

097.13 DPWH
04.24.2017



20 APR 2017

Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
Manila

DEPARTMENT)
ORDER)

NO. **62**)
Series of 2017)
04.24.17

SUBJECT: Designation of the Freedom of Information (FOI) Receiving Officer (FRO) and FOI Decision Maker (FDM), and Constitution of the Central Appeals and Review Committee (CARC)

For the purpose of ensuring that the people's constitutional right to be informed on matters of public concern is realized, the President issued Executive Order (E.O.) No. 2, Series of 2016. Pursuant thereto, this Department promulgated an FOI Manual to serve as a guide in handling requests for information under the said E.O.

Towards full accomplishment of the noble objectives of E.O. No. 2, Series of 2016 and the FOI Manual, Mr. ANDRO V. SANTIAGO of the Stakeholders Relations Service is hereby designated as the FRO. Accordingly, and as provided under the FOI Manual, the FRO shall:

1. Receive all requests for information and forward the same to the appropriate office which has custody of the pertinent records;
2. Monitor all FOI requests and appeals;
3. Provide assistance and support to the public and to the Department with regard to the implementation of the FOI Manual;
4. Compile statistical information, as required;
5. Conduct the initial evaluation of requests and, thereafter, advise requesting parties whether their requests will be forwarded to the FDM for further evaluation, or denied based on relevant grounds; and
6. Exercise any and all other functions required of him under the FOI Manual.

Immediately after designation, the FRO shall take all the necessary steps to set up an FOI Receiving Office at a conspicuous location on the ground floor of the DPWH Central Office, Bonifacio Drive, Port Area, Manila. To facilitate FOI request reception, the FRO may, at his discretion, deputize personnel in the regional and district offices who shall be authorized to receive FOI requests and to forward the same to the FOI Receiving Office. The FRO may issue such policies, rules, and regulations to govern the operations of the FOI Receiving Office; provided, that the non-issuance of such policies and rules shall not be a ground for inaction on any FOI request.

To cover the costs of processing FOI requests, the FRO shall be responsible for the preparation of a schedule of fees. For this purpose, the FRO may seek inputs from any DPWH office. The FRO must ensure that the fee schedule is publicly available and posted conspicuously at the FOI Receiving Office. All payments related to FOI requests must be issued corresponding official receipts.

Likewise, Atty. JUAN V. TALLION, JR. of the Legal Service is hereby designated as the FDM who shall, among other responsibilities set forth under the FOI Manual, conduct evaluations of FOI requests, and grant or deny the same based on the grounds set forth in the FOI Manual and pertinent laws, rules, and regulations. Decisions of the FDM shall be in written form and shall clearly state the facts of requests, and the basis for the grant or denial thereof.

Also, the CARC, which shall, along with other duties provided under the FOI Manual, evaluate and review decisions of the FDM on FOI requests, as well as provide expert advice to the Secretary, is hereby constituted and shall be composed of the following:

Designation	Designee
Chair	Director ESTRELLA T. DECENA-ZALDIVAR, Legal Service
Vice-Chair	Director ELIZABETH P. PILORIN, Stakeholder Relations Service
Members	Director MA. NIEVA S. DELA PAZ, Information Management Service Assistant Director REYNALDO P. FAUSTINO, Bureau of Research and Standards Engr. MELROSE I. PAILMA, Bureau of Construction Engr. JESUS I. OBA, Bureau of Design Engr. MADELYN B. LOYOLA, Planning Service Engr. MARY GRACE N. OBJA-AN, Procurement Service Ms. MARILOU M. CAMUA, Public-Private Partnership Service Mr. JOSE A. AGUINALDO, Unified Project Management Office

The presence of the Chair or the Vice-Chair, along with six (6) members, shall constitute a quorum. The vote of a majority of those present is required to render a decision.

Within six (6) months from its constitution, the CARC shall promulgate its rules of procedure. In the interim, the CARC shall proceed with the disposition of FOI appeals following such processes as the Chair may determine, with due regard to the objects, spirit, and intents of the FOI Manual, all relevant laws, rules, and regulations, the rights of any person which may be involved, especially those pertaining to privacy and confidentiality, universally accepted practices, and such other considerations that may aid in the judicious resolution of FOI appeals.

The FRO, the FDM, and the Chair of the CARC are hereby directed to coordinate with the Office of the Undersecretary for Legal Affairs and Priority Projects regarding the DPWH's participation in the eFOI platform being administered by the Presidential Communications Operations Office, transitional matters, and all other FOI concerns as may be necessary or desirable for the Department's full compliance with policies on full public disclosure.

In case any FOI officer or CARC member, at any time, determines or encounters any issue or concern not covered by the FOI Manual or other pertinent Department issuances, or any impediment which works against the progressive realization of a full and meaningful FOI culture, the said officer or member shall immediately inform the Office of the Undersecretary for Legal Affairs and Priority Projects of the matter for appropriate action, including the revision of the FOI Manual and the promulgation of supplemental or amendatory issuances.

Nothing herein shall be construed as limiting the duties and responsibilities of FOI officials to the above-mentioned functions according to the objectives of E.O. No. 2, Series of 2016, the FOI Manual, and all other pertinent laws, rules, and regulations on full public disclosure.

The foregoing FOI officials shall exercise their duties and responsibilities until their respective replacements are designated by the Secretary through the issuance of the appropriate memoranda or letters of appointment.

This Order shall take effect immediately.



MARK A. VILLAR

Secretary

Department of Public Works and Highways
Office of the Secretary



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