

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7095**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

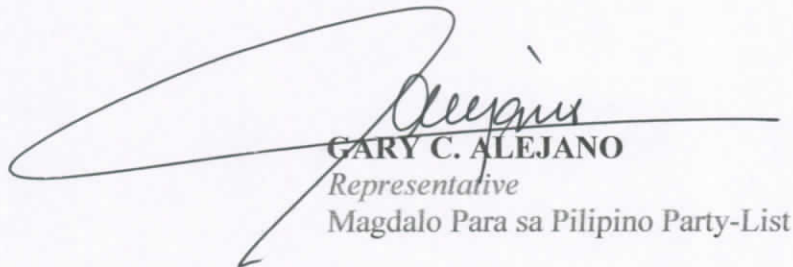
Although considerable reforms and legislations have been put forward by in order to combat graft and corruption in the country, the Philippines is still perceived as one of the most corrupt countries in the world, getting a score of 35 on a scale of 1 to 100 with 100 being very clean, according to the latest Corruption Perceptions Index of Transparency International, (2016).

According to a news report, bribery remains the most common crime that companies encounter in the country. In the said report, companies say that they had paid a bribe in the last 24 months, and many believe that they have lost an investment opportunity to a competitor due to bribery. These incidents underscore the importance for the government to boost their anti-corruption campaign so as not to affect the delivery of services to the people.

This bill seeks to prevent petty bribery and other corrupt practices in the delivery of government services by limiting transactions to the appropriate "transaction windows" and prohibiting the clients from going inside government offices except during interviews, examinations, official business, and other similar cases.

To serve more efficiently, this bill furthermore encourages government agencies to create electronic delivery of services that is accessible to the general public without charge. This will lessen if not eliminate the hassle of going through the usually long-winded and tiring process of transacting business with the government and will decrease the likelihood of committing bribery and other corrupt practices.

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


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
MANDATING THE USE OF TRANSACTION WINDOWS AND THE CREATION OF E-SERVICES IN ALL GOVERNMENT AGENCIES, MINIMIZING OPPORTUNITIES FOR THE COMMISSION OF BRIBERY AND OTHER CORRUPT PRACTICES, AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as "*Transaction Windows and E-*
2 *Services Act*".

3
4 **SEC. 2. *Definition of Terms.*** - As used in this Act, the following terms shall mean:

5
6 a) *Department of Information and Communications Technology (DICT)* - The primary
7 policy, planning, coordinating, implementing and administrative entity of the
8 Executive branch of the government that will plan, develop and promote the national
9 ICT development agenda;

10
11 b) *E-services* - The electronic delivery of government information, programs and
12 services often (but not exclusively) over the Internet;

13
14 c) *Client* - A person who is availing a particular government service in any agency of
15 the government;

16
17 d) *Transacting Official* - An official or employee of the government who transacts
18 directly with a client in the delivery of a particular government service; and

19
20 e) *Fixer* - A person who offers to facilitate or assists in the facilitation of government
21 transactions either for a fee or a tip or in exchange for certain favors such as

1 preference in the patronage of service providers (i.e., insurance, medical check-up,
2 drug test, etc.).

3
4 **SEC. 3. Transaction Windows.** - All government agencies and/or instrumentalities which
5 provide direct services to the public, where said services involve any form of payment of taxes,
6 fees and/or other charges payable to the government, shall provide and utilize transaction
7 windows in the conduct of their transactions with the public.

8
9 All transactions shall be conducted through these transaction windows, which windows
10 shall physically separate the transacting official and the client.

11
12 It shall be the duty of the Head of the agency to ensure that there are enough transaction
13 windows to allow the orderly and efficient processing of clients doing business with the said
14 agency.

15
16 **SEC. 4. Cuing System and Clients' Lounge.** - When the volume of transactions of the
17 agency so warrants, the agency shall provide for a system of cuing which will ensure that clients
18 are attended to and served in an orderly and timely manner on a "*first time, first serve basis*".

19
20 If the clients are compelled to wait for a substantial period of time before being served,
21 the agency shall provide a clients' lounge where clients can comfortably sit while waiting to be
22 served. Whenever possible, the clients' lounge shall be equipped with comfort rooms and
23 facilities for entertainment to keep clients entertained and comfortable while waiting.

24
25 **SEC. 5. Client Restricted Areas.** - Clients shall remain in the clients' lounge, on cue or at
26 the transaction windows when transacting business with the agency. Clients are absolutely
27 prohibited from entering the areas beyond the transaction windows and clients' lounge except
28 during interviews, examinations or in other similar cases.

29 In relation hereto, the Head of the agency shall make sure that this provision is properly
30 implemented.

31
32 **SEC. 6. 'Fixer-free' Areas.** - It shall be the duty and obligation of the Head of the agency
33 concerned to ensure that the agency's transaction windows, the clients' lounge and other public
34 areas within the agency's premises shall remain free of unauthorized personnel and in particular,
35 of '*fixers*', whether or not the latter are employed by the agency. The Head of the agency shall
36 keep said areas '*fixer free*' and shall bring the appropriate administrative disciplinary action
37 against employees moonlighting as *fixers*.

1 **SEC. 7. E-services.** - Each government agency, in consultation with the Department of
2 Information and Communications Technology (DICT), shall design, develop, and maintain an
3 appropriate website accessible through the internet and shall provide and render e-services which
4 shall be accessible to the general public without charge.

5 The website shall include the following basic information on the government agency
6 concerned, thus:

- 7
- 8 a) The official name, principal office address and key officials of the agency;
 - 9
 - 10 b) The mandate, mission and vision of the agency and the legal basis thereof;
 - 11
 - 12 c) A list of the services rendered by the agency and a simplified description of the
13 process or procedure of conducting or transacting business with the agency;
 - 14
 - 15 d) Directory of all key officials as well as offices and branches of the agency, including
16 telephone numbers, email addresses, physical addresses and other contact details of
17 the said key officials and/or offices;
 - 18
 - 19 e) Downloadable application forms, check-lists and other forms necessary to transact
20 business with the agency;
 - 21
 - 22 f) Downloadable or viewable versions of relevant laws, rules and regulations and/or
23 memorandum circulars and/or orders which concerns or affect the agency and/or
24 client's transacting business with it; and
 - 25
 - 26 g) Links to all attached and/or relevant government as well as private entities with
27 related content.
 - 28

29 **SEC. 8. Penalty Clause.** - (a) Any public officer such as but not limited to the transacting
30 official, head of agency, or office supervisor found not implementing or violating any provision
31 of this Act shall be punished administratively, and/or by imprisonment for not less than one (1)
32 month nor more than one (1) year and perpetual disqualification from public office, depending
33 on the severity.

34

35 (b) Any client violating any provision of this Act shall be fined P1,000.00 but not more
36 than P10,000.00, and/or by imprisonment for not less than one (1) month nor more than three (3)
37 8 months, depending on the severity.

1 **SEC. 9. *Appropriation.*** - The amount necessary to carry out the provisions of this Act
2 shall be charged to the current fiscal year appropriation of the concerned agency. Thereafter,
3 such sums as may be necessary shall be included in the annual General Appropriations Act.
4

5 **SEC. 10. *Repealing Clause.*** - All laws, presidential decrees, executive orders and other
6 issuances, and rules and regulations, or part thereof, contrary to or inconsistent with any
7 provision of this Act, are hereby repealed, modified or amended accordingly.
8

9 **SEC. 11. *Separability Clause.*** - Should any provision of this Act be found
10 unconstitutional by a court of law, such provision shall be severed from the other provisions, and
11 the same shall not affect the enforceability and effectivity of the remaining provisions of this
12 Act.
13

14 **SEC. 12. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
15 complete publication in the Official Gazette or in any two (2) national newspapers of general
16 circulation.

Approved,