

# CAMARINES NORTE WATER DISTRICT

Vinzons Avenue, Daet, Camarines Norte  
Tel. Nos. (054) 721-0406, 440-3500, 440-3502

The logo features a stylized human figure with arms raised, set against a circular background. The figure is white with a red outline. The background is divided into three sections: a dark blue upper section, and two red lower sections. The entire logo is centered on the page.

## FREEDOM OF INFORMATION MANUAL

This People's Freedom of Information Manual of Camarines Norte Water District is an overall corporate policy supportive of transparency in the public service in compliance to Executive Order No. 2 otherwise known as the Freedom of Information Bill.

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## Section 1 Background

The 1987 Philippine Constitution, Section 3, Article 7 guarantees and recognizes the fundamental right of the people to information, adopting as a matter of policy the full public disclosures of transactions for service transparency.

This constitutional right to information was not fully operationalize until July 23, 2016 when President Rodrigo Duterte signed Executive Order No. 02 “*operationalizing in the Executive Branch the people’s constitutional right to information and the state’s policies of public disclosure and transparency in the pubic service and providing guidelines therefore.*”

The same law that mandates the public disclosure of financial statements of assets and liabilities of government workers also obligates government workers to disclose reports, information, papers and related documents of public concern subject to limitations prescribed by law.

## Section 2 Purpose

This FOI Manual is designed to uphold the constitutional right of CNWD’s service clientele to information of public concern and its expedient release by CNWD following established rules and procedures incorporated in this manual.

Subject to constitutional and other legal limitations to be prepared by the Office of the Solicitor General and the Department of Justice and the right to privacy of individuals, CNWD recognizes full public disclosure as a matter of inherent right of the people. **(ANNEX A)**

## Section 3 Definition of Terms/Acronyms

- a) CNWD - Camarines Norte Water District
- b) CNWD Board - The Board of Directors of Camarines Norte Water District who reviews, evaluates and approves corporate policy directions, plans and programs and gives authority to FDM to act as such.
- c) Information - include all documents, papers, reports, letters, contracts, minutes of meetings, maps, books, photographs, films, research materials, sound and video recording, electronic data, computerized data whether offline or online which are kept, made or under the custody of CNWD.
- d) FDM - Freedom of Information Decision Maker refers to the General Manager who has control over the CNWD Board delegated corporate information and public records or other authorized officers of CNWD.

- e) FRO - Freedom of Information Receiving Officer receives, accepts, records and process requests for information.
- f) Official records – pertains to information produced or received by CNWD in an official capacity and pursuant to a public function or duty.
- g) Public record - include information required by laws, executive orders, rules and regulations to be entered, kept and made publicly available by CNWD or any government office.

#### **Section 4 Coverage of the Manual**

This Manual shall cover and apply to all CNWD divisions and departments who are obligated to observe and be guided by the pertinent provisions of this manual.

#### **Section 5 Application and Interpretation**

While there is a legal presumption favoring access to public documents and information, such maybe denied if it falls under any of the updated inventory of exceptions released by the Office of the President. The head of office shall determine the applicability of any of the exceptions circularized by the Office of the President. **(ANNEX B)**

#### **Section 6 Protection of Privacy**

The disclosure of public records and information shall insure that the right to privacy of an individual is not infringed or violated. Personal information under the custody or control of CNWD can be disclosed or released only if the information is relevant to the document/paper requested subject to the order or existing laws, rules and regulations. **(ANNEX B)**

#### **Section 7 Procedural Steps in the Filing and Processing of Requests (ANNEX C)**

1. Filing of Requests - The requesting party shall submit a written request to CNWD which shall include the following information:
  - 1.a name and contact number of requesting party
  - 1.b Presentation of valid proof of his identification or authorization
  - 1.c description of information requested
  - 1.d Purpose of the request

2. Request Form – CNWD shall furnish free of charge, the appropriate request form to be filled up by the requesting party. The FRO shall provide reasonable assistance especially to the disabled or senior citizens in complying with the requested data to be entered in the request form. **(ANNEX D)**
3. Receiving the request – The FRO receives the request stamping the paper with the time and date of the request. The FRO shall indicate his/her name, rank and title or position in the request form with corresponding signature, a copy of which shall be furnished the requesting party.
4. FDM action – The request form, duly filled up, is forwarded to the FRDM for approval before the request is processed by the FRO.

### **Section 8 Time frame CNWD response to requests**

- a) CNWD actions, denial or grant of access to information, shall be as soon as practicable but not exceeding 15 working days from receipt thereof.
- b) However, in cases where the information needs extensive research of CNWD records and the review of a huge number of documents or the occurrence of a force majeure or the like, CNWD shall inform the concerned party of the extension of period of release, setting forth the reason for the extension.
- c) In no case shall the extension exceed 20 working days from the end of the original period except when extraordinary circumstances dictate a longer period of extension.

### **Section 9 Fees**

A reasonable but not onerous fee may be charged for the actual costs of reproduction and copying of documents. No other fees may be collected.

### **Section 10 Identical or previously acted/denied requests**

CNWD is not obligated to act or process substantially similar and previously approved/denied requested information from the same requesting party.

## **Section 11 Notice of Denial**

Should access to the request is partially or denied in its entirety, CNWD shall inform the concerned party within 15 working days from the receipt of the request citing the ground and reasons for the denial.

## **Section 12 Remedial Measure in case of denial of request**

- a) Denied request for information maybe appealed, within 15 calendar days from the notice of denial, to the next higher authority or the CNWD Board provided that the written appeal must be filed by the same person who made the request.
- b) Within 30 working days from receipt of the written appeal, the CNWD Board shall review and decide the appeal. The requesting party shall be appropriately informed.

## **Section 13 Administrative Penalties**

Failure on the part of the receiving/processing officer to act promptly on letters and request within fifteen (15) working days from receipt, except as otherwise provided in the rules implementing the Code of Conduct and Ethical Standards for Public Officials and Employees, shall be subject to the following penalties:

Reprimand for the first offense

Suspension of one (1) to thirty (30) days for the second offense

Dismissal from the service for the third offense.

## **Section 14 Effectivity**

This manual shall be effective upon approval of the CNWD Board of Directors.

## **Section 15 Annexes**

- a) Executive Order No. 02
- b) Inventory of Exception
- c) Flow Chart
- d) Request Form

Approved thru Board Resolution No. 036, s. 2017:

  
**MARIA ANTONIA BERNARDINA F. BOMA**  
General Manager