

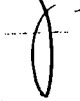
SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

Senate
Office of the Secretary

16 JUL 19 11:41

SENATE

S. No. 490

BY: 

Introduced by Senator Antonio "Sonny" F. Trillanes IV

**AN ACT
MANDATING THE USE OF TRANSACTION WINDOWS AND THE CREATION
OF E-SERVICES IN ALL GOVERNMENT AGENCIES, MINIMIZING
OPPORTUNITIES FOR THE COMMISSION OF BRIBERY AND OTHER
CORRUPT PRACTICES, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Although considerable reforms have been put forward by this administration to combat graft and corruption in the country, the Philippines is still perceived as one of the most corrupt countries in the world, getting a score of 34 on a scale of 1 to 100 with 100 being very clean, according to the latest Corruption Perceptions Index of Transparency International, (2012). According to an earlier survey, bribery is one of the most rampant forms of corruption in the country. From the 2007 Global Corruption Barometer Report of Transparency International (TI), the Philippines is included in the top rung of countries most affected by bribery in the world. It is one of the top 10 countries with the highest level of petty bribery. Moreover, petty bribery has penetrated every level of government and affected the delivery of services to the people.

This bill seeks to prevent petty bribery and other corrupt practices in the delivery of government services by limiting transactions to the appropriate "transaction windows" and prohibiting the clients from going inside government offices except during interviews, examinations, official business, and other similar cases. To serve more efficiently, this bill furthermore encourages government agencies to create electronic delivery of services that is accessible to the general public without charge. This will lessen if not eliminate the hassle of going through the usually long-winded and tiring process of transacting business with the government and will decrease the likelihood of committing bribery and other corrupt practices.

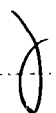
In view of the foregoing, the immediate approval of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as "*Transaction Windows and E-*
2 *Services Act*".

3
4 **SEC. 2. *Definition of Terms.*** - As used in this Act, the following terms shall mean:

5
6 a) *Department of Information and Communications Technology (DICT)* - The
7 primary policy, planning, coordinating, implementing and administrative entity of
8 the Executive branch of the government that will plan, develop and promote the
9 national ICT development agenda;

10
11 b) *E-services* - The electronic delivery of government information, programs and
12 services often (but not exclusively) over the Internet;

13
14 c) *Client* - A person who is availing a particular government service in any agency of
15 the government;

16
17 d) *Transacting Official* - An official or employee of the government who transacts
18 directly with a client in the delivery of a particular government service; and
19

1 e) *Fixer* - A person who offers to facilitate or assists in the facilitation of government
2 transactions either for a fee or a tip or in exchange for certain favors such as
3 preference in the patronage of service providers (i.e., insurance, medical check-up,
4 drug test, etc.).
5

6 **SEC. 3. *Transaction Windows.*** - All government agencies and/or instrumentalities
7 which provide direct services to the public, where said services involve any form of payment
8 of taxes, fees and/or other charges payable to the government, shall provide and utilize
9 transaction windows in the conduct of their transactions with the public.
10

11 All transactions shall be conducted through these transaction windows, which
12 windows shall physically separate the transacting official and the client.
13

14 It shall be the duty of the Head of the agency to ensure that there are enough
15 transaction windows to allow the orderly and efficient processing of clients doing business
16 with the said agency.
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18 **SEC. 4. *Waiting System and Clients' Lounge.*** - When the volume of transactions of
19 the agency so warrants, the agency shall provide for a system of waiting which will ensure that
20 clients are attended to and served in an orderly and timely manner on a "*first time, first serve*
21 *basis*".
22

23 If the clients are compelled to wait for a substantial period of time before being
24 served, the agency shall provide a clients' lounge where clients can comfortably sit while
25 waiting to be served. Whenever possible, the clients' lounge shall be equipped with comfort
26 rooms and facilities for entertainment to keep clients entertained and comfortable while
27 waiting.
28

29 **SEC. 5. *Client Restricted Areas.*** - Clients shall remain in the clients' lounge, on cue
30 or at the transaction windows when transacting business with the agency. Clients are
31 absolutely prohibited from entering the areas beyond the transaction windows and clients'
32 lounge except during interviews, examinations or in other similar cases.

1 In relation hereto, the Head of the agency shall make sure that this provision is
2 properly implemented.

3
4 **SEC. 6. 'Fixer-free' Areas.** - It shall be the duty and obligation of the Head of the
5 agency concerned to ensure that the agency's transaction windows, the clients' lounge and
6 other public areas within the agency's premises shall remain free of unauthorized personnel
7 and in particular, of '*fixers*', whether or not the latter are employed by the agency. The Head
8 of the agency shall keep said areas '*fixer free*' and shall bring the appropriate administrative
9 disciplinary action against employees moonlighting as *fixers*.

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11 **SEC. 7. E-services.** - Each government agency, in consultation with the Department
12 of Information and Communications Technology (DICT), shall design, develop, and maintain
13 an appropriate website accessible through the internet and shall provide and render e-services
14 which shall be accessible to the general public without charge.

15 The website shall include the following basic information on the government agency
16 concerned, thus:

- 17
18 a) The official name, principal office address and key officials of the agency;
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20 b) The mandate, mission and vision of the agency and the legal basis thereof;
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22 c) A list of the services rendered by the agency and a simplified description of the
23 process or procedure of conducting or transacting business with the agency;
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25 d) Directory of all key officials as well as offices and branches of the agency,
26 including telephone numbers, email addresses, physical addresses and other
27 contact details of the said key officials and/or offices;
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29 e) Downloadable application forms, check-lists and other forms necessary to
30 transact business with the agency;
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32 f) Downloadable or viewable versions of relevant laws, rules and regulations and/or
33 memorandum circulars and/or orders which concerns or affect the agency and/or
34 client's transacting business with it; and

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g) Links to all attached and/or relevant government as well as private entities with related content.

SEC. 8. *Penalty Clause.* - (a) Any public officer such as but not limited to the transacting official, head of agency, or office supervisor found not implementing or violating any provision of this Act shall be punished administratively, and/or by imprisonment for not less than one (1) month nor more than one (1) year and perpetual disqualification from public office, depending on the severity.

(b) Any client violating any provision of this Act shall be fined P1,000.00 but not more than P10,000.00, and/or by imprisonment for not less than one (1) month nor more than three (3) 8 months, depending on the severity.

SEC. 9. *Appropriation.* - The amount necessary to carry out the provisions of this Act shall be charged to the current fiscal year appropriation of the concerned agency. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act.

SEC. 10. *Repealing Clause.* - All laws, presidential decrees, executive orders and other issuances, and rules and regulations, or part thereof, contrary to or inconsistent with any provision of this Act, are hereby repealed, modified or amended accordingly.

SEC. 11. *Separability Clause.* - Should any provision of this Act be found unconstitutional by a court of law, such provision shall be severed from the other provisions, and the same shall not affect the enforceability and effectivity of the remaining provisions of this Act.

SEC. 12. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in any two (2) national newspapers of general circulation.

Approved,