



**NATIONAL LIBRARY OF THE PHILIPPINES
MANILA**

**FREEDOM OF INFORMATION MANUAL
Updated as of August 2023**

2023



NATIONAL LIBRARY OF THE PHILIPPINES FREEDOM OF INFORMATION (FOI) MANUAL

I. LEGAL BASES

1. Executive Order (E.O.) No. 2 s. 2016 otherwise known as *“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 Thereof”*;
2. Republic Act No. 6713 *An Act Establishing a Code of Conduct and Ethical Standards for Public Officials and Employees to Uphold the Time-Honored Principle of Public Office being a Public Trust, Granting Incentives and rewards for Exemplary Service, Enumerating Prohibited Acts and Transactions and Providing Penalties for Violations Thereof and For Other Purposes* otherwise known as the *“Code of Conduct and Ethical Standards for Public Officials and Employees and its IRR”*;
3. Republic Act 10173 *An Act Protecting Individual Personal Information in Information and Communications System in the Government and Private Sector, Creating for this Purpose a National Privacy Commission and for Other Purposes* otherwise known as *“Data Privacy Act of 2012”*;
4. Republic Act 9485 otherwise known as the *Anti-Red Tape Act of 2007*;
5. Freedom of Information (FOI) Memorandum Circular (FOI-M.C.) No. 21-03 series of 2021 or the *Retention Period of Personal Information and Sensitive Personal Information Gathered through the Standard FOI Request Form and Electronic Freedom of Information (E-FOI) Portal*;
6. PCOO issued FOI M.C. No. 21-04 dated 14 July 2021 or the *De-identification of Requesters’ Personal Information in the Electronic Freedom of Information Portal* otherwise Known as the *“Policy on Anonymization”*;
7. PCOO issued FOI M.C. No. 21-05 dated 27 August 2021 otherwise known as the *No Wrong Door Policy for FOI*.

II. DEFINITION OF TERMS

- a. Exceptions to FOI – Those classes of privileged information that are outside the scope of the constitutional right to information and which may not be released or disclosed to the public, as provided under the Constitution, laws or jurisprudence.
- b. FOI Decision Maker (FDM) – The person who shall take the necessary steps to retrieve and provide the information requested from their offices. Has the overall responsibility for the final decision on FOI requests made to his/her office.
- c. FOI Receiving Officer (FRO) – The designated person where the public may file or submit



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FOI requests, inquire about the FOI process and the status of pending FOI requests.

- d. FOI Request – A request by any person submitted to a government office, personally or by other electronic means, requesting information or public records as defined herein.
- e. Freedom of Information (FOI) – Pertains to the right of the people to information.
- f. NLP Central Appeals and Review Committee – The body which decides appeals from action of the FOI Decision Maker, and has authority to affirm, reverse, or modify such action.
- g. Personal Information- Shall 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.
- h. Sensitive Personal Information- As defined in the Data Privacy Act of 2012, shall refer to personal information:
 - i. About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
 - ii. About an individual health, education, genetic or sexual life of a person, or to any proceedings for any offense committed or alleged to have committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;
 - 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, suspension or revocation, and tax returns; and
 - iv. Specifically established by an executive order or an act of Congress to be kept classified.

III. GENERAL PROVISIONS

A. Purpose

The National Library of the Philippines (NLP) issues this Agency Freedom of Information (FOI) to guide and assist the public in the processes and procedures involved in requests for information pursuant to Executive Order (E.O.) No. 2 on Freedom of Information (FOI) otherwise known as 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 Thereof".



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B. Coverage

This Manual shall cover all requests for information directed to the National Library of the Philippines.

C. Protection of Privacy

While the intention of this manual is to disclose and provide access to information or all public and official records of the agency, the NLP shall afford full protection to a person's right to privacy as mandated by the Data Privacy Act of 2012, such as:

- a. Personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted under the law by making reasonable security arrangements against unauthorized access, leaks, premature disclosure, or unwarranted disclosure which would unduly expose the requesting party to vilification, harassment, or any other wrongful act;
- b. Any official or employee who has access, whether authorized or unauthorized, to personal information in the custody of NLP shall not disclose that information except as authorized by existing law; and
- c. Personal and sensitive personal information processed by NLP for the purpose of making an FOI request shall be retained for two (2) years and shall be disposed of in a secure manner that shall prevent further processing, unauthorized access or disclosure to any other party or public, or prejudice the interests of the requesting party (FOI-MC-No. 21-03).

IV. RESPONSIBLE OFFICERS

A. Roles and Responsibilities

- a. FOI Decision Maker (FDM)- The chief of each divisions shall be the designated FDM of NLP whose functions shall include:
 - i. Shall evaluate the requested information and have the authority to grant or deny the request; and,
 - ii. Shall take all necessary steps to retrieve and provide the information requested from their respective offices.
- b. FOI Receiving Officer (FRO)- The Head of the Records Section shall be the designated FRO of NLP whose functions shall include:



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- i. Monitoring of all FOI requests and appeals (standard and e-FOI);
 - ii. Providing assistance to the FOI Decision Maker;
 - iii. Providing assistance and support to the public and staff with regard to FOI; and
 - iv. Conducting initial evaluation of the FOI request and advising the requesting party whether the request will be forwarded to the FOI Decision Maker for further evaluation, or denied.
- c. FOI Secretariat
- i. Maintain and update the Agency Information Inventory; and,
 - ii. Provide administrative and technical support to the FOI Compliance Committee.
- d. NLP Central Appeals and Review Committee-The FOI Central Appeals and Review Committee composed of three high ranking (3) officials designated by the Head of the Agency shall:
- i. Receive, review, evaluate, and assess the appeals on the denial of the request for information;
 - ii. Determine if the appeal was filed within the period provided under E.O. No. 2, s. 2016;
 - iii. Ensures that NLP maintains accurate and complete important records in appropriate formats;
 - iv. Ensures that NLP implements a sound record management system policy to the public, subject to existing laws, rules and regulations;
 - v. 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; and
 - vi. Shall recommend new FOI guidelines.

B. FOI Officials' Contact Details

Name of Receiving Office:	National Library of the Philippines
Name of the Head of the Agency:	Cesar Gilbert Q. Adriano
Address of Receiving Office:	NLP Building, T.M. Kalaw Street, Ermita, Manila
FOI Receiving Officer:	Kathrina Liza M. Maño, Administrative Officer V
Contact Number:	(632) 5310-5029; (632) 5310-5031 to 33 ; (632)5310-5035
Email address:	records@nlp.gov.ph



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<p>NLP FOI Decision Makers (FDM):</p>	<p>Jennifer B. Dimasaca, Librarian V, Bibliographic Services Division (jbdimasaca@nlp.gov.ph/Trunkline + loc. 406)</p> <p>Susan M. Zamora, OIC, Catalog Division (smzamora@nlp.gov.ph/Trunkline + loc. 402 - 403)</p> <p>Melody M. Madrid, Librarian V, Collection Development_Division (mmmadrid@nlp.gov.ph/Trunkline + loc. 404)</p> <p>Susan J. Fetalco, Librarian V, Filipiniana Division (sjfetalco@nlp.gov.ph/Trunkline + loc. 408 / 206/5310-5059)</p> <p>Leonardo P. Bernabe Jr. Information Technology Officer III, Information Technology Division (lpbernabe@nlp.gov.ph/Trunkline + loc. 201)</p> <p>Blesila P. Velasco, Librarian V, Public Libraries Division (bpvelasco@nlp.gov.ph/Trunkline + loc. 205)</p> <p>Dolores D. Carungui, Librarian V, Reference Division (DDCarungui@nlp.gov.ph/Trunkline + loc. 207-215/ 5310-5033)</p> <p>Maricel M. Ureña, Librarian V, Research and Publications Division (mmurena@nlp.gov.ph/Trunkline + loc. 412)</p>
<p>FOI Central Appeals and Review Committee:</p>	<p>Cesar Gilbert Q. Adriano, Director IV (cgqa@nlp.gov.ph/Trunkline + loc. 303)</p> <p>Edgardo B. Quiros, Director III (ebquiros@nlp.gov.ph/Trunkline + loc. 303)</p> <p>Fe B. Basagre, Chief Administrative Officer, Finance and Administrative Division (fbbasagre@nlp.gov.ph/Trunkline + loc. 304 - 308/5310-5027)</p>
<p>FOI Secretariat</p>	<p>Maribeth D.V. Lucena, Administrative Assistant V</p>

V. PROMOTION OF OPENNESS IN THE GOVERNMENT



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A. Duty to Publish Information

In compliance with the Republic Act 9485 otherwise known as the Anti-Red Tape Act of 2007, NLP shall:

- a. Regularly publish and disseminate accurate and updated key information to the public and in an accessible manner at no cost. This includes but is not limited to the following:
 - i. A description of its mandate, structure, powers, functions, duties and decision-making processes;
 - ii. A description of the frontline services it delivers and the procedure and length of time by which they may be availed of;
 - iii. The names of its key officials, their powers, functions and responsibilities, and their profiles;
 - iv. Work programs, development plans, investment plans, projects, performance targets and accomplishments, and budgets, revenue allotments and expenditures;
 - v. Rules and regulations, orders or decisions in relation to NLP's official mandate;
 - vi. Current and important database and statistics that it generates;
 - vii. Bidding processes and requirements;
 - viii. Mechanisms or procedures by which the public may participate in or otherwise influence the formulation of policy or the exercise of its powers.
- b. The language and forms shall be accessible to all and present them in popular form and means; and
- c. All personal information contained in any document received or transmitted herein shall be used solely for documentation and processing purposes within NLP and shall not be shared to any outside parties, unless with written consent. Personal information shall be retained and stored by the Records Section within a period in accordance with the NLP Records Disposition Schedule.

VI. PROTECTION OF PRIVACY

While the intention of this Manual is to disclose and provide access to information or all public and official records of the NLP, the agency shall ensure that personal information,



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particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws. NLP should also make sure that the right to privacy of the individual must not be compromised such as:

1. The information requested should only be relevant to the subject-matter of the request; and
2. The information being asked must not be used to expose the individual to vilification, harassment or any other wrongful act.

VII. STANDARD PROCEDURE

A. Receiving of Request

All FOI requests received by NLP through manual and e-FOI shall be received by the NLP FOI Receiving Officer (NLP-FRO). The FRO will check compliance of the following requirements upon receipt:

1. The request must be in writing (manual and e-FOI);
2. The request shall state the name and contact information of the requesting party, as well as provide valid proof of identification or authorization; and
3. The request shall be valid under the Executive Order No. 2 and not already publicly available and/or part of NLP's frontline services.

B. Mode of Request

Requests submitted personally or through registered mail shall be accompanied by duly filled out FOI Standard Request Form along with the following identification and/or proof of authority of the requesting party:

1. Two (2) valid government Identification Cards (I.D.).
2. If the requester could not personally appear before this office, they shall send a representative bearing a signed authorization letter and two (2) valid I.Ds.
3. Requests can also be made through email (records@nlp.gov.ph), provided that the requesting party shall attach a scanned copy of the FOI application request and a scanned copy of valid government ID (JPEG format with 150 DPI and 2MB max file size).
4. FOI requests personally submitted to the Records Section shall be in writing, addressed to the Director, and with complete details and attachment addressed to the Director of NLP and mail to:



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The Records Section

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

C. Reasonable Assistance

When the requesting party is unable to read and/or write or whose impediment or physical disability incapacitates them to make a request in writing, they may make an oral request, and the FRO shall fill out the form for them.

Requesting party will be informed through e-FOI or e-mail when requests are not available in NLP and/or it will be endorsed to other government institutions.

D. Fees

Government offices shall not charge any fee for accepting requests for access to information. However, a reasonable fee for costs of reproduction and copying of the information required may be charged, subject to existing rules and regulations. In no case shall applicable fees be so onerous as to defeat the purpose of this manual.

E. Duration of Request

NLP shall respond to a fully compliant request (grant or deny) within fifteen (15) working days from the date of receipt thereof.

In case the request was endorsed by another agency, the period of compliance shall be reckoned from the date when NLP received said request.

If the request needs extensive search of the NLPs' records facilities the FRO shall notify the requesting party of an extension together with the reason for extension.

F. Denial of Request

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

1. The documents/records being requested is not available at the NLP;
2. The documents/records fall under the sensitive personal information, which might be used to abuse of harass the employee concerned;



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3. Subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by NLP; and
4. Document/s being requested were already disposed of by the NLP (see NAP General Circular No. 2, January 20, 2009)

G. Appeal

The requesting party may appeal the decision of Decision Makers to the Central Appeals and Review Committee, whose decision shall be final. Provided, 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.

The appeal be decided by the Central Appeals and Review Committee 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.

VIII. NO WRONG DOOR POLICY

If, after exercising due diligence, the FRO or FDM finds that the requested information is not in the custody or possession of the agency, the FRO or FDM shall refer the request to the appropriate government agency within three (3) working days. In case where another agency has erroneously referred an FOI request to the NLP, the FRO or FDM shall immediately notify the former as well as the requesting party, that the information requested is not available in NLP.

The FRO or FDM, to whom the request was referred may subsequently refer the request to another agency under the procedure set forth in the first paragraph of this subsection. The requesting party shall be notified of the referral and must be provided with the reason or rationale thereof, and contact details of the agency where the request was referred.

IX. LIABILITIES

Failure to comply with the provisions of this Manual shall be a ground for administrative and disciplinary sanctions against any erring public officer or employee as provided in Uniform Revised Rules on Administrative Cases, Data Privacy Act of 2012, Executive Order No. 2, s. 2016 and other existing laws or regulations.

X. EFFECTIVITY AND SEPARABILITY



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A. Appealing Clause

All orders, issuances, resolutions and rules and regulations inconsistent with this Manual are hereby repealed, modified, or amended accordingly.

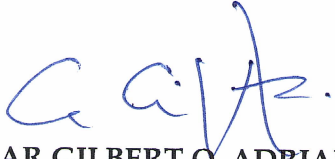
B. Separability Clause

If any provision of this Manual is held unconstitutional or invalid competent authority, the other sections or provisions of this manual not otherwise affected shall remain in full force or effect.

C. Effectivity

This manual shall take effect immediately upon posting in the NLP official website.

Approved by this Office on August 1, 2023.


CESAR GILBERT Q. ADRIANO
Director IV



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Annex A

Freedom of Information Flowchart

Fifteen (15) Working Days

