

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

Thirteenth Congress
First Regular Session



HOUSE BILL NO. 2318

Introduced by Honorable Eduardo V. Roquero, M.D.

EXPLANATORY NOTE

It is the policy of the state to protect the interest of the general public, promote their general welfare and establish standards of conduct for the benefit of the majority and further protect the deceptive, unfair and unconscionable acts and practices for the benefit of the few.

As the general public becomes sophisticated in their choices, the demand for the immediate facilitation of the requirements of the general public becomes a part of graft and corruption practices in our society.

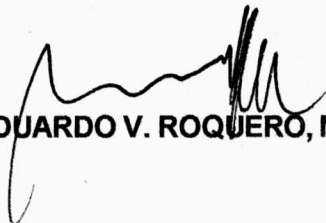
With an aggressive marketing strategy of fixers, the acceptance of the general for their services had been part of corruption, counterfeited and/or fake issuance of public documents, which does not only damage the financial aspect of the general public but also create a waste of time, money and effort for the majority who does not have the capability of paying the required amount as requested by the practicing corruptors.

Despite of the damaging effect to the general public, it is a fact that the few who has the capability of paying such facilitation amount are constrained to avail such demands just make their requirements available as they need it most.

The establishment of the peoples' express lane will surely open the floodgate of providing the most convenient, safe and effective delivery of services to all concern as it will

involve only a very minimal amount to avail the immediate availability of the services required by the general public.

In view of the significant impact of making the services available to the general public when they need it most and the protection of our government for the interest of the majority by way of providing the required services on time, to eliminate the waste of time, money and effort the approval of this bill is earnestly urged.



EDUARDO V. ROQUERO, M.D.

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AN ACT
CREATING THE EXPRESS LANE SECTION IN ALL GOVERNMENT INSTITUTIONS, ITS
SUBSIDIARIES, LOCAL GOVERNMENT UNITS, GOVERNMENT OWNED AND
CONTROLLED CORPORATIONS, INTERNATIONAL ORGANIZATIONS, CONSULAR
AND DIPLOMATIC MISSIONS OPERATING IN THE PHILIPPINES, IMPOSING PENALTY
FOR NON-COMPLIANCE, ESTABLISHING THE PEOPLES' EXPRESS LANE
COMMISSION, APPROPRIATING FUND THEREFOR AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “Express Lane
2 Act of 2004”
3

4 **SECTION 2. *Definition of Terms.*** – The following terms shall be understood
5 in this Act to mean:
6

7 (1) ***Express Lane*** refers to the government service unit sections which
8 shall be created to deliver the most convenient and fast delivery of
9 services to the general public;
10

11 (2) ***PEXLane Commission*** – refers to the peoples' express lane
12 commission created under this Act;
13

14 (3) ***Facilitation Fee*** – refers to the additional charges and fees which
15 shall be added to the regular fees and charges to facilitate the fast and
16 immediate processing of documents needed for the requested and/or
 required services;

1 (4) **ATM** refers to the Automated Teller Machine for the most convenient,
2 safe and reliable delivery of salaries, wages, incentives and other
3 compensations due to all government and private employees working
4 in the Philippines;

5
6 (5) **Security Paper** refers to the government documents issued in form of
7 most safe and secured paper to eliminate counterfeited and/or fake
8 documents; and
9

10 (6) **Optional** refers to a voluntary and willingness of a person concern to
11 avail the express lane services for and extra cost in favor of the
12 implementing institution.
13

14 **SECTION 3. Creation of Express Lane.** – There is hereby created an
15 express lane section in all government institutions, its subsidiaries, local government
16 units, government owned and controlled corporations, international organizations,
17 consular and diplomatic missions with offices operating in the Philippines inclusive of
18 private corporations and/or companies to facilitate the most convenient, fast and
19 reliable services to the general public purposely to eliminate fixers, counterfeited
20 and/or fake documents being released to all concerned, save time, money and effort
21 and to provide the immediate availability of services and/or document required by the
22 general public.
23

24 **SECTION 4. Management and Supervision** – (a) To carry out the purposes
25 of this Act, the Peoples' Express Lane Commission is hereby created, hereinafter
26 referred to as the "PEXLane Commission", a governing body that shall formulate
27 policies, implementing rules and regulations, guidelines and other related matters to
28 oversee, manage and supervise the operation of the Peoples' Express Lane services
29 with principal place of business in Metro Manila, Philippines.
30

31 (b) The PEXLane Commission shall be comprised of nine (9) members
32 namely; one (1) member from the Office of the President of the
33 Republic of the Philippines; one (1) member from the Provincial
34 Governors' League; one (1) member from the Mayors' League of the
35 Philippines; one (1) member from the Councilors League of the
36 Philippines; one (1) member from the Diplomatic and Consular
37 Missions with offices and operating in the Philippines; one (1) member

1 from the International Organizations with offices and operating in the
2 Philippines; one (1) member from the Banking Institutions; and one (1)
3 Independent Resource Person with adequate knowledge, express
4 lane services mission and vision and has been part of the Technical
5 Working Group (TWG) in the formulation of this Act. The members of
6 the Commission shall elect the Chairman of the Commission. The
7 term of the appointive members shall be six (6) years except on the
8 elective position who shall serve as an *ex-officio* member of the
9 Commission during their incumbency as elected official. The members
10 of the Commission shall receive at least Five Thousand Pesos (Php
11 5,000.00) per diem for each meeting actually attended by them, but
12 not to exceed Twenty Thousand Pesos (Php 20,000.00) per month;
13 *Provided*, That members of the Commission who hear and evaluate
14 cases pending before the Commission shall also receive a per diem of
15 at least Five Thousand Pesos (Php 5,000.00) per session but not to
16 exceed Thirty Thousand Pesos (Php 30,000.00) per month; *Provided*,
17 *further*, That the members of the Commission shall also receive a
18 reasonable transportation and representation allowances as may be
19 fixed by the PEXLane Commission, but not to exceed Twenty
20 Thousand Pesos (Php 20,000.00) per month.

21
22 To safeguard the solvency and viability of the Peoples' Express Lane
23 Commission (PEXLane Commission), the administrative and operating cost of
24 the PEXLane Commission and the express lane section of the institution
25 concern, an equivalent of Twenty (20%) percent of the total collections in
26 excess of the actual cost being charged on the regular services of both the
27 national and local government institutions, its subsidiaries, government
28 owned and controlled corporations inclusive of the Diplomatic and Consular
29 Missions and other International Organizations with offices and operating in
30 the Philippines and that of the private corporations shall be allocated and
31 remitted to the PEXLane Commission and the remaining Eighty (80%)
32 percent shall be allocated and retained by the operating institutions.

33
34 **SECTION 5. PEXLane Fees and Charges.** – The additional amount
35 equivalent to Seventy-Five (75%) percent of the regular fees and charges being
36 charged by the express lane section on the regular lane fees and charges shall be
37 collected to facilitate the financial requirements for the salaries and wages,

1 allowances, other compensations and operating expenses of both the national and
2 local governments institutions, its subsidiaries including the Diplomatic and Consular
3 Missions and other International Organizations with offices and operating in the
4 Republic of the Philippines and for the management and supervision of the Peoples'
5 Express Lane Commission (PEX Lane Commission).
6

7 **SECTION 6. Security Paper.** – All documents to be issued in Peoples'
8 Express Lane Section shall be in form of security paper for purposes of originality,
9 validity and security of the availing general public to protect them against fraud of
10 counterfeited and/or fake documents issued by fixers and/or third party concerned.
11

12 **SECTION 7. Automated Teller Machine (ATM) Facilities for Salaries and**
13 **Wages, Allowances, Incentives and Other Compensations for Government**
14 **Institutions, Local Government Units, Its Subsidiaries, Government Owned and**
15 **Controlled Corporations, Diplomatic and Consular Missions and Other**
16 **International Organizations with Offices and Operating in the Republic of the**
17 **Philippines and Private Corporations Regular Employees, Executives and**
18 **Other Employees.** – All Government Institutions, Local Government Units, its
19 Subsidiaries, Government Owned and Controlled Corporations, Diplomatic and
20 Consular Missions and Other International Organizations with offices and operating
21 in the Republic of the Philippines and Private Corporations are mandated to provide
22 the Automated Teller Machine (ATM) facilities for the salaries and wages,
23 allowances, incentives and other compensations due and payable to their respective
24 regular employees, executives and other employees to facilitate the most convenient,
25 safe and updated release of compensations.
26

27 **SECTION 8. Penalty for Non-Compliance.** – The following shall be imposed
28 as penalty for non-compliance of this Act:
29

- 30 (1) **For the Head of the Institution.** – Minimum of One Hundred
31 Thousand (Php 100,000.00) Pesos but not to exceed One Million
32 (Php 1,000,000.00) Pesos and a minimum of Five (5) years but not to
33 exceed Twenty (20) years imprisonment or at the discretion of the
34 court, plus automatic termination of employment and a lifetime ban
35 from holding of any government appointive or elective position; and

1 (2) **For the Implementing Manager of Supervisor.** – Minimum of Fifty
2 Thousand (Php 50,000.00) Pesos but not to exceed Five Hundred
3 Thousand (Php 500,000.00) Pesos and Three (3) years but not to
4 exceed Fifteen (15) years of imprisonment or at the discretion of the
5 court plus automatic termination of employment and a lifetime ban
6 from holding of any government appointive or elective position.

7
8 **SECTION 9. *Implementing Rules and Regulations.*** – The Peoples'
9 Express Lane Commission (PEXLane Commission) shall promulgate the necessary
10 rules and regulations for the effective implementation of this Act within Sixty (60)
11 days following its approval to be embodied in the Implementing Rules and
12 Regulations (IRR) duly confirmed and approved by the majority members of the
13 Peoples' Express Lane Commission (PEXLane Commission), which should prescribe
14 under the active participation of the members of the Commission.

15
16 **SECTION 10. *Appropriations.*** – There is hereby appropriated the amount of
17 EIGHTY MILLION PESOS (Php 80,000,000.00) for the construction of necessary
18 buildings and setting-up the necessary equipment, facilities and operating expenses
19 for 2005 calendar year. *Provided, however,* that the sum of THIRTY MILLION
20 PESOS (Php 30,000,000.00) out of said appropriation is hereby earmark for the
21 acquisition of equipment and facilities for 2005 calendar year; *Provided, further,* That
22 the amount of TEN MILLION PESOS (Php 10,000,000.00) shall be appropriated in
23 every year thereafter, beginning with the year 2006, out of the funds of the National
24 Treasury not otherwise appropriated, for the support, development and operations of
25 the Peoples' Express Lane Commission (PEXLane Commission).

26
27 **SECTION 11. *Supplementary Clause.*** – In case of insufficiency in any provisions
28 of this Act, the Peoples' Express Lane Commission (PEXLane Commission)
29 Resolution shall apply in a supplementary manner to safeguard the interest of the
30 peoples' express lane operations towards the most effective and beneficial
31 implementation of this Act.

32
33 **SECTION 12. *Separability Clause.*** – If, for any reason, any section of this
34 Act shall be held unconstitutional or invalid, the other sections or provisions of this
35 Act shall not be affected thereby as they are separable from the invalid ones and
36 shall remain in force and effect.

1 **SECTION 13. *Repealing Clause.*** – All laws, executive orders, decrees,
2 instructions, rules and regulations, in contrary or inconsistent with any provision of
3 this Act are hereby repealed or modified accordingly.

4
5 **SECTION 14. *Effectivity Clause.*** – This Act shall take effect Fifteen (15)
6 days after its publication in any Official Gazette or in two national newspapers of
7 general circulation whichever comes earlier.

8
9 **Approved.**