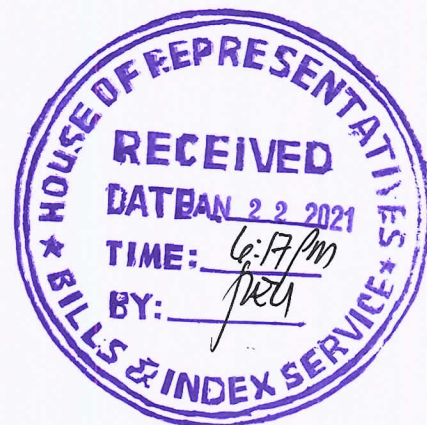


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8449



Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

With the new normal brought about by the COVID-19 pandemic, there is an increased emphasis on reducing contact in transactions to minimize the transmission of disease. As such, LGUs need to shape up and accelerate the adoption of ICT solutions which would also enable LGUs to better cope with the impacts of the COVID-19 pandemic. Presently, numerous LGUs have already adopted the use of ICT for workplace communication and information dissemination to the public.

This measure seeks to institutionalize the Informational and Communications Technology Officer (ICTO) position across all local government units. This is proposed in an effort to promote the adoption of information and communication technology to facilitate a more efficient process and in the workplace and to improve delivery of basic services and other transactions with the public. Local ICTOs shall be responsible for the implementation of digital transformation within their localities. This would involve the development of a plan for the digitalization of government transactions and processes, digitization and management of database and records of offices and departments, and dissemination of information regarding ICT solutions to the public.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.

REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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HOUSE BILL NO. 8449

Introduced by **HON. JOY MYRA S. TAMBUNTING**

AN ACT
STRENGTHENING THE DIGITAL TRANSFORMATION CAPACITY OF ALL LOCAL
GOVERNMENT UNITS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160
OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED,
AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. – This Act shall be known as the "Local Information and Communications Technology Officer Act."

SEC. 2. Declaration of Policy. – It is hereby declared a policy of the State to develop, harness, and integrate information and communication technology across all levels of local government units in the country to ensure transparent, accountable, efficient and participatory governance. Pursuant to this policy, the State shall provide for a local government position that will be responsible and accountable for the implementation of digital transformation in the local government units.

SEC. 3. Definition of Terms. – As used in this Act:

- a) Digitization – refers to the technical conversion of physical, analog originals to digital copies by means of electronic devices;
- b) Digitalization – refers to the adoption of digital technologies to upgrade business processes and models in order to create better ways of providing service and obtaining greater benefits;
- c) Digital Transformation – refers to cultural, organizational and operational change of an organization, industry or ecosystem through a smart integration of digital technologies, processes and competencies across all levels and functions in a staged and strategic way;
- d) Digital skills – refer to a range of skills, encompassing a combination of behaviors, expertise, know-how, work habits, character traits, dispositions, and critical understanding on the use of digital devices, communication applications, and networks to access and manage information;

- e) Digital services – refer to public or private services that can be delivered through digital communication, such as Internet, mobile phone network that might include delivery of digital information, data or content or transactional services;
- f) Digital technology – refers to any product or service that can be used to create, view, distribute, modify, store, retrieve, transmit, and receive information electronically in a digital form such as personal computers and devices like desktop, laptop, netbook, tablet computer, smart phones, games consoles, media players, e-book readers, as well as digital television, robots, personal assistant smart devices, and smart boards;
- g) Digital tools – refer to technologies used for a given purpose or for carrying out a particular function of information processing, communication, content creation, safety or problem solving.
- h) E-readiness (electronic readiness) – refers to a measure of the degree to which a country is prepared to partake in electronic activities and, thus, benefit from ICT in education.
- i) Innovation – refers to the creation of new ideas using new or existing technologies that results in the development of new or improved products, processes, or services, which are then spread or transferred across the market

SEC. 4. Section 443 (a) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, hereinafter referred to as the "Code", is hereby amended to read as follows:

"Sec. 443. Officials of the Municipal Government.

- (a) There shall be in each municipality a municipal mayor, a municipal vice-mayor, sangguniang bayan members, a secretary to the sangguniang bayan, a municipal treasurer, a municipal assessor, a municipal accountant, a municipal budget officer, a municipal planning and development coordinator, a municipal engineer/building official, a municipal health officer and a municipal civil registrar[;]. **A MUNICIPAL INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICER (ICTO) SHALL ALSO BE APPOINTED: PROVIDED, THAT THE MUNICIPALITY HAS THE OPTION TO APPOINT AN ICTO OR MERGE SUCH POSITION TO AN EXISTING POSITION OR OFFICIAL IN A RELATED OFFICE, UNIT OR DEPARTMENT IN THE MUNICIPAL GOVERNMENT: PROVIDED, FURTHER, THAT IF THE MUNICIPALITY SHALL APPOINT AN ICTO, THE MUNICIPALITY HAS THE OPTION TO SET THE RANK, REMUNERATION AND OTHER EMOLUMENTS OF THE MUNICIPAL ICTO SUBJECT TO EXISTING LAWS, RULES AND REGULATIONS.**

"(b) xxx

"(c) xxx

"(d) xxx

"(e) xxx

SEC. 5. Section 454 (a) of the Code is hereby amended to read as follows:

"Sec. 454. *Officials of the City Government.*

- (b) There shall be in each city a mayor, a vice-mayor, sangguniang panlungsod members, a secretary to the sangguniang panlungsod, a city treasurer, a city assessor, a city accountant, a city budget officer, a city planning and development coordinator, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city veterinarian, a city social welfare and development officer, and a city general services officer[.]. **A CITY ICTO SHALL ALSO BE APPOINTED: PROVIDED, THAT THE CITY HAS THE OPTION TO APPOINT AN ICTO OR MERGE SUCH POSITION TO AN EXISTING POSITION OR OFFICIAL IN A RELATED OFFICE, UNIT OR DEPARTMENT IN THE CITY GOVERNMENT: PROVIDED, FURTHER, THAT IF THE CITY SHALL APPOINT AN ICTO, THE CITY HAS THE OPTION TO SET THE RANK, REMUNERATION AND OTHER EMOLUMENTS OF THE CITY ICTO SUBJECT TO EXISTING LAWS, RULES AND REGULATIONS.**

"(b) XXX

"(c) XXX

"(d) XXX

"(e) XXX

SEC. 6. Section 463 (a) of the Code is hereby amended to read as follows:

"Sec. 463. *Officials of the Provincial Government*

- (c) There shall be in each province a governor, a vice-governor, members of the sangguniang panlalawigan, a secretary to the sangguniang panlalawigan, a provincial treasurer, a provincial assessor, a provincial accountant, a provincial engineer, a provincial budget officer, a provincial planning and development coordinator, a provincial legal officer, a provincial administrator, a provincial health officer, a provincial social welfare and development officer, a provincial general services officer, a provincial agriculturist, and a provincial veterinarian, [;], **A PROVINCIAL ICTO SHALL ALSO BE APPOINTED: PROVIDED, THAT THE PROVINCE HAS THE OPTION TO APPOINT AN ICTO OR MERGE SUCH POSmON TO AN EXISTING POSITION OR OFFICIAL IN A RELATED OFFICE, UNIT OR DEPARTMENT IN THE PROVINCIAL GOVERNMENT: PROVIDED, FURTHER, THAT IF THE PROVINCE SHALL APPOINT AN ICTO, THE PROVINCE HAS THE OPTION TO SET THE RANK, REMUNERATION AND OTHER EMOLUMENTS OF THE PROVINCIAL ICTO SUBJECT TO EXISTING LAWS, RULES AND REGULATIONS.**

"(b) xxx

"(c) xxx

"(d) xxx

"(e) xxx

SEC. 7. A new Section 491-A shall be inserted after Section 491 of the Code to read as follows:

ARTICLE XXI

THE LOCAL INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICER

SECTION 491-A. QUALIFICATIONS, POWERS, AND DUTIES. – (A) NO PERSON SHALL BE APPOINTED AS INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICER UNLESS HE OR SHE IS A CITIZEN OF THE PHILIPPINES, A RESIDENT OF THE LOCAL GOVERNMENT UNIT CONCERNED, OF GOOD MORAL CHARACTER, A HOLDER OF A COLLEGE DEGREE ON INFORMATION AND COMMUNICATIONS TECHNOLOGY, COMPUTER SCIENCE, COMPUTER ENGINEERING, DATA SCIENCE, ELECTRONICS AND COMMUNICATIONS ENGINEERING OR OTHER COURSES DIRECTLY RELEVANT TO ANY OF THE AFOREMENTIONED COURSES FROM A RECOGNIZED COLLEGE OR UNIVERSITY, AND A FIRST GRADE CML SERVICE ELIGIBLE OR ITS EQUIVALENT. HE OR SHE MUST HAVE ACQUIRED EXPERIENCE IN INFORMATION AND COMMUNICATIONS TECHNOLOGY AND RELATED EXPERIENCES FOR AT LEAST FIVE (5) YEARS IN THE CASE OF THE PROVINCE OR CITY, OR AT LEAST THREE (3) YEARS IN THE CASE OF THE MUNICIPALITY.

THE APPOINTMENT OF AN INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICER SHALL BE MANDATORY FOR THE PROVINCIAL, CITY AND MUNICIPAL GOVERNMENTS.

(B) THE INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICER SHALL:

(1) FORMULATE MEASURES FOR THE CONSIDERATION OF THE SANGGUNIAN AND PROVIDE TECHNICAL ASSISTANCE AND SUPPORT TO THE LOCAL CHIEF EXECUTIVE, IN CARRYING OUT MEASURES TO ENSURE THE DIGITIZATION OF PUBLIC DOCUMENTS, DIGITALIZATION OF GOVERNMENT PROCESS AND OVER-ALL DIGITAL TRANSFORMATION OF GOVERNMENT

(2) DEVELOP PLANS AND STRATEGIES AND UPON APPROVAL THEREOF BY THE LOCAL CHIEF EXECUTIVE IMPLEMENT THE SAME, PARTICULARLY THOSE WHICH HAVE TO DO WITH DEVELOPING, HARNESSING, INTEGRATING AND UTILIZING INFORMATION AND COMMUNICATIONS TECHNOLOGY FOR THE DIGITAL TRANSFORMATION OF GOVERNMENT AND RELEVANT PURPOSES;

(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICER SHALL:

(i) TAKE CUSTODY OF AND BE ACCOUNTABLE FOR ALL PROPERTIES, REAL OR PERSONAL, OWNED BY THE LOCAL GOVERNMENT UNIT AND

THOSE GRANTED TO IT IN THE FORM OF DONATION, REPARATION, ASSISTANCE AND COUNTERPART OF JOINT PROJECTS;

(ii) WITH THE APPROVAL OF THE LOCAL CHIEF EXECUTIVE, ASSIGN RESOURCES TO LOCAL OFFICIALS OR OTHER PUBLIC OFFICIALS, WHO BY LAW, ARE ENTITLED TO SUCH SPACES;

(iii) RECOMMEND TO THE LOCAL CHIEF EXECUTIVE, THE REASONABLE PURCHASE, LEASE OR RENTAL RATES OF DIGITAL EQUIPMENT FOR THE IMPLEMENTATION OF DIGITAL TRANSFORMATION;

(iv) DEVELOP, MAINTAIN AND SUPERVISE ALL OTHER INFORMATION AND COMMUNICATIONS TECHNOLOGY PROGRAMS AND SERVICES OF THE LOCAL GOVERNMENT;

(v) COLLATE AND DISSEMINATE INFORMATION REGARDING INFORMATION AND COMMUNICATIONS TECHNOLOGY PROGRAMS AND SERVICES OF THE LOCAL GOVERNMENT TO THE PUBLIC,

(vi) PERFORM DATABASE AND RECORD MANAGEMENT WITH RESPECT TO RECORDS OF OFFICES AND DEPARTMENTS OF THE LOCAL GOVERNMENT UNIT; AND

(vii) PERFORM ALL OTHER FUNCTIONS PERTAINING INFORMATION AND COMMUNICATIONS TECHNOLOGY PROGRAMS AND SERVICES OF THE LOCAL GOVERNMENT AND ENFORCE POLICIES IN RELATION THERETO;

(4) BE IN THE FRONTLINE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY PROGRAMS AND SERVICES OF THE LOCAL GOVERNMENT IN PARTNERSHIP WITH PRIVATE SECTOR;

(5) DEVELOP, IMPLEMENT, AND EVALUATE ALL PROGRAMS AIMED AT ENSURING THAT ALL PERSONNEL UNDER HIS OR HER SUPERVISION INCLUDING HIMSELF OR HERSELF ARE CONSTANTLY TRAINED OR EXPOSED TO KNOWLEDGE IN INFORMATION AND COMMUNICATION TECHNOLOGY AND OTHER RELEVANT AREAS;

(6) RECOMMEND TO THE SANGGUNIAN AND ADVISE THE LOCAL CHIEF EXECUTIVE, ON ALL OTHER MATTERS RELATIVE TO INFORMATION AND COMMUNICATIONS TECHNOLOGY; AND

(C) EXERCISE SUCH OTHER POWERS AND PERFORM SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE PRESCRIBED BY LAW OR ORDINANCE."

SEC. 8. Separability Clause. – If any part or provision of this Act shall be declared as unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 9. Repealing Clause. – All laws, executive orders, presidential decrees, rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 10. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,