

NATIONAL LIBRARY OF THE PHILIPPINES
MANILA

FREEDOM OF INFORMATION MANUAL

(As of November 21, 2019)

TABLE OF CONTENTS

I. Definition of Terms-----2-4

II. Implementing Rules/Procedures

 a. Mode of Request ----- 4-5

 b. Reasonable Assistance-----5

 c. Fees -----6

 d. Duration of Request-----6

 e. Protection of Privacy ----- 6-7

 f. Denial of Access -----7

 g. Appeal-----8

 h. Status of Request-----8

III. Responsible Officers

 a. The Director -----8

 b. The Asst. Director -----9

 b. The Division Chiefs-----9

 c. The Records Officer -----10

IV. Administrative Liability-----10-11

ANNEX A – FOI Request Flow Chart ----- 12

ANNEX B – FOI Request Form -----13

The National Library of the Philippines (NLP) issues this Freedom of Information (FOI) Manual in response to the 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 Therefor"

I. DEFINITION OF TERMS

For the purpose of this FOI Manual, the following shall mean:

- a.) **Exceptions to FOI** - refers to those 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. Such as 201 file, and all products and services of NLP?
- b) **FOI Request** - is a written request by any person submitted to NLP, personally or by other electronic means, requesting information or public records as defined herein.
- c) **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.
- d) **Fully compliant FOI Request** - refers to an FOI request which fully complies with the formalities set forth by this FOI Manual.
- e) **Information** - means 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.

f) **Official Record/s** – shall refer to information produced or received by a public officer or employee, or by a government agency in an official capacity or pursuant to a public function or duty. This shall not refer to the stage or status of the information.

g) **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.

h.) **Public Records** – shall include information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government agency.

i.) **Responsible Officials** – officials and employees of the NLP responsible for the implementation of this manual.

j.) **Sensitive Personal Information** – as defined in the Republic Act No. 10173 (Data Privacy Act of 2012), refers to personal information.

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

j.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;

j.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

j.4) Specifically established by an executive order or an act of Congress to be kept classified.

II. IMPLEMENTING RULES / PROCEDURES

Every Filipino shall have access to information, official records, and public records and to documents and papers pertaining to official acts, transactions or decisions of the NLP, as well as to government research data used as basic for policy development.

All FOI requests pertaining to the NLP shall be filed with and/or submitted to the Record's Section, Finance and Administrative Division. The public may request information on all FOI related concerns in the NLP, including a copy of this, with the Freedom of Information Receiving Officer.

a.) **Mode of Request.** FOI requests may be made through written request submitted personally, 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 requestor shall submit personally to the Records Office a written request, he/she shall state the name, contact information, the reason of request. It shall be addressed to the Director and submitted to the:

The Records Section
Finance and Administrative Division
G/F National Library of the Philippines
T.M. Kalaw Street
Ermita, Manila 1000

If the requestor 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 the said written request or e-mail.

a.1) Identification and Proof of Authority. A requesting party shall attach to his or her FOI request the following:

a.1.1) At least two (2) valid government IDs containing the photograph and signature of the requesting party;

a.1.2) If the requestor could not personally appear before this office, he/she should send a representative bearing an authorization letter and two (2) proofs of identification;

b.) Reasonable Assistance.

b.1) A person who is unable to write, because of illiteracy or due to disability may make an oral request to the Records Officer;

b.2) The Records Officer shall transcribe the oral request into the form;

b.3) The requestor should affix his/her signature on the request form; in case of inability to sign, the requesting person may use his/her left thumb mark instead;

b.4) The NLP may endorse to other government institution if the records or documents being requested is not available at the NLP;

c.) Fees

c.1) A one hundred pesos (Php100.00) charge will be collected for the use of the official dry seal;

c.2) One peso (Php1.00) will be charge for every documents photocopied. For scanned documents a fee of seven pesos (Php7.00) per image will be charged.

c.3) A Delivery fee of two hundred pesos (Php200.00) will be charge for every mail.

d.) Duration of Request

d.1) The NLP shall respond to a fully compliant request (grant or deny) within fifteen (15) working days from the receipt thereof except:

d.2) In cases that the request was endorsed by another agency, the period of compliance shall be reckoned from the date the NLP received the forwarded request.

d.3) If the request needs extensive search of the NLPs' records facilities and examination of voluminous records, the Records Officer shall notify the requesting party of an extension together with the reasons for extension.

e.) Protection of Privacy

While the intention of this Manual is to disclose and provide access to information on all public and official records of the NLP, the

Records Officer should also make sure that the right to privacy of the individual must not be compromised such as:

- e.1) The information being asked should only be relevant to the subject-matter of the request;
- e.2) The information being asked must not be used to expose the individual to vilification, harassment or any other wrongfully acts.

f.) Denial of Access

The NLP may deny or disapprove the request for information if:

- f.1) The documents/records being requested is not available at the NLP;
- f.2) The documents/records fall under the sensitive personal information, which might be used to abuse or harass the employee concerned;
- f.3) Identical or substantially similar request of the same requesting party whose previous request has been denied or granted.
- f.4) Document/s being requested was already disposed by the NLP (see NAP General Circular No. 2, January 20, 2009 or the Guidelines on the Disposal of Valueless Records in Government Agencies)

g. Appeal

g.1) A written appeal shall be filed by the same person making the request within fifteen (15) days from the notice of denial or from the lapse of the relevant period to respond to the request

g.2) The requestor may appeal the decision of the Assistant Director to the Director, whose decision shall be final

h. Status of Request

h.1) The Records Officer shall send notification or any form of communication available to notify the requestor regarding status of request and needed fees.

h.2) If request is **approved**, a certified true copy of the document/s bearing the dry seal of the office will be issued to the requestor; and if **denied** shall provide detailed reason for denial of access.

h.3) All requested documents shall be countersigned by the FOI Appeals Officer before release.

III. Responsible Officers

1. The Director

a. Decides appeals from the action/s of the Asst. Director or the FOI Decision Maker, and has authority to affirm, reverse, or modify such action/s.

2. The Assistant Director

- a. He/She shall be the primary responsible for overseeing the implementation of this manual;
- b. Decides whether the requested information falls within the custody of the NLP;
- c. Has the final say whether to grant or deny the request;
- d. Has the final say or has the authority to affirm, reverse, or modify action of Division Chief/s or the Decision Maker;
- e. Determines the applicable fee for reproducing the requested information;
- f. Ensures that the NLP maintains accurate and reasonably complete records of important information in appropriate formats, and implements a record management system that facilitates easy identification, retrieval and communication of information to the public, subject to existing laws, rules and regulations;
- g. Calls the attention of responsible officials who fail to comply with the provisions of this manual and, where warranted, undertake the necessary administrative measures against erring officials.

2. The Division Chiefs

- a. They shall evaluate requests for information received and forwarded by the records officer and recommend a course of action to the Assistant Director;
- b. Make sure that all documents under the division's holding are organized and readily available or accessible.

3. The Records Officer

- a. Serves as the Freedom of Information Receiving Officer
- b. Maintains an orderly/organized log on all requests received by the office;
- b. Forwards request to the concerned Division Chief for evaluation of request;
- c. Forwards request to the concerned Division Chief if the information requested is not available in his/her file;
- d. Makes follow-ups to the concerned Division Chief if needed;
- e. Compiles and monitors the status of requests;
- f. Provides assistance to the public and staff with regards to the requirements and procedures for gaining access to information;
- g. Submits a monthly report regarding the number of requests and the action taken by the office;
- h. Compares similar request before forwarding the request to the concerned division and;
- i. Formulates Request Tracking System and assigns reference number

IV. Administrative Liability and Criminal Liability

Failure to act on the request shall be tantamount to gross neglect of duty and shall constitute grounds for administrative and criminal liability against any official or employee who:

1. Administrative Liability

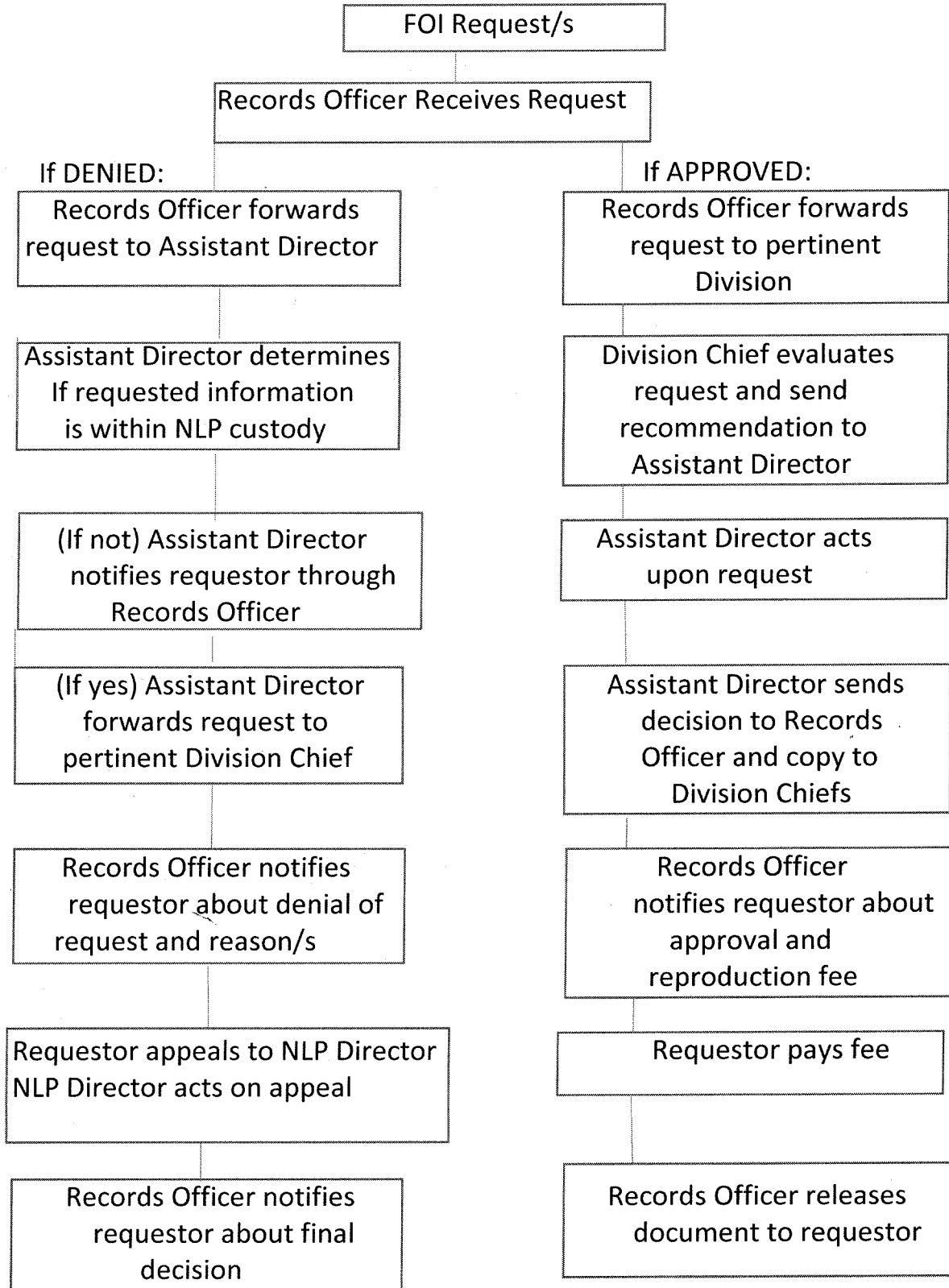
- a. Willfully and knowingly fail to act on the request within the period stated in this manual;
- b. Refuse to comply with the decision of his immediate supervisor

2. Criminal Liability

- a. Falsely denies or conceals the existence of information mandated for disclosure shall liable for the crime or removal, concealment, or destruction of public officials or employees
- b. Any private individual who knowingly induced or caused the commission of the aforementioned acts shall be liable as principal by inducement in the prosecution of public officials or employees
 - Non-compliance with FOI or 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" Offense - Reprimand;
 - b. 2" Offense - Suspension of one (1) to thirty (30) days; and on an Offense - Dismissal from the service.
 - 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 NLP.

Approved by this Office on the 26 of November 2019.


CESAR GILBERT Q. ADRIANO
Director IV



REPUBLIC OF THE PHILIPPINES
NATIONAL LIBRARY OF THE PHILIPPINES

FREEDOM OF INFORMATION REQUEST FORM

PART I. INFORMATION ON REQUESTING PARTY

1 Title: (Mr/Mrs/Miss/Ms) Others:

2 Full Name:
Surname
First Name
Middle Name

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:
Country Code Area Code Number
Landline
Fax
Mobile
Email

7 Preferred Mode of Communication:
(For clarification and other matters)
 Landline Mobile E-mail Postal Address

8 Preferred Mode of Reply/Response:
 Landline Mobile E-mail Postal Address

9 Name of Representative/Guardian:
Surname
First Name

10 I.D. of Representative:
11 Proof of Authority:

PART II. REQUESTED INFORMATION

12 Title of Document/Record Requested: 13 Date of Document: (mm/dd/yyyy)
(please provide as much detail as you can)
 Photocopy Certified Photocopy Certified True Copy

14 Purpose of the 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 and misleading information or using forged documents is a criminal offense. I bind myself and principal to use the requested information only for the specific purpose stated and subject to such other conditions as may be prescribed by the Bureau of Internal Revenue. I understand that the Bureau of Internal Revenue may collect, use, and disclose personal information contained in this request.

16 Signature of the Requesting Party or Representative:

Date: (mm/dd/yyyy)

FOR OFFICIAL USE ONLY
Received By:
Name/Signature:
Position:
Date and Time Received:
Remarks:

For follow-up or other inquiries, please look for the FOI Receiving Officer on duty.