



FREEDOM OF INFORMATION PHILIPPINES

ENGLISH VERSION



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What is EO No. 2?

On July 23, 2016, President Rodrigo Roa Duterte signed Executive Order No. 2, also known as the Freedom of Information (FOI) Executive Order (EO). It upholds the constitutional right of people to information on matters of public concern.

The Executive Order covers all government offices under the Executive Branch, including government-owned-or-controlled corporations (GOCCs) and state universities and colleges (SUCs). It requires all executive departments, agencies, bureaus, and offices to make public records, contracts, transactions and any information requested by a member of the public, except for sensitive information and matters affecting national security.



What is FOI?



The FOI EO is an important enabling mechanism to promote transparency in the government's administrative process. Through FOI, citizens are empowered to make a formal request to get information held by the government, barring certain sensitive and important data related to the nation's security. The FOI complements continuing proactive information disclosure efforts where agencies are duty-bound to publish information in the spirit of openness and transparency.

Freedom of Information is an integral element of President Duterte's Good Governance Plan aligned to reforms and initiatives that pursue greater transparency, accountability, and citizen participation in governance.

Who can make an FOI request?

Under the FOI EO, any Filipino citizen can make an FOI request. As a matter of policy, requesting parties are required to present proof of identification (e.g., passport, driver's license, SSS ID, voters ID) in the submission of an FOI request.

An FOI request can be made to any government office 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.



Are there exceptions to FOI?

Yes! 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.

For more information, visit our website:
www.foi.gov.ph



How can you make an FOI request?

Place your request in writing.

Ensure to state your full name, contact information, and provide a valid copy of your government-issued ID as proof of your identity. You can use the standard FOI Request Form, send a letter, write an email, or lodge your request online via the eFOI portal (www.foi.gov.ph).

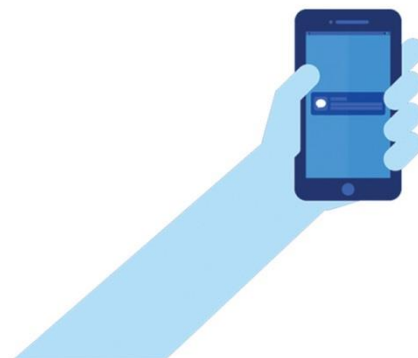


Describe the information you wish to access.

You can request for the following documents based on EO No. 2: information, official records, public records, documents, and papers pertaining to official acts, transactions or decisions, as well as government research data used as basis for policy development, subject to exceptions necessary to protect essential public or private interest.

Indicate your preferred mode of communication.

Choose how you want to be contacted in order to be alerted about the status of your request and how you want to receive the requested information, should your request be granted.



How long will it be processed?



Under the FOI EO, the standard processing time is fifteen (15) working days. During this time, you will be contacted regarding your request through your preferred mode of communication.

If your request is granted, you can expect to receive the documents either through regular mail or email, or be requested to collect the documents at the office you had applied to. Otherwise, the agency will explain why your request is delayed or denied.

In some cases, the agency may need more time to review your request and thereby inform you of an extension of processing period up to twenty (20) working days.