

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 6970



Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

EXPLANATORY NOTE

The right of the people to information on matters of public concern is expressly guaranteed under Article III, Section 7 of the 1987 Constitution. This guarantee is further strengthened by Article II, Section 28, which mandates the State to adopt and implement a policy of full public disclosure of all its transactions involving public interest. Together, these constitutional provisions affirm transparency as a cornerstone of democratic governance and an essential safeguard against abuse of power.

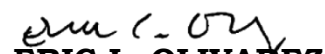
Jurisprudence has consistently recognized the importance of this right. In *Legaspi v. Civil Service Commission* (G.R. No. L-72119, May 29, 1987), the Supreme Court declared the right to information as self-executory and enforceable even in the absence of enabling legislation, while acknowledging that reasonable regulations are necessary for its effective implementation. In *Chavez v. Public Estates Authority* (G.R. No. 133250, July 9, 2002), the Court further emphasized that access to information is indispensable to public accountability and citizen participation in governance.

Despite these clear constitutional and judicial pronouncements, access to government-held information remains uneven, fragmented, and largely dependent on administrative issuances. The absence of a comprehensive statutory framework has resulted in inconsistent procedures, delays, and uncertainty for both citizens and public officials. There is thus a compelling need to institutionalize a clear, uniform, and enforceable mechanism that gives full effect to the people's right to know.

This bill, entitled the **People's Right to Information and Transparency Act**, seeks to operationalize the constitutional right to information by establishing standardized procedures for access to public records, mandating proactive disclosure of key government information, and clearly defining limited and narrowly construed exceptions consistent with law and jurisprudence. It further strengthens transparency by requiring the designation of Freedom of Information (FOI) Officers in all government agencies, creating a central FOI Oversight Office, promoting public education and digital inclusion, and providing accountability mechanisms through administrative, civil, and criminal liabilities for unjustified denial or obstruction of access.

More than a procedural reform, this measure affirms access to information as a vital instrument for combating corruption, empowering citizens, strengthening democratic participation, and restoring public trust in government institutions.

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


ERIC L. OLIVAREZ

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**“AN ACT
ESTABLISHING THE RIGHT TO INFORMATION AS A
MECHANISM FOR TRANSPARENCY, ACCOUNTABILITY,
AND CITIZEN EMPOWERMENT”**

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

Section 1. Short Title. - This Act shall be known as the “*The People’s Right to Information and Transparency Act*”

Section 2. Declaration of Policy. - It is hereby declared the policy of the State to recognize the right of the people to information on matters of public concern. The State shall promote transparency in public service, ensure accountability of government officials and employees, and institutionalize a regime of open government.

Section 3. Coverage. - This Act shall apply to all branches, subdivisions, instrumentalities, and agencies of the Republic of the Philippines, including:

- a. The Executive, Legislative, and Judicial branches;
- b. Constitutional bodies;
- c. Local government units (LGUs);
- d. Government-owned or -controlled corporations (GOCCs), including subsidiaries;
- e. State universities and colleges (SUCs);
- f. Other entities funded by public money or exercising public functions.

SEC. 4. - Definition of Terms. - For purposes of this Act, the following terms are defined:

- a. *Information* – Any recorded data regardless of format or medium, prepared, received, or controlled by a government office or official and connected with the conduct of official functions.

- b. *Public Records* – All information or documents that pertain to official acts, transactions, decisions, policies, or expenditures of government.
- c. *FOI Officer* – A designated official in each agency responsible for receiving, processing, and monitoring FOI requests.
- d. *Personal Information* – Any data that would identify an individual and is not classified as public under this Act.
- e. *Sensitive Information* – Information that may compromise national security, public safety, diplomatic relations, law enforcement operations, or personal privacy, and which is exempt from disclosure.
- f. *Proactive Disclosure* – The publication of information without need for a request, in accordance with this Act.

Section 5. Right of Access to Information. - Every Filipino citizen shall have the right to access, examine, and copy official records, contracts, transactions, and decisions held by the government, subject only to limitations provided by this Act.

Section 6. Proactive Disclosure of Information. - All government agencies shall regularly publish and make available to the public, in print and digital form, the following:

- a. Organizational structure, functions, and duties;
- b. Directory of officials and employees;
- c. Annual reports and audits;
- d. Budget allocations and utilization;
- e. Public procurement processes and contracts;
- f. Performance targets and evaluations;
- g. Internal rules, regulations, and guidelines;
- h. Statement of Assets, Liabilities, and Net Worth (SALN)

Each agency shall maintain an *Online Transparency Portal* accessible to the public without cost.

Section 7. Public Education and Awareness. - The Department of Education (DepEd), Commission on Higher Education (CHED), and Technical Education and Skills Development Authority (TESDA) shall integrate education on the right to information, transparency, and accountability into the curriculum of basic, tertiary, and technical education.

Section 8. Annual National Information Awareness Campaign. - The Presidential Communications Office (PCO), in coordination with the FOI Oversight Office and relevant agencies, shall lead an Annual National Information Awareness Campaign every September to educate the public on their right to access government-held information, how to file FOI requests, and the importance of open governance.

Section 9. Digital Access and Inclusion. - All government agencies shall ensure that information is accessible to the public through digital means. Efforts shall be made to maintain user-friendly and mobile-accessible transparency portals, provide downloadable open data in machine-readable formats, and make online FOI request platforms available in Filipino and major regional languages.

Section 10. Public Information Desks. - All government agencies shall establish Public Information Desks in their main and regional offices to assist walk-in citizens seeking information, provide access to commonly requested documents, and assist with filing requests.

Section 11. Support for Civil Society and Media Engagement. - The FOI Oversight Office shall create mechanisms for regular consultation and collaboration with civil society organizations, academic institutions, journalists, and citizen watchdog groups to ensure continuous improvement of transparency policies.

Section 12. Barangay and Community-Level Information Campaigns. - The Department of the Interior and Local Government (DILG) shall require local government units to conduct annual barangay-level assemblies or forums on the right to information and present updates on local government transparency efforts.

Section 13. Exceptions to Access. - Access may be denied if the requested information falls under the following categories:

- a. *National Security* – Classified information under existing laws;
- b. *Law Enforcement and Investigations* – Disclosure would impede active investigations or enforcement operations;
- c. *Diplomatic Affairs* – Information affecting foreign relations or treaty negotiations;

Executive Privilege – Communications of the President and Cabinet deemed privileged;

- d. *Privileged Communications* – Information covered by lawyer-client, doctor-

patient, priest-penitent, and similar relationships;

- e. *Trade Secrets* – Proprietary information protected under intellectual property or trade laws;
- f. *Personal Privacy* – Personal data of individuals without lawful basis or consent. All exceptions shall be narrowly construed and subject to strict necessity.

Section 14. Freedom of Information Officers. - All government offices shall designate at least one FOI Officer to:

- a. Assist and guide requesters;
- b. Receive and respond to FOI requests;
- c. Maintain a registry of requests and actions taken;
- d. Coordinate with the FOI Oversight Office and comply with reporting requirements.

Section 15. Central FOI Oversight Office. - A Freedom of Information Oversight Office is hereby created under the Office of the President. It shall be tasked with:

- a. Monitoring compliance of agencies and offices;
- b. Developing standard procedures, forms, and timelines for FOI requests;
- c. Issuing guidelines and conducting training programs;
- d. Receiving compliance reports and publishing an Annual FOI Compliance Report to be submitted to Congress and made available online.

Section 16. Capacity Building. - The Civil Service Commission, in coordination with the FOI Oversight Office and the Development Academy of the Philippines, shall develop and deliver mandatory FOI training programs for all public officials and employees. FOI competencies shall be incorporated into performance evaluation systems.

Section 17. Administrative Liability. - Failure or refusal to comply with the provisions of this Act without lawful justification shall be grounds for:

- a. Administrative sanctions under the Civil Service Law;
- b. Disciplinary action, including reprimand, suspension, or dismissal.

Section 18. Criminal Liability. - Any person who willfully alters, destroys, suppresses, or falsifies requested public documents, or who obstructs access to public information in bad faith, shall be punished in accordance with the Revised Penal Code and applicable special laws.

Section 19. Civil Liability. - Any aggrieved person may bring a civil action

for damages against the responsible public officer or employee for unjustified denial, obstruction, or delay of access to information, provided that bad faith or gross negligence is shown.

Section 20. Appropriations. - The amount necessary to implement this Act shall be included in the annual General Appropriations Act. The FOI Oversight Office and implementing agencies shall be provided with sufficient funds to fulfill their obligations under this Act.

Section 21. Implementing Rules and Regulations (IRR). - Within sixty (60) days from the effectivity of this Act, the Department of Justice (DOJ), Civil Service Commission (CSC), and the FOI Oversight Office shall jointly promulgate the implementing rules and regulations, in consultation with civil society organizations, media groups, and stakeholders.

Section 22. Separability Clause. - If any provision of this Act is declared unconstitutional or invalid, the remainder of the Act shall not be affected and shall continue to be in full force and effect.

Section 23. Repealing Clause. - All laws, presidential decrees, executive orders, rules, and regulations inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Section 24. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,