

MANUFACTURING SUMMIT 2019

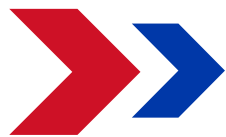
3 DECEMBER 2019 | THE PENINSULA MANILA

Atty. Jeremiah B. Belgica
Director General



Ease of Doing Business and Efficient Government Services Delivery Act of 2018





“I reiterate my directive to the government and instrumentalities, including the LGUs and the government corporations:

Simplify”

President Rodrigo Duterte
SONA 2019





“enhance local business environment by

addressing addressing bottlenecks

in business registration and processing,

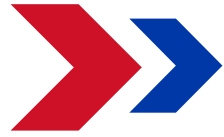
streamlining investment

application process and integration of the

services of various government offices”

President Rodrigo Duterte
SONA 2016

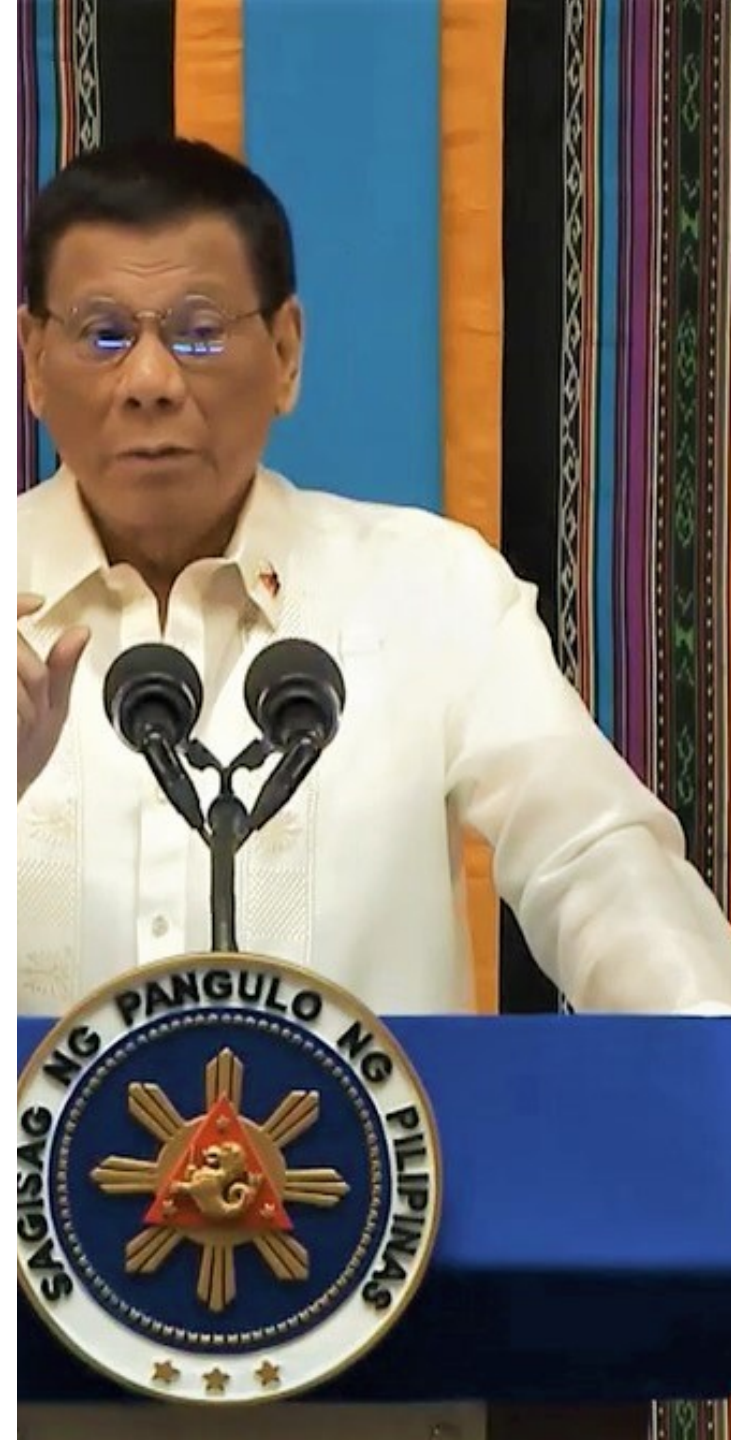




**PRESIDENT DUTERTE ADMINISTRATION'S
10-POINT SOCIOECONOMIC AGENDA**

3

Increase
competitiveness
and the **ease of**
doing business



Congress of the Philippines

Metro Manila

Seventeenth Congress

Second Regular Session

in and held in Metro Manila, on Monday, the twenty-fourth day of July, two thousand seventeen.

[REPUBLIC ACT No. **11032**]

ACT PROMOTING EASE OF DOING BUSINESS
EFFICIENT DELIVERY OF GOVERNMENT SERVICES
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9485,
OTHERWISE KNOWN AS THE ANTI-RED TAPE ACT OF 2007,
AND FOR OTHER PURPOSES

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

SECTION 1. Section 1 of Republic Act No. 9485, as amended,

R.A. 11032

A GAME CHANGER. GROUNDBREAKING.

- Signed on May 28, 2018
- Published in two (2) newspapers of general circulation on June 2, 2018 and the Official Gazette on June 11, 2018
- Effective 17 June 2018
- Amendment to R.A. 9485: Anti-Red Tape Act of 2007

Implementing Rules and Regulations



2018

22 OCTOBER – Initial Submission to the OES

2019

15 APRIL – Public Hearing

17 JULY - IRR signing

20 JULY - Publication on two national circulation newspapers

22 JULY - Uploading on the Official Gazette

4 AUGUST – Effectivity

RA 11032 in a Nutshell



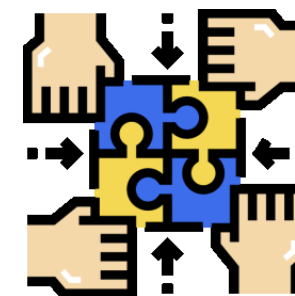
Promoting Good
Regulatory
Practices



Setting
standards on
Prescribed
Processing
Time



Government
Technology

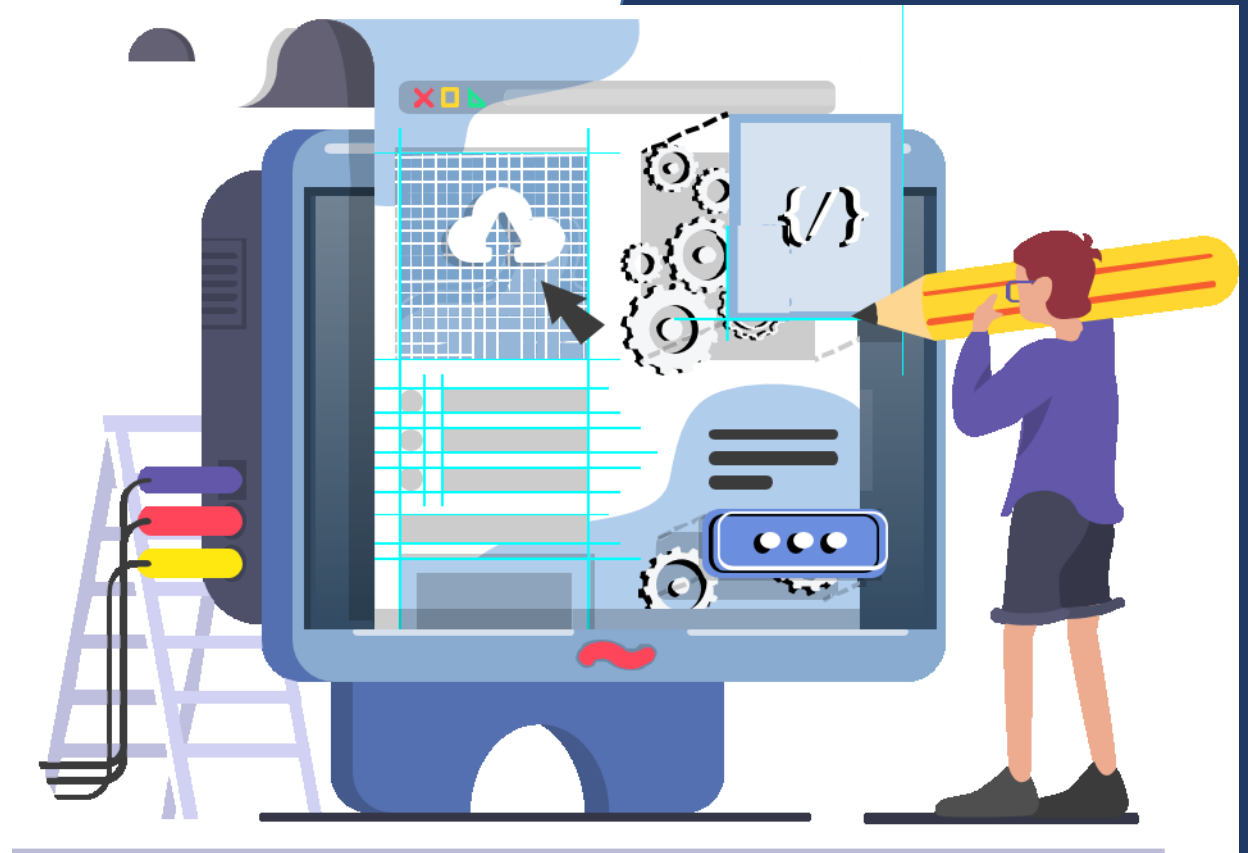


Reengineering
Government Systems
and Procedures



SALIENT POINTS OF THE LAW

- A) Coverage
- B) Prescribed Processing Time
- C) Automatic Approval
- D) Reengineering
- E) Citizen's Charter
- F) Zero-contact policy
- G) Business One Stop Shop
- H) Two Strike Policy
- I) Anti-Red Tape Authority



COVERAGE



The provisions of the Act and these Rules and Regulations **shall apply to all government offices and agencies in the Executive Department** including local government unit (LGUs), government-owned or -controlled corporations and other government instrumentalities, located in the Philippines or abroad, **that provide services covering business-related and nonbusiness transactions** as defined in these Rules.



PROCESSING TIME



Applications/requests for government service submitted shall be acted upon within the prescribed processing time stated in the Citizen's Charter, which shall not be longer than:



3

Days for Simple transactions



7

Days for Complex transactions



20

Days for Highly Technical transactions

AUTOMATIC APPROVAL



Upon complaint together with the presentation of the acknowledgement receipt and/or the official receipt, upon due investigation and verification that the applicant has indeed fully submitted all necessary documents and paid all the required fees, the Authority shall issue a declaration of completeness and order the concerned office or agency to issue the approval, extension, and/or renewal of the license, clearance, permit, certification, or authorization which is deemed automatically approved as provided by Sec. 10 of the Act.



RE-ENGINEERING OF SYSTEM AND PROCEDURES



Reengineer using a **whole of government** approach.



Review and **repeal** outdated, laws and regulations that create **undue regulatory burden**.



Regulatory impact assessment (RIA)

CITIZEN'S CHARTER



All government agencies shall set up their respective **most current and updated service standards** to be known as the Citizen's Charter

Form: information billboards

Location of posting:

- main entrance of offices or at the most conspicuous place;
- in the respective [government] websites; and
- published materials written either in English, Filipino, or in the local dialect

The **Citizen's Charter** is an **official document** that communicates:

- Service standards on services provided to citizens;
- Step-by-step procedure for availing service;
- Responsible person;
- Documents needed to be submitted;
- Fees to be paid, if any

Dual purpose – establishing accountability and recognizing good performance



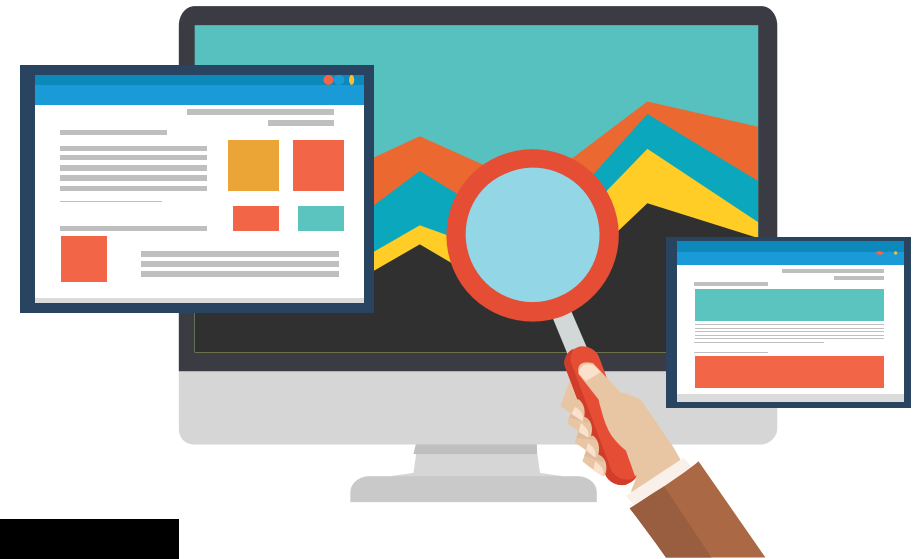
ZERO CONTACT POLICY



All government agencies including local government units (LGUs) shall adopt a zero-contact policy.

INTERACTIONS THAT ARE STRICTLY NECESSARY

- Public officials and employees **shall limit interactions to what is strictly necessary**
 - Payment of application and other fees
 - Complex or Highly Technical Transactions
 - ✓ Recording with prior consent
 - ✓ Documented – notice of meetings, minutes/contact report, attendance sheet



BUSINESS ONE-STOP SHOP



All Local Government Units shall set up a BOSS which shall serve as a business permitting and licensing system that will receive and process applications for permits, licenses, certifications and authorizations

ELECTRONIC BOSS

Within a period of three (3) years upon the effectivity of the Act, all cities and municipalities are mandated to automate their business permitting and licensing system or to establish an electronic BOSS.



ACCOUNTABILITY



HEADS OF AGENCIES

The head of the office or agency shall be primarily responsible for the implementation of the Act, including these and other Rules and Regulations, and shall be held accountable to the public in rendering fast, efficient, convenient, and reliable service.



PENALTIES UNDER THE ACT



FIRST OFFENSE

Administrative liability with **six (6) months suspension**: Provided, however, that in the case of fixing and/or collusion with fixers under Section 21 (h), the penalty and liability under Section 22 (b) of the Act shall apply

SECOND OFFENSE

Administrative liability and criminal liability of dismissal from the service, perpetual disqualification from holding public office and forfeiture of retirement benefits and imprisonment of **one (1) year to six (6) years** with a fine of not less than **Five Hundred Thousand Pesos (P500,000.00)** but not more than **Two Million Pesos (P2,000,000.00)**



VIOLATIONS UNDER THE ACT



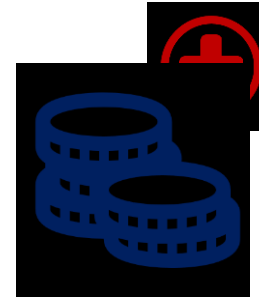
FIRST OFFENSE



a) Refusal to accept application with complete requirements without due cause;



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



c) Imposition of additional costs not reflected in the Citizen's Charter



d) Failure to give the written notice on the disapproval of an application



VIOLATIONS UNDER THE ACT



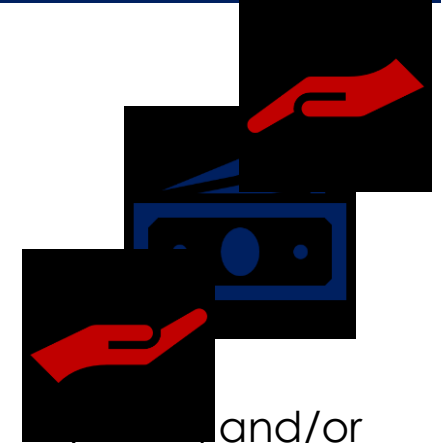
e) Failure to render government services within the prescribed processing time



f) Failure to attend to applicants prior to the end of working hours and during lunch break;



g) Failure or refusal to issue official receipts; and



and/or collusion with fixers

SECOND OFFENSE

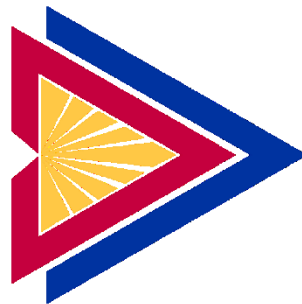
Second offense shall involve commission of the same violation punishable under Section 21 of the Act.



THE ANTI-RED TAPE AUTHORITY



ARTA
ANTI-RED TAPE AUTHORITY
OFFICE OF THE PRESIDENT



ARTA INITIATIVES AND ACCOMPLISHMENTS IN PROMOTING EASE OF DOING BUSINESS





Administrative Operations



APPROVED ORGANIZATIONAL STRUCTURE

The Department of Budget and Management approved ARTA's **organizational structure** and **staffing pattern** on March 29, 2019

ARTA's current manpower:

- 1 Director General
- 1 Deputy Director General
- 1 Division Chief of DTI-CB
- 1 Supervising Chief of DTI-CB
- 45 Technical Staff under Contract of Service
- 2 Consultants
- 5 Non-technical staff under manpower agency





Regulatory Impact Assessment



Batch 1 (May 2019)	Batch 2 (May 2019)	Batch 3 (June 2019)	Batch 4 (July 2019)
<ul style="list-style-type: none">• SSS• PRC• NBI• DOJ• DND• DA	<ul style="list-style-type: none">• DSWD• DOF• DepEd• DOE• DOT• DOST	<ul style="list-style-type: none">• PPA• DTI• DBM• NEDA• PSA• SEC	<ul style="list-style-type: none">• LRA• DAR• DENR• EMB• DOLE• DICT
Batch 5 (July 2019)	Batch 6 (July 2019)	Batch 7 (August 2019)	Batch 8 (Sept 2019)
<ul style="list-style-type: none">• DOTr• DPWH• LTO• HDMF• PHIC• RDP	<ul style="list-style-type: none">• LGU-QC• DILG• BOC• DOH• DFA• FDA	<ul style="list-style-type: none">• ARTA• BFP• CDA• DA• DND• PL	<ul style="list-style-type: none">• ARTA• LTFRB• BSP• CIC• NPC





Regulatory Impact Assessment





Better Regulations Office



Launching of the Project Repeal Guidebook and alpha version of the Philippine Business Regulations Information System (December 2018)



Conduct of Roll-out of the Project Repeal Guidebook for selected NGAs (March 13-15, 2019)



Conduct of the Capacity-building Proper Registry of Rules and Regulations in partnership with ONAR (May 22-23, 2019)



Conduct of ARTA Private Sector Dialogue (May 24, 2019)



Conduct of ARTA Development Partners' Forum (July 24, 2019)



PBRIS Launching



PHILIPPINE BUSINESS REGULATIONS INFORMATION SYSTEM

The PBRIS is a web-based platform providing accessible information on:

- (1) the Philippine Regulatory Management System and;
- (2) laws and regulations relevant to the public.

Currently the PBRIS hosts

632 Business-related &
Business-affecting
Regulations

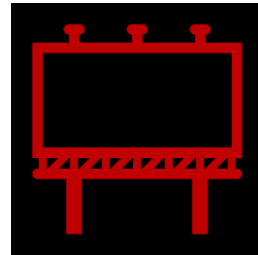
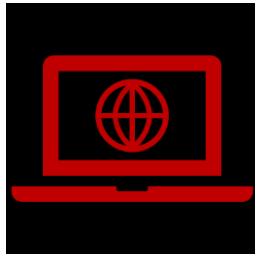
Submitted by

25 National Government Agencies





Stocktaking



935 National Government Agencies submitted their **Citizen's Charters**

Completed **stocktaking** of Citizen's Charters of **1022 NGAs, GOCCs, SUCs, Water Districts, and LGUs**





Roll-Out of Citizen's Charter Guidelines



CHECKLIST OF REQUIREMENTS		WHERE TO SECURE		
1. Citizen's Charter		ARTA task force of the agency availing the service		
CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
1. Submit an electronic mail containing the updated Citizen's Charter to the Anti-Red Tape Authority	1. Accept and download the updated Citizen's Charter and send an acknowledgment mail	None	3 Days	Team Leader (Compliance Monitoring and Evaluation Office)
TOTAL:		None	3 Days	

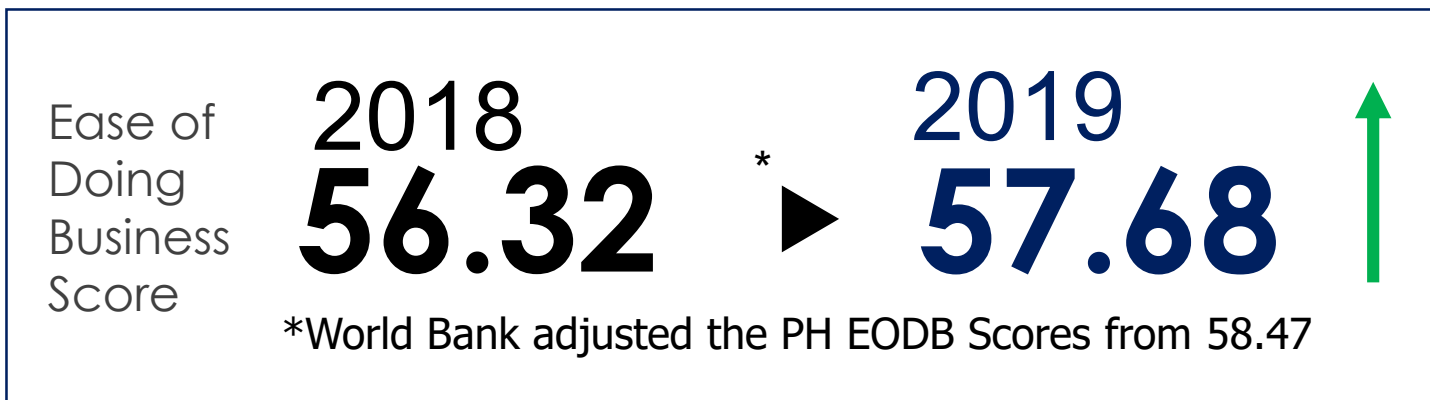
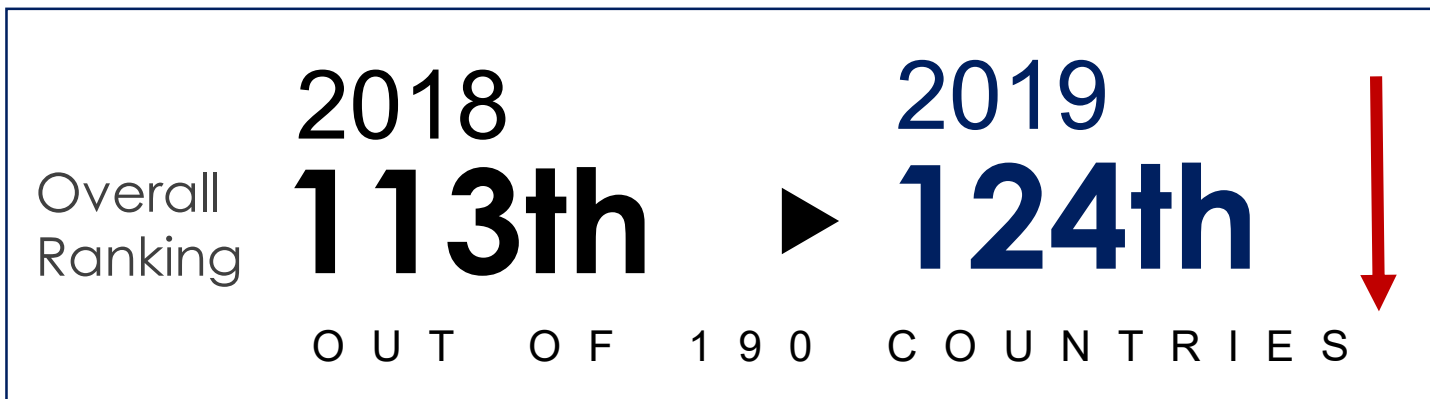
CHECKLIST OF REQUIREMENTS		WHERE TO SECURE		
1. Complete list of government services		ARTA task force of the agency availing the service		
CLIENT STEPS	AGENCY ACTION	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
1. Submit an electronic mail containing the list of all government services to the Anti-Red Tape Authority	1. Accept and download the list of government services and send an acknowledgment mail	None	3 Days	Team Leader (Compliance Monitoring and Evaluation Office)
TOTAL:		None	3 Days	



Figure 1.6 Citizen's Charter Handbook – Service Specification Section



2019 Doing Business Survey





Doing Business Initiatives



Inaugural Meeting of the EODB-ARTA Advisory Council





Doing Business Initiatives



Streamlining and Reengineering



Adoption of a **National Business One-Stop Shop (NBOSS)**



Strengthening of the **Central Business Portal**





National Business One-Stop Shop



The **National BOSS** aims to **co-locate, unify, automate the services** of social agencies and LGUs to provide convenience to the public by accepting applications of business permits in a central location and promoting the use of electronic payment.





National BOSS



Phase 1
Co-location of
agencies involved in
Starting a Business



Phase 2
Unified registration and
payment system and
expansion of validity



Phase 3
Full
automation



EODB Task Force



Starting a Business



Registering Property



Protecting Minority Investor



Enforcing Contracts



Dealing with Construction Permits



Getting Credit



Paying Taxes



Getting Electricity



Government Procurement



Resolving Insolvency



Trading Across Borders



Complaints Action Center



As of August 1, 2019, the ARTA Complaints Action Center had received **319 complaints for this year; 229 of which are red tape-related.** Of the 319 complaints, **137 (42.94%) are already confirmed closed and resolved.** There is a 297% percent increase in number of complaints received by ARTA for the 2nd quarter (119 new complaints) compared to the 1st quarter of 2019 (30 new complaints).



LTFRB Order of Automatic Approval



Press Conference on LTFRB-TNVS Issue and Citizen's Charter Guidelines August 13, 2019 at ARTA Office



FINDINGS AND RECOMMENDATIONS

Subject of this *Findings and Recommendations* are the complaints filed by various Transport Network Vehicle Services (TNVS) applicants against the Land Transportation Franchising and Regulatory Board (LTFRB) for the delay in the processing of their applications for the issuance of a Certificate of Public Convenience (CPC). After affording both parties the opportunity to be heard, whereby LTFRB submitted its *Reply*¹, and after due consideration of the evidence and arguments submitted, the Authority hereby finds violations of R.A. 11032 or the *Ease of Doing Business and Efficient Government Service Delivery Act of 2018*.

I. FACTS

On 03 July 2019, the Complaints Action Center (CAC) of the Authority received an email from a complainant regarding the alleged delay by the LTFRB in processing the Provisional Authorities (PAs) of TNVS applicants. Thereafter, various complaints² concerning the same matter were received by the Authority. The Authority took notice of the planned "Transport Holiday" of TNVS groups, which was set on 08 July 2019.

On 05 July 2019, the Authority sent invitation letters to the LTFRB and the Department of Transportation (DOTr) for a dialogue between the Authority, TNVS groups, and Civil Service Commission (CSC) Commissioner Aileen Lizada (Commissioner Lizada) to be held on 08 July 2019. LTFRB Chairman Martin B. Delgra III (Chairman Delgra) declined the invitation due to a prior commitment. Nevertheless, LTFRB invited the Authority to attend and participate in a dialogue, which was scheduled on 09 July 2019.

On 06 July 2019, the Authority held a dialogue with the TNVS leaders and listened to their concerns and issues on the LTFRB registration, including concerns on the denial of the issuance of PAs for hatchback cars without a reasonable explanation. In the dialogue, the Authority gave an assurance that it will look into LTFRB's process and review policies affecting the delivery of services in LTFRB. The Authority obtained the commitment from TNVS stakeholders to afford their members the option to go online instead of participating in the "transport holiday".

On 08 July 2019, the Authority held the scheduled dialogue at the Quezon City Memorial Circle Covered Court with TNVS stakeholders, CSC commissioner Lizada, DOTr Undersecretary Mark Richmond de Leon, and the Department of Trade and Industry (DTI) Bureau of Philippine Standards (BPS).

On 09 July 2019, the Authority participated in the dialogue conducted by the LTFRB. The Authority appealed to LTFRB for the relaxation of its rules and for the issuance of PAs allowing TNVS applicants to operate without sacrificing public safety. It further cited that TNVS is a regulatory innovation that is not exactly covered by any existing legal framework in the Philippines for public transportation.

¹ Copy of the *Land Transportation Franchising and Regulatory Board Reply to ARTA Notice to Explain* dated 25 July 2019 is hereto attached as **Annex "A"**.
² Copy of the *Summary TNVS Complaints* received by the Authority is hereto attached as **Annex "B"**.



Smarter Initiatives. Better Philippines.

GF, HPGV Building, 395 Senator Gil Puyat Avenue, Makati City, Philippines 1200
478-5091 / 478-5093 / 478-5099
www.arta.gov.ph



FDA and SEC Order of Automatic Approval and Renewal



Press Conference on FDA and SEC Decision last September 9, 2019 at ARTA Office



ORDER OF AUTOMATIC APPROVAL

HON. EMILIO B. AQUINO
Chairman
Securities and Exchange Commission
Secretariat Building, PICC Complex
Roxas Boulevard, Pasay City

GREETINGS:

The Authority takes due notice of the pending applications for Accreditation of Auditing Firms and External Auditors with complete documentary requirements, duly paid fees and has long been pending with the Securities and Exchange Commission (SEC), namely:

NAME OF APPLICANT	NAME OF AUDITING FIRM	GROUP CATEGORY APPLYING FOR	DATE OF FILING OF APPLICATION	DATE OF LATEST SUBMISSION OF APPLICANT
DIMACULANGAN DIMACULANGAN & CO.		A	(no data available)	03 September 2019
DIMACULANGAN, MA. TERESITA	DIMACULANGAN DIMACULANGAN & CO.	A	(no data available)	03 September 2019
LIM, MARCOS T.	OCCAMPO LIM MENDOZA AND CO.	B	14 August 2017	12 October 2018
PADERNAL, MA. MILAGROS F.	M.F. PADERNAL & CO.	A	11 July 2019	28 August 2019

By virtue of Section 10 of R.A. 11032 or the *Ease of Doing Business and Efficient Government Service Delivery Act of 2018*, in relation to Section 4 of Rule VIII of its Implementing Rules and Regulations, the Authority hereby **DECLARES THE COMPLETENESS** of all the aforementioned pending applications.

Consequently, the foregoing applications are deemed **AUTOMATICALLY APPROVED** by operation of law. In view thereof, the SEC is hereby **ORDERED TO ISSUE** the corresponding certification for all the foregoing applications.

SO ORDERED.

Makati City, 09 September 2019.

Recommended By:
ATTY. ERNESO V. PEREZ, CPA
Deputy Director General

Approved By:
ATTY. JEREMIAH B. BELGICA, REB, EnP
Director General

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GF, HPDV Building, 395 Senator Gil Puyat Avenue, Makati City, Philippines 1200
478-5091/478-5092/478-5099
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ORDER OF AUTOMATIC RENEWAL

USEC. ROLANDO ENRIQUE DOMINGO, DPBO
Officer-In-Charge
Food and Drug Administration
Civic Drive, Filinvest Corporate City
Alabang, Muntinlupa City

GREETINGS:

The Authority takes due notice of the summary or breakdown of pending applications with the Center for Food Regulation and Research (CFRR)¹ and Center for Drug Regulation and Research (CDRR)², which your good office submitted. Based on your representation and manifestation during our meetings on 02 and 05 September 2019, the applications classified as Automatic Renewal under CFRR and Automatic Renewal under CDRR are purely ministerial. Furthermore, Section 3 (A) (2) and 3 (B) (2) of Book II, Article I of the Implementing Rules and Regulations of R.A. 9711 or the *Food and Drug Administration (FDA) Act of 2009* provides, to wit:

BOOK II

ARTICLE I

Licensing of Establishments and Registration of Health Products

Sec. 3. Approval of License of Establishments and Registration of Health Products.

A. License to Operate.

xxx xxx xxx

(2) *Renewal of License. No application for renewal shall be accepted unless the prescribed renewal fee is paid.*

There shall be automatic renewal of the LTO when the following conditions are satisfied:

¹ Copy of the list of pending applications with the CFRR as of July 31 is hereto attached as Annex "A".
² Copy of the list of pending applications with the CDRR as of July 31 is hereto attached as Annex "B".





Learning from New Zealand's Ease of Doing Business-related reforms & initiatives





21st Regulatory Policy Committee (RPC) Meeting of the Organization for Economic Cooperation and Development





Anti-Red Tape Authority



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Thank you!

