

SECRETARY'S CERTIFICATE

REPUBLIC OF THE PHILIPPINES) Sc.
BAGUIO CITY)

I, **TEDDY ESTEBAN F. RIGOROSO**, of legal age, married, with office address in Rigoroso Galindez Rabino Laron & Maristela Law Offices, 901 Fil Garcia Tower, 140 Kalayaan Avenue, Diliman, Quezon City, Metro Manila, Philippines, being the Corporate Secretary of the John Hay Management Corporation (JHMC), after having been duly sworn in accordance with law, hereby CERTIFY, that during the 278th Special Meeting of the JHMC Board of Directors held on 27 March 2023 in the Board Room, JHMC Office Building, Camp John Hay, Baguio City, where a quorum was present, upon motion made and duly seconded, the Board passed and approved the following resolution:

*John Hay Management Corporation
Board Resolution No. 2023-0327-056*

Resolve, as it is hereby resolved, that the **John Hay Management Corporation ("JHMC") Board of Directors** hereby approves the Amended Freedom of Information Manual of JHMC; and

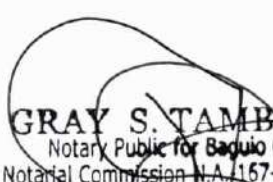
Resolved, finally, that this Resolution shall take effect immediately on 27 March 2023 and shall supersede all prior JHMC resolutions, instructions, memoranda, circulars, or instruments inconsistent herewith.


IN WITNESS WHEREOF, I have set my hand this APR 03 2023 2023 in BAGUIO CITY


ATTY. TEDDY ESTEBAN F. RIGOROSO
Corporate Secretary

SUBSCRIBED AND SWORN TO before me this APR 03 2023 2023 in BAGUIO CITY
affiant exhibiting to me his IBP Identification Card No. 42240.

Doc No.: 411
Page No.: 83
Book No.: VII
Series of 2023


GRAY S. TAMBIAG
Notary Public for Baguio City
Notarial Commission N.A. 157-NC-22-R
My Commission Expires on December 31, 2024
Roll No. 63487, 05-08-14, Manila
MCLE COMPLIANCE No. VII/0010149, 2-15-22
PTR No. 5953776; 01-03-2023; Baguio City
IBP P.R. No. 007200; 10-11-22; Baguio-Benguet Chapter

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1.0 INTRODUCTION

On 23 July 2016, President Rodrigo Roa Duterte issued Executive Order (E.O.) No. 2, series of 2016, on ***“Operationalizing in the Executive Branch the People’s Constitutional Rights to Information and the State Policies to Full Public Disclosure and Transparency in the Public Service and Providing Guidelines Therefore.”*** It sets the provisions under which every Filipino may have access to information.

Section 8 of the said E.O. directed all government offices to prepare its own People’s Freedom of Information (FOI) Manual relative to the procedures in requesting for information and the procedures to be followed in processing the said request.

In compliance thereto, the John Hay Management Corporation’s (JHMC) Freedom of Information (FOI) Manual is being published.

2.0 PURPOSE

This Manual aims to standardize the procedures in requesting for information and the procedures undertaken by the John Hay Management Corporation (JHMC) in processing the said request in accordance with E.O. No. 02, s. 2016.

3.0 SCOPE

This Manual shall apply to all John Hay Management Corporation (JHMC) clients, customers, stakeholders and the general public.

4.0 DEFINITION OF TERMS


Freedom of Information It is a mechanism to promote transparency in the government’s administrative process wherein the general public may request for information held by the government provided the said information is covered under E.O. No. 2, series of 2016 and other laws, rules and regulations.

Information Refers to any records, documents, papers, reports, letters, contract, minutes and transcripts of official meetings, maps, books, photographs, data research materials, films, sound and video recordings, magnetic or other tapes electronic data, computer-stored or archived in whatever format, whether offline or online, which are made,

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received, or kept in or under the control and custody of JHMC pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of its official business.

Official record

Refers 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.

Public record

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

FOI Request Form

Refers to the form accomplished by the Requesting Party in requesting information from JHMC.

Receiving Officer

Refers to the contact person of JHMC to whom the Requesting Party shall submit its FOI Request Form or to whom the general public may request for assistance relative to FOI Process or any pending FOI Request.

FOI Decision Maker (FDM) Refers to the head of the Operating Unit who has access and control over the information being requested.

Days

Shall mean calendar days.

5.0 PROCEDURE

5.1 FOI REQUEST


5.1.1 All request for information shall be in writing through the FOI Web Portal (<https://www.foi.gov.ph/>) or Standard Request Form. The Requesting Party shall duly accomplish the eFOI Request Form or the FOI Standard Request Form and submit the same to the Receiving Officer.

A request for information may be made through electronic mail, provided that the Requesting Party shall attach in the email a scanned copy of a duly accomplished FOI Request Form along with a scanned copy his / her proof of identity (government issued identification card).

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If the Requesting Party is unable to make a written request due to illiteracy or physical disability, he/she may be allowed to make a verbal request, however, the same shall be reduced in writing by his/her representative or by the Receiving Officer.

5.2 RECEIPT OF FOI REQUEST

5.2.1 The Receiving Officer shall review the completeness of the FOI Request Form:

- a. The request shall state the name, contact information, and valid proof of identification (government issued identification card) of the Requesting Party.
- b. The request shall describe the information requested and the reason for, or purpose of, the request for information.

5.2.2 If the FOI Request Form is complete, the Receiving Officer shall stamp “RECEIVED”, indicating the date and time of receipt and his/her name and position, with his/her signature, otherwise, the Receiving Officer shall transmit the same to the Requesting Party for completion.

The JHMC Receiving Officer shall establish a tracking system for FOI Requests.


5.2.3 *If the requested information is not in the custody of JHMC following referral and discussions with the FDM, the following steps shall be undertaken:*

- a. *The Receiving Officer shall immediately refer/transfer the request for information to another bureau/agency not exceeding three (3) working days from the receipt of the request.*
- b. *The Receiving Officer must inform the requesting party of the referral and must be provided with the reason or rationale thereof, and contact details of the government office where the request was referred. The information is not held within the 15 working day limit as stated under EO No. 02, s. 2016. The*

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15 working day requirement for the receiving office commences the day after it receives the request.

- c. The FOI Memorandum Circular No. 21-05 provides guidelines on the referral of requested information, official record/s and public record/s to appropriate government agency otherwise known as the “No Wrong Door Policy for FOI”*

5.2.4 John Hay Management Corporation (JHMC), through its President and CEO shall ensure that all requests for information shall be acted upon within fifteen (15) days from the receipt of the complete FOI Request Form. However, JHMC reserves the right to extend the fifteen-day period when the information requested requires extensive search of official records under its control and custody, examination of voluminous records, the occurrence of fortuitous events and other analogous cases.

5.3 ASSESSMENT OF THE FOI REQUEST BY THE LEGAL DEPARTMENT AND SUBMISSION OF ITS RECOMMENDATION

5.3.1 Upon receipt of the complete FOI Request Form, the Receiving Officer shall, within the day of receipt, submit the same to the Legal Department for assessment of the FOI Request.

5.3.2 The Legal Department shall, within three (3) days following the receipt of the FOI Request Form, submit its assessment with its recommendation to the President and CEO (PCEO).

5.4 APPROVAL OR DENIAL OF THE FOI REQUEST.


5.4.1 The PCEO shall, within three (3) days following the receipt of the assessment made by the Legal Department, APPROVE or DENY the FOI Request.

5.4.2 If the FOI Request is APPROVED, the PCEO shall direct the *FDM* to locate, retrieve and reproduce the information requested and submits the

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same to the Receiving Officer within five (5) days following the receipt of the approval of the FOI Request.

The *FDM* may request for additional time to submit the information requested from the PCEO.

Upon approval of the request for additional time to submit the information requested, the *FDM* shall inform the Receiving Officer who shall likewise notify the Requesting Party.

All request for additional time to submit the information requested by the *FDM* shall be allowed once only.

- 5.4.3 However, if the FOI Request is DENIED, the PCEO shall issue a Notice of Denial stating the grounds thereof. The Receiving Officer shall transmit the same to the Requesting Party.

The FOI Request shall be denied when the information falls under or is covered by the following:

- a. Inventory of exceptions approved by the Office of the President of the Republic of the Philippines;
- b. Exceptions provided in the Constitution, existing laws and jurisprudence;
- c. Personal and sensitive information pursuant to the Data Privacy Act (R.A. No. 10173);
- d. Information which were already subject of an identical or substantially similar request by the same Requesting Party and which were previously granted or denied;
- e. Information requested is already publicly available on-line;
- f. The information requested does not exist or cannot be found; and
- g. Information requested refer to a third party or other official repository or custodian of the information requested.


5.5 RELEASE OF THE INFORMATION REQUESTED OR THE NOTICE OF DENIAL

- 5.5.1 Within the day of the receipt of the information from the *FDM*, the Receiving Officer shall release the same to the Requesting Party upon payment of the required fees.

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JHMC reserves the right to deny the release of the information requested if the Requesting Party fails or refuses to pay the required fees.

5.5.2 Within the day of the receipt of the Notice of Denial from the PCEO, the Receiving Officer shall release the same to the Requesting Party.

5.6 REMEDIES IN CASE OF DENIAL OF THE FOI REQUEST

5.6.1 MOTION FOR RECONSIDERATION (MR)

Should the Requesting Party disagree with the denial of his/her FOI Request, he/she may move for its reconsideration within ten (10) days from receipt of the Notice of Denial.

5.6.2 APPEAL TO THE OFFICE OF THE DEPARTMENT OF JUSTICE (DOJ) SECRETARY

In case JHMC affirms its original action and denies the Requesting Party's MR, the denial of such motion may be appealed to the Office of the Department of Justice (DOJ) Secretary within fifteen (15) days from receipt of the denial of the MR.

5.7 PAYMENT OF REQUIRED FEES


JHMC shall not charge any fee for accepting request for information. However, JHMC shall charge the following fees to reimburse the necessary and actual costs of reproduction and/or photocopying the requested information:

Nature of the Information	Fees
Records, documents, papers, reports, letters, contracts, minutes/transcript of meetings, books, data, research materials.	Php3.00 per page plus an additional Php5.00 per page if the Requesting Party requested for certified copy of the original.
Photographs, sound and video recordings, computer stored data, electronic data, maps, electronic data, other similar data or materials.	Actual cost of the reproduction of the information.

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6.0 REPORTORIAL REQUIREMENT AND PUBLICATION

JHMC through the Receiving Officer shall submit to the FOI-Project Management Office (foi.pco@gmail.com) an Annual Report on the number of information request received, the nature of information requested and the disposition of such request. The said report shall also be posted in the JHMC website and shall regularly be updated.


7.0 JHMC FOI FOCAL PERSONS

JHMC FOI Focal Persons	Office/ Department/ Division/ Unit	Location	Contact Details
Receiving Officers			
a. <i>Information and Communications Technology Manager</i>	<i>Information and Communications Technology Division</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
b. <i>Information and Communications Technology Officer</i>	<i>Information and Communications Technology Division</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
c. <i>Records Management Specialist</i>	<i>Information and Communications Technology Division</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
FOI Decision Makers			
a. <i>Administrative Services Manager</i>	<i>Administrative Services Department</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
b. <i>Human Resource Manager</i>	<i>Administrative Services Department</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
c. <i>Finance Manager</i>	<i>Finance Services Department</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
d. <i>Environment and Assets Management Manager</i>	<i>Environment and Assets Management Department</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360

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JHMC FOI Focal Persons	Office/ Department/ Division/ Unit	Location	Contact Details
e. <i>Business Development Manager</i>	<i>Business Development Department</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
f. <i>Legal Manager</i>	<i>Legal Department</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
g. <i>Corporate Planning Manager</i>	<i>Office of the PCEO</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
h. <i>Safety and Security SSD Manager</i>	<i>Safety and Security Department</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
i. <i>Special Economic Zone Administration Manager</i>	<i>Special Economic Zone Administration Department</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
j. <i>Vice President and Chief Operating Officer (VPCOO)</i>	<i>Office of the VPCOO</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360
k. <i>President and Chief Executive Officer (PCEO)</i>	<i>Office of the PCEO</i>	<i>JHMC Bldg., JHSEZ, Camp John Hay</i>	(074) 422-4360


8.0 ATTACHMENTS

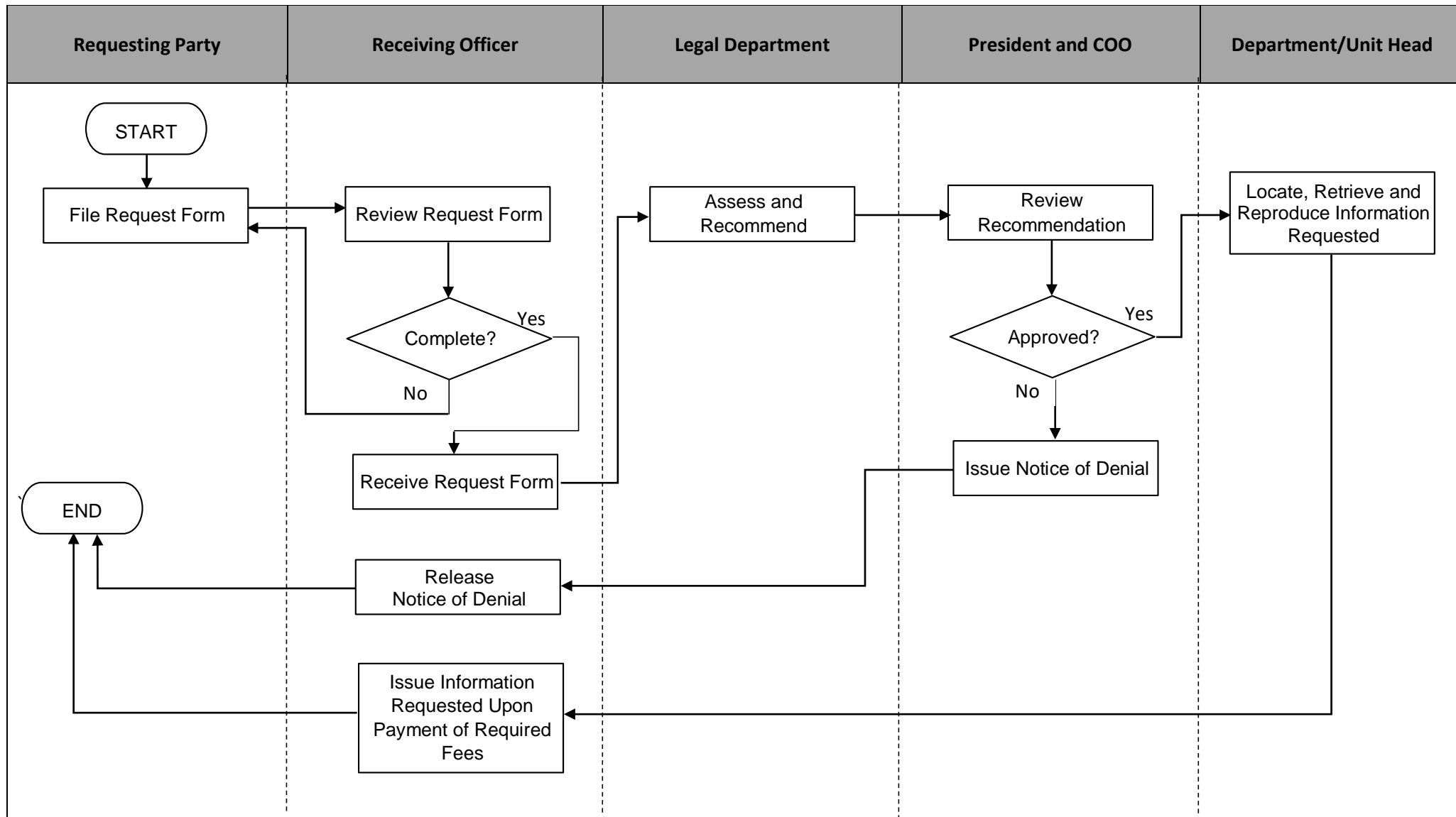
- Annex A - Flowchart
- Annex B - FOI Request Form

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FREEDOM OF INFORMATION REQUEST FORM

IMPORTANT – Please read this information carefully before you complete the FOI request form. Once you have completed your request, we **strongly advise** that you keep a copy for your records.

What is Executive Order No.2 s. 2016?

On July 23, 2016, President Rodrigo Roa Duterte signed Executive Order No. 2, also known as the Freedom of Information (FOI) Executive Order (EO). It upholds the constitutional right of people to information on matters of public concern.

The Executive Order covers all government offices under the Executive Branch, including government-owned or -controlled corporations (GOCCs) and state universities and colleges (SUCs). It requires all executive departments, agencies, bureaus, and offices to make public records, contracts, transactions and any information requested by a member of the public, except for sensitive information and matters affecting national security.

What is Freedom of Information?

The FOI EO is an important enabling mechanism to promote transparency in the government's administrative process. Through FOI, citizens are empowered to make a formal request to get information held by the government, barring certain sensitive and important data related to the nation's security. The FOI complements continuing proactive information disclosure efforts where agencies are duty-bound to publish information in the spirit of openness and transparency.

Freedom of Information is an integral element of President Duterte's Good Governance Plan aligned to reforms and initiatives that pursue greater transparency, accountability, and citizen participation in governance.

Who is overseeing the implementation of FOI Executive Order No. 2?

The Presidential Communications Operations Office (PCOO) is over-seeing the implementation and operationalization of the FOI program. PCOO is also responsible for monitoring compliance and performance of all government agencies.

MAKING AN FOI REQUEST

Who can make an FOI request?

Under the FOI EO, any Filipino citizen can make an FOI request. As a matter of policy, requesting parties are required to present proof of identification (e.g., passport, driver's license, SSS ID, voters ID) in the submission of an FOI request.

Which agencies can I request information from?

An FOI request can be made to any government office under the Executive Branch, including but not limited to the national government and all its offices, departments, bureaus, offices, and instrumentalities, including government-owned or controlled corporations, and state universities and colleges.

What is the procedure for making a valid FOI request?

To make a valid request, you must:

- Place your request in writing. Ensure to state your full name, contact information and provide a valid copy of your government-issued ID as proof of your identity. You can use the attached form or send a letter detailing your request submitted directly to the concerned agency or by email;
- Describe in detail the documents you wish to access; and
- Include the preferred mode of communication in order to be alerted about the status of your request, as well the preferred mode of receiving the documents, should your request be granted.

What information can I request for through FOI?

Information, official records, public records, documents, and papers pertaining to official acts, transactions or decisions, as well as to government research data used as basis for policy development, subject to exceptions necessary to protect essential public or private interest.

Is there an online alternative to making an FOI request?

You may choose to fill out an online application on foi.gov.ph after signing up for an account. You will also need to upload a valid copy of your government-issued ID upon registration.

FEES

How much does it cost to make an FOI request?

There are **NO FEES** for making an FOI request. An agency however, may charge a reasonable fee for necessary costs associated with processing a request - including costs of printing, delivery, reproduction and/or photocopying.

NOTE: Use of this FOI request form is optional. Any written format for a Freedom of Information request is acceptable.

PROCESSING TIMES

When can I expect to receive a response to an FOI request?

Under the FOI EO, the standard processing time is fifteen (15) working days. During this time, you will be contacted regarding your FOI request through your preferred mode of communication.

If your request is granted, you can expect to receive the documents either through regular mail or email, or be requested to collect the documents at the office you had applied to. Otherwise, the agency will explain why your request is delayed or denied.

Can an agency request for a time extension?

In some cases, an agency may need more time to review your request and thereby inform you of an extension of processing period. Under such circumstances, an agency is permitted to extend an additional twenty (20) working days should the need arise.

Can I have my request expedited?

There is no process by which requests can be expedited. All requests will be reviewed equally on a case-by-case basis and allotted the fifteen (15) working day processing period from the time of receipt.

COMPLAINTS HANDLING

What if you are not happy with how the agency has handled your request?

Denial of any request for access to information may be appealed to the person or office next higher in the authority, following the procedure indicated in the Agency FOI Manual; provided that the written appeal must be filed by the same person making the request within fifteen (15) calendar days from the notice of denial or from the lapse of the relevant period to respond to the request.

The appeal will 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.

Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate case in the proper courts in accordance with the Rules of Court.

IMPORTANT INFORMATION

Privacy

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 agency gives you access to a document, and if the document contains no personal information about you, the document may be published online in the 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.

Copyright

According to Sec. 176.1 of the Intellectual Property Code of the Philippines (RA No. 8293, as amended), No copyright shall subsist in any work of the Government of the Philippines. However, prior approval of the government agency or office wherein the work is created shall be necessary for exploitation of such work for profit. Such agency or office may, among other things, impose as a condition the payment of royalties. No prior approval or conditions shall be required for the use of any purpose of statutes, rules and regulations, and speeches, lectures, sermons, addresses, and dissertations, pronounced, read or rendered in courts of justice, before administrative agencies, in deliberative assemblies and in meetings



FREEDOM OF INFORMATION REQUEST FORM

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

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

◀

8. Preferred Mode of Communication

☐ Landline

☐ Mobile Number

☐ Email

☐ Postal Address

(If your request is successful, we will be sending the documents to you in this manner.)

9. Preferred Mode of Reply

☐ Email

☐ Fax

☐ Postal Address

☐ Pick-Up at Agency

10. Type of ID Given *(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

11. Agency - Connecting Agency
(if applicable)

◀

◀

12. Title of Document/Record Requested
(Please be as detailed as possible)

◀

13. Date or Period *(DD/MM/YY)*

◀

14. Purpose

◀

15. Document Type

◀

16. Reference Numbers *(if known)*

◀

17. Any other Relevant Information

◀

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 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 process my application.

Signature

◀

Date Accomplished (DD/MM/YYYY)

◀

D. FOI Receiving Officer [INTERNAL USE ONLY]

Name (Print name)

◀

Agency - Connecting Agency (if applicable, otherwise N/A)

◀

◀

Date entered on eFOI (if applicable, otherwise N/A)

◀

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

☐ 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

Second Receiving Officer Assigned (print name)

◀

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)

◀