

# **FREEDOM OF INFORMATION (FOI) MANUAL UCPB Savings Bank**



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*As a BSP-supervised financial institution, UCPB Savings Bank shall conform to all relevant banking laws and regulations, and its amendments including, but not limited to:*

- a. The General Banking Act of 2000 (RA 8791)*
- b. The New Central Bank Act of 1998 (RA 7653) as amended by R.A. 11211*
- c. Bangko Sentral ng Pilipinas (BSP) Manual of Regulations for Banks*
- d. BSP Circulars and Memorandum*
- e. Securities Regulation Code (RA 8799)*
- f. Philippine Deposit Insurance Commission (PDIC) Act 5980 (RA 3591)*
- g. Truth in Lending Act (RA 3765)*
- h. Secrecy of Bank Deposit (RA 1405 as amended)*
- i. Anti-Money Laundering Law R.A. No. 9160 as amended by the following:*
  - R.A.9194 - Anti-Money Laundering Act*
  - BSP Circular No. 706 series of 2011 – Updated Money Laundering PreventionProgram*
  - R.A. 10167 – Amendatory law on AMLA effective July 6, 2012*
  - R.A. 10168 – The Terrorist Financing Act effective August 26, 2012*
  - R.A. 10365 – Amendatory law on AMLA effective March 7, 2013*
- j. Other relevant banking laws*



## UCPBS FREEDOM OF INFORMATION (FOI) MANUAL

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3

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1	06/29/2023		UCPBS Freedom of Information Manual	J. San Diego / A. Perez / J. Aya-ay / R. Palmejar
2	03/21/2024		No Wrong Door Policy, FOI Receiving Officers	F. Rabang/ A. Perez



## Table of Contents

<b>I. INTRODUCTION</b>	5
<b>II. GENERAL POLICIES AND GUIDELINES</b>	6
A. Filing and Processing of Request	6
B. Documentation of Manual and Records	7
C. Grant/Denial of the Request	8
D. Appeal of Request for Document/ Information (for denied requests)	8
E. No Wrong Door Policy	8
<b>III. PROCEDURES</b>	9
A. Filing and Processing of Request	9
B. Grant / Denial of Request	10
C. Appeal of the Request (if document/information is denied)	10
<b>IV. ANNEXES</b>	11
Annex A: List of Acceptable IDs	11
Annex B: UCPBS FOI Manual Exception List	12
Annex C: Request for Release of Document/Information (RRDI)	32
Annex D: EMAIL TEMPLATE TO DATA OWNER/DATA PRIVACY OFFICER/LSD HEAD	33
Annex E: NOTICE OF APPROVAL/DISAPPROVAL OF REQUEST (EMAIL)	34
Annex F: FOI SIGN –OFF SHEET	35
Annex G: INFORMATION REQUESTS AND RELEASES MONITORING SHEET	36
Annex H: UCPB Savings Bank FOI Receiving Officer and FOI Decision Maker	37
Annex I: NO WRONG DOOR POLICY FLOWCHART	38

## I. INTRODUCTION

1. The Constitution recognizes the fundamental role of free and open exchange of information in a democracy, meant to enhance transparency and accountability in government official acts, transactions, or decisions. Section 28, Article II of the 1987 Constitution enunciates that the State adopts and implements a policy of full public disclosure of all its transactions involving public interest, subject to reasonable conditions prescribed by law. Section 7, Article III of the Constitution guarantees the right of the people to information on matters of public concern.
2. Executive Order No. 02 or the Executive Order on Freedom of Information (FOI) aims to promote an open government by increasing transparency of the executive branch and its agencies. It strengthens the right to information as enshrined by the Constitution.
3. This manual is issued in pursuant to EO No. 2, Series of 2016. The Bank ensures full support on the transparency, disclosure, and accountability in government official acts, transactions, and decisions without compromising the credibility and reputation as well as public confidence in the Bank. The Bank also warrants the protection of its privacy and that of its stakeholders in accordance with the constitution, laws, rules, and regulations of the Philippines.
4. This Manual shall cover all information requested from the Bank by external party(ies), except from the following:
  - a. Clients / customers / investors of the Bank on matters relevant and material to their personal information, account and investment;
  - b. By persons or entities with contracts or dealings with the Bank on information that they are legally entitled to have access to, and;
  - c. By the public on information made known to them and other relevant matters thereto (i.e., products and services)
  - d. Requests for information pertaining to trade secrets and commercial or financial information that would seriously prejudice industrial, financial or commercial competition.



## II. GENERAL POLICIES AND GUIDELINES

### A. Filing and Processing of Request

1. The requesting party shall submit a fully-accomplished Request for Release of Document/Information (RRDI) (see Annex C) to Customer Management Department (CMD). Information requests shall be coursed through any of the following channels:
  - a. Email (usb-camu@ucpbsavings.com)
  - b. Telephone (8811-0278)
  - c. Mobile (0917-6204851 / 0988-5919006)
  - d. Facebook Messenger (<https://www.facebook.com/UCPBS.KASAMAMO/>)
2. In case of request via a representative, the following are required by CMD:
  - Authorization letter from the requestor
  - One (1) valid ID for requestor and representative
3. CMD shall be the central monitoring unit which shall track all written requests for information and the actions taken on the requests by the different units of the Bank. It shall implement a records management and tracking system that contains accurate and complete record of requests for information and actions taken by the Bank on the said requests.
4. Target timeline of the processing of request shall be a minimum of 15 working days. However, for requests that require processing of more than 15 working days, CMD shall inform the requestor of such.
5. A designated CMD Officer or associate (see Annex H) shall be assigned to evaluate the requests by ensuring no duplicate requests are submitted. Otherwise, the request shall automatically be denied using the letter template of Notice of Approval /Disapproval (see Annex E) sent to requestor thru email. If the information or record requested is not in the Bank's possession, refer to Section E- No Wrong Door Policy.

If all clear, the requests shall be referred to the Data owner identified, Data Privacy Officer, and Legal Services Division Head to be sent thru email using the Email Template to Data Owner/Data Privacy Officer/Legal Services Division (LSD) Head (see Annex D).

6. Criteria for the following to review the request are as follows:

a. Data owner:

- Whether the value of information will not be exploited and will not destroy the integrity of the bank.

b. Data Privacy Officer

- Whether the information requested covers/does not cover sensitive personal information.

c. LSD Head

- Whether the request is pursuant to E.O. No. 2, Series of 2016 operationalizing the people's constitutional right to information and the state policies to full public disclosure;
- Whether the disclosure of the information to the requesting party is prohibited /not prohibited under the Exception List (see Annex B)
- If the request is allowed under the Philippine constitution, laws, rules and regulations or jurisprudence;
- If the reason for the request is in accordance to Philippine laws and existing rules and regulations.

d. The Data Owner / Data Privacy Officer /LSD Head shall review the information requested, and send their comments thru email, for discussion among the concerned unit/s, if necessary, to come up with a disposition on whether to grant the request or not.

e. If no further comments, CMD shall request signoff of the Data Owner/Data Privacy Officer / Legal Services Division Head. The signoff sheet (see Annex F) shall signify clearance to release in compliance with the Freedom of Information Manual. No signoff of any of the 3 personnel namely: Division Head (data owner), Data Privacy Officer, and Legal Services Division Head shall signify that request shall not be granted.

## B. Documentation of Manual and Records

1. CMD shall be in-charge of ensuring that the UCPBS Freedom Of Information Manual is updated and shall initiate appropriate steps to revise the Manual annually or as necessary in coordination with Bank Compliance Division (BCD), Legal Services Division (LSD) and Systems and Methods Department (SMD).



2. An Information Requests and Releases Monitoring Sheet shall be maintained by CMD to record and monitor the request of document/information of the requesting party, as well as its release. The column headers shall be as follows:

- i. Date of Receipt of Written Request
- ii. Name of the Requesting Party
- iii. Nature and Purpose of the Request
- iv. Date of release
- v. Released by
- vi. Remarks

### **C. Grant/Denial of the Request**

1. Once the request is cleared for release or denied by the Data Owner, Data Privacy Officer, or LSD Division Head, a designated CMD officer shall notify the requesting party thru email (Annex E) that his request is granted/denied.
2. For requests that are granted, CMD shall advise the requestor to pay the corresponding fee in any UCPBS branch.
3. For requests granted, CMD shall release the requested information to the requesting party or his authorized representative either thru pick-up or email, depending on the preferred mode of release of requestor, indicated in the request form.

### **D. Appeal of Request for Document/ Information (for denied requests)**

1. In case of appeal by requestor (for denied requests), the requestor shall submit a letter of appeal to CMD, to be endorsed to the Division Head (data owner) for approval /disapproval by MANCOM.
2. The appeal shall be endorsed by the Division Head (data owner) to MANCOM, for approval /disapproval with a target timeline of 30 working days from filing of appeal.

### **E. No Wrong Door Policy**

In accordance with FOI MC 21-05, 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 the FOI," UCPB Savings Bank is committed to not denying FOI requests for information and/or records that are beyond its possession. Instead, upon receipt of the request, the CMD Officer or designated CMD associate shall diligently refer such requests to the appropriate government agency, which serves as the



rightful repository or custodian of the requested information or records, or exercises control over them (see Annex I).

### III. PROCEDURES

#### A. Filing and Processing of Request

Person Responsible	Steps to be Taken
Requesting Party or representative	1. Submits information request to CMD.
Customer Relations Officer or CMD designated associate	2. Acknowledges receipt of the request and provides information on the next steps.
Requesting Party or representative	3. Submits a RRDI (in 2 copies) to Customer Management Department with valid ID, Authorization Letter, and ID of representative (in case request is thru representative).
Customer Relations Officer or CMD designated associate	<p>4. Acknowledges receipt of RRDI and checks its completeness and informs requestor / representative of the target processing time including handling fee to be charged once approved.</p> <p>5. Forwards RRDI to Division Head of Customer Management Department, for endorsement to Division Head data owner, Data Privacy Officer, and Legal Services Division Head, for their review and comments.</p> <p>6. Logs the request in the Information Requests and Releases Monitoring Sheet and checks for duplication.</p> <p>7. If with similar or duplicate requests, informs the requestor of the duplicate request and returns the RRDI to requestor. If information or record requested is not in the Bank's possession, refers to the appropriate government agency.</p>

	8. Forwards the RRD1 to the concerned division (data owner), data privacy officer and LSD head for review and comments. If with no comments, forwards to them a signoff sheet.
Data owner /Data Privacy Officer/ LSD Head	9. Reviews and comments on request.  10. Signoffs on the signoff sheet to signify clearance to release. If request is denied, it shall be written on the signoff sheet by the person concerned that request is denied with proper justification, and no signature shall be affixed on the signoff sheet.

## B. Grant / Denial of Request

Person Responsible	Step to be Taken
Customer Relations Officer or designated associate	1. Sends Notice of Approval /Disapproval of Request to Requestor thru email.
Requesting Party	2. If request is granted, pays the fees in the nearest branch, and furnishes CMD, the proof of payment (OR) upon presentation /email of information document/s.
Customer Relations Officer or designated associate	3. Releases the requested document or information to the requesting party or his authorized representative thru preferred channel (either thru pick-up or email),

## C. Appeal of the Request (if document/information is denied)

Person Responsible	Steps to be Taken
Requesting Party	1. Submits an appeal in writing to the Head of Customer Management Department.
Division Head of CMD	2. Endorses appeal to the Division Head (Data Owner) for discussion in



	Mancom for their approval/disapproval.
Customer Relations Officer or designated associate	Notifies thru email the requesting party of the decision concerning the appeal.

#### IV. ANNEXES

##### Annex A: List of Acceptable IDs



###### LIST OF ACCEPTABLE IDs

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

## Annex B: UCPBS FOI Manual Exception List

Confidential Information	Conditions for Exemption	Legal Basis
<b>1. Funds and Properties</b>	<p>Exception where confidentiality of information relative to funds or properties in custody of banks is not absolute:</p> <ul style="list-style-type: none"> <li>• Upon order of competent court</li> <li>• When reporting covered or suspicious transactions to the AMLC, covered institutions and their officers, employees, representatives, agents, advisors, consultants or associates shall not be deemed to have violated RA 8791.</li> <li>• Upon approval of the client.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 55.1 (b), RA no. 8791, General Banking Law 2000</li> <li>• RA no. 9160, as amended, Anti-Money Laundering Act of 2001.</li> </ul>
<b>2. Credit Data</b> <ul style="list-style-type: none"> <li>• Refers to positive and negative information provided by a borrower in connection with the application for and availment of a credit facility and any information on the borrower's creditworthiness in the possession of the Bank and other factual and objective information related or relevant thereto in the Bank's data files or that of other sources of information.</li> <li>• Basic credit data shall exclude, unless waived by the borrower confidential information on bank deposits and/or client funds under RA no. 1405 (Law on Secrecy of</li> </ul>	<p>Exception where basic credit data is not confidential:</p> <ul style="list-style-type: none"> <li>• Upon written consent or authorization of the borrower;</li> <li>• Upon order of the court;</li> <li>• Disclosure of credit data to borrowers;</li> <li>• Submission of credit data to Credit Information System Act (CISA);</li> <li>• Upon written request and payment of reasonable fee by a constituent of a Local Government Unit (LGU) in case the borrower is an LGU or its affiliate or subsidiary;</li> <li>• Credit information of borrowers may only be released to entities accredited by the Credit Information Corporation</li> </ul>	<ul style="list-style-type: none"> <li>• RA no. 9510 – Credit Information System Act (CISA)</li> </ul>

<p>Bank Deposits), RA no. 6426 (The Foreign Currency Deposit Act), RA no. 8791 (The General Banking Law of 2000), RA no. 9160, as amended (Anti-Money Laundering Law) and their amendatory laws.</p> <ul style="list-style-type: none"> <li>The Credit Information Corporation (CIC), the submitting entities, the accessing entities, the outsource entities, the special assessing entities and the duly authorized non-accessing entities shall hold the credit information under strict confidentiality and shall use the same only for the declared purpose of establishing the creditworthiness of the borrower.</li> </ul>	<p>(CIC) such as the submitting entities, the accessing entities, the outsource entities, the special assessing entities, and the duly authorized non-accessing entities.</p>	
<p><b>3. Data on the loan borrower or consumer</b></p> <ul style="list-style-type: none"> <li>Banks shall keep strictly confidential the data on the borrower or consumer.</li> </ul>	<p>Exceptions where confidentiality of data on the loan borrower or consumer are not absolute:</p> <p>The information may be disclosed under the following:</p> <ul style="list-style-type: none"> <li>With the consent of the borrower or consumer;</li> <li>Release, submission, or exchange of customer information with other financial institutions, credit information, bureaus, lenders, their subsidiaries and affiliates;</li> <li>Upon orders of court of competent jurisdiction or any government office or agency authorized by law, or under such conditions</li> </ul>	<ul style="list-style-type: none"> <li>X304.112 Confidentiality of Information – Manual Regulations of Banks (MORB) as of October 31, 2015</li> </ul>

	<p>as may be prescribed by the Monetary Board;</p> <ul style="list-style-type: none"> <li>• Upon orders of court of competent jurisdiction or any government office or agency authorized by law, or under such conditions as may be prescribed by the Monetary Board;</li> <li>• Disclosure to collections agencies, counsels, and other agents of the bank to enforce its rights against the borrower;</li> <li>• Disclosure to third party service providers solely for the purpose of assisting or rendering services to the bank in the administration of its lending business; and</li> <li>• Disclosure to third parties such as insurance companies, solely for the purpose of insuring the bank from borrower default or other credit loss and the borrower from fraud or unauthorized charges.</li> </ul>	
<p><b>4. Covered &amp; Suspicious Transactions</b></p> <ul style="list-style-type: none"> <li>• Covered transactions Report (CTR)</li> <li>• Suspicious transaction report (STR)</li> <li>• Any other information related to the CTR or STR which includes: <ul style="list-style-type: none"> <li>- Identity of clients</li> <li>- Records or contents of CTR and STR</li> <li>- Closed accounts – customer identification, account files, and business correspondences</li> </ul> </li> </ul>	<p>Exceptions where confidentiality of CTR and STR are not absolute if reported to AMLC:</p> <ul style="list-style-type: none"> <li>• When reporting covered or suspicious transactions to the AMLC, covered institutions and their officers, employees, representatives, agents, advisors, consultants or associates shall not be deemed to have violated RA no. 1405, as amended; RA no. 6426, as amended; RA</li> </ul>	<ul style="list-style-type: none"> <li>• Sec. 9, RA no. 9160 as amended – Anti-Money Laundering Act of 2001</li> <li>• Rules 9.3c and 9.3d of the Revised Rules of Implementing AMLA</li> </ul>

<p>Prohibited acts &amp; persons liable:</p> <ol style="list-style-type: none"> <li>Covered institutions and their officers, employees, representatives, agents, advisors, consultants, or associates are prohibited from communicating directly or indirectly, in any manner or by any means, to any person the fact that a covered or suspicious transaction report was made, the contents thereof, or any other information in relation thereto.</li> <li>When reporting covered or suspicious transactions to AMLC, covered institutions and their officers, employees, representatives, agents, advisors, consultants, or associates are prohibited from communicating, directly or indirectly, in any manner or by any means, to any person, entity, the media, the fact that a covered or suspicious transaction report was made, the contents thereof, or any other information in relation thereto.</li> <li>Neither may such reporting be published or aired in any manner or form by the mass media, electronic mail, or other similar devices.</li> </ol>	<p>no. 8791 and other similar laws.</p>	
<p><b>5. Statement of Assets, Liabilities and Net Worth (SALN)</b></p> <ul style="list-style-type: none"> <li>Prohibited acts – It shall be unlawful for any person to obtain or use</li> </ul>	<p>Exception:</p> <ul style="list-style-type: none"> <li>May be used by news and communications media for dissemination to the general public</li> </ul>	<ul style="list-style-type: none"> <li>Sec. 8 (D) of RA no. 6713 – Code of Conduct and Ethical Standards for Public Officials and Employees.</li> </ul>

<p>any statement filed under this RA no. 6713 for :</p> <ul style="list-style-type: none"> <li>- Any purpose contrary to morals or public policy; or</li> <li>- Any commercial purpose</li> </ul>		
<p><b>6. Confidential or Classified Information, Records or Documents.</b></p> <ul style="list-style-type: none"> <li>• Public officials and employees shall not use or divulge confidential or classified information officially known to them by reason of their office and not made available to the public: <ul style="list-style-type: none"> <li>- To further their private interests, or give undue advantage to anyone; or</li> <li>- To prejudice the public interest</li> </ul> </li> <li>• Pursuant to their duties of diligence and loyalty, a member of the Board or an Officer shall not use or divulge confidential or classified information officially made known to them by reason of their office and not made available to the public, either; <ul style="list-style-type: none"> <li>- To further their private interests, or give undue advantage to anyone; or</li> <li>- Which may prejudice the public interest</li> </ul> </li> <li>• Confidential information refers to all non-public information entrusted to or obtained by a member</li> </ul>	<p>Transparency of and openness of official information, records, and documents in public transactions such as:</p> <ol style="list-style-type: none"> <li>a. Biddings, purchases, other financial transactions including contracts, status of projects, and all other matters involving public interest.</li> <li>b. Public information consisting of: <ul style="list-style-type: none"> <li>- Policies, rules, and procedures;</li> <li>- Work programs, projects, and performance targets;</li> <li>- Performance reports; and</li> <li>- All other documents as may hereafter be classified as public information.</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>• Sec. 7(c) of RA no. 6713 – Code of Conduct and Ethical Standards for Public Officials and Employees.</li> <li>• Sec. 30, Rule V in relation to Sec. 1 of GCG MC no. 2012-07 (November 28, 2012) Code of Corporate Governance for GOCCs</li> <li>• Sec. 1 of GCG MC no. 2012-07 – Code of Corporate Governance for GOCCs</li> <li>• Sec. 3(k) of RA no. 3019 – Anti-Graft and Corrupt Practices Act.</li> <li>• Sec. 3, Rule IV of the Implementing Rules and Regulations of RA 6713 – Code of Conduct and Ethical Standards for Public Officials and Employees.</li> <li>• Neri vs Senate Committee, G.R. No. 180643, March 25, 2008</li> </ul>





<p>of the Board or Officer by reason of his/her position as such with the GOCC. It includes, but is not limited to, non-public information that might be of use to competitors or harmful to the GOCC or its customers / stakeholders if disclosed, such as: (1) non-public information about the GOCC's financial condition, prospects or plans, its marketing and sales program and research and development information, as well as information relating to mergers, acquisitions, divestitures, stock splits, and similar transactions; (2) non-public information concerning possible transactions or ventures with other companies, or information about suppliers, joint venture partners, or any information that the GOCC is under obligation to keep confidential; and (3) non-public information about internal discussions, deliberations and decisions, between and among Directors and Officers.</p> <p>a. Divulging valuable information of a confidential character, acquired by his office or by him on account of his official position to unauthorized persons, or releasing such information in</p>		
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<p>advance of its authorized release date.</p> <p>b. Official information, records, or documents that may not be disclosed:</p> <ol style="list-style-type: none"><li>1. Information, record or document kept secret in the interest of national defense or security or the conduct of foreign affairs;</li><li>2. If such disclosure would put the life and safety of an individual in imminent danger;</li><li>3. The information, record or document sought falls within the concepts of established privilege or recognized exceptions as may be provided by law or jurisprudence;</li><li>4. Such information, record or document comprises of drafts or decisions, orders, rulings, policy, decisions, memoranda, etc.;</li><li>5. Information of a personal nature where disclosure would constitute</li></ol>		
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<p>6. unwarranted invasion of personal privacy; Investigatory records complied for law enforcement purposes, or information which if written would be contained in such records but only to the extent the production of such records or information would:</p> <ol style="list-style-type: none"><li>1. Interfere with enforcement proceedings;</li><li>2. Deprive a person of a right to a fair trial or an impartial adjudication;</li><li>3. Disclosed the identity of a confidential source and, in the case of a record complied by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information</li></ol>		
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<p>furnished only by the confidential source; or</p> <p>4. Unjustifiably disclose investigative techniques and procedures</p> <ul style="list-style-type: none"><li>• The premature disclosure of information would, in the case of a department, office or agency that regulates currencies, securities, commodities, or financial institutions, be likely to lead to significant financial speculation in currencies, securities, or commodities, or significantly endanger the stability of any financial institution.</li><li>• Deliberative process privilege includes advisory opinions, recommendations and deliberations comprising part of process by which governmental decisions and policies are formulated.</li></ul>		
<p><b>7. Secrets known by a Public Officer</b></p> <ul style="list-style-type: none"><li>• Any secret known to the public officer by reason of his official capacity or</li><li>• Papers or copies of papers of which he may have charge and which should not be published</li></ul>		<ul style="list-style-type: none"><li>• Art. 229 of the Revised Penal Code – Revelation of secrets by an officer</li></ul>
<p><b>8. Secrets of Principal or Master</b></p> <ul style="list-style-type: none"><li>• Secrets of his principal or master learned in his capacity as manager,</li></ul>		<ul style="list-style-type: none"><li>• Art. 291 of the Revised Penal Code – Revealing secrets with abuse of office</li></ul>

employee or servant of the principal or master		
<b>9. Secrets of Private Individual</b> <ul style="list-style-type: none"> <li>Secrets of a private individual acquired by public officer / employee by reason of his office</li> </ul>		<ul style="list-style-type: none"> <li>Art. 230 of the Revised Penal Code – Public Officer revealing secrets of private individual</li> </ul>
<b>10. Personal Information</b> <ul style="list-style-type: none"> <li>Any information, whether recorded in a material form or not, from which the identity 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.</li> <li>Privilege information refers to any and all forms of data which under the Rules of Court and other pertinent laws constitute privileged communication.</li> <li>Sensitive information which refers to personal information: <ul style="list-style-type: none"> <li>About an individual's race, ethnic origin, marital status, age, color, and religious, philosophical, or political affiliations;</li> <li>About an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense, or alleged to have been committed by such person, the disposal of such proceedings,</li> </ul> </li> </ul>	RA no. 10173 does not apply to: <ul style="list-style-type: none"> <li>Information about any individual who is or was an officer or employee of a government institution that relates to the position or functions of the individual, including: <ul style="list-style-type: none"> <li>The fact that the individual is or was an officer or employee of the government institution;</li> <li>The title, business address and office telephone number of the individual;</li> <li>The classification, salary range and responsibilities of the position held by the individual; and</li> <li>The name of the individual on a document prepared by the individual in the course of employment with the government.</li> </ul> </li> <li>Information about an individual who is or was performing service under contract for a government institution that relates to the services performed, including the terms of the contract, and the name of the individual given in the course of</li> </ul>	<ul style="list-style-type: none"> <li>RA no. 10173 (Data Privacy Act) in relation to the Implementing Rules and Regulations of the Data Privacy Act</li> </ul>



<p>or the sentence of any court in such proceedings;</p> <ul style="list-style-type: none"><li>- 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</li><li>- Specifically established by an executive order or an act of Congress to be kept classified.</li></ul>	<p>the performance of those services;</p> <ul style="list-style-type: none"><li>• Information relating to any discretionary benefit of a financial nature such as the granting of a license or permit given by the government to an individual, including the name of the individual and the exact nature of the benefit;</li><li>• Personal information processed for journalistic, artistic, literary, or research purposes; information necessary in order to carry out the functions of public authority which includes the processing of personal data for the performance by the independent, central monetary authority and law enforcement and regulatory agencies of their constitutionally and statutorily mandated functions. Nothing in this Act shall be construed as having amended or repealed RA no. 1405, otherwise known as the Secrecy of Bank Deposits Act; RA no. 6426, Foreign Currency Deposit Act; and RA no. 9510, otherwise known as the Credit Information System Act.</li><li>• Information necessary for banks and other financial institutions under the jurisdiction of the independent, central monetary authority or</li></ul>	
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	<p>Bangko Sentral ng Pilipinas (BSP) to comply with RA no. 9510 (CISA), and RA no. 9160 as amended (AMLA); and</p> <ul style="list-style-type: none"> <li>Personal information originally collected from residents of foreign jurisdictions in accordance with the laws of those foreign jurisdictions, including any applicable data privacy laws, which is being processed in the Philippines.</li> </ul> <p>Criteria for Lawful Processing of Personal Information – The processing of personal information shall be permitted only if not otherwise prohibited by law, and when at least one of the following conditions exists:</p> <ul style="list-style-type: none"> <li>The data subject has given his or her consent;</li> <li>The processing of personal information is necessary and is related to the fulfillment of a contract with the data subject or in order to take steps at the request of the data subject prior to entering into a contract;</li> <li>The processing is necessary for compliance with a legal obligation to which the personal information controller is subject;</li> </ul>	
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	<ul style="list-style-type: none"> <li>• The processing is necessary to protect vitally important interests of the data subject, including life and health;</li> <li>• The processing is necessary in order to respond to national emergency, to comply with the requirements of public order and safety, or to fulfill functions of public authority which necessarily includes the processing of personal data for the fulfillment of its mandate; or</li> <li>• The processing is necessary for the purposes of the legitimate interests pursued by the personal information controller or by a third party or parties to whom the data is disclosed, except where such interests are overridden by fundamental rights and freedoms of the data subject which require protection under the Philippine Constitution.</li> </ul> <p>Sensitive Personal Information and Privileged Information – The processing of sensitive personal information, and privileged information shall be prohibited, except in the following cases:</p> <ul style="list-style-type: none"> <li>• The data subject has given his or her consent, specific to the purpose prior to the</li> </ul>	
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	<p>processing, or in the case of privileged information, all parties to the exchange have given their consent prior to processing;</p> <ul style="list-style-type: none"><li>• The processing of the same is provided for by existing laws and regulations: Provided, that such regulatory enactments guarantee the protection of the sensitive personal information and the privileged information. Provided, further, that the consent of the data subject are not required by law or regulation permitting the processing of the sensitive personal information or the privileged information;</li><li>• The processing is necessary to protect the life and health of the data subject or another person, and the data subject is not legally or physically able to express his or her consent prior to the processing;</li><li>• The processing is necessary to achieve the lawful and non-commercial objectives of public organizations and their associations: Provided, that such processing is only confined and related to the bona fide members of these organizations or their associations; Provided, further, that the sensitive personal</li></ul>	
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	<p>information are not transferred to third parties: Provided, finally, That the consent of the data subject was obtained prior to processing;</p> <ul style="list-style-type: none"> <li>• The processing is necessary for purposes of medical treatment, is carried out by a medical practitioner or a medical treatment institution, and an adequate level of protection of personal information is ensured; or</li> <li>• The processing concerns such personal information as is necessary for the protection of lawful rights and interests of natural or legal persons in court proceedings, or the establishment, exercise or defense of legal claims, or when provided to government or public authority.</li> </ul>	
<b>11. Health Data / Information</b>	<p>Exception / Appropriate use and disclosure:</p> <ul style="list-style-type: none"> <li>• Sensitive personal information must be used for treatment and care coordination purposes only or to the extent necessary and permitted by applicable Philippine laws and regulations and policies of the PHIE.</li> <li>• The standard procedural protocol for appropriate use and disclosure of health information under the PHIE shall be in accordance with the</li> </ul>	<ul style="list-style-type: none"> <li>• Joint Department of Health (DOH), Department of Science and Technology (DOST) and Philippine Health Insurance Corporation (PHIC) Administrative Order No. 2016-001</li> <li>• Implementing Rules of the Philippine Health Information Exchange (PHIE)</li> </ul>

	operational guidelines and requirements for use and disclosure of health information contained in the approved PHIE Manual of Operations, taking into consideration the Guidelines for the Use and Disclosure of Health Information provided in Joint DOH-DOST-PhilHealth Administrative Order on the Privacy Guidelines for the Implementation of the Philippine Health Information Exchange, and RA no. 10173.	
<p><b>12. Medical Confidentiality on AIDS / HIV.</b></p> <ul style="list-style-type: none"> <li>All forms of communication that directly or indirectly lead to the disclosure of information on the identity of health status of any person who undergoes HIV testing or is diagnosed to have HIV. This information may include but is not limited to the name, address, picture, physical description, or any other characteristic of a person which may lead to his/her identification;</li> <li>All medical records obtained by health professionals, health instructors, co-workers, employers, recruitment agencies, insurance companies, data encoders, and other custodians of said record, file, or data.</li> </ul>	<p>Exceptions to the Mandate of Confidentiality:</p> <p>The requirement for medical confidentiality shall be waived in the following instances:</p> <ul style="list-style-type: none"> <li>When responding to a subpoena duces tecum and subpoena ad testificandum issued by a court with jurisdiction over legal proceedings where the main issue is the HIV status of an individual;</li> <li>When complying with the reporting requirements for AIDSWATCH as provided in Sec. 39 of RA no. 8504; and</li> <li>When informing other health workers directly involved or about to be involved in the treatment or care of a person with HIV/AIDS</li> </ul>	<ul style="list-style-type: none"> <li>Sec. 18, Art. VI of RA no. 8504 – Philippine AIDS Prevention and Control Act</li> <li>Secs. 41, 42 &amp; 43, Rule 7 of the Rules and Regulation Implementing the Philippine AIDS Prevention and Control Act of 1998 (RA no. 8504)</li> </ul>

<ul style="list-style-type: none"> <li>All health workers shall maintain shared medical confidentiality. Those who are not at risk of transmission, must not be informed of a person's HIV status.</li> </ul> <p>Who are required to maintain confidentiality under Sec. 3(n), RA no.8504?</p> <ul style="list-style-type: none"> <li>Where there is a relationship of trust and confidence created or existing between a patient or a person with HIV and his attending physician, consulting medical specialist, nurse, medical technologist and all other health workers or personnel involved in any counseling, testing or professional care of the former.</li> <li>Any person who, in any official capacity, has acquired or may have acquired such confidential information.</li> </ul>	<p>and such treatment or care carry the risk of HIV transmission.</p> <p>The result of HIV/AIDS testing shall be confidential and shall be released only to the following:</p> <ul style="list-style-type: none"> <li>Person who was tested;</li> <li>Parent of a minor who was tested;</li> <li>Legal guardian of an insane person or orphan who was tested;</li> <li>Person authorized to receive said result for AIDSWATCH in accordance with Sec. 39 of the IRR of RA no. 8504; and/or</li> <li>A Judge of the Lower Court, Justice of the Court of Appeals or Supreme Court Justice.</li> </ul>	
<p><b>13. Electronic Data</b></p> <ul style="list-style-type: none"> <li>Electronic key, electronic data message or electronic document, book, register, correspondence, information, or other material</li> </ul>	<ul style="list-style-type: none"> <li>Access to an electronic file, signature or document shall be limited only to those that are authorized to possess and use it.</li> <li>Electronic keys used for identity and integrity may only be made available to another upon consent of the individual in lawful possession of the key.</li> </ul>	<ul style="list-style-type: none"> <li>Secs. 31 &amp; 32 of RA no. 8792 – Electronic Commerce Act of 2000</li> </ul>



<p><b>14. Commercial and Financial Information</b></p> <ul style="list-style-type: none"> <li>• Secrets and confidential commercial and financial information</li> </ul>		<ul style="list-style-type: none"> <li>• Garcia vs. Board of Investments, 177 SCRA 372 (1989)</li> </ul>
<p><b>15. Trade and Industrial Secrets, Banking Transactions</b></p> <p>Trade or industrial secrets as well as banking transactions:</p> <ul style="list-style-type: none"> <li>• Trade secret defined as           <ul style="list-style-type: none"> <li>- A plan or process tool, mechanism or compound known only to its owner and those of his employees to whom it is necessary to confide it.</li> <li>- A secret formula or process not patented, but known only to certain individuals using it in compounding some article of trade having a commercial value.</li> <li>- Any formula, pattern, device, or compilation of information that:               <ul style="list-style-type: none"> <li>➤ Is used in one's business; and</li> <li>➤ Gives the employer an opportunity to obtain an advantage over competitors who do not possess the information.</li> </ul> </li> <li>- A process or device intended for continuous use in the operation of the business, e.g., a machine or formula, but can be a price</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>• Air Philippine Corp. vs. Pennswell, Inc., G.R. No. 172835, December 13, 2007.</li> <li>• Chavez vs PCGG, 299 SCRA 744 (1998)</li> <li>• Chavez vs. Presidential Commission on Good Government, G.R. No. 130716, December 9, 1998.</li> </ul>

list or catalogue or specialized customer list.		
<b>16. Preliminary Investigation on Sexual Harassment</b> <ul style="list-style-type: none"> <li>Proceedings during preliminary investigation by the Committee on Decorum and Investigations (CODI)</li> <li>Disclosure is absolutely prohibited</li> </ul>		<ul style="list-style-type: none"> <li>CSC Resolution No. 01-0940 – Administrative Disciplinary Rules on Sexual Harassment cases</li> </ul>
<b>17. Government Procurement</b> <ul style="list-style-type: none"> <li>Confidentiality of Bidding Documents, The procurement documents are strictly confidential and shall not be divulged or released to any person prior to the advertisement or posting of the procurement opportunity, except to those officially authorized in the handling of these documents.</li> <li>Prohibited Acts: <ul style="list-style-type: none"> <li>Opening or decryption, by whatever means, of bids submitted through the PhilGEPS ahead of the appointed time for the opening or decryption of such bids;</li> <li>Causing the unauthorized disclosure of any information or document submitted</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The BAC shall have the sole authority to open the bids.</li> <li>Only the financial proposals of bidders whose technical proposals meet the minimum technical requirements shall be opened or decrypted.</li> <li>Update of all procurement contracts, regardless of whether the procurement is done electronically or manually, which are posted on the PhilGEPS bulletin board. The update shall include, but shall not be limited to, the status of procurement contracts, including the names of contract awardees and the amount of contract.</li> </ul>	<ul style="list-style-type: none"> <li>2016 Revised Implementing Rules on the Government Procurement Act.</li> <li>Chavez vs. Public Estates Authority, G.R. no. 133250, July 9, 2022</li> </ul>



<p>through the PhilGEPS;</p> <ul style="list-style-type: none"><li>- Hacking into or cracking the PhilGEPS, or aiding another person to hack into or crack the same; or</li><li>- Any other act that breaches or violates the security, integrity, and confidentiality of the PhilGEPS.</li></ul> <ul style="list-style-type: none"><li>• Information on on-going evaluation or review of bids or proposals being undertaken by the bidding or review committee which are not yet considered as "official acts, transactions, or decisions" on the bids or proposals or "definite propositions" on the part of the government.</li></ul>		
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## Annex C: Request for Release of Document/Information (RRDI)

		<b>UCPB SAVINGS BANK INC.</b> <b>Request for Release of Document / Information</b>	
<b>Requesting Party Information</b>			
<b>Name:</b>			
<b>Contact Nos.:</b>		<b>Email Address:</b>	
<b>Address:</b>		<b>IDs Presented:</b>	
<b>Description of Document / Information Requested:</b>			
<b>Purpose of Request:</b>			
<b>Date Needed:</b> _____		<b>Mode of Release:</b> <input type="checkbox"/> For Pick-up <input type="checkbox"/> Email	
<b>Signature of Requesting Party/Representative:</b> _____		<b>Date:</b> _____	
<b>To be accomplished by Customer Management Dept.</b>		<b>FOI CONTROL NO.:</b> _____	
<b>Received By:</b>		<b>Noted By:</b>	
_____ SIGNATURE OVER PRINTED NAME & POSITION		_____ <b>Dept./Division Head</b> SIGNATURE OVER PRINTED NAME	
<b>Date:</b> _____		<b>Date:</b> _____	





**Annex D: EMAIL TEMPLATE TO DATA OWNER/DATA PRIVACY OFFICER/LSD HEAD**

**TO** : \_\_\_\_\_  
Data Owner/Data Privacy Officer/Legal Services Div.

**FROM** : \_\_\_\_\_  
Head – Customer Management Department

**SUBJECT** :

**DATE** :

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We, refer to you the attached written request and/or RRDl from Mr./Ms. \_\_\_\_\_  
(requesting party) which we have received on \_\_\_\_\_ (Date).

Kindly evaluate the request if allowed pursuant to the criteria mentioned in the FOI Manual.

Please refer to the attached request and sign-off sheet to signify your clearance to approve  
/disapprove release of requested document/information.

Thank you.

**Annex E: NOTICE OF APPROVAL/DISAPPROVAL OF REQUEST (EMAIL)**

Date:

Name of Requesting Party:

Address:

Dear Mr./Mrs.: \_\_\_\_\_:

We are pleased to inform you that the document / information you have requested has been:

/ / Approved

/ / Disapproved for reason:

**For Approved document(s) / information:**

- 1) They are now available to be sent to you thru your preferred mode of release:

/ / Pick-up

/ / Email

- 2) For pick-up preference, please get the document(s)/information in UCPB Savings Bank, Customer Management Department, between 9:00 am to 5:00 pm, Mondays thru Fridays except holidays.

- 3) Please pay the corresponding handling fee amounting to Five Hundred pesos (P500.00) in any UCPB Savings Bank branch . Please email the scanned copy of the OR to USB-CAMU@ucpbsavings.com or present it upon pick-up

**For Disapproved document(s) / information:**

- 1) Reason is due to the following:

\_\_\_\_\_

Very Truly Yours,

\_\_\_\_\_  
Department Head  
Customer Mgt. Department



## Annex F: FOI SIGN –OFF SHEET



## FOI SIGN –OFF SHEET

DATE:

SUBJECT: UCPBS FREEDOM OF INFORMATION

	SIGNATURE	DATE IN      OUT		REMARKS AND SUGGESTIONS
Data Owner _____				
DPO _____				
LSD Head _____				

[illegible]



## **Annex H: UCPB Savings Bank FOI Receiving Officer and FOI Decision Maker**

### **FOI Receiving Officer of the UCPB Savings Bank**

#### **JOYCE ANN D. BARTOLAY**

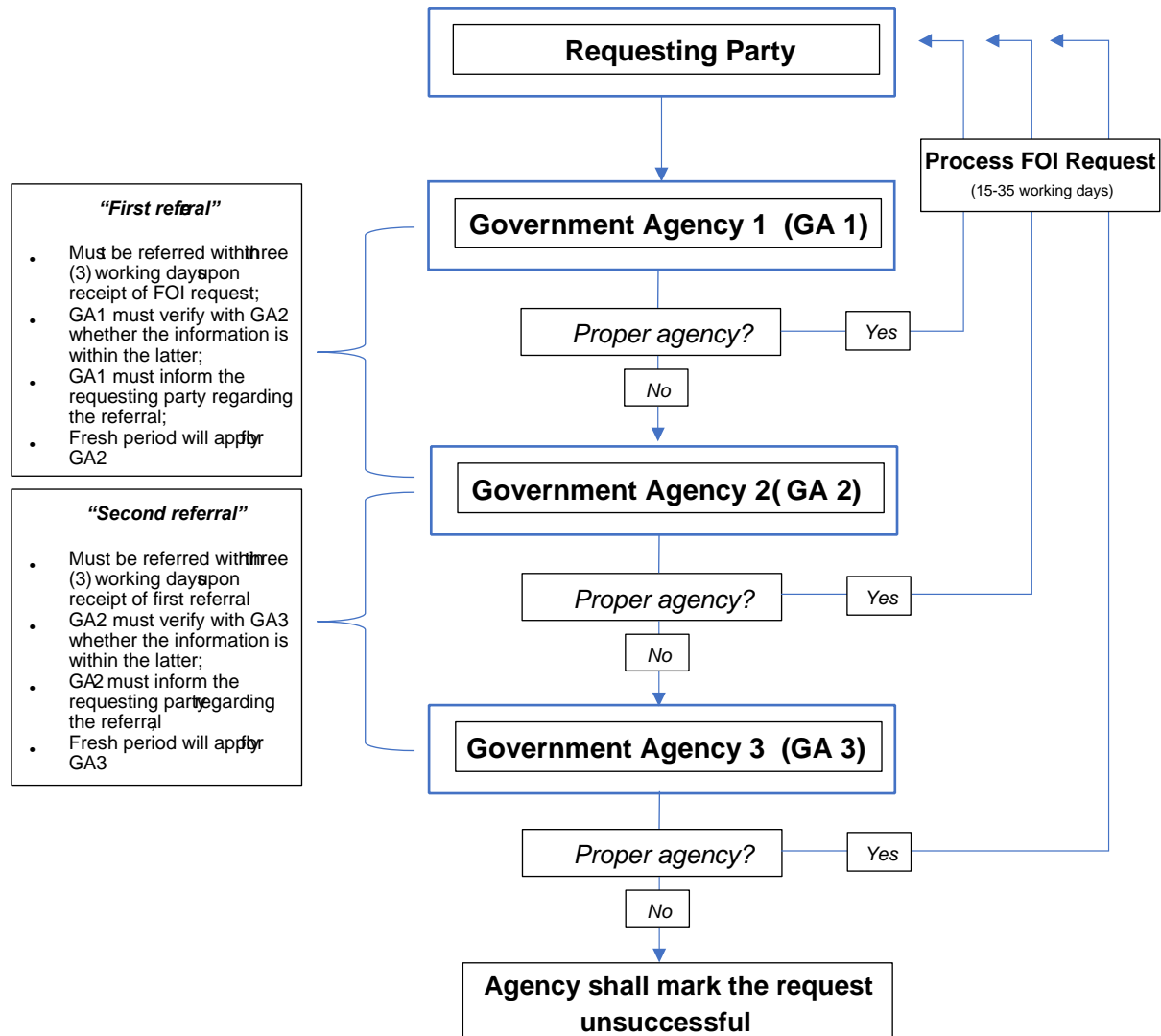
Customer Relations Officer, Customer Management and Assistance Center  
Customer Management Department  
Corporate Planning and Communications Division  
UCPB Savings Bank, 7/F Robinsons Cybergate Magnolia Aurora Blvd.,  
cor. Doña Hemady Street, Quezon City  
(02) 8811-0278

### **FOI Decision Maker of the UCPB Savings Bank**

#### **Lizette Margaret Mary J. Racela**

President and CEO  
Office of the President  
UCPB Savings Bank, 7/F Robinsons Cybergate Magnolia Aurora Blvd.,  
cor. Doña Hemady Street, Quezon City

## Annex I: NO WRONG DOOR POLICY FLOWCHART



### NOTE:

If GA1 fails to refer the request within (3) working days upon its receipt, the FOI Receiving Officer (FRO) shall act on it within the remaining period to respond pursuant to EO No. 2, s. 2016. No fresh period shall apply.