



Bank deposit mo, protektado!

Office Circular No. 2021-186

TO : **All Concerned Units**

FROM : **The President and CEO**

SUBJECT : **PDIC Revised Freedom of Information (FOI) Manual**

DATE : **5 November 2021**

Please be informed that pursuant to the authority¹ granted by the PDIC Board of Directors to the PDIC President to approve subsequent amendments to the FOI Manual as may be necessary to further enhance the services of the Corporation, and consistent with the objectives of Executive Order (E.O.) No. 2, s. 2016, the undersigned approved the following amendments to the PDIC Freedom of Information (FOI) Manual & Implementing Details:

- 1) Updating the Inventory of Exceptions to the Right to Access of Information Under E.O. No. 2, s. of 2016 (Memorandum Circular No. 89) found in Annex "B"; and
- 2) Updating the list of the FOI Decision Makers and their corresponding contact details in Annex "I."



Digitally signed
by Tan Roberto
Buan
Date: 2021.11.09
18:14:42 +08'00'

ROBERTO B. TAN

Attachment: Revised FOI Manual and its Annexes

¹ Per Board Resolution No. 2016-11-188.

PHILIPPINE DEPOSIT INSURANCE CORPORATION

3rd - 10th Floor SSS Bldg., 6782 Ayala Ave. corner V.A. Rufino St., Makati City 1226 Philippines
Tel. No.: (632) 841-4630 to 31 | Toll Free: 1-800-1-888-7342 or 1-800-1-888-PDIC
Email: pad@pdic.gov.ph | Website: www.pdic.gov.ph



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Office Circular No. 2019 - 149

TO : **All Concerned Units**

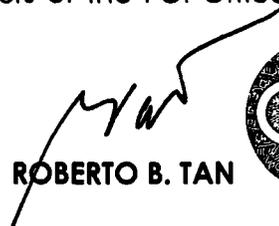
FROM : **The President and CEO**

SUBJECT : **PDIC Revised Freedom of Information Manual**

DATE : **26 November 2019**

Please be informed that the following amendments to the PDIC Freedom of Information (FOI) Manual & Implementing Details were approved by the undersigned, pursuant to the authority¹ granted by the PDIC Board of Directors to the PDIC President to approve subsequent amendments to the FOI Manual as may be necessary to further enhance the services of the Corporation, consistent with the objectives of Executive Order No. 2, s. 2016:

- a) Updating of the PDIC logo and tagline on the cover;
- b) Revision of the fax number in Section G.3 to the new 8-digit number;
- c) Change of the word "Chairman" to "Chairperson" in Section G.6;
- d) Revision of the telephone and fax numbers in step b.2 of Annex "C" to the new 8-digit numbers;
- e) Revision of the telephone number indicated in Annex "D" to the new 8-digit number;
- f) Revision of the fax number indicated in Annexes "F" and "G" to the new 8-digit number; and
- g) Updating of the telephone and fax numbers of the FOI Officers in Annex "I" to the new 8-digit numbers.


ROBERTO B. TAN



Attachment: Revised FOI Manual and its Annexes

¹ Per Board Resolution No. 2016-11-188.



PHILIPPINE DEPOSIT INSURANCE CORPORATION

Office Circular No. 2017-122

TO : **All Concerned Units**

FROM : **The President**

SUBJECT : **PDIC Revised Freedom of Information Manual**

DATE : **19 October 2017**

Please be informed that the following revisions to the PDIC Freedom of Information (FOI) Manual & Implementing Details were approved by the undersigned on 13 September 2017, pursuant to the authority granted by the Board of Directors to the PDIC President to approve subsequent amendments to the FOI Manual as may be necessary to further enhance the services of the Corporation consistent with the objectives of EO No. 2, s. 2016:

- a. Designation of FOI Champion, Decision Maker/s, and Receiving Office/Officer pursuant to FOI Memorandum Circular (MC) No. 01, s. 2016 (Sections C.1 to C.3, Annex "I", FOI Manual);
- b. Inclusion of a List of FOI Receiving Officers and Contact Details (Annex "I"); and
- c. Simplification of the procedure for requesting Statement of Assets Liabilities and Net Worth (SALN) to the effect that the Corporation may already grant such requests and need not refer them to the Office of the President or the Civil Service Commission, subject to the submission of an Undertaking together with the Request Form (Sections E.4 and F.1, Annex "D-1").

All units concerned are directed to comply strictly with the guidelines and procedures in the revised FOI Manual, which is already posted in the Transparency Seal of the PDIC website.


ROBERTO B. TAN

Attachment: Revised FOI Manual and its Annexes



PHILIPPINE DEPOSIT INSURANCE CORPORATION

Office Circular No. 2016-153

TO : All Concerned Units
FROM : The President
SUBJECT : PDIC Freedom of Information Manual
DATE : November 25, 2016

Please be informed that the Board of Directors has approved on November 23, 2016 the Corporation's Freedom of Information Manual & Implementing Details (FOI Manual) per Board Resolution No. 2016-11-188. The FOI Manual is already posted in the PDIC website (www.pdic.gov.ph).

The FOI Manual was prepared in compliance with Executive Order No. 2 (EO 2) issued by President Rodrigo Roa Duterte on July 23, 2016 directing all government offices in the Executive Branch to formulate their respective implementing details, and DOF Memorandum dated 10 August 2016 mandating the preparation, issuance, and publication of a People's FOI Manual by all DOF attached agencies consistent with the requirements set forth by EO 2.

All units concerned are directed to comply strictly with the guidelines and procedures in the FOI Manual.


CRISTINA Q. ORBETA

Date: NOV 25 2016

Attachment:

[FOI Manual and its Annexes](#)



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FREEDOM OF INFORMATION (FOI) MANUAL & IMPLEMENTING DETAILS

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PDIC PEOPLE'S FREEDOM OF INFORMATION MANUAL & IMPLEMENTING DETAILS

SECTION A. OBJECTIVES

Pursuant to Sections 8 and 16 of Executive Order No. 2, Series of 2016 (*Annex "A"*) 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 Deposit Insurance Corporation ("Corporation") issues this People's Freedom of Information Manual & Implementing Details which shall serve as a guide for the public in accessing public records of the Corporation.

This Manual shall provide the guidelines and procedures for requesting access to public records of the Corporation, disposition of such requests, appeal from a denial for access to information, and applicable forms.

SECTION B. COVERAGE

This Manual shall cover requests for access to public records and to documents and papers pertaining to official acts, transactions or decisions, government research data used as basis for policy development.

However, information that is exempted from disclosure under the Constitution, existing law or jurisprudence, including the inventory of exceptions circularized by the Office of the President of the Philippines and those excluded herein shall not be made accessible to the public.

SECTION C. DEFINITION OF TERMS

1. FOI Champion¹ - The President, as the head of the Corporation, shall act as the FOI Champion who shall be in charge of promoting and overseeing the Corporation's compliance with Executive Order No. 2, series of 2016.
2. FOI Decision Maker/s² - The Sector Heads shall act as the FOI Decision Makers of the Corporation. The FOI Decision Maker shall grant or deny the request for access to information based on the provisions of this Manual.
3. FOI Receiving Office/Officer³ - The Public Assistance Department (PAD) shall be the FOI Receiving Office and the Department Manager of PAD shall act as the FOI Receiving Officer of the Corporation. The FOI Receiving Office/Officer shall have the primary responsibility of

¹ See Annex "I" for the Directory of FOI Officers.

² *Ibid.*

³ *Ibid.*

receiving requests for access to information and shall also have the following duties and functions:

- a. Monitor all FOI requests and appeals;
 - b. Provide assistance and support to the public, FOI Champion, FOI Decision Makers and staff with regard to FOI requests;
 - c. Prepare quarterly submissions of the Standard FOI Registry Sheet⁴; and
 - e. Conduct initial evaluation of FOI requests and to [1] request for additional information as provided under Sections F(3), [2] inform the requesting party that the information being requested is already disclosed in the official website of the Corporation, or [3] advise the requesting party that the request will be forwarded to the responsible unit and ultimately to the concerned FOI Decision Maker for screening, evaluation, and response.
4. Information - 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 the Corporation pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by the Corporation.⁵
 5. Official record/records - information produced or received by the Corporation in an official capacity or pursuant to a public function or duty.⁶
 6. Personal information - any information, whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.⁷
 7. Public record/records - include information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by the Corporation.⁸

For purposes of this Manual, public record/records shall pertain to records prepared, produced and executed in an official capacity of which the Corporation has official custody, and may be made publicly available by the Corporation. It shall exclude information or records

⁴ Sec. 2, FOI M.C. No. 5, s. 2017.

⁵ Sec. 1(a), E.O. 2 s. 2016.

⁶ Sec. 1(b), E.O. 2 s. 2016.

⁷ Sec. 3 (l), Rule 1, Rules and Regulations implementing Republic Act 10173 known as the "Data Privacy Act of 2012" (R.A. 10173 –IRR)

⁸ Sec. 1(c), E.O. 2 s. 2016, as modified for the purpose of this Manual.

prepared, produced and executed by third parties even if the same are received or kept by the Corporation in its official capacity.

SECTION D. BASIC PRINCIPLES

1. The Corporation adopts the State policy of full public disclosure of all its transactions involving public interest, subject to reasonable conditions prescribed by law.⁹
2. The Corporation recognizes the Constitutional right of the people to information on matters of public concern¹⁰ which is a recognition of the fundamental role of free and open exchange of information in a democracy, meant to enhance transparency and accountability in government official acts, transactions, or decisions.¹¹
3. The Corporation shall provide full protection to the right of privacy of individuals while ensuring the free flow of information to promote innovation and growth.¹²
4. The Corporation upholds the policy that access to information shall be denied when the information falls under the exceptions enshrined in the Constitution, existing laws and jurisprudence.¹³

SECTION E. GUIDELINES

1. Any person may request for access to public records and to documents and papers pertaining to official acts, transactions or decisions, government research data used as basis for policy development.¹⁴ Persons requesting for information which are already made available by the Corporation in its website shall immediately be directed to obtain the information from www.pdic.gov.ph.
2. A Request for access to information shall be denied or refused acceptance on any of the following grounds:
 - a. when the information is not considered as part of the public records of the Corporation;
 - b. when information is subject of a pending case, in which instance, request for information may be coursed through the courts;
 - c. when the reason for the request is contrary to law;¹⁵

⁹ Article 28, Article II of the 1987 Constitution.

¹⁰ Sec. 7, Article III of the 1987 Constitution.

¹¹ Preamble, E.O. 2, s. 2016.

¹² Preamble, E.O. 2, s. 2016.

¹³ Sec. 4, E.O. 2, s. 2016.

¹⁴ Sec. 3, E.O. 2, s. 2016.

¹⁵ Sec. 9 (a), E.O. 2, s. 2016.

- d. when the same is considered as personal information subject to protection as provided under Section E (3);
 - e. when the request is unreasonably identical or substantially similar to an earlier request by the same person that has been acted upon by the Corporation.¹⁶
 - f. when the information falls under any of the exceptions enshrined in the Constitution, existing law or jurisprudence, including the inventory of exceptions circularized by the Office of the President of the Philippines as determined to be applicable to the Corporation (Annexes "B" and "B-1").¹⁷
3. In accordance with the provisions of Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012" and its Implementing Rules and Regulations, responsible officials shall afford full protection to the right to privacy of the individual as follows:¹⁸
- a. Personal information in the custody or control of the Corporation shall be disclosed or released only if it is material or relevant to the subject-matter of the request and its disclosure is permissible under existing law, rules or regulations;
 - b. Personal information in the custody or control of the Corporation shall be protected by making reasonable security arrangements against leaks or premature disclosure of personal information which unduly exposes the individual whose personal information is requested, to vilification, harassment or any other wrongful acts;
 - c. Any employee, official or director of the Corporation who has access, authorized or unauthorized, to personal information in the custody of the Corporation, must not disclose any information except when authorized under existing laws, rules or regulation.
 - d. In all instances, the Corporation shall adhere to the provisions of R.A. 10173 and other laws, rules and regulations protecting personal information and the right to privacy.
4. Requests for the Statement of Assets Liabilities and Net Worth (SALN) may be granted by the Corporation in accordance with R.A. No. 6713 and other pertinent laws. Except for name, personal information will be blackened. The employee or director concerned shall be informed of any requests for his/her SALN.

¹⁶ Sec. 11, E.O. 2, s. 2016.

¹⁷ Sec. 4, E.O. 2, s. 2016,

¹⁸ Sec. 7, E.O. 2, s. 2016.

5. The FOI Receiving Office/Officer of the Corporation shall provide reasonable assistance, free of charge, to enable all requesting parties and particularly those with special needs, to comply with the requirements under Sections F(1), F(2) and F(3).¹⁹

SECTION F. PROCEDURES ²⁰

1. Any person who requests access to information shall prepare a written request duly notarized and signed by the requesting party which shall state the following:²¹
 - a. Name and contact information, including complete mailing address, email and phone numbers;
 - b. Description/details of the information requested; and
 - c. Reason for, or purpose of, the request for information.

A Request Form (*Annex "D"*) may be used for this purpose, which is available from the Public Assistance Center (PAC) or may be downloaded from the website of the Corporation. For requests for SALN, an Undertaking from the requesting party (*Annex "D-1"*) shall be attached and made an integral part of the Request Form.

2. The written request or Request Form shall be accompanied by a valid government-issued proof of identification with photo and signature, and notarized authorization, as applicable, and shall be submitted to the Corporation via personal delivery or mail to the FOI Receiving Office/Officer:²²

The Department Manager
Public Assistance Department (PAD)
Philippine Deposit Insurance Corporation
3/F SSS Building, 6782 Ayala Avenue corner V.A. Rufino St.
Makati City 1226

3. The Corporation may request for additional information for validation of information provided under Section F(1) and the proof of identification or authorization under Section F(2).
4. Requests received by personal delivery shall be stamped "RECEIVED", indicating the date and time of receipt and the name, rank, title and position of the receiving personnel of the FOI Receiving Office with the corresponding signature, and a copy thereof furnished to the requesting party.²³ An acknowledgment letter shall be sent to the requesting party if the request is sent by mail.

¹⁹ Sec. 9 (b), E.O. 2, s. 2016.

²⁰ See Annex "C" for the Process Flow.

²¹ Sec. 9 (a), E.O. 2, s. 2016.

²² Sec. 8 (a), E.O. 2, s. 2016. See Annex "I" for the Directory of FOI Officers.

²³ Sec. 9 (c), E.O. 2, s. 2016.

5. For requests received by the Corporation via other modes (e.g. phone, facsimile, text message, e-mail), requesting parties shall be acknowledged and directed to comply with the requirements under Sections F(1) to F(3).
6. The FOI Receiving Office shall promptly forward the request for access to information to the responsible unit of the Corporation which shall screen, evaluate, and prepare a response to the request. The proposed response shall thereafter be promptly forwarded to the concerned FOI Decision Maker who shall grant or deny the request within fifteen (15) working days from the receipt thereof by the FOI Receiving Office/Officer, provided that it is fully compliant with the requirements of Sections F(1), F(2) and F(3).²⁴
 - a. In case the request is granted, the requesting party shall be notified in writing of such decision together with a statement of the costs of printing, reproduction and other actual costs incurred in the search, examination, retrieval or delivery of the requested information as provided in the Schedule of Fees (Annex "E").²⁵
 - a.1 Payment shall be made at the Cashier at the 3rd floor at the address provided above or may be deposited at any Landbank of the Philippines (LBP) Branch to Account No. 1782-1000-56 prior to the release of the requested information.
 - a.2 The requested information may be claimed at the PAC or may be delivered or sent via e-mail whenever feasible. The requesting party shall be informed when the requested information is ready to be claimed or delivered.
 - b. In case of denial either in whole or in part, the concerned FOI Decision Maker shall issue a Notice of Denial (Annex "F"), which shall clearly set forth the ground or grounds for denial and the circumstances on which the denial is based.²⁶ The notice shall likewise inform the requesting party of his right to appeal, subject to the requirements of Section G.
7. Failure to notify the requesting party of the action taken on the request within the period herein stipulated shall be deemed a denial of the request for access to information.²⁷
8. The period to respond may be extended whenever the information requested requires extensive search of the Corporation's records facilities, examination of voluminous records, or the occurrence of fortuitous events or other analogous cases. The Corporation shall notify

²⁴ Sec. 9 (d), E.O. 2, s. 2016.

²⁵ Sec. 8 (g), 9 (f), 10, E.O. 2, s. 2016.

²⁶ Sec. 12, E.O. 2, s. 2016.

²⁷ Sec. 12, E.O. 2, s. 2016.

the requesting party of the extension, setting forth the reasons for such extension. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.²⁸

9. All requests for access to information shall be duly recorded and monitored by the PAD, in coordination with the responsible unit, to ensure compliance with the periods prescribed for responding to requests and for purpose of recording the hours spent for processing such requests.

SECTION G. ADMINISTRATIVE APPEAL ²⁹

1. Any denial of request for access to information may be appealed to the President of the Corporation, acting as FOI Champion, within fifteen (15) working days from the receipt of the notice of denial or from the lapse of the relevant period to respond to the request.³⁰
2. The appeal shall be filed in writing, duly notarized signed by the same requesting party and shall include the following:
 - a. Date of receipt of the denial or the lapse of the relevant period to respond to the request;
 - b. Copy of the notice of denial; and
 - c. Additional information and/or supporting documents justifying the request or information, addressing the ground or grounds for denial and the circumstances on which the denial is based.

An Appeal Form (*Annex "H"*) available at the PAC may be used for this purpose, which may also be downloaded from the website of the Corporation.

3. Such appeal must be filed by personal delivery or by mail, addressed to the Office of the President of the Corporation, copy furnished the concerned FOI Decision Maker who decided on the request at the following address:

OFFICE OF THE PRESIDENT
Philippine Deposit Insurance Corporation
10/F SSS Building, 6782 Ayala Avenue corner V.A. Rufino St.
Makati City 1226
Fax No. (632) 8841-4809
Email: op@pdic.gov.ph

²⁸ Sec. 9 (e), E.O. 2, s. 2016.

²⁹ See Annex "G" for the Process Flow.

³⁰ Sec. 13 (a), E.O. 2, s. 2016.

4. If filing is made by mail, another copy of the written appeal should be sent within the same day via fax or email to the contact information provided in the preceding paragraph.
5. The appeal shall be acknowledged in writing pursuant to Section F(4).
6. The President of the Corporation shall refer the appeal to the FOI Review Committee which shall be composed of the Heads of the following Sectors of the Corporation: (1) Deposit Insurance Sector (DIS), (2) Legal Affairs Sector (LAS), (3) Corporate Services Sector (CSS), (4) Management Services Sector (MSS), (5) Receivership & Liquidation Sector (RLS) and the Sector Head of the Examination and Resolution Sector (ERS) as Chairperson.
7. The appeal shall be decided by the President of the Corporation within thirty (30) working days from the filing of said written appeal. Failure to decide within the afore-stated period shall be deemed a denial of the appeal.³¹
8. The appeal may be dismissed outright on the following grounds, among others:
 - a. Filing of an appeal beyond fifteen (15) working days from receipt of the notice of denial or lapse of the relevant period; or
 - b. Failure to include the necessary document/information required for the filing of an appeal under Section G(2).
9. 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.

SECTION H. ANNEXES

- | | | | |
|-----|-------------|---|---|
| 1. | Annex "A" | - | Executive Order No. 2, series of 2016 |
| 2. | Annex "B" | - | List of Exceptions (To be provided by the Office of the Executive Secretary) |
| 3. | Annex "B-1" | - | List of Laws and Jurisprudence and other Rules and Regulations on Disclosures |
| 4. | Annex "C" | - | Request for Information Process Flow |
| 5. | Annex "D" | - | Request Form |
| 6. | Annex "D-1" | - | Undertaking (For Requests for SALN) |
| 7. | Annex "E" | - | Schedule of Fees |
| 8. | Annex "F" | - | Notice of Denial Form |
| 9. | Annex "G" | - | Administrative Appeal Process Flow |
| 10. | Annex "H" | - | Appeal Form |
| 11. | Annex "I" | - | Directory of FOI Officers |

³¹ Sec. 13 (b), E.O. 2, s. 2016.