

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

**Philippine Association for Government
Budget Administration (PAGBA), Inc.**

2019 4th Quarter Seminar and Meeting
Bohol Tropics Resort, Tagbilaran City

ATTY. ERNESTO V. PEREZ, CPA
Deputy Director General
Anti-Red Tape Authority

6 November 2019



PAGBA 2019 4th Quarterly Seminar & Meeting
Bohol Tropics Resort, Tagbilaran City
November 6-9, 2019

Global Competitiveness Report Card

REPORT	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	CHANGE 2010/11 to LATEST	SOURCE	TOP 20%
1. Doing Business Report	95/190	124/190	113/190	99/190	103/189	95/189	108/189	138/185	136/183	148/183	↑ 53	International Finance Corporation	38
2. Economic Freedom Index	70/180	61/180	58/180	70/178	76/178	89/178	97/177	107/179	115/179	-	↑ 45	Heritage Foundation	36
3. Corruption Perceptions Index		99/180	111/180	101/168	95/168	85/175	94/177	105/176	129/183	134/178	↑ 35	Transparency International	36
4. Global Competitiveness Report	64/141	56/140	68/135**	57/138	47/140	52/144	59/148	65/144	75/142	85/139	↑ 21	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	75/140		79/136	n/a	74/141	n/a	82/140	n/a	94/139	-	↑ 19	World Economic Forum	27
7. Global Innovation Index	54/129	73/129	73/128	74/128	83/141	100/143	90/142	95/141	91/125	-	↑ 37	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		8/144	10/144	7/144	7/145	9/142	5/136	8/135	8/135	9/142	↑ 1	World Economic Forum	29
12. World Competitiveness Yearbook	46/63	50/63	41/63	42/60	41/60	42/60	38/60	43/59	41/59	-	↓ 5	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

**Adjusted ranking based on the new methodology

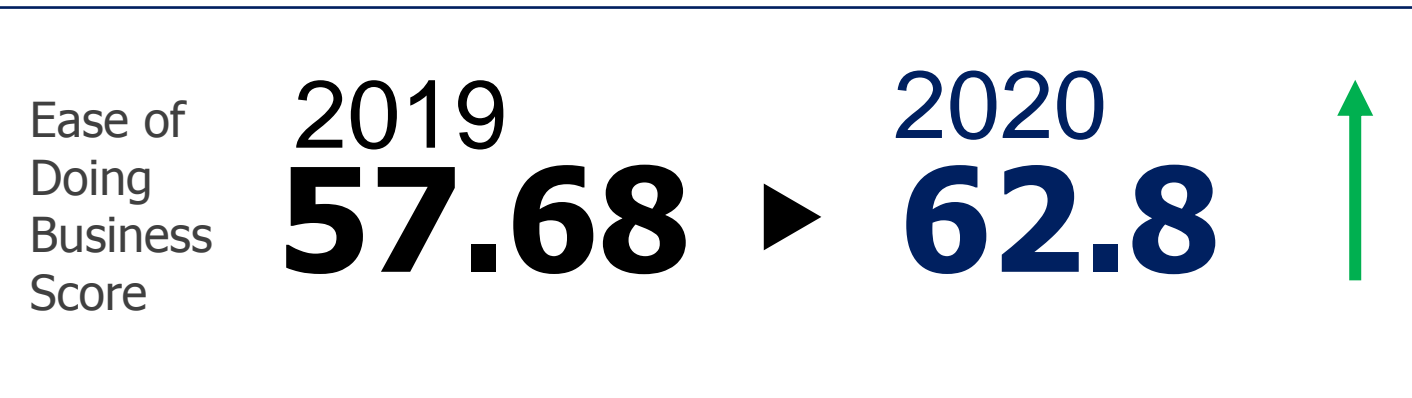
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Source: Doing Business 2020 - World Bank

2020 DOING BUSINESS SURVEY



Comparison of Global Rank, EODB Scores and EODB Changes, 2019-2020: Philippines vs ASEAN

Position in ASEAN	Economy	Rank (2020)	EODB Score (2020)	Rank (2019)	EODB Score (2019)	Rank 2019-2020	EODB Score Changes 2019-2020
1	Singapore	2	86.2	2	85.24	--	+0.96
2	Malaysia	12	81.5	15	80.60	+3	+0.9
3	Thailand	21	80.1	27	78.45	+6	+1.65
4	Brunei	66	70.1	55	72.03	-11	-1.93
5	Vietnam	70	69.8	69	68.36	-1	+1.44
6	Indonesia	73	69.6	73	67.96	--	+1.94
7	Philippines	95	62.8	124	57.68	+29	+5.12
8	Cambodia	144	53.8	138	54.80	-6	-1
9	Lao PDR	154	50.8	154	51.26	--	-0.46
10	Myanmar	165	46.8	171	44.72	-6	+2.08

UPGRADES AND DOWNGRADES

Philippines RANKINGS: 2019 - 2020



+9

**Dealing with
Construction Permits**
From 94 to 85



+52

Getting Credit
From 184 to 132



+60

**Protecting Minority
Investor**
From 132 to 72



Starting a Business
From 166 to 171

-5



Getting Electricity
From 29 to 32

-3



Registering Property
From 116 to 120

-4



Paying Taxes
From 94 to 95

-1



Trading Across Borders
From 104 to 113

-9



Enforcing Contracts
From 151 to 152

-1



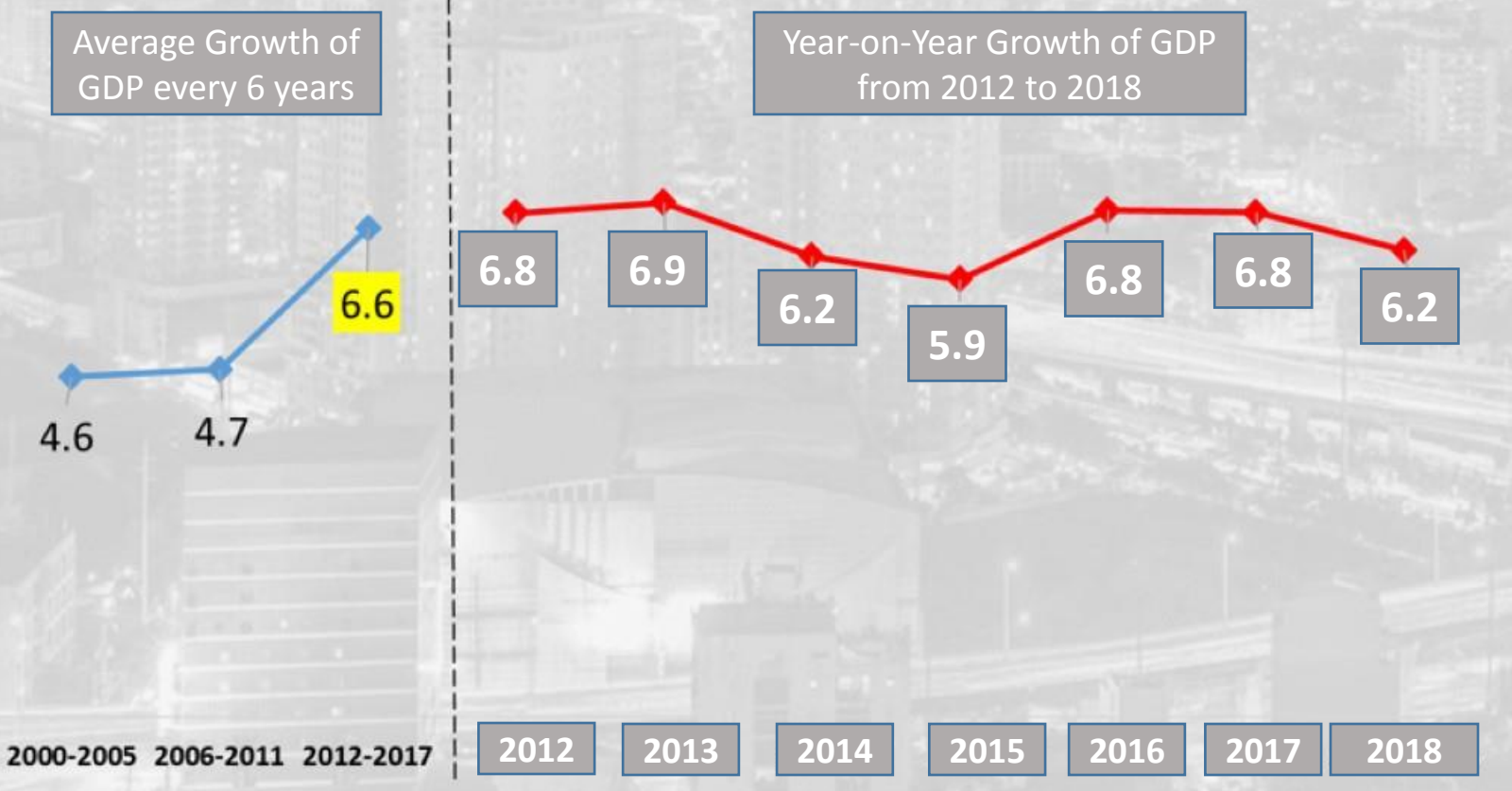
Resolving Insolvency
From 63 to 65

-2



Source: Doing Business 2020 - World Bank

Philippine economy has been growing at a rate of more than 6% in the last 6 years



The Philippines is expected to be the fastest growing economy in Southeast Asia and second fastest in the world over the next two years as it remains resilient to external shocks”

-IMF, April 2018



**The Philippines is expected to
become the 24th biggest economy in
2030, growing more than five times
its current economic size.**

PH: Number 1 in 20 Best Countries around the World to Invest In Now

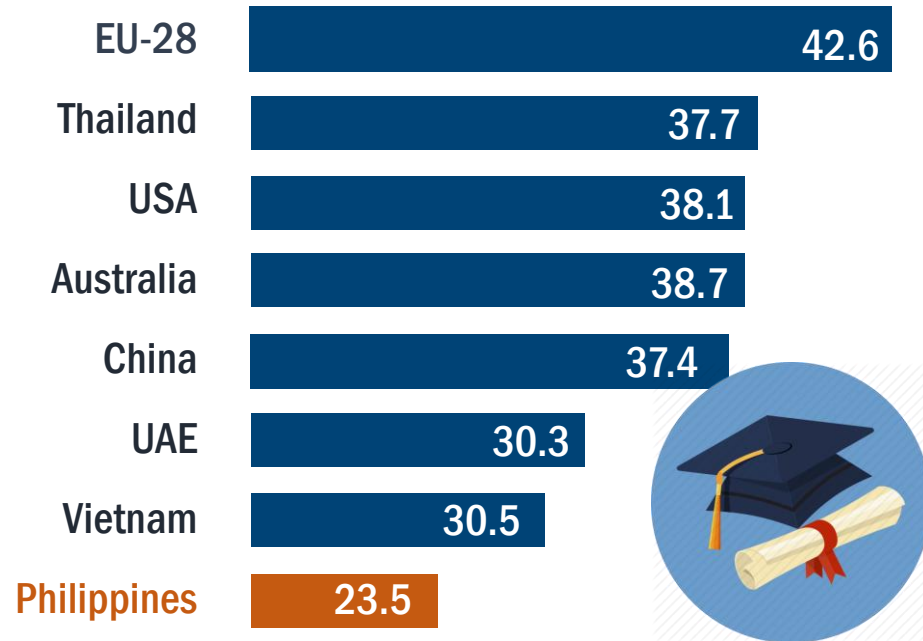


Sources: Business Insider US

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PH in Demographic Sweet Spot

Source: World Population Prospects 2019
UNITED NATIONS
DESA / POPULATION DIVISION



FILIPINOS ARE YOUNGER COMPARED TO THE REST OF THE WORLD

The median age in the Philippines is 23.5 years old.

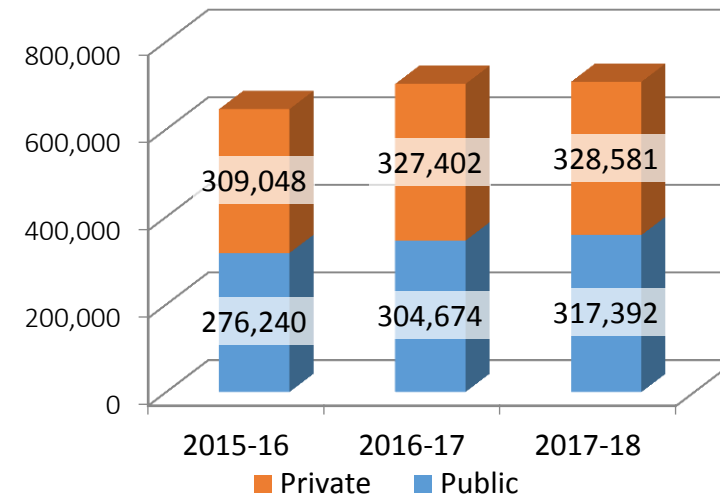
This is equivalent to the age of someone who recently graduated from college.

Rich Talent Pool

We produced over 708,000 college graduates in AY 2017-2018 across a wide range of disciplines.

Breakdown of Graduates by Priority Discipline (AY 2017-18)	
Agriculture, Forestry, Veterinary Medicine	25,421
Architectural and Town Planning	4,392
Education	145,421
Engineering and Technology	86,934
IT Related	86,933
Mathematics	3,104
Maritime	25,996
Medicine and Health Related	43,188
Sciences	7,827
Others	279,229
TOTAL GRADUATES	708,445

Higher Education Graduates AY 2015 - 2018



Our workforce is:

- Highly educated and English Proficient
- Strongly customer-oriented
- Highly trainable with fast learning curve
- Adaptable to universal cultures
- High level of commitment and loyalty

RA No. 11032 A GAME CHANGER. GROUNDBREAKING.

- Signed on May 28, 2018
- Effectively amends RA 9485, or the Anti-Red Tape Act of 2007
- Published in two (2) newspapers of general circulation on June 2, 2018 the Official Gazette on June 11, 2018
- Effective 17 June 2018



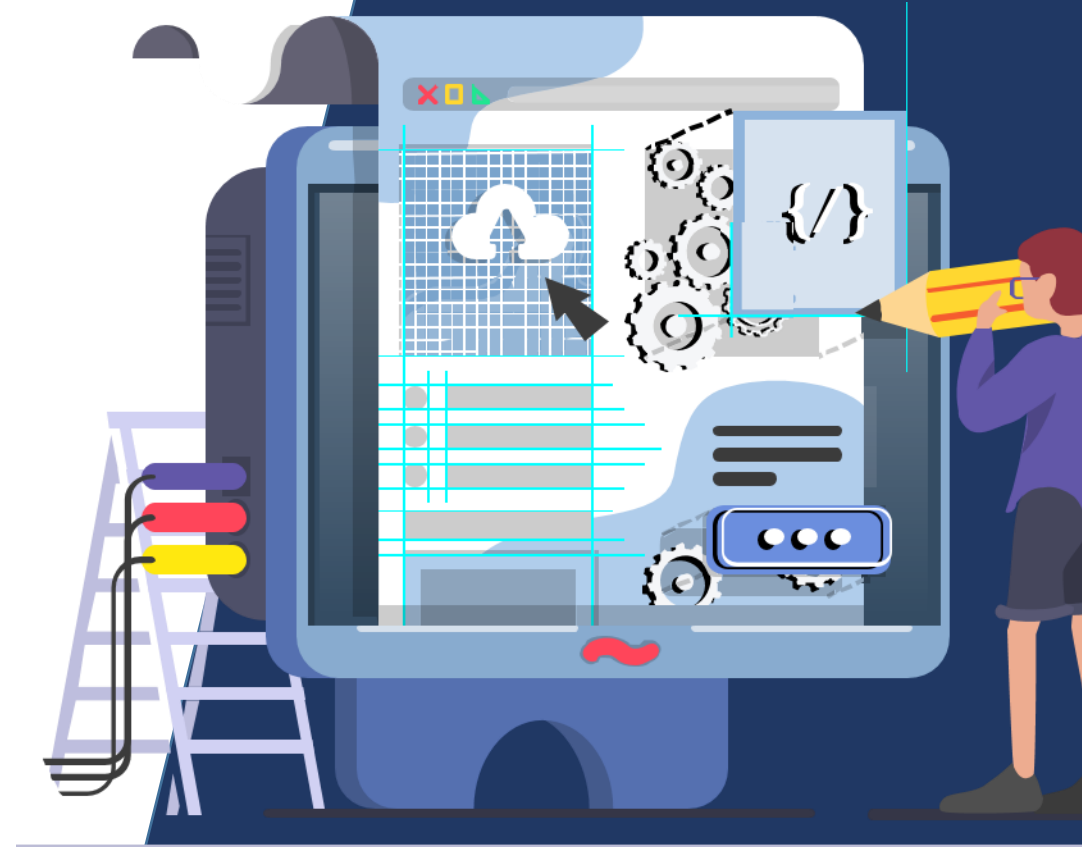
THE IMPLEMENTING RULES AND REGULATIONS

- SIGNED ON **17 JULY 2019** AT THE PHILIPPINE INTERNATIONAL CONVENTION CENTER
- PUBLISHED ON **20 JULY 2019** ON TWO NATIONAL CIRCULATION NEWSPAPERS
 - UPLOADED ON **22 JULY 2019** ON OFFICIAL GAZETTE
 - EFFECTIVE ON **4 AUGUST 2019**

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SALIENT POINTS OF THE LAW

- A) Coverage
- B) Prescribed Processing Time
- C) Automatic Approval
- D) Multi-stage System
- E) Reengineering
- F) Citizen's Charter
- G) Zero-contact policy
- H) Business One Stop Shop
- I) Automation



RA11032 in a nutshell



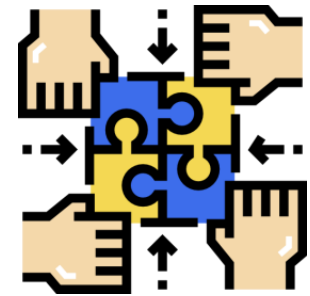
Promoting Good Regulatory Practices



Setting standards on Prescribed Processing Time



Government Technology



Reengineering Government Systems and Procedures

RA 11032: IMPLEMENTING RULES & REGULATIONS

I. GENERAL PROVISIONS

II. COVERAGE

III. REENGINEERING OF SYSTEMS & PROCEDURES

IV. CITIZEN'S CHARTER

V. ZERO-CONTACT POLICY

**VI. ACCOUNTABILITY OF HEADS OF OFFICES
& AGENCIES**

VII. ACCESSING GOVERNMENT SERVICES

**VIII. AUTOMATIC APPROVAL AND/OR AUTOMATIC EXTENSION OF
LICENSE, PERMIT, CERTIFICATION AND AUTHORIZATION**

**IX. STREAMLINED PROCEDURES FOR THE ISSUANCE OF LOCAL BUSINESS
LICENSES, CLEARANCES, PERMITS, CERTIFICATIONS OR
AUTHORIZATIONS**

**X. INTERCONNECTIVITY INFRASTRUCTURE
DEVELOPMENT**

**XI. ANTI-RED TAPE UNIT, AUTHORITY
& COUNCIL**

XII. REPORT CARD SURVEY

XIII. VIOLATIONS, PENALTIES & LIABILITIES

**XIV. COMMENCEMENT OF ACTIONS,
EVALUATION & INVESTIGATION**

XV. TRANSITORY PROVISIONS

XVI. FINAL PROVISIONS

RULE II. Coverage



RULE I COVERAGE

Section 1. Coverage and Scope

The provisions of the Act and these Rules and Regulations shall apply to all government offices and agencies in the Executive Department including local government unit (LGUs), government-owned or -controlled corporations and other government instrumentalities, located in the Philippines or abroad, that provide services covering business-related and nonbusiness transactions as defined in these Rules.



RULE I COVERAGE

Section 1. Coverage and Scope

The Act and these Rules and Regulations shall cover business-related and nonbusiness transactions referring to permitting, licensing, and the issuance of any privilege, right, reward, clearance, authorization, or concession, including frontline services enrolled in the existing Citizen's Charter, whether or not related to business, corresponding backend/support services, and regulatory functions related to permitting, licensing, and the issuance of a privilege, right, reward, clearance, authorization or concession.



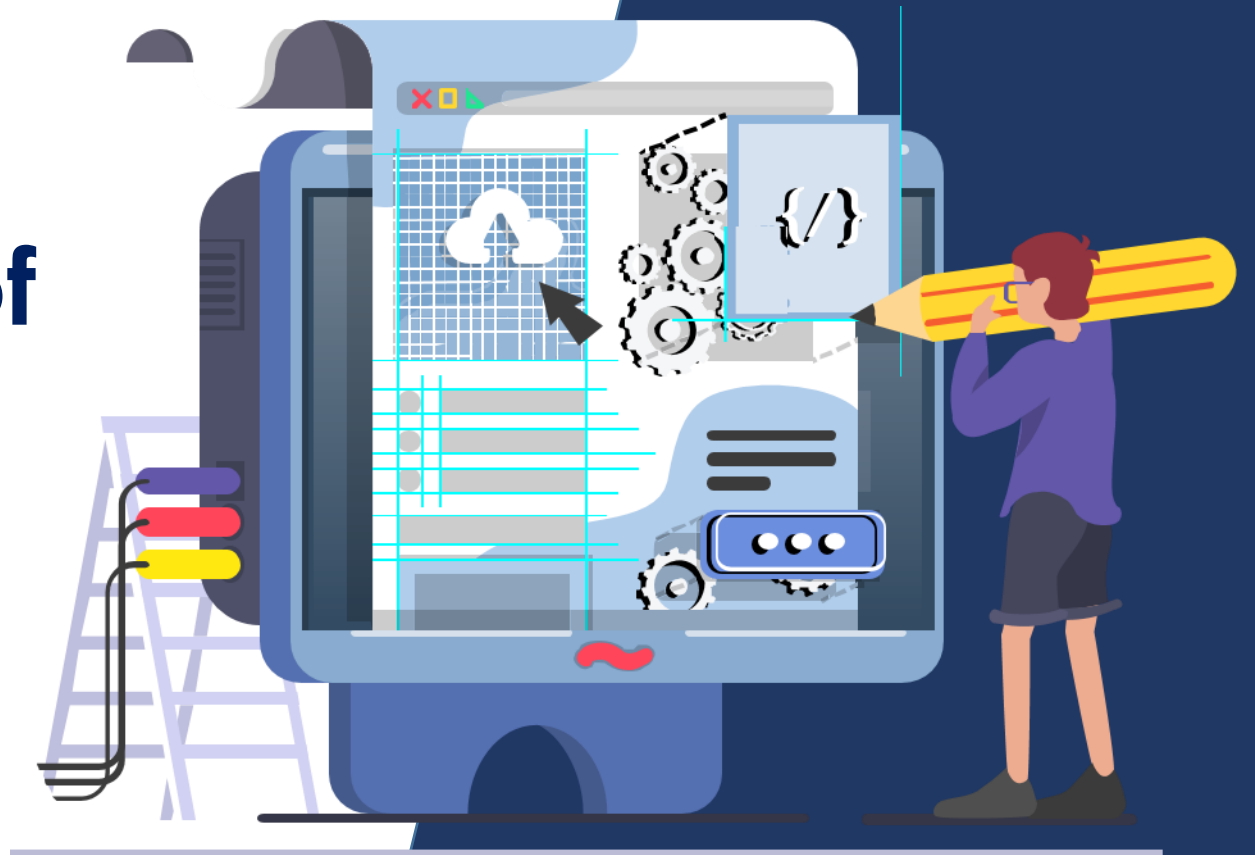
RULE I COVERAGE

Section 1. Coverage and Scope

The initial list of all the permits, licenses, and issuances pertaining to any privilege, right, reward, clearance, authorization, or concession that shall be covered by the Act and these Rules shall be issued in accordance with Section 10 of the Act. The list may be reviewed and updated as may be necessary.



RULE III. Reengineering of Systems and Procedures



REENGINEERING OF SYSTEMS & PROCEDURES



First, the law mandates government agencies to **reengineer** using a **whole of government** approach.



Second, under the law, agencies must **review** and **repeal** outdated, laws and regulations that create **undue regulatory burden**.



Third, government must undertake **regulatory impact assessment (RIA)** when introducing major regulations.

RULE III. REENGINEERING OF SYSTEMS & PROCEDURES

Section 4. Regulatory Management System.

Pursuant to the Act, the Authority shall develop and establish a Regulatory Management System (RMS) to improve regulatory management towards the improvement of regulatory quality. The RMS shall be comprised of, but not limited to, a regulatory management framework, institutional arrangements, a regulatory policy cycle, and enforcement & compliance strategies.



CITIZEN CENTRICITY



The law made government transactions more efficient and citizen-friendly by doing the following:

- strengthened the **Citizens Charter (Rule IV)**
- introduced a **Zero Contact Policy (Rule V)**
- included an **automatic approval provision (Rule VIII)**

RULE VI. Accountability of Heads of Offices/Agencies



RULE VI. Accountability of Heads of Offices/Agencies

Section 1. Responsibility of Heads of Offices and Agencies

The head of the office or agency shall be primarily responsible for the implementation of the Act, including these and other Rules and Regulations, and shall be held accountable to the public in rendering fast, efficient, convenient, and reliable service. All transactions and processes are deemed to have been made with the permission or clearance from the highest authority having jurisdiction over the government office or agency concerned.

RULE VII. Accessing Government Services



PROCESSING TIME



Applications/requests for government service submitted shall be acted upon within the prescribed processing time stated in the Citizen's Charter, which shall not be longer than:



3

Days for Simple transactions



7

Days for Complex transactions



20

Days for Highly Technical transactions

RULE VIII. Automatic Approval and/or Automatic Extension of License, Permit, Certification, and Authorization



RULE VIII. AUTOMATIC APPROVAL OR AUTOMATIC EXTENSION

Section 4. Issuance of Order for Automatic Approval, Extension, or Renewal of License, Clearance, Permit, Certification, or Authorization

Upon complaint together with the presentation of the acknowledgement receipt and/or the official receipt, upon due investigation and verification that the applicant has indeed fully submitted all necessary documents and paid all the required fees, the Authority shall issue a declaration of completeness and order the concerned office or agency to issue the approval, extension, and/or renewal of the license, clearance, permit, certification, or authorization which is deemed automatically approved as provided by Sec. 10 of the Act.

RULE IX. Streamlined Procedures for the Issuance of Local Business Licenses, Clearances, Permits, Certifications or Authorizations.



RULE IX. STREAMLINED PROCEDURES

Section 1-20. Within three (3) months from the effectivity of these Rules, the ARTA, together with the DILG, DICT and DTI shall issue a Joint Memorandum Circular to further implement Section 11 of this Act .

Guidelines on the following will be released:

- Single/unified business application form
- Establishment of Business One Stop Shop (BOSS)
- Business registration basic requirements
- Business permit validity and renewal options
- Issuance of barangay clearance

**RULE XIII.
Violations,
Jurisdiction,
Penalties, and
Immunity**



RULE XIII. VIOLATIONS, JURISDICTION, PENALTIES, AND IMMUNITY

Section 2. First Offense

Administrative liability with **six (6) months suspension**: Provided, however, that in the case of fixing and/or collusion with fixers under Section 21 (h), the penalty and liability under Section 22 (b) of the Act shall apply

Section 3. Second Offense

Administrative liability and criminal liability of dismissal from the service, perpetual disqualification from holding public office and forfeiture of retirement benefits and imprisonment of **one (1) year to six (6) years** with a fine of not less than **Five Hundred Thousand Pesos (P500,000.00)** but not more than **Two Million Pesos (P2,000,000.00)**.

VIOLATIONS UNDER THE ACT



FIRST OFFENSE

- a) Refusal to accept application or request with complete requirements being submitted by an applicant or requesting party without due cause;
- b) Imposition of additional requirements other than those listed in the Citizen's Charter;
- c) Imposition of additional costs not reflected in the Citizen's Charter;
- d) Failure to give the applicant or requesting party a written notice on the disapproval of an application/request;
- e) Failure to render government services within the prescribed processing time on any application or request without due cause;
- f) 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;
- g) Failure or refusal to issue official receipts; and
- h) Fixing and/or collusion with fixers in consideration of economic and/or other gain or advantage

SECOND OFFENSE

Second offense shall involve commission of the same violation punishable under Section 21 of the Act.



RULE XIV. Commencement of Actions, Evaluation, and Investigation



RULE XIV. COMMENCEMENT OF ACTIONS, EVALUATION, & INVESTIGATION

SUMMARY

- 1 - Distinguished Initial and Formal Complaint
- 2 - Clarification that Initial Complaints may be filed with the Authority in any form including but not limited to verbal, written, and electronic communication.
 - Initial Complaint – any form
 - Formal Complaint – subscribed and sworn
- 3 - The Authority shall entertain anonymous complaints, and if upon investigation there exists prima facie violation, may *motu proprio* file the same to the Office of the President, Civil Service Commission, Office of the Ombudsman, or the appropriate court.

RULE XIV. COMMENCEMENT OF ACTIONS, EVALUATION, & INVESTIGATION

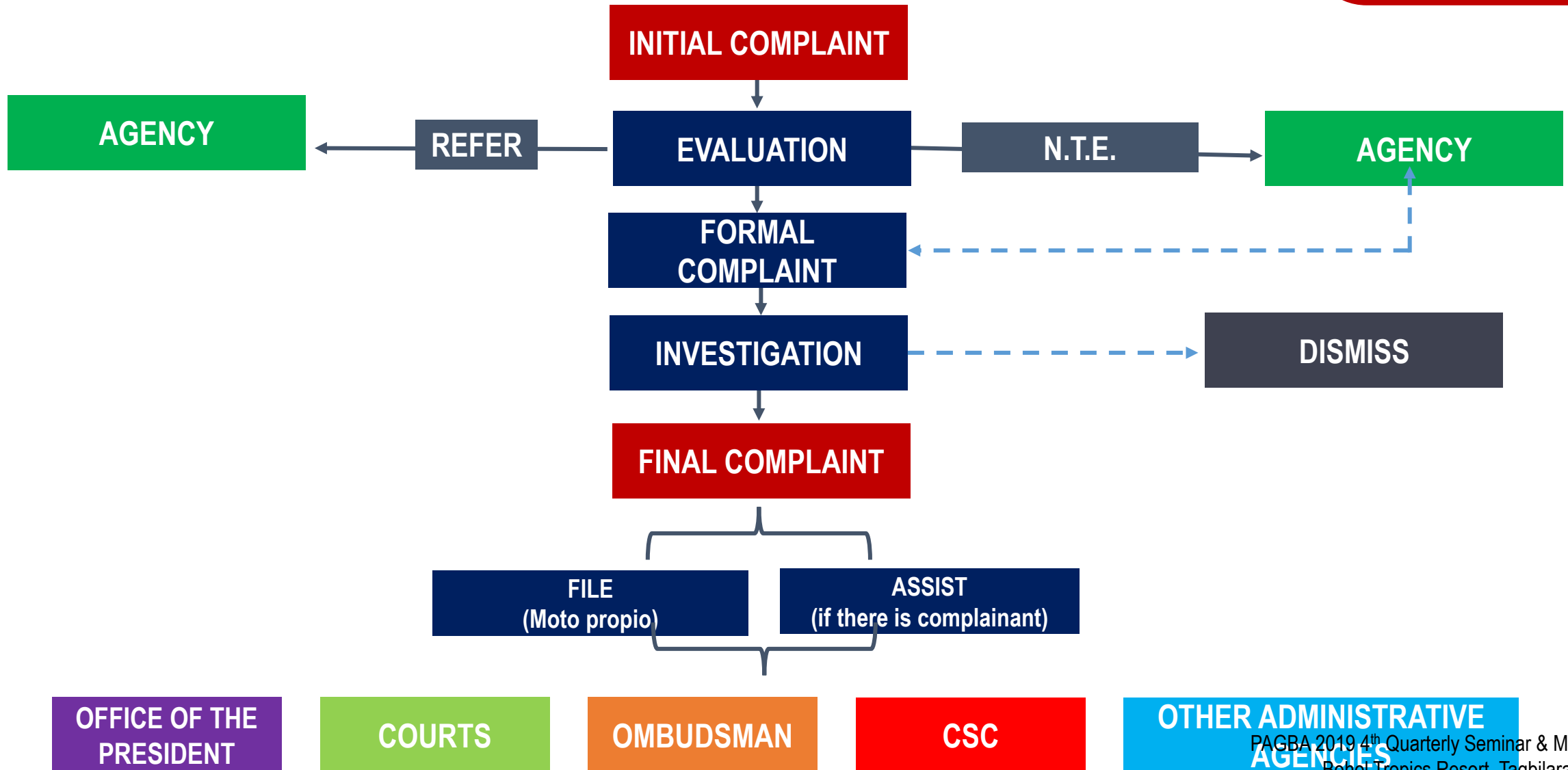
SUMMARY

- 4 - The filing of the appropriate case(s) may be done by the Authority, *motu proprio*, or it may assist the complainant in doing so. The Authority may recommend the filing of a formal charge, and that, the person(s) complained of be placed under preventive suspension.

The appropriate disciplining authority may delegate to the Authority the conduct of preliminary investigation and/or formal investigation of a case and may recommend the imposition of the appropriate penalty and/or preventive suspension, if warranted.

Investigation process flow

Initial Complaint Process Flow



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ANTI-RED TAPE AUTHORITY
OFFICE OF THE PRESIDENT



Anti-Red Tape Authority

ARTA INITIATIVES AND ACCOMPLISHMENTS IN PROMOTING EASE OF DOING BUSINESS



Central Business Portal

National Business One-Stop Shop (NBOSS)

PROCESS FLOW AND DEVELOPMENT TIMELINE

Definitions

The **Central Business Portal** is an online system to speed up the application process for business registration, in compliance with Republic Act 11032, or the Ease of Doing Business Act and Efficient Government Service Delivery Act.

The **National Business One-Stop Shop (NBOSS)** is the physical center where applicants can register their business and avail of the services of the Central Business Portal.

CBP Development Timeline

Phase 1

31 Oct 2019

Name reservation and verification

Business registration using unified form

Sending of common data elements to BIR, SSS, PhilHealth, and PagIBIG

Phase 2

(19 Nov 2019)

Unified Employee Reporting System for employers

Phase 3

(14 Feb 2020)

CBP Full Launch

Appointment facility

Generation of order of payment and online payment facility



National BOSS



Phase 1 – Co-location of agencies involved in Starting a Business

One-Stop Shop



Sufficient Office Space

Access to Public

Strong Internet Connection

CCTV System

Human Resources

Application System

Parking Space

Office equipment

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National BOSS



Phase 2 – Unified registration and payment system



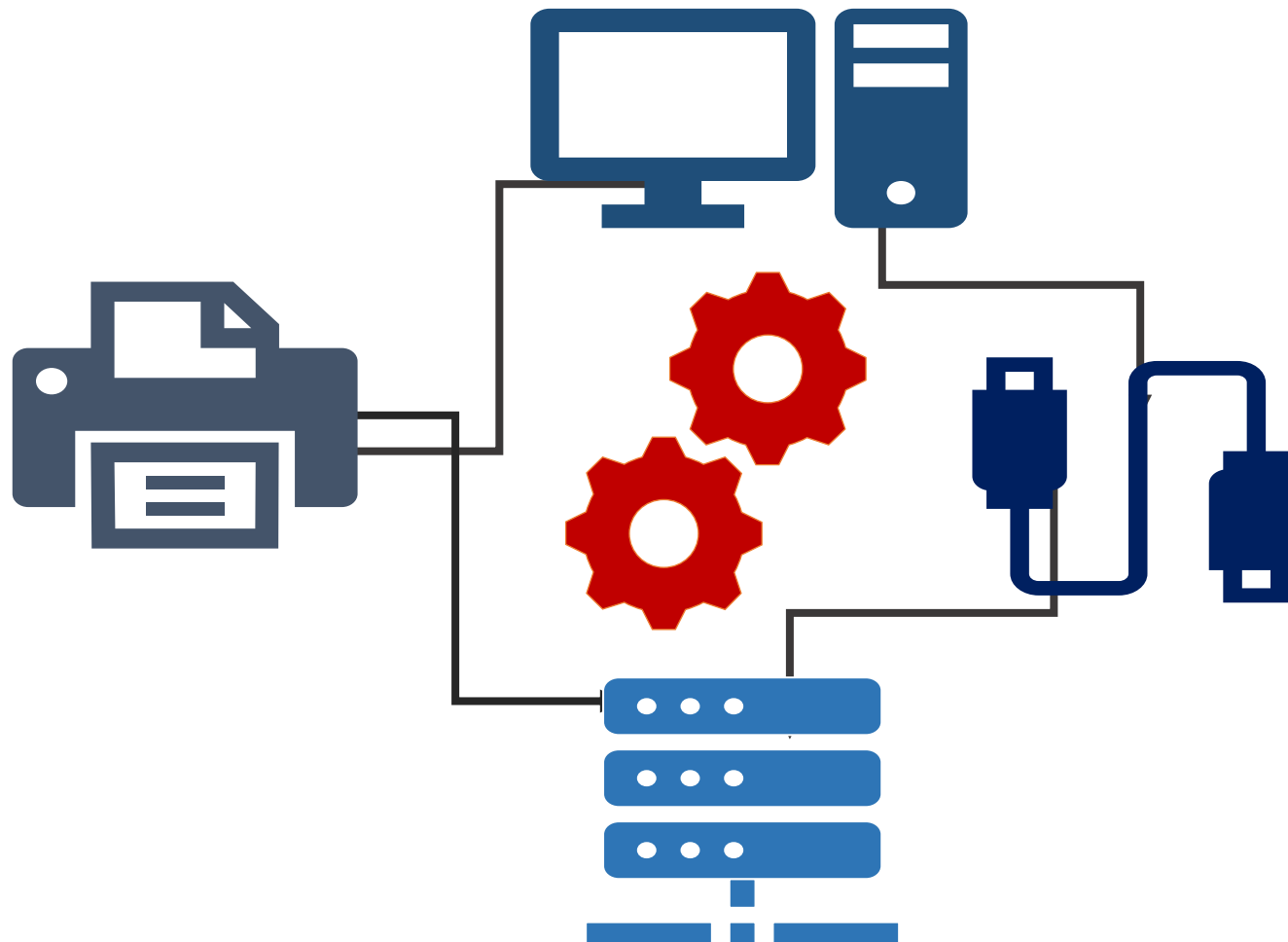
Expansion of validity of permits and licenses



National BOSS



Phase 3 – Full Automation





National BOSS



Development of Project Blueprint/ Roadmap
by all the Agencies (September 2019)

Signing of MOAs/ Commitments from
Agencies (October 2019)

Setup and Capacity Building Activities for
Personnel (November 2019)

Soft Launch/Dry Run of NBOSS
(December 2019)

Fully Operational NBOSS (January 2020)

Proposed Timeline

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Project NEHEMIA

National Efforts on the **Harmonization of Efficiency Measures** and **Interrelated Agencies**

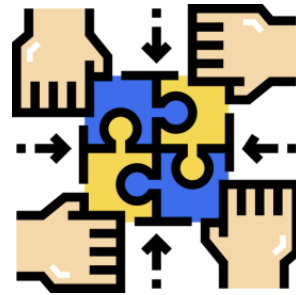




PROJECT NEHEMIA in a nutshell



National Business
One Stop Shop
(NBOSS)



Inter-agency and
Agency-focused
Reengineering of
Government Systems
and Procedures



Interconnectivity
Infrastructure
Development





PROJECT NEHEMIA



	Cupbearer to the King Prayer May I? You may! CHAPTERS 1:1–2:10	Builder of the Wall “So the wall was completed . . . in fifty-two days.” (6:15) CHAPTERS 2:11–6:19	Governor of the People Scripture found (7:5) read (8:3–7) explained (8:8) Lives changed (8:1–3, 9; 10:28–31) Nation confronted and cleansed (13:10–30) Prayer CHAPTERS 7–13
Location	Susa, Persia		Jerusalem in Judah
Focus	Leadership of a man		Revival of a nation
Subject	Burden	Project	Scriptures Reforms
Difficulties	The King	Enemies	Tradition Compromise
Victories	Release	Accomplishment	Obedience Changes
Theme	Nehemiah’s trust in the covenant-keeping God		
Key Verses	6:15–16; 8:8–10; 9:1–38		
Christ in Nehemiah	Suggested in Nehemiah, who leaves an exalted position to identify with the plight of his people and lead them into restoration; pictured in Nehemiah’s prayerful dependence on God		

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Foreseeable Impact

PROJECT NEHEMIA

**Better service for the
Filipino people**



**Create an enabling environment to
achieve the 10-point
Socioeconomic Agenda of the
Duterte Administration**





ARTA Initiatives



Completed eight (8) batches of User's Training on Basic Regulatory Impact Assessment from May – September 2019



RIA Training



Batch 1 (May 2019)

- SSS
- PRC
- NBI
- DOJ
- DND
- DA

Batch 2 (May 2019)

- DSWD
- DOF
- DepEd
- DOE
- DOT
- DOST

Batch 3 (June 2019)

- PPA
- DTI
- DBM
- NEDA
- PSA
- SEC

Batch 4 (July 2019)

- LRA
- DAR
- DENR
- EMB
- DOLE
- DICT

Batch 5 (July 2019)

- DOTr
- DPWH
- LTO
- HDMF
- PHIC
- BIR

Batch 6 (July 2019)

- LGU-QC
- DILG
- BOC
- DOH
- DFA
- FDA

Batch 7 (August 2019)

- ARTA
- BFP
- CDA
- DA
- DND
- BI

Batch 8 (Sept 2019)

- ARTA
- LTFRB
- BSP
- CIC
- NPC



ARTA Initiatives



Launching of the Project Repeal Guidebook and alpha version of the Philippine Business Regulations Information System (December 2018)



Conduct of Roll-out of the Project Repeal Guidebook for selected NGAs (March 13-15, 2019)



Conduct of the Capacity-building Proper Registry of Rules and Regulations in partnership with ONAR (May 22-23, 2019)



Conduct of ARTA Private Sector Dialogue (May 24, 2019)



Conduct of ARTA Development Partners' Forum (July 24, 2019)



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PBRIS Launching



PHILIPPINE BUSINESS REGULATIONS INFORMATION SYSTEM

The PBRIS is a web-based platform providing accessible information on:

- (1) the Philippine Regulatory Management System and;
- (2) laws and regulations relevant to the public.

Currently the PBRIS hosts

632 **Business-related & Business-affecting Regulations**

Submitted by

35 National Government Agencies



ARTA Initiatives



935 National Government Agencies submitted their **Citizen's Charters**



Completed **stocktaking** of Citizen's Charters of **1022 NGAs, GOCCs, SUCs, Water Districts, and LGUs**



Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting Systems

ARTA shall be the validating agency of the Citizen's Charter compliance by all agencies.



Roll-Out of Citizen's Charter Guidelines



CHECKLIST OF REQUIREMENTS		WHERE TO SECURE		
1. Citizen's Charter		ARTA task force of the agency availing the service		
CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
1. Submit an electronic mail containing the updated Citizen's Charter to the Anti-Red Tape Authority	1. Accept and download the updated Citizen's Charter and send an acknowledgment mail	None	3 Days	Team Leader (Compliance Monitoring and Evaluation Office)
TOTAL:		None	3 Days	

CHECKLIST OF REQUIREMENTS		WHERE TO SECURE		
1. Complete list of government services		ARTA task force of the agency availing the service		
CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
1. Submit an electronic mail containing the list of all government services to the Anti-Red Tape Authority	1. Accept and download the list of government services and send an acknowledgment mail	None	3 Days	Team Leader (Compliance Monitoring and Evaluation Office)
TOTAL:		None	3 Days	

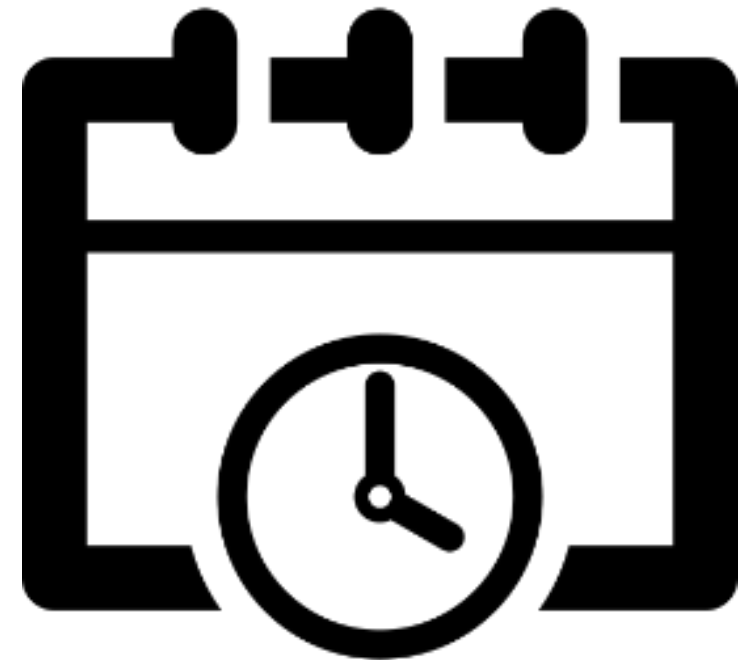
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Figure 1.6 Citizen's Charter Handbook – Service Specification Section



TIMELINE

- **December 6, 2019**
 - Deadline of submission of Citizen's Charter and the Certificate of Compliance
- **Last Working Day of January of Every Year**
 - Deadline of submission of the report on the Client Satisfaction Measurement
- **March 31st of every year**
 - Updated Citizen's Charter is posted (Section 3 (a) Rule IV, of the IRR)





ARTA Initiatives



Coordination with the following agencies **on resolving complaints cases:**

- Presidential Complaints Center (PCC)
- Civil Service Commission (CSC)
- Presidential Anti-Corruption Commission (PACC)
- Office of the Ombudsman (OMB)



ARTA Initiatives



As of October 28, 2019, the ARTA Complaints Action Center had received **1168** complaints; **647** of which are red tape-related. Of the 647 red-tape related complaints, **34.93%** are already confirmed closed and resolved. There is an average monthly increase of **83.92%** in the number of new complaints received by ARTA in 2019.



ARTA Initiatives



ARTA 365: Smarter Initiatives, Better Philippines

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Inaugural Meeting of the EODB-ARTA Advisory Council August 8, 2019 - BOI

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Harmonization of Watchdog Agencies August 9, 2019 at Malacañan

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ARTA Initiatives



Press Conference on World Bank Doing Business 2020 report October 24, 2019 at PICC

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Through our shared efforts, we believe that we can hone better equipped and competitive public servants.

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Anti-Red Tape Authority

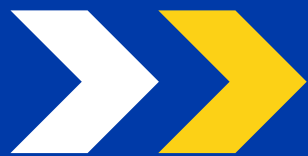


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Thank you!



PAGBA 2019 4th Quarterly Seminar & Meeting
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