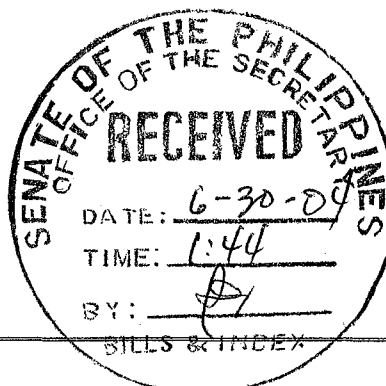


THIRTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

SENATE

S.B. No. 148



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Introduced by **SENATOR LUISA "LOI" P. EJERCITO ESTRADA**

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EXPLANATORY NOTE

The Constitution, Article III, Section 7 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".

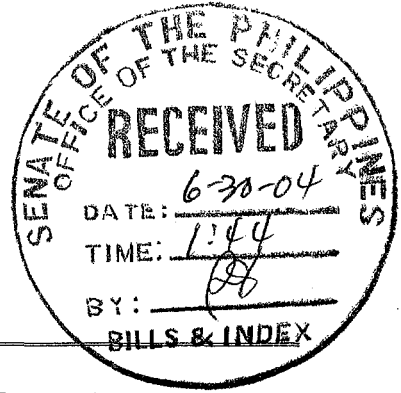
Access to government information allows citizens to monitor government actions. The public should be provided with timely, complete, equitable and affordable access to government information. This bill seeks to improve government information dissemination procedures and provide government offices with modern information technology.

Hence, the speedy approval of this bill is earnestly solicited.

*Luisa P. Ejercito Estrada*  
**LUISA "LOI" P. EJERCITO ESTRADA**  
Senator

THIRTEENTH CONGRESS OF THE )  
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SENATE  
S.B. No. 148



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Introduced by **SENATOR LUISA "LOI" P. EJERCITO ESTRADA**

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AN ACT  
TO IMPROVE PUBLIC DISSEMINATION OF GOVERNMENT INFORMATION

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

Section 1. **Short Title.** - This Act may be cited as the "Improvement of Information Access Act".

Sec. 2. **Declaration of Policy.** - It is the policy of the State to inform the people on matters of public concern. 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. To enhance this right, government agencies should improve information dissemination procedures and be provided with modern information technology.

Sec. 3. **Information Dissemination Policies.** - Each subdivision, agency and instrumentality of the government, including government owned or controlled corporations (hereinafter referred to as "department" or "agency") shall prepare by not later than February 1 of each year, and make freely available to the public upon request and at no charge, a report which describes the information dissemination policies and practices of the department, including -

- (a) plans of the department to introduce new information products and services or discontinue old ones;
- (b) efforts of the department to develop or implement standards for file and record formats, software query command structures, user

interfaces and other matters that make information easier to obtain and use;

- (c) progress of the department in creating and disseminating comprehensive indexes and bibliographies of efforts conducted with other agencies;
- (d) the methods to be used by the public for accessing information, including the modes and outlets available to the public;
- (e) provisions for protecting access to records stored with technologies that are superseded or obsolete;
- (f) methods used to make the public aware of information resources, services and products; and
- (g) a summary of the comments received from the public under the succeeding section in the year preceding the report, and the response of the department to those comments.

Sec. 4. **Publication.** - Not later than February 1 of each year, each department shall publish in at least two (2) newspapers of general circulation, and provide in such manner as will notify users of information of the department, a notice of-

- (a) the availability of the report prepared under the preceding section; and
- (b) a period of not less than 90 days for submission by the public of comments regarding the information dissemination policies and practices of the department or establishment, including comments regarding -
  - (1) the types of information the department or establishment collects and disseminates;
  - (2) the methods and outlets the department or establishment uses to store and disseminate information;

- (3) the prices charged by the department or establishment, or such outlets for information;
- (4) the validity, reliability, timeliness and usefulness to the public of the information.

Sec. 5. **Public Hearings.** - Comments received under this subsection by a department shall be available for inspection to the public. Each year the department or establishment shall provide a reasonable opportunity for dialogue between responsible agency officials and interested members of the public, including through hearings and informal forums, regarding both proposed and existing policies, procedures and mechanisms for disseminating information under this Act and for otherwise implementing this Act.

Sec. 6. **Discontinuation of Information Service.** - Before discontinuing an information product or service, an agency shall -

- (a) publish in at least two (2) newspapers of general circulation, or provide by other means adequate to inform users of information of the agency, a notice of a period of not less than 120 days for submission by the public of comments regarding that discontinuation;
- (b) include in that notice an explanation of the reasons for the discontinuation; and
- (c) consider comments received pursuant to the notice.

Sec. 7. **Dissemination of Information.** - Each agency shall -

- (a) disseminate information in diverse modes and through appropriate outlets that will reinforce statutory requirements for depository distribution, as well as offering other channels of distribution, with adequate documentation software, indexes, or other resources that will permit and broaden public access to government information;
- (b) disseminate information in a manner that ensures the timeliness, usefulness and reliability of the information for the public;

- (c) store and disseminate information products and services in standardized record formats; and
- (d) use depository libraries, national computer networks and other distribution channels that improve and assure free or low-cost public access to government information.

**Sec. 8. Prohibition as to Charging of Costs. -**

- (a) Except as specifically authorized by statute, an agency may not -
  - (1) charge to depository libraries the costs of distributing information products and services;
  - (2) charge more than the incremental cost of distributing an information product or service regardless of channels utilized by the agency; or
  - (3) charge any royalty or other fee for any use or redissemination of government information.
- (b) The incremental cost of distributing an information product or service does not include any portion of the cost of collecting, organizing or processing information disseminated through the product or service.

**Sec. 9. Model Performance Standards. -** The Director General of the Philippine Information Agency shall issue and periodically revise model performance standards under which agencies shall be encouraged to provide access to public records.

Standards issued under this subsection shall include the establishment of a period within which an agency, upon request, shall provide by mail a copy of any decision, rule, notice, docket filing, press release or other public document of the agency.

**Sec. 10. Standards for Access to Public Records. -** The Director General of the Philippine Information Agency shall issue model performance standards for providing access to agency records under the preceding section by not later than one (1) year after the date of the enactment of this Act.

Sec. 11. **Separability Clause.** - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Sec. 12. **Repealing Clause.** - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

Sec. 13. **Effectivity Clause.** - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

*Approved,*