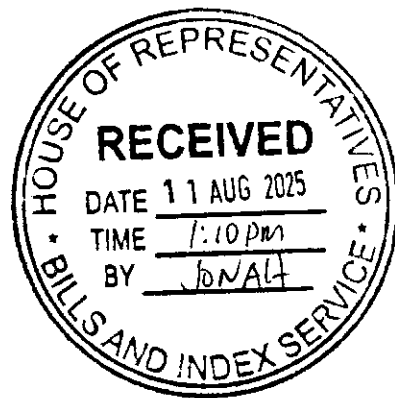




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 3435



Introduced by Representative Crispin Diego “Ping” D. Remulla

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

EXPLANATORY NOTE

President Ferdinand “Bongbong” R. Marcos, Jr., during his 2023 State of the Nation Address, emphasized that digitalization is not merely a future goal but a present necessity. He stressed the importance of fully adopting digital systems in government functions. However, even with this clear directive, many LGUs continue to face significant gaps in technical personnel and digital systems.

According to data from the discussion of the Department of Information and Communications Technology and the United Nations Economic and Social Commission for Asia and the Pacific, 1,634 LGUs in the Philippines have started implementing the Electronic Local Government Unit System, specifically 771 in Luzon, 408, in Visayas, and 408 in Mindanao. These numbers reflect the need to build stronger local digital governance infrastructure.

To address these challenges, this proposed measure seeks to amend the Local Government Code of 1991 to institutionalize the position of a Local Information and Communications Technology Officer in every LGU. This role will help LGUs implement and

sustain technology-based programs that directly benefit their constituents. This is a proactive solution to ensure that digital governance is not left to chance, but rather receives external support.

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



CRISPIN DIEGO "PING" D. REMULLA



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

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

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

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

10 (a) *Digitization* – refers to the technical conversion of physical, analog originals to
11 digital copies by means of electronic devices;

12 (b) *Digitalization* – refers to the adoption of digital technologies to upgrade business
13 processes and models in order to create better ways of providing service and obtaining
14 greater benefits;

1 (c) *Digital Transformation* – refers to cultural, organizational and operational change
2 of an organization, industry or ecosystem through a smart integration. of digital
3 technologies, processes and competencies across all levels and functions in a staged
4 and strategic way;

5 (d) *Digital Skills* – refer to a range of skills, encompassing a combination of behaviors,
6 expertise, know-how, work habits, character traits, dispositions, and critical
7 understanding on the use of digital devices, communication applications, and networks
8 to access and manage information;

9 (e) *Digital Services* – refer to public or private services that can be delivered through
10 digital communication, such as Internet, mobile phone network that might include
11 delivery of digital information, data or content or transactional services;

12 (f) *Digital Technology* – refers to any product or service that can be used to create,
13 view, distribute, modify, store, retrieve, transmit, and receive information electronically
14 in a digital form such as personal computers and devices like desktop, laptop, netbook,
15 tablet computer, smart phones, games consoles, media players, e-book readers, as well
16 as digital television, robots, personal assistant smart devices, and smart boards;

17 (g) *Digital tools* – refer to technologies used for a given purpose or for carrying out a
18 particular function of information processing, communication, content creation, safety
19 or problem solving;

20 (h) *E-readiness (electronic readiness)* – refers to a measure of the degree to which a
21 country is prepared to partake in electronic activities and, thus, benefit from ICT in
22 education;

23 (i) *Innovation* – refers to the creation of new ideas using new or existing technologies
24 that results in the development of new or improved products, processes, or services,
25 which are then spread or transferred across the market

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

29 “Sec. 443. *Officials of the Municipal Government.* –

30 “(a) There shall be in each municipality a municipal mayor, a municipal vice-mayor,
31 sangguniang bayan members, a secretary to the sangguniang bayan, a municipal
32 treasurer, a municipal assessor, a municipal accountant, a municipal budget officer, a
33 municipal planning and development coordinator, a municipal engineer/building
34 official, a municipal health officer and a municipal civil registrar [5]. **A MUNICIPAL**

1 INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICER
2 (ICTO) SHALL ALSO BE APPOINTED: PROVIDED, THAT THE
3 MUNICIPALITY HAS THE OPTION TO APPOINT AN ICTO OR MERGE
4 SUCH POSITION TO AN EXISTING POSITION OR OFFICIAL IN A
5 RELATED OFFICE, UNIT OR DEPARTMENT IN THE MUNICIPAL
6 GOVERNMENT: PROVIDED, FURTHER, THAT IF THE MUNICIPALITY
7 SHALL APPOINT AN ICTO, THE MUNICIPALITY HAS THE OPTION TO
8 SET THE RANK, REMUNERATION AND OTHER EMOLUMENTS OF THE
9 MUNICIPAL ICTO SUBJECT TO EXISTING LAWS, RULES AND
10 REGULATIONS.

11 “(b) xxx

12 “(c) xxx

13 “(d) xxx

14 “(e) xxx.”

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

16 “Sec. 454. *Officials of the City Government.*

17 “(a) There shall be in each city a mayor, a vice-mayor, sangguniang
18 panlungsod members, a secretary to the sangguniang panlungsod, a city treasurer, a city
19 assessor, a city accountant, a city budget officer, a city planning and development
20 coordinator, a city engineer, a city health officer, a city civil registrar, a city
21 administrator, a city legal officer, a city veterinarian, a city social welfare and
22 development officer, and a city general services officer [5]. **A CITY ICTO SHALL**
23 **ALSO BE APPOINTED: PROVIDED, THAT THE CITY HAS THE OPTION**
24 **TO APPOINT AN ICTO OR MERGE SUCH POSITION TO AN EXISTING**
25 **POSITION OR OFFICIAL IN A RELATED OFFICE, UNIT OR**
26 **DEPARTMENT IN THE CITY GOVERNMENT: PROVIDED, FURTHER,**
27 **THAT IF THE CITY SHALL APPOINT AN ICTO, THE CITY HAS THE**
28 **OPTION TO SET THE RANK, REMUNERATION AND OTHER**
29 **EMOLUMENTS OF THE CITY ICTO SUBJECT TO EXISTING LAWS,**
30 **RULES AND REGULATIONS.**

31 “(b) xxx

32 “(c) xxx

33 “(d) xxx

34 “(e) xxx.”

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

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

3 “(a) There shall be in each province a governor, a vice-governor, members of the
4 sangguniang panlalawigan, a secretary to the sangguniang panlalawigan, a provincial
5 treasurer, a provincial assessor, a provincial accountant, a provincial engineer, a
6 provincial budget officer, a provincial planning and development coordinator, a
7 provincial legal officer, a provincial administrator, a provincial health officer, a
8 provincial social welfare and development officer, a provincial general services officer,
9 a provincial agriculturist, and a provincial veterinarian, [5]. **A PROVINCIAL ICTO**
10 **SHALL ALSO BE APPOINTED; PROVIDED, THAT THE PROVINCE HAS**
11 **THE OPTION TO APPOINT AN ICTO OR MERGE SUCH POSITION TO AN**
12 **EXISTING POSITION OR OFFICIAL IN A RELATED OFFICE, UNIT OR**
13 **DEPARTMENT IN THE PROVINCIAL GOVERNMENT: PROVIDED,**
14 **FURTHER, THAT IF THE PROVINCE SHALL APPOINT AN ICTO, THE**
15 **PROVINCE HAS THE OPTION TO SET THE RANK, REMUNERATION AND**
16 **OTHER EMOLUMENTS OF THE PROVINCIAL ICTO SUBJECT TO**
17 **EXISTING LAWS, RULES AND REGULATIONS.**

18 “(b) xxx

19 “(c) xxx

20 “(d) xxx

21 “(e) xxx.”

22 **SEC.7.** A new Article XXI is hereby inserted in the Code and all subsections shall be
23 re-sectioned, accordingly. Article XXI shall read as follows:

24 **“ARTICLE XXI**

25 **"THE LOCAL INFORMATION AND COMMUNICATIONS TECHNOLOGY**
26 **OFFICER**

27 **"SECTION 491-A. QUALIFICATIONS, POWERS, AND DUTIES. - (A)**
28 **NO PERSON SHALL BE APPOINTED AS INFORMATION AND**
29 **COMMUNICATIONS TECHNOLOGY OFFICER UNLESS HE OR SHE**
30 **IS A CITIZEN OF THE PHILIPPINES, A RESIDENT OF THE LOCAL**
31 **GOVERNMENT UNIT CONCERNED, OF GOOD MORAL**
32 **CHARACTER, A HOLDER OF A COLLEGE DEGREE ON**
33 **INFORMATION AND COMMUNICATIONS TECHNOLOGY,**
34 **COMPUTER SCIENCE,COMPUTER ENGINEERING, DATA**

1 SCIENCE, ELECTRONICS AND COMMUNICATIONS
2 ENGINEERING OR OTHER COURSES DIRECTLY RELEVANT TO
3 ANY OF THE AFOREMENTIONED COURSES FROM A
4 RECOGNIZED COLLEGE OR UNIVERSITY, AND A FIRST GRADE
5 CIVIL SERVICE ELIGIBLE OR ITS EQUIVALENT. HE OR SHE
6 MUST HAVE ACQUIRED EXPERIENCE IN INFORMATION AND
7 COMMUNICATIONS TECHNOLOGY AND RELATED
8 EXPERIENCES FOR AT LEAST FIVE (5) YEARS IN THE CASE OF
9 THE PROVINCE OR CITY, OR AT LEAST THREE (3) YEARS IN THE
10 CASE OF THE MUNICIPALITY.

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

15 (B) THE INFORMATION AND COMMUNICATIONS
16 TECHNOLOGY OFFICER SHALL:

17 (1) FORMULATE MEASURES FOR THE CONSIDERATION OF
18 THE SANGGUNIAN AND PROVIDE TECHNICAL ASSISTANCE AND
19 SUPPORT TO THE LOCAL CHIEF EXECUTIVE, IN CARRYING OUT
20 MEASURES TO ENSURE THE DIGITIZATION OF PUBLIC
21 DOCUMENTS, DIGITALIZATION OF GOVERNMENT PROCESS
22 AND OVERALL DIGITAL TRANSFORMATION OF GOVERNMENT

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

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

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

1 GOVERNMENT UNIT AND THOSE GRANTED TO IT IN THE FORM
2 OF DONATION, REPARATION, ASSISTANCE AND COUNTERPART
3 OF JOINT PROJECTS;

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

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

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

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

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

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

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

30 (5) DEVELOP, IMPLEMENT, AND EVALUATE ALL
31 PROGRAMS AIMED AT ENSURING THAT ALL PERSONNEL
32 UNDER HIS OR HER SUPERVISION INCLUDING HIMSELF OR
33 HERSELF ARE CONSTANTLY TRAINED OR EXPOSED TO

1 KNOWLEDGE IN INFORMATION AND COMMUNICATION
2 TECHNOLOGY AND OTHER RELEVANT AREAS;

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

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

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

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

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

Approved,