



Republic of the Philippines
LAGUNA LAKE DEVELOPMENT AUTHORITY

11 November 2019

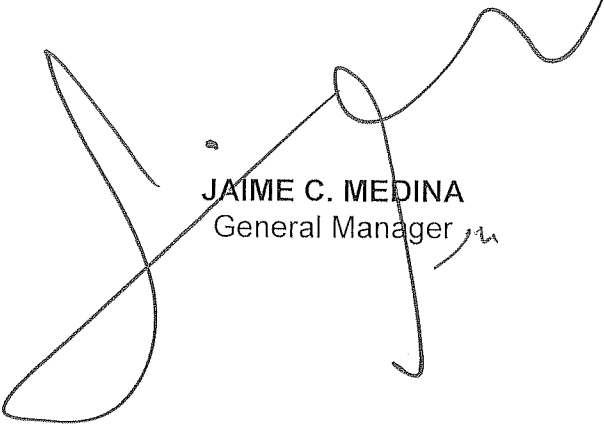
MEMORANDUM ORDER 2019- 75

SUBJECT : **2019 PEOPLE'S FREEDOM OF INFORMATION MANUAL**

The attached People's Freedom of Information (FOI) Manual is hereby approved and replaces the People's FOI Manual previously issued through Memorandum Order No. 2018-69 dated 12 September 2018.

The continual review and updating of the FOI Manual, if necessary, shall be undertaken by the FOI Manual Team, which was constituted through Memorandum Order No. 2016-67 dated 24 October 2016.

All departments, divisions, and offices are instructed to cooperate in the processing of requests for information from our clients.



JAIME C. MEDINA
General Manager

Peoples' Freedom of Information Manual

Laguna Lake
Development
Authority

November 2019

REVISION HISTORY

The revisions listed below are incorporated into this copy of People’s Freedom of Information Manual.

Revision Number	Date	Description
00	November 2016	<ul style="list-style-type: none">• Initial issue
01	September 2017	<ul style="list-style-type: none">• Addition of exceptions to FOI• Addition of applicable administrative liability provision
02	September 2018	<ul style="list-style-type: none">• Revision of Vision-Mission Statement (LLDA Resolution No. 542, series of 2018)
03	November 2019	<ul style="list-style-type: none">• Addition of “Revision History” Page.• Revision of “Directory page” into “Contact Details” page to satisfy the requirements of Presidential Communications Operations Office Freedom of Information Memorandum Circular No. 03, s. 2019.

MESSAGE OF THE GENERAL MANAGER




The Laguna Lake Development Authority has this Vision that by 2040, the Laguna de Bay Basin is an ecologically balanced resource that fosters vibrant economic development and sustains the needs of the present and future generations through the participation of empowered and responsible stakeholders. To realize this vision, we have to fulfill our Mission to manage, develop and transform the Laguna de Bay Region into a vibrant economic zone through conservation of lake basin resources and good governance with the participation of empowered and responsible stakeholders

In our pursuit of these goals, and in the performance of our solemn duties, the LLDA commits itself to upholding all the principles of transparency, accountability and credibility, as it is the right of the people to have access to information on matters of public concern as guaranteed by the Constitution and as provided by Executive Order No. 2, s. 2016 that was signed by President Rodrigo Roa Duterte on July 23, 2016.

We believe that an informed public makes a strong base for support and vigor to realize our collective goals to protect and develop the precious lake and surrounding region of Laguna de Bay for the future generation of Filipinos.

This manual embodies the policies and procedures of access to certain documents, transactions, data and information which are required by law to be opened to the public. And these are all guided by our core values of adhering to the highest standards of civil service that is innovative, adaptable, empirically driven and science-based environmental governance and management with the active participation of empowered and responsible stakeholders.

Let us work together for the greater good of Laguna de Bay Region.


JAIME C. MEDINA
General Manager

DEFINITION OF TERMS

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

Academic Researchers refer to students of schools, colleges, or universities, including persons completing their theses, dissertations, research papers, among others, as part of academic requirements, who are requesting for access to or disclosure of information.

Academic researchers shall also include those persons who are employed, in full-time status, in schools, colleges or universities and are conducting research-related activities for non-profit purposes.

Confidential Records refer to information the unauthorized disclosure of which is prejudicial to the interest of LLDA, the national government, or any of its agencies or instrumentalities, or any government activity(ies), including those that may cause administrative embarrassment or unwarranted injury to the Authority or violation of the constitutional rights of a person, whether natural or juridical.

General Public Circulation Refers to classification given to information available for disclosure to or access by the public without need of payment of necessary fees. It shall also refer to information that are regularly disclosed or distributed through corporate website, annual reports, brochures, pamphlets, and other analogous medium.

Examples of such information are: water quality data readily available in annual reports and corporate website; laws, rules, and regulations that are posted in corporate website; other information that are readily available at the library, printed materials, and other similar analogous information or material.

Information refer to 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.

Institutional Researchers refer to organizations, whether private or public, who are requesting for access to or disclosure of information for non-profit or profit purposes.

Limited Public Circulation Refers to classification given to information that may be disclosed to or accessed by the public upon payment of appropriate amount to the Authority.

Examples of such information are data regarding water level, water quality, and water quantity, among others that are not readily available in corporate website, annual reports, printed materials, and other analogous medium.

Official record/records 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.

Personal Information Refer 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.

Public Records Refer to information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by a government office.

For purposes of this Manual, it shall be categorized as either "Limited Public Circulation" or "General Public Circulation".

Requesting Party / Client refers to person or group of persons requesting for disclosure and/or access to information and official records.

A requesting party may be classified as academic researcher, institutional researcher or concerned citizen.

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LIST OF ACRONYMS

Acronym	Meaning
BOD	- Board of Directors
CD-R	- Compact Disk-Writable
CD-RW	- Compact Disk-Rewritable
GR	- General Resolution
LLDA	- Laguna Lake Development Authority
OGM	- Office of the General Manager
PIU	- Public Information Unit
RA	- Republic Act
RU	- Records Unit
SCRA	- Supreme Court Report Annotated

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ORGANIZATIONAL PROFILE

DESCRIPTION

Laguna Lake Development Authority (LLDA) is a government instrumentality with corporate powers. Established in 1966, through RA No. 4850, as amended, its geographical mandate covers the Provinces of Laguna and Rizal; Tanauan City, Sto. Tomas, and Malvar in the Province of Batangas; Silang, Carmona, General Mariano Alvarez, and Tagaytay City in the Province of Cavite; Lucban, Quezon; cities of Taguig, Caloocan, Pasig, Quezon, Pasay, Muntinlupa, Manila, and Marikina, and Municipality of Pateros, all in Metro Manila.

LLDA is located inside the National Ecology Center, East Avenue, Diliman, Quezon City. It does not maintain any sub-offices or branches.

It is the owner of the 1st Green Building of the Philippine Government rated as energy-efficient, climate-smart, ecologically-adaptive and occupant-friendly. The Design Certification (2-stars) was awarded by the Building for Ecologically Responsive Design Excellence (BERDE), in conjunction with the Green Buildings Council of the Philippines.

MANDATE

LLDA is mandated:

“To promote, and accelerate the development and balanced growth of the Laguna Lake area and the surrounding provinces, cities and towns hereinafter referred to as the region, within the context of the national and regional plans and policies for social and economic development and to carry out the development of the Laguna Lake region with due regard and adequate provisions for environmental management and control, preservation of the quality of human life and ecological systems, and the prevention of undue ecological disturbances, deterioration and pollution.” (Sec. 1, Chapter 1, RA 4850, as amended)

VISION

The Vision of LLDA¹ is:

“By 2040, the Laguna de Bay Basin is an ecologically balanced resource that fosters vibrant economic development and sustains the needs of the present and future generations through the participation of empowered and responsible stakeholders.”

¹ LLDA BOD Resolution No. 542, s. 2018, “Resolution Approving Laguna Lake Development Authority’s New Vision-Mission Statement”.

MISSION

The Mission of LLDA is as follows:

“To manage, develop and transform the Laguna de Bay Region into a vibrant economic zone through conservation of lake basin resources and good governance with the participation of the empowered and responsible stakeholders.”

PERFORMANCE PLEDGE

The Performance Pledge of LLDA is as follows:

“We, the officials and employees of Laguna Lake Development Authority, commit to:

Love to serve you promptly and with utmost courtesy by our dedicated personnel with proper identification from Monday to Friday, 7:30 a.m. to 5:00 p.m.;

Listen to your needs through our client feedback management system and respond to your complaints about our services within the day;

Develop, implement, and improve a transparent public service delivery system with utmost effectiveness and efficiency; and

Adhere to the highest standards of government service.”

“Tuwid, Tapat, at Tamang paglilingkod para sa Bayan”.

QUALITY POLICY

The Quality Policy of the Authority² states that:

“As the only lake basin Authority in the country, member of the International Living Lakes Network and one of the founding members of Network of Asian River Basin Organizations (NARBO), we commit to:

Lead the sustainable development in the Laguna de Bay Region through effective and strict enforcement of water resources management laws;

Lead and continually improve our service delivery systems based on a certified quality management system for the satisfaction and trust of our stakeholders;

Develop and implement empirically-driven and science-based processes and decisions;

Adhere to legal requirements and other policies that serve to maintain the highest standards of the civil service.

“Ibalik ang Diwa ng Lawa”

² LLDA Memorandum Order No. 2017-54 dated 12 July 2017, “Quality Policy”

CORE VALUES

- | | |
|------------------------------------|--|
| Love of the Environment | - “We, together with the participation of the empowered and responsible stakeholders, are foremost advocates of environmental protection and sustainable development in this day and age of climate change.” |
| Leadership/Professionalism | - “We adhere to the highest standards of civil service and professional meritocracy.” |
| Disciplined/Science-Driven | - “We believe in empirically-driven and science-based environmental governance and management.” |
| Adaptability/Innovativeness | - “We believe in change management and the value of innovation and creativity.” |

CONSTITUTIONAL PROVISIONS AND STATUTORY PRINCIPLES OF DISCLOSURE AND/OR ACCESS TO INFORMATION OF MATTERS OF PUBLIC CONCERN

The grant or denial for request for disclosure and/or access to information shall be anchored on the following constitutional and statutory provisions.

- a. Section 28 of Article II, Declaration of Principles and State Policies of the 1987 Constitution states:

“Section 28. Subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest.”

- b. Section 7 of Article III, Bill of Rights of the same Constitution provides:

“SEC. 7. The right of the people to information on matters of public concern shall be recognized. Access to official 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, shall be afforded the citizen, subject to such limitations as may be provided by law.”

- c. Rule IV, Transparency of Transaction and Access to Information of RA No. 6713, (“Code of Conduct and Ethical Standards for Public Officials and Employees) reiterates the State policy of full public disclosure of all its transactions involving public interest.

The same Rule also mandates the provision of official information, records or documents to any requesting public, except if:

- such information, record or document must be kept secret in the interest of national defense or security or the conduct of foreign affairs;
- such disclosure would put the life and safety of an individual in imminent danger;
- the information, record or document sought falls within the concepts of established privilege or recognized exceptions as may be provided by law or settled policy or jurisprudence;
- such information, record or document comprises drafts of decisions, orders, rulings, policy decisions, memoranda, etc.;
- it would disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
- it would disclose investigatory records compiled for law enforcement purposes or information which if written would be contained in such records, but only to the extent that the production of such records or information would (i) interfere with enforcement proceedings, (ii) deprive a person of a right to a fair trial or an impartial adjudication, (iii) disclose the identity of a confidential source and in the case of a record compiled by a criminal law enforcement authority 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, or (iv) unjustifiably disclose investigative techniques and procedures;
- it would disclose information the premature disclosure of which would (i) in the case of a department, office or agency which agency regulates currencies, securities, commodities, or financial institutions, be likely to lead to significant financial speculation in currencies, securities, or commodities, or significantly endanger the

stability of any financial institution; or (ii) in the case of any department, office or agency be likely or significantly to frustrate implementation of a proposed official action, except that subparagraph (f) (ii) shall not apply in any instance where the department, office or agency has already disclosed to the public the content or nature of its proposed action, or where the department, office or agency is required by law to make such disclosure on its own initiative prior to taking final official action on such proposal.

d. In *Valmonte v. Belmonte* (170 SCRA 256, G. R. No. 74930 February 13, 1989), the High Court declared that:

- the right to information on matters of public concern is applicable and enforceable against a government-owned corporation. Such corporation cannot invoke the right to privacy, a right available only to individuals.
- the Constitution does not accord them [requesting party] the right to compel custodians of official records to prepare lists, abstracts, summaries, and the like in their desire to acquire information on matters of public concern.

e. Corollary, in *Legaspi v. Civil Service Commission* (150 SCRA 530, G. R. No. 72119 May 29, 1987), the Supreme Court stated that:

- Information of public concern is a demandable right. Government officials have no discretion whether or not to release the information. They can only prescribe the manner by which the right can be exercised, such as, for example, that it can be secured only during office hours. However, this right admits of exceptions such as when the information requested is a matter of national security.
- The constitutional guarantee to information on matters of public concern is not absolute. It is still “subject to limitations as may be provided by law”.
- Two requisites must first be fulfilled in order for the right to information to be enforceable, these are: (i) the information sought is of public concern or one that involves public interest; and (ii) it is not exempted by law from the operation of the constitutional guarantee

f. Section 11 of Executive Order No. 02, s. 2016, the Authority is not required to act upon an unreasonable subsequent, identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by the Authority.³

³ Office of the President-Executive Order No. 02, s. 2016, “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”

EXCEPTIONS TO THE RIGHT TO ACCESS OF INFORMATION

Section 4 of Executive Order No. 2 (s. 2016) states that access to information shall be denied when the information falls under any of the exceptions enshrined in the Constitution, laws, or jurisprudence.

The Department of Justice and Office of the Solicitor General prepared a list of exceptions to the right to access of information. Applicable exceptions are enumerated herein.

It shall be without prejudice to existing laws, jurisprudence, rules or regulations authorizing the disclosure of the excepted information upon satisfaction of certain conditions in certain cases, such as the consent of the concerned party or as may be ordered by the courts.

Further, in evaluating request for information, decision makers are enjoined to ensure the meaningful exercise of the public of their right to access to information on public concerns.⁴

LIST OF EXCEPTIONS TO THE RIGHT TO ACCESS OF INFORMATION

1. Information covered by Executive privilege:
 - a. Presidential conversations, correspondences, and discussions in closed-door Cabinet meetings; and
 - b. Matters covered by deliberative process privilege, namely:
 - i. Advisory opinions, recommendations and deliberations comprising part of process by which governmental decisions and policies are formulated; intra-agency or inter-agency recommendations or communications during the stage when common assertions are still in the process of being formulated or are in the exploratory stage; or information pertaining to the decision-making of executive officials; and
 - ii. Information, record, or document comprising drafts of decisions, orders, rulings, policy decisions, memoranda, etc.;
2. Privileged information relating to national security, defense or international relations:
 - a. Information, record, or document that must be kept secret in the interest of national defense or security; and
 - b. Diplomatic negotiations and other information required to be kept secret in the conduct of foreign affairs;
3. Information concerning law enforcement and protection of public and personal safety:
 - a. Investigation records compiled for law enforcement purposes or information which if written would be contained in such records, but only to the extent that the production of such records or information would -
 - i. Interfere with enforcement proceedings.
 - ii. Deprive a person of a right to a fair trial or an impartial adjudication.
 - iii. Disclose the identity of a confidential source.

⁴ Office of the President. Memorandum from the Executive Secretary dated 24 November 2016. "Inventory of Exceptions to Executive Order No. 2 (s. 2016)".

- iv. Unjustifiably disclose investigative techniques and procedures.
 - b. Informer's privilege or the privilege of the Government not to disclose the identity of a person or persons who furnish information of violations of law to officers charged with the enforcement of law; and
 - c. When disclosure of information would put the life and safety of an individual in imminent danger;
4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims of crimes, or the accused. These include:
- a. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy, personal information or records, including sensitive personal information, birth records, school records, or medical or health records;

Sensitive personal information as defined under the Data Privacy Act of 2012 refers to personal information:

- i. About an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
- ii. About an individual's health, education, genetic or sexual life of a person or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;
- iii. 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, suspensions or revocation, and tax returns; and
- iv. Specifically established by an executive order or an act of Congress to be kept classified.

However, personal information may be disclosed to the extent that the requested information is shown to be a matter of public concern or interest, shall not meddle with or disturb the private life or family relations of the individual and is not prohibited by any law or regulation. Any disclosure of personal information shall be in accordance with the principles of transparency, legitimate purpose and proportionality.

Disclosure of personal information about any individual who is or was an officer or employee of a government institution shall be allowed, provided that such information relates to the position or functions of the individual, including: (1) the fact that the individual is or was an officer or employee of the government institution; (2) the title, business address and office telephone number of the individual; (3) the classification, salary range, and responsibilities of the position held by the individual in the course of employment with the government;

- b. Records of proceedings and processes deemed confidential by law for the privacy and/or protection of certain individuals, such as children, victims of crime, witnesses to a crime or rehabilitated drug offenders, including those pertaining to the following:

- i. Cases involving violence against women and their children, including the name, address, telephone number, school and business addresses, employer, or other identifying information of a victim or an immediate family members;
 - ii. Trafficked persons, including their names and personal circumstances, or any other information tending to establish the identity of the trafficked person;
 - iii. Names of victims of child abuse, exploitation or discrimination;
 - iv. Disclosure which would result in undue and sensationalized publicity of any case involving a child in conflict with the law, child abuse, or violation of anti-trafficking of persons; and
 - v. Identity, status and medical records of individuals with Human Immunodeficiency Virus (HIV), as well as results of HIV/Acquired Immune deficiency Syndrome (AIDS) testing;
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, such as but not limited to the following:
 - a. Trade secrets, intellectual property, business, commercial, financial and other proprietary information;
 - b. Documents submitted through the Government Electronic Procurement System;
 - c. Information obtained from accessing any electronic key, electronic data message, or electronic document, book, register, correspondence, information or other material pursuant to any powers conferred under the Electronic Commerce Act of 2000; and
 - d. Any secret, valuable or proprietary information of confidential character known to a public officers, or secrets of private individuals.
6. Information of which premature disclosure would be likely or significantly frustrate implementation of a proposed official action, except such department, office, or agency has already disclosed to the public the content or nature of its proposed action, or where the department, office or agency is required by law to make such disclosure on its own initiative prior to taking final official action on such proposal.
7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations treated as confidential or privileged, including but not limited to the following:
 - a. Mediation and domestic or international arbitration proceedings, including records, evidence and the arbitral awards, pursuant to the Alternative Dispute Resolution Act of 2004;
 - b. Those matters classified as confidential under the Human Security Act of 2007;
 - c. Preliminary investigation proceedings before the committee on decorum and investigation; and
 - d. Those information deemed confidential or privileged pursuant to pertinent rules and regulations issued by the Supreme Court or those ordered by courts to be kept confidential.
8. Matters considered confidential under banking and finance laws and their amendatory laws.

9. Other exceptions to the right to information under laws, jurisprudence, rules and regulations, such as:
 - a. Those deemed confidential pursuant to treaties, executive agreements, other international agreements or international proceedings, such as:
 - i. When the disclosure would prejudice legitimate commercial interest or competitive position of investor-states pursuant to investment agreements; and
 - ii. Those deemed confidential or protected information pursuant to United Nations Commission of International Trade Law Rules on Transparency in Treaty-based Investor-State Arbitration and Arbitral Rules (UNCILTRAL Transparency Rules);
 - b. Testimony from a government official, unless pursuant to a court or legal order;
 - c. When the purpose for the request of Statement of Assets, Liabilities and Net Worth is any of the following:
 - i. Any purpose contrary to morals or public policy; or
 - ii. Any commercial purpose other than by news and communications media for dissemination to the general public;
 - d. List, abstract, summaries of information requested when such list, abstracts or summaries are not part of the duties of the government office requested;
 - e. Those information and proceedings deemed confidential under rules and regulations issued by relevant government agencies or as decided by the courts;
 - f. Requested information pertains to comments and disclosures on pending cases in judicial proceedings; and
 - g. Attorney-client privilege existing between government lawyers and their clients.

POLICY GUIDELINES

GENERAL GUIDELINES

1. The Authority recognizes the constitutional right of the public (internal and external stakeholders) to access information on matters of public concern, subject to limitations imposed by laws, rules and regulations.
2. As such, it shall regularly disclose, in prescribed manner, timely, true, accurate, and updated information including, but not limited to the following:
 - a. information enumerated in Section 25 of RA No. 10149⁵; Section 43 of GCG Memorandum Circular No. 2012-07⁶; LLDA Manual of Corporate Governance⁷
 - a. issuances prescribing policies, rules and regulations, and procedures promulgated pursuant to law, applicable to individuals and organizations outside the Authority and designed to supplement provisions of the law or to provide means for carrying them out, including information relating thereto;
 - b. Current statistical data; and
 - c. Information affecting the rights and obligations of its internal and external stakeholders.
3. The processing and release of sensitive personal information shall be prohibited, unless allowed under Republic Act 10173, “An Act Protecting Individual Personal Information in Information and Communications Systems in the Government and the Private Sector, Creating for this Purpose a National Privacy Commission, and for Other Purposes”
4. Information and official records shall be classified either as (i) Confidential; or (ii) Public Records.
5. Information and official records classified as “confidential” shall not be accessed, examined, reproduced or disclosed without first securing the necessary security clearances prescribed by existing laws, rules and regulations.
6. Information and public records shall either be classified as “General Public Circulation” or “Limited Public Circulation”.

Information classified as “general public circulation” are readily available through corporate website, annual reports, brochures, pamphlets, and other analogous medium.

On the other hand, information classified as “limited public circulation” may be disclosed to or access by the public upon payment of appropriate amount to the LLDA Cashier.

7. The classification of information and public records shall be the responsibility of the Head of Department or Division, who has physical control of such information or official records, subject to the approval of the Head of the Authority.

⁵ RA No. 10149, “An Act To Promote Financial Viability And Fiscal Discipline In Government-owned and/or Controlled Corporations and to Strengthen the Role of the State in its Governance and Management to Make them More Responsive to the Needs of Public Interest and for other Purposes”

⁶ GCG Memorandum Circular No. 2012-07, “Code of Corporate Governance for GOCCs”

⁷ Approved by the LLDA Board of Directors through Board Resolution No. 512, s. 2016

REQUEST FOR ACCESS TO INFORMATION AND PUBLIC RECORDS

8. All requests for disclosure of and/or access to information or public records shall be in writing and prescribed form (LLDA-PIU-Form 07). It may be delivered to the Authority through any of the following means: (a) personal delivery; (b) registered mail; (c) courier services; (d) electronic mail; and (e) facsimile machine.
9. All requests shall be addressed to the Head of the Authority. In case such written request is addressed to a person other than Head of the Authority, the addressee shall forward the same to the latter for his/her appropriate action.

Also, such requests shall be stamped by the Records Unit, indicating the date and time of receipt and the name, position, and signature of the receiving officer or employee.

10. The request shall state the name and contact information of the requesting party, description of the information or public records requested, and the reason for, or purpose of, the request for information. Said request shall be supported with the photocopy of a valid and current government or company identification card of the requesting party.
11. The minimum signatory requirements for the requesting party shall be as follows:

Requesting Party	Signatory
Institutional researcher	Head of company or equivalent.
Academic researchers	Researcher; and Thesis or Dissertation Adviser or Dean or equivalent
Others	Requesting party

ACCESS, EXAMINATION, OR REPRODUCTION OF INFORMATION AND PUBLIC RECORDS

12. Access to, examination, or reproduction of public records, documents and papers pertaining to official acts, transactions, or decisions, as well as data used as basis for policy development, among others, shall be regulated to:
 - a. Prevent disruption of the delivery of public services by the Authority;
 - b. Avoid unjustified interruption of the functions of the records custodians and other concerned employees; and
 - c. Protect the rights of persons or group of persons to whom requests for access or disclosure by interested parties are directed from coercion, harassment, bullying and any and all forms of abuse.

13. To prevent unintended damage to or loss of information and public records pertaining to official acts, transactions, or decisions, the same shall be accessed, examined, or photocopied within the plain view, control and supervision of the concerned records custodian.
14. Requesting party shall be reminded that they cannot “compel custodians of official records to prepare lists, abstracts, summaries and the like in their desire to acquire information on matters of public concern” (Valmonte et. al vs. Belmonte, G.R. No. 74930, February 13, 1989)
15. In order to protect the integrity of information and public records that are stored in computer system or database, only the custodian of such information or public records shall be allowed to data mine or retrieve needed information or official records.
16. Flash disk, memory card, and other similar removable storage devices of the requesting party shall not be inserted in the universal serial board (USB) slot of the computer system or database where such information are stored, unless such removable storage device has been determined to be free from viruses, worms, trojan horses, and other malicious computer programs using licensed and updated anti-virus software installed in the said computer system or database.

Otherwise, such information or public records shall be transmitted to the requesting party through electronic mail or recordable compact disk i.e. CR-R or CD-RW.

APPROVED REQUEST FOR INFORMATION

17. Acknowledgement letters or its equivalent stating the grant of disclosure to and/or access to information should contain the following:
 - Decision to grant the request for disclosure and/or access to information;
 - Amount of fees to be paid to the LLDA Cashier, if necessary;
 - Estimated number of days, reckoned from the date when the request was received or date of payment, whichever is applicable, when the information will be available; and
 - Other information that may be deemed necessary.

Such letter shall be communicated to the requesting party within fifteen (15) working days from receipt of request for disclosure of and/or access to information.

The means for communication may be any or combination of the following:

- Registered mail.
- Electronic mail
- Telephone.
- Facsimile.

DISAPPROVED REQUEST FOR INFORMATION

18. The Authority shall deny, wholly or partially, all requests for disclosure and/or access to information when the same falls within the prohibitions herein indicated.

As such, the Letter of Denial shall contain the (i) ground/s for denial; and (ii) circumstances on which the denial is based.

It shall be communicated to the requesting party within fifteen (15) working days from receipt of request for disclosure and/or access to information.

19. All denied request/s for information together with its supporting documents shall be archived following prescribed records management guidelines.

ACADEMIC RESEARCHERS

20. Upon completion and acceptance of the academic researcher's thesis, dissertation, research paper, among others, academic researchers are requested to immediately provide a copy of such research output to the Authority.
21. Failure to do so, the Authority shall inform, in writing, through PIU, the concerned institution of the researcher's failure to comply with the preceding requirement and direct the said institution to ensure compliance therewith.
22. The use of the following disclaimer or similar statement in all theses, dissertations, research papers, among others, shall be requested to be inserted in its abstract or equivalent section.

“Research materials include information, official records, and/or public records provided by the Laguna Lake Development Authority (LLDA). LLDA disclaims responsibility or liability for analyses, interpretations or conclusions that have been made out of the information, official records, and/or public records thus provided”

INSTITUTIONAL RESEARCHERS

23. Institutional researchers may provide the Authority copy of the reports, plans, and other similar printed materials containing information that were provided by the Authority.
24. They are also requested to indicate the following disclaimer or similar statement in all reports, plans, and other printed materials to be inserted in its appropriate section.

“Some of the information contained were provided by the Laguna Lake Development Authority (LLDA). LLDA disclaims responsibility or liability for analyses, interpretations or conclusions that have been made out of the information, official records, and/or public records thus provided”

AGREEMENT FOR ACCESS TO AND USE OF INFORMATION

25. As a pre-condition for the access, examination, or reproduction of information and public records, requesting parties are required to sign and submit the Agreement for Access to and Use of Information, prescribed by the Authority to the Office of the General Manager.
26. The head of department/division/office/unit in custody of the requested information shall affix his/her initial on the signatory portion of the said Agreement.

PERIOD OF ACTION

27. The relevant period of action are as follows:

Activity	Deadline
Evaluation of written request for information	Within fifteen (15) working days from receipt of written request
Release, access, examination, or reproduction of information and public records	Within fifteen (15) working days from receipt of written request If the information requested requires extensive search, examination of voluminous records, occurrence of fortuitous cases, or other analogous cases, the period of 15 working days may be extended to 20 working days, unless exceptional circumstances warrant a longer period.
In case of denial, submission of appeal letter to the FOI Appeals Committee	Within fifteen (15) working days from receipt of Letter of Denial

28. The date of receipt of the request will be either:

- a. The day on which the request is physically or electronically delivered to the Authority;
or
- b. If the Authority has asked the requesting party for further details on the requested information, the date on which the necessary details is actually received.

PROCEDURAL GUIDELINES

The detailed procedures in processing of request for access to information are as follows:

Client		LLDA			
Step	Activity	Step	Activity	Office Responsible	Duration
1.	Submits letter-request for information with supporting documents (LLDA-PIU-Form 07) and photocopy of valid and current government issued identification card).	1.	Receives letter-request with supporting documents from the requesting party/client, and stamps the date and time of receipt thereof, including the name and position of the receiving staff.	RU	15 minutes
		2.	Evaluates whether the requested information is readily available at the library. a. If the requested information is readily available at the Library, release the requested information and proceed to LLDA step no. 10. b. If the requested information is not readily available at the Library, proceed to LLDA step no. 3.	RU / Library	15 minutes
		3.	Transmits the said request to the Office of the General Manager.	RU	15 minutes
		4.	Forwards request to Public Information Unit for preliminary evaluation.	OGM	30 minutes
		5.	Evaluates request based on the guidelines prescribed herein. a. If the request is granted, inform the requesting party based on the guidelines prescribed herein. b. If the request is denied, prepare the letter of denial	PIU	30 minutes

Client		LLDA			
Step	Activity	Step	Activity	Office Responsible	Duration
			following the guidelines prescribed herein		
2.	Pays the necessary fees.	6.	Prepares information and/or official records for access, collation, collection or release.	Concerned department/ division / office / unit	5 days
		7.	Prepares and signs Agreement for Access to and Use of Information.	OGM/ PIU	30 minutes
3.	Receives, signs, and submits Agreement for Access to and Use of Information.	8.	Receives signed Agreement for Access to and Use of Information.	PIU	15 minutes
4.	Accesses, collates, summarizes, or collects the needed information	9.	Releases information and/or official records to client.	PIU	30 minutes
		10.	Records approved/denied Request for Information in the database.	RU / PIU	30 minutes
End					

FEEs

Official [public] records or documents or certified true
copy thereof (LLDA BR No. 251, s. 2005)

P 200.00 / document

APPEALS MECHANISM

The remedies in cases of denial of request for disclosure and/or access to information are as follows:

- a. Submission of written appeal to the FOI Appeals Committee within fifteen (15) working days from the receipt of Letter of Denial or from the lapse of the relevant period to respond to the request.

The said written appeal shall be decided within fifteen (15) working days from the filing of said written appeal. Failure to decide within the aforesaid period shall be deemed as denial of the appeal.

- b. The denial of the appeal may be appealed further to the Office of the President⁸
- c. Upon exhaustion of administrative remedies, the requesting party may file the appropriate case in the proper court in accordance with the Rules of Court and applicable statutes.

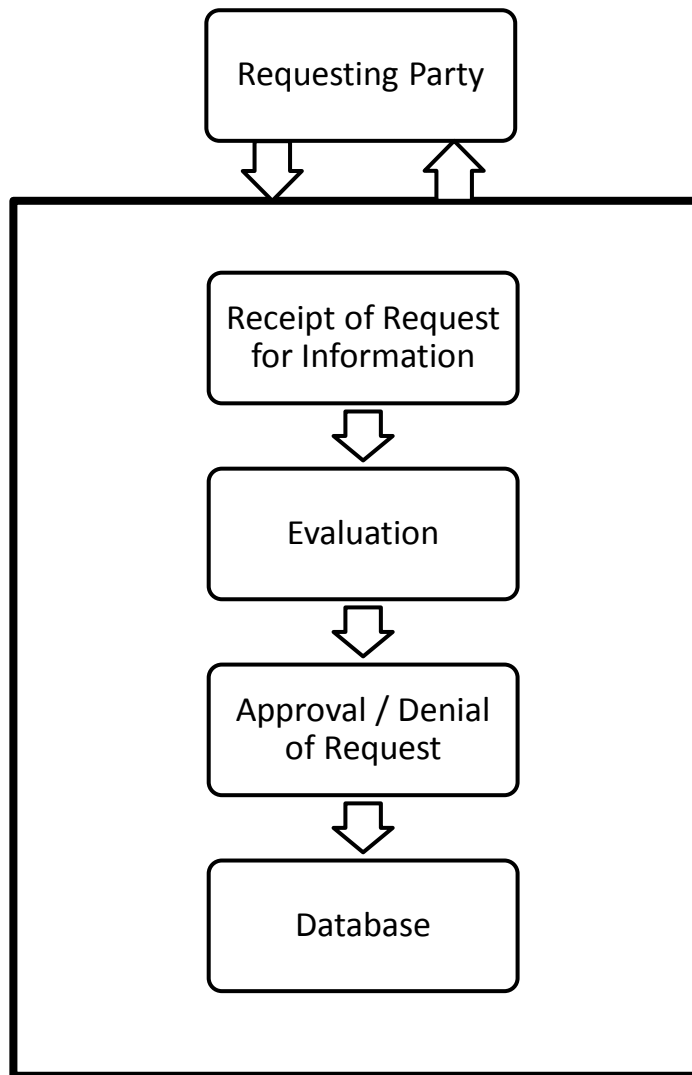
⁸ Office of the President-Administrative Order 22, s. 2011, "Prescribing Rules and Regulations Governing Appeals to the Office of the President of the Philippines"

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 (1) to thirty (30) days; and
 - c. 3rd offense - Dismissal from the 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. **Provisions for More Stringent Laws, Rules and Regulations.** Nothing in this Manual shall be construed to derogate from any law, any rules, or regulation prescribed by competent authority, which provides for more stringent penalties.

PROCESS MAP

FIGURE 1. FOI PROCESS MAP



FORMS AND SAMPLE LETTERS

FIGURE 2. REQUEST FOR DISCLOSURE OF AND/OR ACCESS TO INFORMATION FORM

Fit one fu

LAGUNA LAKE DEVELOPMENT AUTHORITY
National Ecology Center, East Avenue, Diliman, Quezon City

REQUEST FOR DISCLOSURE OF AND/OR ACCESS TO INFORMATION FORM

<i>to be accomplished by the requesting party</i>			
Name :	Click here to enter text.	Date of Request :	Click here to enter a date.
E-mail :	Click here to enter text.	Landline/mobile number :	Click here to enter text.
Name of company /university :	Click here to enter text.		
Name of Thesis Adviser/Dean/Company Officer :	Click here to enter text.		
Address :	Click here to enter text.		
E-mail :	Click here to enter text.	Landline number :	Click here to enter text.
Describe the information requested (provide brief description of information requested, including disaggregation, period covered, etc) Click here to enter text.			
Reason for or purpose of the request for disclosure or access to information Click here to enter text.			
Click here to enter text.		Click here to enter text.	
Signature above printed name of researcher/requesting party		Signature above printed name of Adviser/Dean/Company Officer or Equivalent	

<i>for LLDA use only</i>	
Action taken :	<input type="checkbox"/> Approved <input type="checkbox"/> Others, pls. state: FOI Application Number : _____ <input type="checkbox"/> Denied
Describe the Nature of Information Disclosed or Released, include the date of disclosure of or access to information	
Remarks :	
Signature above printed name (Representative from Records Office / PIU)	Date

Notes:

- This form shall be submitted by the requesting party together with the letter-request and photocopy of a valid and current company identification card (for institutional researchers) or university identification card of the requesting party (for academic researchers) or government issued identification card for researchers not classified herein.
- The signatory of letter-request are as follows:

<i>Requesting Party</i>	<i>Signatory</i>
Institutional researcher	Head of company or equivalent.
Academic researchers	Researcher, and Thesis Adviser or Dean.
Others	requesting party

- The letter-request should be addressed to the Head of LLDA.
- Information approved for release are "for pick-up" only.

LLDA-PIU-Form 07
Issue Date: November 2016
Issue No. 01

FIGURE 3 AGREEMENT FOR ACCESS TO AND/OR USE OF INFORMATION

AGREEMENT FOR ACCESS TO AND USE OF INFORMATION

This Agreement by and between:

Insert name of Head of LLDA
 Position
 Laguna Lake Development Authority
 National Ecology Center, East Avenue, Diliman, Quezon City
 Hereinafter called as "LLDA"

and

Insert Name of Researcher
 Academic/Organizational Affiliation
 Insert Address 1
 Insert Address 1
 Hereinafter called as "Requesting Party"

A. Responsibility of LLDA

1. LLDA agrees to provide the Requesting Party the following information:

Category	Specific Information
Click here to enter text.	Click here to enter text.

2. Use of information shall be limited to the following purposes only:
 Click here to enter text.

B. Responsibility of the Requesting Party

3. Access thereto shall be subject to the guidelines prescribed in the Peoples' Freedom of Information Manual, such as, but not to the following:

- a. Requesting party cannot compel LLDA or its records custodians to prepare lists, abstracts, summaries and the like in their desire to acquire information on matters of public concern. (Valmonte et. al vs. Belmonte, G.R. No. 74930, February 13, 1989)
- b. To prevent unintended damage to or loss of information and public records pertaining to official acts, transactions, or decisions, the same shall be accessed, examined, or photocopied within the plain view, control and supervision of the concerned records custodian.

4. When necessary, the requesting party may be allowed to reproduce one (1) copy for back-up purpose only.

LLDA-QMS-Form 23
Issue Date: August 2018
Issue No. 01

FIGURE 4. SAMPLE ACKNOWLEDGEMENT LETTER (EXAMPLE 1)

05 September 2017

JUAN S. DELA CRUZ
Student, College of Arts and Science
University of Rizal
Binangonan, Rizal

Dear **Mr. Dela Cruz**:

This refers to your letter dated 04 September 2017, received on 05 September, requesting for information on the monthly water quality data, specially BOD and total coliform, of the Pililla River from 2010-2017.

Please be informed that the requested information is available for release on 19 September 2017, at the Public Information Unit, 4th Floor, LLDA Office, National Ecology Center East Avenue, Diliman, Quezon City, subject to the following conditions:

1. Submission of the duly signed Agreement for Access to and Use of Information (see attached Agreement);
2. Payment of six hundred pesos (P600.00) to the LLDA Cashier, 3rd Floor, LLDA Office, National Ecology Center East Avenue, Diliman, Quezon City; and
3. Confirmation of your availability on the aforesaid release date by calling 376-54-30 local 133.

Thank you for your interest on studying the water quality condition of Pililla River and its impact on the surrounding communities.

Very truly yours,

JAIME C. MEDINA
General Manager

FIGURE 5. SAMPLE ACKNOWLEDGEMENT LETTER (EXAMPLE 2)

10 July 2017

JUAN S. DELA CRUZ
Student, College of Arts and Science
University of Rizal
Binangonan, Rizal

Dear Mr. Dela Cruz:

This refers to your letter dated 07 July 2017, received on 10 July, requesting for several information that are listed in your letter.

We regret to inform you that we do not maintain such information. You may coordinate directly with the local government unit of Sampalok, San Pablo City regarding the requested information.

For clarifications, please feel free to call us at 376-54-30 local 107 and look for Annie Ramos .

Very truly yours,

JAIME C. MEDINA
General Manager

FIGURE 6. SAMPLE LETTER OF DENIAL

07 July 2017

JUAN S. DELA CRUZ
Student, College of Arts and Science
University of Rizal
Binangonan, Rizal

Dear Mr. Dela Cruz:

This refers to your letter dated 07 July 2016, received on 10 July, requesting for several information that are listed in your letter.

We regret to inform you that the requested information are confidential and falls within the exceptions stated in Section 3, (c) Implementing Rules and Regulations of Republic Act No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees).

For clarifications, please feel free to call us at 376-54-30 local 107 and look for Annie Ramos.

Very truly yours,

JAIME C. MEDINA
General Manager

CONTACT DETAILS

The contact details of the FOI Receiving Officer and FOI Decision Makers are as follows:

Department / Division / Office	Contact Details
Trunklines : (02) 8376-40-72 / 8376-40-44 / 8332-23-53 / 8332-23-41	
FOI Receiving Officer	
Administrative Division-Records Unit	Peter Jedel F. Mariano Records Officer II Local number: 126 records@llda.gov.ph
FOI Decision Makers	
Office of the General Manager	Jaime C. Medina General Manager Direct Line: (02) 8332-23-46 ogm@llda.gov.ph
Office of the Assistant General Manager	Engr. Generoso M. Dungo Acting Assistant General Manager Direct line: (02) 8376-40-67 oagm@llda.gov.ph
Administrative Division	Aida T. Samiano Division Chief III Direct line: (02) 8376-4061 Local number: 123 ad@llda.gov.ph
Finance Division	Atty. Marilou R. Remular Division Chief III Local number: 111 fd@llda.gov.ph
Environmental Regulations Department	Engr. Emitterio C. Hernandez Department Manager III Local number: 117 erd@llda.gov.ph
Environmental Compliance Office	
Clearances and Permits Division	Engr. Guillermo E. Orgil Officer-in-Charge Local number: 104 cpd@llda.gov.ph
Surveillance and Monitoring Division	Engr. Aloysius B. Capisonda Division Chief III Local number: 103 smd@llda.gov.ph

Department / Division / Office	Contact Details
Enforcement Division	Engr. Rowena J. Pagdingalan Officer-in-Charge Local number: 118 ed@llda.gov.ph
Shoreland Management Office	Aristotle R. Castro Officer-in-Charge Direct line: 8376-40-67 smo@llda.gov.ph
Resource Management and Development Department	Adelina C. Santos-Borja Department Manager III Local line: 112 rmdd@llda.gov.ph
Project Development, Monitoring and Evaluation Division	Engr. Jun Paul U. Mistica Division Chief III Local line: 135 pdmed@llda.gov.ph
Community Development Division	Reena L. Buena Division Chief III Local line: 131, 143 cdd@llda.gov.ph
Environmental Laboratory and Research Division	Engr. Jocelyn G. Sta. Ana Division Chief III Local line: 106 elrd@llda.gov.ph
Policy Planning and Information Management	Cesar R. Quintos Division Chief III Local line: 108 ppdd@llda.gov.ph
Legal and Adjudication Division	Atty. Zenaida R. Lapuz Officer-in-Charge Local line: 119 legal@llda.gov.ph

LLDA Office, National Ecology Center, East Avenue, Diliman, Quezon City

<http://llda.gov.ph/>

<https://www.facebook.com/LLDAofficial/>

<https://twitter.com/LLDAOfficial/>