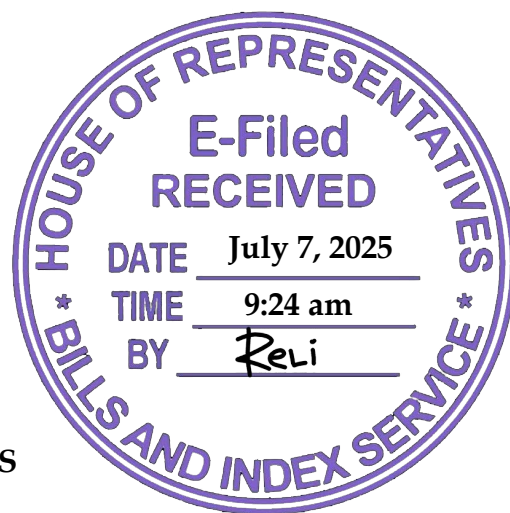




Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Batasan Hills, Quezon City



**TWENTIETH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 1358**

---

Introduced by 4Ps Partylist Representative  
**JC M. ABALOS**

---

#### **EXPLANATORY NOTE**

E-Government and innovation present significant opportunities to transform public administration into an instrument of sustainable development. Broadly defined as "the use of Information and Communications Technology (ICT) and its application by the government for the provision of information and public services to the people," e-government encompasses the use of information technologies to streamline and integrate workflows and processes, effectively manage data, enhance public service delivery, and expand communication channels for citizen engagement and empowerment.

Its impact on public administration is profound, changing the operational environment of public service and introducing new concepts and methods to its operations.

Therefore, this legislative measure aims to establish an integrated, interconnected, and interoperable information, resource-sharing, and communications network spanning the entirety of the national and local government. It seeks to institutionalize a cohesive internal records management information system, a secure information database, and digital portals for the efficient delivery of public services.

Further, this Bill promotes the use of the Internet, Intranet, and emerging technologies within and across government agencies to provide citizen-centric government information and services. It also pushes for the digitization of paper-based and other traditional modes of workflows for a more efficient and transparent public service, while encouraging government cooperation with the private sector in providing necessary resources, assets, and services.

This measure was filed in the 19th Congress and was passed by the Lower House on its third and final reading. Hence, its immediate passage is earnestly sought.



JC M. ABALOS  
*Representative*  
*4Ps Partylist*



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Batasan Hills, Quezon City

**TWENTIETH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 1358**

---

Introduced by 4Ps Partylist Representative  
**JC M. ABALOS**

---

**AN ACT**  
**INSTITUTIONALIZING THE TRANSITION OF THE GOVERNMENT TO**  
**E-GOVERNANCE IN THE DIGITAL AGE, CREATING FOR THE PURPOSE THE**  
**PHILIPPINE INFOSTRUCTURE MANAGEMENT CORPORATION AND**  
**APPROPRIATING FUNDS THEREFOR**

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

**CHAPTER I**  
**INTRODUCTORY PROVISIONS**

**SECTION 1. *Short Title.*** — This Act shall be known as the "E-Governance Act".

**SEC. 2. *Declaration of Policy and Purposes.*** — It is hereby declared the policy of the State to recognize the vital role of information and communication in nation-building and the necessity of harnessing the power of information and communications technology (ICT) in pursuit of national development and progress. The State hereby adopts a policy to create, foster, and sustain a digitally empowered and integrated government that provides secure, responsive and transparent online citizen-centered services and harnesses the potential of open data for promoting economic growth and a globally competitive Filipino nation.

In pursuit of this policy, this Act shall have the following purposes:

- a) Provide effective leadership of government efforts to develop and promote electronic government services and processes by defining and identifying the roles of various government agencies in the entire digital transformation process;
- b) Promote the use of the internet, ICT and emerging technologies within and across government agencies to provide citizen-centric government information and services, and improve public trust and citizen participation in the government;
- c) Promote ICT infrastructure development interoperability of inter-agency systems and processes through a consolidated process architecture;
- d) Promote inter-agency collaboration in providing government services, to improve the service to citizens by integrating related functions, and in the use of ICT to enhance the efficiency and effectiveness of the processes including but not limited to secure data and information sharing;
- e) Improve the ability of the government to achieve agency missions and program performance goals;
- f) Reduce costs and burdens for businesses and other government entities;
- g) Promote the use of ICT to enable an informed and data-driven decision making by policy makers, taking into consideration data analytics results;
- h) Promote the use of ICT in improving access to high quality government information and services across multiple channels;
- i) Strengthen transparency and accountability efforts of the national and local governments;
- j) Transform agency operations by utilizing, where appropriate, best practices from public and private sector organizations, both local and international;
- k) Provide enhanced and secured access to government information and services in a manner consistent with laws regarding protection of data

privacy, cybersecurity, national security, records retention, freedom of information, open data, access for persons with disabilities, and other relevant laws;

- l) Promote ICT capacity development to create quality jobs and increase the employability of the Philippine workforce;
- m) Ensure and take measures to update the qualification and competency standards of ICT positions in the government;
- n) Promote digital literacy to enable Filipinos to participate in an evolving ICT age;
- o) Promote and support innovation, including the creation of a conducive environment for start-ups in providing better service to citizens, raise efficiencies and productivity in the public sector;
- p) Promote best practices where processes are documented, analyzed, or streamlined before digitalization happens;
- q) Build resilience to withstand the effects of disasters, pandemics, or widespread information technology disruptions, including cybersecurity attacks, that will limit its citizens ability to transact;
- r) Encourage the use of electronic devices where the mobility of citizens is restricted; and
- s) Promote the establishment of an open data economy by unlocking the economic value of opening government, public and private data.

**SEC. 3. Coverage.** — This Act shall apply to all executive, legislative, judicial offices, and constitutional offices, including local government units (LGUs), state universities and colleges (SUCs), government-owned or controlled corporations (GOCCs) and other instrumentalities, whether located in the Philippines or abroad, that provide services covering business and nonbusiness related transactions as defined in this Act, subject to limitations under existing laws.

Further, this Act shall also cover back-end government operations, within, between and across agencies, government-to-government transactions, particularly those involving sharing and processing of data and information between and among government agencies for policy, planning and decision-making purposes, and other government operations.

**SEC. 4. Definition of Terms.** - As used in this Act:

- a) *Application Programming Interfaces* (APIs) refers to an intermediary that allows interaction between applications, programs, software components, systems, hardware, and micro-services of different individuals or organizations;
- b) *Chief Information Officer* (CIO) refers to a senior officer in all national government agencies, including constitutional offices, state universities and colleges, government-owned and controlled corporations, and government financial institutions responsible for the development, planning and implementation of the agency's information systems strategic plan or ICT plan, and management of the agency's ICT systems, platforms, and applications;
- c) *Critical Information Infrastructure or Critical Infostructure* (CII) refers to the computer systems, and/or networks whether physical or virtual, and/or the computer programs, computer data and/or traffic data that are vital to this country that the incapacity or destruction or interference with such system and assets would have a debilitating impact on security, national or economic security, national health and safety or any combination of those matters. Sectors initially classified as CII are the following: government transportation (land, sea, air), energy, water, health, emergency services, banking and finance, business process outsourcing, telecommunications, and media;
- d) *Digitization* refers to the process of encoding information or procedure into digital form that can be read and manipulated by computers;
- e) *Digitalization* refers to the process of using digital technologies to enhance the operations of the government, and provide new revenue and value-producing opportunities;
- f) *Digital Transformation* refers to the process of optimizing, reconstructing, and integrating digital technology into all areas of the government, to maximize resource configuration, improve operational efficiency and innovation capability, and enhance value delivery to stakeholders;
- g) *E-Governance* refers to the application of ICT in establishing interaction between the different levels of government, business, and the citizenry. It also involves the implementation of internal government operations meant to simplify and improve both the democratic and business aspects of governance;

- h) *E-Government* refers to the use of information and communications technology by the government to enhance the access to and delivery of government services to bring about efficient, responsive, ethical, accountable and transparent government;
- i) ICT Assets refer to any data, device, equipment, infrastructure, system, or component thereof, utilized to ensure or support the proper and efficient operation and implementation of ICT-related programs and delivery of ICT services;
- j) *ICT plan* refers to the sum or set of goals, measures, strategies, agenda, budget and timeline for the implementation of ICT programs and projects and the use of information and communications technology, including digital platforms, to deliver public services or otherwise perform governmental functions;
- k) *Information and Communications Technology (ICT)* refers to the totality of electronic means to access, create, collect, store, process, receive, transmit, present, regulate and disseminate information;
- l) *Information Security Standards (ISS)* refers to generally acceptable security standards which aim to protect, and secure the confidentiality, integrity, availability, authenticity, and non-repudiation of information;
- m) *Information Systems Strategic Plan (ISSP)* refers to the 3 year plan that serves as the agency's roadmap for using ICT as a strategic resource to support the attainment of its goals, mission, and vision and it is also a written expression of how an agency intends to use ICT to support its data processing and decision-making processes;
- n) *Internet* refers to a public enterprise network that shares data or application resources via Internet Protocol;
- o) *Interoperability* refers to the ability of different operating and software systems, applications, and services to communicate and exchange data in an accurate, effective, and consistent manner to different platforms and agencies;
- p) *Privacy Engineering* refers to the integration of privacy concerns into engineering practices for systems and software engineering life cycle processes;
- q) *Privacy-by-Design* refers to an approach in the development and implementation of projects, programs, and processes that integrates safeguards that are necessary to protect and promote privacy into the design or structure;

- r) *Privacy-by-Default* refers to a practice of applying the strictest privacy settings by default, without any manual input from the user, when a product or service has been deployed for public use; and
- s) *Workflow* refers to the sequence of industrial, administrative, or other processes through which a piece of work passes from initiation to completion.

## CHAPTER II ROLE OF THE GOVERNMENT

**SEC. 5. *Responsibilities of the Heads of Government Agencies, Offices, and Instrumentalities.*** — The head of each agency, office, and instrumentality of the national and local government, in consultation with the Department of Information and Communications Technology (DICT), shall be responsible for:

- a) Adhering to the requirements of this Act, including related standards for all ICT infrastructures, systems, equipment, designs, and all other technology, which shall be promulgated by the DICT;
- b) Complying with the standards and protocols for cybersecurity, resiliency, and data privacy and confidentiality, which shall also be promulgated by the DICT in consultation with the National Privacy Commission (NPC);
- c) Ensuring that the information technology standards promulgated by the DICT are communicated promptly and effectively to all relevant officials within their agency;
- d) Supporting the efforts of the national and local government to develop, maintain, and promote an integrated system of delivering government information and services to the public;
- e) In consultation with the DICT, establishing and implementing information security policy, freedom of information, open data policy, and standards within their organization, in consideration of their respective mandate or technology needs or risks; and
- f) Conforming to the reengineering and streamlining requirements of Anti-Red Tape Authority (ARTA) as provided under Republic Act 11032 or the Ease of Doing Business and Efficient Services Act of 2018.

To these ends, agencies shall:



- a) Develop performance measures that demonstrate how ICT enables progress toward agency objectives, strategic goals, and statutory mandates;
- b) In measuring performance, rely on existing data collections to the extent practicable and introduce new data collection schemes necessary to collect performance data and derive valuable insights. Areas of performance measurement that agencies should include customer service, agency productivity, and adoption of innovative information technology, including the appropriate use of industry best practices;
- c) Link their performance goals, as appropriate, to key groups, including citizens, businesses, and other governments;
- d) As appropriate, work collectively in linking their performance goals to key groups and shall use information technology in delivering government information and services to those groups;
- e) Ensure that all ISSPs and ICT plans are updated annually and considered in their budget preparation activities;
- f) Agencies shall regularly undertake cost compliance analysis, time and motion studies, undergo evaluation and improvement of their transaction systems and procedures and reengineer the same if deemed necessary to reduce bureaucratic red tape and process time;
- g) Support the development of a digital competency framework in order to undertake a competency assessment of personnel and provide them with appropriate learning and development programs to strengthen their digital competency; and

h) Be accountable in the implementation of the ISSP or ICT Plan:

*Provided, however,* That for purposes of efficiency and avoidance of redundancy, government agencies, offices, and instrumentalities, with existing: (a) standards for all ICT infrastructures, systems, equipment, designs, and all other technology; (b) protocols for cybersecurity, resiliency and data privacy and confidentiality; (c) effective mechanism for communicating promptly and effectively all information technology standards within their agency; and (d) equipment, systems, programs and infrastructures, that substantially comply with the minimum requirements indicated in the relevant provisions of this Act, as well as those that already have existing government positions, such as Chief Information Officer, within their respective offices whose qualifications are aligned with the requirements under this Act, shall be allowed to maintain those existing standards, protocols, mechanisms,

equipment, systems, programs, infrastructures and positions, and shall already be deemed compliant with the provisions hereof.

**SEC. 6. *Role of the Department of Information and Communications Technology.*** - The DICT shall be the primary implementing body and principal administrator of this Act. In accordance with applicable laws and rules, and subject to limitations provided by the Constitution, the DICT shall ensure that all ICT projects in the Philippines shall be done in accordance with the National ICT Development Agenda and E-Government Master Plan, as provided under Republic Act No. 10844 otherwise known as the "Department of Information and Communications Technology Act of 2015". For this purpose, the DICT shall establish measures to implement policies under this Act and ensure that all ICT projects in the Philippines, whether national or local, are harmonized with the overall ICT plans and in compliance with applicable standards. Accordingly, the DICT shall:

- a) Adopt a national policy and process that promotes innovations, supports start-ups, and facilitate the entry and adoption of technologies consistent with the goals of this Act;
- b) Mandate support and supervise the government agencies in ensuring the quality, security, and reliability of their respective ICT infrastructure and services in accordance with international or industrial standards, specifications, and best practices, and direct the interconnection or interoperability of ICT infrastructure, systems, and facilities when necessary to achieve the goals of this Act;
- c) Coordinate and/or collaborate with the private sector and enter into partnerships and joint ventures in accordance with the goals of this Act;
- d) Mandate and supervise the adoption of policies and processes to ensure the implementation of this Act, including the adoption of a Roadmap to provide a strategic and phased whole-of-government transformation to e-Government, with clear and identified milestones, and which explicitly defines the roles and responsibilities of covered government agencies, offices, and instrumentalities;
- e) Regulate and supervise the operations of ICT infrastructure, systems, and facilities, and in the exercise of such functions, in accordance with applicable laws and rules;
- f) Mandate government agencies, offices and instrumentalities to comply with the minimum qualification and competency standards of ICT positions in the

government and require government agencies, offices, and instrumentalities, to regularly report the status of compliance thereto; and

- g) Engage technical and standards organizations and consult industry experts on matters requiring engineering inputs, enterprise architecture and other highly specialized concerns.
- h) Where applicable, recognize the administrative autonomy provided by the Constitution for independent government agencies, offices, and instrumentalities in the implementation and enforcement of the foregoing; and
- i) Develop in accordance with applicable civil service laws and rules, consistent with the compensation and position classification system of the government, the competency and qualification standards of all ICT positions in the government, and submit to the Department of Budget and Management (DBM) the proposal for the creation and updating of current civil service positions for ICT workers, which include cybersecurity, data governance, data privacy, and other ICT-related government positions and the appropriate job levels and corresponding compensation rates aligned with the personnel needs of a digitized government and comparable with the prevailing industry rates, as well as the qualifications standards, duties and functions essential to the effective operation of government ICT infrastructure and systems: *Provided, That* government agencies, offices, and instrumentalities, that have been exempted from the Salary Standardization Law and have been granted authority to formulate their own compensation and position classification systems, whose compensation, competency, and qualification standards are aligned with the minimum requirements under this Act, shall be allowed to maintain those existing compensation, competency, and qualification standards in the operation of government ICT infrastructure and systems.

**SEC. 7. *The E-Governance Unified Project Management Office.*** – Within one year from the effectivity of this Act, the DICT shall establish a government-wide E-Governance Unified Project Management Office (E-Gov-UPMO), which shall cater to and address the portfolio, program, and project management needs of government agencies, with the end goal of ensuring that ICT projects across the government are managed with efficiency and agility, following international best practices and standards.

The DICT shall provide guidelines on the operation of the E-Gov-UPMO and the qualifications of personnel under the E-Gov-UPMO, who shall, at the minimum obtain internationally-recognized certifications and a required number of units on

Project Management, Program Management, IT Service Management, the Enterprise Architecture, Information Security, Data Privacy, Risk Management, and other similar fields or specializations. For this purpose, the ICT Academy created under this Act, shall ensure that courses, multimodal training, and certifications to develop this human resource are regularly offered.

**SEC. 8. *Chief Information Officer.*** – Every government agency is authorized to create a plantilla position for Chief Information Officer (CIO) who shall ensure that ICT systems are developed and implemented which are properly secured and compliant with standards as determined and prescribed by the DICT and in accordance with relevant laws, rules, and regulations, including Republic Act No. 10173, or the "Data Privacy Act of 2012".

The CIO shall perform the following functions:

- a) Advise agencies on how best to leverage ICTs to optimize the delivery of secured public services, and achieve efficient, and cost-effective operations;
- b) Securely develop, maintain, and manage the agency's information systems;
- c) Manage and supervise the implementation of ICT related projects, systems, and processes;
- d) Formulate and implement processes in relation to the adoption of ICT-based solutions, including emerging technologies as provided in the E-Government Plan;
- e) Manage operational risks related to ICT in coordination with the agency's management and stakeholders;
- f) Ensure that the ICT programs and operations are consistent with national policies and standards; and
- g) Accelerate the use of open data, blockchain, emerging technologies and benchmark ICT programs and operations against ICT industry best practices.

Recruitment, selection and appointment to the CIO position shall be in accordance with the civil service law, rules and regulations, and the competency standards prescribed by the DICT.

**SEC. 9. *Inclusivity.*** – In accordance with the provisions of this Act, when promulgating policies and implementing programs regarding the provision of government information and services over the internet and other platforms or

channels, agency heads shall consider the impact on persons without access to such platforms or channels, and shall, to the extent practicable, ensure that the availability of government information and services has not been or shall not be diminished for individuals and entities who lack access to the internet; and pursue alternate modes of delivery that make government information and services more accessible to individuals, either electronically or manually.

### **CHAPTER III**

#### **THE E-GOVERNMENT MASTER PLAN**

**SEC. 10. *E-Government Master Plan.*** — The DICT shall formulate and promote an E-Government Master Plan (EGMP) or its equivalent that will serve as a blueprint for the development and enhancement of all electronic Government service processes, and workforce to achieve digital transformation in the bureaucracy. Supplemental to this, an integrated framework shall be developed to provide the government enterprise architecture and operationalize the blueprint through programs and projects relating to e-government, in order to fully realize the vision, goals and objectives of the Master Plan. The EGMP and the accompanying integrated framework shall be reviewed and updated every three (3) years or earlier as the need arises, in anticipation of disruptions, emergencies, crises, and new and emerging technologies.

In order to effectively implement E-Governance across the government, a whole-of-government approach shall be adopted for the formulation and promotion of EGMP. This approach shall facilitate engagement primarily with the government agencies, instrumentalities, GOCCs, LGUs, Regional Development Councils, ICT Councils, technical and standards organizations and other relevant stakeholders towards ensuring the full and effective implementation of the country's E-Governance Agenda. All E-Government Programs identified herein and, in the future, as well as in the ISSP of each government agency, instrumentality, and GOCCs shall be subject to mandatory review and monitoring by the DICT in order to be aligned with the EGMP and its accompanying integrated framework.

**SEC. 11. *E-Government Programs.*** — The DICT shall develop the following programs and systems that will be regularly updated in consultation with the stakeholders and ensure that such programs and systems are compliant with the standards imposed by relevant laws, rules, and regulations relating to data privacy and security, including among others and not limited to Republic Act No. 10173:

- a) ***Philippine Government Interoperability Framework.*** — A Philippine government interoperability framework shall guide and govern the basic technical and informational interoperability of government ICT systems. Such

a framework shall provide shared operations and services of the Philippine government, between and among its various agencies, as well as for these agencies in dealing with their various constituencies. This shall be reviewed and updated regularly, to ensure that this framework is responsive with the current needs of the government and aligned with the newly adopted standards;

- b) ***Records and Knowledge Management Information System.*** — A records and knowledge management information system shall be designed to systematically and efficiently manage government documents, records and knowledge products and services. This includes the digitization of paper-based documents, records and knowledge products and services, as well as the re-engineering and digitalization of paper-based workflows, from creation, dissemination, processing, analysis, tracking, storing verification and authentication, and archiving or disposal, while adhering to existing policies, laws and internationally-recognized standards and best practices.

A repository and corresponding Secure Application Programming Interfaces (APIs) shall be created for the common data sets, which include pricing data, demographic data, geospatial data, in order to improve publication, sharing and utilization of data across the government. The DICT shall ensure that such repository shall be in compliance with applicable data privacy laws and information security standards, in coordination with the NPC. The DICT shall also establish a government data storage and interoperability platform or its equivalent to store all information and services that are currently housed in the government data center;

- c) ***Integrated Government Network.*** — An integrated, dedicated, interconnected, interoperable, secure and resilient government network, to be known as the "Integrated Government Network" (IGN) shall be established to act as the primary means for the sharing and communication of resources, information, and data through digital and electronic platforms across all agencies of the government, covering all branches, agencies, instrumentalities, and offices of the national and local government, including government-owned and controlled corporations.

Such network shall also act as the government's primary and focal information management tool and communications network and the data traffic that will be coursed by the government agencies and key stakeholders through this network will be exchanged through a designated Government Internet Protocol Exchange (G/IPX) facility. Interconnectivity and interoperability measures shall be established and maintained between all

existing internal networks and the IGN. This program shall also cover the acquisition and management of internet resources of the government, such as internet protocol (IP) addresses, and domain names, among others;

- d) ***Integrated Local Government Unit (ILGU) System.*** – In compliance with the immediately preceding paragraph, LGUs shall establish their own portal or utilize the ILGU developed by the DICT, its equivalent programs and systems thereof: *Provided*, That LGUs that are unable to establish their own system within one (1) year from the effectivity of this Act are mandated to utilize the ILGU or equivalent programs and systems: *Provided*, further, That LGUs establishing their own portal or those with existing portals shall immediately be connected by the DICT to the IGN, pursuant to Section 11, subparagraph (c) of this Act: *Provided*, finally, That the ILGU software or equivalent including its necessary infrastructure shall likewise be provided by the DICT for the effective use of the ILGU to the unserved and underserved municipalities;
- e) ***Government Digital Payment Systems for Collection and Disbursement.*** – An internet-based electronic payment facility and gateway that will enable citizens and businesses to remit and receive payments electronically or from government agencies shall be created. It shall render services through various delivery channels, which include debit instructions (ATM accounts), credit instructions (credit cards) and mobile wallets (mobile application/SMS). For this purpose, the government may, in accordance with applicable laws and rules, engage the services of and interconnect with public and private payment systems and facilities, among others, consistent with the National Retail Payment System Framework of the Bangko Sentral ng Pilipinas (BSP).

These systems should smoothly interface with the current monitoring and accounting systems of the National Treasury;

- f) ***Citizen Frontline Delivery Services Platform.*** – Services that are needed to facilitate business and non-business transactions referring to permitting, licensing, and the issuance of any privilege, right, reward, clearance, authorization, or concession, including frontline services enrolled in the existing citizen's charter, whether or not related to business, corresponding back-and/support services, and regulatory functions related to permitting, licensing, and the issuance of any privilege, right, reward, clearance, authorization, or concession shall be made efficient by integrating all agencies involved, such as the Philippine Statistics Authority (PSA), Department of Foreign Affairs (DFA), Land Transportation Office (LTO), National Bureau of Investigation (NBI), Professional Regulation Commission, Department of

Trade and Industry (DTI), Securities and Exchange Commission (SEC), BSP, Cooperative Development Authority (CDA), Bureau of Internal Revenue (BIR), Government Service Insurance System (GSIS), Social Security System (SSS), Home Development Mutual Fund (HDMF), PAG-IBIG, and Philippine Health Insurance Corporation (PhilHealth), into one platform and shall be made available in a form of portal, mobile applications and other applicable variations thereof.

All other government agencies, offices, and instrumentalities, including LGUs which provide frontline services, as defined under Republic Act No. 9485, or the "Anti-Red Tape Act of 2007 as amended by Republic Act No. 11032, shall file an application for integration with the DICT. All agencies, offices and instrumentalities that will be integrated shall establish and maintain measures to ensure that such services are accessible and capable of delivery to the public through the platform;

- g) ***Online Public Service Portal.*** – Complementing the Citizen Frontline Delivery Services Platform, an Online Public Service Portal shall be made accessible, through digital platforms, such as the internet and other information and communications technologies, to citizens of the Philippines, foreign nationals who have been lawfully admitted in the country, and businesses organized and existing or operating under the laws and rules of the Philippines for purposes consistent with the efficient delivery of public services. The Online Public Service Portal shall serve as a helpdesk where citizens can request for information and assistance on government frontline services, service procedures, and report commendations, appreciation, complaints, and feedback.

For the purposes of interoperability, interconnection and harmonization, all existing systems or mechanisms, such as 8888 Citizens' Complaint Center, government social media channels, established and/or maintained by agencies, offices, and instrumentalities, and LGUs shall be integrated to Online Public Service Portal. Likewise, the Online Public Service Portal shall be fully integrated with the integrated government network and Records and Knowledge Management Information System for real time updating of data and information.

To ensure that the public is served efficiently and expeditiously in accordance with the objectives of this Act, all national government agencies, offices, and instrumentalities, GOCCs, government financial institutions, as well as the LGUs, are hereby mandated to cooperate and coordinate with the Presidential Management Staff (PMS) and each other to ensure prompt action on the



concerns received through the Online Public Service Portal and associated communication channels.

Notwithstanding the provisions of this Act, access to and use of the resources, information, and data through the portal shall be in accordance with all relevant laws, rules, and regulations on data and information privacy and the pertinent rules on confidentiality of government information, such as Republic Act No. 11032;

- h) ***Integrated Financial Management Information System (IFMIS).*** — To ensure fiscal discipline, fund allocation efficiency and operational efficiency in the delivery of public services, an IFMIS shall be jointly developed by the DBM, Department of Finance (DOF), Commission on Audit (COA), and DICT. This shall harmonize all existing financial systems in the government to enable real-time, online accounting, monitoring, and control of obligations and disbursements and directly link these to cash management for a more effective financial control and accountability. This shall facilitate the generation and monitoring of vital information on all aspects of government financial transactions to support timely and informed decisions across the bureaucracy.
- i) ***Procurement System.*** — A modernized Philippine Government Procurement System shall be developed and implemented to provide an auditable online system that encompasses all procurement and supply chain management processes involving bidding, contract management, delivery, acceptance and payment for services or supplies: *Provided, That* government agencies, offices, and instrumentalities granted by law and by their respective Charters with fiscal and administrative autonomy in the performance of their constitutional and statutory mandates, shall independently develop, maintain, undertake, supervise and regulate their own Procurement Systems and shall only be required to coordinate and report to the DICT for purposes of alignment of policy objectives;
- j) ***Human Capital Management Information System.*** — A Human Capital Management Information System (HCMIS) shall be developed in order to eliminate paper-based and manual human resource (HR)-related processes. Consistent with the applicable civil service laws and rules, HCMIS shall automate the following HR-related functions in the government: recruitment and selection, appointment preparation and submission, personnel records keeping, salary, benefits and payroll administration, leave management, learning and development, rewards and recognition and performance management, among others. Further, this system shall utilize analytics in

order to provide insights necessary for strategic HR functions such as performance management, forecasting, promotion, succession planning, among others: *Provided*, That government agencies, offices, and instrumentalities granted by law and by their respective Charters with fiscal and administrative autonomy in the performance of their constitutional and statutory mandates, including those that have been exempted from the Salary Standardization Law and have been granted authority to formulate their own classification systems, shall be allowed to independently develop, maintain, undertake, supervise and regulate their own HCMIS and shall only be required to coordinate and report to the DICT for purposes of alignment of policy objectives; and

- k) ***Government Public Key Infrastructure (PKI) Program.*** – The DICT shall encourage and promote the use of Government PKI digital certificates that shall allow paperless transactions and remote approval of signatories in the government. This would reduce red tape, therefore enforcing Ease of Doing Business. The adoption of PKI aims to strengthen e-government security through its implementation in all government offices and supply of digital certificates to the citizens. The PKI digital certificates shall ensure the security of digital data and transactions by providing the following feature:
- i) Authentication to prevent unauthorized disclosure of information;
  - ii) Confidentiality to ensure that a message shall remain unmodified during transmission;
  - iii) Integrity to validate that the senders are exactly who they say they are; and
  - iv) Non-repudiation to ensure non-deniability of actions by any party.

**SEC. 12, *Privacy Impact Assessment.*** – A mandatory Privacy Impact Assessment (PIA), in accordance with relevant NPC, guidelines shall be conducted on the proposed systems involved in processing personal data included in the EMP prior to its publication to identify privacy risks and establish the appropriate controls framework, in line with existing data privacy and cybersecurity standards.

**SEC. 13. *Minimum Information Security Standards Compliance.*** – The DICT shall establish and implement minimum Information Security Standards that are aligned with internationally accepted standards as well as relevant laws, rules and regulations including the information security standards and policies promulgated by the DICT, shall be established and implemented Such standards shall cover all ICT systems used for E-Government.

**SEC. 14. *Protection of Government Critical Information Infrastructure (CI).***  
– The DICT, in coordination with relevant government agencies and stakeholders,

shall issue guidelines for the protection of government CII identified in the EGMP. All government CIIs shall be subjected to Vulnerability Assessment and Penetration Testing (VAPT) before deploying such infrastructure. Further, an annual risk and security assessment shall be conducted at least once a year.

**SEC. 15. *Public Service Continuity Plan.*** — All ICT systems and infrastructure covered in the priority programs of the EGMP as well as ISSPs shall be included as part of the Public Service Continuity Plan (PSCP) of all government agencies and instrumentalities, for the purpose of ensuring the continuous delivery of essential agency functions, notwithstanding any emergency or disruptions, consistent with the existing issuances of the National Disaster Risk Reduction and Management Council (NDRRMC) and Civil Service Commission (CSC).

**SEC. 16. *National E-Government Index and E-Government Maturity Survey.***  
— The DICT shall, in coordination with other government agencies, establish a national E-Government Development Index which provides globally competitive E-Government indicators, definitions and statistical standards. A manual for measuring E-Government indicators shall be also developed to institutionalize the framework of measurement.

To support the establishment of this index and to assess the ICT readiness and maturity level of government agencies, an E-Government Maturity survey shall be conducted annually.

The results of this survey shall primarily be used for the formulation and updating of EGMP.

**SEC. 17. *Free Access to the Internet for the Public.*** — Republic Act No. 10929 or the "Free Internet Access in Public Places Act" shall complement this Act.

To further promote knowledge-building among citizens and enable them to participate and compete in the evolving information and communications age, the Free Public Internet Access Program shall likewise provide, through its Free Public Internet Access Fund (FPIAF), the associated or related computer systems and programs, databases and/or management and information systems, including the provisions of core transmission and distribution networks to support the said programs, subject to compliance with existing laws, rules and regulations.

## CHAPTER IV THE GOVERNMENT WEBSITES AND E-BULLETIN BOARDS

**SEC. 18. *The Government E-Bulletin Board.*** — The government and all its agencies, offices, and instrumentalities, including local governments, shall continuously improve their existing website and establish an e-Bulletin Board for purposes of information dissemination. The website shall be interactive, well-designed, functional, and mobile-friendly. Security and accessibility of the website shall be ensured. Website content shall be regularly updated.

**SEC. 19. *Information Dissemination Through the Website and Board.*** — All government offices, agencies, and instrumentalities which are mandated by the laws or rules to publish or otherwise disseminate notices, documents, or other information intended for public consumption and information shall, in addition to the traditional modes of publication, publish such notices, documents, or other information on the website and e-bulletin board and other verified official government social media accounts.

Notwithstanding the provisions of this Act and other relevant laws, publication of notices, documents, or any other information on the website and e-bulletin board shall be construed as sufficient notice to the public for purposes of compliance with laws and rules requiring publication: *Provided*, That such website or bulletin board is accessible at such point in time where accessibility is claimed. For purposes of this provision, the start of publication shall be the date on which the notice, document, or information was first uploaded and made accessible to the public.

**SEC. 20. *Minimum Standards for Government Websites and Information Portals.*** - The following shall be the minimum standards for government websites and information portals:

- a) It shall include direct and easily identifiable links to: (i) description of the mission, statutory authority, and the organizational structure of the agency; and (ii) commonly asked questions and the corresponding answers, and other common matters of public concern;
- b) It shall include direct and easily identifiable links to the relevant and applicable portals for the delivery of public services;
- c) It shall include the ability to provide access to public information via an API;
- d) It shall include an up-to-date government directory containing the contact information, such as emails, telephone numbers, and the likes, of the offices and officials within an agency; and

- e) It shall be compliant with the Philippine Web Accessibility policy, or any relevant and updated issuance from the DICT.

## **CHAPTER V**

### **SECURITY AND PRIVACY**

**SEC. 21. *Data and Information Security.*** – All resources, information, or data stored on or transmitted through the government information systems and all networks interconnected to and interoperable with it, the portals, and websites shall be kept secure and free from interference or unauthorized access that can hamper or otherwise compromise the confidentiality, integrity and availability of the information and communication technology assets.

Access to and use of the resources, information, and data on the government information systems shall be limited to the government and its duly authorized officers and agents, in accordance with all relevant laws, rules, and regulations on data and information privacy and the pertinent rules on confidentiality of government information: *Provided*, That the data used by all concerned government agencies, offices, and instrumentalities with access to information systems and used data stored therein shall be destroyed or disposed of in accordance with acceptable standards and guidelines existing under the law for disposal of data upon fulfillment of its purpose.

Any person who shall knowingly commit an act which results in the compromise of the security and integrity of the government information systems and all networks interconnected to and interoperable with it to the detriment of the government and the public shall incur criminal liability in accordance with the provisions of applicable and relevant penal laws.

**SEC. 22. *Responsibility of the National and Local Government.*** – All agencies, offices, and instrumentalities of the national and local government under this Act shall be responsible for:

- a) Providing information security protections commensurate with the risk and magnitude of the harm resulting from unauthorized access, use, disclosure, disruption, modification, or destruction of information collected or maintained by or on behalf of the agency; and information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

- b) Determining the levels of information security appropriate to protect such information and information systems and implementing the same in coordination with the DICT;
- c) Periodically testing and evaluating information security controls and techniques to ensure that they are effectively implemented;
- d) Complying with the requirements of pertinent laws on information security and privacy, related policies, procedures, standards, and guidelines, including information security standards promulgated by the DICT and information security standards and guidelines for national security systems issued in accordance with law and as directed by the President of the Philippines;
- e) Ensuring that information security management processes are integrated with agency strategic and operational planning processes; and
- f) Adopting the Privacy-by-Design, Privacy Engineering, and Privacy-by-Default principles in developing, implementing and deploying systems, processes, software applications, and services throughout the processing of personal data.

**SEC. 23. *Master Data Management.*** — In order to have access to the most updated data, the government shall establish and maintain measures to ensure that the parent government agency responsible for a set of data shall own, maintain, update, and protect the data while giving access via secure Application Programming Interface (API) to other agencies.

## **CHAPTER VI**

### **PARTICIPATION OF THE PRIVATE SECTOR**

**SEC. 24. *Government Cooperation with the Private Sector.*** — Nothing in this Act shall prevent the government, both national and local, from entering into contracts, agreements, or partnerships with the private sector to provide various resources, assets, and services in order to comply or enhance compliance with the provisions of this Act.

Any and all contracts or agreements with the private sector within the context of this Act shall be subject to the laws and rules on public accountability and transparency and good governance.

## CHAPTER VII

### THE PHILIPPINE INFOSTRUCTURE MANAGEMENT CORPORATION

**SEC. 25. *The Philippine Infostructure Management Corporation.*** — For the purpose of ensuring proper and efficient operations and management of the ICT assets of the government and faster and effective implementation of programs, activities, and projects related to connectivity, data center, cloud services which include: infrastructure, platform, software and development of effective solutions delivery and enterprise architecture for digitalization initiatives of government instrumentalities, there is hereby established a body corporate to be known as the Philippine Infostructure Management Corporation (PIMC), which shall be government-owned and controlled corporation attached to the DICT. The legal existence of the PIMC shall be for a period of fifty (50) years from the date of the approval of this Act. The PIMC shall be subject to the rules and regulations as the DICT may impose from time to time.

**SEC. 26. *Powers and Functions.*** — To carry out its main purpose and in accordance with applicable laws and rules, and in addition to the powers granted to a corporation under Republic Act No. 11232 or the Revised Corporation Code of the Philippines, the PIMC shall have the following functions and powers:

- a) Implement infrastructure programs such as the National Broadband Plan, Free WiFi for All, and expansion of the National Government Data Centers and Government Cloud;
- b) Manage ICT assets of the government including the NGAs, LGUs, the Courts and the Congress;
- c) Prescribe, repeal, and alter its own by-laws;
- d) Determine its operating policies, and issue such rules and regulations as may be necessary to achieve its main purpose;
- e) Adopt, alter and use a corporate seal;
- f) Acquire and own real and personal property, and sell, mortgage or otherwise dispose of the same;
- g) Sue and be sued, enter into contracts, and borrow money from both local and foreign sources: *Provided, That such loans shall be incurred only upon favorable recommendation of the Board and approval by the President of the Philippines;*

- h) Create an enabling environment to foster innovation to include the promotion and support for emerging technologies;
- i) Hold, own, purchase, acquire, sell or otherwise invest, or reinvest in stocks, bonds or other securities capable of giving the PIMC a reasonably assured income sufficient to support its activities; and
- j) Provide ICT counseling and technical services to government and private entities: *Provided*, That for this purpose, the PIMC may contract the services of private consultants.

**SEC. 27. Board of Directors.** – The corporate powers and functions of the PIMC shall be vested in and exercised by a Board of Directors that shall be composed of the following:

- a) The Secretary of the DICT as Ex-Officio Chairperson;
- b) The Secretary of the DBM, or his duly designated Undersecretary, as ex officio Vice-Chairperson;
- c) The Chief Executive Officer; and
- d) As Members:
  - i) The Commissioner of the National Telecommunications Commission (NTC), or duly designated Deputy Commissioner;
  - ii) The Commissioner of the NPC or duly designated Deputy Privacy Commissioner;
  - iii) The Director-General of ARTA or duly designated Deputy Director-General;
  - iv) One (1) representative from the information technology and business process outsourcing industry;
  - v) One (1) representative from the telecommunications industry; and
  - vi) One (1) representative from the LGUs who must not be an elective official.

The representatives from the private sector and the LGUs shall be appointed by the President of the Philippines from the shortlist submitted by the Governance Commission for GOCCS (GCG): *Provided*, That the representatives from the private sector shall be appointed only upon a favorable recommendation from the DICT, and the representative from the LGUs shall be appointed only upon a favorable recommendation from the DICT and the Department of the Interior and Local Government. The representatives from the private sectors and LGUs shall be subject to the Fit and Proper Rule issued by the GCG. The representatives from the private sector shall be at least thirty-five (35) years of age, possess demonstrated administrative skills and ability in the field of ICT, and with a minimum of ten (10) years of professional experience in the field of ICT.



The Chief Executive Officer (CEO) of the Corporation, who will be designated by the President of the Philippines upon the recommendation of the Board, shall execute and administer the policies and resolutions approved by the Board of Directors, prepare its agenda, and direct and supervise the operations and management of the Corporation. He shall have direct control and supervision of the business of the PIMC in all matters which are not prohibited under this Act or by the by-laws specifically reserved to be done by the Board of Directors. The CEO shall, subject to the approval of the Board, in cases of approval of appointments to managerial positions and above, and the confirmation of the Board of Appointments below managerial level, appoint the personnel of the Corporation, remove, suspend or otherwise discipline them for cause, and prescribe their duties and qualifications, in accordance with existing civil service laws, rules and regulations, to ensure that only competent and qualified personnel may be employed.

All members of the Board shall serve for a term of seven years.

The Chairperson and the members of the Board shall act as the heads of such operating departments as may be set up by the Board. The Chairperson shall have authority, exercisable at his discretion, to determine from time to time the organizational divisions to be headed by each member serving full time and to make the corresponding shifts in designations pursuant thereto. The members of the Board, except for the ex-officio members, shall receive per diem every meeting in accordance with existing rules and regulations.

The Chairperson of the Board shall be assisted by an Executive Vice-Chairperson and one or more Vice-Chairpersons who shall be chosen and may be removed by the Board of Directors. The salaries of the Vice-Chairpersons shall be fixed by the Board of Directors with the approval of the President of the Philippines, and in accordance with the Compensation and Position Classification System by the GCG.

**SEC. 28. *Authorized Capital Stock.*** – The PIMC shall have an authorized capital stock of Five billion pesos (P5,000,000,000.00), divided into five million (5,000,000) shares of common stock with a par value of One thousand Philippine pesos (P1,000.00) per share, which shall be fully subscribed by the government.

The funding for the purpose shall be included in the annual General Appropriations Act until the authorized capital as herein required has been fully paid within a period of five (5) years.

**SEC. 29. *Personnel; Cost of Administration.*** – The Board of Directors shall provide for an organization and staff of officers and employees necessary to carry

out the functions of the PIMC, fix their compensation, and appoint and remove such officers and employees for cause. The PIMC officers and employees shall be subject to the rules and regulations issued by the CSC and in accordance with Republic Act No. 10149 or the "GOCC Governance Act of 2011". The wages must be comparable with the prevailing rate in the private sector. The Board of Directors shall recommend to the CSC rules and regulations for the recruitment, appointment, compensation, administration, conduct, promotion and removal of all PIMC officers and employees under a strict merit system and prepare and conduct examinations under the supervision of said Commission.

To fully implement the provisions of this Act capacitating government agencies in terms of ICT manpower, a new class of ICT position shall be created subject to evaluation and approval of the DBM and the corresponding qualification standards according to merit, skills, and experience subject to CSC evaluation and approval, or in lieu thereof, the equivalency exam administered by the DICT as authorized under Presidential Decree 1408 conferring civil service eligibility on electronic data processing (EDP) specialist.

The administrative expenses of the PIMC during any single fiscal year shall not in any case exceed thirty-five percent (35%) of its total assets.

**SEC. 30. *Legal Counsel.*** – The Government Corporate Counsel (GCC) shall be the ex-officio legal adviser of the PIMC. Any provision of law to the contrary notwithstanding, the PIMC shall have its own Legal Department, the chief and members of which shall be appointed by the Board of Directors. The composition, budget and operating expenses of the Office of the Legal Counsel and the salaries and traveling expenses of its officers and employees shall be fixed by the Board of Directors and paid by the PIMC.

**SEC. 31. *Removal of Members.*** – The President of the Philippines, in consultation with the GCC, may remove the Chairperson or any member of the Board appointed by him. In addition to any and all recognized causes for termination under applicable civil service laws and rules, the Chairperson or member may, in any of the cases hereunder enumerated, be civilly liable for any damage that may have been suffered by the corporation.

- a) Mismanagement, grave abuse of discretion, infidelity in the conduct of fiduciary relations, or gross neglect in the performance of duties;
- b) Dishonesty, corruption, or any act involving moral turpitude; and
- c) Any act or performance tending to prejudice or impair the substantial rights of the government and the corporation's stockholders.

**SEC. 32. *Timeline of Organization of the PIMC.*** – The PIMC shall be instituted and organized within one (1) year from the effectivity of this Act.

## **CHAPTER VIII THE ICT ACADEMY**

**SEC. 33. *Establishment of the ICT Academy and Its Purposes.*** – The DICT shall reorganize and restructure its ICT Literacy and Competency Development Bureau in order to establish and develop rules and policies for the operations of an ICT Academy, herein after referred to as Academy that shall have the following purposes:

- a) To be the National Center of Excellence for ICT Education;
- b) To promote education for purposes of enhancing the nation's labor capacity in relation to the most relevant and updated data on local and international skill supply and demand;
- c) To promote, foster and conduct quality ICT education for the capacity development of all citizens;
- d) To foster and support the strategic goals of the national ICT development agenda, as provided in Republic Act No. 10844 through data collection and globally competitive ICT skills development programs and for other purposes;
- e) To conduct programs and activities for the capacity development of all citizens to be able to gain globally competitive skills and drive inclusive economic growth;
- f) Create and foster partnerships with different persons, entities, and institutions for purposes of developing and updating the Academy's resources, its ICT curriculum, modules, and pedagogical approaches;
- g) To promote gender parity through technology education;
- h) To ensure continuous learning and development of educators on current ICT trends;
- i) To promote immersion of learners to industry partners whether it be private or in the public sector;
- j) To establish and implement a scholarship system offered to qualified individuals in training and programs under the Academy or other activities approved by the DICT Secretary;
- k) To facilitate the screening, admission process and monitoring of all admitted scholars;
- l) To spearhead academic research and development related to ICT;
- m) To regularly assess the state of the country in terms of comparative ICT skills and performance and suggest responsive policies to address concerns; and

- n) In collaboration with the Department of Education, Commission on Higher Education (CHED), Technical and Skills Development Authority (TESDA), SUCs, and local universities and colleges, develop curricula and courses for learners and students on ICT, to upskill the ICT proficiency and competency of individuals.

**SEC. 34. *Satellite Units.*** – The Academy may establish satellite units in the existing DICT offices in particular regions, provinces or municipalities in the country. To ensure broader access to quality ICT training and skills development and to further enhance the capability of the Academy to attain its purposes, additional satellite units may be established upon determination of the DICT and in coordination with the CHED and the TESDA.

**SEC. 35. *Access and Admission.*** – The Academy shall be accessible to all citizens regardless of skill, age, gender, religious belief, economic status, ethnicity, physical disability, political opinion or affiliation.

The DICT, through the Academy, shall promulgate an admission process that is equitable and inclusive to ensure that citizens shall have equal access to ICT education and that the broadest base of the citizenry shall have ICT education.

**SEC. 36. *Finances.*** – The operations of the Academy shall be financially supported by a budget from the DICT, reasonable fees and dues collected, as well as through donations, in accordance with applicable laws and rules.

Donations collected shall be held in a fund, to be administered in trust by a Committee created by the DICT for such purpose. The fund shall in no case be impaired. Donations received shall be used only for the purposes for which they were donated, subject to accounting and auditing rules and regulations.

**SEC. 37. *Partnerships.*** – The Academy may form partnerships with different educational institutions, technical and standards organizations, and private entities for purposes of achieving the goals of the Academy.

Partnerships may be in the form of research collaborations, resource sharing, module and training development, faculty exchange standards development, training collaborations, internships, apprenticeships, and other similar forms.

All partnerships to be entered into by the Academy shall be in accordance with the provisions of this law, and approved by the DICT Secretary. There shall be no disbursement of any funds by the Academy or the government for the purpose of establishing these partnerships.

The Academy shall be empowered to accredit courses offered by educational institutions, private or public, following strict competency standards and guidelines developed by the DICT.

## CHAPTER IX MISCELLANEOUS PROVISIONS

**SEC. 38. *Transitory Provisions.*** — In accordance with the objectives of this Act, the DICT, in coordination with relevant government agencies and instrumentalities, as well as private stakeholders and civic organizations, shall study, formulate, and implement a master plan for the transition of the government and its provision of services in the digital age.

All new positions created under this Act shall be prioritized, subject to the review and approval of the DBM. Moreover, until such time that the government shall have completed the transition in accordance with the objectives of this Act, all government activities covered under this Act shall be conducted in the manner provided for under existing laws and rules.

The government shall complete the transition within a period of three (3) years from the effectivity of this Act.

**SEC. 39. *Regular Status Reports.*** — All agencies, offices, and instrumentalities of the national and local governments covered under this Act shall submit to the President, both Houses of Congress, and DICT, an annual report on the status of implementation of this Act. These reports shall likewise be made publicly available on and through the e-portals.

The status report shall include the following:

- a) The status of the implementation of electronic government initiatives in accordance to its approved ICT Plan;
- b) Compliance by the agency with this Act; and
- c) Performance in delivering programs through the e-government to constituencies.

**SEC. 40. *E-Government Interoperability Fund.*** — An E-Government Interoperability Fund (EIF) is hereby created as a special account in the general fund to be managed by the DICT for the implementation of the EGMP, E-Government Programs and Government Websites, including ILGU system, among others, which will be sourced from the Spectrum User's Fees collected by the NIC, subject to applicable laws, rules, and regulations.

**SEC. 41. *Appropriations and Funding.*** – The amount necessary to cover the initial implementation of this Act at the national government level shall be charged against the current year's appropriations of the DICT, NTC, NPC, and such other national government agencies, offices, or instrumentality concerned. Thereafter, such sums as maybe needed for its continued implementation shall be included in the annual General Appropriations Act, and in the corporate operating budget of the PIMC

The DICT is also authorized to receive grants and donations for the implementation of this Act, subject to the existing budgeting, accounting, auditing, and other pertinent laws, rules, regulations, and guidelines.

The amounts necessary to implement this Act in the local government level shall be charged against the funds of the local government unit concerned.

**SEC. 42. *Application of RA No. 11312.*** – All ICT employees across all government agencies and instrumentalities, providing technical support to the implementation of all E-Government Programs in their respective agencies, shall be covered by RA No. 11312, otherwise known as the Magna Carta for Scientists, Engineers, Researchers and other S & T Personnel in the Government, Amending for the Purpose Republic Act No. 8439.

**SEC. 43. *Implementing Rules and Regulations.*** – Within one hundred-eighty (180) from the effectivity of this Act, the DICT, in coordination with relevant offices, agencies, and instrumentalities of the national and local government, shall promulgate the necessary rules and regulations to properly and efficiently implement the provisions of this Act.

**SEC. 44. *Joint Congressional Oversight Committee on E-Governance.*** – There shall be created a Joint Congressional Oversight Committee on E-Governance (COCEG) which shall monitor and ensure the effective implementation of this Act. It shall determine weaknesses and loopholes in the law, recommend the necessary remedial legislation or administrative measures and perform such other duties and functions as may be necessary to attain the objectives of this Act.

The JCOCEG shall be composed of three (3) members from the Senate and three (3) members from the House of Representatives, in addition to the Chairperson of the Senate Committee on Science and Technology and the Chairperson of the House of Representatives Committee on Information and Communications Technology: *Provided*, That one (1) member of each chamber's nominees shall come from the ranks of the minority party.

The Chairperson of the Senate Committee on Science and Technology and the Chairperson of the House of Representatives Committee on Information and Communications Technology shall act as co-Chairpersons of the JCOCEG. The minority members nominated by both the Senate and the House of Representatives shall act as co-Vice Chairpersons. The Secretariat of the JCOCEG shall come from the existing Secretariat personnel of the Committee on Science and Technology of the Senate and the Committee on Information and Communications Technology of the House of Representatives. The JCOCEG shall have its own independent counsel.

The JCOCEG shall exist for a period not exceeding five (5) years from the effectivity of this Act. Thereafter, its oversight functions shall be exercised by the Senate Committee on Science and Technology and the House of Representatives Committee on Information and Communications Technology, acting separately.

**SEC. 45. *Separability Clause.*** — If any part or provision of this Act shall be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining provisions of this Act.

**SEC. 46. *Repealing Clause.*** — All laws, presidential decrees, letters of instruction and other presidential issuances which are incompatible or inconsistent with the provisions of this Act are hereby amended or repealed accordingly.

**SEC. 47. *Effectivity.*** — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*