

**Office of the President  
of the Philippines  
Malacañang**

**MEMORANDUM CIRCULAR NO. 49**

**CREATING AN INTER-AGENCY FREEDOM OF INFORMATION  
EXCEPTIONS POLICY COMMITTEE**

**WHEREAS**, Executive Order No. 2, series of 2016 (EO No. 2), was issued by President Rodrigo Roa Duterte on 23 July 2016 to operationalize the Constitutional right of the people to information on matters of public concern;

**WHEREAS**, pursuant to Section 4 of EO No. 2, the Office of the President (OP) issued a Memorandum circularizing the Inventory of Exceptions to EO No. 2 on 24 November 2016;

**WHEREAS**, Section 4 of EO No. 2 further directs the Department of Justice (DOJ) and the Office of the Solicitor General (OSG) to update the inventory of exceptions as the need to do so arises in order to properly reflect any change in existing law and jurisprudence;

**WHEREAS**, Memorandum Order No. 10, series of 2016 (MO No. 10), designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of EO No. 2, and all other Freedom of Information (FOI) programs and initiatives including electronic FOI;

**WHEREAS**, as PCOO represented, there is a need to create an Inter-Agency FOI Exceptions Policy Committee that will review the list of exceptions and recommend updates thereto to properly reflect changes in existing law and jurisprudence;

**NOW, THEREFORE**, the following are hereby ordered:

**SECTION 1. Inter-Agency FOI EPC.** An Inter-Agency FOI Exceptions Policy Committee (IA-FOI-EPC) is hereby created to review the inventory of exceptions issued pursuant to EO No. 2, and periodically update the list of exceptions to properly reflect any change in existing laws and jurisprudence.

The IAC-FOI-EPC shall be composed of representatives from the following agencies:

**Chairpersons:**     DOJ  
                          OSG

**Members:** PCOO  
Office of the Government Corporate Counsel  
National Privacy Commission

The duly authorized representatives of the member-agencies of the IA-FOI-EPC should be senior officials, each with a rank not lower than Assistant Secretary or its equivalent. Further, member-agencies shall designate an alternate representative with the same qualifications. The IA-FOI-EPC shall meet regularly at least once every six (6) months, or as often as necessary upon the order of either of the Chairpersons.

**SECTION 2. The Secretariat.** The PCOO's FOI Project Management Office (PMO) shall be the Secretariat that will serve as the main support unit of the IA-FOI-EPC.

**SECTION 3. Assistance and Cooperation.** All departments, agencies, bureaus, and offices or instrumentalities of the government, including government-owned or controlled corporations, are directed to render full assistance and cooperation to the IA-FOI-EPC as it may require to carry out its functions pursuant to this Memorandum Circular.

**SECTION 4. Appropriations.** Expenses related to the implementation of this Memorandum Circular shall be chargeable against available appropriations of the PCOO and other available funds of the member-agencies, subject to existing and applicable laws, rules and regulations.

**SECTION 5. Effectivity.** This Memorandum Circular shall take effect immediately.

DONE in the City of Manila, this **10<sup>th</sup>** day of **October**, in the year of Our Lord, Two Thousand and Eighteen.

By Authority of the President:

  
**SALVADOR C. MEDIALDEA**  
Executive Secretary

