



## **LBP Resources and Development Corporation**

Formerly: LB (Land Bank) Realty Development Corporation

A Subsidiary of the Land Bank of the Philippines

VAT Reg. TIN 000-129-546

**BS EN ISO 9001:2015**

A PEZA Accredited Corporation



# **PEOPLE'S FREEDOM OF INFORMATION MANUAL**

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### **ACRONYMS AND ABBREVIATIONS**

AGSD	Administrative and General Services Department
PMMS	Property Management and Maintenance Services
FINANCE	Finance Department
ACID	Appraisal and Credit Investigation Department
OPCEO	Office of the President and CEO
B&CU	Billing and Collection Unit
CMD	Construction Management Department



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## **CHAPTER 1**

### **OVERVIEW**

#### **0101 PURPOSE AND COVERAGE OF THE MANUAL**

1. The Constitution recognizes 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. Section 28, Article II of the 1987 Constitution enunciates that the State adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to reasonable conditions prescribed by law. Section 7, Article III of the Constitution guarantees the right of the people to information on matters of public concern.
2. Sections 3 and 7, Article III of the Constitution as well as laws, rules and regulations, and jurisprudence also strengthen the fundamental human right of privacy and of communication while ensuring the free flow of information to promote innovation and growth.
3. In recognition of the urgent need to operationalize these Constitutional provisions, the President of the Philippines issued EO No. 2, Series of 2016, or the law on the PFOI on July 23, 2016.
4. This Manual is issued pursuant to EO No. 2, Series of 2016. The Bank ensures full support on the transparency, disclosure, and accountability in government official acts, transactions, and decisions without compromising the credibility and reputation as well as public confidence in the Bank. The Bank also warrants the protection of its privacy and that of its stakeholders in accordance with the Constitution, laws, rules and regulations. This Manual shall cover all requests for information given to the Bank by the requesting parties.
5. This Manual shall not cover requests for information:
  - a. By clients/customers/investors of the Bank on matters relevant and material to their accounts and investments;
  - b. By persons or entities with contracts or dealings with the Bank on information that they are legally entitled to have access to; and
  - c. By the public on information made known to them and other matters relevant thereto (e.g., products and services).



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## CHAPTER 2

### FILING AND PROCESSING OF REQUEST

#### 0201 GENERAL GUIDELINES

1. The requesting party shall submit a written request to the Data Privacy Office of the LBRDC and/or accomplish the RRDI (**Exhibit 2.1**).
    - a. The request shall state the name and contact information of the requesting party, provide valid proof of his identification through the submission of at least one (1) photo-bearing Identification Document (ID, **Annex 2.1**), reasonably describe the information requested, and the reason for, or purpose of, the request for information.
    - b. In case of request via a representative, the IC shall:
      - 1) Require submission of an authorization letter from the requesting party and presentation of at least one (1) original valid photo-bearing ID of both the requesting party and his representative.
      - 2) Immediately refuse to accept the request if the requirements under item 0201.1a are not included in the authorization letter.

Whenever necessary, the IC may accept other IDs not enumerated in **Annex 2.1**, provided that it shall not be the sole means of identification.

  - c. As much as possible, the RRDI shall be accomplished in the presence of the IC. If necessary, the IC shall assist the requesting party in filling out the said form. The RRDI may be dispensed with if the required information are stated in the written request and all the requirements are submitted, pursuant to item 0201.1a.
2. The LBRDC Directory (**Annex 2.2**) contains the location and contact information of all Bank units where the written request for information may be submitted.
3. Data Privacy Officer of the LBRDC shall:
  - a. Provide reasonable assistance free of charge to the requesting party and check completeness of data required in the written request and/or RRDI.
  - b. Imprint the receiving stamp on the written request and/or RRDI.



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- c. Inform the requesting party that a fee of Five Hundred Pesos (P500.00) shall be charged for every request granted.
  - d. Submit the written request and/or RRDl to the Head of the Rec U.
  - e. Provide the requesting party with a duly stamped photocopy of the written request and/or RRDl to acknowledge receipt of the request.
  - f. Inform the requesting party to wait for the Bank's written response within 15 working days or for such period of time allowed in the Manual.
4. The Data Privacy Officer of LBRDC shall refer the written request and/or RRDl to concerned department head using the memo referral.
5. The Data Privacy Officer shall be the central monitoring unit which shall track all written requests for information and the actions taken on the requests by the different departments of the company. It shall implement a records management and tracking system that contains accurate and complete records of requests for information and actions taken by the Bank on said requests.
6. Data Privacy Officer shall check from its database if a substantially similar or identical request involving the same information from the same requesting party has previously been received and granted or denied. If so, Data Privacy Officer shall deny the request and send a letter of denial to the requesting party.
7. If no similar request involving the same information from the same requesting party has been previously received by the company, Data Privacy Officer shall refer the request to the respective department head using the memo referral.
8. The respective department head shall evaluate the request and check if the requesting party is entitled to the requested information from the Exception List.
9. The respective department head shall advise Data Privacy Officer if the period of time to respond should be extended because the information requested requires extensive search of the company's records facilities, examination of voluminous records, or because of the occurrence of fortuitous events or other analogous circumstances. Data Privacy Officer shall then notify the requesting party of the extension which shall not go beyond 20 working days, unless exceptional circumstances warrant a longer period. The notice shall state the reason/s for extension.
10. The respective department head shall refer the request to Legal Unit for opinion/clearance if:
  - a. It determines that the request shall be granted (pursuant to EO No.062, Series of 2011);
  - b. It cannot determine whether the request shall be granted or denied;



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and

- c. The request for information is issued by courts, quasi-judicial bodies, tribunal, and other government agencies, thru orders, summons, subpoenas, writs, and other legal processes.
11. If Legal Unit determines that the information may not be released, it shall issue a written opinion to the respective department head. If in its opinion the information may be released, Legal Unit shall issue clearance to the respective department head which shall approve the release of the information pursuant to EO No. 062, Series of 2011.
12. No written request for information shall be denied by the respective department head unless the disclosure of the information to the requesting party is prohibited under the Exception List and/or is not allowed under the Constitution, laws, rules and regulations or jurisprudence, or if the information requested has been the subject of a previous and substantially similar or identical request from the same requesting party, or if the reason for the request is contrary to law and existing rules and regulations.
13. The Exception List shall be updated as often as may be necessary by Legal Unit.
14. The Data Privacy Officer shall be in charge of ensuring that the PFOI Manual is up-to-date and shall undertake appropriate steps to revise the said Manual annually or as necessary in coordination with the Legal Unit.
15. If the respective department head is the information owner or unit in custody/possession of the requested information, it shall perform all the functions of the respective department head in this Manual and can approve or deny the request for information. However, if the requesting party is not entitled to the information requested pursuant to the Constitution, law, rules and regulations, jurisprudence, or the Exception List, or if the reason for the request is contrary to law and existing rules and regulations, or if it is aware that the requested information has been the subject of a previous and substantially similar or identical request from the same requesting party, the Res U shall deny the request immediately. The Data privacy officer must be informed and furnished copies of the denial and written request and/or RRDI.
16. AGSD shall be responsible for the maintenance of the PFOI automated database system.
17. A logbook shall be maintained by the respective department to record the written request of the requesting party. The retention period of the said logbook shall be two (2) years after date of last entry as per Records Disposition Schedule- Communication/Correspondence-Routine. The column headers shall be as follows:



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- a. Date of Receipt of Written Request
- b. Name of the Requesting Party
- c. Nature and Purpose of Request
- d. Remarks



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### **CHAPTER 3**

#### **GRANT OF THE REQUEST, PAYMENT OF APPLICABLE FEES, AND RELEASE OF INFORMATION**

##### **0301 GENERAL GUIDELINES**

1. The respective department head shall grant the request if the disclosure of the information requested is allowed under the Constitution, law, rules and regulations, jurisprudence; or the Exception List; or is not the subject of a previous and substantially similar or identical request from the same requesting party; or if the reason for the request is not contrary to law, existing rules and regulations.
2. The respective department head shall inform data privacy officer in writing that the requested information is allowed to be released.
3. Data privacy officer shall notify the requesting party in writing that his request is granted and advise him to pay the fee. It shall also advise the requesting party that the information shall be released by and at the head office of LBRDC.
4. The respective department head shall release the requested information to the requesting party or his authorized representative either personally, by registered mail, by electronic mail, or any other means of communication acceptable to the requesting party. In all cases, the release must be evidenced either by acknowledgement of receipt or proof of transmittal.
5. The respective department head shall notify the Data Privacy Officer that the information has been released to the requesting party.





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## **CHAPTER 4**

### **DENIAL OF THE REQUEST**

#### **0401 GENERAL GUIDELINES**

1. The Respective department head shall deny the request if the disclosure of the information requested is not allowed under the Constitution, law, rules and regulations, jurisprudence; or the Exception List; or is the subject of a previous and substantially similar or identical request from the same requesting party; or if the reason for the request is contrary to law, existing rules and regulations.
2. The Respective department head shall inform the data privacy officer in writing that the request for information is denied stating the reason of the denial.
3. The Data privacy officer shall send a written notice of denial to the requesting party or his authorized representative within the period to respond, stating the reasons and/or circumstances on which the denial is based.
4. The notice shall be sent either personally, by registered mail, by electronic mail, or any other means of communication. In all cases, the notice must be evidenced either by acknowledgement of receipt or proof of transmittal.



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## **CHAPTER 5**

### **APPEAL OF THE DENIAL OF THE REQUEST FOR INFORMATION**

#### **0501 GENERAL GUIDELINES**

1. Denial of the request for information may be appealed in writing by the requesting party to the person or office next higher in authority (**Annex 5.1**) to the Res U within 15 working days from the receipt of the notice of denial or from the lapse of the relevant period to respond to the request.
2. The appeal shall be decided by the person or office next higher in authority to the Res U within 30 working days from the filing of the appeal. Failure to decide within the afore-stated period shall be deemed a denial of the appeal.
3. If the appeal is denied, the requesting party may file the appropriate case in the proper courts in accordance with the Rules of Court.



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### **ANNEX 2.1**

#### **LIST OF ACCEPTABLE IDs**

1. Passport including those issued by foreign governments
2. Driver's license
3. Professional Regulation Commission ID
4. National Bureau of Investigation clearance
5. Police clearance
6. Postal ID
7. Voter's ID
8. Government Service Insurance System Unified Multi-Purpose ID
9. Social Security System card
10. Senior Citizen card
11. Overseas Workers Welfare Administration ID
12. Overseas Filipino Worker ID
13. Seaman's book
14. Alien Certificate of Registration/Immigrant Certificate of Registration
15. Government Office ID
16. ID issued by National Council on Disability Affairs
17. Integrated Bar of the Philippines ID
18. Company IDs issued by private entities or institutions registered with or supervised or regulated either by the BSP, Securities and Exchange Commission or other regulatory agencies
19. Philhealth Insurance Card ng Bayan



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### ANNEX 2.2

#### LBRDC DIRECTORY

<u>LBRDC DIRECTORY</u>		
	LOCALS	DIRECT LINE
<b>OPCEO- Office of the President and CEO</b>		
	7402	(8) 405-7402
Billing and Collection Unit	4489	(8) 405-4489
<b>Finance Department</b>	8585	(8) 528-8585
<b>AGSD- Administrative and General Services</b>	7134	(8) 405-7134
Purchasing Unit	7169	(8) 405-7169
LBRDC Warehouse		(8) 682-7799
<b>PMMS- Property Management and Maintenance Services</b>	8589	(8) 528-8589
<b>CMD- Construction Management Department.</b>	7135	(8) 405-7135
<b>LBRDC Economic Zone</b>		(8) 983-8106