
ASINGAN WATER DISTRICT
Mayor's Boulevard, Asingan, Pangasinan

Freedom of Information Manual

Pursuant to the Executive Order (EO) No.2 issued on July 23, 2016 by the President of the Philippines

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STATEMENT OF PURPOSE

The **Asingan Water District (AWD)** with office address at Mayor's Boulevard, Asingan, Pangasinan was formed on August 11, 1993 with conditional Certificate of Conformance (CCC) No. 524. The district has five (5) Boards of Directors composed of representatives from different sectors who are of voting age and residents within the district.

The **Asingan Water District (AWD)** is committed in rendering the best service possible at the least cost that will sustain and support the never ending process of growth and development in an environment –conscious organization.

FREEDOM OF INFORMATION PROCEDURES

All records in the custody or possession of the **Asingan Water District (AWD)** are presumed to be open to public inspection.

The information provided herein are details of **Asingan Water District's Freedom of Information Manual** procedures. This booklet is intended to serve as a guide to allow citizens to conveniently access public records.

REQUESTS FOR PUBLIC RECORDS

Freedoms of Information request form are available online at www.asinganwaterdistrict.gov.ph and at the Asingan Water District Office. Request for concessionaires' records should be filed through the Commercial Division. All other request for records should be filed through the Administrative and General Services Division. (See sample request form on page 16)

FREEDOM OF INFORMATION OFFICERS

The following personnel are designated as Freedom of Information Officers for the Asingan Water District.

Administrative and General Services Division	Maria Cecilia A. Soriano Division Manager C / HR Designate Telefax: (075)632-1528
Finance and Cash Division	Immaculada M. Oria Cashier A cp#09338250905 Telefax: (075)632-1528
Commercial Division	Justina D. Duqueza Utilities/Customer Services Officer B Telefax: (075)632-1528

PUBLIC RECORDS UNDER THE CUSTODY AND CONTROL OF THE ASINGAN WATER DISTRICT

This information is provided to aid petitioners in obtaining access to public records.

Administrative and General Services Division

Water Safety Plan
Organizational Chart
Board Resolutions

Finance and Cash Division

Financial Annual Audit Reports
Financial Statements
Invoices
Annual Budget
Monthly Data Sheet

Commercial Division

Statement of Account (SOA)
Contract of Agreement
Ledger of Accounts (concessionaire's account)

CATEGORIES OF DOCUMENTS THAT ARE AVAILABLE IMMEDIATELY UPON REQUEST

Annual Budget
Monthly Data Sheet
Financial Statement
Organizational Chart
Board Resolutions
Water Safety Plan
Statement of Account (SOA)
Ledger of Accounts (concessionaire's account)

STANDARD PROCEDURES FOR REQUESTS OF RECORDS

Compliance with Freedom of Information Manual, requests does not compel the Asingan Water District to interpret or advise petitioners as to the meaning or significance of the public records provided.

A request for records will be complied with or denied within five working days unless the reason for the request is contrary to law, existing rules and regulations, or it is one of the exceptions contained in the inventory of exceptions, in which case the Asingan Water District has 15 days to respond. In the event of a denial, notification to the petitioner will be made by letter. Failure of the Asingan Water District to respond to a request for records will be considered a denial.

Any person who requests access to information shall submit a written request to the Asingan Water District. The request shall state the name and contact information of the requesting party, provide valid proof of identification or authorization, reasonably describe the information requested, and the reason for, or purpose of, the request for information. If the Asingan Water District needs more time to process the request, the FOI Manual Officer will notify the person making the request of such extension; setting forth the reasons for the extension, in no case shall the extension go beyond twenty (20) working days counted from the end of the original period, unless exceptional circumstances warrant a longer period.

In the case of the denial of a request for records, the petitioner will be notified by the FOI Manual Official in writing of : 1) the decision to deny the request; 2) the reasons for the denial; and 3) the names and titles or positions of each person responsible for the denial..

A requestor whose request is denied by the Asingan Water District FOI Manual Official, may within 15 calendar days, appeal to the person or office next higher in authority, following the procedure mentioned in Section 8 (f) of the EO No. 02. The appeal shall be decided by the person or office next higher in authority within thirty (30) working days from the filing of said written appeal. Failure of such person or office to decide within the afore-stated period shall be deemed a denial of the appeal.

The requesting party may file the appropriate judicial action in accordance with the Rules of Court upon exhaustion of administrative appeal.

CHARGES FOR PUBLIC RECORDS

The following fees shall be assessed to FOI Manual Request:

Except when a fee is otherwise fixed by statute, each public body may charge fees reasonably calculated to reimburse its actual cost for reproducing and copying public records.

When a person requests a copy of a record maintained in an electronic format, the public body shall furnish it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the public records, in the specified electronic format, then the public body shall furnish it in the format in which it is maintained by the public body, or in paper format at the option of the requester.

1. 50¢ per page for black and white copies of letter, legal or A4 size documents. No fees shall be charged for the first 10 pages of black and white letter or legal size documents. (Double sided pages count as two copies)
2. Color copies of letter, legal or A4 size documents shall be 80¢.

INVENTORY OF EXCEPTIONS TO THE RIGHT TO ACCESS OF INFORMATION

Pursuant to Section 4 of Executive Order (EO) No.2, series of 2016 of the Office of the President

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 the Implementation of the exception to the right of access to information, the following provide the salient details and legal bases that define the extent and application of the exceptions:

1. Information covered by Executive privilege:

- a.) Presidential conversations, correspondence, and discussions in closed door Cabinet meetings; and
- b.) Matters covered by deliberative process privilege, namely:
 - Advisory opinions, recommendations and deliberations comprising part of a 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
 - 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
- b.) Diplomatic negotiations and other information required to be kept secret in the conduct of foreign affairs, and

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- c.) Patent applications, the publication of which would prejudice national security and interests,

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:
- Interfere with enforcement proceedings;
 - deprive a person of a right to a fair trial or an impartial adjudication;
 - 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
 - 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.
- c.) When disclosure of information would put the life and safety of an individual in imminent danger.
- d.) Any information given by informants leading to the recovery of carnapped vehicles and apprehension of the persons charged with carnapping; and
- e.) All proceedings involving application for admission into the Witness Protection Program and the action taken thereon;

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:

- about an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
- about an individual's health, education, genetic or sexual life of a person, or to any proceedings 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;

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- 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
 - 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 regulations. 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; and (4) the name of the individual on a document prepared by the individual in the course of employment with the government.

- b.) Source of any news report or information appearing in newspapers, magazines or periodicals of general circulation obtained in confidence, and
- c.) 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:
 - records of child and family cases;
 - children in conflict with the law from initial contact until final disposition of the case;
 - a child who is a victim of any offense under the *Anti-child Pornography Act of 2009*, including the name and personal circumstances of the child, or the child's immediate family, or any other information tending to establish the child's identity;
 - a child witness, who is a victim of a crime, an accused of a crime, or a witness to a crime, including the name, address, telephone number, school, or other identifying information of a child or an immediate family of the child;
 - cases involving violence against women and their children, including the name, address, telephone number, school, business, address, employer, or other identifying information of a victim or an immediate family member;
 - trafficked persons, including their names and personal circumstances , or any other information tending to establish the identity of the trafficked person;
 - names of victims of child abuse, exploitation or discrimination;
 - 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;

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- records, documents and communications of proceedings involving child, natural parents and adoptive parents;
 - names of students who committed acts of bullying or retaliation;
 - first time minor (drug) offenders under suspended sentence who comply with applicable rules and regulations of the Dangerous Drugs Board and who are subsequently discharged; judicial and medical records of drug dependents under the voluntary submission program; and records of a drug dependent who was rehabilitated and discharged from treatment and rehabilitation centers under the compulsory submission program, or who was charged for violation of Section 15 (use of dangerous drugs) of the *Comprehensive Dangerous Drugs Act of 2002*, as amended; and
 - 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.) Data furnished to statistical inquiries, surveys and censuses of the Philippine Statistics Authority (PSA);
- c.) Records and reports submitted to the Social Security system by the employer or member;
- d.) Information gathered from HIV/AIDS contact tracing and all other related health intelligence activities;
- e.) Confidential information submitted to the Philippine Competition commission prohibited from disclosure by law, including the identity of the person who provided the information under condition of anonymity;
- f.) Applications and supporting documents filed pursuant to the *omnibus Investments Code of 1987*;
- g.) Documents submitted through the Government electronic Procurement system;
- h.) 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*;
- i.) any confidential information supplied by the contractors in mineral agreements, and financial or technical assistance agreements pursuant to the *Philippine Mining Act of 1995* and its Implementing Rules and Regulations (IRR), during the term of the project to which it relates;
- j.) Information received by the Department of Tourism (DOT) in relation to the accreditation of accommodation establishments (such as hotels and resorts) and travel and tour agencies;

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- k.) The fact that a covered transaction report to the Anti-Money Laundering Council (AMILC) has been made, the contents thereof, or any information in relation thereto;
 - l.) Information submitted to the Tariff Commission which is by nature confidential or submitted on a confidential basis;
 - m.) Certain information and reports submitted to the Insurance commissioner pursuant to the *Insurance Code*;
 - n.) Information on registered cultural properties owned by private individuals;
 - o.) Data submitted by a higher education institution to the Commission on Higher Education (CHED); and
 - p.) Any secret, valuable or proprietary information of a confidential character known to a public officer, or secrets of private individuals;

6. Information of which a premature disclosure would:

- a.) 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 if any financial institution; or
- b.) 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 financial official action on such proposal.

7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are 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 20014*;
- b.) Matters involved in an Investor-State mediation;
- c.) Information and statements made at conciliation proceedings under the *Labor Code*;
- d.) Arbitration proceedings before the construction Industry Arbitration Commission (CIAC);
- e.) Results of examinations made by the Securities and Exchange Commission (SEC) on the operations, books and records of any corporation, and all interrogations propounded by it and the answers thereto;
- f.) Information related to investigations which are deemed confidential under the *Securities Regulations Code*;
- g.) All proceedings prior to the issuance of a cease and desist order against pre-need companies by the Insurance Commission;
- h.) Information related to the assignment of the cases to the reviewing prosecutors or the undersecretaries in cases involving violations of the *comprehensive Dangerous Drugs Act of 2002*;
- i.) Investigation report and the supervision history of a probations;

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- j.) Those matters classified as confidential under the *Human Security Act of 2007*;
 - k.) Preliminary investigation proceedings before the committee on decorum and investigation of government agencies; and
 - l.) those information deemed confidential or privileged pursuant to pertinent rules and regulations issued by the supreme Court, such as information on disbarment proceedings, DNA profiles and results, or those ordered by courts to be kept confidential;

8. Matters considered confidential under banking and finance laws and their amendatory laws, such as:

- a.) RA No. 1405 (*Law on Secrecy of Bank Deposits*);
- b.) RA No. 6426 (*Foreign Currency Deposit Act of the Philippines*) and relevant regulations;
- c.) RA No. 8791 (*The General Banking Law of 2000*);
- d.) RA No. 9160 (*Anti-Money Laundering Act of 2001*); and
- e.) RA No.9510 (*Credit Information System Act*);

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:
 - When the disclosure would prejudice legitimate commercial interest or competitive position of investor-states pursuant to investment agreements;
 - Those deemed confidential or protected information pursuant to United Nations Commission on International Trade Law Rules on Transparency in Treaty-based Investor State Arbitration and Arbitration Rules (UNCITRAL Transparency Rules); and
 - Refugee proceedings and documents under the 1951 *Convention Relating to the Status of Refugees*, as implemented by DOJ Circular No. 58 (s.2012);
- 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:
 - any purpose contrary to morals or public policy; or
 - any commercial purpose other than by news and communications media for dissemination to the general public;
- d.) Lists, abstracts, summaries of information requested when such lists, 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 client.

BOD, MANAGEMENT AND STAFFS

Board of Directors:

Engr. Jun J. Cruz	-----	Chairman
Julius Caesar A. Chua	-----	Vice Chairman
Clemencita C. Romero	-----	Secretary
Perlarosa M. Olivas	-----	Treasurer
Agustin P. Piso	-----	Member

Management and Staffs:

Engr. Alexander C. Monce	-----	General Manager C
Maria Cecilia A. Soriano	-----	Division Manager C
Immaculada M. Oria	-----	Cashier A
Justina D. Duqueza	-----	Utilities/Customer Service Officer B
Charito N. Dizon	-----	Senior Accounting Processor A
Ramil M. Butuyan	-----	Property/Supply Officer B
Krismond A. Alvarez	-----	Utilities/Customer Service Assistant B
Carl Edwin M. Millano Jr.	-----	Utilities/Customer Service Assistant B
Benigno C. Gamis	-----	Engineering Assistant A
Noly H. Dagdag	-----	Auto Mechanic A
Virgilio C. Quinto	-----	Water Resources Facilities Operator A
Sotero N Gabarda	-----	Water Resources Facilities Operator A
Loreto A. Antonio Jr.	-----	Engineering Assistant B
Derlito P. Jardiolin	-----	Engineering Assistant B
Ricardo R. Raymundo	-----	Water Resources Facilities Operator A
Bernard S. Pico	-----	Water Resources Facilities Operator A
Francisco J. Pascual Jr.	-----	Water Resources Facilities Operator B
Remar Alvaro	-----	Driver
Emily S. Carig	-----	Storekeeper D
Daryl S. Dizon	-----	Engineering Aide
Warlito R. Ito Jr.	-----	Engineering Aide
Alvin D. Castillejos	-----	Engineering Aide
Beverly O. Entrata	-----	Administrative Service Aide
Tristan G. Aquino	-----	Administrative Service Aide

AWD CONTACT INFORMATION

Asingan Water District
Mayor's Boulevard, Asingan, Pangasinan
Email address:asinganwaterdistrict@yahoo.com
Telefax No. (075) 632-1528

General Manager

CP# Sun ----- 09338637336
CP# Globe ----- 09175891963

Administrative and General Services Division

CP# Sun ----- 09338250910
CP# Sun ----- 09338250908

Finance and Cash Division

CP# Sun ----- 09338250905

Operators:

CP# Sun ----- 09338250906
CP# Sun ----- 09338250909
CP# Sun ----- 09338250911

Board of Directors:

Chairman ----- 09338250904
Vice Chairman ----- 09237227160
Secretary ----- 09338250901
Treasurer ----- 09338250903

SAMPLE REQUEST FORM

Sample Letter Requesting information to AWD

(Date)

(Agency Head)

(Agency)

(Address)

(Fax Number)

Dear Public Official or Agency:

Pursuant to the Executive Order No. 02, I would like to **(inspect or obtain a copy of)** the following public records:

(Describe the records or information sought with enough detail for the public agency to be able to respond)

I understand that if I seek a copy of this record, there may be a copying fee. Please inform me of that cost prior to making the copy. I can reach at (phone number).

According to the statute, this request should be acted upon within fifteen (15) days. If access to the records I requested is going to take longer, please contact me so we can work out a reasonable date.

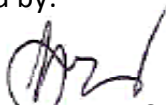
If you choose to deny the request, then you are required to respond in writing and state the statutory exception authorizing the withholding of all or part of the public record.

Thank you for your assistance on this matter.

Respectfully,

(Requester)

Approved by:



ENGR. ALEXANDER C. MONCE

General Manager