

2018-07-017

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Republic of the Philippines  
Department of Finance  
**BUREAU OF CUSTOMS**  
1099 Manila

**OFFICE OF THE COMMISSIONER**

**MEMORANDUM**

TO : **All Deputy Commissioners  
All District Collectors  
All Division Chiefs  
All Others Concerned**

FROM :   **ISIDRO S. LAPEÑA, PhD, CSEE**  
Commissioner  18-11085  
JUL 09 2018

SUBJECT : **Freedom of Information (FOI) Program Criteria and  
Validation Process for the Eligibility to FY 2018  
Performance-Based Bonus (PBB)**

DATE : June 27, 2018

This is in reference to the implementation of Freedom of Information (FOI) program criteria and validation process for the eligibility to FY 2018 Performance-Based Bonus (PBB).

In compliance to FOI-MC No. 02, s. 2018, you are hereby directed to provide this office, copy furnished the Public Information and Assistance Division, the titles / subject of any memorandum, (e.g. Memorandum of Agreement) office orders, and other issuances your office issued from January 2017 to August 2018. Only those information/data not available or accessible on the BOC website should be listed, and classified according to below level of disclosure.

1. Public – Available for public consumption;
2. Exception – Information is covered by the Exceptions list;
3. Internal - Information is for agency consumption only and cannot be disclosed to the public;
4. With Fee – Information can be disclosed but with corresponding charges based on agency's mandate/policies/business model; and,
5. Limited – Information can be disclosed to specific person/s and/or entity/ies upon verification of requesting party's identity.

Attached is the sample template. Deadline of submission is on or before August 30, 2018.

For strict compliance.

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Sample Inventory

Office Division	Title	Description	Disclosure	Data Maintainer	Date Released
Account Management Office	Customs Memorandum Order 05-2018	Supplemental to CMO No. 11-2014, Revised Guidelines for Registration of Importers and Customs brokers with Bureau of Customs (BOC)	Public	Account Management Office	April 30, 2018
Internal Administration Group	Customs Memorandum Circular 118-2018	Rate of Exchange for the week June 21-27-2018	Public	Central Records and Management Division	June 20, 2018
Office of the Commissioner	Customs Administrative Order 4-2017	Rule on nepotism in the Bureau of Customs	Public	Central Records and Management Division	June 2, 2017
Import and Assessment Service	Customs Memorandum 2018-06-010	Tariff Commission Circulars/Advance Rulings	Public	Import and Assessment Service	June 5, 2018

Note: For questions / clarifications, please call Public Information and Assistance Division at telephone numbers 705-6000 or mobile numbers 0905-299-7977 and 0929-503-5138, and look for Mr. Arjay Rosario.

Thank you.

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REPUBLIC OF THE PHILIPPINES  
**PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE**  
Malacañang, Manila, Philippines

FOI – MC No. 02, s. 2018

**FREEDOM OF INFORMATION  
MEMORANDUM CIRCULAR**

FOR : **All Agencies, Departments, Bureaus, Offices and Instrumentalities of the Executive Branch including Government-Owned and/or – Controlled Corporations (GOCCs), Government Financial Institutions (GFIs), Government Entities (GCEs), Non-Chartered GOCCs, and State Universities and Colleges (SUCs)**

SUBJECT : **FREEDOM OF INFORMATION (FOI) PROGRAM CRITERIA AND VALIDATION PROCESS FOR THE ELIGIBILITY TO FY 2018 PERFORMANCE-BASED BONUS**

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**WHEREAS**, Executive Order (EO) No. 2, s. 2016, was issued by President Rodrigo R. Duterte on 23 July 2016 to operationalize the Constitutional mandate of the People's right to information;

**WHEREAS**, Memorandum Order (MO) No. 10, s. 2016 designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 2, s. 2016, and all other Freedom of Information (FOI) programs and initiatives including the electronic FOI (eFOI) portal;

**WHEREAS**, FOI Memorandum Circular (MC) No. 01, s. 2018, instructed all government offices under the Executive Branch to submit the Agency Information Inventory, FOI Quarterly Registry and FOI Quarterly Summary;

**WHEREAS**, Administrative Order (AO) No. 25, s. 2011, created the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting System which is mandated to harmonize, unify, streamline and simplify all existing monitoring and reporting requirements and processes through the development of a common set performance scorecard and the design of a government executive information system;

**WHEREAS**, Section 5 of EO No. 201, s. 2016, provides that the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting System (Task Force AO 25) created

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under AO No. 25, s. 2011, shall prescribe the conditions for eligibility and procedures for the grant of the enhanced Performance-Based Bonus (PBB);

**WHEREAS**, Task Force AO 25 issued MC No. 2018-1, which provides the guidelines for the grant of the PBB for Fiscal Year (FY) 2018 under EO No. 80 s. 2012, and EO No. 201, s. 2016;

**WHEREAS**, Sections 5.1.a and 6.5.b of Task Force AO 25 MC No. 2018-1, provides that departments and agencies must comply with the enhanced FOI Program requirements including the FOI People's FOI Manual signed by the head of agency, the Agency Information Inventory, the 2017 and 2018 FOI Summary Report, the 2017 and 2018 FOI Registry, and a visible and hyperlinked FOI logo in the agency's homepage to be eligible for PBB, subject to compliance validation by the PCOO starting 1 October 2018;

**NOW, THEREFORE**, in consideration of the foregoing, strict adherence to the following is hereby ordered:

**Section 1. Scope.** Section 3.1 of Task Force AO 25 - MC No. 2018-1 provides that said Circular covers all Departments, Bureaus, Offices and Other Agencies of the National Government, including Constitutional Commissions, Congress, The Judiciary, Office of the Ombudsman, State Universities and Colleges (SUCs), Government-Owned or Controlled Corporations (GOCCs), Local Water Districts (LWDs) and Local Government Units (LGUs).

However, Section 2 of EO No. 2, s. 2016 provides that said EO covers all government offices under the Executive Branch, including but not limited to the national government and all its offices, departments, bureaus, offices, and instrumentalities, including GOCCs, and SUCs. LGUs are encouraged to observe and be guided by such EO.

Considering that the PCOO has no jurisdiction or authority over agencies outside the scope provided by EO No. 2, s. 2016, it shall be understood that this Memorandum Circular shall only cover government offices under the Executive Branch as defined under Section 2 of EO No. 2, s. 2016.

**Section 2. Validation Process.** The concerned agency shall send an email to the FOI-Project Management Office (PMO) requesting for validation of its compliance with the requirements prescribed in Section 6.5.b of Task Force AO 25 - MC No. 2018-1 to [foipco@gmail.com](mailto:foipco@gmail.com), on or before the set deadline prescribed in Section 4 of this Circular.

The email shall include the following details:

Name of Agency:

Head of Agency and Designation:

Address:

Contact Details:

Direct hyperlink to the following uploaded requirements:

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1. People's FOI Manual duly signed by the Head of the Agency;
2. FOI Reports (Agency Information Inventory, 2017 and 2018 FOI Summary Reports and Registries); and,
3. Agency website's home page containing a visible and functional FOI logo linked to the electronic FOI portal ([www.foi.gov.ph](http://www.foi.gov.ph)).

Reports submitted using the 2016 and 2017 format should not be uploaded due to the disclosed personal information of the requesting parties. Agencies shall submit the accomplished FOI Reports strictly in **one (1)** Excel sheet (.xls) based on templates provided in this link: [www.bit.ly/2018FOIReports](http://www.bit.ly/2018FOIReports).

Submissions that fail to comply with the file format and templates will not be considered for validation.

All agencies including those already onboard the eFOI portal are required to upload a visible and functional FOI logo in their respective agency website's home page. The high resolution FOI logo may be retrieved from this link: [www.bit.ly/foilogo](http://www.bit.ly/foilogo).

**Section 3. Issuance of Compliance Certificates.** The FOI-PMO shall validate the compliance with the requirements and shall send a Certificate of Compliance to the concerned agency.

**Section 4. Deadline of Submission.** The FOI-PMO shall commence the validation process based on the following dates:

REQUIREMENTS	DEADLINE
Final People's FOI Manual	30 September 2018
Agency Information Inventory	30 September 2018
2017 FOI Summary Report	30 September 2018
2017 FOI Registry	30 September 2018
Visible and functional FOI logo linked to the eFOI portal	30 September 2018
2018 FOI Summary Report	31 January 2019
2018 FOI Registry	31 January 2019

**Section 5. Non-compliance.** The FOI-PMO shall issue a list of agencies who failed to comply with the set requirements and deadlines by 28 February 2019.

In case an agency fails to comply with the set requirements and deadlines, the agency, through the head of agency, shall explain in writing its reason/s for non-compliance, together with supporting documents, if any. Justifiable reasons are those factors outside the control of the agency.


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**Section 6. Contact.** For questions and/or clarifications, please contact FOI-PMO at telephone number (02) 588-0691 or email [foipco@gmail.com](mailto:foipco@gmail.com) .

**Section 7. Separability Clause.** If, for any reason, any part or provision of this Memorandum Circular is declared invalid or unconstitutional, any part or provision not affected thereby shall remain in full force and effect.

**Section 8. Effectivity.** This Memorandum Circular shall take effect immediately.

**Section 9. Compliance.** For your guidance and strict compliance.



**JOSE RUPERTO MARTIN M. ANDANAR**  
Secretary and FOI Champion

Manila, Philippines, 19th day of June year 2018 .