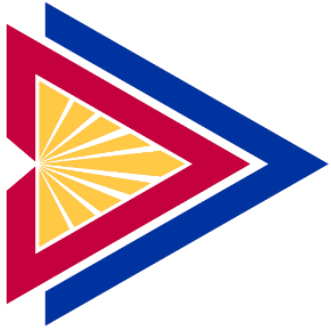
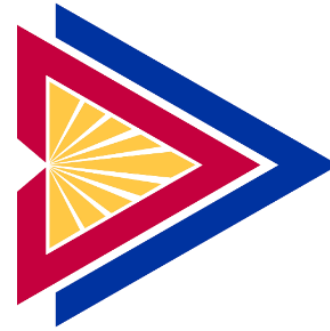


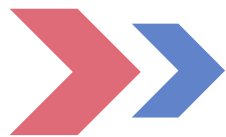
Ease of Doing Business and Efficient Government Services Delivery Act of 2018





ARTA
ANTI-RED TAPE AUTHORITY
OFFICE OF THE PRESIDENT





“I reiterate my directive to the government and instrumentalities, including the LGUs and the government corporations:

Simplify”

President Rodrigo Duterte
SONA 2019





“enhance local business environment by

addressing bottlenecks

in business registration and processing,

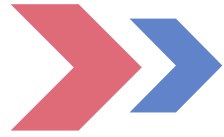
streamlining investment

application process and integration of the

services of various government offices”

President Rodrigo Duterte
SONA 2016





**PRESIDENT DUTERTE ADMINISTRATION'S
10-POINT SOCIOECONOMIC AGENDA**

3

Increase
competitiveness
and the **ease of**
doing business



ing investment app... cation/ process and
process...



Congress of the Philippines

Metro Manila

Seventeenth Congress

Second Regular Session

enacted 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 NO. 9485,
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 Act No. 9485, as amended,

R.A. 11032

A GAME CHANGER. GROUNDBREAKING.

- Signed on May 28, 2018
- Published in two (2) newspapers of general circulation on June 2, 2018 and in the Official Gazette on June 11, 2018
- Effective 17 June 2018
- Amendment to R.A. 9485: Anti-Red Tape Act of 2007

Implementing Rules and Regulations



2018

22 OCTOBER – Initial Submission to the OES

2019

15 APRIL – Public Hearing

17 JULY - IRR signing

20 JULY - Publication on two national circulation newspapers

22 JULY - Uploading on the Official Gazette

4 AUGUST – Effectivity

RA 11032 in a Nutshell



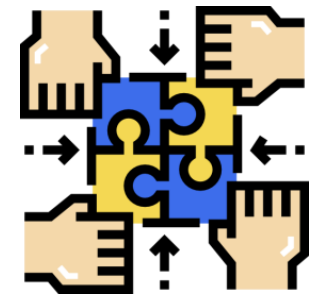
Promoting Good
Regulatory
Practices



Setting
standards on
Prescribed
Processing
Time



Government
Technology



Reengineering
Government Systems
and Procedures



SALIENT POINTS OF THE LAW

- A) Coverage
- B) Prescribed Processing Time
- C) Automatic Approval
- D) Reengineering
- E) Limitation of Signatories
- F) Citizen's Charter
- G) Zero-contact policy
- H) Business One Stop Shop
- I) Two Strike Policy
- J) Repealing Clause
- K) Anti-Red Tape Authority



COVERAGE



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.



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

AUTOMATIC APPROVAL



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**.



RE-ENGINEERING OF SYSTEMS AND PROCEDURES



Reengineer using a **whole of government** approach.



Review and **repeal** outdated, laws and regulations that create **undue regulatory burden**.



Regulatory impact assessment (RIA)

RE-ENGINEERING OF SYSTEMS AND PROCEDURES



Upon effectivity of this Act, all LGUs and NGAs are directed to initiate review of existing policies and operations and commence with the reengineering of their systems and procedures in compliance with the provisions of this Act, pending the approval of the implementing rules and regulations (IRR) thereof



LIMITATION OF SIGNATORIES



The number of signatories in any document shall be **limited to a maximum of three (3) signatures** which shall represent officers directly supervising the office or agency concerned; Provided, That **in case the authorized signatory is on official business or official leave, an alternate shall be designated** as signatory. Electronic signatures or pre-signed license, clearance, permit, certification or authorization with adequate security and control mechanism may be used.



CITIZEN'S CHARTER



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** is an **official document** that communicates:

- Service standards on services provided to citizens;
- Step-by-step procedure for availing service;
- Responsible person;
- Documents needed to be submitted;
- Fees to be paid, if any

Form: information billboards

Location of posting:

- main entrance of offices or at the most conspicuous place;
- in the respective [government] websites; and
- published materials written either in English, Filipino, or in the local dialect

Dual purpose – establishing accountability and recognizing good performance



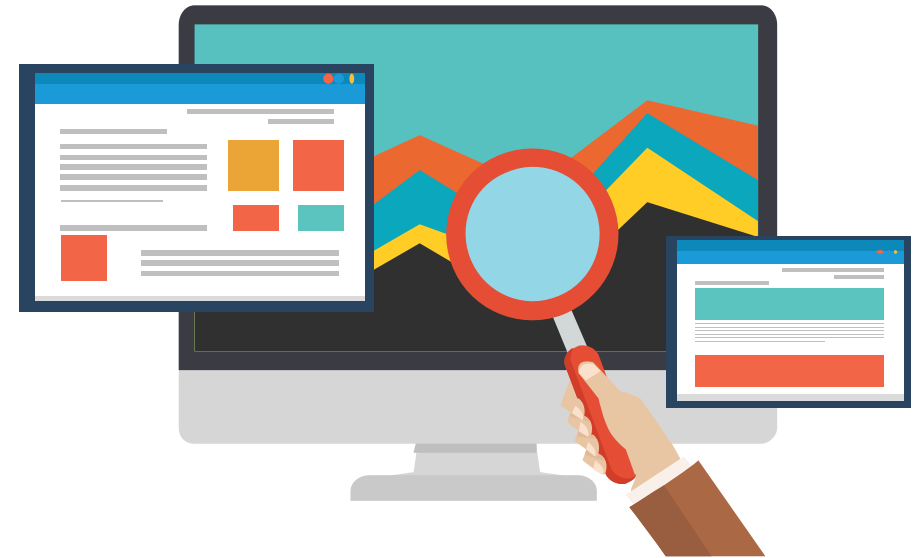
ZERO CONTACT POLICY



All government agencies including local government units (LGUs) shall adopt a zero-contact policy.

INTERACTIONS THAT ARE STRICTLY NECESSARY

- Public officials and employees **shall limit interactions to what is strictly necessary**
 - Payment of application and other fees
 - Complex or Highly Technical Transactions
 - ✓ Recording with prior consent
 - ✓ Documented – notice of meetings, minutes/contact report, attendance sheet



BUSINESS ONE-STOP SHOP



All Local Government Units shall set up a BOSS which shall serve as a business permitting and licensing system that will receive and process applications for permits, licenses, certifications and authorizations

ELECTRONIC BOSS

Within a period of three (3) years upon the effectivity of the Act, all cities and municipalities are mandated to automate their business permitting and licensing system or to establish an electronic BOSS.



BARANGAY CLEARANCES



Barangay clearances related to doing business shall be **applied, issued, and collected** at the city/municipality in accordance with the prescribed processing time of this Act: Provided, That the share in the **collections shall be remitted** to the respective barangays.

The pertinent provisions of Republic Act No. 7160, otherwise known as "The Local Government Code of 1991", specifically Article IV, Section 152(c) is hereby amended accordingly



ACCOUNTABILITY



HEADS OF 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



ACTIONS OF SANGGUNIANIANS



If the **application or request** for license, clearance permit, certification or authorization shall **require the approval** of the local *Sangguniang Bayan, Sangguniang Panlungsod, or the Sangguniang Panlalawigan* as the case may be, the *Sanggunian* concerned shall be given a period of **forty-five (45) working days to act** on the application or request, which can be **extended for another twenty (20) working days**. If the local *Sanggunian* concerned has denied the application or request, the reason for the denial, as well as the remedial measures that may be taken by the applicant shall be cited by the concerned *Sanggunian*



PENALTIES UNDER THE ACT

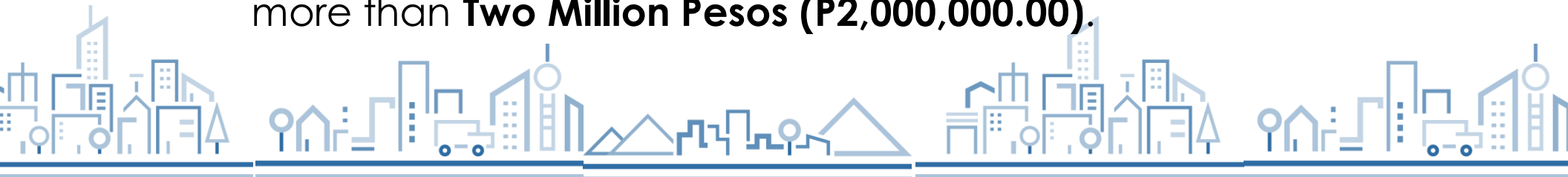


FIRST OFFENSE

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

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



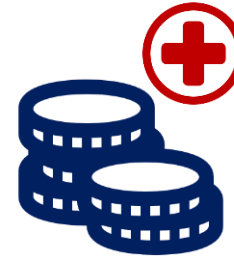
FIRST OFFENSE



a) Refusal to accept application with complete requirements 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 written notice on the disapproval of an application



VIOLATIONS UNDER THE ACT



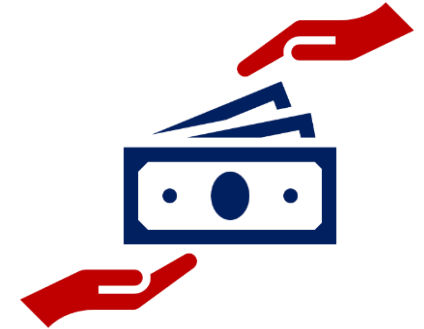
e) Failure to render government services within the prescribed processing time



f) Failure to attend to applicants prior to the end of working hours and during lunch break;



g) Failure or refusal to issue official receipts; and



h) Fixing and/or collusion with fixers

SECOND OFFENSE

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



REPEALING CLAUSE



All provisions of laws, presidential decrees, letters of instruction and other presidential issuances which are **incompatible** or **inconsistent** with the provisions of this Act are hereby deemed **amended** or **repealed** accordingly



THE ANTI-RED TAPE AUTHORITY



ARTA
ANTI-RED TAPE AUTHORITY
OFFICE OF THE PRESIDENT





Anti-Red Tape Authority



@artagovph



www.arta.gov.ph

Thank you!

