



# Mindoro State University



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# FREEDOM OF INFORMATION MANUAL

2023 edition



Resilience

Integrity

Commitment

Excellence

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## SECTION 1: OVERVIEW

- 1. Purpose of the Manual.** This Freedom of Information Manual (Manual) provides us process by which the University shall deal with requests of information received under Executive Order No. 2, s. 2016 on Freedom of Information (FOI). (Annex A)
- 2. Structure of the Manual.** This Manual presents the definition of terms, standard operating procedures, remedies, fees, and administrative liability, as well as provides the relevant forms and other annexes.
- 3. Coverage of the Manual.** The Manual shall cover all requests for information directed to the MinSU and all its compuses.
- 4. Responsible Officers.** For purposes of the Manual, there shall be the FOI Receiving Officer (FRO), the FOI Decision Maker (FDM), and the FOI Appellate Authority.

## SECTION 2: DEFINITION OF TERMS

- 1. INFORMATION** shall mean any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.
- 2. OFFICIAL RECORDS** shall refer to information produced or received by a public officer or employee or by a government office in an official capacity or pursuant to a public function or duty.
- 3. PUBLIC RECORDS** shall include information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government office.
- 4. PERSONAL INFORMATION** shall refer to any information, whether recorded in a material form or not, from which the identify of an individual is apparent or can be reasonably and directly ascertained by the entity

holding the information, or when put together with other information would directly and certainly identify an individual.

5. **SENSITIVE PERSONAL INFORMATION** shall be as defined in the Data Privacy Act of 2012 (Republic Act No. 10173), i.e., personal information:
- a. About an individual's race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
  - a. About an individual's health, education, genetic or sexual life of a person, or to any proceedings for any offense committed or alleged to have committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;
  - b. 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
  - c. Specifically established by an executive order or an act of Congress to be kept classified.

## SECTION 3. PROMOTION OF OPENNESS IN GOVERNMENT

1. **Access to Information:** The MinSU recognizes the right of the people to information on matters of public concern, and adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to the procedures and limitations provided in E.O. No. 2, s.2016.

2. **Exceptions:** Access to information shall be denied when the information falls under any of the exceptions, as follows:

- Information that directly relates to the national security or defense and its revelation may cause grave damage to national security or internal or external defense of the state.
- National Security Matters. At the very least, this jurisdiction recognizes the common law holding that there is a military, diplomatic and other national security matters.

- Executive Privilege involving information relating to the President's commander-in chief, appointing, pardoning and diplomatic powers.
- Information pertaining to the foreign affairs of the Republic of the Philippines when its revelation shall/ may 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.
- Information on inter-government exchanges prior to the conclusions of treaties and executive agreements may be subject to reasonable safeguards for the sake of national interest.
- Deliberate Process Privilege
- Presidential Communication's Privilege
- The information requested pertains to internal and/ or external defense, law enforcement and border control, when the disclosure thereof may:
  - Lead to the disclosure of the identify 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 in the course of an investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, or
  - Disclosure legitimate techniques and procedure for law enforcement investigations or prosecutions, or would disclose legitimate guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or
  - Endanger the life or physical safety of any individual, or
  - Deprive a person of a right to a fair trial and impartial adjudication.
- Criminal Matters
- Also excluded are classified law enforcement matters, such as those relating to the apprehension, the prosecution and the detention of criminals, which courts may not inquire info prior to such arrest, detention and prosecution. Efforts at effective law enforcement would be seriously jeopardized by free public access to, for example, police information regarding rescue operations, the whereabouts of fugitives, or lead on covert criminal activities.

- Investigation or proceeding conducted by public authorities
- Information related to the assignment of the cases to the reviewing prosecutors or the undersecretaries
- Prohibition on the Disclosure of investigatory records compiled for law enforcement purposes or information which if writers would be contained in such records, but only to the extent that the production of such records or information would:
  - Interfere with enforcement proceedings:
  - Deprive a person of a right to a fair trial or an impartial adjudication;
  - Disclose the identity of a confidential source and 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 unjustifiably disclose investigate techniques and procedures.
- Proceeding before the Committee on Decorum and Investigation during preliminary investigation
- Informer's privilege of the Government not to disclose the identity of a person or persons whom furnish information of violations law to officers charged with the enforcement of the law and the identity of a confidential informant
- Prohibition on disclosure the identity of persons who furnish information of violations of law to officers I charge with the enforcement of the law
- Prohibition on the disclosure of information that would put the life and safety of an individual in imminent danger
- The information requested consist of drafts of orders, resolutions, decisions, memoranda or audit reports by any executive, administrative, regulatory, constitutional, judicial or quasi-judicial body in the exercise of their regulatory audit and adjudicatory function.
- Proceeding before, or information in the possession of, any government agency, tribunal, board, or officer, which under its respective rules or regulations are treated as confidential and privileged

- Confidential information generally refers to information not yet made a matter of public records relating to pending cases, such as notes drafts, research papers, internal discussions, internal memoranda, records of internal deliberations, and similar papers. Even after the decision, resolution, or order is made public, such information that a justice or judge uses in preparing a decision, resolution, or order shall remain confidential.
- Courts records, including pleadings and other documents filed by litigants are confidential.
- Requested information pertains to an act which tends to exact testimony from government officials by a citizen are confidential.
- Such information, record or document compromises drafts of decision orders, rulings, policy decisions, memoranda, etc.
- The information required pertains to the personal information of a natural person other than the requesting party, and its disclosure would constitute an unwarranted invasion of his/her privacy, unless it forms part of the public record, or the person is or was an official of the government agency and the information relates to his other public function or the person has consented, I writing to the disclosure of the information.
  - Information concerning the application, together with all the records, documents and communications relating thereto and its processes shall be confidential

Information requested pertains to trade secrets and commercial or financial information obtained from a natural or juridical person other than the requesting party, obtained in confidence or covered by privileged communication, and/or filed with a government agency, whenever the relation thereof would prejudice the interest of such natural or juridical person in trade, industrial, financial or commercial competition.

- Trade Secrets and Banking Transactions.
- Confidential, commercial and financial information are excluded from disclosure.
- Confidential business information gathered by certain government agencies or officials on the operations, books, records or private corporations and business not required to be made public

- Anti-Money laundering concerns, covered or suspicious transaction reports, or **any other information in relation thereto**
- Prohibition of disclosing information under the National Internal Revenue Code
- Prohibition on the disclosure of confidential information under the National Revenue Code.
- Trade secrets acquired by government agencies or officials in the discharge of their duties
- Information relating to potential intellectual property right
- Documents submitted through the Government Electronic Procurement System (GEPS)
- Confidential matters under the Arbitration Law and Alternative Dispute Resolution Law involving arbitration proceeding and when the parties in an arbitration clause so provided that the proceeding and its incidents shall be confidential and information acquired in mediation or arbitration proceedings.
- An oral or written statement made or which occurs during mediation or for purposes of considering, conducting, participating, initiating, continuing or reconvening mediation or retaining a mediator
- Pleading, motions, manifestations, witness statement, reports filed or submitted in arbitration or for expert evaluation
- Information on on-going evaluation or review of bids or proposals being undertaken by the bidding or review committee which are not yet considered as "official acts, transaction, or decisions" on the bids or proposals or "definite propositions" on the part of the government
- Information considered as privilege communications I legal proceeding by law or by the Rulers of Court.
- Privileged communication under the Rules of Court (in respect of government lawyers, government doctors, and other public officers and employees)

- A public officer cannot be examined during his term of office or afterwards as to communications made to him in official confidence, when the court finds that the public interest would suffer by the disclosure.
- Attorney-client privilege existing between a government lawyer and their client
- Client identity is privileged where a strong probability exists that revealing the clients name would implicate that client in the activity for which he sought the lawyer's advice or would expose the client to evil liability
- Confidentiality of information relating to pending cases even after the decision, resolution or order is made public.
- Requesting information pertains to comments and disclosure on pending cases in judicial proceedings.
- Records of cases that are still pending for decision are privileged materials that cannot be disclosed, except only for pleading, orders and resolutions that have been made available by the court to the general public.
- Identity of News, Informants under **R.A. 1477 (The Shield Law)**.
- Requested information pertains to unauthorized recording from all the parties of any private communication spoken word to secretly overhear, intercept or record of such communication by using any recording device
- Secrets of private individual known by public officer by reason of his or her office
- Divulging valuable information of a confidential character, acquired by his office or by him on account of his official position to unauthorized person, or releasing such information in advance of its authorized released date
- Confidential or classified information officially known to public officer and employees by reason of their office and not made available to the public

- Non-disclosure of Statement of Assets, Liabilities and Net Worth if the purpose/s is /or any of the following purposes (a) any purpose contrary to morals or public policy; or (b) any commercial purpose other than by news and communications media for dissemination to the general public
- The information is of a nature that its premature disclosure would: (1) in the case of an agency that regulates or deals with currencies, interest rates, securities, commodities, or financial institutions, be likely to lead speculations in currencies, interest rates, securities, commodities market; or (2) in the case of other agencies, be likely to frustrate the effective implementation of a proposed official action: Provided, that the information shall be disclosed once the above-mentioned dangers have ceased.
- Information involving a subsequent identical or substantially similar request from the same requesting party where it has previously complied with a request for information unless a reasonable interval has lapsed between compliance with the previous request and the making of the current request
- The right information may be subject to reasonable regulations as to manner and hours of examination, efforts to avoid loss or damage, undue interference with the duties of the custodian of the records, and ensuring the right of the persons entitled to also inspect the records. Requesting citizens, further, cannot compel custodians of records to prepare list of abstracts of the data
- Government officials cannot be compelled to prepare lists and detailed reports on how congressional funds were disbursed.

### Other Exceptions

- Confidentiality of information known to a public official or employee by reason of his office
- Information and statements made at reconciliation proceedings
- Expenditure relating to classified information, such as the purchaser of information and payments of rewards

3. **Protection of Privacy:** While providing for access to information, the MinSU shall afford full protection to a person's right to privacy, as follows:

- The MinSU shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws.
- The MinSU shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure.
- The FOI Receiving Officer (FRO), FOI Decision Maker (FDM), or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of the University, shall not disclose that information except as authorized by existing laws.

## SECTION 4. STANDARD PROCEDURE

1. **Request for Information.** All requests for information shall
  - a. Be in writing and be accomplished using the prescribed form; **(Annex C)**
  - b. Provide the full name and contact information of the requesting party including a valid government identification card with photograph and signature; and
  - c. Reasonably describe the information requested, and the reason for, or purpose of, the request for information.

The FOI Request form shall be made available in the different offices of the University and on the University website.

If the FRO determines that the request is not complete, he/she shall immediately return it and inform the requesting party to submit the complete form. **(Annex D)**

2. **Manner of Making Request.** A request for information shall be made by the requesting party by delivering it personally to the MinSU, by sending it thru mail, or by sending it thru electronic mail.

In case the requesting party is unable to make a written request because of illiteracy or disability, he or she may make an oral request and the FRO shall reduce it into writing. The requesting party shall sign the form.

3. **Receipt of Request:** A complete request for information shall be signed and stamped received by the FRO after it has been delivered to him/her by the personnel who actually received the request. The FRO shall indicate the date and time of receipt and the name, rank, title and position of the said personnel at the receiving station.

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

1. they must be sent to [universitypresident@minsu.edu.ph](mailto:universitypresident@minsu.edu.ph); and
2. an acknowledgement email must be sent to the requesting party within one (1) working day

#### 4. **Period to Respond**

- 4.1 The MinSU shall respond to the requesting party within 15 working days from the date of receipt of the complete request for information.
- 4.2 A working day is any day other than a Saturday, Sunday, or a day which is declared a national public holiday in the Philippines. In computing for the period, Art. 13 of the Civil Code shall be observed.

The date of receipt shall be:

- (1) The date when the request is physically delivered to the MinSU;
  - (2) The date when the request is received by mail; or
  - (3) The date when the request is electronically received, provided that, when the request has been emailed to MinSU employee who is absent and this has generated an 'out of office' message with instructions on how to re-direct the message to another contact, then it shall be the date when the request is electronically delivered to that contact.
- 4.3 The period may be extended whenever the request requires extensive search of the records facilities of the MinSU, examination of voluminous records, or in case of the occurrence of fortuitous events or other analogous cases. The FDM shall inform the FRO, and the FRO shall inform the

requesting party of the extension, setting forth the reasons for such extension. **(Annex E)**

In no case shall the extension exceed twenty (20) working days, unless exceptional circumstances warrant a longer period.

5. **Transmittal of Request by the FRO to the FDM.** The FRO shall forward the request for information to the FDM within one day from receipt. The FRO shall record the date and time and the name of the FDM who received the request in a record book with the corresponding signature.
6. **Response on the Request.** Upon receipt of the request for information from the FRO, the FDM shall assess the request. Response shall be relayed by the FRO to the requesting party, by mail or by email.

- 6.1 **Request Relates to More Than One Division/Unit:** If the FDM needs details from different MinSU units, clarification from said units shall be made.
- 6.2 **Request Needs Clarification.** If the FDM needs further details to identify or locate the information, clarification from the requesting party shall be made. **(Annex F)**

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

- 6.3 **Approval of Request.** Upon receipt of the requested information from the FDM, the FRO shall collate the information, notify the requesting party in writing, and direct the party to pay any applicable fees. **(Annex G-1)**
- 6.4 **Denial of Request.** No request shall be denied by the FDM unless (i) the reason for the request is contrary to law or rules and regulations **(Annex G-2)**, or (ii) the request falls under the exceptions under the Inventory of Exceptions issued by the Office of the President **(Annex H)**. The FRO shall notify the requesting party in writing, clearly setting forth the ground for denial and the circumstances on which the denial is based.
- 6.5 **Requested Information is Substantially Similar or Identical to a Previous Request.** The University shall not be required to act if, upon determination by the FDM, the requested information is substantially similar or identical to a previous request by the requesting party, whether the same has been granted or denied. The requesting party shall be advised accordingly. **(Annex I)**

- 6.6 **Requested Information is Available On-Line.** If the FDM determines that the requested information is already available on the MINSU website or any other government website covered by this E.O., the requesting party shall be advised accordingly and provided with the website link where the information is posted. **(Annex J)**
- 6.7 **Requested Information is Not in the Custody of MinSU:** If the FDM determines that the requested information refers to another government agency, the request shall be transferred to such appropriate government agency, copy furnished the requesting party. **(Annex K-1)**

If the government agency is not within the coverage of E.O. No. 2, s. 2016, the requesting party shall be advised accordingly and provided with the contact details of that office, if known. **(Annex K-2)**

## SECTION 5. NO WRONG DOOR POLICY FOR FOI

**GUIDELINES ON THE REFERRAL OF REQUESTED INFORMATION, OFFICIAL RECORD/S AND PUBLIC RECORD/S TO THE APPROPRIATE GOVERNMENT AGENCY OTHERWISE KNOWN AS THE “NO WRONG DOOR POLICY FOR FOI” RULES.** *(Excerpts from FOI-MC No. 21- 05, Freedom of Information Memorandum Circular, PCOO, Ermita, City of Manila)*

**Section 1. Purpose.** – This rule seeks to set guidelines for the referral of any requested information, official record/s, or public record/s to the appropriate government agency by another agency which does not have in its possession or custody the requested information or records, or is not authorized to release the information to the public.

**Section 2. Coverage.** – This Order shall cover all government agencies under the Executive branch implementing the FOI Program, pursuant to EO No. 2, s. 2016 and all other related issuances, and applies to both paper-based and electronic form of requesting information.

**Section 3. Request for Information.** – Any person who requests for access to information shall comply with Section 9 of EO No. 02, s. 2016 and all other pertinent laws, existing rules and regulations, issuances, and orders. For purposes of this rule,

information and records shall refer to information, official record/s, or public record/s as defined under EO No. 02, s. 2016.

**Section 4. Acceptance of Request.** – As a general rule, all fully compliant requests for information shall be accepted by the FOI Receiving Officer (FRO) and FOI Decision Maker (FDM). No request for information shall be denied or refused acceptance by a government office unless the reason for the request is contrary to the Constitution, pertinent laws, existing rules and regulations, or it is one of the exceptions provided under the Inventory of Exceptions.

**Section 5. Process of Referral.** – When the requested information is not in the possession of a government agency (government agency no. 1 or GA1), but is available in another government agency (government agency no. 2 or GA2) under the Executive Branch, the request shall be immediately referred by GA1 to GA2 through the most expeditious manner but not exceeding three (3) working days from the receipt of the request. This shall be considered as the “First Referral” and a fresh period will apply. Referral to the appropriate government agency shall mean that another government office is the proper repository or custodian of the requested information or records, or have control over the said information or records.

If GA1 fails to refer the request within three (3) working days upon its receipt, the FRO shall act on it within the remaining period to respond pursuant to EO No. 02, s. 2016. No fresh period shall apply.

If GA1, in good faith, erroneously referred the request to GA2, the latter shall immediately notify the former as well as the requesting party, that the information requested is not available in their agency. GA2, to whom the request was referred under the First Referral may subsequently refer the request to another government agency (government agency no. 3 or GA3) under the procedure set forth in the first paragraph of this Section. This shall be considered as the “Second Referral” and another fresh period shall apply. Referrals under this Order shall only be limited to two (2) subsequent transfers of request.

A written or email acknowledgement of the referral shall be made by the FRO of the government agency where it was referred. The requesting party shall be notified of the referral and must be provided with the reason or rationale thereof, and contact details of the government office where the request was referred.

**Section 6. FOI Internal Messenger.** - The FOI-PMO shall create a “FOI Internal Messenger”. Such feature shall be included in the dashboards of FROs and FDMs, located at the eFOI portal or [www.foi.gov.ph](http://www.foi.gov.ph), where all FROs and FDMs can ask or confirm with each other on which agency has the control and custody of any information or record being requested.

**Section 7. Status of the Request.** – A request that is referred to the appropriate government agency is considered successful if the same is acknowledged and the requested information is disclosed to the requestor.

If GA3, after the second referral, still cannot provide the information requested, it shall deny the said request and shall properly notify the requesting party. In all phases of the referral, the requesting party shall be informed in writing, email, and/or through the eFOI of the status of his/her request.

**Section 8. Inventory of Receiving Officers and Decision Makers, and Agency Information Inventory.** – For the convenience of all FROs and FDMs in implementing this Circular, an inventory of the names and contact details of all designated FROs and FDMs of government agencies, and an Agency Information Inventory (All) shall be compiled by the FOI-PMO.

The FOI-PMO shall be the central repository of the inventory of all designated FROs and FDMs and shall collate and update the names and contact information of the designated FROs and FDMs of each government agency.

The inventory shall be posted at the eFOI portal, [www.foi.gov.ph](http://www.foi.gov.ph). FOI-PMO shall strictly adhere to Republic Act No. 10173 or the Data Privacy Act of 2012. To assist the FROs in locating the requested information or record, an annual updating of the All shall be required of all agencies on-boarded on the eFOI Portal. The consolidated inventory of information shall likewise be made available in the dashboard of the FRO and FDM for ease of access and information. (*Annex B*)

## SECTION 6. REMEDIES IN CASE OF DENIAL OF A REQUEST

1. In case of denial of a request for information, the requesting party may appeal to the Appellate Authority. The appeal shall be in writing, and shall be filed 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 receipt of the appeal.
2. Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

## SECTION 7. REQUEST TRACKING SYSTEM

The University shall establish a system to trace the status of all requests for information received, which may be paper-based, on-line or both.

## SECTION 8. FEES

1. **No Request Fee.** The MinSU shall not charge any fee for accepting requests for information.
2. **Reasonable Cost of Reproduction and Copying of the Information:** MinSU may charge a reasonable fee to reimburse necessary costs, including actual costs of reproduction, copying, and digitization of the information required. The FRO shall immediately notify the requesting party.
3. **Exemption from Fees.** The FDM may exempt any requesting party from payment of fees, upon submission of a written request stating the valid reason.

## SECTION 9. ADMINISTRATIVE LIABILITY

1. **Non-compliance with FOI.** Failure to comply with the provisions of this Manual shall be a ground for the following administrative penalties:
  - a. 1st Offense - Reprimand
  - b. 2nd Offense - Suspension of one day to thirty days
  - c. 3rd Offense - Suspension of one month to six months
  - d. 4th Offense - Dismissal from service
2. **Procedure:** The Revised Rules on Administrative Cases in the Civil Service shall be applicable in the disposition of cases under this Manual.
3. **Provision for More Stringent Laws, Rules and Regulations:** Nothing in this Manual shall be construed to derogate from any law or rules or regulations prescribed by the Civil Service Commission which provide for more stringent penalties.

## SECTION 10. FOI OFFICERS

The names and contact details of the FOI Officers of the University are as follows:

Designation	Name	Telephone	Email
FOI Receiving Officers	MR. MELGAR G. FADRIQUELAN Administrative Officer V (Records Officer III)	09757382645	mmcrecordsoffice@ minsu .edu.ph
	ELVI C. ESCAREZ, <i>Ph.D.</i> Campus Executive Director- MinSU Calapan City	099-579-07974	mcc.cedoffice@min su.edu.ph
	CIEDELLE P. SALAZAR, <i>Ph.D.</i> Campus Executive Director- MinSU Bongabong Campus	09778390410	minsubc.cedoffice @minsu.edu.ph
FOI Decision Makers	CHRISTIAN ANTHONY C. AGUTAYA, <i>Ph.D.</i> OIC-Office of the University President	09178708728	universitypresident @ minsu.edu.ph
	MS. JOELENE C. LEYNES Vice President for Administration and Finance	09172736882	vpaf@minsu.edu.ph
	NEMESIO H. DAVALOS, <i>Ph.D.</i> Vice President for Academic Affairs	09053561202	backup.vpaa@gmai l.com

	CHRISTIAN ANTHONY C. AGUTAYA, <i>Ph.D.</i> Vice President for Research, Development and Extension	09266922655	minsu.rde@gmail.com
FOI Appellate Authority	MinSU Board of Regents	09178708728	universitypresident@minsu.edu.ph

## SECTION 11. POSTING AND EFFECTIVITY

This Manual shall be posted on the MinSU website upon its approval by the University Board of Regents.

Approved this \_\_\_\_ day of \_\_\_\_\_ in the year of our Lord Two Thousand and Twenty-Three during the \_\_\_\_\_ Quarter BOR Meeting at \_\_\_\_\_.

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Designation	Name	Telephone	Email
FOI Receiving Officers	Administrative Officer V (Records Officer III)	09757382645	mmcrecordsoffice@minsu.edu.ph
	Campus Executive Director-MinSU Calapan City	099-579-07974	mcc.cedoffice@minsu.edu.ph
	Campus Executive Director-MinSU Bongabong Campus	09778390410	minsubc.cedoffice@minsu.edu.ph
FOI Decision Makers	SUC President III	09178708728	universitypresident@minsu.edu.ph
	Vice President for Administration and Finance	09172736882	vpaf@minsu.edu.ph

	Vice President for Academic Affairs	09053561202	backup.vpaa@gmail.com
	Vice President for Research, Development and Extension	09266922655	minsu.rde@gmail.com
FOI Appellate Authority	MinSU Board of Regents	09178708728	universitypresident@minsu.edu.ph

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Approved this \_\_\_\_ day of \_\_\_\_\_ in the year of our Lord Two Thousand and Twenty-Three during the \_\_\_\_\_ Quarter BOR Meeting at \_\_\_\_\_.

“ANNEX “A”

**EXECUTIVE ORDER NO. 2**

**MALACAÑANG PALACE  
MANILA**

BY THE PRESIDENT OF THE PHILIPPINES

**EXECUTIVE ORDER NO. 2**

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

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

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

**WHEREAS**, the incorporation of this right in the Constitution is a recognition of the fundamental role of free and open exchange of information in a democracy, meant to enhance transparency and accountability in government official acts, transactions, or decisions;

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

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

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

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

**SECTION 1.** Definition. For the purpose of this Executive Order, the following terms shall mean:

(a) "Information" shall mean any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.

(b) "Official record/records" shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.

(c) "Public record/records" shall include information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by a government office.

**SECTION 2.** Coverage. This order shall cover all government offices under the Executive Branch, including but not limited to the national government and all its offices, departments, bureaus, offices, and instrumentalities, including government-owned or controlled corporations, and state universities and colleges. Local government units (LGUs) are encouraged to observe and be guided by this Order.

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

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

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

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

Said inventory of exceptions shall periodically be updated to properly reflect any change in existing law and jurisprudence and the Department of Justice and the Office of the Solicitor General are directed to update the inventory of exceptions as the need to do so arises, for circularization as hereinabove stated.

**SECTION 5. Availability of SALN.** Subject to the provisions contained in Sections 3 and 4 of this Order, all public officials are reminded of their obligation to file and make available for scrutiny their Statements of Assets, Liabilities and Net Worth (SALN) in accordance with existing laws, rules and regulations, and the spirit and letter of this Order.

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

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

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

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

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

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

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

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

(a) The location and contact information of the head, regional, provincial, and field offices, and other established places where the public can obtain information or submit requests;

(b) The person or office responsible for receiving requests for information;

(c) The procedure for the filing and processing of the request as specified in the succeeding section 9 of this Order.

(d) The standard forms for the submission of requests and for the proper acknowledgment of requests;

(e) The process for the disposition of requests;

(f) The procedure for the administrative appeal of any denial for access to information; and

(g) The schedule of applicable fees.

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

(a) Any person who requests access to information shall submit a written request to the government office concerned. The request shall state the name and contact

information of the requesting party, provide valid proof of his identification or authorization, reasonably describe the information requested, and the reason for, or purpose of, the request for information: Provided, that no request shall be denied or refused acceptance unless the reason for the request is contrary to law, existing rules and regulations or it is one of the exceptions contained in the inventory or updated inventory of exception as hereinabove provided.

(b) The public official receiving the request shall provide reasonable assistance, free of charge, to enable, to enable all requesting parties and particularly those with special needs, to comply with the request requirements under this Section.

(c) The request shall be stamped by the government office, indicating the date and time of receipt and the name, rank, title and position of the receiving public officer or employee with the corresponding signature, and a copy thereof furnished to the requesting party. Each government office shall establish a system to trace the status of all requests for information received by it.

(d) The government office shall respond to a request fully compliant with requirements of 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 agency or office concerned to grant or deny access to the information requested.

(e) The period to respond may be extended whenever the information requested requires extensive search of the government office's records facilities, examination of voluminous records, the occurrence of fortuitous cases or other analogous cases. The government office shall notify the person making the request of the extension, setting forth the reasons for such extension. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.

(f) Once a decision is made to grant the request, the person making the request shall be notified of such decision and directed to pay any applicable fees.

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

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

requesting party whose request has already been previously granted or denied by the same government office.

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

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

(a) Denial of any request for access to information may be appealed to the person or office next higher in the authority, following the procedure mentioned in Section 9 of this Order: Provided, that the written appeal must be filed by the same person making the request within fifteen (15) working days from the notice of denial or from the lapse of the relevant period to respond to the request.

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

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

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

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

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

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

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

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

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

(Sgd.) RODRIGO ROA DUTERTE

President of the Philippines

By the President:

(Sgd.) SALVADOR C. MEDIALDEA

Executive Secretary

“ANNEX “B”

REPUBLIC OF THE PHILIPPINES  
**PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE**  
*Tanggapang Pampanguluhan sa Operasyong Komunikasyon*  
*Ermita, City of Manila*

**FOI-MC- No. 21-05 FREEDOM OF INFORMATION**  
**MEMORANDUM CIRCULAR**

**GUIDELINES ON THE REFERRAL OF REQUESTED INFORMATION, OFFICIAL RECORD/S AND PUBLIC RECORD/S TO THE APPROPRIATE GOVERNMENT AGENCY OTHERWISE KNOWN AS THE ‘NO WRONG DOOR POLICY FOR FOI’**

WHEREAS, Executive Order (EO) No. 02, s. 2016 was issued by President Rodrigo Roa Duterte to operationalize the Constitutionalize Right of Access to Information, and Policy of Full Public Disclosure in the Executive Department;

WHEREAS, Memorandum Order (MO) No. 10, s. 2016 designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 02, s. 2016;

Whereas, Department Order No. 18, s. 2017, issued by the PCOO, created the Freedom of Information – Project Management Office (FOI-PMO) to exercise the mandate of MO No. 10, s. 2016;

WHEREAS, in order to ensure the policy of the President to have an open, transparent and accountable government, it is the mandate of the PCOO to develop programs and mechanisms to enhance the capacity of government agencies to comply with the FOI program;

WHEREAS, there is a need to break the prevailing “silo system” and lack of interconnection among government agencies, with the end goal of a government acting as a singular unit serving its primary client, its citizens;

NOW THEREFORE, by virtue of PCOO’s mandate to develop programs and mechanism to ensure compliance with the FOI program, particularly on addressing the issue regarding the referral of any requested information, official record/s, or public record/s to the appropriate government agency, these rules are hereby prescribed and promulgated for the information, guidance and compliance of all concerned:

*J. Hernandez / 2023*

Section 1. Purpose.- This rule seeks to set guidelines for the referral of any requested information, official record/s or public record/s to the appropriate government agency by another agency which does not have in its position or custody the requested information or records, or is not authorized to release the information to the public.

Section 2. Coverage.- This Order shall cover all government agencies under the Executive branch implementing the FOI Program, pursuant to EO No. 2, s.2016 and all other related issuances, and applies to both paper-based and electronic form of requesting information.

Section 3. Request for Information- Any person who requests for access to information shall comply with section 9 of EO, No.2, s. 2016 and all other pertinent laws, existing rules and regulations, issuances and orders. For purposes of this rule, information and records shall refer to information, official record/s, or public record/s as defined under EO No.02, s.2016.

Section 4. Acceptance of Request.-As a general rule, all fully compliant requests for information shall be accepted by the FOI Receiving Officer (FRO) and FOI Decision Maker (FDM). No request for information shall be denied or refused acceptance by a government office unless the reason for the request is contrary to the Constitution, pertinent laws, existing rules and regulations, or it is one of the exceptions provided under the Inventory of Exceptions.

Section 5.-Process of Referral.-When the requested information is not in the possession of a government agency (government agency no.2 or GA 2) under the Executive Branch, the request shall be immediately referred by GA1 to GA2 through the most expeditious manner but not exceeding three (3) working days from the receipt of the request. This shall be considered as the " First Referral" and a fresh period will apply.

Referral to the appropriate government agency shall mean that another government office is the proper repository or custodian of the requested information or records, or have control over the said information or records.

If GA1 fails to refer the request within three (3) working days upon the receipt, the FRO shall act on it within the remaining period to respond pursuant to E.O. No.2, s. 2016. No fresh period shall apply.

If GA1, in good faith, erroneously refereed the request to GA2, the latter shall immediately notify the former as well as the requesting party, that the information requested is not available in their agency.

GA2, to whom the request was referred under the First Referral may subsequently refer the request to another government agency (government agency no. 3 or GA3) under the procedure set forth in the first paragraph of this Section. This shall be considered as the Second Referral “ and another fresh period shall apply.

Referrals under this order shall only be limited to two (2) subsequent transfers of request. A written or email acknowledgement of the referral shall be made by the FRO of the government agency where it was referred.

Section 6. FOI Internal Messenger.-The FOI-PMO shall create a “FOI Internal messenger”. Such feature shall be included in the dashboards of FROs and FDMs, located at the eFOI portal or [www.foi.gov.ph.where](http://www.foi.gov.ph.where) all FROs and FDMs can ask or confirm with each other on which agency has the control and custody of any information or record being requested.

Please see Annex “A” of this Circular for the No Wrong Door Policy Flowchart.

Section 7. Status of the Request.- A request that is referred to the appropriate government agency is considered successful if the same is acknowledged and the requested information is disclosed to the requestor.

If GA3, after the second referral, still cannot provide the information requested, it shall deny the said request and shall properly notify the requesting party.

In all phases of the referral, the requesting party shall be informed in writing, email, and /or through the eFOI of the status of his/her request.

Section 8. Inventory of Receiving Officers and decision Makers, and Agency Information Inventory..- For the convenience of all FROs and FDMs in implementing this Circular, an inventory of the names and contact details of all designated FROs and FDMs of government agencies, and an Agency Information Inventory (All) shall be compiled by the FOI-PMO.

The FOI-PMO shall be the central repository of the inventory of all designated FROs and FDMs and shall collate and update the names and contact information of the designated FROs and FDMs of each government agency. The inventory shall be posted at the eFOI portal, [www.foi.gov.ph](http://www.foi.gov.ph). FOI-PMO shall strictly adhere to Republic Act No. 10173 or the Data Privacy Act of 2012.

To assist the FROs in locating the requested information or record, an annual updating of the All shall be required of all agencies on-boarded on the eFOI Portal. The

consolidated inventory of information shall likewise be made available in the dashboard of the FRO and FDM for ease of access and information.

Section 9. Separability Clause.- If, for any reason, any part or provision of this memorandum Circular is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

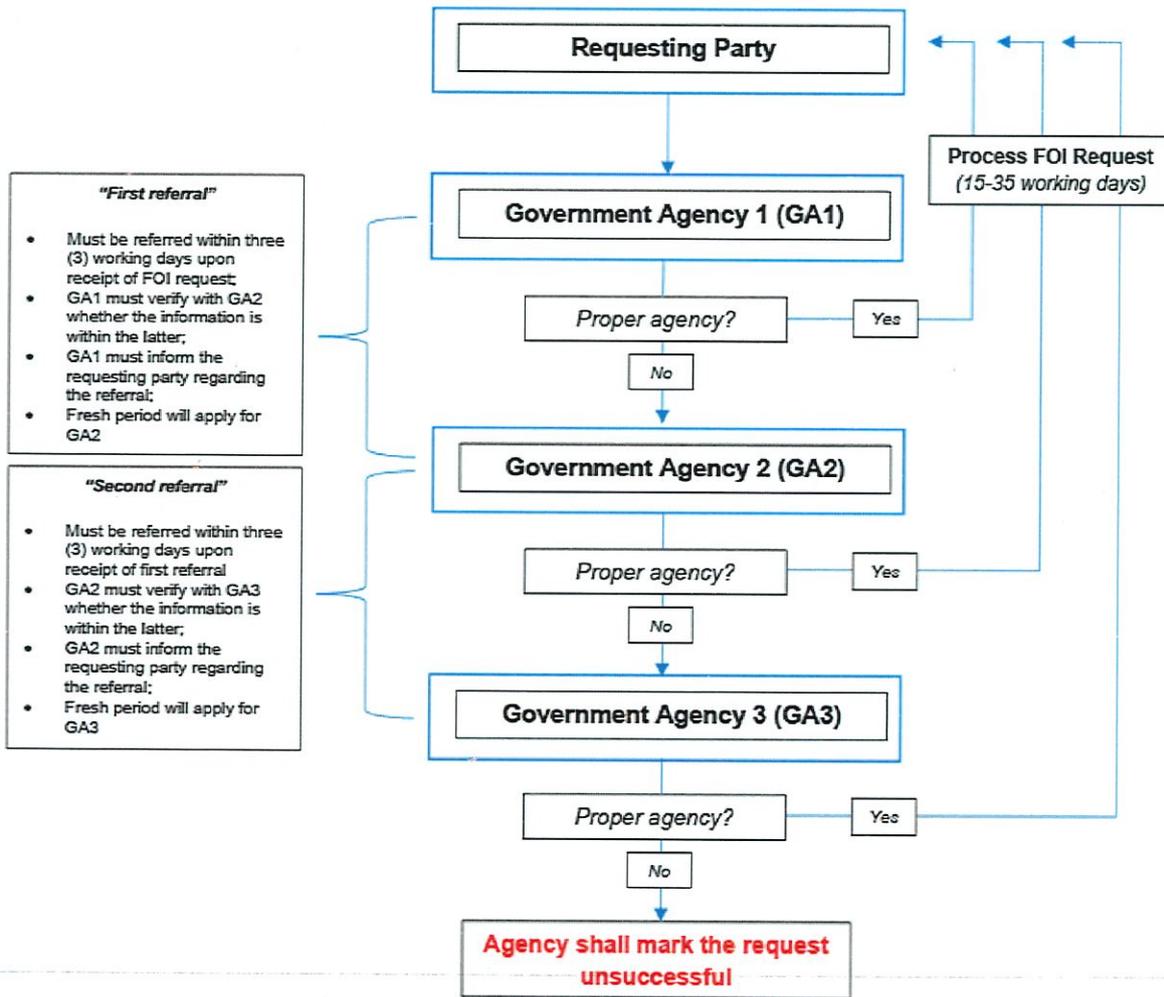
Section 10. Repealing Clause. All orders, rules and regulations, memoranda, circulars and issuances or any part thereof inconsistent with the provisions of the Memorandum Circular are hereby repealed, amended or modified accordingly.

Section 11. Effectivity. This Memorandum Circular shall take effect immediately.

Manila, Philippines, 27<sup>th</sup> day of August, 2021.

JOSE RUPERTO MARTIN M. ANDANAR  
Secretary and FOI Champion

**NO WRONG DOOR POLICY FLOWCHART**



**NOTE:**

If GA1 fails to refer the request within three (3) working days upon its receipt, the FOI Receiving Officer (FRO) shall act on it within the remaining period to respond pursuant to EO No. 2, s. 2016. No fresh period shall apply.



**Mindoro State University**  
Victoria, Oriental Mindoro 5205 Philippines

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**PORMULARYO NG KAHILINGAN (FOI)  
(FOI Request Form)**

TITULO NG DOKUMENTO / (Title of the Document): \_\_\_\_\_

MGA TAON/PANAHONG

SAKLAW / (Year): \_\_\_\_\_

LAYUNIN / (Purpose): \_\_\_\_\_

\_\_\_\_\_

PANGALAN / (Name): \_\_\_\_\_ CONTACT Nos. \_\_\_\_\_

LAGDA / (Signature): \_\_\_\_\_ PETA / (Date): \_\_\_\_\_

TIRAHAN(Address): \_\_\_\_\_

KATIBAYAN NG PAGKAKILANLAN \_\_\_\_\_

(Proof of Identity)

PARAAN NG PAGTANGGAP NG IMPORMASYON/

(How would you like to receive the information?)

Gawaing itinalaga \_\_\_\_\_

(Lumagda sa ibaba ng pangalang nakalimbag) \_\_\_\_\_

(Submitted to)

Petsa /Oras ng Pagkatalaga \_\_\_\_\_

(Date / Time of Submission)

Taong nagpapatunay ng Gawaing Natapos \_\_\_\_\_

(Certified by) \_\_\_\_\_

(Lumagda sa ibaba ng pangalang nakalimbag)

Uri ng isinagawang aksiyon: \_\_\_\_\_

(Type of action conducted)

Iniskedyul ni / (Received by): \_\_\_\_\_

FOI Receiving Officer

Remarks: \_\_\_\_\_

“ANNEX-D”



**Mindoro State University**  
Victoria, Oriental Mindoro 5205 Philippines

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**FOI RESPONSE TEMPLATE – COMPLETION OF FORM**

Date: \_\_\_\_\_

Dear \_\_\_\_\_,

Greetings!

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

**Information Requested**

You asked for <quote request>.

**Response to your request**

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

Thank you.

Respectfully,

\_\_\_\_\_  
FOI Receiving Officer

*[Signature]* / 2023

“ANNEX-E”



**Mindoro State University**  
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Mobile: +63 977 846 72 28



**FOI RESPONSE TEMPLATE – EXTENSION OF PERIOD**

Date: \_\_\_\_\_

Dear \_\_\_\_\_,

Greetings!

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

**Information Requested**

You asked for <quote request>.

**Response to your request**

[Since your request requires extensive search of the records and facilities of the University] or [Because of (mention specific fortuitous event) which is beyond our control], we are asking for an extension of \_\_\_ days in order to fully process your request.

Thank you.

Respectfully,

---

**FOI Receiving Officer**

“ANNEX-F”



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Email: [universitypresident@minsu.edu.ph](mailto:universitypresident@minsu.edu.ph)  
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**FOI RESPONSE TEMPLATE – CLARIFICATION**

Date: \_\_\_\_\_

Dear \_\_\_\_\_,

Greetings!

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

**Information Requested**

You asked for <quote request>.

**Response to your request**

In order to fully process your request, may we ask for the following clarificatory details: [list needed details for processing of request].

Thank you.

Respectfully,

---

**FOI Receiving Officer**

“ANNEX-G”



**Mindoro State University**  
Victoria, Oriental Mindoro 5205 Philippines

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### FOI RESPONSE TEMPLATE – APPROVAL

Date: \_\_\_\_\_

Dear \_\_\_\_\_,

Greetings!

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

#### Information Requested

You asked for <quote request>.

#### Response to your request

Your FOI request is APPROVED. Enclosed is a copy of [some/most/all]\* of the requested information [in your preferred format]

Thank you.

Respectfully,

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FOI Receiving Officer

*pharmadey/2023*



**Mindoro State University**  
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**FOI RESPONSE TEMPLATE – DENIAL (contrary to law, rules and regulations)**

DATE: \_\_\_\_\_,

Dear: \_\_\_\_\_,

Greetings!

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

**Your request**

You asked for <quote request>.

**Response to your request**

Your FOI request is DENIED because it is contrary to [cite specific provision law, rule or regulation]. If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter.

Thank you.

Respectfully,

---

FOI Receiving Officer

*J. Hernandez / 2023*

“ANNEX-H-2”



**Mindoro State University**  
Victoria, Oriental Mindoro 5205 Philippines

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Mobile: +63 977 846 72 28



**FOI RESPONSE TEMPLATE – DENIAL (falls under list of exceptions)**

Dear: \_\_\_\_\_,

Greetings!

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

**Your request**

You asked for <quote request>.

**Response to your request**

Your FOI request is DENIED because it falls under the list of exceptions, specifically [cite ground for exemption]. If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter.

Thank you.

Respectfully,

---

FOI Receiving Officer

“ANNEX-I”



**Mindoro State University**  
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## FOI RESPONSE TEMPLATE – SIMILAR TO PREVIOUS REQUEST

Dear: \_\_\_\_\_/

Greetings!

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

### Your request

You asked for <quote request>.

### Response to your request

Since your requested information is substantially similar or identical to your previous request dated \_\_\_\_\_, the University shall not act upon your request. Please be guided accordingly.

Thank you.

Respectfully,

\_\_\_\_\_  
FOI Receiving Officer

*phernandez/2023*



**Mindoro State University**  
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**FOI RESPONSE TEMPLATE – AVAILABLE ONLINE**

Date: \_\_\_\_\_,

Dear \_\_\_\_\_,

Greetings!

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

**Your request**

You asked for <quote request>.

**Response to your request**

We would like to inform your requested information can be FOUND ONLINE at the website of the University. Your requested information can be found at the following link/s: [[www.minsu.edu.ph](http://www.minsu.edu.ph)]

Thank you.

Respectfully,

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**FOI Receiving Officer**

“ANNEX-K-1”



**Mindoro State University**  
Victoria, Oriental Mindoro 5205 Philippines

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Mobile: +63 977 846 72 28



**FOI RESPONSE TEMPLATE – NOT IN CUSTODY  
(information with other executive agency)**

Date: \_\_\_\_\_

Dear \_\_\_\_\_,

Greetings!

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

**Your request**

You asked for <quote request>.

**Response to your request**

We would like to inform you the University is NOT IN POSSESSION of the information you have requested. As such, we have transmitted your request to [NAME OF AGENCY] which can properly process your request. You may follow up your request with [NAME OF CONTACT PERSON] at this number [CONTACT NUMBER OF AGENCY].

Thank you.

Respectfully,

\_\_\_\_\_  
FOI Receiving Officer

*jphearnandez/2023*

“ANNEX-K-2”



**Mindoro State University**  
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**FOI RESPONSE TEMPLATE – NOT IN CUSTODY  
(information not with agency covered by E.O. No. 2)**

DATE \_\_\_\_\_

Dear \_\_\_\_\_,

Greetings!

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

**Your request**

You asked for <quote request>.

**Response to your request**

We would like to inform you the University is NOT IN POSSESSION of the information you have requested. As such, we have transmitted your request to [NAME OF AGENCY] which can properly process your request. You may follow up your request with [NAME OF CONTACT PERSON] at this number [CONTACT NUMBER OF AGENCY].

Thank you.

Respectfully,

\_\_\_\_\_  
FOI Receiving Officer

*(Signature)*  
2023



## CERTIFICATION

This is to certify that the following resolution was passed and approved by the MinSU Board of Regents during its 2023 2<sup>nd</sup> Quarter Regular Meeting held on June 15, 2023 at the Mindoro State University Calapan City Campus, Masipit, Calapan, Oriental Mindoro.

### Resolution No. 20, s. 2023

APPROVING THE REVISED FREEDOM OF INFORMATION (FOI) MANUAL OF THE MINDORO STATE UNIVERSITY (MinSU)

**APPROVED**

Certified true and correct:

  
**GENELITA E. HERNANDEZ, Ed.D.**  
Board Secretary

Attested:

  
**CHRISTIAN ANTHONY C. AGUTAYA, Ph.D.**  
Officer-in-Charge  
Office of the University President



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**GENELITA E. HERNANDEZ, Ed.D.**

Board Secretary V

## Resolution No. 20, S. 2023

### A Resolution Approving the Revised Freedom of Information (FOI) Manual of the Mindoro State University (MinSU)

**WHEREAS**, pursuant to Executive Order No. 02, s. 2016, FOI Memorandum Circular No. 21-05 was issued to provide Guidelines on the Referral of Requested Information, Official Record/s and Public Record/s to the Appropriate Government Agency Otherwise Known as the "No Wrong Door Policy for FOI";

**WHEREAS**, the Mindoro State University (MinSU) has an existing Freedom of Information (FOI) Manual duly approved by the Governing Board through BOT Res. No. 76, s. 2017;

**WHEREAS**, upon issuance of the FOI MC No. 21-05, it has been found that there is a need to update and revise the existing MinSU FOI Manual;

**WHEREAS**, for the same reason, the Freedom of Information (FOI) Appeals and Review Committee of the Mindoro State University (MinSU) was created by virtue of Office Order No. 16, s. 2023 to formulate the respective implementing guidelines in consideration to the nature of the information in their custody/control and to 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;

**WHEREAS**, the MinSU FOI Appeals and Review Committee made the necessary revisions on the existing MinSU FOI Manual with the inclusion of provisions on the "No Wrong Door Policy" and updating of information on FOI Officers;

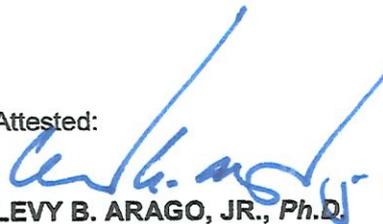
**WHEREAS**, during the 2<sup>nd</sup> Quarter Regular Meeting of the MinSU Board of Regents held on 15 June 2023, the Governing Board approved the revised FOI Manual of MinSU;

**NOW, THEREFORE**, in view of the foregoing premises, the Governing Board approved as it is hereby approved the Revised Freedom of Information (FOI) Manual of the Mindoro State University (MinSU).

I hereby certify to the correctness and authenticity of the foregoing resolution.

  
**GENELITA E. HERNANDEZ, Ed.D.**  
Board Secretary V

Attested:

  
**LEVY B. ARAGO, JR., Ph.D.**  
University President  
Vice-Chair, MinSU Board of Regents