



Philippine Trade Training Center
Freedom of Information
Manual



FREEDOM OF INFORMATION
(FOI) MANUAL



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WHEREAS, The Philippine Trade Training Center (PTTC) of the Department of Trade and Industry (DTI) strengthens its commitment to re-lease information in its control involving public interest, subject to limitations as provided by the Constitution, applicable laws, rules, regulations and procedures;

WHEREAS, it is the policy of the Philippine Trade Training Center to uphold the right to freedom of information and the implementation of public disclosure of its transactions involving public interest;

WHEREAS, pursuant to Executive Order (EO) No. 02 (s.2016) entitled “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 Therefor,” the Philippine Trade Training Center hereby issues its People’s Freedom of Information (FOI) Manual, as follows:

Section 1. Overview

Purpose

The purpose of this Freedom of Information (FOI) Manual is to guide the public in requesting for information from the Philippine Trade Training Center of the Department of Trade and Industry (DTI) as prescribed Executive Order (EO) No. 2 (s. 2016).

Policy Statement

In line with the constitutional mandate upholding the right to freedom of information and implementation of full public disclosure of all its transactions involving public interest, PTTC is committed to release information to the public involving public interest, subject to limitations as provided by the Constitution, applicable law, rules, regulations, and procedures, such as Republic Act (RA) No. 10173, otherwise known as the “Data Privacy Act,” and the List of Exceptions approved by the Office of the President, among others.



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Section 2. Scope

This Manual includes the following information:

- 2.1. The rules and procedures on the following:
 - a) Receipt of Request for Information (Annex A-1)
 - b) Appeal for Request for Information (Annex A-2)
- 2.2. FOI Request Form (Annex B)
- 2.3. List of Exceptions (Annex C)

Section 3. Coverage

This Manual covers all requests for information directed to the Philippine Trade Training Center of the Department of Trade and Industry.

Section 4. Duties and Responsibilities

The Philippine Trade Training Center shall designate a FOI Receiving Officer (FRO).

FOI Receiving Officer (FRO)

The FRO shall, among others, perform to:

- Receive on behalf of PTTC all requests for information and facilitate such requests;
- 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 PTTC) as may be appropriate; and
- Provide assistance in ensuring all requests are responded to within the prescribed time.



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FRO at PTTC

The designated FOI Receiving Officer (FRO) at the PTTC is the Public Assistance and Complaint Desk (PACD) **Officer of the Day**, with the following address:

The Public Assistance Complaint Desk (PACD)

Ground Floor, PTTC Building
Sen. Gil Puyat Avenue corner Roxas Blvd.,
Pasay City, 1300, Philippines

Email address: pacd@pttc.gov.ph and od@pttc.gov.ph

Telephone Numbers: 02-263-7961

Section 5. Guidelines on the Request for Information

All requests for information must be guided as follows:

- Request must be in writing and filled up using the prescribed **FOI Request Form** (See Annex B).
- Requests may be also be coursed through email. A copy of the **FOI Request Form** can be downloaded at www.dti.gov.ph/foi or at www.pttc.gov.ph. The completely filled up form should be sent to pacd@pttc.gov.ph, od@pttc.gov.ph, and foi@dti.gov.ph
- Requests whether in writing or email must contain the **name and contact information** of the requesting party and be submitted with an **acceptable proof of identification** (i.e government ID with photo).
- 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 to the concerned FRO, which the FRO shall put in writing using the prescribed form, to be signed by the requesting party.



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Section 6. Standard Procedure

Receipt of Request for Information

- a) The requesting party shall fill up and submit the FOI Request Form to PTTC and or to the DTI Central office.
- b) The request shall be stamped received by PTTC, indicating the date and time of the receipt of the written request.
- c) The requesting party must expect a response from PTTC within **fifteen (15) working days** 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.
- d) Should the requested information need further details to identify or locate, the fifteen (15) working days will commence the day after it receives the required clarification from the requesting party. In such cases, the requesting party shall be informed by PTTC.

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 requesting party shall be informed by the PTTC.

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

Notifying the Requesting Party of the Approval/Denial of the Request

Once the PTTC approves or denies the request, the requesting party shall be notified by PTTC either in writing or email.



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Approval of Request

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

Denial of Request

In case of denial of the request wholly or partially, the requesting party shall be notified by PTTC, within the prescribed period, 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.

Section 7. Remedies in case of Denial

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

- A written appeal must be filed by the requestor within fifteen (15) days from the receipt of the notice of denial
- The request for appeal must be addressed to and contain the subject FOI:

The Public Assistance Complaint Desk (PACD)

Ground Floor, PTTC Building
Sen. Gil Puyat Avenue corner Roxas Blvd.,
Pasay City, 1300, Philippines

Attention: The Executive Director
Philippine Trade Training Center

Subject: FOI Appeal

The appeal shall be decided within **thirty (30) working days** from the filing of said written appeal. The decision of the appeals authority shall be final.

The requesting party may file a case in the proper courts upon exhaustion of administrative remedies.



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Section 8. Fees

The requesting party shall not be charged with any fee for submitting requests for access to information.

Section 9. Administrative Liability

Revised Rules on Administrative Cases in the Civil Service (RRACS) Promulgated on November 18, 2011 under the Schedule of Penalties in Rule 10, Section 46, Sub-section F no. 3 states the penalties in the “violation of reasonable office rules and regulation”.

Non-compliance to the implementation of the Manual on Freedom of Information by the Philippine Trade Training Center is deemed as a violation of the reasonable office rules and regulations. The Head of Agency of the PTTC shall create an AD HOC Committee to determine the liability of its staff for non-compliance in the implementation of the agency's FOI Manual. The liability will be as follows: first offense is reprimand; second offense is a one (1) day to six (6) months suspension, and the third offense is dismissal from service.

Section 10. Effectivity

This order takes effect immediately

Signed on the 11th day of August, year 2017.

(Sgd.) NESTOR P. PALABYAB, CESO III
Executive Director-PTTC



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Annexes

A – Flow Charts

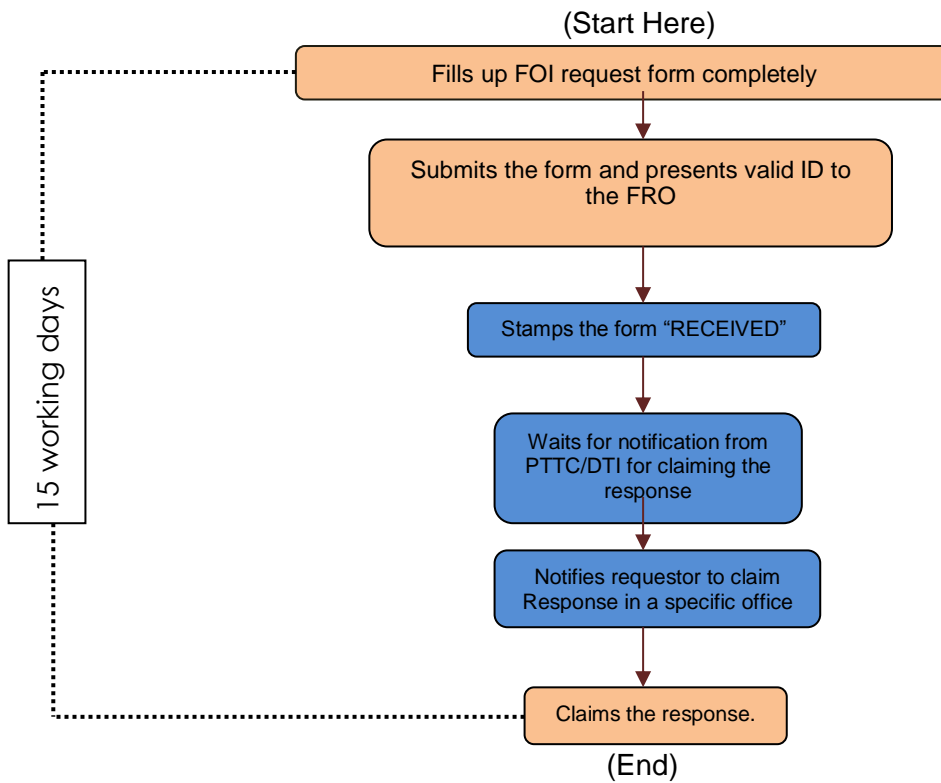
- FOI Request Flow Chart (Annex A -1)
- FOI Appeal Process (Annex A -2)

B- FOI Request Form

C – Exceptions to Right of Access to Information



Annex A- 1 FOI Request Flow Chart



Legend:

- Requesting Party
- FOI Receiving Officer (FRO)

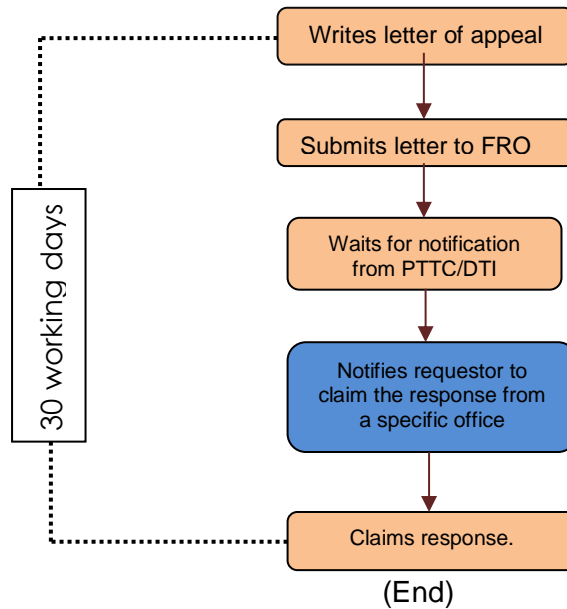


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Annex A – 2
FOI Appeal Process

(Start Here)



Legend:

- Requesting Party
- FOI Receiving Officer (FRO)



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Annex B
FOI Request Form



PORMULARYO NG KAHILINGAN (FOI)
FOI Request Form

TITULO NG DOKUMENTO / (Title of the Document): _____

MGA TAON / PANAHONG SAKLAW / (Year): _____

LAYUNIN/(Purpose): _____

PANGALAN / (Name): _____ CONTACT No/s: _____

LAGDA / (Signature): _____ PETA/ (Date): _____

TIRAHAN / (Address): _____

KATIBAYAN NG PAGKAKAKILANLAN / (Proof of Identity):

Passport No: _____

Driver's License: _____

School/ Company ID: _____

Others: _____

PARAAN NG PAGTANGGAP NG IMPORMASYON / (How would you like to receive the information?):
(Lagyan ng tsek)

_____ E- mail (E-mail address : _____)

_____ Fax (Fax No. : _____)

_____ Mail (Mailing address: _____)

_____ Pick – up (Preffered time within office hours: _____)

Gawaing itinalaga kay: _____
(Submitted to) (Lumagda sa ibaba ng pangalang nakalimbag)

Petsa/ Oras ng Pagkatalaga: _____
(Date / Time of Submission)

Taong nagpapatunay ng Gawaing Natapos: _____
(Certified by) (Lumagda sa ibaba ng pangalang nakalimbag)

Uri ng isinagawang aksiyon: _____
(Type of action conducted)

Iniskedyul ni / (Received by):

FOI Receiving Officer

Remarks:



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Exceptions to Right of Access to Information

For the guidance of all government offices and instrumentalities covered by EO No. 2 (s. 2016) and the general public, the following are the exceptions to the right of access to information, as recognized by the Constitution, existing laws, or jurisprudence:

1. Information covered by executive privilege;
2. Privileged information relating to national security, defense, or international relations;
3. Information concerning law enforcement and protection of public and personal safety;
4. Information deemed confidential for the protection of the privacy of persons and certain individuals such as minors, victims or crimes, or the accused.
5. Information documents or records known by reason of official capacity and are deemed as confidential, including those submitted or disclosed by entities to government agencies, tribunals, boards or officers, in relation to the performance of their functions, or to inquiries or investigation conducted by them in the exercise of their administrative, regulatory, or quasi – judicial power;
6. Prejudicial premature disclosure;
7. Records of proceedings or information from proceedings which, pursuant to law or relevant rules and regulations, are treated as confidential or privileged.
8. Matters considered confidential under banking and finance laws, and their amendatory laws; and
9. Other exceptions to the right to information under laws, jurisprudence, rules, and regulations.

Source: Memorandum from the Office of the Executive Secretary with subject: Inventory of Exceptions to Executive Order No.2 (s. 2016), release 24 November 2015.