

**Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City**

**SEVENTEENTH CONGRESS  
First Regular Session**

**House Bill No. 5093**



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**INTRODUCED BY REPRESENTATIVE ARTHUR C. YAP**

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**EXPLANATORY NOTE**

Among the 10-Point Socio-Economic Program of President Rodrigo Roa Duterte is improving the ease of doing business through more efficient and responsive governance.

At present, it takes 16 procedures to navigate and an average of 29 days to start a business in the Philippines. Compared to our other ASEAN neighbors in the "Ease of Doing a Business" ranking, the Philippines has performed poorly. As of June 2016, Philippines ranked 24<sup>th</sup> out of 26 countries in East Asia and Pacific in the "Starting a Business" category, while ranking 15<sup>th</sup> out of 26 countries (when averaged with the "Dealing with Construction Permits" category"). The low ranking not only reflects the possibility of lower foreign direct investments but also as a barrier to local micro, small and medium enterprises (MSMEs) growth and development.

The difficulty in obtaining business permits and licenses required in setting up businesses coupled with the short validity period add burden to the business community.

This bill aims to increase participation and promote the growth of business, especially MSMEs, by providing for the automatic approval and release of business permits upon the lapse of thirty days of inaction,

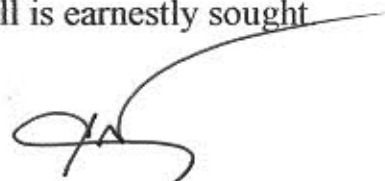
provided that all necessary documents have been submitted. The validity period of the said permits should also be valid for a period of one year from the date of issuance instead of the current practice of setting the expiration at the end of the fiscal year the said permit was filed.

Reducing barriers to business formalization can stimulate enterprise growth and create decent work opportunities. A bigger formal economy would mean a higher tax base thereby potentially increasing revenues for the government. Formalization translates to higher quality, better pay and sustainable employment as well as improve access to formal markets and more productive resources such as capital and land.

The measure of a transparent government is the ease by which citizens get services from the government, especially with documents that must be paid for.

This bill also seeks to establish the Ease of Doing Business Commission which shall be the overall policy-making body on business registration and regulatory management, and shall set the overall direction for the implementation of the National Policy on Ease of Doing Business.

In view of the foregoing, approval of this bill is earnestly sought



**ARTHUR C. YAP**

**Representative**

**Republic of the Philippines**  
**HOUSE OF REPRESENTATIVES**  
*Quezon City*

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**INTRODUCED BY REPRESENTATIVE ARTHUR C. YAP**

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**AN ACT**  
**ESTABLISHING A NATIONAL POLICY ON EASE**  
**OF DOING BUSINESS, CREATING FOR THE PURPOSE THE**  
**EASE OF DOING BUSINESS COMMISSION,**  
**AND FOR OTHER PURPOSES**

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

**ARTICLE I**

**BASIC PRINCIPLES AND POLICIES**

**SECTION 1. *Short Title.*** – This Act shall be known as the “*Ease of Doing Business Act of 2017*”.

**SECTION 2. *Declaration of Policy.*** – Article II, Section 20 of the Constitution states that:

*“The State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments.”*

Pursuant to this, it is hereby declared the policy of the State to:

- a) Provide a business environment that is conducive to the establishment and operation of businesses in the country;

- b) Simplify business permit and licensing system procedures and streamline the requirements at the national and local levels; and
- c) Promote transparency in government with regard to business registrations and other manner of transacting with the public to reduce red tape and expedite permitting, licensing and other similar transactions in government.

**SECTION 3. *Definition of Terms.*** – As used in this Act, the following terms shall mean:

- a) Applicant – any natural or juridical entity set to engage or engaged in business who is applying for a license, clearance and/or permit;
- b) Business Entity – any individual or juridical entity engaged in business in the Philippines;
- c) Business One-Stop Shop – an arrangement where a single common site or location is designated for all concerned agencies in the Business Permit and Licensing System to receive and process applications for license, clearance and/or permit;
- d) Business Permit- a document issued by the Office of the Local Chief Executive of a city or municipality to a business entity allowing it to legally operate in the locality within a prescribed period;
- e) Business Registration – a set of regulatory requirements that a start-up or business entity must comply with to engage in business, such as but not limited to, collection or preparation of a number of documentation, submission to government authorities, approval of application submitted, and receipt of a formal certificate or certificates, licenses, clearances, permits and similar documents which confirm the eligibility to operate as a legitimate business entity;
- f) Central Business Portal - a dedicated business Web portal that allows start-up and business entities to access a one-stop or single-entry point to submit applications and access business registration-related information;

- 1 g) Charges – a pecuniary liability, as rents or fees against persons or  
2 property;
- 3 h) Clearance – a document in a form of a certificate issued by a  
4 government agency and/or instrumentality to a business entity, which  
5 is a requisite for their business operations and/or transactions as  
6 required by law;
- 7 i) Complex application – application which necessitates inter-agency  
8 collaboration or multi-department involvement in the resolution of  
9 complicated issues by a business licensing, regulatory and/or  
10 permitting office as required by law;
- 11 j) Fee – a reasonable charge fixed by law or local ordinance for the  
12 regulation or inspection of a business or activity;
- 13 k) License – a permit or document issued by national government  
14 agencies necessary for starting and pursuing a business such as but not  
15 limited to primary license and secondary license;
- 16 l) Primary license or primary franchise – an initial issuance, authority or  
17 certification accorded by a government agency and/or instrumentality  
18 conferring a right to a business entity to engage in business  
19 transactions and/or activities as required by law;
- 20 m) Processing Time – the time spent by an applicant from the submission  
21 of an application with complete requirements, accompanying  
22 documents and payment of fees to the receipt of a certification or such  
23 similar documents approving or disapproving the application for a  
24 license, clearance and/or permit;
- 25 n) Red tape - describes regulations and rules, administrative procedures  
26 and systems that are not effective in achieving their intended  
27 objectives and as a result produces suboptimal and undesired social  
28 outcomes;
- 29 o) Regulation - any legal instrument that gives effect to a government  
30 policy intervention and includes licensing, imposing information  
31 obligation, compliance to standards or payment of any form of fee,  
32 levy, charge or any other statutory and regulatory requirements  
33 necessary to carry out any business activity;

1 p) Secondary license and/or permit – a certification, authority or  
2 accreditation issued to a registered business entity which authorizes  
3 them to engage in business activities as required by regulatory laws;  
4 and

5 q) Simple application – application which only requires ministerial  
6 actions on the part of the business licensing and/or permitting office,  
7 or that which presents only inconsequential issues for resolution by  
8 the concerned office.  
9

10 **SECTION 4. Coverage.** – Other laws notwithstanding, this Act shall  
11 apply to all national government agencies and/or instrumentalities, and local  
12 government units involved in the issuance of licenses, clearances and/or  
13 permits to business entities.  
14

## 15 **ARTICLE II**

### 16 **BUSINESS PERMITTING AND LICENSING REFORMS** 17

18 **SECTION 5. Requirements for License, Clearance and/or Permit**  
19 **Application.**– All national government agencies and local government units  
20 issuing licenses, clearances and/or permit to business entities shall post a  
21 comprehensive checklist of requirements for every type of license, clearance  
22 and/or permit being issued. A uniform checklist of requirements required by  
23 licensing and permitting offices issuing a similar license, clearance and/or  
24 permit shall be established when applicable.

25 The checklist of requirements, step-by-step procedure and schedule of  
26 fees for the issuance of a license, clearance and/or permit shall be  
27 conspicuously posted in the premises of national and local government  
28 licensing and permitting agencies and in the Business One Stop Shop or in  
29 areas designated by cities/municipalities. The same information shall  
30 likewise be posted online in the official website of national government  
31 agencies and local government units and shall be linked to the Central  
32 Business Portal.

1  
2 Business entities shall be limited to submitting only the requirements  
3 provided in the checklist in the processing of an application. Provided,  
4 however, That in cases where additional documents are required, the  
5 business licensing and/or permitting office shall notify the applicant of the  
6 reasons he must comply with the submission of such documents.

7  
8 **SECTION 6. *Prescribed Processing time for License, Clearance***  
9 ***and/or Permit Applications.*** –National government agencies and local  
10 government units involved in the processing and issuance of licenses,  
11 clearances and/or permits to business entities shall process the application of  
12 business entities and communicate the decision regarding approval or if the  
13 application has been disapproved, along with comments or reasons for such  
14 disapproval, within the prescribed processing time.

15 For business entities classified as Micro, Small and Medium  
16 Enterprises (MSMEs) as defined in Section 3 of Republic Act No. 9501, the  
17 prescribed processing time shall in no case be longer than three (3) working  
18 days for simple applications and ten (10) working days for complex  
19 applications from the time the application is received.

20 For special type of businesses that require clearances, accreditation  
21 and/or licenses issued by government agencies including regulatory agencies  
22 as provided for by law where technical evaluation or such necessary  
23 condition is required in the processing of licenses, clearances and/or permits,  
24 the prescribed processing time shall in no case be longer than thirty (30)  
25 working days or as determined by the government agency or instrumentality  
26 concerned, whichever is shorter.

27 A national government agency and/or instrumentality or local  
28 government unit shall assign a unique identification number to an applicant  
29 that shall become the identifying number for all subsequent business  
30 registration-related transactions between the agency and the business entity.

1 A reference number for each business registration related transaction shall  
2 also be provided to the applicant to track the status of an application,  
3 whether manually or electronically submitted.

4 **SECTION 7. *Automatic Approval of License, Clearance and/or***  
5 ***Permit Applications.*** – An application for a license, clearance and/or permit  
6 shall be deemed approved upon failure or inaction of the concerned national  
7 government agency or local government unit to process and issue the  
8 license, clearance and/or permit after the prescribed processing time has  
9 lapsed without informing the applicant of the error, omissions and/or  
10 additional documents required for submission. Provided, That all required  
11 documents have been submitted and all required fees and charges have been  
12 paid.

13 Provided, however, that in cases where the cause of delay is due to  
14 force majeure or natural or man-made disaster which may result to damage  
15 or destruction of documents, the prescribed processing time in the preceding  
16 Section shall be suspended and appropriate adjustments shall be made.

17 Provider further, That if the application for license, clearance and/or  
18 permit shall require the approval of the Sangguniang Bayan in the case of a  
19 municipality, Sangguniang Panlungsod in the case of a city or Sangguniang  
20 Panlalawigan in the case of a province, and the respective Sanggunian has  
21 denied the application, such case shall be exempt from the operation of  
22 Sections 6 and 7 of this Act.

23  
24 **SECTION 8. *Extension of License, Clearance and/or Permit***  
25 ***Applications.*** – The prescribed processing time for license, clearance and/or  
26 permit applications may be extended for a reasonable period when  
27 extraordinary due diligence in reviewing the qualifications and merit of the  
28 application is required. Provided, that the processing time shall only be  
29 extended once. Provided further, that the concerned national government  
30 agency or local government unit shall inform the applicant prior to the lapse

1 of the prescribed processing time that an extension is required in evaluating  
2 the application.

3  
4 **SECTION 9. *Requirements for Business Permit Application.*** – A  
5 single or unified business application form shall be used in processing new  
6 applications for business permits and business renewals which consolidates  
7 all the information of the applicant by various local government  
8 departments, such as but not limited to the local taxes and clearances,  
9 building clearance, sanitary permit, zoning clearance, and other specific  
10 local government unit requirements as the case may be, including the fire  
11 clearance from the Bureau of Fire Protection.

12 The unified form shall be made available online using technology-  
13 neutral platforms such as but not limited to the Central Business Portal or the  
14 city/municipality's website and various channels for dissemination.

15  
16 **SECTION 10. *Validity of Business Permit.*** – Business permits shall  
17 be valid for a period of one (1) year. The city/municipality may have the  
18 option to renew business permits within the first month of the year or on the  
19 anniversary date of the issuance of the business permit.

20  
21 **SECTION 11. *Computerized or Software-enabled Business Permit***  
22 ***and Licensing System.***– Cities/municipalities shall, as far as practicable,  
23 automate their business permitting and licensing system (BPLS) or set up an  
24 electronic-Business One Stop Shop within a period of one (1) year upon the  
25 effectivity of this Act for a more efficient business registration.

26 The Department of Information and Communications Technology  
27 (DICT) shall make available to qualified local government units the software  
28 for the computerization of the BPLS. The DICT, Department of Interior and  
29 Local Government (DILG) and the Department of Trade Industry (DTI)

1 shall provide technical assistance in the planning and implementation of a  
2 computerized or software-enabled BPLS.

3  
4 **SECTION 12. *Business One Stop Shop*** – A one-stop business  
5 facilitation service, hereinafter referred to as the Business One Stop Shop  
6 (BOSS), for the city/municipality's business permitting and licensing system  
7 to receive and process manual and/or electronic submission of license,  
8 clearance and/or permit applications shall be established.

9 Municipalities and cities without electronic mechanism for  
10 submission and processing of permit, license and clearance applications  
11 shall set up a BOSS. There shall be a queuing mechanism in the BOSS to  
12 better manage flow of applications among the local government units'  
13 departments receiving and processing applications, including the Bureau of  
14 Fire Protection (BFP).

15 Cities and municipalities with online mechanism for submission and  
16 processing of license, clearance and/or permit applications shall receive and  
17 process applications electronically. Downloadable and unified application  
18 form, comprehensive checklist of requirements, step-by-step procedures, and  
19 schedule of fees shall be made available online in the cities/municipalities'  
20 websites.

21 Provided, that to lessen the transaction requirements, other local  
22 clearances such as but not limited to sanitary permits, environmental and  
23 agricultural clearances shall be issued together with the business permit.  
24 Provided, further, that cities/municipalities which use manual signatures  
25 shall designate alternative signatories in the absence of the authorized  
26 approving authority. Provided, finally, That cities/municipalities with e-  
27 BOSS shall develop electronic versions of licenses, clearances and/or  
28 permits with the same level of authority, which may be printed by businesses  
29 in the convenience of their offices.

1        **SECTION 13. *Streamlined Procedures for Securing Fire Safety***

2        ***Clearance.***— For the issuance of the Fire Safety Inspection Certificate  
3        (FSIC), the following shall be adopted to make business permitting more  
4        efficient:

- 5        a. Issuance of Fire Safety Clearance shall in no case be longer than thirty  
6        (30) working days;
- 7        b. For new business permit application, the FSIC already issued during  
8        the Occupancy Permit stage shall be sufficient as basis for the  
9        issuance of the FSIC for a business entity as a requirement for the  
10       business permit;
- 11       c. For renewal of business permit, the BFP shall present the FSIC to the  
12       city/municipality, either thru the copy of the FSIC or the  
13       negative/positive list. Provided, That the business entity shall inform  
14       the BFP and submit the necessary documentary requirements if  
15       renovations, modifications or any form of alterations are made to the  
16       original building structure thirty (30) days before the expiration of the  
17       business permit;
- 18       d. If the BFP fails to furnish the city/municipality with the FSIC or  
19       inform the same thru the negative/positive list, the business entity  
20       shall be deemed to have a valid FSIC and therefore, the basis for the  
21       renewal of the business permit;
- 22       e. The BFP or any of its officials or employees shall not sell, offer to  
23       sell, or recommend specific brands of fire extinguishers and other fire  
24       safety equipment;
- 25       f. The BFP shall co-locate with the BOSS or in an appropriate area  
26       designated by the city/municipality within its premises to assess and  
27       collect the fire safety inspection fees;
- 28       g. The BFP may enter into agreements with cities/municipalities  
29       allowing the latter to be deputized as assessors and/or collecting  
30       agents for the fire safety inspection fees; and

1 h. The BFP may develop and adopt an online or electronic mechanism in  
2 assessing fees, collecting/accepting payments and sharing/exchange of  
3 other relevant data on business permit processing.

4  
5 The pertinent provisions of Republic Act No. 9514, otherwise known  
6 as the Revised Fire Code of the Philippines of 2008, are hereby amended  
7 accordingly.

8  
9 **SECTION 14. *Central Business Portal.***– To promote transparency  
10 and sustain ease in doing business, the DICT shall establish, through the  
11 Government Infrastructure, a cloud-native Central Business Portal or other  
12 similar technology as the DICT may prescribe which, shall serve as a central  
13 system to receive application and capture application data from business  
14 entities.

15 The Central Business Portal shall securely connect government  
16 agencies, such as but not limited to the DTI, the Securities and Exchange  
17 Commission (SEC), the Cooperative Development Authority (CDA),  
18 regulatory agencies, and local government units to receive base or common  
19 business applicant data or information required for each agency to process  
20 applications, respectively, and through which each respective agency shall  
21 securely generate and issue digitally signed business license document.

22  
23 **SECTION 15. *Philippine Business Registry Databank.*** – Business  
24 licensing and/or permitting agencies such as but not limited to the DTI, SEC,  
25 CDA, BIR, and local government units shall access the Philippine Business  
26 Registry Databank to verify the validity, existence and other information  
27 relevant to a business entity.

28 The concerned national government agencies and all local  
29 government units shall periodically submit to the system updates relative to  
30 the information registered with them. The DICT, in consultation with the  
31 concerned agencies, shall develop and manage the Philippine Business

1 Registry Databank and prescribe the data to be submitted by national  
2 government agencies and local government units.

3 Submission of documents already provided by an applicant to an  
4 agency with access to the Philippine Business Registry Databank shall no  
5 longer be required by other agencies having similar access. The concerned  
6 agency shall crosscheck and retrieve the required information or document  
7 in the Philippine Business Registry Databank.

8 At the local government level, the City/Municipal BPLO shall not  
9 require the same documents already provided by the applicant to the local  
10 government departments in connection with other business-related license,  
11 clearance and/or permits such as but not limited to tax clearance, occupancy  
12 permit and barangay clearance.

13  
14 **SECTION 16. *Regulatory Impact Assessment.*** – All proposed  
15 regulations of national government agencies and local government units  
16 shall undergo regulatory impact assessment to establish if the proposed  
17 regulation does not add undue regulatory burden and cost to business entities  
18 and national and local government agencies.

19 The Ease of Doing Business Commission, created under this Act, in  
20 coordination with other national government agencies and local government  
21 units, shall continue the review and repeal of existing executive issuances,  
22 and recommend the repeal of existing laws and local ordinances which are  
23 outdated, redundant, and adds undue regulatory burden to business entities.

## 24 25 26 **ARTICLE III**

### 27 **INSTITUTIONAL STRUCTURES AND STRATEGIES**

28  
29 **SECTION 17. *National Policy on Ease of Doing Business.***– There is  
30 hereby established a National Policy on Ease of Doing Business which shall  
31 refer to a comprehensive business registration and regulatory management

1 policy to improve competitiveness and ease undue bureaucratic and  
2 regulatory burden to business entities.

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4  
5  
6 **SECTION 18. *Ease of Doing Business Commission.*** – To ensure the  
7 attainment of the objectives of this Act, there is hereby created the Ease of  
8 Doing Business Commission, herein referred to as the Commission, which  
9 shall be organized within sixty (60) days after the effectivity of this Act.  
10 The Commission shall be the policy-making body on business registration  
11 and regulatory management and shall set the overall direction for the  
12 implementation of the National Policy on Ease of Doing Business.

13  
14 The Commission shall be the lead agency in the implementation of  
15 this Act and it shall be an attached agency to the Office of the President.

16  
17  
18 **SECTION 19. *Powers and Functions.*** - The Commission shall have  
19 the following powers and functions:

- 20 a) Plan, implement, and oversee a national policy on ease of doing  
21 business;  
22 b) Receive complaints, institute investigations for violations of this Act;  
23 c) Assist complainants in filing necessary cases without prejudice to the  
24 jurisdiction of the Civil Service and the Ombudsman as the case may  
25 be;  
26 d) Facilitate the issuance of licenses, clearances and/or permit deemed  
27 approve by virtue of Section 7 of this Act;  
28 e) Compel or petition any government agency, instrumentality or local  
29 government to issue the permit, license and/or clearance of business  
30 entities deemed approved by virtue of Section 7 of this Act;  
31 f) Periodically review and assess the country's competitiveness  
32 performance, challenges and issues;

- 1 g) Recommend policies, processes and systems to improve regulatory
- 2 management to increase the productivity, efficiency, and effectiveness
- 3 of permitting and licensing agencies;
- 4 h) Conduct regulatory management training programs to capacitate
- 5 national government agencies and local government units to comply
- 6 with sound regulatory management practices;
- 7 i) Prepare regulatory management manuals for all government agencies
- 8 and/or instrumentalities and LGUs;
- 9 j) Provide technical assistance, advisory opinions in the review of
- 10 proposed national or local legislation, regulations or procedures;
- 11 k) Ensure the dissemination of and public access to information on
- 12 regulatory management system and changes in laws and regulations
- 13 relevant to the public by establishing the Philippine Business
- 14 Regulations Information System;
- 15 l) Enlist the technical assistance of other national government agencies
- 16 in the implementation of the powers and function provided for in this
- 17 Act;
- 18 m) Propose legislation, amendments or modifications to Philippine laws
- 19 related to ease of doing business;
- 20 n) Monitor and review the implementation of this Act including
- 21 compliance of all concerned agencies and LGUs with the policies set
- 22 herein;
- 23 o) Formulate and amend when necessary the Implementing Rules and
- 24 Regulations and the corresponding standards for good regulatory
- 25 discipline; and
- 26 p) Generally perform such acts as may be necessary, to attain the
- 27 objectives of this Act.
- 28

29       **SECTION 20. *Composition of the Commission.***— The

30 Commission shall be composed of a Chairperson, the Secretary of the DTI

31 and the Secretary of the Department of Finance (DOF) as ex-officio

1 members, and one (1) private sector representative each for the MSME  
2 sector and large industry sector.

3 The private sector representatives shall be citizens and residents of  
4 the Philippines, of good moral character, of recognized probity and  
5 independence and must have distinguished themselves in the business sector  
6 they represent.

7 The ex-officio members of the Commission may designate their  
8 respective alternates in a permanent capacity who shall be at least  
9 Undersecretary in rank and their acts shall be considered the acts of their  
10 principals.

11  
12 **SECTION 21. *Term of Office.*** - The Chairperson and the two (2)  
13 private sector representatives shall be appointed by the President of the  
14 Philippines, shall serve for a term of three (3) years, and may be reappointed  
15 once.

16  
17 **SECTION 22. *Chairperson of the Commission.*** - The Chairperson  
18 of the Commission shall be the head of the agency with the rank of a cabinet  
19 secretary. The Chairperson shall be a citizen and resident of the Philippines,  
20 of good moral character, of recognized probity and independence and must  
21 have distinguished himself professionally in the fields of commerce,  
22 domestic and international trade, management and other economic  
23 disciplines. He shall preside over the meetings of the Commission. He shall  
24 be the appointing authority of the employees and other officials of the  
25 Commission as provided for in existing laws, rules and regulations.

26  
27 **SECTION 23. *Secretariat of the Commission.*** - The Commission  
28 shall establish a Secretariat to assist them in the implementation of this Act  
29 and in the performance of their duties.

30 The Commission shall establish an organizational structure including  
31 regional offices, as may be required to effectively carry out its powers and

1 functions. The staffing pattern and compensation schedule of the  
2 Commission shall be drawn up in accordance with existing laws, rules and  
3 regulations.

4 **SECTION 24. *Executive Director.*** – The Secretariat of the  
5 Commission shall be headed by an Executive Director. He shall be  
6 appointed by the President of the Philippines from the list of nominees  
7 submitted by the Commission, shall serve for a term of three (3) years, and  
8 may be reappointed once. The Executive Director shall be a citizen and  
9 resident of the Philippines and must possess executive and management  
10 experience of at least three (3) years and with considerable exposure in the  
11 fields of commerce, domestic and international trade, and other economic  
12 disciplines.

#### 13 **ARTICLE IV**

#### 14 **VIOLATIONS, PENALTIES AND CRIMINAL LIABILITIES**

15 **SECTION 25. *Violations.*** – The following shall constitute a violation  
16 of this Act:

- 17 1. Refusal to accept application within the prescribed period or any  
18 document being submitted by the applicant, Provided that all  
19 required documents have been submitted and the necessary fees  
20 have been paid;
- 21 2. Failure to refer back to the applicant an application which, cannot  
22 be acted upon due to lack or incomplete requirements or non-  
23 payment of required fees and/or charges within the prescribed  
24 period;
- 25 3. Failure to act on an application despite the complete submission of  
26 requirements and payment of required fees and/or charges within  
27 the prescribed period;

4. Failure to give the applicant a written notice on the disapproval of an application within the prescribed period or inform the applicant of any error, omission and/or deficiency in the application;
5. Imposition of additional irrelevant requirements other than those provided by the concerned agency and/or local government unit.

**SECTION 26. *Penalty.*** - Penalties for the violations of the preceding section shall be as follows:

1. First offense – Thirty (30) days suspension without pay;
2. Second Offense – Three (3) months suspension without pay; and
3. Third Offense – Dismissal and perpetual disqualification to hold public office, cancellation of Civil Service eligibility, forfeiture of retirement benefits and one (1) to six (6) years imprisonment;.

Criminal liability will also attach once the violation was done deliberately and maliciously with the purpose of harassing the applicant and/or to solicit favor in cash or in kind. In such case, the provisions of the Revised Penal Code shall apply and such other applicable penal laws.

**SECTION 27. *Persons Liable.*** –The head of office/agency or supervising officer designated to be the authorized and/or final signatory to the issuance of a license, permit and/or clearance shall be held liable and accountable in the implementation of this Act.

**SECTION 28. *Jurisdiction.*** – The administrative jurisdiction on any violation of the provisions of this Act shall be vested either in the Civil Service Commission (CSC) and the Office of the Ombudsman whereas the criminal jurisdiction shall be vested with the appropriate courts as specified under applicable laws.

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1       **SECTION 31. *Transitory Provision.*** – All business regulatory  
2 management programs and business-related anti-red tape initiatives across  
3 government agencies shall be rationalized and the management thereof shall  
4 be transferred to the Commission. The DTI, the National Competitiveness  
5 Council (NCC), DOF, the Development Academy of the Philippines (DAP),  
6 the National Economic Development Authority (NEDA) shall submit to the  
7 Commission a report of the status of their respective projects related to  
8 business regulatory management.

9       The Commission, in consultation with the Competitiveness Bureau of  
10 the DTI shall determine the composition of the temporary Secretariat of the  
11 Commission. The teams/units involved in regulatory improvement and/or  
12 ease of doing business-related programs of the DTI-Competitiveness Bureau  
13 shall serve as temporary Secretariat of the Commission until such time that  
14 its organizational structure is determined. Provided, That the DTI-  
15 Competitiveness Bureau shall serve as Secretariat to the Commission for no  
16 longer than six (6) months upon the effectivity of this Act.

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19       **SECTION 32. *Transition from Manual to Software-Enabled***  
20 ***Business Registration.*** - The DICT, in coordination with the members of  
21 the Commission, local government units and other concerned agencies, shall  
22 within one (1) year after the effectivity of this Act develop the necessary  
23 software and technology-neutral platforms and secured infrastructure for the  
24 implementation of this Act.

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27       **SECTION 33. *Implementing Rules and Regulations.*** – The  
28 Commission, in consultation with concerned government agencies, private  
29 sector, and other stakeholders, shall issue the implementing rules and  
30 regulations of this Act within ninety (90) days after the effectivity of this  
31 Act.

1       **SECTION 34. *Separability Clause.*** – If any part or provision of this  
2 Act is declared as unconstitutional or invalid, the other provisions, which are  
3 not affected, shall continue to be in full force and effect.  
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6       **SECTION 35. *Repealing Clause.*** – All laws, executive orders,  
7 decrees, rules and regulations, or any part thereof inconsistent with the  
8 provisions of this Act are deemed repealed, amended or modified  
9 accordingly.  
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12       **SECTION 36. *Effectivity.*** – This Act shall take effect fifteen (15)  
13 days after its complete publication in at least two (2) newspapers of general  
14 circulation.  
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**APPROVED,**