

Pursuant to and in compliance with the foregoing mandate of the FOI EO, the FOI Manual for the Cagayan Economic Zone Authority (CEZA) is hereby formulated. During the formulation of this CEZA's FOI Manual, consultations with the various offices/units under the CEZA were undertaken, with the objective of classifying the information, document or record under the custody of the offices or officers, determining those information which may be the subject of requests for FOI, identifying the responsible offices/officers to handle FOI requests, assessing the capability of such responsible offices/officers, and streamlining procedures of the various responsible offices/officers towards the effective and efficient processing of FOI requests made by the public.

The purpose of this CEZA's FOI Manual is to guide and assist the public in the processes and procedures involved in requests for information pursuant to EO No. 2. It likewise sets out the rules, procedures and guidelines to be followed by the officials and employees of the offices under the CEZA for requests for access to information.

B. Coverage

The Manual shall cover all requests for information directed, filed or submitted to the offices under the CEZA, which include the following:

- a) Office of the Board of Directors
 1. Office of the Board Secretary VI
 2. Internal Audit Division

- b) Office of the Administrator and Chief Executive Officer
 1. Legal Division
 2. Corporate Affairs Division
 3. Marketing and Investment Promotion Department
 - Marketing Division
 - Investment Promotion Division
 4. Management Services Department
 - Management Information System Division
 - Corporate Planning Division

- c) Office of the Deputy Administrator for Operations
 1. Freeport Facilities Department
 - Infrastructure and Maintenance Division
 - Port Management Division
 2. Community Development Department
 - Community Affairs and Development Division
 - Community-Based Tourism Division
 3. Regulatory and Employment Department
 - Business Registration and Regulatory Division
 - Enterprise Assistance Division
 - Labor and VISA Services Division

- d) Office of the Deputy Administrator for Support Services
 1. Administrative Services Department
 - Human Resource Division
 - General Services Division
 - Cash Division
 2. Finance Department
 - Accounting Division
 - Budget Division
 3. Environmental and Public Safety Department
 - Environmental Management Division
 - Law Enforcement and Disaster Management Division
 - Fire and Safety Division

C. Protection of Privacy

While providing access to information, the CEZA shall afford full protection to a person's right to privacy as mandated by laws, as follows:

- 1) It shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws;
- 2) It shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure; and
- 3) Any official or employee who has access, whether authorized or unauthorized, to personal information in the custody of the offices under the CEZA, shall not disclose that information except as authorized by existing laws.

II. DEFINITION OF TERMS

SECTION 1. Definition of Terms. For the purpose of this CEZA's FOI Manual, the following shall mean:

- a) Administrative FOI Appeal - refers to the procedure for appealing an unfavorable or adverse action by the FOI Decision Maker on an FOI request. Requesting parties who are dissatisfied with the action taken by the FOI Decision Maker on their FOI request have a right to appeal such unfavorable or adverse action to the FOI Appeals Authority, who shall then conduct a review of said appeal.
- b) Exceptions to FOI - refers to that class of privileged information that are outside the scope of the constitutional right to information and which may not be released or disclosed to the public, as provided under the Constitution, laws or jurisprudence. These exceptions are enumerated in **Annex "A"** hereof.

- c) FOI Appeals Authority - refers to the office or person which decides appeals from the action of the FOI Decision Maker, and has authority to affirm, reverse, or modify such action.
- d) FOI Decision Maker or FDM - refers to the office or person who evaluates the recommendation of the FOI Evaluating Office on FOI requests and has authority to approve or deny such requests.
- e) FOI Evaluating Office or FEO - refers to the office with the responsibility of evaluating and reviewing FOI requests and preparing recommendations to the FDM.
- f) FOI Receiving Office or FRO - refers to the designated office where the public may file or submit FOI requests, inquire about the FOI process and the status of pending FOI requests.
- g) FOI Request - is a written request by any person submitted to a government office, personally or by other electronic means, requesting information or public records as defined herein.
- h) Freedom of Information or FOI - pertains to the right of the people to information on matters of public concern, subject to the limitations established by law.
- i) Information - means any records, documents, papers, reports, letters, contracts, minutes and transcripts of official meetings, maps, books, photograph, 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.
- j) Official Record/s - 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.
- k) Fully compliant FOI Request - refers to an FOI request which fully complies with the formalities set forth by this CEZA's FOI Manual.
- l) 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.
- m) Public Records - include information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government office.

n) Sensitive Personal Information - as defined in the Republic Act No. 10173 (Data Privacy Act of 2012), refers to personal information:

- 1) About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
- 2) About an individual 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;
- 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.

III. FUNCTIONS OF FOI OFFICES, OFFICIALS AND EMPLOYEES

SECTION 2. FOI Receiving Officer (FRO)

- 2.1. All FOI requests pertaining to the CEZA shall be filed with and/or submitted to the FRO.
- 2.2. The public may request information on all FOI related concerns in the CEZA, including a copy of this CEZA's FOI Manual, with the FRO.
- 2.3. The Head of the FRO shall designate an FRO Officer (FROO) from among his subordinates to assist in the proper discharge of the functions of the FRO.

2.4. The contact details of the FRO and FROO are as follows:

Office	Name of FOI Receiving/ Releasing Officer	Address and Contact Number
Head Office CEZA Pasig City Office	ANGELIKA LOPEZ Senior Records Management Analyst	10 th Floor Greenfield Tower, Mayflower corner Williams Street, Greenfield District, Mandaluyong City, Metro Manila (02) 8291-6704 to 08 info@ceza.gov.ph
Main Office CEZA Santa Ana Office	JAYBEE JOLO B. TUMANENG Land Management Officer III	Centro, Santa, Ana Cagayan (078) 703-7360 info@ceza.gov.ph
Satellite Office Tuguegarao City Office	ANTHONY D. PURUGGANAN Warehouseman II	Tuguegarao City Cagayan (078) 277-2639 info@ceza.gov.ph

2.5. The functions of the FRO shall include the following:

- 2.5.1. Serve as the initial point of contact to the public on FOI requests in the CEZA;
- 2.5.2. Receive/Release all FOI requests on behalf of the offices under the CEZA;
- 2.5.3. Conduct initial evaluation of FOI requests and make a determination whether these are fully compliant FOI requests;
- 2.5.4. Deny or refuse to accept FOI requests based on the results of its initial evaluation;
- 2.5.5. Undertake preliminary determination of the appropriate FEO which has custody of the requested information and forward the request to such office;
- 2.5.6. Forward a fully compliant FOI request to the appropriate FEO for evaluation;
- 2.5.7. Monitor all FOI requests and appeals;

2.5.8. Compile statistical information on FOI requests and actions taken thereon; and

2.5.9. Provide such other assistance to the FDM and FEO.

2.6. The names and official contact information of the FRO and the FROO shall be conspicuously displayed outside the FRO for the public's viewing. Any change of information pertaining to the FRO and FROO shall likewise be posted in the same manner and reflected in an updated FOI Manual.

SECTION 3. FOI Evaluating Office (FEO). The office which has possession or custody of the requested document shall be the FEO for the particular FOI request.

3.1. The FEO shall have the following functions:

3.1.1. Review the merits of the FOI request;

3.1.2. Determine whether it has possession of the requested information;

3.1.3. Evaluate whether the requested information falls under any of the Exceptions to FOI;

3.1.4. Determine whether grounds for denial of the request exist;

3.1.5. Coordinate with different offices, or if necessary, with other government agencies, prior to taking action on the request; and

3.1.6. Prepare necessary recommendation on the FOI request to the FDM, such as grant, denial, partial grant or denial, redacting certain information, referral to other offices, or such other actions as may be appropriate.

3.2. The Head of the FEO shall designate an FEO Officer (FEOO) from among his subordinates to perform the functions of the FEO.

3.3. The following shall be the FEO's:

OFFICE	NAME OF THE DESIGNATED PERSONNEL
a. Office of the Board of Directors 1. Office of the Board Secretary VI 2. Internal Audit Division	Atty. Fina Bernadette Tantuico Board Secretary VI Shirelee Castro Internal Auditor IV

<p>b. Office of the Administrator and Chief Executive Officer</p> <p>1. Legal Division</p> <p>3. Corporate Affairs Division</p> <p>4. Marketing and Investment Promotion Department</p> <ul style="list-style-type: none"> • Marketing Division • Investment Promotion Division <p>5. Management Services Department</p> <ul style="list-style-type: none"> • Management Information System Division • Corporate Planning Division 	<p>Department Manager A, Administrative Services concurrent Officer-In-Charge, Legal Division</p> <p>Joyce Marie U. Jayme-Calimag Division Manager A</p> <p>Gabriel L. Lingan Market Specialist V</p> <p>Michelle S. Agabin Sales and Promotion Supervisor IV</p> <p>Engr. Jomar A. Agabin Information Systems Officer III</p> <p>Marian Rochelle Leovigilda A. Pagulayan Planning Officer IV</p>
<p>c. Office of the Deputy Administrator for Operations</p> <p>1. Freeport Facilities Department</p> <ul style="list-style-type: none"> • Infrastructure and Maintenance Division • Port Management Division <p>2. Community Development Department</p> <ul style="list-style-type: none"> • Community Affairs and Development Division • Community-Based Tourism Division 	<p>Engr. Julian Jovy B. Gonzales Engineer V</p> <p>Engr. Kris Mark de Asis Officer-In-Charge, Port Management Division</p> <p>Grace B. Ruiz Community Affairs Officer IV</p> <p>Ma. Jesusa B. Zingapan Chief Tourism Operations Officer</p>

<p>3. Regulatory and Employment Department</p> <ul style="list-style-type: none"> • Business Registration and Regulatory Division • Enterprise Assistance Division • Labor and VISA Services Division 	<p>Novelyn T. Cruz Enterprise Services Officer VI</p> <p>Mary Jane C. Cometa Enterprise Services Officer V</p> <p>Mark Anthony R. Manaligod Division Manager A, Labor and Visa Services concurrent Acting Head, Human Resource Division</p>
<p>d. Office of the Deputy Administrator for Support Services</p> <p>1. Administrative Services Department</p> <ul style="list-style-type: none"> • Human Resources Division • General Services Division • Cash Division <p>2. Finance Department</p> <ul style="list-style-type: none"> • Accounting Division • Budget Division <p>3. Environmental Public Safety Department</p> <ul style="list-style-type: none"> • Environmental Management Division 	<p>Mark Anthony Manaligod Division Manager A, Labor and Visa Services concurrent Acting Head, Human Resource Division</p> <p>Engr. Tito Perlas, Jr. Chief Administrative Officer</p> <p>Jethro R. Molina Supervising Administrative Officer (Cashier IV)</p> <p>Elsie F. Rodriguez Chief Accountant</p> <p>Rodrigo C. Pablo Chief Administrative Officer (Budget Officer V)</p> <p>For. Ernesto Ablao Supervising Environmental Management Specialist</p>

<ul style="list-style-type: none"> • Law Enforcement and Disaster Management Division 	Mauro Manguma Security Officer III
<ul style="list-style-type: none"> • Fire and Safety Division 	Archimedes Ancheta Supervising Fire Officer

SECTION 4. FOI Decision Maker (FDM). The Head of Office of the FEO shall be the FDM.

- 4.1. The FDM shall have the primary function of evaluating the recommendations of the FEO on any FOI request and taking action thereon.
- 4.2. The FDM may grant, deny, partially grant or partially deny the request, order the redaction of certain information prior to release, refer the request to other offices, or undertake such other actions as may be appropriate.
- 4.3. As a general rule, the FDM shall grant an FOI request, unless there exist grounds to deny the same.
- 4.4. The following shall be the FOI Decision Maker:

OFFICE	NAME OF THE DESIGNATED PERSONNEL
a. Office of the Board of Directors	
1. Office of the Board Secretary VI	Atty. Fina Bernadette Tantuico Board Secretary VI
2. Internal Audit Division	Dir. Dominador J. Dayag Member, Board of Directors and Chairman, Audit Committee

<p>b. Office of the Administrator and Chief Executive Officer</p> <ol style="list-style-type: none"> 1. Legal Division 2. Corporate Affairs Division 3. Marketing and Investment Promotion Department <ul style="list-style-type: none"> • Marketing Division • Investment Promotion Division 4. Management Services Department <ul style="list-style-type: none"> • Management Information System Division • Corporate Planning Division 	<p>Sec. Katrina Ponce Enrile Administrator and Chief Executive Officer</p>
<p>c. Office of the Deputy Administrator for Operations</p> <ol style="list-style-type: none"> 1. Freeport Facilities Department <ul style="list-style-type: none"> • Infrastructure and Maintenance Division • Port Management Division 2. Community Development Department <ul style="list-style-type: none"> • Community Affairs and Development Division • Community-Based Tourism Division 3. Regulatory and Employment Department <ul style="list-style-type: none"> • Business Registration and Regulatory Division • Enterprise Assistance Division 	<p>Atty. Marichelle de Guzman Deputy Administrator, Operations</p>

<ul style="list-style-type: none"> • Labor and VISA Services Division 	
<p>d. Office of the Deputy Administrator for Support Services</p> <p>1. Administrative Services Department</p> <ul style="list-style-type: none"> • Human Resources Division • General Services Division • Cash Division <p>2. Finance Department</p> <ul style="list-style-type: none"> • Accounting Division • Budget Division <p>3. Environmental Public Safety Department</p> <ul style="list-style-type: none"> • Environmental Management Division • Law Enforcement and Disaster Management Division • Fire and Safety Division 	<p>Atty. Victoria Perez-Morales Department Manager A, Administrative Services concurrent Officer-In-Charge, Legal Division</p> <p>Perla C. Tumaliuan Deputy Administrator, Support Services</p> <p>Atty. Marichelle de Guzman Deputy Administrator, Operations</p> <p>Perla C. Tumaliuan Deputy Administrator, Support Services</p> <p>Perla C. Tumaliuan Deputy Administrator, Support Services</p>

SECTION 5. FOI Appeal's Authority. The Administrator and CEO, or his duly authorized representative, shall be the FOI Appeals Authority in the CEZA. The FOI Appeals Authority shall have the power to review by appeal decisions of the FDM and take final action on any FOI request within the CEZA.

IV. PROCEDURE

SECTION 6. Filing and Content of the FOI Request.

6.1. Where Filed. An FOI Request shall be filed with the FRO.

- 6.2. Requisites of an FOI Request. An FOI request must be made in writing and shall comply with the requisites set forth in this Manual.
- 6.3. FOI Request Form. A person or party making an FOI request shall use the standard FOI Request Form and submit two (2) copies thereof. The original shall be kept by the FRO, while the copy shall be returned to the requesting party.

The standard FOI Request Form shall be available free of charge upon request from the FRO or through the CEZA's website (<http://ceza.gov.ph>). An FOI request shall only be considered valid when accompanied by the standard FOI Request Form.

The standard FOI Request Form is attached as **ANNEX "B"** of this Manual.

- 6.4. Contents. An FOI request shall contain the following:
- 6.4.1. Details of the requesting party, such as name, contact information, affiliation, company or organization;
 - 6.4.2. Reasonable description of the information requested;
 - 6.4.3. Specific reason for, or purpose of, the request for information;
 - 6.4.4. Whether photocopy or certified true copy of the subject information/document is requested;
 - 6.4.5. Preferred mode of communication and receipt of the response; and
 - 6.4.6. Proof of authority, if made through a representative.
- 6.5. Purpose of Request. For purposes of this Manual, the reason for or purpose of the request for information shall be specific or adequately and sufficiently described. The following general averments of the purpose such as "for information," "for research," "for legal purposes" or other similarly worded purpose shall not be considered to have met the requirement of specificity. Failure to specify the reason for or purpose of the request for information, despite request by the FRO to provide a specific reason or purpose, shall be a ground for denial of the FOI request.
- 6.6. Identification and Proof of Authority. A requesting party shall attach to his or her FOI request the following:
- 6.6.1. At least two (2) valid government I.D.s containing the photograph and signature of the requesting party;
 - 6.6.2. If the request is made through a representative, in addition to 6.6.1, the written authorization of the principal and at least two

(2) valid government I.D.s containing the photograph and signature of such representative;

6.6.3. If the requesting party is a juridical entity, original or certified true copy of board resolution, corporate secretary's certificate, or other acceptable written document showing the authority of the representative to act in behalf of such juridical entity;

6.6.4. If the requesting party is a natural person who is a member, employee, affiliated with or related to a juridical entity, company or organization, and the request is made not in behalf of such juridical entity, company or organization but arises from such membership, affiliation or relation, such other sufficient proof of authority or affiliation.

For example, for an employee or member, a copy of the company or organization I.D.; or for students, a copy of the school I.D. and written indorsement of the supervising teacher/professor/instructor; and

6.6.5. If the requesting party is a minor, his or her guardian or any competent supervising adult shall comply with the requirements for a representative.

The authorization shall expressly state the extent of the authority of the representative to make the request, provide clarification, receive the requested information, and to bind the principal for all representations and/or undertaking made by the representative in connection with the request for information.

6.7. Mode of Request. FOI requests may be made through registered mail, electronic mail (e-mail), or through official online portals, provided, that the requesting party shall provide all the required information and attach the supporting documents.

If the requesting party chooses to file an FOI request in a separate written request, by e-mail or other official portals, such request shall be accompanied by a duly-filled up standard FOI Request Form and attached to said written request or e-mail.

6.8. Reasonable Assistance. The FRO shall provide reasonable assistance, free of charge, to enable all requesting parties and particularly those with special needs, to comply with the request requirements, without prejudice to Section 13 of this Manual. In case the requesting party is unable to make a written request, he or she may make an oral request, and the attending FROO shall reduce it in writing. Reasonable assistance shall not cover reproduction costs of the requesting party's copy of the FOI request and the supporting documents.

6.9. Exceptional Situations. In meritorious cases, the FRO may accept an FOI request which lacks the standard FOI Request Form, provided that the FOI request contains all the required information and complies with the other

requirements of an FOI request as provided in this Section 6.

In such case, the responsible FROO shall accomplish the standard FOI Request Form (**Annex "B"**) in relation to such request and attach the same to the written request.

SECTION 7. Time to Respond to FOI Requests.

- 7.1. The CEZA shall respond to requests for access to information within fifteen (15) working days from the date of receipt of a fully compliant FOI request. Please find attached Flow Chart as **Annex "A"**.

For clarity, the period to respond to FOI requests shall not commence unless the request is a fully compliant FOI request.

- 7.2. A working day is any day other than a Saturday, Sunday or a day which is declared a national public holiday in the Philippines or a local public holiday in Metro Manila. In computing the period, Article 13 of the New Civil Code shall be observed.

- 7.3. For purposes of computing the fifteen (15) working days, the date of receipt of the FOI request shall be reckoned as follows:

7.3.1. If made personally, the date actually filed and stamped "received" by the FRO;

7.3.2. If made by registered mail, the date of actual receipt of the request by the FRO;

7.3.3. If sent by e-mail or other official online portals, the date it was actually electronically delivered to or received by the designated e-mail or portal if the same arrived before 5:00 p.m. of the working day. Requests received after 5:00 p.m. shall be considered received for the next working day;

7.3.4. Where the officer having charge of the designated e-mail is unavailable and the designated e-mail has generated an "out of office" message with instructions on how to re-direct the message to another e-mail contact, the date of receipt will be the day the request is received in the e-mail inbox of the latter subject to the qualification in the preceding subsection; or

7.3.5. Where the FRO has requested the requesting party for further details to identify and locate the requested information the date on which the necessary clarification to the satisfaction of the FRO is received.

SECTION 8. Initial Action Upon Receipt of the FOI Request.

- 8.1. Initial Evaluation. Upon receipt of the FOI request, the FRO shall ascertain whether the request is a fully compliant FOI request in accordance with the requirements provided in Section 6 hereof.
- 8.2. Grounds for Denial During Initial Evaluation. During the initial evaluation by the FRO, the request may be denied on the following grounds:

- 8.2.1. Non-Compliant FOI Request. The FRO shall only accept a fully compliant FOI request, and shall not accept a request that lacks any of the required contents or documents provided in Section 6 hereof.

The requesting party shall be advised of the deficiency with instructions to comply with the deficiency, as soon as practicable, if the request was personally filed, or within the period prescribed in Section 8.3 if the request was filed through registered mail or e-mail.

In case the request lacks any of the requirements provided in Section 6 above, the FRO may consider other relevant document or evidence as the circumstances may warrant or waive any requirement, upon showing of meritorious grounds, subject to the approval of the FDM.

- 8.2.2. Requested information has already been publicly disclosed. When the information being requested has already been publicly disclosed such as when the same is publicly available in the CEZA; website: ceza.gov.ph, official email: foi.gov.ph, and / or other official website to be created and published. The FRO shall inform the requesting party of the said fact and provide them the website link where the information is posted.
- 8.2.3. Requested information is substantially similar or identical to the previous request. Should the requested information be substantially similar or identical to a previous request by the same requesting party which request has already been previously granted or denied by the CEZA, the request shall be denied unless the requesting party can provide justifiable explanation for the subsequent request.

- 8.3. Period to Advise Requesting Party of Denial Based on Initial Evaluation. The FRO shall, within fifteen (15) working days from receipt of the request, advise the requesting party of denial of the request, specifying the ground for the denial in Section 8.2 hereof.

- 8.4. Request for Clarification. The FRO may likewise request for clarification from the requesting party to identify or locate the requested information. The clarification shall toll the running of the fifteen (15) working day-period and the period shall commence anew the day after the required clarification is received by the FRO.
- 8.5. Receiving of Request. Upon determining that the request is a fully compliant FOI request, the FRO shall stamp "received" the duly filled-up FOI Request Form (**Annex "B"**) and the first page of the request letter, if attached, indicating the date and time of the receipt of the FOI 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 requesting party.
- 8.6. In case the FOI request was made through e-mail, the e-mail shall be printed out and the FRO shall observe the same procedure above. The FRO shall likewise acknowledge by e-mail the receipt of a fully compliant FOI request.
- 8.7. When Request for Information Received by an Office other than the FRO. If an FOI request is received by an office other than the FRO, such receiving office shall:
- 8.7.1. transmit the FOI request to the FRO within three (3) working days from receipt of such request; and
 - 8.7.2. advise the requesting party of the transfer to the FRO within fifteen (15) working days from receipt of such request.
- 8.8. Ascertaining Identity of the Requesting Party. The FRO shall, using available resources and bearing in mind the time constraints, ascertain and verify the identity of the requesting party to avoid requests from fictitious persons. For this purpose, the FRO may request the assistance of relevant government agencies to confirm the identity of the requesting party based on documents filed.

SECTION 9. Determination of and Transmittal to the FEO. Upon determination that the request is a fully compliant FOI request, the FRO shall proceed to determine whether the CEZA has custody or possession of the requested information.

- 9.1. After ascertaining that the information requested is in the possession of the CEZA, the FRO shall forward the request to the appropriate FEO, within one (1) day from receipt of such request. The FRO shall record the date, time and name of the FEO who received the request in a record book with the corresponding signature of acknowledgement of receipt of the request.
- 9.2. In case the FRO is unable to determine the appropriate FEO, the FRO shall be given an additional two (2) working days to undertake further coordination to determine the FEO.

- 9.3. If at the end of the three (3) working days from receipt of the request, the FRO is still unable to determine the appropriate FEO, the FRO shall act as the FEO and proceed to evaluate the request in accordance with Section 10 of this Manual.
- 9.4. If the requested information is under the custody of more than one office under the CEZA, the FRO shall forward the request to all concerned offices. The FRO shall also instruct the respective FEOs that the latter will only provide the specific information that relate to their offices.
- 9.5. If some of the requested information are not under the custody of the offices under the CEZA, the FRO, acting as FEO and FDM, shall observe the procedure in Section 10.11 below insofar as those information not under the custody of the offices under the CEZA.

SECTION 10. Evaluation by FEO and Action by FDM.

- 10.1. Upon receipt of the FOI request from the FRO, the FEO shall proceed to evaluate the request, which shall consist of:
 - 10.1.1. Ascertaining whether the information requested is in its possession or custody; and
 - 10.1.2. Determining whether there are grounds for the denial of the requested information.
- 10.2. Request for Clarification. If the FEO requires clarification or further details to identify or locate the information requested, he shall, through the FRO, seek clarification from the requesting party. The clarification shall toll the running of the fifteen (15) working day-period, which period shall commence anew the day after the required clarification is received by the FRO.
- 10.3. Request for an Extension of Time. If the information requested requires extensive search of the government's office records facilities, of voluminous records, or cannot be easily retrieved due to occurrence of fortuitous events or other analogous cases, the FEO shall, within ten (10) working days from receipt by the FEO of the request, inform the FRO of the need for extension of time to act on the request.
- 10.4. Notice to Requesting Party of Extension. The FRO shall inform the requesting party 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.

- 10.5. Consultation. The FEO shall undertake the necessary consultations with the appropriate offices on whether the requested information is covered by any of the Exceptions to FOI, which consultation shall include that of the office where the information or record originated.
- 10.6. Submission of Recommendation to FDM. The FEO shall prepare and submit its recommendation to the FDM, who shall approve or deny the request.
- 10.7. Notice to the Requesting Party of the Approval/Denial of the Request. Once the FDM approves or denies the request, he shall advise the FRO of such action. The FRO shall prepare the response to the requesting party either in writing, by e-mail, or, if practicable, through other mode of response preferred by the requesting party.
- 10.8. Approval of Request. In case of approval, the FEO shall advise the FRO of such approval and transmit to the FRO the requested information within ten (10) working days from the FEO's receipt of the request.

The FRO shall, within the prescribed period, advise the requesting party of the grant of the request and direct such requesting party to pay the applicable fees, if any.

- 10.9. Denial of Request. In case of denial of the request, whether wholly or partially, the FEO shall, through the FRO, within the prescribed period, 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 prescribed period shall be deemed a denial of the request for access to information.

- 10.10. Grounds for Denial. An FOI request may be denied based on the following grounds:
 - 10.10.1. The office does not have possession or custody of the information requested;
 - 10.10.2. The information requested falls under the Exceptions to FOI; or
 - 10.10.3. The request is an unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by the CEZA.
- 10.11. When Requested Information is Not in the Possession or Custody of the CEZA/ Process of Referral. When the requested information is not in the possession of CEZA, but is available in another government agency under the Executive Branch, the request shall be immediately referred by CEZA to said government agency, hereunto to be referred as "government agency #2",

through the most expeditious manner by 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 CEZA 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 CEZA, in good faith, erroneously referred the request to government agency #2, the latter shall immediately notify the former as well as the requesting party, that the information requested is not available in their agency.

Government agency #2, to whom the request was referred under the First Referral may subsequently refer the request to another government agency, hereunto to be referred as "government agency #3", 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.

10.12. Exceptions to FOI. The list of the Exceptions to FOI is attached as **Annex "A"** of this Manual.

10.13. Reduction. If the information, document or record requested contains information which may be disclosed and other information which are covered by the Exceptions to FOI (such as personal information or sensitive personal information protected under the Data Privacy Act of 2012), the FDM shall direct that the information excepted be reacted prior to the release of the requested information, document or record.

SECTION 11. Remedies in Case of Denial. A party whose request for access to information has been denied may avail of the remedy set forth herein.

11.1. Administrative FOI Appeal to the FOI Appeals Authority. The requesting party may file an appeal of the adverse or unfavorable action of the FDM with the FOI Appeals Authority. The appeal shall be filed within fifteen (15) calendar days from the receipt of the notice of denial or fifteen (15) days from the lapse of the period to respond to the request.

- 11.2. The appeal shall be decided by the FOI Appeals Authority within thirty (30) working days from receipt of the appeal. Failure to decide within the thirty (30)-day period shall be deemed a denial of the appeal.
- 11.3. The denial of the appeal by the FOI Appeals Authority shall be considered final, and the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

SECTION 12. Request Tracking System. The FRO of the CEZA shall develop and establish a system to ensure that all requests for information received, status of pending requests, and requests acted upon are properly documented and monitored.

SECTION 13. Fees.

- 13.1. No Filing Fee for FOI Requests. The CEZA shall not charge any fee for accepting requests for access to information.
- 13.2. Reasonable Cost of Reproduction and Copying of the Information. The CEZA may 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.

The FRO shall notify the requesting party in case there shall be a reproduction and copying fee in connection with the requested information. The schedule of fees shall be conspicuously posted outside the FRO, or in any place within the CEZA accessible to the public, and shall be published in the CEZA's official website.

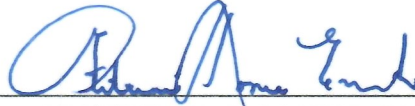
- 13.3. Exemption from Fees. The CEZA may exempt the requesting party from payment of fees, upon showing of justifiable grounds.

SECTION 14. Administrative Liability.

- 14.1. Non-compliance with FOI. Failure to comply with the provisions of this Manual shall be considered a violation of reasonable office rules and regulations and punishable as follows:

- | | | | |
|----|-------------------------|---|--|
| a. | 1 st Offense | - | Reprimand |
| b. | 2 nd Offense | - | Suspension of one (1) to thirty (30) days; and |
| c. | 3 rd Offense | - | Dismissal from the service. |

- 14.2. Procedure. The provisions of the Revised Rules on Administrative Cases in the Civil Service issued by the Civil Service Commission shall be applicable in the disposition of administrative cases against employees and officials of the CEZA.



Sec. KATRINA PONCE ENRILE
Administrator and Chief Executive Officer



20240115-M-00356
Jan 15, 2024 9 40 am



ANNEX "A"

LIST OF EXCEPTIONS

The following are the exceptions to the right of access to information, as recognized by the Constitution, existing laws, or jurisprudence:

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.

ANNEX "B"

CEZA FOI Form No. 1



Cagayan Economic Zone Authority FREEDOM OF INFORMATION REQUEST FORM

PART I. INFORMATION ON REQUESTING PARTY

1. Title: (Mr/Mrs/Miss/Ms) Others 6. Contact Details:

2. Full Name: Surname Firstname (including M.I.)

3. Complete Address: Apt/House No./Street Brgy/District City/Municipality Province

4. Company/Affiliation/Organization/School and Position:

5. Type of I.D. Given: (With photograph and signature)
 Passport Driver's License Others: (Pls. Specify)
 Postal ID Voter's ID

6. Contact Details: Landline: (Country Code) (Area Code) (Number)
Fax: (Country Code) (Area Code) (Number)
Mobile:
E-mail:

7. Preferred Mode of Communication:
 Landline Mobile E-mail Postal Address

8. Preferred Mode of Reply/Response:
 Pick-up Fax E-mail Postal Address

9. Name of Representative/Guardian: (if applicable)
Surname Firstname (including M.I.)

10. I.D. of Representative:

11. Proof of Authority:

PART II. REQUESTED INFORMATION

12. Title of Document/Record Requested:
(Please provide as much detail as you can)

13. Date of Document: (DDMMYYYY)

Photocopy Certified Photocopy Certified True Copy

14. Purpose of Request (Please be as specific as possible):

15. Any other relevant information:

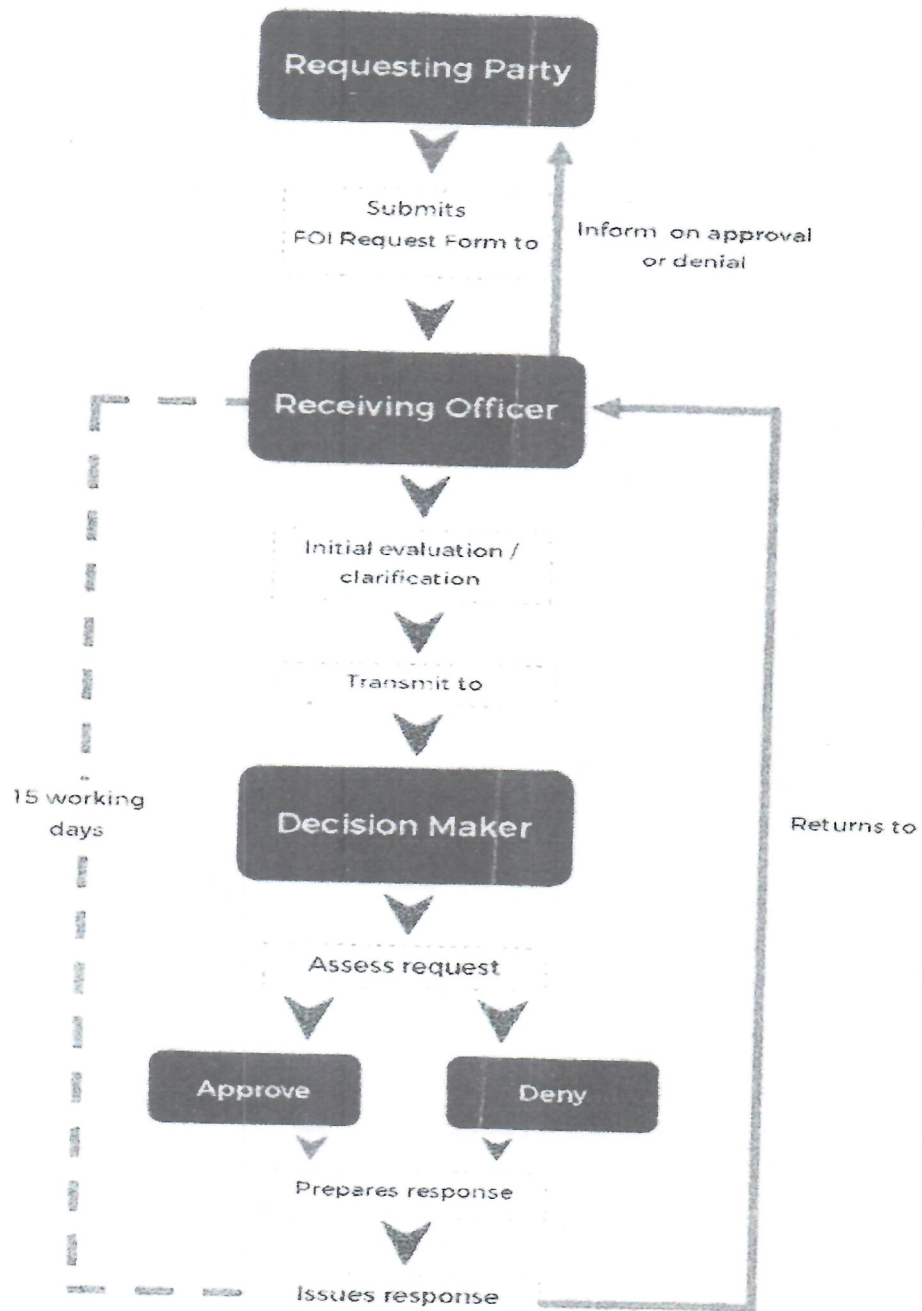
I declare and certify that the information provided in this form is complete and correct. I am aware that giving false or misleading information or using forged documents is a criminal offense. I bind myself and my principal to use the requested information only for the specific purpose stated and subject to such other conditions as may be prescribed by the Office of the President. I understand that the Office of the President may collect, use and disclose personal information contained in this request.

16. Signature of Requesting Party or Representative:

Date: (DDMM/YYYY)

For Official Use Only
Received by:
Name/Signature:
Position:
Date and Time Received:
Remarks:

FOI FLOW CHART



ANNEX "D"

Guidelines for the FOI Requests Feedback Survey

I. Guide in conducting the FOI Requests Feedback Survey

Agencies are encouraged to observe the following procedures in conducting the feedback survey:

a) **Survey Questionnaire.** The FOI Requests Feedback Survey must capture the citizen's/ client's experience, expectations, and satisfaction with the agencies' compliance to the FOI Program implementation through the following vital questions:

- 1) Are you satisfied with the handling of your FOI request?
- 2) Did you receive your information within 15 to 35 working days?
 - A. For *unsuccessful* request, are you satisfied with the reason provided?
 - B. For *successful* request, was the response you received easy to understand?
- 3) Did you feel that we communicated with you effectively, from start to finish?
- 4) Is there anything we could do to improve our service in the future?

Note: Agencies may opt to include additional questions to determine and improve the efficiency and effectiveness of its services in implementing the FOI Program.

b) **Rating Scale.** A 5-point Likert scale is recommended to be used, with the following rating scale:

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree
1	2	3	4	5

II. Data Analysis and Reporting Feedback Score

The results of the survey shall be analyzed by each respective agency to improve their services. Each agency shall report its FOI Requests Feedback Score through the FOI Registry and Summary Sheet starting 2nd Quarter of 2022.