



Republic of the Philippines
CARMONA WATER DISTRICT
Carmona, Cavite

People's Freedom of Information (FOI) Manual

Pursuant to the Executive Order No. 02 signed on 23 July 2016 entitled *"Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies to Full Disclosure and Transparency in the Public Service and Providing Guidelines Therefor"*, **Carmona Water District - Freedom of Information (CWD – FOI)** manual is hereby adopted.



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SHORT HISTORY OF CARMONA WATER DISTRICT (CWD)

Carmona Water District is a non-profit, government-owned and controlled corporation, which was established to provide water services under Level III System to the municipality of Carmona with more than 20,000 populations.

Municipal Resolution No. 077-96 dated October 14, 1996 gave way to the birth of Carmona Water District (CWD). Under this resolution, CWD shall have exclusive power to raise revenues and promulgate rules and regulations to run and manage the water utility pursuant to the provisions of Section 27, Title II of Presidential Decree 198 known as the Provincial Water Utilities Act of 1973.

Later on, the Sangguniang Bayan of Carmona amended this resolution on January 20, 1997 under Municipal Resolution No. 002-97 creating CWD and designating its Board of Directors. Since CWD was still a non-self-supporting utility at that time, the Local Government of Carmona provided a monthly subsidy of PHP 15,000.00 for a period of 1 year to help the district implement an improved staffing pattern and operational format.

On **April 27, 1997**, the Local Water Utilities and Administration (LWUA)–an agency created to assist provincial urban water-users through loans, training and other forms of assistance, awarded a **Certificate of Conditional Conformance Number 561** to CWD. This marked the inception of CWD with its first General Manager, Engr. Teddy Medina, who served the district for 2 years. He was succeeded by Mr. Edison L. Sarmiento, Jr. who served from the year 2000 until October 2015.

Consequently, starting November 2015, **Engr. Aniline B. Francia** assumed the General Manager position and has been bringing positive changes to the District.

With CWD growing rapidly, delivering sufficient, clean and economical water to its increasing number of concessionaires has been a challenge. But through the hard work of its employees and good leadership, CWD has surpassed these challenges. In August 2006, CWD was categorized by LWUA from Small to Big Category having reached a remarkable 5,000 service connections. This had been a big leap for the district.

In 2012, CWD was successfully re-categorized by LWUA from Category “C” into **Category “B” Water District** having reached more than 13,000 concessionaires. This was ratified by the Department of Budget and Management (DBM) on February 2018.

After almost 25 years in public utility service to the town of Carmona, CWD has greatly improved from just starting with a single well. Now, the district has **nineteen (19) Pumping Stations** located within the 14 Barangays being served.

Through the years, Carmona Water District has continuously met its objective of supplying clean, sufficient and economical water to its concessionaires.

VISION

The premier Water District in Cavite highly recognized for excellence in providing service and quality water for the welfare of the concessionaires and wastewater industry.

MISSION

Carmona Water District shall provide safe, adequate, economical water and deliver services to address the needs of the concessionaires thereby actively participating in the environmental protection program of the community.

IMS POLICY

Carmona Water District is committed to ensuring the provision of quality water services and strict monitoring of the governing body standards to meet and exceed the customers' expectations.

CWD is focused on its services, aim to maintaining open communications with its concessionaires and properly responds to customer feedback.

CWD aims to continually improve the quality of water supplies to its concessionaires through the acquisition of most appropriate technology.

The agency shall maintain and continuously improve quality objectives and relevant functions and effectiveness of the quality management systems in accordance with ISO 9001:2015 and ISO 14001:2015 requirements.

CARMONA WATER DISTRICT is committed to ensuring the provision of quality water services and protecting the local and global environment. To achieve this, CWD will:

- Observe strict monitoring of the governing body standards to meet and exceed the customers' expectations.
- Give focus on the services we deliver, and aim to maintain open communications with the concessionaires and to respond actively and properly to customer feedback.
- Aim to continually improve the quality of the water we supply to our concessionaires through the acquisition of most appropriate technology.
- Comply with applicable legal and other requirements which relates to the Company's environmental aspects.
- Include the consideration of environmental issues in all business strategies and initiatives.
- Prevent pollution, reduce waste and minimize the consumption of resources.
- Educate, train and motivate employees, concessionaires, suppliers and others to carry out activities in an environmentally responsible manner.

SECTION 1: OVERVIEW

1. **Purpose:** The purpose of this Carmona Water District People's FOI Manual (Manual) is to provide the process to guide and assist Filipino Citizens in requesting for information under Executive Order (E.O.) No. 2, Series of 2016, on Freedom of Information (FOI). (See **Annex "B"**)

Specifically, it aims to provide mechanism for individuals to check information held by Carmona Water District and enhance transparency and accountability of policy making and administrative making.

2. **Structure of the Manual:** This Manual shall set out the rules and procedures to be followed by the Carmona Water District when a request for access to information is received. The Carmona WD General Manager is responsible for all actions carried out under this Manual and act as the Decision Maker (DM), who shall have overall responsibility for the initial decision on FOI requests, (i.e. to decide whether to release all the records, partially release the records or deny access).
3. **Coverage of the Manual:** The Manual shall cover all requests for information directed to the Carmona Water District.
4. **FOI Receiving Officer:** There shall be an FOI Receiving Officer (FRO) designated at the Carmona Water District. As such that the request for information is a public service, Mr. Carlo Jay C. Manansala will be the receiving officer. The FRO hold Office at HR/Admin Office of Carmona WD Main Office, B8 L8 Joy St. Cityland, Carmona, Cavite. (See **Annex "C"**)

The functions of the FRO shall include:

- a) Receives on behalf of the CWD all requests for information and forward the same to the appropriate office who has custody of the records; monitor all FOI requests and appeals; provide assistance to the FOI Decision Maker; provide assistance and support to the public and staff with regard to FOI; compile statistical information as required; and, conduct initial evaluation of the request and advise the requesting party whether the request will be forwarded to the FOI Decision Maker for further evaluation, or deny the request based on:
 - i. That the form is incomplete; or
 - ii. That the information is already disclosed in carmonawd.com.ph Carmona Water District's Official Website, foi.gov.ph, or at data.gov.ph.
- b) Forwards the requests for information not available in the Carmona WD website to the Decision Maker;
- c) Monitors all FOI requests and appeals (all requests for information shall be acted upon within fifteen (15) working days upon receipt);
- d) Provides assistance and support to the public and Decision Maker with regard to FOI;

- e) Prepares a Monthly Report on FOI Requests received and compiles statistical information of FOI requests. The Monthly Status Report shall include the complete name of the FOI requestor, type of information being requested.
5. **FOI Decision Maker:** The Carmona WD General Manager shall be the FOI Decision Maker. The FDM shall conduct evaluation of the request for information and has the authority to grant the request or deny it based on the following:
- a) The Carmona Water District does not have the information requested;
 - b) The information requested contains sensitive personal information protected by the Data Privacy Act of 2012;
 - c) The information is not in the list of Carmona Water District Information Inventory or falls under the list of exception to FOI; or
 - d) The request is an unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by the Carmona Water District.
6. **Approval and Denial of Request to Information:** The FOI Decision Maker shall approve or deny all requests for information. In case where the FDM is on official leave, the FDM may delegate an Officer-in-Charge.
7. **Central Appeals and Review Committee:** The Board of Directors of the Carmona Water District shall act as the Central Appeals and Review Committee. They shall review, analyze and provide expert advice on the appeal for denial of the requested information.

SECTION 2: DEFINITION OF TERMS

AGENCY INFORMATION INVENTORY. Shall mean list of information kept by the Agency and is available to the public.

CONSULTATION. When a government office locates a record that contains information of interest to another office, it will ask for the views of that other agency on the disclosability of the records before any final determination is made.

data.gov.ph. The Open Data website that serves as the government's comprehensive portal for all public government data that is searchable, understandable, and accessible.

EXCEPTIONS. Information that should not be released and disclosed in response to a FOI request because they are protected by the Constitution, laws or jurisprudence.

FREEDOM OF INFORMATION (FOI). The Executive Branch recognizes the right of the people to information on matters of public concern, and adopts and implements a policy of full public disclosure of all its transactions involving

public interest, subject to the procedures and limitations provided in Executive Order No. 2. This right is indispensable to the exercise of the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making.

FOI CONTACT. The name, address and phone number at each government office where you can make a FOI request

FOI REQUEST. A written request submitted to a government office personally or by email asking for records on any topic. An FOI request can generally be made by any Filipino to any government office.

FOI RECEIVING OFFICE. The primary contact at each agency where the requesting party can call and ask questions about the FOI process or the pending FOI request.

FOI.GOV.PH. The website that serves as the government's comprehensive FOI website for all information on the FOI. Among many other features, FOI.gov.ph provides a central resource for the public to understand the FOI, to locate records that are already available online, and to learn how to make a request for information that is not yet publicly available. FOI.gov.ph also promotes agency accountability for the administration of the FOI by graphically displaying the detailed statistics contained in Annual FOI Reports, so that they can be compared by agency and over time.

FREQUENTLY REQUESTED INFORMATION. Info released in response to a FOI request that the agency determines have become or are likely to become the subject of subsequent requests for substantially the same records.

FULL DENIAL. When the AGENCY or any of its office, bureau or agency cannot release any records in response to a FOI request, because, for example, the requested information is exempt from disclosure in its entirety or no records responsive to the request could be located.

FULL GRANT. When a government office is able to disclose all records in full in response to a FOI request.

INFORMATION. Shall mean 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 any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.

INFORMATION FOR DISCLOSURE. Information promoting the awareness and understanding of policies, programs, activities, rules or revisions affecting the public, government agencies, and the community and economy. It also includes

information encouraging familiarity with the general operations, thrusts, and programs of the government. In line with the concept of proactive disclosure and open data, these types of information can already be posted to government websites, such as data.gov.ph, without need for written requests from the public.

MULTI-TRACK PROCESSING. A system that divides incoming FOI requests according to their complexity so that simple requests requiring relatively minimal review are placed in one processing track and more complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.

OFFICIAL RECORD/S. Shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.

OPEN DATA. Refers to publicly available data structured in a way that enables the data to be fully discoverable and usable by end users.

PARTIAL GRANT/PARTIAL DENIAL. When a government office is able to disclose portions of the records in response to a FOI request, but must deny other portions of the request.

PENDING REQUEST OR PENDING APPEAL. An FOI request or administrative appeal for which a government office has not yet taken final action in all respects. It captures anything that is open at a given time including requests that are well within the statutory response time.

PERFECTED REQUEST. A FOI request, which reasonably describes the records, sought and is made in accordance with the government office's regulations.

PERSONAL INFORMATION. Shall refer to any information, whether recorded in a material form or not, from which the identify 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.

PROACTIVE DISCLOSURE. Information made publicly available by government agencies without waiting for a specific FOI request. Government agencies now post on their websites a vast amount of material concerning their functions and mission.

PROCESSED REQUEST OR PROCESSED APPEAL. The number of requests or appeals where the agency has completed its work and sent a final response to the requester.

PUBLIC RECORDS. Shall include information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government office.

RECEIVED REQUEST OR RECEIVED APPEAL. An FOI request or administrative appeal that an agency has received within a fiscal year.

REFERRAL. When a government office locates a record that originated with, or is of otherwise primary interest to another agency, it will forward that record to the other agency to process the record and to provide the final determination directly to the requester. This process is called a “referral.”

SENSITIVE PERSONAL INFORMATION. As defined in the Data Privacy Act of 2012, shall refer to personal information:

- (1) About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
- (2) About an individual health, education, genetic or sexual life of a person, or to any proceedings for any offense committed or alleged to have committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;
- (3) Issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and
- (4) Specifically established by an executive order or an act of Congress to be kept classified.

SIMPLE REQUEST. A FOI request that an agency anticipates will involve a small volume of material or which will be able to be processed relatively quickly.

SECTION 3. PROTECTION OF PRIVACY

While providing for access to information, Carmona Water District shall afford full protection to a person’s right to privacy, as follows:

- a. The Carmona Water District shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws;
- b. The Carmona Water District shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure;
- c. The FRO, FDM, or any employee or official who has access, whether authorized or unauthorized, to personal information in the custody of the Carmona Water District, shall not disclose that information except as authorized by existing laws.

SECTION 4 . STANDARD PROCEDURE

*(See **Annex “E”** for flowchart)*

1. Receipt of Request for Information.

1.1. The FOI Receiving Officer (FRO), Mr. Carlo Jay C. Manansala, shall receive the request for information from the requesting party and check compliance of the following requirements:

- The request must be in writing;
- The request shall state the name and contact information of the requesting party, as well as provide valid proof of identification or authorization; and
- The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information. (See **Annex “G”** for request form).

The request can be made through email, provided that the requesting party shall attach in the email a scanned copy of the FOI request form, and a copy of a duly recognized government ID with photo.

1.2. In case the requesting party is unable to make a written request, because of illiteracy or due to being a person with disability, she may make an oral request, and the FRO shall reduce it in writing.

1.3. The request shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name, rank, title and position of the public officer who actually received it, with a corresponding signature and a copy, furnished to the requesting party. In case of email requests, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by electronic mail. The FRO shall input the details of the request on the Request Tracking System and allocate a reference number.

1.4. The Carmona Water District must respond to requests promptly, within the fifteenth (15) working day following the date of receipt of the request. A working day is any day other than a Saturday, Sunday or a day which is declared a national public holiday in the Philippines. In computing for the period, Art. 13 of the New Civil Code shall be observed.

The date of receipt of the request will be either:

- a. The day on which the request is physically or electronically delivered to the government office, or directly into the email inbox of a member of staff; or
- b. If the government office has asked the requesting party for further details to identify and locate the requested information, the date on which the necessary clarification is received.

An exception to this will be where the request has been emailed to an absent member of staff, and this has generated an ‘out of office’ message with instructions on how to re-direct the message to another contact.

Where this is the case, the date of receipt will be the day the request arrives in the inbox of that contact.

Should the requested information need further details to identify or locate, then the 15 working days will commence the day after it receives the required clarification from the requesting party. If no clarification is received from the requesting party after sixty (60) calendar days, the request shall be closed.

2. Initial Evaluation. After receipt of the request for information, the FRO shall evaluate the contents of the request.

2.1. Request relating to more than one office under the Carmona Water

District: If a request for information is received which requires to be complied with, of different offices, the FRO shall forward such request to the said office concerned and ensure that it is well coordinated and monitor its compliance. The FRO shall also clear with the respective FROs of such offices that they will only provide the specific information that relates to their offices.

2.2. Requested information is not in the custody of the Carmona Water

District or any of its offices: If the requested information is not in the custody of the Carmona Water District or any of its offices, following the guidelines on the referral of requested information, official record/s and public record/s to the appropriate government agency otherwise known as the “No Wrong Door Policy for FOI”:

When the requested information is not in the possession of a government agency (government agency no. 1 or GA1), but is available in another government agency (government agency no. 2 or GA2) under the Executive Branch, the request shall be immediately referred by GA1 to GA2 through the most expeditious manner but not exceeding three (3) working days from the receipt of the request. This shall be considered as the “**First Referral**” and a fresh period will apply.

Referral to the appropriate government agency shall mean that another government office is the proper repository or custodian of the requested information or records, or have control over the said information or records. 3 If GA1 fails to refer the request within three (3) working days upon its receipt, the FRO shall act on it within the remaining period to respond pursuant to EO No. 02, s. 2016. No fresh period shall apply.

If GA1, in good faith, erroneously referred the request to GA2, the latter shall immediately notify the former as well as the requesting party, that the information requested is not available in their agency.

GA2, to whom the request was referred under the First Referral may subsequently refer the request to another government agency

(government agency no. 3 or GA3) under the procedure set forth in the first paragraph of this Section. This shall be considered as the “Second Referral” and another fresh period shall apply.

Referrals under this Order shall only be limited to two (2) subsequent transfers of request. A written or email acknowledgement of the referral shall be made by the FRO of the government agency where it was referred.

The requesting party shall be notified of the referral and must be provided with the reason or rationale thereof, and contact details of the government office where the request was referred.

2.3. Requested information is already posted and available on-line:

Should the information being requested is already posted and publicly available in the carmonawd.gov.ph, Carmona Water District’s official website, data.gov.ph or foi.gov.ph, the FRO shall inform the requesting party of the said fact and provide them the website link where the information is posted.

2.4. Requested information is substantially similar or identical to the previous request: Should the requested information be substantially similar or identical to a previous request by the same requester, the request shall be denied. However, the FRO shall inform the applicant of the reason of such denial.

2.5. Requested information is not included in the list of Agency Information Inventory: If the requested information is not included in the list of Agency Information Inventory, it may be included in the inventory of exceptions (see **Annex “E”**). If that is so, the FRO shall forward the FOI request to the FDM. The FDM shall evaluate if the requested document can indeed not be given to the requesting party. The requesting party should be properly informed of the denial and the reason for the denial. Information not included in the list of Agency Information Inventory and is covered under the Exception List.

Agency Information Inventory:

- a. Water District Profile
- b. Citizen’s Charter / Frontline Services
- c. Bacti/PhyChem Test Results
- d. List of services area
- e. Number of Concessionaires Per Barangay and Per Classification

Exception List:

- a. Those information provided by the other Government Offices
- b. Restricted or Classified Information under MC No. 78, s. 1964
 - b.1 Transcript of Minutes of meeting
 - b.2 Plantilla of Personnel
 - b.3 Bidding Documents prior to Advertisement pursuant to 9184

b.4 Personal information pursuant to Data Privacy Act of 2012, CSC MC No. 56, s. 1990 and other pertinent laws those to be provided by other Government offices

- 3. Transmittal of Request by the FRO to the FDM:** After receipt of the request for information, the FRO shall evaluate the information being requested, and notify the FDM of such request. The copy of the request shall be forwarded to such FDM within one (1) day from receipt of the written request. The FRO shall record the date, time and name of the FDM who received the request in a record book with the corresponding signature of acknowledgement of receipt of the request.
- 4. Role of FDM in processing the Request:** Upon receipt of the request for information from the FRO, the FDM shall assess and clarify the request if necessary. He or she shall make all necessary steps to locate and retrieve the information requested. The FDM shall ensure that the complete information requested be submitted to the FRO within 10 days upon receipt of such request.

The FRO shall note the date and time of receipt of the information from the FDM.

If the FDM needs further details to identify or locate the information, he or she shall, through the FRO, seek clarification from the requesting party. The clarification shall stop the running of the 15 working day period and will commence the day after it receives the required clarification from the requesting party.

If the FDM determines that a record contains information of interest to another office, the requesting party shall only be provided with information that pertains to Carmona WD.

- 5. Role of FRO to transmit the Information to the requesting party:** Upon receipt of the requested information from the FDM, the FRO shall collate and ensure that the information is complete. He shall attach a cover/transmittal letter signed by the General Manager or the Officer-in-Charge (if General Manager is out of the office) and ensure the transmittal of such to the requesting party within 15 working days upon receipt of the request for information.
- 6. Request for an Extension of Time:** If the information requested requires extensive search of the government's office records facilities, examination of voluminous records, the occurrence of fortuitous events or other analogous cases, the FDM should inform the FRO.

The FRO shall inform the requesting party of the extension, setting forth the reasons for such extension. In no case shall the extension exceed twenty (20) working days on top of the mandated fifteen (15) working days to act on the request, unless exceptional circumstances warrant a longer period.

7. Notice to the Requesting Party of the Approval/Denial of the Request:

Once the FDM approved or denied the request, he shall immediately notify the FRO who shall prepare the response to the requesting party either in writing or by email. All actions on FOI requests, whether approval or denial, shall pass through the General Manager or the Officer-in-Charge (if General Manager is out of the office) for final approval.

8. Approval of Request: In case of approval, the FRO shall ensure that all records that have been retrieved and considered be checked for possible exemptions, prior to actual release. The FRO shall prepare the letter or email informing the requesting party within the prescribed period that the request was granted and be directed to pay the applicable fees, if any.

9. Denial of Request: In case of denial of the request wholly or partially, the FRO shall, within the prescribed period, notify the requesting party of the denial in writing. The notice shall clearly set forth the ground or grounds for denial and the circumstances on which the denial is based. Failure to notify the requesting party of the action taken on the request within the period herein provided shall be deemed a denial of the request to information. All denials on FOI requests shall pass through the Office of the General Manager or to the Officer-in-Charge (if General Manager is out of the office).

SECTION 5. REMEDIES IN CASE OF DENIAL OF REQUEST

A person whose request for access to information has been denied may avail himself of the remedy set forth below:

1. Administrative FOI Appeal to the Carmona Water District Board of Directors: Provided, that the written appeal must be filed by the same requesting party within fifteen (15) calendar days from the notice of denial or from the lapse of the period to respond to the request.
 - a. Denial of a request may be appealed by filing a written appeal to the Carmona Water District Board of Directors within fifteen (15) calendar days from the notice of denial or from the lapse of the period to respond to the request.
 - b. The appeal shall be decided by the General Manager upon the recommendation of the Board of Directors within thirty (30) working days from the filing of said written appeal. Failure to decide within the 30-day period shall be deemed a denial of the appeal.
2. Upon exhaustion of administrative FOI appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

SECTION 6. REQUEST TRACKING SYSTEM

Carmona Water District shall establish a system to trace the status of all

requests for information received by it, which may be paper-based, on-line or both.

The information on the said tracking system will form the bases for the contents of the Annual FOI Report required of all government agencies to be submitted to the PCOO.

SECTION 7. FEES

- 1. **No Request Fee.** The Carmona Water District shall not charge any fee for accepting requests for access to information.
- 2. **Reasonable Cost of Reproduction, Copying, and/or Delivery of the Information:** The FRO shall immediately notify the requesting party in case there shall be a reproduction, copying and/or delivery fee in order to provide the information. Such fee shall be the actual amount spent by the Carmona Water District in providing the information to the requesting party. The schedule of fees shall be posted by the Carmona Water District.
- 3. **Exemption from Fees:** The Carmona Water District may exempt any requesting party from payment of fees, upon request stating the valid reason why such requesting party shall not pay the fee.

SECTION 8. ADMINISTRATIVE LIABILITY

- 1. **Non-compliance with FOI.** Failure to comply with the provisions of this Manual shall be a ground for the following administrative penalties:
 - a. 1st Offense - Reprimand;
 - b. 2nd Offense - Suspension of one (1) to thirty (30) days; and
 - c. 3rd Offense - Dismissal from the service.
- 2. **Procedure.** The Revised Rules on Administrative Cases in the Civil Service shall be applicable in the disposition of cases under this Manual.
- 3. **Provisions for More Stringent Laws, Rules and Regulations.** Nothing in this Manual shall be construed to derogate from any law, any rules, or regulation prescribed by any body or agency, which provides for more stringent penalties.

SECTION 9. EFFECTIVITY

This Manual shall take effect upon issuance of approval of the Carmona Water District Board of Directors by virtue of **Board Resolution No. 022-2017**.

This Manual or part hereof, may be revised or updated as the need arises.


ENGR. ANILINE B. FRANCIA
General Manager B