

NATIONAL LIBRARY OF THE PHILIPPINES  
MANILA

# FREEDOM OF INFORMATION MANUAL

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

- a. Official records shall refer to information produced or received by a public officer or employee, or by 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.
- b. Public Records shall include information required by law, executive orders, rules, or regulations to be entered, kept and made publicly available by a government agency.
- c. Responsible officials – Officials and employees of the NLP responsible for the implementation of this manual

## **II. Implementing Rules**

- a. Who may access the information

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.

- b. Access

- i. Public records or official records can be accessed by the public following the procedure outlined in this manual;
- ii. Books, periodicals, theses and dissertations and the like found in the Reading Rooms (Filipiniana and Reference Divisions) are for reading room use only. Reproduction is subject to the Rules and Regulations of the Filipiniana and Reference Divisions;
- iii. Access to Rarebooks and manuscripts should be addressed to the Filipiniana Division for proper handling of request;
- iv. The NLP may endorse to other government institution if the records or documents being requested is not available at the NLP;
- v. Publication on the NLP website are freely accessible to the public;

- vi. Access to the different Divisions operation manual should be forwarded to the concerned division;
- vii. Request of duplicate copies of certificates should be forwarded to:
  - 1. For copyright certificates – Copyright Office
  - 2. For ISSN, ISBN and ISMN certificates – Bibliographic Services Division

c. Fees

- i. A one hundred pesos (Ph100.00) charge will be collected for the use of the official dry seal;
- ii. 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.
- iii. A Delivery fee of two hundred pesos (Php200.00) will be charge for every mail.

d. Duration of Request

- i. The NLP shall respond to a fully compliant request (grant or deny) within fifteen (15) working days from the receipt thereof except:
  - 1. 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.
  - 2. 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:

- i. The information being asked should only be relevant to the subject-matter of the request;
- ii. 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:

- i. The documents/records being requested is not available at the NLP;
- ii. The documents/records do not fall under the public documents/records category like employees medical records and the like, which might be used to abuse or harass the employee concerned;
- iii. Identical or substantially similar request of the same requesting party whose previous request has been denied or granted.
- iv. 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

- i. 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
- ii. The requesting party may appeal the decision of the Assistant Director to the Director, whose decision shall be final

**III. Procedures of Access**

The following procedure shall govern the filing and processing of request for access to Information:

- a. The person who wishes to obtain information shall submit personally to the Records Office a written request. The request shall state the name, contact information and the reason of request;
- b. The request shall be addressed to the Director and submitted to the:

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

- c. The request shall be stamped by the Records Officer, indicating the date and time of receipt and the name and position with corresponding signature. In the absence of the record officer, the employee next in line to him/her may do this activity or any employees assigned by the Director of the NLP;
- d. If the requesting person could not personally appear before this office, he/she should send a representative bearing an authorization letter and two (2) proof of identification;
- e. A person who is unable to write, because of illiteracy or due to disability may make an oral request to the Records Officer;
- f. The Records Officer shall transcribe the oral request into the form;
- g. The requesting person 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;
- h. The Records Officer will affix the reference number (see Responsible Officer, No. 3, Item i) to the Request Form;
- i. The Records Officer log the request/s.
- j. The Records Officer will give a duplicate copy to the requesting person;
- k. For documents available at the Records Officer's file the following procedure will be done:
  - a. Photocopy the document/s
  - b. Stamp the document (follow procedure letter "N")
  - c. Affix his/her signature on the document/s
  - d. Forward the communication together with the signed documents to the Assistant Director for countersigning;
  - e. Communicate with the requesting person about the release of the document's and the needed fee to be paid
- l. For documents unavailable from the Records Officer's file, the request will be forwarded to the concerned Division;
  - a. The Records Officer should forward the request to the Assistant Director within one day upon receipt of the written request if:

- i. The request applies to two or more divisions;
  - ii. The Records Officer is unsure which division is the appropriate receiving office; or
  - iii. The Records Officer is not certain about whether or not the requested information is within the custody of the NLP
- b. The Division Chief will evaluate the request if the documents requested are available or should be forwarded to other office;
- c. Denied Request. The Division Chief should provide reason for such denial of access;
- d. The Division Chief will forward his/her answer to the Records Officer who will then communicate with the requesting person/party.
- e. Approved Request. The Division Chief should return the request form together with the photocopied documents/records.
- m. All requested documents will be countersigned by the Assistant Director before release;
- n. A Certified true copy of the document/s bearing the dry seal of the office will be issued to the requesting person.

#### **IV. Responsible Officers**

##### **1. 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. Determines the applicable fee for reproducing the requested information;
- e. 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;

- f. 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 receive 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 is organized and readily available or accessible.

## 3. The Records Officer

- a. 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

## V. Administrative 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 public official or employee who:

A. Administrative Liability

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

B. Criminal Liability

- i. Falsely denies or conceals the existence of information mandated for disclosure shall be liable for the crime of removal, concealment, or destruction of documents (Article 226 of the Revised Penal Code) and;
- ii. 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.

Approved by this Office on the 24 of October 2016.



Annex A

