292 (Administrative Code), Executive Order No. 159 dated February 23, 1994 and Memorandum Order No. 199 dated April 01, 1994, Malacañang, and in order to ensure proper, uniform of fees, the following rates of fees for certain administrative services rendered by Legal Service, Records Management and Documents Division and other offices of the Department of Environment and Natural Resources are hereby prescribed:

<u>Nature of Service/s</u>	<u>Amount of Fees</u>
1. Appeal or petitions filed against decisions or order	P 500.00
2. Authentication of any official records or documents	50.00
3. Certification of any document or information based on records	25.00
4. Copy fee for every page/sheet of official records or documents	5.00

This order shall take effect immediately.


ANTONIO H. CERILLES
Secretary

An aerial photograph of a city, likely Manila, Philippines, showing a dense urban area with a highway and a river. The image is in grayscale and serves as a background for the text.

Prepared by the
NAMRIA Working Committee for the Implementation of Executive Order No. 02
People's Freedom to Information

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