



FOI

PORO POINT MANAGEMENT CORPORATION
A member of The BCDA Group

December 8, 2017

ATTY. MICHEL KRISTIAN R. ABLAN
Assistant Secretary and FOI Program Director
Presidential Communications Operations Office
Jose P. Laurel Street, San Miguel, Manila
Metro Manila



Dear Atty. Ablan:

This has reference to Executive Order No. 2, s. 2016 requiring all government offices under the Executive Branch, including Government Owned or Controlled Corporations (GOCCs) to prepare its own People's Freedom of Information (FOI) Manual.

In compliance therewith, this is to respectfully submit to you the Poro Point Management Corporation's (PPMC) FOI Manual which was approved by its Board of Directors on January 6, 2017, through Board Resolution No. 2017-01-06.

Copies of said PPMC's FOI and said Board Resolution approving the same are hereto marked and attached as Annexes "A" and "B," respectively.

Thank you.

Very truly yours,


ATTY. FELIX S. RACADIO
President & CEO

Copy furnished:

SAMUEL G. DAGPIN
Chairman, Governance Commission for GOCCs
3/F Citibank Center, Citibank Plaza
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FREEDOM OF INFORMATION (FOI) MANUAL

FOREWORD

PPMC hereby adopts this Manual of People's FOI and enjoins its officers and employees to give utmost consideration in the request for information, records and other papers or documents made by the general public as long as it does not fall in the exemptions and prejudicial to the interest of PPMC and the government as well. PPMC directs its officers and employees to strictly observe and comply with this Manual as adopted and approved by PPMC Board on January 6, 2017 by virtue of Resolution No. 2017-01-03.

ARTICLE 1

Legal Authority

This FOI Manual is issued pursuant to the following:

1. Executive Order No. 2 entitled "Operationalizing in the Executive Branch the People's Constitutional Right to information and the State Policies of Full Disclosure and Transparency in the Public Service and Providing Guidelines therefor".
2. All government offices under the executive branch to prepare and submit their own People's Freedom of Information Manual:
 - (a) The location and contact information of the head, regional, provincial, and field offices, and other established places where the public can obtain information or submit requests;
 - (b) The person or office responsible for receiving requests for information;
 - (c) The procedure for the filing and processing of the request as specified in the succeeding section 8 of this Order.
 - (d) The standard forms for the submission of requests and for the proper acknowledgment of requests;
 - (e) The process for the disposition of requests;
 - (f) The procedure for the administrative appeal of any denial for access to information; and
 - (g) The schedule of applicable fees.

ARTICLE 2

Definition of Terms

- a. "information" shall include all 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 PPMC pursuant to law, executive order, and rules

and regulations or in connection with the performance or transaction governing PPMC.

- b. "official records" defined as "information produced or received by a public officer or employee of PPMC, or by PPMC office in an official capacity or pursuant to a public function or duty";
- c. "public records" shall refer to "information required by laws, executive orders, rules, or regulations to be entered, kept and made publicly available by the PPMC office."

ARTICLE 3

Access to Information, Coverage

- a. Information, official records, public records and documents and papers pertaining to official acts, transactions or decisions, as well as other matters used in corporate governance refer to those produced, received or kept under the control of PPMC except those accessible to other government offices and those published in the PPMC website and mass media
- b. Confidential and privilege information pursuant to laws, rules and regulations, policies and trade secret shall not be disclosed. Confidential information includes but not limited to the following:
 - 1. Any information which would prejudice the business operation or interest of locators in the Zone;
 - 2. Legal matters affecting cases pending in court or quasi-judicial bodies where PPMC is a party litigant;
 - 3. PPMC Board's Resolution and policies formulated and which are deliberated in executive session
 - 4. Personal information affecting the privacy of individual protected by laws, rules and regulations;
 - 5. Other confidential information listed in the provision of exceptions to Executive Order No. 2 s. 2016 published by the Department of Justice and Office of the Solicitor General

ARTICLE 4

Submission of Request

The requesting party shall submit the following:

- a. Written request duly signed with complete address and contact number of the requesting party;
- b. Photocopy of the requesting party's government issued identification card
- c. Details of information, records or document requested

ARTICLE 5
Procedures

Step 1. File a written request in duplicate copy with the Office of the VP for HR and Admin which shall serve as the contact point;

Step 2. Contact point shall endorse the request to the office or officer concerned

Step 3. Evaluation whether to approve or deny the request or extend the period to reply, convey the result to contact points and fees for reproduction, if any.

Step 4. Inform the requesting party of the decision

Step 5. Pay the required fees at the cashier and present the receipt to the officer or office concerned;

Step 6. Release the information desired

ARTICLE 6.
Where and When to File the Request

1. The requesting party shall submit the request to the following contact points:
 - a. Office of the VP for HR and Admin
 - b. Email: poropointfreeportzone@gmail.com Attn: Request for Access to Information
2. The schedule of filing request for information shall be Wednesdays and Fridays only.
3. The contact point shall acknowledge the request by providing a duplicate copy to the requesting party of the written request bearing the signature of the contact point and stamped "received".
4. The request will be referred promptly to the office concerned from receipt of the written request.

ARTICLE 7
Immediate Action on the Request

1. The Office where the request for information is endorsed for appropriate action shall:
 - a. Review the request and determine if access to such information or document is allowed;
 - b. If in the affirmative, transmit the documents and the order of payment to the designated officer concerned.

2. The contact point shall inform the requesting party of the availability of the document within fifteen (15) working days from receipt of the request and release the same upon payment of the fees, if any.
3. All request for follow ups shall be referred to contact point and not to the concerned Office.

ARTICLE 8.

Extension of Time To Respond

1. The Office may extend the fifteen (15) days period to respond the request if the inquiry requires more research of the records in the office, examination of voluminous records, the occurrence of bad weather or analogous cases. In no case shall the extension go beyond twenty (20) working days unless exceptional circumstances warrant a longer period.
2. Upon receipt of the Notice of Extension of Time to Respond from the concerned office, the contact point shall convey the same to the requesting party.

ARTICLE 9

Notice of Denial

1. PPMC Office may deny the request in whole or in part depending on the following:
 - a. The information is not kept, produced or received under the original control of PPMC Office as certified by the records custodian;
 - b. The requested information is available in PPMC website or other government offices or agencies;
 - c. The requesting party had already obtained such information within six (6) months from the date of the previous request;
 - d. The request covers disclosure of confidential information or included under the exceptions pursuant to list prepared and published by the Department of Justice and the Office of the Solicitor General;
 - e. The document has been lost or destroyed and can no longer be reproduced.
2. The Office shall prepare and transmit the Notice of Denial to the contact point which shall in turn inform the decision made to the requesting party with the grounds of denial stated thereof;

3. PPMC shall *motu proprio* refer to the appropriate government office or agency should it be found that the said office or agency is the custodian of the document or request information. This will be indicated in the Notice of Denial which shall be furnished to the requesting party by the contact point.

ARTICLE 10

Service of Notices and Decisions

1. Notice of Extension of Period to Respond shall be transmitted at the earliest time possible through electronic mail and/or registered mail;
2. Notice of Denial and decisions of the Head of Office shall sent to the requesting party through registered mail, private courier or electronic mail at the option of the requesting party;
3. If the request is granted, the contact point shall notify the requesting party through electronic mail or text message of such approval for the latter to pick up the document and payment of required fees, if any.

ARTICLE 11

Remedy in Case of Denial of the Request of Access to Information

1. The requesting party may appeal the denial of the request to access information to the Office of the PPMC President and Chief Executive Officer within ten (10) working days from receipt of the Notice of Denial. The Appeal shall be in writing and shall set forth the reason why the ground cited in the Notice of Denial should be reviewed.
2. The decision of the PPMC President and Chief Executive Officer shall be final and binding to the requesting authority. Failure of the PPMC President to act on the appeal within fifteen 15 working days shall be deemed a denial of the appeal and the contact point shall notify the requesting party of a Notice of Final Decision.

ARTICLE 12

Schedule of Fees

<u>Service</u>	<u>Cost</u>
Photocopy	Php 5.00 per page
Research and Retrieval action	Php 100.00 for documents retrievable within One (1) day plus Php50.00 per additional day