



People's Freedom of Information Manual Construction Industry Authority of the Philippines

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[Signature]
MA. CARLA D. EITE L. ILARDE
Head, Records Section
Department of Trade & Industry

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MA. CARLA YETTE L. ILARDE
Head, Records Section
Department of Trade & Industry



MEMORANDUM ORDER NO. 17-1741
Series of 2017

**SUBJECT: CONSTRUCTION INDUSTRY AUTHORITY OF THE PHILIPPINES
(CIAP) PEOPLE'S FREEDOM OF INFORMATION MANUAL**

WHEREAS, Executive Order (EO) No. 02 (s. 2016) entitled "Operationalizing in the Executive Branch of the People's Constitutional Right to Information and the State Policy to Full Public Disclosure and Transparency in the Public Service and Providing Guidelines Therefor";

WHEREAS, Section 16 of the same law provides, all government offices in the Executive Branch are directed to formulate their respective implementing details taking into consideration their mandates and the nature of information in their custody or control;

WHEREAS, Section 4 of DTI Department Order (DO) 17-02 (s. 2017), provides that all attached agencies and corporations of DTI are directed to prepare their respective FOI People's Manual and its corresponding Implementing Guidelines;

WHEREAS, Construction Industry Authority of the Philippines (CIAP), an attached agency of the DTI, tasks to promote, accelerate, and regulate the growth and development of the construction industry;

WHEREAS, In compliance with the above laws, the CIAP strengthens its commitment to release information in its control involving public interest, subject to limitations as provided by the Constitution, applicable laws, rules, regulations and procedures;

WHEREAS, the CIAP formulated the People's Freedom of Information (FOI) Manual as follows:

SECTION 1: Organizational Overview

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MA. CARLA WETTE L. ILARDE
Head, Records Section
Department of Trade & Industry

The Construction Industry Authority of the Philippines (CIAP) is a government agency attached to the Department of Trade and Industry (DTI) for policy and program coordination. It was created in 28 November 1980 by Presidential Decree (PD) No. 1746 tasked to promote, accelerate, and regulate the growth and development of the construction industry. It acts as a central agency for cohesive industry policy formulation, coordination with other government agencies on matters affecting the industry, and implementation of programs to address industry problems. As such, the CIAP is composed of representatives from the government and private

sectors headed by the Secretary of Trade and Industry as Chairman, the Secretaries of the Departments of Public Works and Highways, Transportation and Communication, Labor and Employment, the Chairmen of the CIAP's implementing boards, namely, Philippine Contractors Accreditation Board (PCAB), Philippine Overseas Construction Board (POCB), Philippine Domestic Construction Board (PDCB), Construction Manpower Development Foundation (CMDf), the President of the Philippine Contractors Association (PCA), Inc., and a representative of the private construction sector appointed by the President of the Philippines as members.

The CIAP exercises jurisdiction and supervision over the following boards which act as its implementing arms and perform the following functions:

- a) PCAB – exercising regulatory powers and other functions of the defunct Philippine Contractors Licensing Board (PCLB) created under Republic Act (RA) No. 4566 (the Contractors' License Law); composed of a Chairman and two (2) members all appointed by the President.
- b) POCB – vested with powers and functions related to the export of construction services; created under P.D. 1167 (Overseas Construction Incentives Decree); composed of a Chairman and four (4) members all appointed by the President.
- c) PDCB – mandated to formulate, recommend, and implement policies, guidelines, plans and programs for the efficient implementation of public and private construction in the country; created under P.D. 1746; composed of a Chairman and four (4) members all appointed by the President.
- d) CMDf – vested with powers to undertake manpower development programs for the construction sector; created under P.D. 1746 composed of a Chairman and four (4) members all appointed by the DTI Secretary.
- e) Construction Industry Arbitration Commission (CIAC) – vested with original and exclusive jurisdiction over construction disputes except labor; created under E.O. 1008, composed of a Chairman and two (2) members all appointed by the CIAP Board.

The CIAP has an Executive Office headed by an Executive Director who is responsible for ensuring effectiveness and proper coordination of the CIAP's policies and programs, particularly by its implementing boards. The CIAP Executive Office has technical, administrative, finance and management support services for CIAP and its boards. Each implementing board has its own Secretariat also headed by an Executive Director.

In the performance of its mandates, there are information and data provided by and to clients or the public that should be kept strictly confidential or can be shared to third parties only in accordance with the guidelines set forth in the Freedom of Information (FOI) Manual of CIAP.

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MARIA CARLA YVETTE L. ILARDE
Head, Records Section
Department of Trade & Ind.

1.1. PURPOSE

The purpose of this CIAP FOI Manual (Manual) is to provide the process in dealing with requests for information received under Executive Order No. 2, s. of 2016, on Freedom of Information (FOI).

1.2. STRUCTURE

This Manual provides for the proper management of the information kept by the CIAP and its Implementing Boards which may be disseminated to the public under circumstances provided hereunder. The Head of the agency shall be responsible for all actions carried out under this Manual and may delegate this responsibility to Heads of respective Boards who shall act as the Decision Maker and shall have the overall responsibility for the initial decision on the request.

1.3. COVERAGE

The Manual shall cover all requests for the information directed to CIAP and its Implementing Boards as follows:

- a. Philippine Contractors Accreditation Board (PCAB)
- b. Philippine Overseas Construction Board (POCB)
- c. Philippine Domestic Construction Board (PDCB)
- d. Construction Manpower Development Foundation (CMDf)
- e. Construction Industry Arbitration Commission (CIAC)

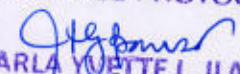
1.4. FOI RECEIVING OFFICER

There shall be an FOI Receiving Officer (FRO) designated at the CIAP. The FRO shall preferably come from the Public Assistance or Information Office, or its equivalent. The FRO shall hold office at CIAP Office located at 2nd and 5th Floors Executive Building Center, #369 Sen Gil Puyat Avenue, corner Makati Avenue, Makati City.

The functions of the FRO shall, among others, perform to receive on behalf of CIAP all requests for information and facilitate such request; ensure that the FOI request form is completely accomplished; provide assistance and support with regard to FOI; process all requests and forward to the concerned office (within and outside CIAP) as may be appropriate; provide assistance in ensuring all requests are responded to within the prescribed time; monitor all FOI requests and appeals; provide assistance to the FOI Decision Maker; provide assistance in ensuring all request are responded to within the prescribed time; compile statistical information as required; and, conduct initial assessment of the request and advise the requesting party whether the request will be forwarded to the FOI Decision Maker for further evaluation, or deny the request based on:

- a. That the form is incomplete; or
- b. That the information is already disclosed in the AGENCY's Official Website, foi.gov.ph, data.gov.ph, dti.gov.ph or at ciap.dti.gov.ph.

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Head, Records Section
Department of Transportation & Industry

Each Implementing Board of the AGENCY shall assign their respective FROs. (Annex E)

1.5. FOI DECISION MAKER

There shall be an FOI Decision Maker (FDM), designated by the CIAP Head, with a rank of not lower than a Division Chief or its equivalent. He or she shall conduct evaluation of the request for information and has the authority to grant the request, or deny it based on the following:

- a. The AGENCY does not have the information requested;
- b. The information requested contains sensitive personal information protected by the Data Privacy Act of 2012;
- c. The information requested falls under the list of exceptions to FOI; or
- d. The request is an unreasonable or subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by the AGENCY.

1.6. APPROVAL AND DENIAL OF REQUEST TO INFORMATION

The Decision Maker shall approve or deny all request of information. In case where the Decision Maker is on official leave, the Head of the AGENCY may delegate such authority to his Chief of Staff or any Officer not below the rank of a Director.

1.7. CENTRAL APPEALS AND REVIEW COMMITTEE

There shall be a central appeals and review committee composed of three (3) officials with a rank not lower than a Director or its equivalent, designated by the Head of the AGENCY to review and analyze the grant or denial of request of information. The Committee shall also provide expert advice to the AGENCY Head on the denial of such request.

SECTION 2: DEFINITION OF TERMS

For purposes of this Manual, the following terms shall be defined accordingly:

CONSULTATION. When a government office locates a record that contains information of interest to another office, it will ask for the views of that other agency on the disclosability of the records before any final determination is made. This process is called a "consultation."

data.gov.ph. The Open Data website that serves as the government's comprehensive portal for all public government data that is searchable, understandable, and accessible.

FOI.gov.ph. The website that serves as the government's comprehensive FOI website for all information on the FOI. Among many other features, FOI.gov.ph provides a central resource for the public to understand the FOI, to locate records

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MA. CARLA YUETTE L. ILARDE
Head, Records Section
Department of Trade & Industry

that are already available online, and to learn how to make a request for information that is not yet publicly available.

FOI.gov.ph also promotes agency accountability for the administration of the FOI by graphically displaying the detailed statistics contained in Annual FOI Reports, so that they can be compared by agency and over time.

EXCEPTIONS. Information that should not be released and disclosed in response to a FOI request because they are protected by the Constitution, laws or jurisprudence.

FREEDOM OF INFORMATION (FOI). The Executive Branch recognizes the right of the people to information on matters of public concern, and adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to the procedures and limitations provided in Executive Order No. 2. This right is indispensable to the exercise of the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making.

FOI CONTACT. The name, address and phone number at each government office where you can make a FOI request:

FOI REQUEST. A written request submitted to a government office personally or by email asking for records on any topic. A FOI request can generally be made by any Filipino to any government office.

FOI RECEIVING OFFICE. The primary contact at each agency where the requesting party can call and ask questions about the FOI process or the pending FOI request.

FREQUENTLY REQUESTED INFORMATION. Information released in response to a FOI request that the agency determines have become or are likely to become the subject of subsequent requests for substantially the same records.

FULL DENIAL. When the AGENCY or any of its office, bureau or agency cannot release any records in response to a FOI request, because, for example, the requested information is exempt from disclosure in its entirety or no records responsive to the request could be located.

FULL GRANT. When a government office is able to disclose all records in full in response to a FOI request.

INFORMATION*. Shall mean 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.

*Information shall only be available to Filipino citizens pursuant to Section 3 of EO No. 2, (s. 2016)

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Head, Records Section
Department of Trade & Industry

INFORMATION FOR DISCLOSURE. Information promoting the awareness and understanding of policies, programs, activities, rules or revisions affecting the public, government agencies, and the community and economy. It also includes information encouraging familiarity with the general operations, thrusts, and programs of the government. In line with the concept of proactive disclosure and open data, these types of information can already be posted to government websites, such as data.gov.ph, without need for written requests from the public.

MULTI-TRACK PROCESSING. A system that divides incoming FOI requests according to their complexity so that simple requests requiring relatively minimal review are placed in one processing track and more complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.

OFFICIAL RECORD/S. Shall 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.

OPEN DATA. Refers to publicly available data structured in a way that enables the data to be fully discoverable and usable by end users.

PARTIAL GRANT/PARTIAL DENIAL. When a government office is able to disclose portions of the records in response to a FOI request, but must deny other portions of the request.

PENDING REQUEST OR PENDING APPEAL. An FOI request or administrative appeal for which a government office has not yet taken final action in all respects. It captures anything that is open at a given time including requests that are well within the statutory response time.

PERFECTED REQUEST. A FOI request, which reasonably describes the records, sought and is made in accordance with the government office's regulations.

PERSONAL INFORMATION. Shall refer to any information, whether recorded in a material form or not, from which the identify 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.

PROACTIVE DISCLOSURE. Information made publicly available by government agencies without waiting for a specific FOI request. Government agencies now post on their websites a vast amount of material concerning their functions and mission.

PROCESSED REQUEST OR PROCESSED APPEAL. The number of requests or appeals the agency has completed its work and sent a final response to the requester.

PUBLIC RECORDS. Shall include information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government office.

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MA. CARLA VETTE L. ILARDE
Head, Records Section
Department of Trade & Industry

RECEIVED REQUEST OR RECEIVED APPEAL. An FOI requests or administrative appeal received by the agency within a fiscal year.

REFERRAL. Is a process where in a government office locates a record that originated with, or is of otherwise primary interest to another agency, it will forward that record to the other agency to process the record and to provide the final determination directly to the requestor.

SENSITIVE PERSONAL INFORMATION. As defined in the Data Privacy Act of 2012, shall refer to personal information:

- a. About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
- b. 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;
- c. 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
- d. Specifically established by an executive order or an act of Congress to be kept classified.

SIMPLE REQUEST. A FOI request that an agency anticipates will involve a small volume of material or that can be processed relatively quickly.

CLIENT. A Filipino citizen or domestic firm obtaining the services or information from the government office

CONCERNED BOARD. Refers to the implementing boards of CIAP where the information may be secured.

PROCEEDINGS. The term "proceedings" shall include information communications to or from DTI and its attached agencies, the pleadings, applications and other papers filed with DTI and its attached agencies, sworn statements, documentary and testimonial evidence, reports and minutes taken of the proceedings, and other orders, decision, award or resolution issued by the arbitrator(s), mediator(s) or conciliator(s) and hearing officer(s) and such other information treated as confidential under specific Rules of DTI and its attached agencies.

The confidentiality provision of this Rule on proceedings shall not apply where disclosure of the terms of settlement is required: [a] in the course of business transactions of the parties, [b] compliance with the requirements of applicable laws; and [c] by judicial orders.

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MA. CARLA VETTE L. ILARDE
Head, Records Section
Department of Trade & Industry

SECTION 3. PROTECTION OF PRIVACY

While providing for access to information, the AGENCY shall afford full protection to a person's right to privacy, as follows:

- 3.1. The AGENCY shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws;
- 3.2. The AGENCY shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure;
- 3.3. The FRO, FDM, or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of the AGENCY, shall not disclose that information except as authorized by existing laws.

SECTION 4. STANDARD PROCEDURE (See Annex A1 and A2)

4.1. RECEIPT OF REQUEST FOR INFORMATION

4.1.1. The FOI Receiving Officer (FRO) shall receive the request for information from the requesting party and check compliance of the following requirements:

- a. The request must be in writing;
- b. The request shall state the name and contact information of the requesting party, as well as provide valid proof of identification or authorization; and
- c. The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information. (See Annex B1 and B2 for request form)

The request can be made through email, provided that the requesting party shall attach in the email a scanned copy of the FOI request form, and a copy of a duly recognized government ID with photo.

4.1.2. In case the requesting party is unable to make a written request, because of illiteracy or due to being a person with disability, he or she may make an oral request, and the FRO shall reduce it in writing.

4.1.3. The request shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name, rank, title and position of the public officer who actually received it, with a corresponding signature and a copy, furnished to the requesting party. In case of email requests, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by electronic mail. The FRO shall input the details of the request on the Request Tracking System and allocate a reference number.

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MA. CARLA V. ILARDE
Head, Records Section
Department of Trade & Industry

4.1.4. The AGENCY must respond to requests promptly, within the fifteenth (15) working day following the date of receipt of the request. A working day is any day other than a Saturday, Sunday or a day which is declared a national public holiday in the Philippines. In computing for the period, Art. 13 of the New Civil Code shall be observed.

The date of receipt of the request will be either:

- a. The day on which the request is physically or electronically delivered to the government office, or directly into the email inbox of a member of staff; or
- b. If the government office has asked the requesting party for further details to identify and locate the requested information, the date on which the necessary clarification is received.

An exception to this will be where the request has been emailed to an absent member of staff, and this has generated an 'out of office' message with instructions on how to re-direct the message to another contact. Where this is the case, the date of receipt will be the day the request arrives in the inbox of that contact.

Should the requested information need further details to identify or locate, then the 15 working days will commence the day after it receives the required clarification from the requesting party. If no clarification is received from the requesting party after sixty (60) calendar days, the request shall be closed.

4.2. INITIAL EVALUATION

After receipt of the request for information, the FRO shall evaluate the contents of the request.

4.2.1. Request relating to more than one office under the AGENCY: If a request for information is received which requires to be complied with, of different offices, the FRO shall forward such request to the said office concerned and ensure that it is well coordinated and monitor its compliance. The FRO shall also clear with the respective FROs of such offices that they will only provide the specific information that relates to their offices.

4.2.2. Requested information is not in the custody of the AGENCY or any of its offices: If the requested information is not in the custody of the AGENCY or any of its offices, following referral and discussions with the FDM, the FRO shall undertake the following steps:

- a. If the records requested refer to another AGENCY, the request will be immediately transferred to such appropriate AGENCY through the most expeditious manner and the transferring office must inform the requesting party that the information is not held within the 15 working day limit. The 15 working day requirement for the receiving office commences the day after it receives the request.

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ANNA CARLO VUETTE L. ILARDE
Head, Records Section
Department of Trade & Industry

4.5. ROLE OF FRO TO TRANSMIT THE INFORMATION TO THE REQUESTING PARTY

Upon receipt of the requested information from the FDM, the FRO shall collate and ensure that the information is complete. He shall attach a cover/transmittal letter signed by the AGENCY Head or the designated officer and ensure the transmittal of such to the requesting party within 15 working days upon receipt of the request for information.

4.6. REQUEST FOR AN EXTENSION OF TIME

If the information requested requires extensive search of the government's office records facilities, examination of voluminous records, the occurrence of fortuitous events or other analogous cases, the FDM should inform the FRO.

The FRO shall inform the requesting party of the extension, setting forth the reasons for such extension. In no case shall the extension exceed twenty (20) working days on top of the mandated fifteen (15) working days to act on the request, unless exceptional circumstances warrant a longer period.

4.7. NOTICE TO THE REQUESTING PARTY OF THE APPROVAL/DENIAL OF THE REQUEST

Once the FDM approved or denied the request, he shall immediately notify the FRO who shall prepare the response to the requesting party either in writing or by email. All actions on FOI requests, whether approval or denial, shall pass through the AGENCY Head or his designated officer for final approval.

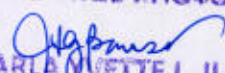
4.8. APPROVAL OF REQUEST

In case of approval, the FRO shall ensure that all records that have been retrieved and considered be checked for possible exemptions, prior to actual release. The FRO shall prepare the letter or email informing the requesting party within the prescribed period that the request was granted and be directed to pay the applicable fees, if any.

4.9. DENIAL OF REQUEST

In case of denial of the request wholly or partially, the FRO shall, within the prescribed period, notify the requesting party of the denial in writing. The notice shall clearly set forth the ground or grounds for denial and the circumstances on which the denial is based. Failure to notify the requesting party of the action taken on the request within the period herein provided shall be deemed a denial of the request to information. All denials on FOI requests shall pass through the Office of the AGENCY Head or to his designated officer.

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MARIA CARLA GUETTE L. ILARDE
Head, Records Section
Department of Trade & Industry

SECTION 5. REMEDIES IN CASE OF DENIAL OF REQUEST

A person whose request for access to information has been denied may avail himself of the remedy set forth below:

- a. By filing a written administrative FOI Appeal to the AGENCY Central Appeals and Review Committee within fifteen (15) calendar days from the notice of denial or from the lapse of the period to respond to the request.
 - b. The appeal shall be decided by the AGENCY Head upon the recommendation of the Central Appeals and Review Committee within thirty (30) working days from the filing of said written appeal. Failure to decide within the 30-day period shall be deemed a denial of the appeal.
- 5.1. Upon exhaustion of administrative FOI appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

SECTION 6. REQUEST TRACKING SYSTEM

The AGENCY shall establish a system to trace the status of all requests for information received by it, which may be paper-based, on-line or both.

SECTION 7. FEES

7.1. No Request Fee

The AGENCY shall not charge any fee for accepting requests for access to information.

7.2. Reasonable Cost of Reproduction and Copying of the Information

The FRO shall immediately notify the requesting party in case there shall be a reproduction and copying fee in order to provide the information. Such fee shall be the actual amount spent by the AGENCY in providing the information to the requesting party. The schedule of fees shall be posted by the AGENCY.

As regards to documents/information requested from **CIAC**, below are the applicable fees pursuant to CIAC Resolution No. 06-2014 (Imposing Administrative Fees on Requests and Motions Relative to the Cases Filed with the CIAC).

Requests

- Request for certification of copies of any paper, record, document, order, or award/decision
- Request for clearance or any other certification
- Request relative to closed cases within the retention period
- All other requests

Administrative Fees

P10.00 per page

P100.00

P1,000 per document

to be searched

P200 per request

MA. CARLA YONTE L. ILARDE
Head, Records Section
Department of Trade & Industry

For PCAB, the schedules of appropriate fees are as follows:

Documentary Stamp Tax:	P15.00
Legal Research Fund:	P10.00
Certified True Copy/Certification Fee:	P24.00 per page
Listing of Contractors (Hardcopy / Softcopy):	P12.00 per page

7.3. Exemption from Fees

The AGENCY may exempt any requesting party from payment of fees, upon request stating the valid reason why such requesting party shall not pay the fee.

SECTION 8. ADMINISTRATIVE LIABILITY

8.1. Non-compliance with FOI

Failure to comply with the provisions of this Manual shall be a ground for the administrative and disciplinary sanctions or penalties against any erring public officer or employee as provided under existing laws and regulations.

8.2. Procedure

The Revised Rules on Administrative Cases in the Civil Service shall be applicable in the disposition of cases under this Manual.

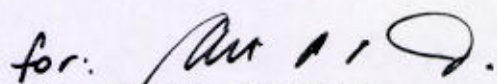
8.3. Provisions for More Stringent Laws, Rules and Regulations

Nothing in this Manual shall be construed to derogate from any law, any rules, or regulation prescribed by any body or agency, which provides for more stringent penalties.

SECTION 9. Effectivity

This Order takes effect immediately.

Signed on the 22nd day of May year 2017.

for: 

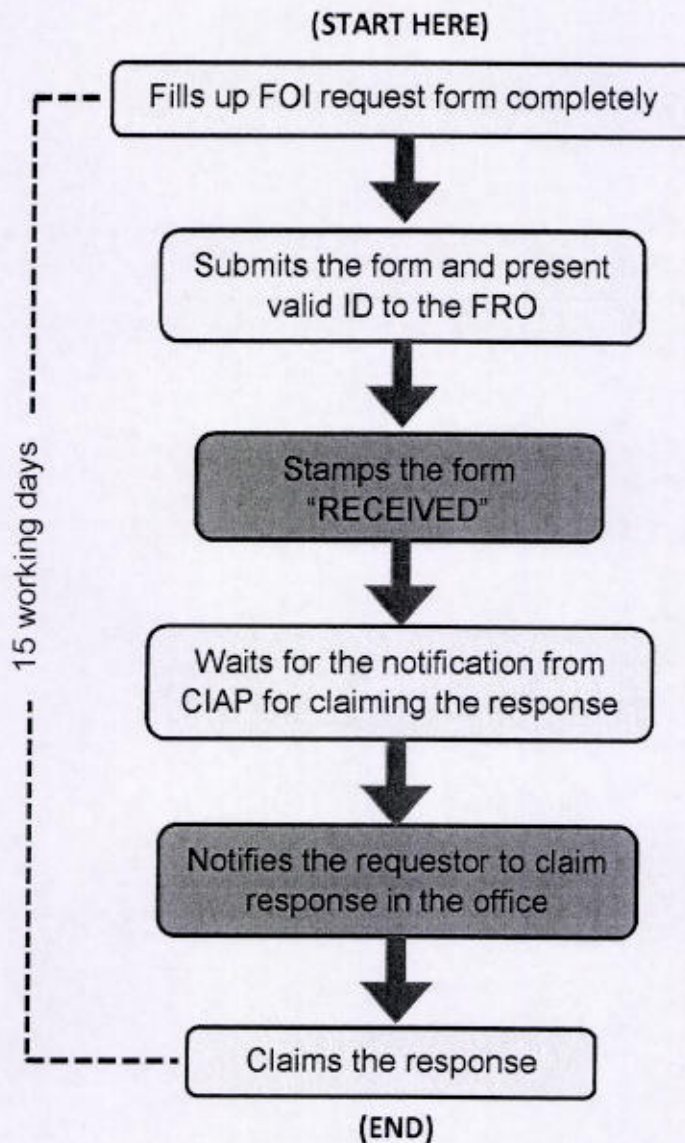
ATTY. RUTH B. CASTELO

Undersecretary for Competitiveness and Ease of Doing Business Group



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Head, Records Section
Department of Trade & Industry 

ANNEX A1 - FOI Request Flow Chart



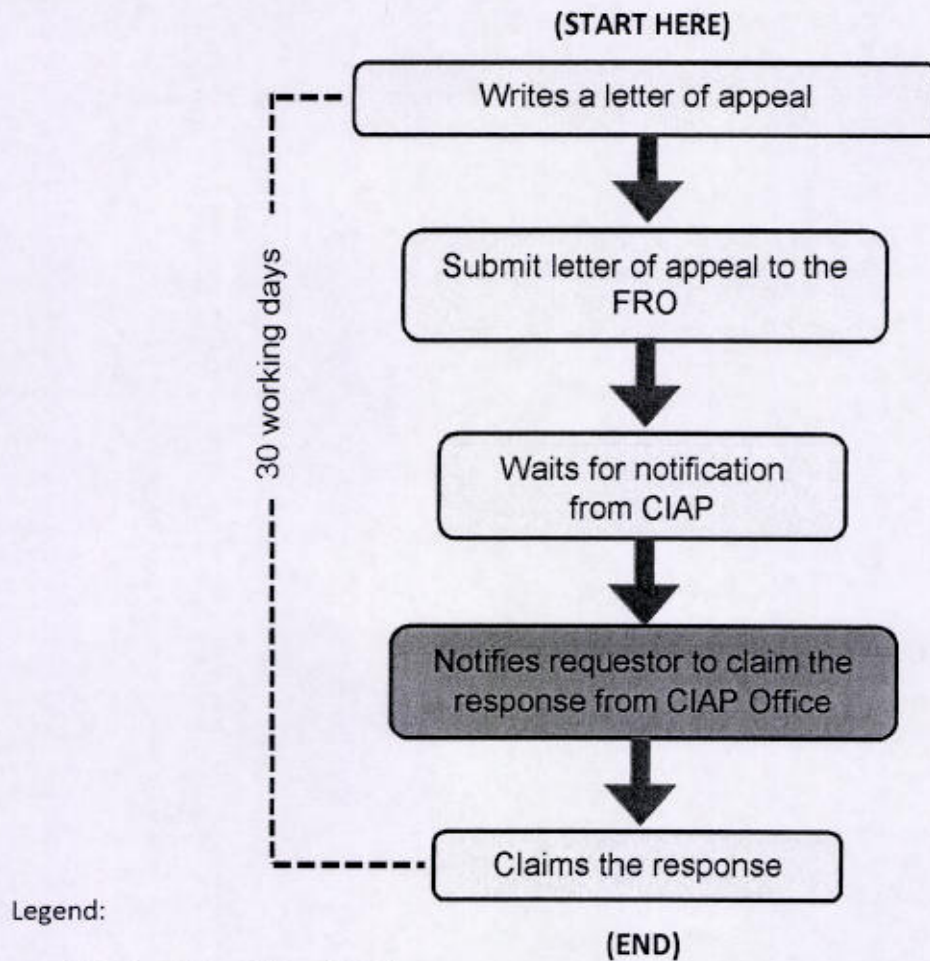
Legend:

-  FOI Receiving Officer (FRO)
-  Requesting Party

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ANNA. CARLA VETTE L. ILARDE
Head, Records Section
Department of Trade & Industry

ANNEX A2 - FOI Appeal Process



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for MA. CARLA YVETTE L. ILARDE
Head, Records Section
Department of Trade & Industry



FREEDOM OF INFORMATION REQUEST FORM

(Pursuant to Executive Order No. 2, s. 2016)



Please read the following information carefully before proceeding with your application. Use blue and black ink. Write neatly and in BLOCK letters. Improper or incorrectly-filled out forms will not be acted upon.

[To be filled up by the public]

Title of the Document: _____

Period Covered: _____

Purpose: _____

Name: _____ Contact Number/s: _____

Signature: _____ Date: _____

Address: _____

Proof of Identity: (Kindly check)

____ Passport No: _____

____ Driver's License: _____

____ School/Company ID: _____

____ Others: _____

How would you like to receive the information? (Kindly check)

____ E-mail (Email Address: _____)

____ Fax (Fax No.: _____)

____ Mail (Mailing Address: _____)

____ Pick-up (Preferred time within office hours: _____)

Declaration

Privacy Notice: Once deemed valid, your information from your application will be used by the agency you have applied to, to deal with your application as set out in the Freedom of Information Executive Order No. 2 (s. 2016), If the Department or Agency gives you access to a document, and if the document contains no personal information about you, the document will be published online in the Department's or Agency's disclosure log, along with your name and the date you applied, and, if another person, company or body will use or benefit from the documents sought, the name of that person, entity or body.

I declare that:

- The information provided in the form is complete and correct;
- I have read the Privacy notice;
- I have presented at least one (1) government-issued ID to establish proof of my identity

I understand that it is an offense to give misleading information about my identity, and that doing so may result in a decision to refuse to deny the request, without prejudice to other sanctions under the law.

Signature: _____ Date Accomplished (DD/MM/YYYY): _____

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for MA. CAROL V. LARDE
Head, Records Section
Department of Trade & Industry

FOI Tracking Number: _____

[For tracking purposes]

To be filled out and kept by CIAP (For Internal Use Only)

Date FOI Request Received: _____ Time FOI Request Received: _____

Received by: _____ Remarks: _____
FOI Receiving Officer

Concerned Board/Division: _____

Assigned to: _____ Designation: _____
(Signature over Printed Name)

Date and Time the request was assigned: _____

Type of Action Conducted: _____

☐ Approved

☐ Denied (Document Available Online/Not Available/Under Exceptions)

Remarks: _____

Certified by: _____
(Signature over Printed Name of FOI Decision Maker)

CERTIFIED TRUE PHOTOCOPY
MA. CARLA J. ILARDE
Head, Records Section
Department of Trade & Industry

Republic of the Philippines
Department of Trade and Industry
Construction Industry Authority of the Philippines
CONSTRUCTION INDUSTRY ARBITRATION COMMISSION

2/F Executive Building Center, 369 Gil J. Puyat Ave. cor. Makati Ave., Makati City
Telephone No. 897-0853 / Telefax: 897-9313 / Mobile No. 0917-656353
E-mail / Facebook: ciac_ciap@yahoo.com



ANNEX B2

FREEDOM OF INFORMATION REQUEST FORM

Tracking Number: _____

Please read the following information carefully before proceeding with your application. Use blue or black ink. Write neatly and in BLOCK letters. Improper or incorrectly-filled out forms will not be acted upon. Tick or mark boxes with "X" where necessary. Note: (◀) denotes a MANDATORY field.

A. Requesting Party

You are required to supply your name and address for correspondence. Additional contact details will help us deal with your application and correspond with you in the manner you prefer.

1. Title (e.g. Mr, Mrs, Ms, Miss)

2. Given Name/s (including M.I)

3. Surname

4. Complete Address (Apt/House Number, Street, City/Municipality, Province)

5. Landline/Fax

6. Mobile

7. Email

6. Type of ID and No. (Please ensure your IDs contain your photo and signature)

☐ Passport ☐ Driver's License ☐ SSS ID ☐ Postal ID ☐ Voter's ID
☐ School ID ☐ Company ID ☐ Others

B. Requested Information/Nature of Request

- ☐ Request for certification of copies of any paper, record, document, or award/decision
☐ Request for clearance or any other certification
☐ Statistics/Reports

7. Title of Document/Record Requested

8. Date of Record/Document
(DD/MM/YY)

9. Purpose

For case document/record:

10. Case Number

11. Case Title

- Notice: 1. Rule 7 (Confidentiality), Section 7.1 of the CIAC Revised Rules of Procedure Governing Construction Arbitration states that "The arbitration proceedings shall be considered confidential and shall not be published except (i) with the consent of the parties, or (ii) when necessary in case resort to the Court is made under the Rules of Court."
2. The ff. requirement/s for access to case documents/records under Item 1 above should be attached to this request: a) written consent of the parties to the case; b) court order
3. The request falling under Item 1 above shall be referred to the Commission for approval.

FREEDOM OF INFORMATION

[Signature]
MA. CARLE V. L. ILARDE
Head, Records Section
Department of Trade & Industry

C. Declaration

Privacy Notice: Once deemed valid, your information from your application will be used by the agency you have applied to, to deal with your application as set out in the Freedom of Information Executive Order No. 2. If the Department or Agency gives you access to a document, and if the document contains no personal information about you, the document will be published online in the Department's Agency's disclosure log. Along with your name and the date you applied, and, if another person, company or body will use or benefit from the documents sought, the name of that person, entity or body.

I declare that:

- The information provided in the form is complete and correct;
- I have read the Privacy notice;
- I have presented at least one (1) government-issued ID to establish proof of my identity

I understand that it is an offense to give misleading information about my identity, and that doing so may result in a decision to refuse to process my application.

Signature

Date Accomplished (DD/MM/YYYY)

D. FOI Receiving Officer [INTERNAL USE ONLY]

Name (Print Name)

Proof of ID Presented (Photocopies of original should be attached)

☐ Passport ☐ Driver's License ☐ SSS ID ☐ Postal ID ☐ Voter's ID

☐ School ID ☐ Company ID ☐ ID ☐ Others _____

The request is recommended to be:

☐ Approved ☐ Denied

If Denied, please tick the Reason for the Denial

☐ Invalid Request ☐ Incomplete ☐ Data already available online

Decision Maker Assigned to Application (print name)

Decision on Application

☐ Successful ☐ Partially Successful ☐ Denied ☐ Cost

If Denied, please tick the Reason for the Denial

☐ Invalid Request ☐ Incomplete ☐ Data already available online

☐ Exception ☐ Which Exception? _____

Date Request Finished (DD/MM/YYYY)

Date Documents (if any) Sent (DD/MM/YYYY)

FOI Registry Accomplished

☐ Yes ☐ No

RO Signature

Date (DD/MM/YYYY)

Amount to be paid

O.R. No.

Date of O.R. (DD/MM/YYYY)

FREEDOM OF INFORMATION

Carla L. Ilarde
MA. CARLA L. ILARDE
Head, Records Section
Department of Trade & Industry

ANNEX C - LIST of FOI Exceptions of CIAP

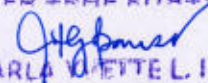
Confidentiality of information

The information which CIAP and its implementing arms received or gathered shall only be used for the purposes for which they were collected. Sharing information which falls under the exemptions described below with third parties is not allowed unless there is written consent from the owner of the information secured by the requesting party and a letter-request is submitted stating the reason/purpose for which it is sought.

The following information are kept confidential and shall not be published or released to third parties except (i) with the consent of the parties, or (ii) where disclosure of the terms of settlement is required, or (iii) where required by law or where resort to the court is made under the Rules of Court. The specific treatment of this information is covered under specific rules:

1. Information contained in the personnel, HRD, medical or similar records that may constitute an invasion of personal privacy;
2. Information gathered from CIAP and its implementing Boards administrative hearings and proceedings including arbitration, conciliation and mediation and other law enforcement activities, the premature disclosure of which may interfere with or jeopardize the conclusion of such proceedings;
3. Sub judice matters (specifically merits or demerits of a case that has properly been brought to the judicial process for resolution;
4. Recommendations submitted by the CIAP and its implementing Boards on matters that require approval and are pending with the Secretary or President;
5. Information kept secret in the interest of national defense or security or the conduct of foreign affairs;
6. Information covered by Executive Privilege;
7. Mediation and domestic or international arbitration proceedings, including records, evidence and the arbitral awards, pursuant to Sections 9, 23, and 33 of the Alternate Dispute Resolution Act of 2004;
8. Arbitration proceedings including communications to or from the Construction Industry Arbitration Commission (CIAC), the pleadings, applications and other papers filed with CIAC, sworn statements, documentary and testimonial evidence, reports and minutes taken of the proceedings, and other orders, decision, award or resolution issued by the arbitrator(s), pursuant to Section 7.1, Rule 7, CIAC Revised Rules of Procedure Governing Construction Arbitration;
9. Executive Order No. 608. Establishing a National Security Clearance System for Government Personnel with Access to Classified Matters.
10. Deliberative Process Privilege;

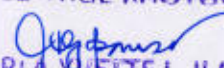
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for 
MA. CARLA V. ETE L. ILARDE
Head, Records Section
Department of Trade & Industry

11. The information requested consists of drafts of orders, resolutions, decisions and memorandum or audit reports by any executive, administrative, regulatory, constitutional, judicial or quasi-judicial body in the exercise of their regulatory audit and adjudicatory function;
12. Proceedings before or information in the possession of any government agency, tribunal, board or officer, under its respective rules or regulations are treated as confidential and privileged;
13. Confidential information not yet made a matter of public record relating to pending cases such as notes, drafts, research papers, internal discussions, internal memorandum, records of internal deliberations and similar papers. Even after the decision, resolution or order shall remain confidential;
14. Requested information which tends to exact testimony from government officials by a citizen are confidential such as information, record or document comprises drafts of decisions, orders, rulings, policy decisions, memorandum, etc;
15. The information requested pertains to the personal information of a natural person other than the requesting party, and its disclosure would constitute an unwarranted invasion of his or her personal privacy, unless it forms part of a public record, or the person is or was an official of the government agency and the information relates to his other public function or the person has consented, in writing to the disclosure of the information;
16. Confidentiality of information coming into the possession of the Office;
17. Personal and sensitive information concerning natural persons resulting in invasion of privacy;
18. Shared health record. Information requested terrains to trade secrets and commercial or financial information obtained from a natural or juridical person other than the requesting party, obtained in confidence or covered by privileged communications, and/or filed with a government agency, whenever the revelation thereof would prejudice the interests of such natural or juridical person in trade, industrial, financial or commercial competition;
19. Financial Transactions;
20. Trade Secrets under the Consumer Act of the Philippines;
21. Trade Secrets under the Intellectual Property Code;
22. Information classified as confidential, the disclosure of which would prejudice legitimate commercial interests or competitive of the investor or its investments;
23. Information considered as privileged communications in legal proceedings by law or by the Rules of Court;
24. Other information requested is exempted from disclosure by law or by the Constitution, in addition to those provided in these sections; and
25. Any secret, valuable or proprietary information of a confidential character known to a public officer, or secrets of private individuals
26. And such other exceptions applicable to CIAP as listed under Inventory of Exceptions to Executive Order No. 2, s. 2016 dated 24 November 2016.

Other source: Memorandum from the Office of the Executive Secretary with subject: Inventory of Exceptions for Executive Order No. 2 (s. 2016), release 24 November 2016.

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MA. CARLA WHITE L. ILARDE
Head, Records Section
Department of Trade & Industry

ANNEX D

FOI FREQUENTLY ASKED QUESTIONS

Introduction to FOI

1. What is FOI?

Freedom of Information (FOI) is the government's response to the call for transparency and full public disclosure of information. FOI is a government mechanism which allows Filipino citizens to request any information about the government transactions and operations, provided that it shall not put into jeopardy privacy and matters of national security.

The FOI mechanism for the Executive Branch is enabled via Executive Order No. 2, series of 2016.

2. What is Executive Order No. 2 S. 2016?

Executive Order No. 2 is the enabling order for FOI. EO 2 operationalizes in the Executive Branch the People's Constitutional right to information. EO 2 also provides the State policies to full public disclosure and transparency in the public service.

EO 2 was signed by President Rodrigo Roa Duterte on July 23, 2016.

3. Who oversees the implementation of EO 2?

The Presidential Communications Operations Office (PCOO) oversees the operation of the FOI program. PCOO serves as the coordinator of all government agencies to ensure that the FOI program is properly implemented.

Making a Request

4. Who can make an FOI request?

Any Filipino citizen can make an FOI Request. As a matter of policy, requestors are required to present proof of identification.

5. What can I ask for under EO on FOI?

Information, official records, public records, and, documents and papers pertaining to official acts, transactions or decisions, as well as to government research data used as basis for policy development.

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Head, Records Section
Department of Trade & Industry

6. What agencies can we ask information?

An FOI request under EO 2 can be made before all government offices under the Executive Branch, including government owned or controlled corporations (GOCCs) and state universities and colleges (SUCs).

FOI requests must be sent to the specific agency of interest, to be received by its respective Receiving Officer.

7. How do I make an FOI request?

- a. The requestor is to fill out a request form and submits to the agency's Receiving Officer. The Receiving Officer shall validate the request and logs it accordingly on the FOI tracker.
- b. If deemed necessary, the Receiving Officer may clarify the request on the same day it was filed, such as specifying the information requested, and providing other assistance needed by the Requestor.
- c. The request is forwarded to the Decision Maker for proper assessment. The Decision Maker shall check if the agency holds the information requested, if it is already accessible, or if the request is a repeat of any previous request.
- d. The request shall be forwarded to the officials involved to locate the requested information.
- e. Once all relevant information is retrieved, officials will check if any exemptions apply, and will recommend appropriate response to the request.
- f. If necessary, the head of the agency shall provide clearance to the response.
- g. The agency shall prepare the information for release, based on the desired format of the Requestor. It shall be sent to the Requestor depending on the receipt preference.

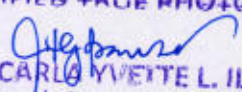
8. How much does it cost to make an FOI request?

There are no fees to make a request. But the agency may charge a reasonable fee for necessary costs, including costs of printing, reproduction and/or photocopying.

9. What will I receive in response to an FOI request?

You will be receiving a response either granting or denying your request.

If the request is granted, the information requested will be attached, using a format that you specified. Otherwise, the agency will explain why the request was denied.

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Head, Records Section
Department of Trade & Industry

10. How long will it take before I get a response?

It is mandated that all replies shall be sent fifteen (15) working days after the receipt of the request. The agency will be sending a response, informing of an extension of processing period no longer than twenty (20) working days, should the need arise.

11. What if I never get a response?

If the agency fails to provide a response within the required fifteen (15) working days, the Requestor may write an appeal letter to the Central Appeals and Review Committee within fifteen (15) calendar days from the lapse of required response period. The appeal shall be decided within thirty (30) working days by the Central Appeals and Review Committee.

If all administrative remedies are exhausted and no resolution is provided, requestors may file the appropriate case in the proper courts in accordance with the Rules of Court.

12. What will happen if my request is not granted?

If you are not satisfied with the response, the Requestor may write an appeal letter to the Central Appeals and Review Committee within fifteen (15) calendar days from the lapse of required response period. The appeal shall be decided within thirty (30) working days by the Central Appeals and Review Committee.

If all administrative remedies are exhausted and no resolution is provided, requestors may file the appropriate case in the proper courts in accordance with the Rules of Court.

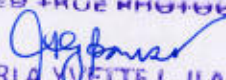
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for MA. CARLO VETTE L. ILARDE
Head, Records Section
Department of Trade & Industry

ANNEX E - FOI Receiving Officers of the AGENCY and local offices

Name of Office and FOI Decision Maker	Location of FOI Receiving Office	Assigned FOI Receiving Officer	Contact Information
Office of the Undersecretary for Competitiveness and Ease of Doing Business Group <i>Atty. Ruth B. Castelo</i>	3/F DTI Main Building, #361 Sen. Gil J. Puyat Avenue, Makati City		Telephone #: (02)751-4749 / 751-4719 Email Address: RuthCastelo@dti.gov.ph
CIAP Executive Office <i>Engr. Leilani d.L del Prado, Acting Executive Director</i>	5/F Executive Center Building, #369 Sen. Gil J. Puyat Avenue, corner Makati Avenue, Makati City	1. Rhonalyn P. Reyes, Administrative Aide IV Policy & Program Coordination Division (PPCMD) 2. Laura G. Samson, Computer Operator II Administrative, Financial & Management Division (AFMD) 3. Zenaida O. Diaz, Administrative Officer III	Telephone #: (02)895-6826 / 895-4424 E-mail Address: foi@ciap.dti.gov.ph Website: www.dti.gov.ph Telephone #: (02)895-6826 Email Address: ciapdti@yahoo.com Telefax #: (02)896-1829
Philippine Contractors Accreditation Board (PCAB) <i>Atty. Alejandria G. Gomez, Acting Executive Director</i>	5/F Executive Center Building, #369 Sen. Gil J. Puyat Avenue, corner Makati Avenue, Makati City	Public Assistant Desk and Records Information Division (PAD and RID) 1. Carolina C. Saunar, Supervising TIDS	Telefax #: (02)895-4220 / 895-4220 E-mail Address: pcab@dti.gov.ph

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MA. CARLA WETTE L. ILARDE
Head, Records Section
Department of Trade & Industry

Name of Office and FOI Decision Maker	Location of FOI Receiving Office	Assigned FOI Receiving Officer	Contact Information
		2. Theresa C. Favila, Administrative Aide IV 3. Anerose N. Dumaquita, Administrative Assistant III, PCAB-ARCC 4. Sergie T. Retome, Supervising TIDS	Telephone #: (02)895-4258 Telephone #: (02)895-4258 Telephone #: (02)895-4258
Philippine Overseas Construction Board (POCB) <i>Engr. Jocelyn C. Carrasco, Acting Chief</i>	5/F Executive Center Building, #369 Sen. Gil J. Puyat Avenue, corner Makati Avenue, Makati City	Juliet A. Ternate, Secretary II	Telefax #: (02)896-1831 / 896-1833 / 896-4569 Email Address: pocb@dti.gov.ph
Philippine Domestic Construction Board (PDCB) <i>Engr. Joji C. Valenciano, Acting Chief</i>	5/F Executive Center Building, #369 Sen. Gil J. Puyat Avenue, corner Makati Avenue, Makati City	Ariane Monique D. Derit, Administrative Assistant III	Telefax #: (02) 897-0791 / 896-1801 Email Address: pdcbb@dti.gov.ph
Construction Manpower Development Foundation (CMDf) <i>Engr. Rene E. Fajardo, Executive Director</i>	5/F Executive Center Building, #369 Sen. Gil J. Puyat Avenue, corner Makati Avenue, Makati City	Rea G. Quintos, Administrative Aide IV, Productivity and Competency Enhancement Division (PCED)	Telephone #: (02)890-1610 / 511-1054 / 511-1056 Telefax #: (02)896-5602 E-mail Address: marketing@cmdf.dti.gov.ph


CERTIFIED TRUE PHOTOCOPY

for MA. CARLA VETTE L. ILARDE
 Head, Records Section
 Department of Trade & Industry

Name of Office and FOI Decision Maker	Location of FOI Receiving Office	Assigned FOI Receiving Officer	Contact Information
Construction Industry Arbitration Commission (CIAC) <i>Exec. Dir. Kathryn Josephine T. Dela Cruz, Executive Director III</i>	2/F Executive Center Building, #369 Sen. Gil J. Puyat Avenue, corner Makati Avenue, Makati City	Office of the CIAC Executive Director 1. Friday L. Esteban, Secretary II Arbitration, Mediation & Conciliation Division (AMCD) 1. Delia B. Perlada, Supervising TIDS; OIC, AMCD 2. Lorna F. Rivera, Senior TIDS 3. Raymond Garcia, TIDS	Telephone #: (02)897-0853 Telefax #: (02)897-9313 Email Address: ciac@dti.gov.ph ciac_ciap@yahoo.com Website: ciap.dti.gov.ph Telephone #: (02)897-0853 Telefax #: (02)897-9313 Email Address: ciac@dti.gov.ph ciac_ciap@yahoo.com

Nothing follows

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 MA. CARLA MARLETTE L. ILARDE
 Head, Records Section
 Department of Trade & Industry