



4th Quarterly Seminar and Meeting
Philippine Association for Government
Budget Administration (PAGBA), Inc.
21 November 2018 | Grand Men Seng Hotel, Davao City

MARY JEAN T. PACHECO
Assistant Secretary

WHO WE ARE:

COMPETITIVENESS BUREAU

“We make doing business easier, because competitiveness is our business”

NOW:

***The Temporary Secretariat of the
Anti-Red Tape Authority***

GLOBAL COMPETITIVENESS REPORT CARD

REPORT	2018	2017	2016	2015	2014	2013	2012	2011	2010	CHANGE 2010/11 to LATEST	SOURCE	TOP 20%
1. Doing Business Report	124/190	113/190	99/190	103/189	95/189	108/189	138/185	136/183	148/183	↑ 24	International Finance Corporation	38
2. Economic Freedom Index	61/180	58/180	70/178	76/178	89/178	97/177	107/179	115/179	-	↑ 54	Heritage Foundation	36
3. Corruption Perceptions Index		111/180	101/168	95/168	85/175	94/177	105/176	129/183	134/178	↑ 23	Transparency International	36
4. Global Competitiveness Report	**56/140	68/140 57/137	77/138	47/140	52/144	59/148	65/144	75/142	85/139	↑ 29 ↑ 12	World Economic Forum	27
5. Global Enabling Trade Index		-	82/136	-	64/138	n/a	72/132	n/a	92/125	↑ 10	World Economic Forum	27
6. Travel and Tourism Report		79/136	n/a	74/141	n/a	82/140	n/a	94/139	-	↑ 15	World Economic Forum	27
7. Global Innovation Index		73/128	74/128	83/141	100/143	90/142	95/141	91/125	-	↑ 18	World Intellectual Property Organization	25
8. Global Information Technology Report		-	77/139	76/143	78/148	86/144	86/142	86/138	-	↑ 9	World Economic Forum	28
9. E-Government Index	75/193	-	71/193	-	95/193	--	88/191	--	78/184	↑ 3	United Nations	39
10. Fragile States Index*	48/178	54/178	54/178	48/178	52/178	59/178	56/177	50/177	-	↓ 2	Fund for Peace	36
11. Global Gender Gap Report		10/144	7/144	7/145	9/142	5/136	8/135	8/135	9/142	↑ 2	World Economic Forum	29
12. World Competitiveness Yearbook	50/63	41/63	42/60	41/60	42/60	38/60	43/59	41/59	-	↓ 9	International Institute for Management Development	13
13. Logistics Performance Index	60/160	-	71/160	-	57/160	-	52/155	-	44/155	↓ 16	World Bank	32

Latest Performance *Reverse Ranking 1 as worst **New Methodology

On 2018 GCI 4.0, institutions According to WEF

- **Public sector performance** is second weakest sub-pillar. **Unnecessarily burdensome regulation** creates delays, raises transaction costs, reduces accountability, and disproportionately **penalizes smaller businesses and average citizens**. It creates room for corruption and arbitrary decisions.....
- Very low scores on ‘future preparedness’— This will become increasingly important in the 4th Industrial Revolution. **government’s ability** to prepare for the future covers the following:
 - ✓ **Policy stability**
 - ✓ **Responsiveness to change**
 - ✓ **Long-term vision**
 - ✓ **Adaptability of the legal framework to technological change**

Box 1: Defining ‘institutions’

Economic agents will not invest if they fear they will need to spend excessive amounts of time and money on protecting their property and monitoring the fulfilment of contractual obligations. Their expectations depend on the levels of trust in society; on whether public institutions are capable of ensuring a basic level of security and enforcing property rights, and are characterized by transparency, efficiency, and checks and balances; and on the strength of corporate governance standards and prevailing business ethics.

The GCI 4.0 therefore conceptualizes institutions broadly as including *formal*, legally binding constraints—rules, laws, constitutions and associated enforcement mechanisms—and *informal* constraints, such as norms of behavior, conventions and self-imposed codes of conduct.¹ Pillar 1: Institutions comprises six sub-pillars and 20 indicators, as shown in Table 1.1.

Table 1.1: Structure and composition of Pillar 1: Institutions

Component	Worst performer	Best performer
Security		
1.01 Business costs of organized crime	El Salvador	Finland
1.02 Homicide rate	El Salvador	Japan
1.03 Terrorism incidence	Pakistan	Multiple
1.04 Reliability of police services	Venezuela	Finland
Social capital		
1.05 Social capital	Burundi	Australia
Checks and balances		
1.06 Budget transparency	Chad	Finland
1.07 Judicial independence	Multiple	Multiple
1.08 Efficiency of legal framework in challenging regulations	Bolivia	Finland
1.09 Freedom of the press	Venezuela	Finland
1.09 Freedom of the press	China	Norway
Public-sector performance		
1.10 Burden of government regulation	Venezuela	Singapore
1.11 Efficiency of legal framework in settling disputes	Brazil	Singapore
1.12 E-Participation	Venezuela	Singapore
1.13 Future orientation of government	Lesotho	Multiple
1.13 Future orientation of government	Venezuela	Singapore
Transparency		
1.14 Incidence of corruption	Yemen	New Zealand
1.14 Incidence of corruption	Yemen	New Zealand
Property rights		
1.15 Property rights	Venezuela	Singapore
1.16 Intellectual property protection	Venezuela	Finland
1.17 Quality of land administration	Venezuela	Finland
1.17 Quality of land administration	Sri Lanka	Singapore
Corporate governance		
1.18 Strength of auditing and accounting standards	Haiti	Singapore
1.18 Strength of auditing and accounting standards	Angola	Finland
1.19 Conflict of interest regulation	Ethiopia	Multiple
1.20 Shareholder governance	Haiti	Kazakhstan

Source: World Economic Forum analysis.

Note: See Appendix C for detailed methodology. Visit <http://gcr.weforum.org> for detailed results.

Corruption Perceptions Index

About the Report



CORRUPTION PERCEPTIONS INDEX 2017

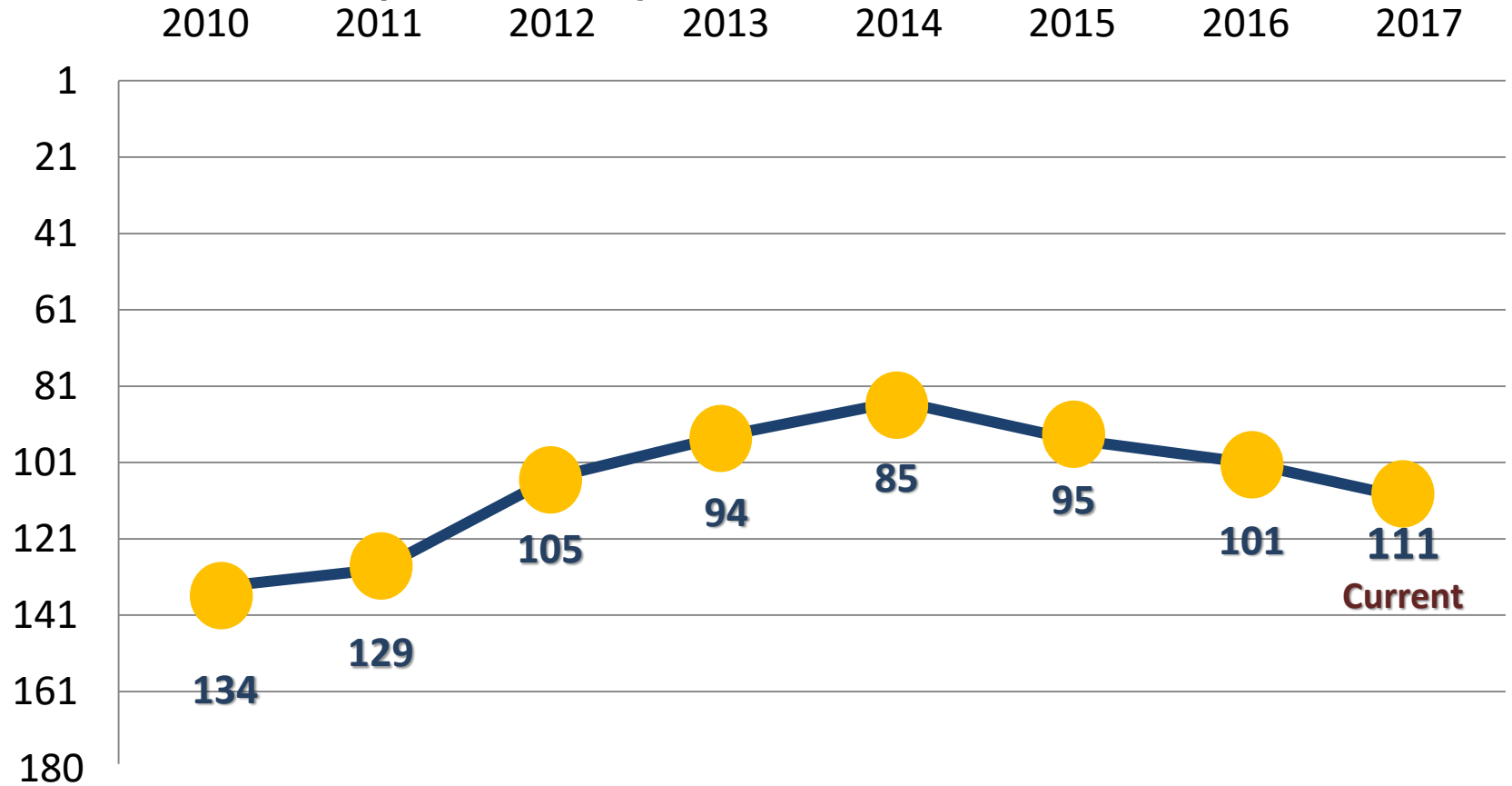
21 February 2018

www.transparency.org #CPI2017

- Ranking of countries according to the extent to which corruption is believed to exist.
- Created in 1995 by Transparency International.
- Ranks almost 200 countries on a scale of zero to 10, with zero indicating high levels of corruption and 10 indicating low levels.
- Developed countries typically rank higher than developing nations due to stronger regulations.

Corruption Perceptions Index: Philippines

2010-2017 (n=180)



Source: Transparency International

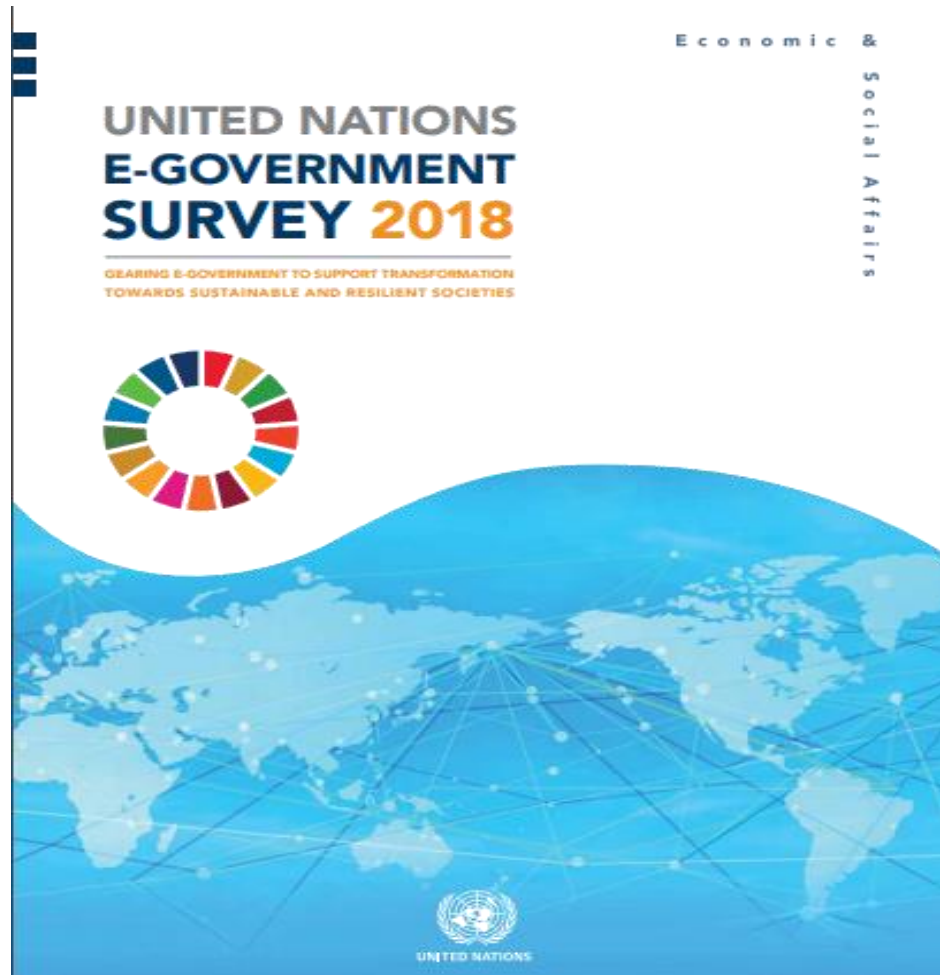
Corruption Perceptions Index PH vs ASEAN (2010-2017)

Economy	2017 (out of 180)	2016 (out of 176)	2015 (out of 168)	2014 (out of 174)	2013 (out of 177)	2012 (out of 176)	2011 (out of 182)	2010 (out of 178)	CHANGE 2016-2017	CHANGE 2010-2017
Singapore	6	7	8	7	5	5	5	1	1	-5
Brunei Darussalam	32	41	n/a	n/a	38	46	44	38	9	6
Malaysia	62	55	54	50	53	54	60	56	-7	-6
Indonesia	96	90	88	107	114	118	100	110	-6	14
Thailand	96	101	76	85	102	88	80	78	5	-18
Vietnam	107	113	112	119	116	123	112	116	6	9
Philippines	111	101	95	85	94	105	129	134	-10	23
Myanmar	130	136	147	156	157	172	180	176	6	46
Laos	135	123	139	145	140	160	154	154	-12	19
Cambodia	161	156	150	156	160	157	164	154	-5	-7

Source: Transparency International

UN E-Government Survey

About the Report

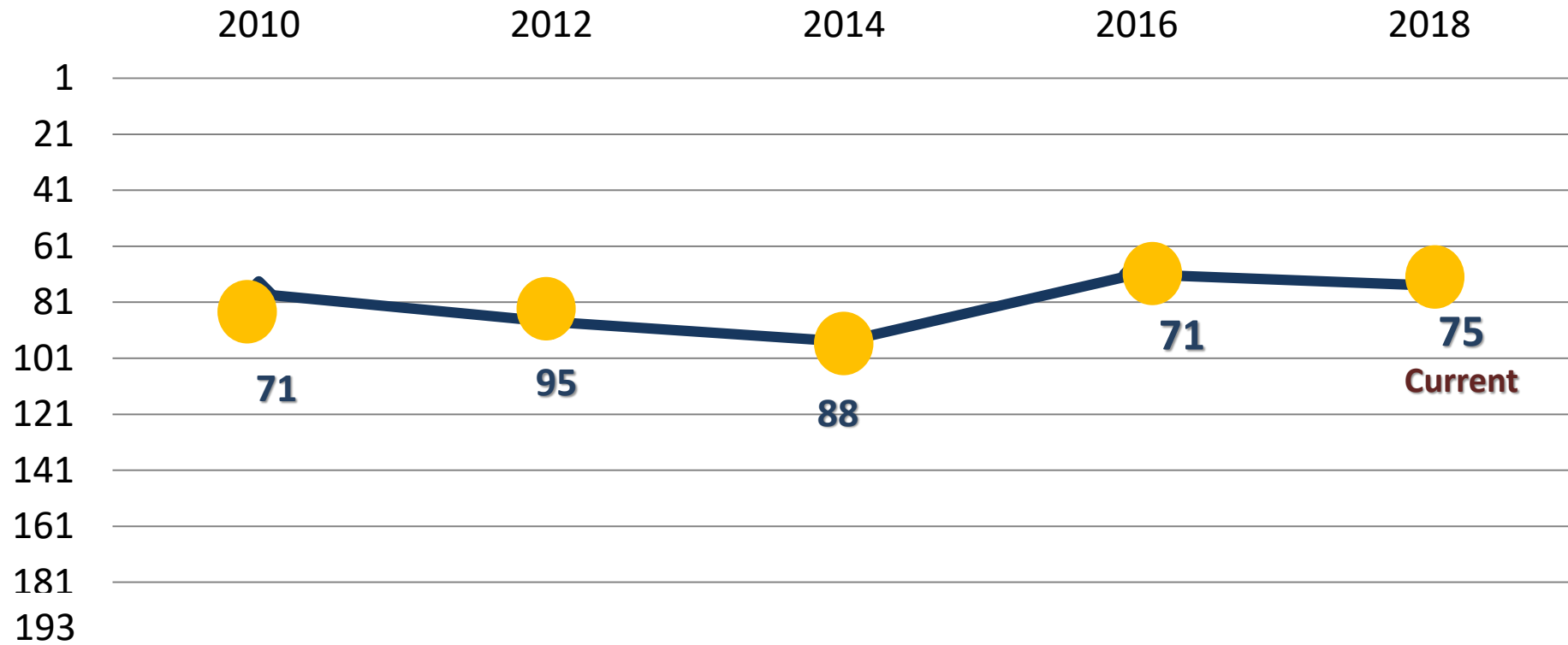


- Comparative ranking of the countries of the world according to two primary indicators: i) the state of e-government readiness; and ii) the extent of e-participation.

- OSI—Online Service Index
- TII—Telecommunication Infrastructure Index
- HCI—Human Capital Index

UN e-Government Survey: Philippines

2010-2018 (n=193)



◆ Philippines

Data Source: UN e-Government Survey

UN e-Government Survey: PH vs ASEAN (2010-2018)

Economy	2018	2016	2014	2012	2010	Change	Change
	out of 193	out of 193	out of 193	out of 193	out of 192	2016-2018	2010-2018
8Singapore	7	4	3	10	11	-3	4
Malaysia	48	60	52	40	32	12	-16
Brunei Darussalam	59	83	86	54	68	24	9
Thailand	73	77	102	92	76	4	3
Philippines	75	71	95	88	78	-4	3
Vietnam	88	89	99	83	90	1	2
Indonesia	107	116	106	97	109	9	2
Cambodia	145	158	139	155	140	13	-5
Myanmar	157	169	175	160	141	12	-16
Lao PDR	162	148	152	153	151	-14	-11

Data Source: UN e-Government Survey

e-Participation Index

PH vs ASEAN (2010-2018)

Economy	2018 out of 193	2016 out of 193	2014 out of 193	2012 out of 193	2010 out of 192	Change 2016-2018	Change 2010-2018
Singapore	13	8	10	3	9	-5	-4
Philippines	19	67	51	66	64	48	45
Malaysia	32	47	59	31	12	15	-20
Viet Nam	72	43	65	101	110	-29	38
Thailand	82	67	54	48	110	-15	28
Indonesia	92	114	110	66	86	22	-6
Brunei Darussalam	97	114	179	34	68	17	-29
Lao People's Democratic Republic	171	133	137	161	86	-38	-85
Cambodia	171	179	137	161	97	-8	-74
Myanmar	181	170	172	161	180	-11	-1

Data Source: UN e-Government Survey

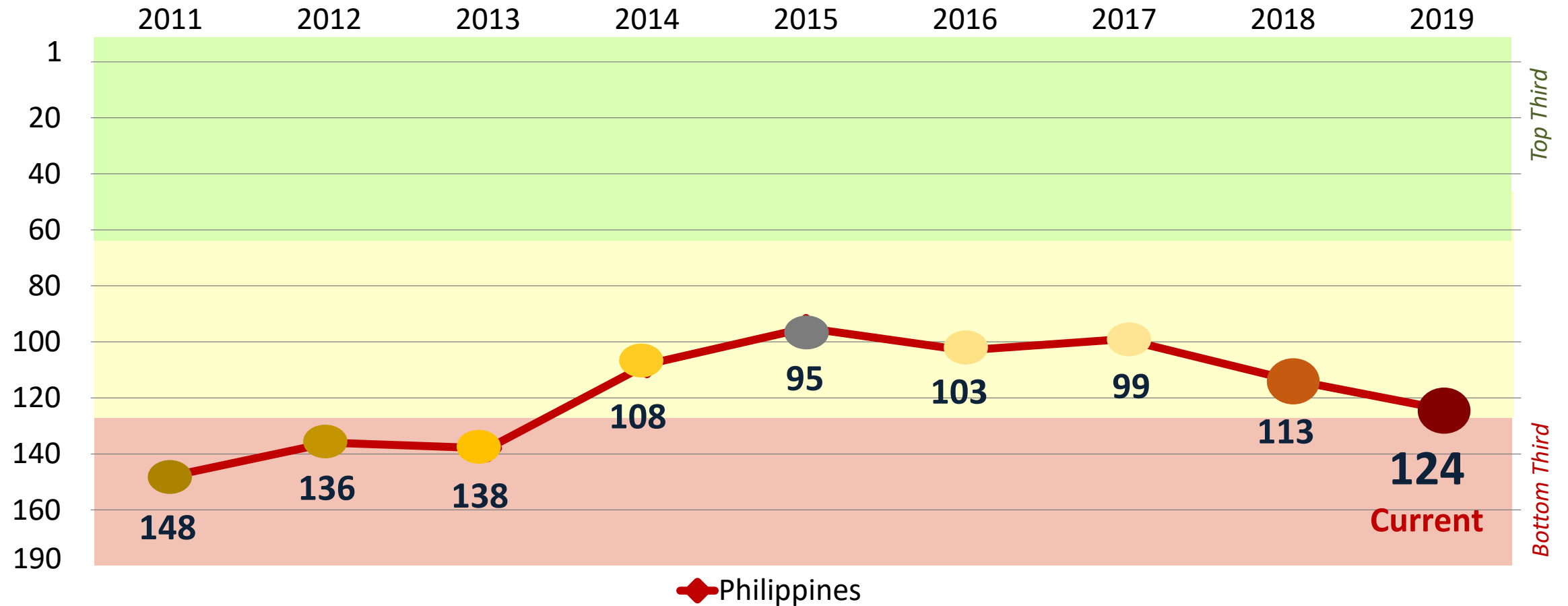
World Bank: 2019 Doing Business Report



- 2019 Doing Business captured a record of 314 regulatory reforms between June 2, 2017 to May 1, 2018; 13,800 professionals participated.
- 124 economies introduced substantial regulatory improvements
- Training opportunities for service providers and users are positively associated with the ease of doing business score.
- DTF has been changed to “ease of doing business score” New Zealand remains to be the No. 1 economy in the *2019 DB Report*
- **NEW INDICATOR: Data on Contracting with the Government (Public Procurement) will be posted by early 2019**

Ease of Doing Business

Philippine ranking, 2011-2019 (n=190)



Source: Philippine Ranking Published Doing Business Report

DOING BUSINESS SURVEY:

Who's up there?

Source: 2019 Doing Business Report

** World Bank adjusted the PH EODB Scores to 56.32*

Indicator	Philippines				Who sets the Frontier? (2019)	Frontier EODB Score
	2019		2018			
	Rank	EODB Score	Rank	EODB Score		
Overall	124	57.68	113	58.74*	New Zealand	86.59
Starting a Business	166	71.97	173	68.88	New Zealand	99.98
Dealing With Construction Permits	94	68.58	101	66.84	Hong Kong SAR, China	88.24
Getting Electricity	29	87.45	31	84.31	UAE	100
Registering Property	116	57.56	114	57.55	New Zealand	94.89
Getting Credit	184	5.00	142	30.00	2 Economies	100
Protecting Investors	132	43.33	146	40.00	Kazakhstan	85.00
Paying Taxes	94	71.80	105	69.27	Hong Kong SAR, China	99.71
Trading Across Borders	104	69.90	99	69.39	14 Economies	100
Enforcing Contracts	151	45.96	149	45.96	Singapore	84.53
Resolving Insolvency	63	55.22	59	55.22	Japan	93.45

Comparison of Global Rank, EODB Scores and EODB Score Changes, 2018-2019: Philippines vs ASEAN

** World Bank adjusted the PH EODB Scores to 56.32*

Position in ASEAN	Economy	Rank (2019)	EODB Score (2019)	Rank (2018)	EODB Score (2018)	Rank 2018-2019	EODB Score Changes 2018-2019
1	Singapore	2	85.24	2	84.57	0	+0.27
2	Malaysia	15	80.60	24	78.43	+9	+2.57
3	Thailand	27	78.45	26	77.44	-1	+1.06
4	Brunei	55	72.03	56	70.60	+1	+1.85
5	Vietnam	69	68.36	68	67.93	-1	+1.59
6	Indonesia	73	67.96	72	66.47	-1	+1.42
7	Philippines	124	57.68	113	58.74*	-11	+1.36
8	Cambodia	138	54.80	135	54.47	-3	+0.41
9	Lao PDR	154	51.26	141	53.01	-13	+0.11
10	Myanmar	171	44.72	171	44.21	0	+0.51

Source: 2019 Doing Business Report

Area Code:

Rank	Economy	EODB Score
120	Egypt, Arab, Rep.	58.56
121	Honduras	58.22
122	Cote d'Ivoire	58.00
123	Ecuador	57.94
124	Philippines	57.68
123	Belize	57.13
126	Tajikistan	57.11
127	Uganda	57.06
128	Iran, Islamic Rep.	56.98
129	Barbados	56.78
130	St. Vincent and the Grenadines	56.35



Ease of Doing Business and Efficient Government Services Delivery Act of 2018

R . A . 1 1 0 3 2

RA 11032: Salient Features

- Declaration of Policy (Section 2)
- Coverage (Section 3)
- Reengineering of Systems and Procedures (Section 5)
- Citizen's Charter (Section 6)
- Zero Contact Policy (Section 7)
- Accessing Government Services (Section 9)
- Automatic Approval / Automatic Extension (Sec. 10)
- Streamlining of Local Permits and Licenses (Section 11)
- Streamlining of BFP-related permits and certificates (Section 12)
- Government Technology (Sections 13/14/26)
- Interconnectivity Infrastructure (Section 15)
- Anti-Red Tape Authority and EODB/ARTA Advisory Council (Secs. 17 to 19)
- Report Card Survey (Section 20)
- Violations and Persons Liable (Section 21)
- Penalties and Liabilities (Section 22)
- Jurisdiction and Immunity (Sections 23 /24/25)
- Transitory Provisions (Section 27)
- Congressional Oversight (Section 28)
- Appropriations (Section 29)
- Implementing Rules and Regulations (Section 30)
- Final Provisions (Sections 31/32/33)

Congress of the Philippines

Metro Manila

Seventeenth Congress

Second Regular Session

and held in Metro Manila, on Monday, the twenty-fourth day of July, two thousand seventeen.

| REPUBLIC ACT No. **11032** |

ACT PROMOTING EASE OF DOING BUSINESS,
EFFICIENT DELIVERY OF GOVERNMENT SERVICES,
AMENDING FOR THE PURPOSE REPUBLIC ACT
9485, OTHERWISE KNOWN AS THE ANTI-RED TAPE
ACT OF 2007, AND FOR OTHER PURPOSES

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

SECTION 1. Section 1 of Republic

RA No. 11032 A GAME CHANGER. GROUNDBREAKING.

- Signed on May 28, 2018
- Published in two (2) newspapers of general circulation on June 2, 2018 the Official Gazette on June 11, 2018
- Effective 17 June 2018
- IRR to be promulgated on October 22, 2018

The law effectively amends RA 9485: Anti-Red Tape Act of 2007

SCOPE business-related/ non-business related

COVERAGE all government agencies including quasi-judicial agencies

ADDITIONAL PROVISIONS

- Automation
- Zero contact policy
- LGU-related provisions
- Connectivity infrastructure
- Violations and penalties

RA 11032 in a nutshell



**Promoting
Good Regulatory Practices**

**Reengineering
Government
Systems and
Procedures**

**Regulatory
Impact
Assessment**

**Repeal of
Outdated,
Redundant
Laws and
Issuances**



**Embracing
Customer
Centricity /
GovTech**



**Setting
standards on
Prescribed
Processing
Time**



**Adopting
information
communications
technologies /
Automation**



**Governance/
Institutional
arrangements**

“

It is hereby declared that the policy of the State to promote integrity, accountability, proper management of public affairs and public property as well as to establish effective practices, aimed at **efficient turnaround of the delivery of government services** and the prevention of graft and corruption in the government. Towards this end, the State shall maintain honesty and responsibility among his public officials and employees, and shall take appropriate measures to promote transparency in each agency with regard to the manner of transacting with the public, which shall encompass a program for the adoption of simplified requirements and procedures that will reduce red tape and **expedite business and non-business related transactions** in government.”

SECTION

2

**Declaration
of
Policy**

Coverage (Sec. 3)

All government offices and agencies including:

Other Government Instrumentalities
(whether located in the Philippines or abroad)

Government Owned & Controlled Corporations (GOCCs)

Local Government Units (LGUs)

National Government Agencies (NGAs)



Promoting Good Regulatory Practices

- Reengineering Government Systems and Procedures
- Regulatory Impact Assessment
- Repeal of Outdated, Redundant Laws and Issuances



- All agencies which provide government services are hereby mandated to regularly undertake:

- ✓ Cost compliance analysis and time and motion studies;
- ✓ Evaluation and improvement of their transaction systems and procedures; and
- ✓ Reengineer to reduce bureaucratic red tape and processing time.

SECTION

5

Re engineering of Systems and Procedures

- All proposed regulations shall undergo **regulatory impact assessment (RIA)**
- RIA shall be used to establish that the proposed regulation does not add:
 - ✓ undue regulatory burden
 - ✓ cost to the agencies and the applicants or requesting parties.
- When necessary, any proposed regulation may undergo pilot implementation to assess regulatory impact.

SECTION

5

Re engineering of Systems and Procedures

Anti-Red Tape Authority (ARTA) shall:

- coordinate with all government offices in the **review** of
 - existing laws
 - executive laws
 - executive issuances and
 - local ordinances
- **recommend** the **repeal** if deemed outdated, redundant, and if regulation adds undue regulatory burden to the transacting public.

SECTION

5

Re engineering of Systems and Procedures

Embracing Customer-Centricity / GovTech



- All government agencies shall set up their respective **most current and updated service standards** to be known as the Citizen's Charter
- The Citizen's Charter shall detail:
 - a) comprehensive and uniform checklist for each type of application or request;**
 - b) procedure to obtain a particular service;
 - c) person/s responsible for each step;
 - d) maximum time to conclude the process;
 - e) document/s to be presented, if necessary;
 - f) amount of fees, if necessary; and
 - g) procedure for filing complaints

SECTION

6

Citizen's Charter

- **All** government agencies including local government units (LGUs) shall adopt a zero-contact policy.
- No government officer or employee shall have any contact with any applicant or requesting **unless strictly necessary**, except:
 - during the preliminary assessment of the request
 - Payment
 - In case of complex/highly technical transactions.
- DICT shall complete a web-based software enabled business registration system
- Once the business registration system is completed, all transactions shall be coursed through such system.

SECTION

7

**Zero
Contact
Policy**

All government agencies and offices shall adopt the following:

- Acceptance of Applications or Requests (***You need to issue an Acknowledgment Receipt!. Check for completion before issuing AR***)
- Issue the applicant a unique identification number (***You need to invest in a document tracking system!***)
- Denial of Request for Access to Government Service (***You need to have a written notice***)
- Limit signatories to 3. In case authorized signatory is on OB, an alternate shall be designated. ***Use electronic signature or pre-signed licenses with adequate security.***
- Electronic Versions of Licenses, Permits, Certifications or Authorizations
- Adoption of Working Schedules to Serve Applicants or Requesting Parties
- Establishment of Public Assistance/Complaints Desk

SECTION

9

Accessing Government Services

- If government fails to approve or disapprove within prescribed time, said application **SHALL BE DEEMED APPROVED**
- All required documents have been submitted and all required fees and charges have been paid.
- Government to issue acknowledgement receipt together with the official receipt for payment of all required fees issued to the applicant or requesting party.
- AR /OR shall be enough proof or has the same force and effect

SECTION

10

Automatic Approval / Automatic Extension

- Use of Unified Business Application Form
- Establishment of Business One Stop Shop (BOSS)
- Cities/Municipalities are mandated to automate their business permitting and licensing system within 3 years.
- **Barangay clearances and permits related to doing business shall be applied, issued, and collected at the city/municipality.**
- At the local government level, the city or municipal business process and licensing office shall not require the same documents already provided by an applicant or requesting party to the local government departments.

SECTION

11

**STREAMLINING
OF LOCAL
GOVERNMENT
PROCEDURES**

Setting Standards on Prescribed Processing Time





Working days for **simple transactions**



Working days for **Highly Technical Application**



Working days for **complex transactions**



45 working days

This can be extended for another twenty (20) working days*

The *number of signatories* in any document shall be limited to a **maximum of three (3) signatures from 5 signatories.**

* *Application or request for license, clearance, permit or authorization which require the approval of the local Sangguniang Bayan, Sangguniang Panlungsod, or the Sangguniang Panlalawigan.*



TYPE OF APPLICATION	NUMBER OF DAYS
Fire Safety Evaluation Clearance (FSEC)	seven (7) working days.
Fire Safety Inspection Clearance (FSIC)	seven (7) working days.
Certification of Fire Incident (CFI)	twenty (20) working days (extended once)

SECTION

12

Streamlined Procedures for Securing Fire Safety Evaluation Clearance, Fire Safety Inspection Certificate, and Certification of Fire Incidents for Fire Insurance.

- Co-location with the Business One Stop Shop (BOSS);
- BFP may enter into agreements with cities/municipalities, allowing the latter to be **deputized as assessors and/or collecting agents for the fire safety inspection fees.**
- **Bureau of Fire Protection shall not sell, offer or recommend specific brands of fire extinguishers and other fire safety equipment to any applicant or requesting party or business entity.**

Any violation thereof shall be punishable by imprisonment of one (1) year to six (6) years and a penalty of not less than Php 500,000.00 but not more than Php 2,000,000.00.

SECTION

12

**Streamlined
Procedures for
Securing Fire Safety
Evaluation
Clearance, Fire
Safety Inspection
Certificate, and
Certification of Fire
Incidents for Fire
Insurance.**

TYPE OF APPLICATION	TYPE OF GOVERNMENT AGENCY/OFFICE	NUMBER OF DAYS
Processing and approval of licenses, clearances, permits or authorizations for the installation and operation of telecommunication, broadcast towers, facilities, equipment and service	BARANGAY	Seven (7) working days
	NGAs	Seven (7) working days
	LGUs	Seven (7) working days
	LOCAL LEGISLATIVE BODY	non-extendible period of twenty (20) working days

SECTION

15 Interconnectivity Infrastructure Development

- Homeowner’s association shall be given **ten (10) working days** to refer to association members, provided that **non extendible of 30 days** to give its consent or disapproval
- ARTA and DICT to review and recommend repeal of outdated, redundant and unnecessary licenses, clearances, permits or authorizations being required by NGAs, LGUs, and private entities within three (3) months upon the approval of the IRR

Adopting information and communications technologies / Automation



SECTIONS

13

Central Business Portal

- **Central Business Portal** - a central system to receive applications and capture application data involving business-related transactions, including primary and secondary licenses, and business clearances, permits or authorizations issued by the local government units.
- Issue rules and guidelines on the:
 - establishment, operation and maintenance of the central business portal; and
 - use of electronic signatures
- DICT is mandated to implement an Interconnectivity Infrastructure Development Program for interconnectivity between and among NGAs and LGUs

- **Philippine Business Databank** shall provide access to data and information of registered business entities for purposes of verifying the validity, existence of and other relevant information pertaining to business entities.
- All concerned NGAs and LGUs to link their own database with the system
- Periodically submit updates relevant to the information registered with them
- NGAs and LGUs shall not require the same documents already provided to the local government departments in connection with other business-related licenses.

SECTIONS

14

**Philippine
Business
Databank**

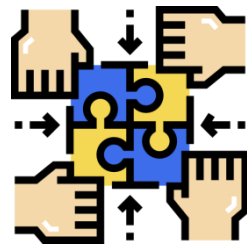
- Within three (3) years after the effectivity of the Act, automate business-related transactions through development of :
 - necessary software;
 - technology-neutral platforms; and
 - secure infrastructure
- **DICT** to ensure that all third (3rd), fourth (4th), fifth (5th) and sixth (6th) class municipalities and provinces are provided with **appropriate equipment and connectivity, information and communications technology platform, training and capability building**

SECTIONS

26

Transition from Manual to Software Enabled Business Transaction

Governance / Institutional Arrangements



1. **Refusal to accept application or request with complete requirements** being submitted by an applicant or requesting party without due cause;
2. Imposition of **additional requirements** other than those listed in the Citizen's Charter;
3. Imposition of **additional costs** not reflected in the Citizen's Charter;
4. Failure to give the applicant or requesting party a **written notice on the disapproval** of an application/request;
5. Failure to render government services within the **prescribed processing time** on any application or request without due cause;
6. Failure to attend to applicants or requesting parties who are **within the premises of the office** or agency concerned prior to the end of official working hours and **during lunch break**;
7. Failure or refusal to issue **official receipts**; and
8. **Fixing and/or collusion with fixers** in consideration of economic and/or other gain or advantage.

SECTION

21

**Violations and
Persons Liable**

PENALTIES:

(a) First Offense:

- Administrative liability with **six (6) months suspension**

(b) Second Offense:

- Administrative liability and Criminal liability with dismissal from the service, perpetual disqualification from holding public office and forfeiture of retirement benefits and
- **Imprisonment:** one (1) year to six (6) years
- **Fine:** not less than Five Hundred Thousand Pesos (P500,000.00) but not more than Two Million Pesos (P2,000,000.00).
- In case of **Fixing and/or collusion with fixers**, the **penalty and liability for Second Offense** shall apply.

SECTION

22

Penalties and Liabilities



COMPOSITION

- **Director General (DG)** with a rank of Secretary
- (3) **Deputy Directors General (DDG)**
 - DDG for legal,
 - DDG for operations
 - DDG for administration and finance.

***Attached under the Office of the President (OP).**



TENURE & EMPLOYMENT STATUS

- DG – Appointed and co-terminus with the President of the Philippines
- DDG – Appointed by the President of the Philippines. *The DDG are career officials with a rank equivalent to Undersecretary*

SECTION

17

Creation of the Anti-Red Tape Authority (ARTA)*

POWERS & FUNCTIONS

- (a) Implement and oversee a national policy on anti-red tape and ease of doing business;
- (b) Implement various ease of doing business and anti-red tape reform initiatives aimed at improving the ranking of the Philippines;
- (c) Monitor and evaluate the compliance of agencies covered under the law, and issue notice of warning to erring and/or non-complying government employees or officials

SECTION

17

**Creation of the
Anti-Red Tape
Authority**

POWERS & FUNCTIONS

- (g) Review proposed major regulations of government agencies using submitted regulatory impact assessments, subject to proportionality rules
- (k) Ensure public access to information on regulatory management system and changes in laws and regulations by establishing the **Philippine Business Regulations Information System**

SECTION

17

**Creation of the
Anti-Red Tape
Authority**



COMPOSITION

Chairperson - Secretary of the DTI

Vice-Chairperson - Director General of the Authority

Members: Secretaries of the DICT, DILG and Department of Finance (DOF), and two (2) representatives from the private sector

National Competitiveness Council will be renamed and reorganized as Ease of Doing Business and Anti-Red Tape Advisory Council, will be the policy and advisory body to the Authority.

SECTION

19

Structure of the EODB/ARTA Advisory Council

- The Anti-Red Tape Unit in Civil Service Commission (CSC) shall:

1. Maintain an anti-red tape unit in its central and all its regional offices
2. Utilize Report Card Survey (for purposive and integrated government-wide human resource systems and programs)
3. Receive, review, hear, and decide on complaints on erring government employees and officials and non-compliance.

SECTION

16

Anti-Red Tape Unit in Civil Service Commission

- All agencies providing government services shall be subjected to a **Report Card Survey (RCS)**.
- RCS shall be initiated by the Authority, in coordination with the CSC, and the Philippine Statistics Authority (PSA),
- RCS shall be used to obtain:
 - feedback on how provisions in the Citizen's Charter and the Act are being followed and how the agency is performing;
 - information and/or estimates of hidden costs incurred by applicants or requesting parties to access government services
- The result of the survey shall become **basis for the grant of awards, recognition and/or incentives for excellent delivery of services in all government agencies.**

SECTION

20

Report Card Survey

- The finding of administrative liability under this Act shall not be a bar to the filing of criminal, civil or other related charges under existing laws arising from the same act or omission as herein enumerated.
- The administrative jurisdiction on any violation of the provisions of this Act shall be vested in either the CSC, or the Office of the Ombudsman.
- Any public official or employee or any person having been charged with another under this Act and who voluntarily gives information pertaining to an investigation or who willingly testifies therefore, shall be exempt from prosecution in the case/s where his/her information and testimony are given. The discharge may be granted and directed by the investigating body or court upon the application or petition of any of the respondent/accused-informant and before the termination of the investigation

SECTIONS

23

24

25

Jurisdiction and Immunity

- ARTA DG to determine organizational structure and personnel complement.
- DTI-Competitiveness Bureau as ARTA temporary secretariat. Existing DTI CB Staff shall have option to transfer.
- All regulatory management programs and anti-red tape initiatives to be gathered by the Authority. DTI, CDA, NCC, DOF, DAP, and NEDA to submit to ARTA project status.
- ARTA to conduct information dissemination campaign on RA 11032

SECTION

27

Transitory Provisions

- Congressional Oversight Committee on Ease of Doing Business (COC-EODB) to consist of 5 members each from Senate and House of Representatives

SENATE

- Committee on Trade and Commerce and Entrepreneurship - Chair
- Civil Service, Government Reorganization and Professional Regulation, and
- Economic Affairs

HOR

- Committee on Trade and Industry- Chair
- Civil Service and Professional Regulation
- Government Reorganization, and
- Economic Affairs.

- Oversight Committee shall cease to exist after five (5) years upon effectivity of this Act.
- Secretariat of the COC-EODB from existing personnel of congressional committees

SECTION

28

Congressional Oversight

- The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the concerned agencies. In addition, the amount of **THREE HUNDRED MILLION PESOS (P300,000,000.00)** as initial funding for the Authority to be charged against the unexpended contingency funds of the Office of the President is hereby appropriated.

SECTION
29

Appropriations



ARTA, CSC, and DTI to coordinate with:

1. DICT
2. DOF
3. DILG
4. NEDA
5. PSA
6. CDA
7. SEC
8. Office of the Ombudsman,
9. Housing and Land Regulatory Board (HLURB),
10. Union of Local Authorities of the Philippines (ULAP)

In the promulgation of the IRR within **ninety (90) working days** from the effectivity of this Act



SECTION

30

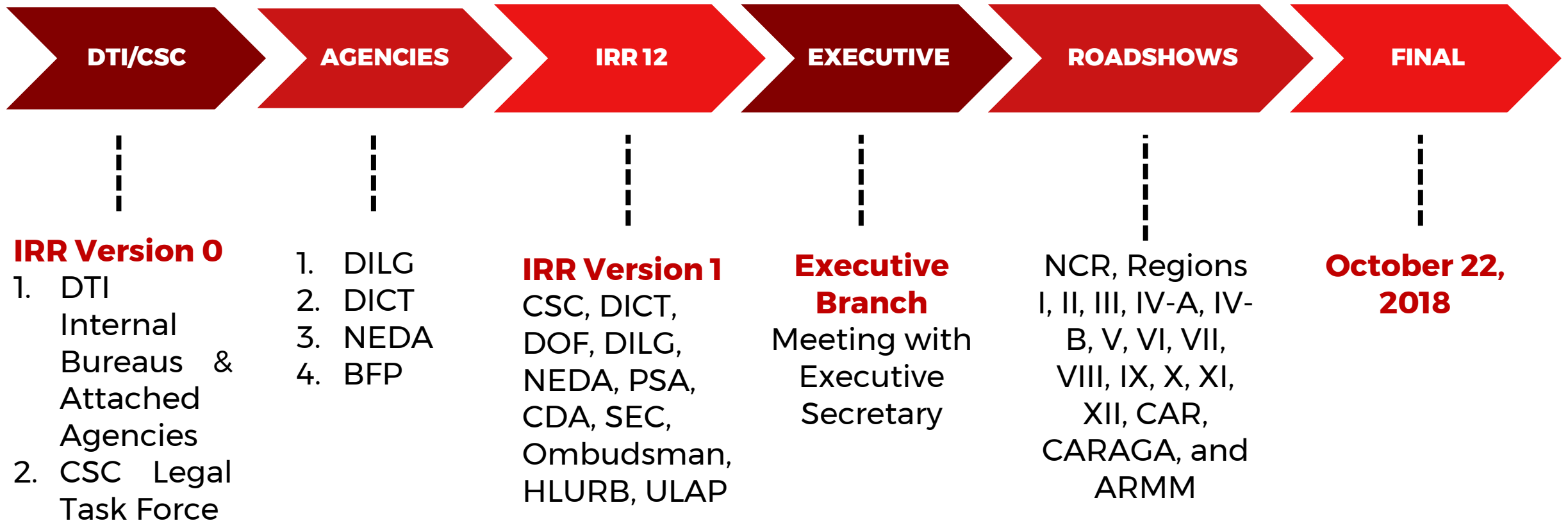
Implementing Rules and Regulations

STATUS OF IRR



- Done in partnership with Civil Service Commission
- UP Law Center provided the review of the form and substance
- Transmitted copy of the final draft to the IRR 12 agencies, Senator Zubiri, Senator Koko Pimentel, and Congressman Biron.
- Submitted to the Executive Secretary

THE IRR TIMELINE





REGION 2

Tuguegarao City | Sept 3



REGION 10

Cagayan De Oro City | Sept 3



CARAGA

Butuan City | Sept 4



REGION 11

Davao City | Sept 5



REGION 12

General Santos City | Sept 6



REGION 5

Legazpi City | Sept 7



REGION 9 and ARMM

Zamboanga City | Manila Sept 10



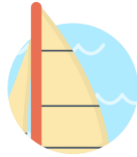
REGION 3

San Fernando City | Sept. 13



REGION 1

San Fernando, La Union | Sept 14



REGION 8

Tacloban City | Sept 18



REGION 7

Cebu City | Sept 19-20



REGION 6

Iloilo City | Sept 21



REGION 4-A

Metro Manila | Sept 26



CAR

Baguio City | Sept 27



NCR

Manila | Sept 28



REGION 4-B

Roxas, Oriental Mindoro | Oct 2



REGIONAL ROADSHOWS



IRR BY THE NUMBERS



16

regional
roadshows



70

Invitations and
speaking
engagements



996

participants from executive
sessions/ cluster agencies



7,594

participants from IRR
public consultations
(public and private
sector)

FINAL NOTE TO BUDGET OFFICERS

1. Request budgetary support for the implementation of RA 11032. (i.e., information dissemination, regulatory streamlining, automation, and capacity building program)
2. Work with Human Resource (HR) Officers for incentives program





**“Makiisa para sa isang Mabilis,
Malinis, Maasahan at may
Malasakit na Pamahalaan – Para
sa Maginhawang Pamumuhay
ng Mamayang Pilipino.”**

- Pres. Rodrigo Roa Duterte



DEPARTMENT OF TRADE AND INDUSTRY COMPETITIVENESS BUREAU (DTI-CB)
THE TEMPORARY SECRETARIAT OF THE ANTI-RED TAPE AUTHORITY

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