

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

Twentieth Congress  
First Regular Session  
56  
HOUSE BILL NO. \_\_\_\_\_



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Introduced by Representative RAYMOND ADRIAN SALCEDA

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**AN ACT  
INSTITUTIONALIZING THE PEOPLE'S RIGHT TO INFORMATION,  
PROVIDING MECHANISMS FOR ITS ENFORCEMENT, ESTABLISHING  
A STANDARD CLASSIFICATION SYSTEM, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Section 7, Article III of the 1987 Constitution provides 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."

Despite this clear constitutional mandate, the absence of an enabling statute has allowed uneven and inconsistent implementation across government offices. The issuance of Executive Order No. 2, series of 2016, which operationalized Freedom of Information in the Executive Branch, marked a significant step forward but it remains administrative in character, lacks legal permanence, and does not apply to the other branches of government.

This bill seeks to institutionalize a comprehensive, enforceable, and harmonized legal framework to implement the people's right to access government-held information. It establishes mechanisms for proactive disclosure, request-based access, agency compliance, and legally grounded exceptions. It also creates a standard for classifying and reviewing exemptions, drawing from existing laws such as the Data Privacy Act of 2012 (Republic Act No. 10173), the Bank Secrecy Law (Republic Act No. 1405), and other relevant statutes.

The measure introduces clear timelines, sanctions for unjustified denials, and remedies for aggrieved requesters. It balances transparency with legitimate confidentiality concerns such as national security, diplomatic relations, law enforcement integrity, and personal privacy consistent with best practices in jurisdictions such as India, South Africa, and the United Kingdom.

Finally, this Act reinforces the democratic values of accountability, citizen participation, and trust in public institutions. In a time when public confidence is shaped not just by performance but also by openness, the passage of a national Freedom of Information law is both timely and imperative.

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

  
**RAYMOND ADRIAN SALCEDA**

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

**CHAPTER I  
General Provisions**

SECTION 1. *Short Title.* – This Act shall be known as the “Freedom of Information Act.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to promote transparency in public service and accountability by guaranteeing the people's right of access to information on matters of public concern. Government agencies shall make available to the public records and data pertaining to official acts, transactions, or decisions, subject only to the exceptions provided in this Act.

SEC. 3. *Coverage.* – This Act shall apply to all departments, bureaus, offices, agencies, and instrumentalities of the Executive Branch, including government-owned or -controlled corporations, state universities and colleges, and local government units. Constitutional bodies, the Judiciary, and the Legislature are enjoined to adopt their own freedom of information (FOI) rules consistent with the principles of this Act.

SEC. 4. *Right of Access to Information.* – Every Filipino citizen shall have the right to request, examine, and obtain copies of official records and information under the custody or control of any covered government agency, without need to show legal interest or purpose, subject only to the exceptions enumerated under this Act.

## **CHAPTER II**

### **Exceptions and Classification**

**SEC. 5. *Exceptions.*** – The right of access under Section 4 shall be subject only to the following narrowly defined exceptions:

- (a) Information exempted by existing statutes, including but not limited to:
  - (1) Personal information protected under Republic Act No. 10173, or the “Data Privacy Act of 2012,” unless the data subject consents to disclosure;
  - (2) Bank records protected under Republic Act No. 1405, or the “Bank Secrecy Law,” and Republic Act No. 6426, or the “Foreign Currency Deposit Act;”
  - (3) Taxpayer information protected under Section 270 of the National Internal Revenue Code of 1997, as amended;
  - (4) Juvenile, family court, and adoption records protected under Republic Act No. 9344, or the “Juvenile Justice and Welfare Act of 2006,” and the Family Code of the Philippines;
  - (5) Records under the Witness Protection, Security and Benefit Program pursuant to Republic Act No. 6981; and
  - (6) Trade secrets and proprietary information protected under Republic Act No. 8293, or the “Intellectual Property Code.”
- (b) Constitutionally or executively protected information, including:
  - (1) Presidential communications and Cabinet deliberations, when executive privilege is validly invoked;
  - (2) Classified information involving national security or foreign affairs, as determined under applicable executive issuances; and
  - (3) Records of criminal investigations, if premature disclosure would impair law enforcement or endanger individuals.
- (c) Time-bound or qualified exemptions, such as:
  - (1) Internal policy deliberations, prior to final agency action;
  - (2) Ongoing procurement and audit proceedings, prior to official conclusion; and
  - (3) Unpublished diplomatic correspondence during active negotiations.

The Department of Justice shall periodically publish and update a Compendium of Exceptions to serve as interpretive guidance to all covered agencies and requesting parties.

**SEC. 6. *Standards for Classification.*** – A covered agency may classify a document as

exempt only if:

- (a) The classification is based on one of the grounds in Section 5;
- (b) The classification is made in writing by an authorized officer;
- (c) The classification includes the date, legal basis, and duration or review schedule; and
- (d) A summary index of classified documents is maintained for public inspection, without disclosing sensitive content.

### **CHAPTER III Access Procedures and Appeals**

**SEC. 7. Procedure for Access.** – Any request for access may be made in writing or through electronic means. The agency shall respond within fifteen (15) working days from receipt. For complex or voluminous requests, the agency may extend the period by not more than twenty (20) working days, with written justification.

**SEC. 8. Denial and Appeal.** – A denial of access shall:

- (a) Be in writing and state the specific exception relied upon;
- (b) Include the name and signature of the officer issuing the denial; and
- (c) Advise the requester of available remedies.

The requester may appeal the denial to the head of the agency within fifteen (15) working days. Upon final denial or inaction, the requester may file a verified complaint before the Office of the Ombudsman or seek appropriate relief from the courts.

### **CHAPTER IV Proactive Disclosure and Institutional Compliance**

**SEC. 9. Mandatory Disclosure of Key Information.** – Covered agencies shall publish the following information, regularly updated and accessible to the public:

- (a) Annual budgets and disbursement reports;
- (b) Procurement plans, bidding results, and awarded contracts;
- (c) Performance targets and accomplishments;
- (d) Audit findings from the Commission on Audit;
- (e) Organizational structure and directory of officials; and
- (f) Citizen's charters and service delivery standards.

SEC. 10. *FOI Manual and Officers.* – Within ninety (90) days from effectivity, each agency shall publish an FOI Manual, and designate an FOI Receiving Officer responsible for receiving and processing requests.

SEC. 11. *Records Management.* – Agencies shall maintain updated, well-organized, and digitized record systems to facilitate prompt access, compliance, and long-term preservation.

## **CHAPTER V Oversight, Remedies, and Sanctions**

SEC. 12. *Oversight and Legal Advisory.* – The Department of Justice shall:

- (a) Issue and update the Compendium of Exceptions;
- (b) Provide advisory opinions to agencies and requesters;
- (c) Review improper or unreasonable classifications; and
- (d) Recommend administrative sanctions to the Civil Service Commission.

SEC. 13. *Administrative Sanctions.* – Any officer or employee who:

- (a) Knowingly denies access without legal basis;
- (b) Unreasonably delays response to a valid request; and
- (c) Falsifies, alters, or destroys requested records, shall be subject to disciplinary action under the Administrative Code of 1987, Civil Service rules, and other applicable laws.

## **CHAPTER VI Final Provisions**

SEC. 14. *Appropriations.* – The amount necessary to implement this Act shall be charged against current agency appropriations. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act.

SEC. 15. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 16. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 17. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,