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REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City
NINETEENTH CONGRESS – THIRD REGULAR SESSION
HOUSE BILL NO. 11095

Introduced by Representative JOSEPH GILBERT F. VIOLAGO

**AN ACT PROPOSING AMENDMENTS ON REPUBLIC ACT NO. 11032, OTHERWISE
KNOWN AS THE *EASE OF DOING BUSINESS AND EFFICIENT GOVERNMENT SERVICE
DELIVERY ACT OF 2018* FOR FURTHER EXPANSION OF ITS JURISDICTION AND OTHER
MECHANISM**

Explanatory Note

The public demands exceptional quality of service from its government, and in order to meet those demands, all branches and agencies of government must deliver efficient, expeditious, and excellent public service.

First and foremost, among business and industry leaders, local and foreign investors, in their grave concern about the ease of doing business in the country. To promote bureaucratic efficiency, there is an urgent need to streamline and digitalize government processes and services.

The Anti-Red Tape Authority (“Authority”) stands ready to assist the government in the drive to execute the directive of Republic Act No. 11032. Through different mechanisms such as dissemination of best practices, peer-to-peer learning, and mandate to streamline procedures, ARTA is poised to spearhead the advancement of ease of doing business and the dismantling of crippling bureaucratic red tape.

However, it has been reported to this humble representation that despite the full-blown implementation of Republic Act No. 11032, there is still the need to amend certain provisions of the Republic Act No. 11032 to expand and strengthen the empowerment and enforcement of the Authority.

Hence, this Bill seeks to amend Republic Act No. 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act, to add definitions of Multi-stage System, Regulation, and Regulatory Management System under Section 4; to add provisions regarding Multi-stage System under Section 9 as embodied in the Implementing Rules and Regulations; to expand the Automatic Approval Mechanism under Section 10; to expand Section 11 in mandating streamlining procedures; to propose expansion of Anti-Red Tape Unit in the Civil Service Commission and Committee on Anti-Red Tape in covered government offices and agencies under Section 16; to expand the powers and functions of the Authority under Section 17; to expand composition of the Authority and to include an express mandate to establish Regional Offices under Section 18; and, to further expand the violations and persons liable under Section 21.


JOSEPH GILBERT F. VIOLAGO

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

Section 1. Short Title. – *Section 1 Republic Act No. 11032, otherwise This Act shall be known as the “Ease of Doing Business and Efficient Government Service Delivery Act of 2018”, is hereby amended to read as follows:*

“Sec. 1. Short Title. – This Act shall be known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, as amended.”

Section 2. Definition of Terms: *Section 4 of the same Act is amended to read as follows:*

“Sec. 4. Definition of Terms. – As used in this Act, the following terms are defined as follows:

“(a) Action refers to the written approval or disapproval made by a government office or agency on the application or request submitted by an applicant or requesting party for processing;

“(b) Business One Stop Shop (BOSS) – a single common site or location, or a single online website or portal designated for the Business Permit and Licensing System (BPLS) of an LGU to receive and process applications, receive payments, and issue approved licenses, clearances, permits, or authorizations;

“(c) Business-related transactions – a set of regulatory requirements that a business entity must comply with to engage, operate or continue to operate a business, such as, but not limited to, collection or preparation of a number of documents, submission to national and local government authorities, approval of application submitted, and receipt of a formal certificate or certificates, permits, licenses which include primary and secondary, clearances and such similar authorization or documents which confer eligibility to operate or continue to operate as a legitimate business;

“(d) Complex transactions – applications or requests submitted by applicants or requesting parties of a government office which necessitate evaluation in the resolution of complicated issues by an officer or employee of said government office, such transactions to be determined by the office concerned;

“(e) Fixer – any individual whether or not officially involved in the operation of a government office or agency who has access to people working therein, and whether or not in collusion with them, facilitates speedy completion of transactions for pecuniary gain or any other advantage or consideration;

“(f) Government service – the process or transaction between applicants or requesting parties and government offices or agencies involving applications for any privilege, right, reward, license, clearance, permit or authorization, concession, of for any modification, renewal or extension of the enumerated applications or requests which are acted upon in the ordinary course of business of the agency or office concerned;

“(g) Highly technical application – an application which requires the use of technical knowledge, specialized skills and/or training in the processing and/or evaluation thereof;

"(h) *Multi-stage System* - refers to the system adopted by government agencies or offices in the delivery of their government services that are highly technical in nature which consists of multiple components or stages that are required to be undertaken by the government agency or office and/or by their applicant or requesting party in order to deliver or obtain the final document applied for or requested. These stages involve activities such as, but not limited to, research, field trials, scientific methodology, inter-government actions, involving offices internal or external to the agency, as declared in the agency's Citizen's Charter.

"(i) *Nonbusiness transactions* – all other government transactions not falling under Section 4 (c) of this Act;

"(j) *Officer or employee* – a person employed in a government office or agency required to perform specific duties and responsibilities related to the application or request submitted by an applicant or requesting party for processing;

"(k) *Processing time* – the time consumed by an LGU or national government agency (NGA) from the receipt of an application or request with complete requirements, accompanying documents and payment of fees to the issuance of certification or such similar documents approving or disapproving an application or request;

"(l) *Red tape* – any regulation, rule, or administrative procedure or system that is ineffective or detrimental in achieving its intended objectives and, as a result, produces slow, suboptimal, and undesirable social outcomes;

"(m) *Regulation* – any legal instrument that gives effect to a government policy intervention and includes licensing, imposing information obligation, compliance to standards or payment of any form of fee, levy, charge or any other statutory and regulatory requirements necessary to carry out activity or modify behavior;

"(n) *Regulatory Management System (RMS)* – a set of policies, institutions, processes, and tools that governments use to develop, implement, and enforce regulations. The RMS shall comprise of but not limited to a regulatory management, framework institutional arrangements, a regulatory policy cycle, and enforcement and compliance strategies; and

"(o) *Simple transactions* – applications or requests submitted by applicants or requesting parties of a government office or agency which only require ministerial actions on the part of the public officer or employee, or that which present only inconsequential issues for the resolution by an officer or employee of said government."

Section 3. Accessing Government Services. – The following shall be adopted by all government offices and agencies:

Sec. 9. Accessing Government Services. – The following shall be adopted by all government offices and agencies:

"(a) Acceptance of Applications or Requests. –

"(1) All officers or employees shall accept written applications, requests, and/or documents being submitted by applicants or requesting parties of the offices or agencies.

"(2) The receiving officer or employee shall perform a preliminary assessment of the application or request submitted with its supporting documents to ensure a more expeditious action on the application or request. The receiving officer or employee shall immediately inform the applicant or requesting party of any deficiency in the accompanying requirements, which shall be limited to those enumerated in the Citizen's Charter.

"(3) The receiving officer or employee shall assign a unique identification number to an application or request, which shall be the identifying number for all subsequent transactions between the government and the applicant or requesting party regarding such specific application or request.

"(4) The receiving officer or employee shall issue an acknowledgement receipt containing the seal of the agency, the name of the responsible officer or employee, his/her unit and designation, and the date and time of receipt of such application or request.

"(b) Action of Offices. –

"(1) All applications or requests submitted shall be acted upon by the assigned officer or employee within the prescribed processing time stated in the Citizen's Charter which shall not be longer than three (3) working days in the case of simple transactions and seven (7) working days in the case of complex transactions from the date the request and/or complete application or request was received.

"For applications or requests involving activities which pose danger to public health, public safety, public morals, public policy, and highly technical application, the prescribed processing time shall in no case be longer than twenty (20) working days or as determined by the government agency or instrumentality concerned, whichever is shorter.

"The maximum time prescribed above may be extended only once for the same number of days, which shall be indicated in the Citizen's Charter. Prior to the lapse of the processing time, the office or agency concerned shall notify the applicant or requesting party in writing of the reason for the extension and final date of release of the government service/s requested. Such written notification shall be signed by the applicant or requesting party to serve as proof of notice.

"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*.

"In cases where the cause of delay is due to force majeure or natural or man-made disasters, which result to damage or destruction of documents, and/or system failure of the computerized or automatic processing, the prescribed processing times mandated in this Act shall be suspended and appropriate adjustments shall be made.

"(2) No application or request shall be returned to the applicant or requesting party without appropriate action. In case an application or request is disapproved, the officer or employee who rendered the decision shall send a formal notice to the applicant or requesting party within the prescribed processing time, stating therein the reason for the disapproval. A finding by a competent authority of a violation of any or other laws by the applicant or requesting party shall constitute a valid ground for the disapproval of the application or request, without prejudice to other grounds provided in this Act or other pertinent laws.

"(c) In case of highly technical transactions that involve activities such as, but not limited to, research, field trials, scientific methodology, inter-government actions, the government agency or office may apply the Multi-stage System, provided that the total processing time for all concerned agencies or offices shall not exceed forty (40) working days.

Each stage in the Multi-stage System shall have its own processing time. The processing time commences on the date / time that the applicant or requesting party has satisfactorily completed the previous stages and all the requirements for the stage being applied for, and has paid the applicable fees, if any.

The Authority, upon consultation with concerned agencies and offices, shall issue rules and guidelines on the application of the multi-stage system.

"(d) Denial of Application or Request for Access to Government Service. – Any denial of application or request for access to government service shall be fully explained in writing, stating the name of the person making the denial and the grounds upon which such denial is based. Any denial of application or request is deemed to have been made with the permission or clearance from the highest authority having jurisdiction over the government office or agency concerned.

"(e) 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.

"(f) Electronic Versions of Licenses, Clearances, Permits, Certifications or Authorizations. – All government agencies covered under Section 3 of this Act shall, when applicable, develop electronic versions of licenses, clearances, permits, certifications or authorizations with the same level of authority as that of the signed hard copy, which may be printed by the applicants or requesting parties in the convenience of their offices.

"(g) Adoption of Working Schedules to Serve Applicants or Requesting Parties. – Heads of offices and agencies which render government services shall adopt appropriate working schedules to ensure that all applicants or requesting parties who are within their premises prior to the end of official working hours are attended to and served even during lunch break and after regular working hours.

"(h) Identification Card. – All employees transacting with the public shall be provided with an official identification card which shall be visibly worn during office hours.

"(i) Establishment of Public Assistance/Complaints Desk. – Each office or agency shall establish a public assistance/complaints desk in all their offices."

Section 4. Automatic Approval or Automatic Extension of License, Clearance, Permit, Certification or Authorization. - Section 10 of the same Act is amended to read as follows:

"Sec. 10. Automatic Approval or Automatic Extension of License, Clearance, Permit, Certification or Authorization. – If a government office or agency fails to approve or disapprove an original application or request for issuance of license, clearance, permit, certification, or authorization within the prescribed processing time, said application or request shall be deemed approved: *Provided*, That all required documents have been submitted and all required fees and charges have been paid. The acknowledgment receipt together with the official receipt issued by any government agency as proof of payment, for payment of all required fees issued to the applicant or requesting party shall be enough proof or has the same force and effect of a license, clearance, permit, certification, or authorization under this automatic approval mechanism.

In case the concerned agency fails or refuses to accept payments and/or refuses or fails to issue a payment order within the standard processing time despite demand or proof that the applicant complied with the complete requirements as enumerated in the Citizen's Charter of the concerned office or agency, the Authority, after due investigation, may order the concerned office or agency to accept the payment based on the Citizen Charter and to issue the corresponding license, clearance, permit, certification, or authorization.

In case of government agencies or offices covered under Section 3 of this Act relating to quasi-judicial applications or proceedings, Automatic Approval or Automatic Extension shall only apply to applications or requests for the issuance of license, clearance, permit, or authorization.

The Automatic Approval/ Automatic Extension mechanism shall only apply to applications or requests that require the approval of the Local *Sanggunian*, as enumerated in Section 9 (b) 1 of this Act. After due investigation of the Authority, in case the concerned *Sanggunian*

denies an application or request and fails to state the reason thereof and the remedial measures that may be taken by the applicant or requester, the license, clearance permit, certification or authorization applied for shall be automatically approved or extended.

If a government office or agency fails to act on an application or request for renewal of a license, clearance, permit, certification or authorization subject for renewal within the prescribed processing time, said license, clearance, permit, certification or authorization shall automatically be extended: *Provided*, That the Authority, in coordination with the Civil Service Commission (CSC), Department of Trade and Industry (DTI), Securities and Exchange Commission (SEC), Department of the Interior and Local Government (DILG) and other agencies which shall formulate the IRR of this Act, shall provide a listing of simple, complex, highly technical applications, and activities which pose danger to public health, public safety, public morals or to public policy."

Section 5. Streamlined Procedures for the Issuance of Local Business Licenses, Clearances, Permits, Certifications or Authorizations. - Section 11 of the same Act is amended to read as follows:

"Sec. 11. *Streamlined Procedures for the Issuance of Business Licenses, Clearances, Permits, Certifications or Authorizations.* – The LGUs, National Government Agencies (NGAs), Government Owned and Controlled Corporations (GOCCs), and all other government offices and agencies are mandated to implement the following revised guidelines in the issuance of business licenses, clearances, permits, certifications, or authorizations:

"(a) A single or unified business application form shall be used in processing new applications for business permits and business renewals which consolidates all the information of the applicant or requesting party by various local government departments, such as, but not limited to, the local taxes and clearances, building clearance, sanitary permit, zoning clearance, and other specific LGU requirements, as the case may be, including the fire clearance from the Bureau of Fire Protection (BFP). The unified form shall be made available online using technology-neutral platforms such as, but not limited to, the e-government platform, online government services hub (e.g. e.gov.ph/elgu.gov.ph), Philippine Business Hub (PBH) which is formerly known as the Central Business Portal (CBP) or the city/municipality's website and various channels for dissemination. Hard copies of the unified forms shall likewise be made available at all times in designated areas of the concerned office and/or agency.

"(b) A one-stop business facilitation service, hereinafter referred to as the business one stop shop, (BOSS) for the city/municipality's business permitting and licensing system to receive and process manual and/or electronic submission of application for license, clearance, permit, certification or authorization shall be established within the cities/municipalities' *Negosyo Center* as provided for under Republic Act No. 10644, otherwise known as the "Go Negosyo Act." There shall be a queuing mechanism in the BOSS to better manage the flow of applications among the LGUs' departments receiving and processing applications. LGUs shall implement collocation of the offices of the treasury, business permits and licensing office, zoning office, including the BFP, and other relevant city/municipality offices/departments, among others, engaged in starting a business, dealing with construction permits.

"(c) NGAs, GOCCs, and all other government offices and agencies, shall set up electronic one-stop shops, with unified application forms when rendering government services that require action or approval from different government agencies and offices.

"(d) Cities/Municipalities are mandated to automate their business permitting and licensing system or set up an electronic BOSS within a period of three (3) years upon the effectivity of this Act for a more efficient business registration processes. Cities/Municipalities with electronic BOSS shall develop electronic versions of licenses, clearances, permits, certifications, or authorizations with the same level of

authority, which may be printed by businesses in the convenience of their offices. The DICT shall make available to LGUs the software for the digitalization of the business permit and licensing system. The Authority, DICT, DTI, and DILG, shall provide technical assistance in the planning and implementation of a computerized or software-enabled business permitting and licensing system.

"(e) To lessen the transaction requirements, other local clearances such as, but not limited to, sanitary permits, environmental and agricultural clearances shall be issued together with the business permit.

"(f) Business permits shall be valid for a period of one (1) year. The city/municipality may have the option to renew business permits within the first month of the year or on the anniversary date of the issuance of the business permit.

"(g) Barangay clearances and permits 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."

Section 6. Anti-Red Tape Unit in the Civil Service Commission (CSC). – Section 16 of the same Act is amended to read as follows:

"Sec. 16. Anti-Red Tape Unit in the Civil Service Commission (CSC) and Committee on Anti-Red Tape (CART) in covered government offices and agencies. – The CSC shall maintain an anti-red tape unit in its central and all its regional offices, utilize Report Card Survey findings for purposive and integrated government-wide human resource systems and programs toward efficient delivery of government service as contemplated in this Act; and receive, review, hear, and decide on complaints on erring government employees and officials and noncompliance with the provisions of this Act.

The Committee on Anti-Red Tape or Regulatory Reform Team for local government units (LGUs), or equivalent offices, shall be established in all covered government offices and agencies to ensure that complaints forwarded by the Presidential Complaints Center, Civil Service Commission's Contact Center ng Bayan, and Complaints Action Center of the Authority are acknowledged, received, responded to and/or acted upon within the designated period by intended recipient within their agency.

To ensure the implementation of section 5 of this Act, the Committee on Anti-Red Tape (CART) Chairperson, shall be responsible for business process management at the highest level of organization and shall be in charge in establishing guidelines to ensure that the objectives of section 5 are followed, as well as establishing control, governance, and measurement mechanisms. The Director General shall have oversight powers on the business process strategy and activities.

Section 7. Anti-Red Tape Authority. - Section 17 of the same Act is amended to read as follows:

"Sec. 17. Anti-Red Tape Authority. – To ensure the attainment of the objectives of this Act, there is hereby created the Anti-Red Tape Authority, herein referred to as the Authority, which shall be organized within six (6) months after the effectivity of this Act. The authority shall be attached to the Office of the President.

"The Authority shall have the following powers and functions:

"(a) Implement and oversee a national policy on anti-red tape and ease of doing business;

"(b) Implement various ease of doing business and anti-red tape reform initiatives aimed at improving the ranking of the Philippines;

"(c) Monitor and evaluate the compliance of agencies covered under Section 3 of this Act, and issue notice of warning to erring and/or non-complying government employees or officials;

"(d) Initiate investigation, *motu proprio* or upon receipt of a complaint, refer the same to the appropriate agency, or file cases for violations of this Act;

"(e) Exercise original and exclusive jurisdiction in determining probable cause for violations of this Act;

"(f) Assist complainants in filing necessary cases with the CSC, the Ombudsman and other appropriate courts, as the case may be;

"(g) Develop and enforce a sound RMS of national coverage for the compliance of all government agencies covered under Section 3 of the Act, including a road map for the implementation and monitoring thereof;

"(h) Promulgate rules and regulations governing the hearing and disposition of cases before it, as well as those pertaining to its internal functions and such rules and regulations as may be necessary to carry out the purposes of this Act;

"(i) Recommend policies, processes, and systems to improve regulatory management to increase the productivity, efficiency, and effectiveness of business permitting and licensing agencies.

"(j) Review proposed major regulations of government agencies, using submitted regulatory impact assessments, subject to proportionality rules to be determined by the Authority;

"(k) Conduct regulatory management training programs to capacitate NGAs and LGUs to comply with sound regulatory management practices;

"(l) Prepare, in consultation with the appropriate agencies, regulatory management manuals for all government agencies and/or instrumentalities and LGUs;

"(m) Provide technical assistance and advisory opinions in the review of proposed national or local legislation, regulations or procedures;

"(n) Ensure the dissemination of and public access to information on regulatory management system and changes in laws and regulations relevant to the public by establishing the Philippine Business Regulations Information System;

"(o) Enlist the assistance of the CSC, DTI and other government agencies in the implementation of its powers and functions provided for in this Act;

"(p) Issue subpoenas pertaining to ongoing investigations relative to violations under this Act conducted by the Authority;

The subpoena shall state the name of the Authority and the title of the action or investigation, directed to the agency or person concerned whose attendance is required, and in the case of *subpoena duces tecum*, it shall also contain a reasonable description of the books, documents or things demanded which must appear to the Authority *prima facie* relevant.

In case of failure of the agency or person concerned to answer the subpoena served upon the same without just cause, the investigating officer shall proceed with the investigation and shall resolve the complaint based on the available evidence presented by the complaining party;

"(q) Declaring an agency or non-cooperative government official to facilitate expeditious investigation for violation of this Act in contempt for failure to obey the

relevant orders of the Authority, including subpoenas served upon the same, without adequate cause; and

"(r) Perform such other acts as may be necessary to attain the objectives of this Act."

Section 8. Composition of the Authority. Section 18 of the same Act is amended to read as follows:

"Sec. 18. *Composition of the Authority.* - The Authority shall be headed by a Director General to be appointed by the President of the Philippines upon effectivity of this Act, and such appointment shall be coterminous with the tenure of the President of the Philippines. The Director General shall enjoy the benefits, privileges, and emoluments equivalent to the rank of Secretary.

"The Director General shall oversee the day-to-day operations of the Authority. He/She shall be assisted by three (3) Deputy Directors General each for Legal, Operations, and Administration and Finance, and six (6) Assistant Deputy Directors-General for Legal and Public Assistance Office, Investigation, Enforcement and Litigation Office, Compliance, Monitoring and Evaluation Office, Better Regulations Office, Finance Office, and Administration Office : Provided, That they are career officials as defined in existing laws, rules and regulations. The Deputy Directors General shall enjoy the benefits, privileges, and emoluments equivalent to the rank of Undersecretary. The Assistant Deputy Directors-General shall enjoy the salary and emoluments of Director IV. All said positions shall likewise be appointed by the President of the Philippines.

"The Authority shall establish a Regional Office in each Administrative Regions including the National Capital Region of the country in coordination with the Department of Budget and Management (DBM) and the Civil Service Commission (CSC) to strengthen and expand the enforcement of the Authority.

The Regional Office shall be headed by a Director IV and assisted by a Director III. All provinces and chartered cities shall also have a Provincial or City Anti-Red Tape Officer which shall have a compensation equivalent to a Director II Level official and shall be appointed by the Secretary of the Authority as an Executive and Managerial Position.

The rest of the organization and staff of the Regional Office, as well as the City and Provincial Offices shall be crafted in coordination with the DBM and CSC and shall be established not later than six (6) months after the promulgation of this law."

Section 9. Ease of Doing Business and Anti-Red Tape Advisory Council. – Section 19 of the same Act is amended to read as follows:

"Sec. 19. *Ease of Doing Business and Anti-Red Tape Advisory Council.* - There is hereby created an Ease of Doing Business and Anti-Red Tape Advisory Council, herein referred to as the Council. It shall be composed of the Secretary of the DTI as Chairperson, the Director General of the Authority as Co-Chairperson, the Secretaries of the DICT, DILG and Department of Finance (DOF), and two (2) representatives from the private sector as Members. The department secretaries may designate their representatives, who shall sit in a permanent capacity, with no less than Undersecretary in rank, and their acts shall be considered the acts of their principals. The private sector representatives shall be appointed by the President of the Philippines for a term of three (3) years, and may be reappointed only once, from the nominees submitted by reputable business groups or associations.

"The Council shall be the policy and advisory body to the Authority. The Council shall formulate policies and programs that will continuously enhance and improve the country's competitiveness and ease of doing business. Towards this end, the Council shall have the following powers and functions:

"(a) Plan, draft and propose a national policy on ease of doing business and anti-red tape;

"(b) Recommend policies, processes and systems to improve regulatory management to increase the productivity, efficiency, and effectiveness of permitting and licensing agencies;

"(c) Design and identify systems that will continuously enhance and improve the delivery of services in government and ease of doing business in the country;

"(d) Authorize the creation or appointment of specific working groups or task forces in aid of the implementation of this Act;

"(e) Propose legislation, amendments or modifications to Philippine laws related to anti-red tape and ease of doing business;

"(f) Periodically review and assess the country's competitiveness performance, challenges, and issues;

"(g) Provide technical assistance and advisory opinions in the review of proposed national or local legislation, regulations, or procedures;

"(h) Recommend to the Authority the issuance of the appropriate measures to promote transparency and efficiency in business practices and delivery of services in government; and

"(i) Perform such other functions as may be necessary or as may be directed by the President of the Philippines for the successful implementation to attain the objectives of this Act.

"The Authority shall serve as Secretariat to the Council to be headed by its Deputy Director General for operations.

"The National Competitiveness Council (NCC), created under Executive Order No. 44, Series of 2011, shall be renamed and reorganized as the Council. The pertinent provisions under the following presidential orders: Executive Order No. 571, Executive Order No. 44, and Administrative Order No. 38 are hereby repealed accordingly."

Section 10. Violations and Persons Liable. – Section 21 of the same Act is amended to read as follows:

"Sec. 21. *Violations and Persons Liable.* – Any person who performs or cause the performance of the following acts shall be liable:

"(a) Refusal to accept application or request with complete requirements being submitted by an applicant or requesting party without due cause;

"(b) Failure to set up, create, and publish an updated Citizen's Charter under Section 6;

"(c) Imposition of additional requirements other than those listed in the Citizen's Charter;

"(d) Imposition of additional costs not reflected in the Citizen's Charter;

"(e) Failure to give the applicant or requesting party a written notice on the disapproval of an application or request;

"(f) Failure to render government services within the prescribed processing time on any application or request without due cause;

"(g) Failure to attend to applicants or requesting parties who are within the premises of the office or agency concerned prior to the end of official working hours and during lunch break;

611 " (h) Failure or refusal to issue official receipts;
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613 " (i) Failure to set up electronic business one-stop shop under Section 11;
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615 " (j) Fixing and/or collusion with fixers in consideration of economic and/or other gain
616 or advantage.
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618 **Section 11. Separability Clause.** - if any provision of this Act is declared unconstitutional or
619 invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and
620 effect.
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622 **Section 12. Repealing Clause.** - All other laws, decrees, orders, rules and regulations, and all
623 other related national and local issuances or parts thereof inconsistent with this Act are hereby
624 repealed or amended accordingly.
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626 **Section 13. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the
627 Official Gazette or in two (2) newspapers of general circulation.

Approved,