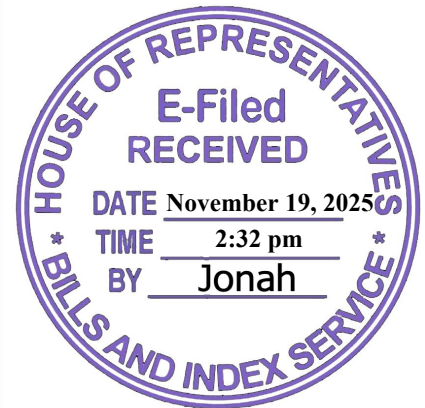




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. 6206



Introduced by Representative LORDAN G. SUAN

EXPLANATORY NOTE

The right to information (RTI) is a fundamental right and an important tool for promoting transparency and ensuring accountability. It provides citizens access to public documents and empowers them to better scrutinize government actions and decisions. This, in turn, acts as a powerful deterrent against corruption and abuse of power.

Article III, Section 7 of the 1987 Philippine Constitution recognizes this right stating that “The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents, and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law.” However, after almost four decades, an enabling law to operationalize this right has yet to be enacted.

Despite numerous anti-corruption laws, corruption in the Philippines remains widespread, severely hindering the country's growth and adversely affecting Filipino lives. According to the Transparency International's 2024 Corruption Perceptions Index, the Philippines ranked 114th out of 180 countries, with a score of 33 out of 100, on a scale where 0 is highly corrupt and 100 is very clean. This score is a slight decrease from 34 in 2023 and shows minimal progress in curbing corruption.

Given its persistence, there is a pressing need for legislation that can significantly impact our fight against corruption. Several studies show a strong correlation between access to information and corruption control. The Open Government Partnership notes that countries with RTI laws tend to have lower levels of corruption.

This proposed law aims to operationalize the constitutional right of access to information by providing a comprehensive legal framework for citizens to access

public records and documents. It promotes transparency, increased meaningful participation of the people in government decision-making, and public accountability.

The bill covers all government offices and instrumentalities including the executive, legislative, judicial, and constitutional offices, local government units, state universities and colleges, and government-owned or controlled corporations. Its coverage extends to private individuals or entities engaged in transactions with government agencies that utilize public funds.

Key provisions include the creation of an independent Right to Information Commission to oversee the proposed law's implementation; the procedures for requesting and receiving public records; review mechanisms; whistleblower protection; no wrong door policy; and integration of RTI, media and information literacy, accountability, and good governance in education.

The bill also details specific exceptions to disclosure based on public interest and privacy concerns, outlines proactive publication requirements for government agencies, and establishes penalties for noncompliance by public officials and contractors.

The passage of an RTI law is long overdue. It is about time to enact an enabling law that would institutionalize the citizens' right to information, thereby ensuring transparency and accountability in government.

In view of the foregoing, approval of this bill is earnestly sought.



LORDAN G. SUAN
Cagayan de Oro City - 1st District



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
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House Bill No. 6206

Introduced by Representative LORDAN G. SUAN

AN ACT
ENABLING THE PEOPLE'S CONSTITUTIONAL RIGHT
OF ACCESS TO INFORMATION

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

CHAPTER I
GENERAL PROVISIONS

SECTION 1. Short Title. – This Act shall be known as the “Right to Information (RTI) Act of 2025.”

SEC. 2. Declaration of Policy. – Public office is a public trust, and public officers and employees must at all times be accountable to the people. Sovereignty resides in the people, and all government authority emanates from them. Pursuant to these, the State 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 by this Act. As a democratic country, it shall be the declared policy of the state to promote transparency, increased meaningful participation of the people in government decision-making, and public accountability. It also recognizes the vital role of communication and the free flow of information in nation-building.

Further, the State acknowledges the growing role of emerging technologies, including Artificial Intelligence (AI), in information access, processing, and dissemination. In harnessing these tools, the State shall ensure their ethical, transparent, and accountable use to prevent misuse, safeguard the integrity of public information, and uphold the rights and welfare of the people.

1 In pursuit of these objectives, the State likewise upholds and protects the
2 fundamental human right to privacy, recognizing it as a necessary safeguard against
3 unwarranted disclosure of personal and sensitive personal information. The State
4 shall endeavor to strike a fair and lawful balance between the free flow of information
5 and the right to privacy, in order to foster innovation, growth, and the public good.
6

7 **SEC. 3. Coverage.** – This Act shall apply to all government offices, including
8 but not limited to the executive, legislative, judicial, and constitutional offices, Local
9 Government Units (LGUs), State Universities and Colleges (SUCs), Government-
10 Owned or Controlled Corporations (GOCCs) whether chartered or non-chartered,
11 and other government instrumentalities, subject to limitations imposed by existing
12 laws. It shall also encompass government operations, including those conducted
13 within, between, and across agencies, as well as government-to-government
14 communications involving the sharing and processing of data and information for the
15 purposes of policy-making, planning, and decision-making. Furthermore, this Act
16 shall extend to all other government agencies and private individuals or entities
17 engaged in transactions with government agencies that utilize public funds.
18

19 CHAPTER II 20 DEFINITION OF TERMS 21

22 **SEC. 4. Definition of Terms.** – For purposes of this Act, the following
23 definitions shall hereby apply:
24

- 25 (a) *Access to information* refers to access to official records, documents, and
26 papers pertaining to official acts, transactions, or decisions, as well as to
27 government research data used as basis for policy development, shall be
28 afforded, subject to such limitations as may be provided by law.
29
- 30 (b) *Online RTI Portal or www.rti.gov.ph* refers to a centralized web-based
31 platform which provides government information, track requests, and receive
32 information requested online simultaneously. This mode promotes demand-
33 driven transparency and accountability as it is also designed to assist
34 government offices in receiving, processing, and responding to the requests
35 that they receive online.
36
- 37 (c) *Information* refers to any records, documents, papers, reports, letters,
38 contracts, minutes and transcripts of official meetings, maps, books,
39 photographs, data, research materials, films, sound and video recordings,
40 magnetic or other tapes, electronic data, computer-stored data, or any other
41 like or similar data or materials recorded, stored or archived in whatever
42 format, whether offline or online which are made, received or kept in or under
43 the control and custody of any government office pursuant to law, executive
44 order, rules and regulations, ordinance or in connection with the performance
45 or transaction of official business by any government agency.
46
- 47 (d) *Machine-readable format* refers to formats that allow data to be extracted and
48 processed by computer programs.

- 1 (e) *Official record/records* refer to information produced or received by a public
2 officer or employee, or by a government agency in an official capacity or
3 pursuant to a public function or duty.
4
- 5 (f) *Open format* refers to file format that is platform independent, machine
6 readable, and made available to the public without restrictions that would
7 impede the reuse of that information.
8
- 9 (g) *Personal information* refers to any information whether recorded in a material
10 form or not, from which the identity of an individual is apparent or can be
11 reasonably and directly ascertained by the entity holding the information, or
12 when put together with other information would directly and certainly identify
13 an individual, as defined under R.A. No. 10173 or the Data Privacy Act (DPA)
14 of 2012.
15
- 16 (h) *Public officials* refer to elective and appointive officials and employees,
17 permanent or temporary, whether in the career or non-career service,
18 including military and police personnel, whether or not they receive
19 compensation, regardless of amount.
20
- 21 (i) *Public record/records* refer to information required by laws, executive orders,
22 rules, or regulations to be entered, kept and made publicly available by a
23 government agency.
24
- 25 (j) *Public service contractor* refers to a private entity that has a dealing, contract,
26 or transaction of whatever nature with the government or a government
27 agency that utilizes public funds.
28
- 29 (k) *Records management* refers to the managerial activities involved with respect
30 to the records creation, records maintenance and use, transmission, retention,
31 and records disposition in order to achieve adequate and proper
32 documentation of policies and transactions of government for its efficient,
33 effective and economical operations.
34
- 35 (l) *Requests* refer to any of the following:
36
- 37 (1) Simple Requests – requests submitted by requesting parties to a
38 government office or agency which only require providing readily available
39 information or records published from the agency's website;
40
- 41 (2) Complex Requests – requests submitted by requesting parties to a
42 government office or agency which include seeking information and
43 collating raw data from a single source; or,
44
- 45 (3) Highly Technical Requests – requests submitted by requesting parties to a
46 government office or agency which include seeking information from
47 multiple sources and/or large numbers of documents or records, collecting
48 information over multiple years, collating and correlating raw data, and
49 providing findings: *Provided*, That the government office or agency is not
50 required to create, develop, or collate information or data that does not

1 already exist or are not available in its records management system.
2 These requests also include those which require the use of technical
3 knowledge, specialized skills and/or training in the processing and/or
4 evaluation thereof.
5

6 (m) *Sensitive personal information* refers to the definition under R.A. No. 10173
7 or the DPA of 2012 of personal information that are:
8

9 (1) about an individual's race, ethnic origin, marital status, age, color
10 and religious, philosophical or political affiliations;
11

12 (2) about an individual's health, education, genetic or sexual life of a person
13 or to any proceeding for any offense committed or alleged to have been
14 committed by such person, the disposal of such proceedings, or the
15 sentence of any court in such proceedings;
16

17 (3) issued by government agencies peculiar to an individual which includes,
18 but not limited to, social security numbers previous or current health
19 records, licenses or its denials, suspension or revocation and tax returns;
20 and,
21

22 (4) specifically established by an executive order or an act of Congress to be
23 kept classified.
24

25 (n) *Vulnerable groups* refer to individuals or groups who are disproportionately at
26 risk of injustice due to their identity, function, socioeconomic status, or
27 systemic discrimination, and may require special protection or support under
28 law or policy. Such as, but not limited to:
29

30 (1) Indigenous Peoples /Indigenous Cultural Communities - as defined under
31 Section 3(h) of R.A. No. 8371 or the Indigenous Peoples Rights Act of
32 1997.
33

34 (2) Non-government organizations - private, non-profit organizations that
35 work independently of government to address social, humanitarian, or
36 development issues affecting vulnerable populations.
37

38 (3) Women - refer to the marginalized and vulnerable sector, especially those
39 in rural areas, indigenous communities, and those with disabilities, as
40 defined under Section 4(d) of R.A. No. 9710 or The Magna Carta of
41 Women of 2009.

42 (4) Children - persons below eighteen (18) years of age or those over but are
43 unable to fully take care or protect themselves as defined under R.A. No.
44 7610 or the Special Protection of Children Against Child Abuse,
45 Exploitation and Discrimination Act of 1992.

46 (5) Persons Deprived of Liberty (PDL) - refer to a detainee, inmate, or
47 prisoner, or other persons under confinement or custody in any other
48 manner, as defined under R.A. No. 10577 or the Bureau of Corrections Act
49 of 2013.

1 (6) Persons with Disabilities (PWD) – refer to those suffering from restriction
2 or different abilities, as a result of a mental, physical or sensory
3 impairment, to perform an activity in the manner or within the range
4 considered normal for a human being, as defined under R.A. No. 7277 or
5 the Magna Carta for Disabled Persons of 1992.

6
7 **CHAPTER III**
8 **RIGHT TO INFORMATION COMMISSION**
9

10 **SEC. 5. *Right to Information Commission.*** – There is hereby created an
11 independent and quasi-judicial body to be known as the "Right to Information (RTI)
12 Commission", hereinafter referred to as the Commission, which shall be attached to
13 the Office of the President.
14

15 The Commission shall implement this Act and its Implementing Rules and
16 Regulations (IRR), if applicable, provide technical guidance on matters concerning
17 public information, set service standards for its disclosure, and settle disputes
18 through adjudication, mediation, or other litigious and non-litigious manner.
19

20 **SEC. 6. *Composition of the Commission.*** – The Commission shall be
21 composed of a Chairperson and two (2) Commissioners. The Chairperson and the
22 Commissioners shall have ranks of cabinet secretary and undersecretary,
23 respectively. Candidates to the positions shall be appointed by the President from
24 the following sectors: government, business, academe, labor, rural or urban poor, or
25 members of concerned civil society organizations, non-government organizations, or
26 people's organizations.
27

28 **SEC. 7. *Term of Office.*** – The term of office of the Chairperson and
29 Commissioners shall be seven (7) years without reappointment. Of the first set of
30 appointees, the Chairperson shall hold office for seven (7) years, and the first
31 Commissioner shall hold office for a term of five (5) years, and the second
32 Commissioner shall hold a term of three (3) years. The Chairperson and the
33 Commissioners shall enjoy security of tenure and shall not be suspended or
34 removed from office except for just cause as provided by law.
35

36 **SEC. 8. *Vacancies.*** – Any vacancy in the Commission created by the death,
37 resignation, or removal of any Commissioner shall be filled by the next in rank who
38 shall assume all powers, duties, and responsibilities of the position until a new
39 Commissioner is appointed by the President to serve the unexpired portion of the
40 term.
41

42 **SEC. 9. *Qualifications.*** – The Chairperson and Commissioners shall be a
43 Filipino citizen and, at least thirty-five (35) years of age and of good moral character,
44 unquestionable integrity and known probity, and have distinguished themselves in
45 public life with proven knowledge, experience and eminence in the fields of law,
46 governance, public administration, human rights, social development, journalism,
47 information and communications technology (ICT), management, or media and
48 communication.
49

1 **SEC. 10. Prohibitions and Disqualifications.** – The Commissioners shall
2 not, during their tenure, hold any other office or employment. They shall not, during
3 their tenure, directly or indirectly practice any profession, except in a teaching
4 capacity, participate in any business, or be financially interested in any contract with,
5 or any franchise, or special privileges granted by the government or any subdivision,
6 agency, or instrumentality thereof, including government-owned and -controlled
7 corporations or their subsidiaries. They shall strictly avoid conflict of interest in the
8 conduct of their office. They shall not be qualified to run for any office in the election
9 immediately succeeding their cessation from office: *Provided*, That the election
10 mentioned hereof is not a *Barangay* election or a *Sangguniang Kabataan* election.
11 *Provided*, they shall not be allowed to personally appear or practice as counsel or
12 agent on any matter pending before the Commission for two (2) years following their
13 cessation from office.
14

15 **Sec. 11. Executive Director.** – The appointed Executive Director of the
16 Commission shall be a Filipino citizen and has at least ten (10) years of experience
17 in any of the fields of law, governance, public administration, human rights, social
18 development, journalism, ICT, management, or media and communication.
19

20 **Sec. 12. Organizational Structure and Staffing Pattern of the**
21 **Commission.** – The organizational structure and creation of new divisions or units
22 as it may deem necessary, shall be subject to the rules, regulations, and review of
23 the Department of Budget and Management (DBM).
24

25 The Commission shall appoint officers and employees in accordance with the
26 guidelines set by the Civil Service Commission (CSC).
27

28 **SEC. 13. Functions and Duties of the Commission.** – The Commission
29 shall have all the powers, direct or incidental, as necessary to undertake its functions
30 under this Act, including but not limited to the following:
31

- 32 (a) Oversee the implementation of all RTI and online RTI programs for all the
33 Branches of the Philippine Government and monitor compliance therewith;
- 34 (b) Monitor compliance of government agencies covered in Section 3 especially
35 to information that are excluded from disclosure pursuant to Section 33 of this
36 Act;
- 37 (c) Issue policies, orders, and guidelines in the implementation of this Act;
- 38 (d) Develop programs and mechanisms to enhance the capacity of the Branches
39 of the Government to comply with RTI programs;
- 40 (e) Conduct and facilitate the necessary capacity and institutional building
41 programs for all the Branches of the Philippine Government;
- 42 (f) Provide vetting mechanism on the disclosure of information and documents of
43 the government;
- 44
- 45
- 46
- 47
- 48

- 1 (g) Coordinate and participate with local and international civil society
2 organizations or any non-government institutions in any initiatives relative to
3 the implementation and enforcement of this Act;
4
- 5 (h) Enter into any agreement with any public or private entities or organizations
6 relative to the implementation of this Act;
7
- 8 (i) Prescribe the schedule of fees, when needed, which must be reasonable
9 based on the principle of proactive disclosure, in regard to providing
10 information;
11
- 12 (j) Provide assistance on matters relating to the implementation of this Act upon
13 request by any of the covered agencies pursuant to Section 3;
14
- 15 (k) Ensure compliance of Right to Information Officers (RIOs) and Right to
16 Information Decision Makers (RDMs) of all government agencies with the
17 provisions of this Act;
18
- 19 (l) Act as the official representative of the Philippine government in right to
20 information matters;
- 21 (m) Provide guidelines on the digitization and use of open format of records and
22 information held by government agencies and bodies covered by this Act;
23
- 24 (n) Promote the integration in the school curriculum of the principles of the right to
25 information, accountability and transparency, democracy, leadership, and
26 good governance in the elementary, high school, and tertiary level, consistent
27 with the objectives of this Act; and
28
- 29 (o) All other functions and duties necessary and incidental for the enforcement
30 and implementation of this Act.
31

32 Pursuant to the functions of the Commission, it shall ensure that public
33 officers and employees are adequately trained to improve awareness of the
34 Constitutional right on access to information and the provisions of this Act.
35

36 **SEC. 14. Powers of the Commission.** – For the purpose of performing its
37 functions and duties as provided in the preceding section, the Commission shall
38 have the power to:
39

- 40 (a) Conduct inquiries into alleged violations of this Act and require relevant public
41 officials or individuals in possession of pertinent information to appear before
42 it to provide testimony or produce documents;
43
- 44 (b) Examine a person under oath or affirmation and require such person where
45 necessary to produce any information which is in that person's possession;
46 *Provided, That the information which is exempted from disclosure under shall*
47 *be examined in confidence;*
48
- 49 (c) Inspect any information held by a government agency, including information
50 denied by it under the provisions of this Act;

- 1
2 (d) Direct a government agency to provide access to requested information in a
3 specific format—such as electronic, printed, or certified copy—when such
4 format is necessary to facilitate access and is reasonably practicable under
5 the circumstances;
6
7 (e) Direct a government agency to publish any information withheld by the said
8 agency from the public, subject to the provisions of Chapter VII hereof;
9
10 (f) Expeditiously hear and determine any appeals made to it by any aggrieved
11 person;
12
13 (g) Direct a government agency to reimburse fees charged when there has been
14 a delay on the transaction;
15
16 (h) Investigate, hear and decide on cases involving any violation of this Act and
17 other existing right to information laws *motu proprio* or upon receipt of a
18 verified complaint from an interested party, and institute the appropriate
19 administrative or criminal proceedings;
20
21 (i) Impose sanctions, fines or penalties for any noncompliance with or breach of
22 this Act and punish for contempt;
23
24 (j) Require any entity, government agency or instrumentality to abide by its
25 orders or take action on a matter affecting the right to information;
26
27 (k) Request the assistance of any government enforcement agency or seek the
28 cooperation of private institutions, corporations, entities, or associations as
29 may be necessary to effectively carry out its powers and functions under this
30 Act.
31
32 (l) Recommend to the Department of Justice (DOJ) the initiation of prosecutorial
33 action against any person found to have violated the provisions enumerated
34 under Section 35 of this Act;
35
36 (m) Coordinate with other government agencies and the private sector on efforts
37 to formulate and implement plans and policies to strengthen the right to
38 information in the country; and
39
40 (n) All other powers determined to be necessary for the implementation and
41 enforcement of this Act.

42 **SEC. 15. *Immunity from Suit.*** – The Chairperson, the Commissioners,
43 officers, employees and agents of the Commission shall not be subject to any action,
44 claim or demand in connection with any act done or omitted by them in the
45 performance of their duties and exercise of their powers during their term or tenure
46 except for those actions and omissions done in evident bad faith or gross
47 negligence.
48

49 **SEC. 16. *Indemnity.*** – Unless the actions of the Commission or its
50 Chairperson, any of its Commissioners, officers, employees and agents are found to

1 be in willful violation of this Act, performed with evident bad faith or gross negligence,
2 the Commission, its Chairperson, Commissioners, officers, employees and agents
3 are held free and harmless to the fullest extent permitted by law from any liability,
4 and they shall be indemnified for any and all liabilities, losses, claims, demands,
5 damages, deficiencies, costs and expenses of whatsoever kind and nature that may
6 arise in connection with the exercise of their powers and performance of their duties
7 and functions.

8
9
10 **CHAPTER IV**
11 **ACCESS TO INFORMATION PROCEDURES**

12 **SEC. 17. Access to information.** – Every person has a right to and shall, on
13 request, be given access to any information, official records, public records, and
14 documents and papers pertaining to official acts, transactions or decisions, or of
15 public concern under the control of a government agency regardless of the format in
16 which they are contained.

17
18 **SEC. 18. Presumption.** – There shall be a legal presumption in favor of
19 access to information. No request for information shall be denied unless it clearly
20 falls under the exceptions provided under this Act. Accordingly, government
21 agencies shall have the burden of showing by clear and convincing evidence that the
22 information requested is exempted from the disclosure under this Act.

23
24 **SEC. 19. Procedure for making a request.–**

- 25
26 (a) Any person or requesting party who wishes to obtain information shall submit
27 a request to the government agency concerned personally, by mail, or
28 through electronic means, including the Online RTI Portal.
29
30 (b) A person who is unable to make a written request for information, because of
31 illiteracy or disability, may make a verbal request, theRIO, who receives the
32 verbal request shall reduce the same in writing, including his or her name and
33 position within the government agency, and give a copy thereof to the
34 requesting party.
35
36 (c) The request shall state the name and preferred contact information of the
37 requesting party, and reasonably describe the information requested, and the
38 preferred means by which the government agency shall communicate such
39 information to the requesting party.
40
41 (d) If the request is submitted personally, the requesting party shall show his
42 current identification card issued by any government agency, government or
43 private employer or school, a community tax certificate, or a barangay
44 certificate.
45
46 (e) If the request is submitted by mail or through electronic means, the requesting
47 party may submit a photostatic or electronically scanned copy of verifiable
48 identification, or other convenient means as determined by the agency:
49 *Provided, That the government agency shall, by reasonable means, prevent*

1 the disclosure to the public of the government-issued identification card of any
2 requesting party.

3
4 (f) The RIO, upon receiving the request, shall provide reasonable assistance,
5 free of charge, to enable all requesting parties, and particularly those with
6 special needs, to comply with the requirements for a valid request under this
7 section.

8
9 (g) The request shall be stamped by the RIO, indicating the date and time of
10 receipt, and the name, rank, title and position of the RIO with the
11 corresponding signature, and a copy thereof furnished to the requesting party.
12 In case the request is submitted by electronic means, the RIO shall provide
13 for an equivalent means by which the requirements of this paragraph shall be
14 met. Each government agency shall establish a system to track the status of
15 all requests for information received by it.

16
17 (h) The request may indicate the requesting party's preferred mode and means of
18 receiving the information requested; *Provided*, That the mode and means are
19 reasonable, taking into consideration equipment normally available to the
20 concerned government agency.

21
22 (i) In cases where the request for information requires further details to conclude
23 resolution, the RIO shall notify the requesting party and initiate a clarification
24 process, and the processing period will be suspended. Upon receipt of the
25 clarification, the remaining time period will resume. If no clarification is
26 received from the requesting party after sixty (60) calendar days, the request
27 shall be deemed "closed," and no further action will be required on the part of
28 the agency.

29
30 The concerned government agency may communicate the information
31 requested in a form other than the preferred means whenever the agency has no
32 capability in communicating the information in the preferred format, or such preferred
33 means would unreasonably interfere with the effective operation of the agency or be
34 detrimental to the preservation of the record.

35
36 **SEC. 20. Foreign Nationals; Reciprocity Clause.** – Subject to the
37 provisions of this Act, foreign nationals may request information held by government
38 agencies, provided that the request is made in good faith and for legitimate
39 purposes. The right of foreign nationals to access information shall be subject to
40 reciprocity, such that access may be granted only if the applicant's country of
41 nationality likewise grants Filipino citizens comparable rights of access to information
42 under this Act.

43
44 The Department of Foreign Affairs, in consultation with the Commission, shall
45 maintain and regularly update a list of countries whose nationals may be entitled to
46 access under the reciprocity principle. Exceptions to this rule may be allowed in
47 cases involving academic research, news reporting, or other activities deemed
48 beneficial to the Philippines, subject to applicable rules and safeguards.

49
50 **SEC. 21. Timeline and Fees.** – The government agency, through its RIO,
51 shall respond to the request as soon as practicable, and in any case within three (3)

1 working days for simple requests, seven (7) working days for complex requests, and
2 twenty (20) working days for highly technical requests from receipt thereof.

3 Government agencies shall not charge any fees from Filipino nationals for
4 accessing information, except for the purpose of reimbursing the cost of reproducing
5 and sending the information.

6 The Commission shall prescribe in the IRR the detailed timelines and
7 applicable fees in connection with the effective implementation of this Act.

8 **SEC. 22. Right to Information Officer and Right to Information Decision**
9 **Maker.** – Every government agency or instrumentality, including local or regional
10 offices, shall within sixty (60) days from the effectivity of this Act, designate at least
11 one (1) Right to Information Officer (RIO) and one (1) Right to Information Decision
12 Maker (RDM) holding *plantilla* positions.

13
14 In recognition of the variations in organizational structures, staffing patterns,
15 and resource capacities at the local level, the requirement for RIOs and RDMs to
16 hold *plantilla* positions shall be considered discretionary. Nevertheless, LGUs shall
17 be required to designate RIOs and RDMs to facilitate compliance with the provisions
18 of this Act.

19
20 The RIO shall receive, acknowledge, and monitor all RTI requests and
21 appeals. The RDM, who shall have a rank not lower than Division Chief or its
22 equivalent, shall serve as the agency's primary authority in implementing this Act.
23 The specific duties of RIOs and RDMs, as provided in this Act, shall be defined in the
24 IRR.

25
26 **SEC. 23. RTI Manual.** – All covered agencies shall prepare and adopt their
27 respective RTI Manuals within 180 days from the issuance of the guidelines by the
28 Commission. The guidelines shall prescribe the content and format of the Manual,
29 which shall include, but not be limited to, provisions on applicable fees, the
30 designation and contact information of RIOs and RDMs, procedure for the
31 processing, referral, and transferring of information requests, list of exempted
32 information or records from disclosure, internal review mechanism, and all other
33 pertinent procedures for the efficient and effective access to information.

34
35 **SEC. 24. Submission of RTI Annual Reports by Government Agencies.** –
36 All government agencies shall submit annual reports to the Commission detailing the
37 information requests received, processed, and denied, including any appeals within
38 thirty (30) days after the end of the calendar year. For denied requests, the specific
39 provisions of this Act that have been invoked to justify non-disclosure shall also be
40 indicated in the reports.

41
42 **SEC. 25. Online RTI Portal.** – The existing electronic Freedom of Information
43 (eFOI) Portal (www.foi.gov.ph) managed by the Freedom of Information–Program
44 Management Office (FOI-PMO) under the Presidential Communications Office
45 (PCO) shall be transferred to the Commission and will be renamed as “Online RTI
46 Portal”.

47
48 To improve the efficiency and responsiveness of the Online RTI Portal, the
49 Commission may integrate AI features to automate and streamline core processes.

1 These enhancements aim to reduce processing time, increase accuracy, and
2 facilitate timely and consistent responses.

3
4 The Online RTI Portal must apply sufficient information security and data
5 privacy controls in compliance with R.A. No. 10173 or the DPA of 2012 and other
6 existing laws and relevant regulations. The portal shall also provide information in an
7 openstandards format as defined by the Philippine eGovernment Interoperability
8 Framework (PeGIF).

9
10 **SEC. 26. Proactive Publication.** – All government agencies shall have the
11 duty to proactively disclose data and information within their respective office
12 premises and through their official websites, subject to exceptions under Section 33
13 hereof. The information to be disclosed shall include, but not be limited to, the
14 following:

- 15
16 (a) The agency's mandate and functions, vision, mission, and core values;
- 17
18 (b) The programs and projects of the agency, including the names and addresses
19 of third party contractors;
- 20
21 (c) The powers and duties of officials, along with their position and office contact
22 information;
- 23
24 (d) The norms set by it for the discharge of its functions;
- 25
26 (e) The procedure followed in the decision-making process, including channels of
27 supervision and accountability;
- 28
29 (f) The current and updated service standards or guidance used by the agency
30 and its officials and employees in relation to its dealings with the public,
31 including the rules, instructions, manuals and records, held by it or under its
32 control or used by its employees for discharging its functions or the Citizen's
33 Charter;
- 34
35 (g) Statistical data of its accomplishments;
- 36
37 (h) The budget allocated to each of its agencies, including the particulars of all
38 plans, proposed expenditures and reports on disbursement made in open and
39 machine-readable format;
- 40
41 (i) Annual Procurement Plan of each agency;
- 42
43 (j) Subsidy and assistance programs of the government including but not limited
44 to health care, community development, or women and children care. The
45 manner of the execution of these programs, the amounts allocated and
46 beneficiaries;
- 47
48 (k) Particulars of concessions, permits, or authorizations granted by it;

1 (l) The names, designation, contact details of responsible public officers or
2 employees of every agency, appellate authorities and their office contact
3 details;
4

5 (m) Notice of publication indicating any relevant facts in any project or formulating
6 any policies or program in the interest of the public or persons likely to be
7 affected by its initiation; and
8

9 (n) Current news and updated events conducted by agencies.
10

11 The Commission shall annually update the information for proactive
12 publication; *Provided*, That the enumeration contained in paragraphs (a) to (m) shall
13 not be diminished or removed.
14

15 To ensure consistency in the identification and publication of proactively
16 disclosed information, all government agencies covered under Section 3 shall adopt,
17 maintain, and periodically review a Proactive Disclosure Plan that sets out the list,
18 categories of information, including datasets, that are routinely requested and
19 published through the mechanisms provided under this Act. Such Plan shall be
20 lodged with and monitored by the Commission and posted on the Online RTI Portal.
21 The specific contents, timelines, and procedures for preparing, reviewing, and
22 updating these Plans shall be prescribed in the IRR that will be issued under this Act.

23 The Commission shall ensure that government agencies, civil society
24 representatives, journalists, public sector unions, researchers, and/or academic
25 institutions are consulted in the determination, identification, and publication of
26 proactive disclosures of government statistics and information in an open and
27 machine-readable format, to improve people's participation in governance.
28

29 **SEC. 27. Disclosure of Statements of Assets, Liabilities, and Net Worth.**

30 – Subject to existing laws, rules, and regulations, the Statements of Assets,
31 Liabilities, and Net Worth (SALNs) of public officials and employees shall be made
32 accessible to the public in accordance with this Act.
33

34 **SEC. 28. Ensuring Data Quality and Institutional Accountability.** – To
35 uphold the right of access to accurate and reliable information, all public bodies
36 covered under this Act shall ensure the quality, integrity, and timeliness of the
37 information they generate, maintain, and disclose. Public bodies shall take
38 reasonable steps to ensure that information is accurate, complete, up to date, and
39 maintained in a manner that preserves its authenticity and reliability, with
40 inaccuracies promptly corrected or annotated upon discovery or verified request.
41 Public bodies shall designate responsible officers or units to maintain data quality,
42 implement internal verification procedures prior to disclosure, and respond to public
43 concerns regarding data accuracy within the period prescribed in the IRR. A public
44 log of substantive changes or updates to disclosed information shall be maintained
45 to promote transparency and traceability.
46

47 The Commission *motu proprio*, or any person adversely affected by
48 inaccurate information disclosed by a public agency, may request correction or file a
49 formal complaint with the concerned agency, which shall act within the timeframe
50 prescribed in the IRR.

1
2
3 **CHAPTER V**
4 **INTERNAL REVIEW AND APPEAL**

5 **SEC. 29. Notice of Denial.** – If the government agency decides to deny the
6 request, in whole or in part, it shall, as soon as practicable, and in any case within
7 the prescribed applicable period from the receipt of the request, notify the person
8 making the request of such denial in writing or through electronic means. The notice
9 shall clearly set forth the ground or grounds for denial and the circumstances on
10 which the denial is based and indicate available rights of reconsideration or appeal. It
11 shall also indicate the name, rank, title or position of the person making the denial.
12 Failure to notify the person making the request of the denial, or the extension, shall
13 be deemed a denial of the request for access to information.
14

15 The lack of acknowledgement from the government office within three (3)
16 working days upon receipt of the request shall be considered a Notice of Denial.
17

18 **SEC. 30. Remedies in Cases of Denial of Request for Information.**– All
19 government agencies shall establish an internal review mechanism to review and
20 monitor every denial of a request for access to information.
21

22 All denial of requests shall be reviewed by the agency's internal review
23 mechanism, following a written request, in writing or electronic means, to review the
24 written request made by the same person making the request, or his or her
25 authorized representative within fifteen (15) working days from the receipt of the
26 notice of denial.
27

28 The request to review shall be decided by the agency's internal review
29 mechanism within thirty (30) working days from the filing of the said written request.
30

31 The decision shall indicate the name, rank, title, or position of the person
32 making the decision, clearly set forth the ground or grounds and the circumstances
33 on which the grant or denial of decision is based.
34

35 Failure of the government agency to act and decide on the request within the
36 period stated in the preceding paragraphs shall constitute a denial of thereof and is
37 deemed to be final; *Provided*, That in case the requesting party fails to file a request
38 to review within the period provided herein, the denial of the request shall be
39 deemed final. *Provided, further*, that in case the requesting party is not satisfied with
40 the decision of the concerned agency's internal review mechanism, said party may
41 file an appeal to the Commission.
42

43 The Commission shall establish its internal rules of procedures on cases filed
44 before it to ensure the prompt, impartial, and effective resolution of disputes under
45 this Act.
46

47 **SEC. 31. Dispute Resolution.** – If a requesting party files an appeal with the
48 Commission, the Commission shall preferably resolve any and all disputes arising
49 from the denial of a request covered by this Act through arbitration or other forms of
50 alternative dispute resolution in the Philippines according to the provisions of R.A.
51 No. 9285 or the Alternative Dispute Resolution Act of 2004.

1 To ensure efficiency in the resolution of disputes, parties to a dispute are
2 encouraged to select the most expeditious mode of dispute resolution.

3 4 5 **CHAPTER VI** 6 **DATA PRIVACY** 7

8 **SEC. 32. *Right to Privacy.*** – While providing for access to information in
9 public records, government agencies shall take the necessary precautions to protect
10 the data privacy of individuals including public officials, in accordance with R.A. No.
11 10173 or the DPA of 2012 and comply with the minimum information security
12 standards set by the Commission, the National Privacy Commission (NPC), and
13 other issuances of relevant government agencies. All government agencies shall
14 remain subject to the provisions of R.A. No. 10173 and issuances by the NPC.

15 **CHAPTER VII** 16 **INVENTORY OF EXCEPTIONS** 17

18 **SEC. 33. *Exceptions.*** – Access to information shall be granted unless:
19

- 20 (a) the information is specifically authorized to be kept secret under guidelines
21 established by an executive order, and properly classified pursuant thereto:
22 *Provided, That* (1) the information directly relates to national security or
23 defense and its revelation may cause grave damage to the national security or
24 internal and external defense of the State; or (2) the information requested
25 pertains to the foreign affairs of the Republic of the Philippines, and its
26 revelation shall unduly weaken the negotiating position of the government in
27 an ongoing bilateral or multilateral negotiation or seriously jeopardize the
28 diplomatic relations of the Philippines with one or more States: *Provided, That*
29 sufficient information is disclosed to afford reasonable public participation and
30 government decision-making on bilateral and multilateral agreements:
31 *Provided, further, That* the executive order shall specify the reasonable period
32 after which the information shall be automatically declassified or be subject to
33 mandatory declassification review after six (6) years, and that any reasonable
34 doubt as to classification and declassification shall be settled in favor of the
35 right to information;
36
- 37 (b) the information discloses investigatory records compiled for law enforcement
38 purposes or information which are contained in such records, but only to the
39 extent that the production of such records or information will:
40
- 41 (i) reasonably be expected to interfere with enforcement proceedings;
 - 42 (ii) deprive a person of the right to a fair trial or an impartial adjudication;
 - 43 (iii) reasonably be expected to constitute an unwarranted invasion of
44 privacy;
 - 45 (iv) the information is furnished by a confidential source and in the case of a
46 record compiled by a criminal law enforcement authority in the course of
47 a criminal investigation, or by an agency conducting a lawful national

- 1 security intelligence investigation, confidential information is furnished
2 only by the confidential source;
- 3 (v) unjustifiably disclose investigative or prosecutorial techniques and
4 procedures; or
- 5 (vi) reasonably be expected to endanger the life or physical safety of any
6 individual;

7
8 *Provided*, That convictions by final judgment rendered by judicial or quasi-judicial
9 bodies, and other similar records, shall be disclosable.

10
11 (c) the information pertains to a testimony, report, document, or discussion
12 obtained during an executive session of the Congress of the Philippines or
13 any of its committees;

14
15 (d) the information pertains to the personal information of a natural person,
16 whether from the public or the private sector, and its disclosure constitutes an
17 unwarranted invasion of personal privacy, unless such information is
18 specifically required by law to be entered into an official record and made
19 available to the public, or the person has consented in writing to the disclosure
20 of the information. To the extent required to prevent an unwarranted invasion
21 of personal privacy, an agency may redact such information from a record
22 made available to the public. The justification for the redaction shall be
23 explained fully in writing, and the extent of such redaction shall be indicated
24 on the portion of the record which is made available or published;

25
26 (e) the information pertains to trade secrets, commercial or financial information,
27 or intellectual property obtained from a natural or juridical person other than
28 the requesting party, and the revelation thereof will seriously prejudice the
29 interests of such natural or juridical person in trade, industrial, financial, or
30 commercial competition;

31
32 (f) the information is classified as privileged communications in legal proceedings
33 by law or by the Rules of Court, unless the person entitled to the privilege has
34 waived it;

35 (g) the information is exempted from disclosure by the Constitution or law; and,

36
37 (h) when prematurely disclosed, the information would, in case of a government
38 agency that regulates financial institutions and the financial markets that they
39 deal in, such as commodities, interest rates, and security markets, likely lead
40 to fraud, manipulation, or other unlawful acts or schemes involving financial
41 instruments, or, in the case of other government agencies, likely impede the
42 effective implementation of a proposed official action: *Provided*, That the
43 information shall be accessible once the anticipated danger has ceased.

44
45 For paragraphs (b) to (h) of this Section, the determination of whether any of
46 these grounds apply shall be the responsibility of the head of office of the
47 government agency in custody or control of the information, or any responsible
48 central or field officer duly designated by the head of office: *Provided*, That with
49 regard to collegial bodies, boards, commissions, or other courts, the chairperson or
50 presiding officer or member is deemed the head of office for purposes of this
51 provision.

1
2 The foregoing exceptions shall be reviewed and updated regularly by the
3 Office of the Solicitor General and the Department of Justice. *Provided*, That the
4 exceptions contained in paragraphs (a) to (h) shall not be diminished or removed.
5

6 The government agency is excused from complying with a subsequent
7 identical or substantially similar request from the same requesting party where it has
8 previously complied with a request for information unless a reasonable interval has
9 lapsed between compliance with the previous request and the making of the current
10 request: *Provided*, That the government agency complies with Section 19 of this Act.
11

12 **SEC. 34. Qualifiers.** – Even if the information falls under the exceptions,
13 access to information shall not be denied if:
14

- 15 (a) The information may be reasonably severed from the body of the information
16 which would be subject to the exceptions;
17
18 (b) The public interest in the disclosure outweighs the harm to the interest sought
19 to be protected by the exceptions;
20
21 (c) The requested information concerns cases already decided with finality by the
22 courts, tribunals, commissions, agencies exercising quasi-judicial functions,
23 administrative bodies, or officials in the exercise of their administrative
24 functions; or
25
26 (d) When the person entitled to the privilege or the body holding the information
27 has waived the exception.
28

29 The burden of proving that the information is covered by an exception and
30 that disclosure would cause identifiable and specific harm rests with the government
31 agency withholding the information. The burden of establishing that there exists an
32 overriding public interest justifying disclosure rests with the requester.

33 **CHAPTER VIII** 34 **PENALTIES** 35

36 **SEC. 35. Criminal Offenses and Penalties.**—A penalty of imprisonment of
37 not less than one (1) year but not more than six (6) years, and a fine ranging from
38 One Hundred Thousand Pesos (₱100,000.00) to One Million Pesos (₱1,000,000.00)
39 shall be imposed upon:
40

- 41 (a) Any public official or employee who falsely denies or conceals the existence
42 of information that is subject to disclosure under this Act;
43
44 (b) Any public official or employee responsible for acting on a request who falsely
45 claims an exception under Section 33 of this Act or under the Constitution,
46 when such a claim is manifestly devoid of factual or legal basis;
47

1 (c) Any responsible officer of a public service contractor, signatory to a
2 government contract, or officer of an entity transacting with the government
3 who fails to submit required documents or records in compliance with this Act;
4 and
5

6 (d) Any person who knowingly, willfully, or negligently, uses, publishes,
7 disseminates, or discloses information obtained under this Act for unlawful,
8 fraudulent, or harmful purposes; exploits or commercializes it against legal
9 restrictions or intellectual property, privacy, or security laws; manipulates,
10 alters, or falsifies government data for misrepresentation, personal gain, or
11 obstruction of justice; or conspires with officials to unlawfully withhold, distort,
12 destroy, or improperly release such information.
13

14 If a private individual, corporation, partnership, or any juridical entity induces,
15 assists, or conspires in committing any of the violations under this section, the same
16 penalties shall be imposed on its executive officers or responsible officials: *Provided*,
17 that such entities shall also suffer the automatic revocation of their license to operate
18 and be permanently barred from engaging in government contracts.
19

20 Any public official or employee who willfully destroys, causes the destruction
21 of, or sells information or public records being requested under this Act, for the
22 purpose of frustrating public access, shall suffer a fine of not less than Five Hundred
23 Thousand Pesos (₱500,000.00) but not more than One Million Pesos
24 (₱1,000,000.00), or imprisonment of not less than five (5) years but not more than
25 fifteen (15) years, or both, pursuant to R.A. No. 9470 or the National Archives of the
26 Philippines (NAP) Act of 2007.
27

28 *Provided*, That nothing in this Section shall be construed to diminish, restrict,
29 or supersede the rights, obligations, and liabilities established under existing laws.
30

31 **SEC. 36. Liability of Foreign Entities in Government Transactions.** – The
32 same penalties provided in the preceding Section shall also apply to any foreign
33 individual, juridical entity, or corporation that deliberately produces or disseminates
34 false information in connection with any transaction, agreement, or engagement
35 involving the Philippine government or any of its political subdivisions, agencies, or
36 instrumentalities.

37 For the purposes of this provision, a foreign entity shall be deemed to have
38 sufficient link with the Philippines if any of the following conditions are present:
39

40 (a) The foreign entity has entered into a contract, memorandum of agreement,
41 or any official transaction with the Philippine government or any of its
42 political subdivisions, agencies, or instrumentalities;
43

44 (b) The foreign entity, though incorporated or registered abroad, has central
45 management and control located in the Philippines;
46

47 (c) The foreign entity operates through a branch, agency, office, or subsidiary
48 in the Philippines in relation to a government project or engagement; and,
49

1 (d) The foreign entity carries out business operations or undertakes official
2 functions in the Philippines as part of its dealings with the government.

3
4 Any such foreign entity shall be subject to the jurisdiction of Philippine authorities for
5 the purpose of investigation, enforcement of penalties, and other remedies under this
6 Act.

7
8 **SEC. 37. Administrative Offenses.** – The Commission may, *motu proprio* or
9 upon receipt of a complaint by the requesting party, file an administrative case
10 against any public officer or employee for any following acts:

11
12 (a) When a public officer or employee willfully denies or obstructs access to
13 any information or records;

14
15 (b) When a public officer or employee fails to act on the request within the
16 compliance periods provided under Section 21 of this Act; and,

17
18 (c) When a public officer or employee claims an exception under Chapter VII
19 of this Act, by reason of inexcusable negligence or ignorance, and the
20 claim is devoid of factual and legal bases.

21
22 In concurrence with R.A. No. 10175 or the Cybercrime Prevention Act of
23 2012, jurisdiction shall lie if any of the elements was committed within the Philippines
24 or committed with the use of any computer system wholly or partly situated in the
25 country, or when by such commission any damage is caused to a natural or juridical
26 person who, at the time the offense was committed, was in the Philippines. To
27 further the scope of this, Section 22 of R.A. No. 10175 shall be observed.

28
29 **SEC. 38. Administrative Liability.** – Any violation of the preceding section
30 shall be subject to the following graduated penalties, after due notice and hearing, in
31 accordance with civil service laws and other applicable regulations:

32
33 (a) First Offense – Suspension for a period of not less than one (1) month and
34 not more than six (6) months, without pay;

35
36 (b) Second Offense – Suspension for a period of not less than six (6) months
37 and not more than one (1) year, without pay; and

38 (c) Third Offense – Dismissal from service, with permanent disqualification
39 from holding any government position, whether elective or appointive,
40 forfeiture of retirement benefits (except those mandated by law), and
41 possible civil and criminal liability, if warranted.

42
43 Nothing in this section shall preclude the filing of appropriate administrative
44 cases for offenses not classified as grave under the preceding section, in
45 accordance with applicable laws and regulations.

46
47 As for the Court personnel and judges, administrative offenses, mentioned in
48 the preceding section, and the administrative liability mentioned herein, shall be
49 those prescribed in Rule 140 of the Rules of Court and Code of Conduct for Court
50 Personnel.

SEC. 39. *Whistleblower Protection.* – No person or witness shall be subjected to legal, administrative, or employment-related sanctions for disclosing information in good faith that reveals:

- (a) Wrongdoing, including the commission of a criminal offense, failure to comply with a legal obligation, miscarriage of justice, corruption, dishonesty, or serious maladministration or misconduct by a public official; or
- (b) A serious threat to public health, safety, the environment, or any matter of public interest.

Provided, That the witness acted in good faith and had reasonable grounds to believe that the information was substantially true; and the disclosure was necessary to expose wrongdoing or prevent a serious threat.

Further, the witness shall be entitled to the protection and benefits as prescribed under Section 8 of R.A. No. 6981 or the Witness Protection, Security and Benefit Program of 1991.

If after due process, it was found that the disclosure has been made maliciously, with knowledge of its falsity, or in reckless disregard of the truth, the witness shall be held liable under Section 35 of this Act and Sections 29 or 32 of R.A. No. 10173 or the DPA of 2012.

CHAPTER IX

RECORDS MANAGEMENT AND CAPACITY BUILDING

SEC. 40. *Records Management, Capacity Building, and the RTI Code of Best Practice.* – All government agencies shall systematically record and maintain records of all acts done in official capacity to facilitate the public’s right to information as provided in this Act. Public bodies must identify and preserve official records that hold continuing historical, administrative, legal, evidentiary, informational, or research value, in coordination with the NAP.

Every government agency shall provide adequate training for officials and stakeholders to raise awareness of the public's right to information, improve compliance with this Act, and stay updated on best practices in information access, disclosure, records management, and archiving.

The Commission, with assistance from the Department of Information and Communications Technology, shall monitor government websites and provide support through capacity-building programs, knowledge management initiatives, in collaboration with other relevant agencies and volunteer groups to ensure compliance with this Act.

Furthermore, the Commission shall continuously develop and update its information technology systems to enhance accessibility and usability of government information.

1 They shall also issue an RTI Code of Best Practice within sixty (60) working
2 days from the establishment of the Commission, which may be revised annually to
3 compile their best practices in implementing this Act.
4

5 **SEC. 41. Institutionalization of Right to Information, Media and**
6 **Information Literacy, and Good Governance in the Basic and Higher Education**
7 **Curriculum.** – To promote transparency, civic engagement, and the responsible use
8 of information, the right of access to information, media and information literacy, and
9 the principles of good governance shall be progressively and appropriately
10 integrated into the curriculum across all subject areas.
11

12 The Commission, in coordination with the Department of Education,
13 Commission on Higher Education, and the Technical Education and Skills
14 Development Authority, and the CSC shall develop and formulate a strategic and
15 phased implementation plan including the development of context-sensitive learning
16 modules, teaching programs, and capacity-building initiatives tailored to the specific
17 needs and capabilities of educational institutions.
18

19 The integration of these topics shall be feasible, scalable, and sensitive to the
20 existing workload of educators and learners, while remaining consistent with the
21 objectives of this Act.
22

23 **SEC. 42. System of Incentives and Rewards.** – A system of special
24 incentives and rewards is hereby established to be given to appropriate government
25 agencies or agencies that initiated and displayed compliance and full participation in
26 the meaningful implementation of this Act and promotes good governance practices.
27 The incentives and rewards may include, but not limited to, social projects, grants-in-
28 aid, national recognition, and similar entitlements.
29

30 **CHAPTER X**

31 **TRANSITORY PROVISIONS**

32

33 **SEC. 43. Implementing Authority.**– The FOI-PMO created under PCO
34 Department Order No. 018, s. 2017, Memorandum Order No. 10, s. 2016 and
35 Executive Order No. 02, s. 2016, shall undertake the implementation of the
36 provisions of this Act and implement the necessary organizational changes within the
37 transition period, or until a Chairperson has been appointed and has assumed office.

38 **SEC. 44. Effectivity of Existing Policies, and Rules and Regulations.** – All
39 existing policies, and rules and regulations of the FOI-PMO shall continue to remain
40 in full force and effect unless subsequently revoked, modified or amended by the
41 Commission.
42

43 All cases and appeals filed during the transition period shall continue to be
44 acted upon by the incumbent until transition shall have been completed and the
45 Commission's operations are in place. Thereafter, the Commission shall
46 correspondingly assume jurisdiction over those cases and appeals. All decisions of
47 the Commission shall henceforth be appealable to the Court of Appeals under Rule
48 43 of the Rules of Court.
49

1 **SEC. 45. Transfer of Functions, Assets, and Obligations.** – All transfer of
2 functions, assets, funds, personnel equipment, properties, transactions, and
3 personnel of the FOI-PMO, and the formulation and implementation of the internal
4 organic structures, staffing patterns, operations systems, and revised budgets of the
5 FOI-PMO, shall be completed within 180 days from the effectivity of the Act, during
6 which existing personnel shall continue to assume their posts in holdover capacities
7 until new appointments are issued.

8
9 Accordingly, the following dispositive actions shall be implemented within 180
10 days from the effectivity of the Act:

- 11
12 (a) The allocation of existing equipment, funds, and other assets of the FOI-PMO
13 shall be transferred to the Commission;
14
15 (b) The records and pertinent transactions of the FOI-PMO shall be transferred to
16 the Commission; and,
17
18 (c) The Commission shall cause the creation of additional positions and augment
19 their budget appropriations, as may be necessary, with the approval of the
20 DBM.

21
22 The Commission shall be subrogated to all rights and assume all the liabilities
23 of the FOI-PMO.

24
25 **SEC. 46. Absorption or Separation from Service of Employees of the**
26 **Consolidated Agencies.** – The existing employees of the FOI-PMO shall enjoy
27 security of tenure and shall be absorbed by the Commission, in accordance with
28 their staffing patterns and the selection process as prescribed under R.A. No. 6656
29 or the Government Reorganization Law of 1988.

30
31 Employees opting to be separated from the service as a consequence of the
32 consolidation and reconstitution under the provisions of the Act shall, within thirty
33 (30) days from their separation or phase out from the service, receive separation
34 benefits in accordance with existing laws. In addition, those who are qualified to
35 retire shall be allowed to retire and be entitled to all benefits provided, under any of
36 the existing retirement laws.

37
38 **SEC. 47. Transition Period.** – The transfer of functions, assets, funds,
39 equipment, properties, transactions, and personnel of FOI-PMO, and the formulation
40 of the internal organic structure, staffing pattern, operating system of the
41 Commission shall be completed within 180 days from the effectivity of this Act,
42 during which time, the existing personnel shall continue to assume their posts and
43 hold their positions in a regular capacity: *Provided*, that after the abolition of FOI-
44 PMO, the Commission, in coordination with DBM, shall determine and create new
45 positions, the funding, requirement of which may exceed the equivalent cost of
46 positions abolished.

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CHAPTER XI
FINAL PROVISIONS

SEC. 48. *Implementing Rules and Regulations (IRR).*– Within ninety (90) days from the effectivity of this Act, the Commission, in consultation with relevant government agencies and stakeholders, shall promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC. 49. *Appropriations.* –The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the agencies concerned. Thereafter, such sums as may be necessary for the continued implementation shall be included in the annual General Appropriations Act.

The LGUs concerned shall charge the amount necessary to carry out the provisions of this Act against their respective local funds.

SEC. 50. *Separability Clause.*– If any section or part of this Act is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force and effect.

SEC. 51. *Repealing Clause.* – All laws, decrees, executive order, rules and regulations, issuances, or any part thereof inconsistent with the provisions of this Act are deemed repealed.

SEC. 52. *Effectivity.* – This Act shall take effect after fifteen (15) days following the completion of its publication in the Official Gazette, or in a national newspaper of general circulation.

Approved,