



SENATE

S. No. 1439

PREPARED AND SUBMITTED BY THE COMMITTEE ON ENERGY
WITH SENATORS GATCHALIAN AND ZUBIRI AS AUTHORS
THEREOF

AN ACT ESTABLISHING THE ENERGY VIRTUAL ONE
STOP SHOP FOR THE PURPOSE OF
STREAMLINING THE PERMITTING PROCESS OF
ENERGY GENERATION PROJECTS

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

CHAPTER I

GENERAL PROVISIONS

1 SECTION 1. *Title.* – This Act shall be known as the
2 “Energy Virtual One Stop Shop Act (EVOSS) of 2017”.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared
4 the policy of the State to:

1 a) Ensure the quality, reliability, security, and
2 affordability of energy by undertaking measures to
3 guarantee that supply meets demand in a timely manner;

4 b) Recognize the indispensable role of the private
5 sector in energy generation by attracting new energy
6 generation projects through an improved ease of doing
7 business index, and reducing the high transaction costs
8 associated with copious requisites for proponents;

9 c) Ensure transparency and accountability in the
10 process for approving energy generation projects; and

11 d) Deliver efficient and effective service to the
12 public by:

13 1) Eliminating duplication, redundancy, and
14 overlapping mandates in documentary submissions and
15 processes by supplying an online platform for government
16 agencies to coordinate and share information; and

17 2) Providing a paperless application and processing
18 system which serves as a single gateway for proponents to
19 access all information necessary to apply for a new

1 generation project, submit all requirements, and monitor
2 the approval of such.

3 SEC. 3. *Scope.* – This Act shall apply to all new energy
4 generation projects throughout the country and all
5 departments, bureaus, offices, agencies, government-owned
6 and/or -controlled corporations (GOCCs), local government
7 units (LGUs), and other entities involved in the permitting
8 process of energy generation projects.

9 SEC. 4. *Definition of Terms.* – As used in this Act, the
10 following words or terms shall have the following meaning,
11 unless provided otherwise:

12 a) *Action* – refers to a decision on an application of a
13 proponent by a government bureau, office, agency, GOCC,
14 LGU, or other entities involved in the permitting process of
15 an energy generation project; such decision being limited to
16 the approval or disapproval of an application;

17 b) *Bidding Documents* – refer to documents issued by
18 the Procuring Entity as the basis for bids, furnishing all
19 information necessary for a prospective bidder to prepare a

1 bid for the goods, infrastructure projects, and consulting
2 services to be provided;

3 c) *Energy Virtual One Stop Shop* – refers to an online
4 system that allows the single submission and synchronous
5 processing of all required data and information, and
6 provides a single decision-making portal for actions on
7 applications for new energy generation projects;

8 d) *Government Agency* – refers to the agency of the
9 government as defined in Executive Order No. 292
10 otherwise known as the “Administrative Code of 1987”;

11 e) *Joint Congressional Power Commission (JCPC)* –
12 refers to the Commission created under Republic Act No.
13 9136, otherwise known as the Electric Power Industry
14 Reform Act of 2001;

15 f) *Permitting Process* – refers to the comprehensive
16 procedure undertaken in order to put up an energy
17 generation project which includes but is not limited to the
18 following phases: acquisition of an operating contract or
19 service contract, pre-development, and construction of a

1 power plant up to and including the date of commercial
2 operations thereof, as well as all the required documentary
3 requirements and fees from all government agencies
4 involved in such procedure: *Provided*, That the procedure
5 excludes the operational phase of the project;

6 g) *Procuring Entity* – refers to any branch,
7 department, office, agency, or instrumentality of the
8 government, including state universities and colleges,
9 government-owned and/or –controlled corporations,
10 government financial institutions, and local government
11 units procuring goods, consulting services, and
12 infrastructure projects;

13 h) *Mother Agency* – refers to the department which
14 has jurisdiction over bureaus, offices, agencies, and GOCCs
15 assigned to it by law in accordance with the applicable
16 relationship as defined in Chapters 7, 8, and 9, Book IV of
17 Executive Order 292 otherwise known as the
18 “Administrative Code of 1987”;

1 i) *Proponent* – refers to an individual or duly-
2 recognized juridical entity engaged or desiring to engage in
3 trade or business in the Philippines through an energy
4 generation project such as the construction and/or
5 operation of a power plant; and

6 j) *Submission* – an electronic document is deemed
7 submitted by a proponent when, after its uploading or
8 sending to the system, an automated response
9 acknowledging the said electronic document has been sent
10 to and received by the proponent.

11 CHAPTER II

12 ENERGY VIRTUAL ONE STOP SHOP

13
14 SEC. 5. *Creation and Establishment.* – An Energy
15 Virtual One Stop Shop (EVOSS) is hereby established and
16 shall be under the supervision of the Department of
17 Energy (DOE). Towards this end, the DOE shall maintain
18 and update an effective information technology
19 infrastructure system which shall be updated regularly
20 subject to the provisions of this Act.

1 SEC. 6. *Characteristics.* – The EVOSS shall have the
2 following characteristics:

3 a) Recognize the legal effect, validity, and
4 enforceability of electronic documents submitted for
5 applications of energy generation projects;

6 b) Utilize an online payment system for all fees
7 imposed for applications of energy generation projects;

8 c) Provide a secure and accessible paperless
9 processing system for all proponents to:

10 1) Identify all electronic documentary requirements
11 required from all concerned government bureaus, offices,
12 agencies, GOCCs, LGUs, and other entities, and the
13 corresponding fees and permitting process for each kind of
14 energy generation project and for each phase of the project;

15 2) Prepare, submit, process, and receive actions on
16 all submitted electronic documentary requirements;

17 3) Monitor and inquire of the status of on-going
18 applications for energy generation projects, and in relation
19 to this, ascertain the bureau, office, agency, and individual

1 tasked with acting on a submitted electronic document and
2 the action or inaction on it;

3 4) Calculate, pay, and settle all appropriate fees
4 electronically; and

5 5) Submit complaints concerning inaction on
6 submitted electronic documents.

7 d) Provides a secure and accessible system for all
8 government bureaus, offices, agencies, GOCCs, LGUs, and
9 other entities involved in the permitting process of energy
10 generation projects to interoperate with respect to:

11 1) A unified permitting process;

12 2) Uniform templates for electronic documentary
13 requirements;

14 3) Compliance with mandated processing time as
15 stated in this Act or as imposed by the Inter-Agency
16 Technical Working Group of the EVOSS, whichever is
17 shorter;

18 4) Updating and monitoring of all electronic
19 documentary requirements for action;

1 5) Determining which government bureau, office,
2 agency, GOCC, LGU, or entity an on-going application is
3 in, and its status there; and

4 6) Other aspects of the processing system.

5 e) Operates as a one hundred percent (100%) virtual
6 storage and rules driven system built as an integrated
7 shared service of government bureaus, offices, agencies,
8 GOCCs, LGUs, and other entities involved in the
9 permitting process of energy generation projects; and

10 f) Comprises of a technology platform and an
11 operations management software platform for government
12 bureaus, offices, agencies, GOCCs, LGUs, and other
13 entities involved in the permitting process of energy
14 generation projects to build their defined processes and
15 forms within a strict timeframe using published standards.

16 SEC. 7. *Inter-Agency Technical Working Group of the*
17 *EVOSS.* – There shall be an Inter-Agency Technical
18 Working Group of the EVOSS (EVOSS-IATWG): *Provided,*
19 That is shall exist from the effectivity of this Act until only

1 two (2) years thereafter. The EVOSS-IATWG shall be
2 composed of the Office of the President as the Chairperson
3 and the Secretary of the DOE as the Vice-Chairperson, and
4 shall have as members:

5 a) Secretary of the Department of Agriculture (DA);

6 b) Secretary of the Department of Trade and
7 Industry (DTI);

8 c) Secretary of the Department of Agrarian Reform
9 (DAR);

10 d) Secretary of the Department of Environment and
11 Natural Resources (DENR);

12 e) Secretary of the Department of the Interior and
13 Local Government (DILG);

14 f) Secretary of the Department of Transportation
15 (DOTr);

16 g) Secretary of the Department of Information and
17 Communications Technology (DICT);

1 h) Chairperson of the Energy Regulatory
2 Commission (ERC);

3 i) President of the National Power Corporation
4 (NPC);

5 j) Chairperson of the National Commission on
6 Indigenous Peoples (NCIP);

7 k) Executive Director of the National Water
8 Resources Board (NWRB);

9 l) Chief Police Director of the Philippine National
10 Police (PNP);

11 m) Chairperson or head of the Market Operator;

12 n) Chairperson or head of the System Operator; and

13 o) Three (3) representatives of the intended private
14 sector end-users of the EVOSS: *Provided*, That the said
15 representatives shall be nominated by the private sector
16 end-users and chosen by the DOE: *Provided further*, That
17 the said representatives shall be non-voting members.

1 The members of the EVOSS-IATWG may designate
2 their permanent representatives who must be
3 knowledgeable in the represented mother agency's role,
4 requirements, fees, and internal processes with respect to
5 energy generation projects as well as that of its attached
6 bureaus, offices, and agencies at both the national and
7 local level: *Provided*, That the involvement of the attached
8 bureaus, offices, and agencies at both the national and
9 local level, GOCCs, and other entities in the permitting
10 process of energy generation projects is a prerequisite to
11 the mother agency's membership in the EVOSS-IATWG.

12 SEC. 8. *Functions and Responsibilities of the EVOSS-*
13 *IATWG Chairperson.* – The Chairperson of the EVOSS-
14 IATWG shall, upon consultation with the DOE, convene
15 the EVOSS-IATWG within two (2) months from the
16 effectivity of this Act.

17 The Chairperson of the EVOSS-IATWG shall have
18 the following functions and responsibilities:

1 a) Provide leadership direction for the EVOSS-
2 IATWG in order to implement this Act and achieve its
3 policy objectives while ensuring the responsiveness of the
4 EVOSS to changing developments in information
5 technology and the needs of the energy sector;

6 b) Promote collaborative relationships and open
7 communication between members of the EVOSS-IATWG;

8 c) Encourage consensus building in decision-
9 making by the EVOSS IAWTG: *Provided*, That in cases
10 where a consensus cannot be reached, the Chairperson
11 shall decide on the matter;

12 d) Upon consultation with the Vice-Chairperson and
13 the Secretariat, set the EVOSS-IATWG's meeting schedule
14 and agenda;

15 e) Preside over all meetings of the EVOSS-IATWG;

16 f) Ensure that all key and appropriate issues are
17 discussed, deliberated upon, and resolved by the EVOSS-
18 IATWG in a timely manner;

1 g) Review and approve all acts of the EVOSS-
2 IATWG concerning recommendations on removal or
3 inclusion of mother agencies and other entities in the
4 permitting process and in the EVOSS-IATWG: *Provided,*
5 That a mother agency or entity may be removed for
6 reasons of redundancy or lack of express legal mandate:
7 *Provided, further,* That a mother agency or entity may be
8 included if supported by an express legal mandate:
9 *Provided, finally,* That the inclusion of an attached
10 bureau, office, and agency both at the national and local
11 level, and GOCC in the EVOSS-IATWG shall be limited to
12 its mother agency;

13 h) Initiate disciplinary action against members of
14 the EVOSS-IATWG as provided in Section 17 of this Act:
15 *Provided,* That the disciplinary actions against the Market
16 Operator and the System Operator shall be determined
17 and initiated by the Energy Regulatory Commission.

18 SEC. 9. *Functions and Responsibilities of the Vice-*
19 *Chairperson of the EVOSS-IATWG.* – The Vice-

1 Chairperson of the EVOSS-IATWG shall have the
2 following functions and responsibilities:

3 a) Identify all government bureaus, offices, and
4 agencies at both the national and local level, GOCCs,
5 LGUs, and other entities involved in each phase of the
6 permitting process of each kind of energy generation
7 project and submit it to the Chairperson within one (1)
8 month upon the effectivity of this Act;

9 b) Preside over meetings of the EVOSS-IATWG, in
10 the absence of the Chairperson;

11 c) Prepare the Bidding Documents for the EVOSS
12 as approved by the EVOSS-IATWG: *Provided, That* the
13 terms of reference shall come from the EVOSS-IATWG as
14 provided under Section 11 (e) of this Act;

15 d) Act as the Procuring Entity for the EVOSS;

16 e) Upon consultation with the EVOSS-IATWG,
17 invest in the necessary hardware and software to improve
18 and update the maintenance and operation of the EVOSS,
19 such infrastructure to include but is not limited to a virtual

1 storage public data center and Quality of Service of the
2 EVOSS;

3 f) Equip DOE personnel to maintain and operate
4 the EVOSS;

5 g) Provide the necessary training and capacity
6 building to all government boards, offices, agencies,
7 GOCCs, LGUs, other entities, and stakeholders involved in
8 the EVOSS;

9 h) Exercise supervision over the EVOSS;

10 i) Submit regular reports to the EVOSS-IATWG on
11 matters enumerated in Section 9 (c), (d), (e), (f), (g), and (h)
12 of this Act; and

13 j) Recommend to the EVOSS-IATWG the possible
14 expansion of the use of the platform to other energy
15 licensing processes, if any.

16 SEC. 10. *Functions and Responsibilities of the*
17 *EVOSS-IATWG Secretariat.* – The Investment Promotion
18 Office, as created in this Act, shall serve as the Secretariat
19 to the EVOSS-IATWG during the period stated in Section

1 7 of this Act. The Secretariat of the EVOSS-IATWG shall
2 have the following functions and responsibilities:

3 a) Assist the Chairperson and Vice-Chairperson in
4 determining the meeting schedule and agenda of the
5 EVOSS-IATWG;

6 b) Supply administrative and, if necessary,
7 technical support to the EVOSS-IATWG;

8 c) Provide documents and reports which contain
9 relevant, accurate, timely, and clear information necessary
10 for the EVOSS-IATWG to fulfill its duties; and

11 d) Perform such other duties as the Chairperson or
12 the EVOSS-IATWG may delegate to the Secretariat.

13 SEC. 11. *Duties and Responsibilities of the EVOSS-*
14 *IATWG.* – The EVOSS-IATWG shall have the following
15 duties and responsibilities:

16 a) Within three (3) months upon the effectivity of
17 this Act, create a detailed process flow of each phase of the
18 permitting process for each kind of energy generation
19 project, which should reflect, among others:

1 1) Documentary requirements and fees from each
2 government bureau, office, and agency at both the national
3 and local level, GOCC, LGU, and other entities involved in
4 the permitting process, and

5 2) Internal process flow of the entire organization of
6 the mother agency which includes the attached bureaus,
7 offices, agencies at both the national and local level,
8 GOCCs, and other entities to which the applications pass
9 through, the individuals who approve them, and the
10 maximum number of days for action to be released on
11 these applications, the total of which must be within the
12 timeframe indicated in this, or as imposed by the EVOSS-
13 IATWG, whichever is shorter;

14 b) Within six (6) months from the effectivity of this
15 Act, streamline the said detailed process flow by:

16 1) Agreeing on and creating unified forms of
17 electronic documents to replace existing documentary
18 requirements;

19 2) Removing duplications and redundancies in
20 required documents; and

1 3) Creating a simplified internal process flow
2 within each government bureau, office, or agency at
3 both the national and local level, GOCC, and other
4 entities involved in the permitting process such that
5 applications with complete electronic documents shall
6 be all be resolved within the timeframe indicated in
7 Sections 13 and 16 which shall be counted from
8 submission of complete documentary requirements:

9 *Provided*, That the timeframe for applications with
10 LGUs and the NCIP shall be governed by Sections 14
11 and 15 of this Act: *Provided, further*, That failure of
12 bureaus, offices, and agencies at both the national
13 and local level, GOCCs, LGUs, and other entities
14 involved in the permitting process to release its action
15 on applications duly filed with complete supporting
16 documents within the prescribed timeframe shall be
17 deemed approval of such application;

18 c) Review the timeframe stated in this Act to
19 release an action on applications with complete
20 documentary requirements and impose a new timeframe

1 on such applications, *Provided*: That the new timeframe
2 shall not be shorter than the timeframe stated in this Act;

3 d) Ensure the linkage of an online payment system
4 to the streamlined process flow;

5 e) Develop the terms of reference for the EVOSS
6 developer which will be chosen through a public bidding
7 under DOE's Bids and Awards Committee;

8 f) Determine a reasonable processing fee for
9 proponents who use the EVOSS;

10 g) Meet regularly, as determined by the
11 Chairperson and upon recommendation of the Vice-
12 Chairperson, until the operationalization of the EVOSS
13 which shall not be later than one (1) year from the
14 effectivity of this Act;

15 h) Gather bi-annually upon the operationalization
16 of the EVOSS to accomplish the enumeration stated below:
17 *Provided*, That upon the dissolution of the EVOSS-IATWG,
18 DOE shall be tasked to accomplish such enumeration:

1 1) Monitor and assess the performance of the
2 EVOSS;

3 2) Determine congestion points, if any, in the
4 existing system, and mechanisms to address them;

5 3) Receive and resolve complaints from
6 government personnel and energy generation
7 developers who use the system;

8 4) Convey information, if any, of the agency's
9 updated requirements and internal processes which
10 make the current system more efficient;

11 5) Identify redundant requirements or those not
12 expressly mandated by law, and recommend to the
13 Chairperson the removal of the requirement from the
14 permitting process and the concerned mother agency,
15 if applicable, from the EVOSS-IATWG;

16 6) Identify redundant requirements which are
17 expressly mandated by law and submit a
18 recommendation on the matter to the Joint
19 Congressional Power Commission (JCPC); and

20 7) Prepare the annual report to the JCPC.

1 i) Act upon any recommendation of the Vice-
2 Chairperson to expand the use of the platform to other
3 energy licensing processes; and

4 j) Perform other acts necessary and incidental to
5 accomplish the policy objectives of this Act.

6 SEC. 12. *Duties and Responsibilities of Members of*
7 *EVOSS-IATWG.* – All members of the EVOSS-IATWG
8 shall:

9 a) Actively participate in the EVOSS-IATWG;

10 b) Cooperate and co-labor with the DOE and other
11 government agencies towards the immediate
12 operationalization of the EVOSS;

13 c) Within six (6) months from the effectivity of this
14 Act, issue an internal order or circular streamlining its
15 internal permitting process for energy generation projects
16 including that of its attached agencies, bureaus, and offices
17 both at the national and local level as well as GOCCs such
18 that it complies with the timeframe as stated in Sections
19 13 to 16 of this Act, or as provided by the EVOSS-IATWG;

1 d) Continually review internal process flows to
2 increase efficiency and reduce processing time;

3 e) Assign a person in charge of managing the
4 EVOSS account to ensure proper monitoring and updating
5 of electronic documents before the said agency; and

6 f) If necessary, create an internal committee in
7 charge of handling the permitting process of all energy
8 generation projects.

9 SEC. 13. *Timeframe.* – Mother agencies shall ensure
10 that actions on applications before it and its attached
11 bureaus, offices, and agencies both at the national and
12 local level, and GOCCs as well as other entities shall all be
13 released within the timeframes stated below: *Provided,*
14 That the timeframe shall be the total number of days for
15 the mother agency and its attached bureaus, offices, and
16 agencies both at the national and local level, and
17 GOCCs, as a whole to release actions on applications:
18 *Provided, further,* That the timeframe shall be counted

1 from the submission of complete documentary
2 requirements.

3 a) DOE and all its attached bureaus, offices, and
4 agencies both at the national and local level, and GOCCs:
5 sixty (60) calendar days;

6 b) DAR and all its attached bureaus, offices, and
7 agencies both at the national and local level, and GOCCs:
8 sixty (60) calendar days.

9 c) DA and all its attached bureaus, offices, and
10 agencies both at the national and local level, and GOCCs:
11 sixty (60) calendar days;

12 d) DENR and all its attached bureaus, offices, and
13 agencies both at the national and local level, and GOCCs:
14 one hundred (100) calendar days, *Provided:* That this
15 timeframe excludes the NWRB;

16 e) ERC: sixty (60) calendar days;

17 f) NGCP: one hundred (100) calendar days;

18 g) NWRB: forty-five (45) calendar days;

1 h) PEMC: fifteen (15) calendar days;

2 i) DOTr and all its attached bureaus, offices, and
3 agencies both at the national and local level, and GOCCs:
4 thirty (30) calendar days;

5 j) PNP: fifteen (15) calendar days;

6 k) Department of Public Works and Highways and
7 all its attached bureaus, offices, and agencies both at the
8 national and local level, and GOCCs: thirty (30) calendar
9 days;

10 l) Philippine Nuclear Research Institute: fifteen
11 (15) calendar days; and

12 m) All other mother agencies and all their
13 respective attached bureaus, offices, and agencies both at
14 the national and local level, and GOCCs not expressly
15 stated in this Act but are part of the permitting process of
16 energy generation projects: fifteen (15) calendar days.

17 Failure of the mother agency and its attached
18 bureaus, offices and agencies both on the national and local
19 level, including GOCCs, to release its action on

1 applications duly filed with complete supporting
2 documents within the prescribed time frame shall be deem
3 approved of such application: *Provided*, That this shall not
4 apply to actions by the DENR and ERC on applicatons by
5 fossil fuel-based technologies such as coal, natural gas, and
6 oil.

7 SEC. 14. *Local Government Units.* – All applications
8 for energy generation projects shall be filed with the
9 provincial LGU in the case of municipalities and
10 component cities, or with the city LGU in the case of highly
11 urbanized cities and independent component cities. The
12 provincial LGU, or city LGU in the case of highly
13 urbanized cities and independent cities, shall review and
14 release an action on all applications within fifteen (15)
15 calendar days from submission of complete documentary
16 requirements indicated in the EVOSS: *Provided*, That
17 failure of LGUs to release its action on applications duly
18 filed with complete supporting documents within the
19 prescribed timeframe shall be deemed approval of such
20 application: *Provided further*, That the timeframe

1 indicated herein shall not preclude the EVOSS-IATWG
2 from imposing a shorter timeframe for resolution of
3 applications should it see the expediency and feasibility of
4 doing so.

5 The disapproval of applications shall only be on valid
6 grounds and fully explained in writing. The said denial
7 may be appealed to the DILG. In all cases, any conflict
8 between and among LGUs shall be resolved in accordance
9 with the remedies provided for under the Local
10 Government Code of 1991.

11 SEC. 15. *Indigenous Cultural Communities/Indigenous Peoples.*

12 - Actions on applications with the NCIP shall be released
13 within ten (10) calendar days in the case of a Certificate of
14 Non-Overlap, and ninety (90) calendar days in the case of
15 Free, Prior, and Informed Consent/Certification Pre-
16 Condition: *Provided*, That this shall not preclude the
17 EVOSS-IATWG from imposing a shorter timeframe for
18 resolution of applications should it see the expediency and
19 feasibility of doing so: *Provided, further*, That denial of

1 applications shall only be on the grounds stated below and
2 fully explained in writing to be released to the proponent
3 within fifteen (15) days from the community validation of
4 the Resolution of Non-Consent: *Provided, finally,* That
5 such denial may be appealed through the remedies
6 provided under Section 67 of Republic Act No. 8371 or the
7 Indigenous Peoples Rights Act of 1997.

8 A Resolution of Non-Consent shall be based solely
9 and exclusively on the violation of the right to ownership.

10 In the case of a Certificate of Non-Overlap, failure of
11 the NCIP to release it within the specified period shall be
12 deemed approval of the application. In the case of Free,
13 Prior, and Informed Consent/Certification Pre-Condition,
14 failure to release such Certification or a Resolution of Non-
15 Consent within the specified period shall be deemed
16 approval of the energy generation project.

17 SEC. 16. *Delegated Powers.* – The DOE shall have the
18 authority to issue a provisional approval and/or
19 certification relating to applications for energy generation

1 projects before the Board of Investments, Department of
2 Justice, and Department of Labor and Employment:
3 *Provided*, That actions on these applications must be
4 released within fifteen (15) calendar days from submission
5 of complete documentary requirements: *Provided, further*,
6 That said provisional approvals and/or certifications shall
7 be considered valid and binding unless otherwise revoked
8 by the concerned agencies upon finding of non-compliance
9 with laws and rules and regulations during post-audit.

10 CHAPTER III

11 PROHIBITED ACTS AND PENALTIES

12
13 SEC. 17. *Administrative Offenses.* – The following
14 acts, when committed by a government official and/or
15 employee, shall be considered administrative offenses:

- 16 a) Willful refusal to participate in the EVOSS;
- 17 b) Willful acts which delay the operationalization of
18 the EVOSS;

1 c) Failure to comply with the mandated timeframes
2 as provided in this Act, or as imposed by the EVOSS-
3 IATWG; and

4 d) Tampering with the EVOSS or any part or
5 component thereof.

6 SEC. 18. *Confidentiality.* – No information or any
7 aspect of a document submitted by any energy proponent
8 shall be divulged or released to anyone other than an
9 authorized person or agency.

10 SEC. 19. *Penalties.* – Any person found guilty of
11 committing the act stated in Section 17 (a) and (b) shall be
12 penalized as follows:

13 a) First offense - Thirty (30) days suspension
14 without pay;

15 b) Second offense – Three (3) months suspension
16 without pay; and

17 c) Third Offense – Dismissal and perpetual
18 disqualification from public service.

1 Any person found guilty of committing the act stated
2 in Section 17 (c) shall be penalized as follows:

3 a) First offense – Thirty (30) days suspension
4 without pay and mandatory attendance in Values
5 Orientation Program;

6 b) Second offense – Six (6) months suspension
7 without pay; and

8 c) Third offense – Dismissal and perpetual
9 disqualification from public service, and forfeiture of
10 retirement benefits.

11 Any person found guilty of committing the act stated
12 in Section 17 (d) shall suffer the penalty of dismissal and
13 perpetual disqualification from public service.

14 Any person found guilty of violating Section 18 shall
15 suffer the penalty of dismissal and perpetual
16 disqualification from public service.

17 SEC. 20. *Administrative Jurisdiction.* – The
18 administrative jurisdiction on any violation of the
19 provision of this Act shall be vested in the Civil Service

1 Commission or the DILG, in accordance with appropriate
2 laws and issuances.

3 SEC. 21. *Civil and Criminal Liability.* – The finding of
4 administrative liability under this Act shall not be a bar to
5 the filing of criminal, civil, or other related charges under
6 existing laws arising from the same act or omission as
7 herein enumerated.

8 CHAPTER IV
9 GENERAL PROVISIONS

10
11 SEC. 22. *Creation of the Investment Promotion Office.*
12 – The Investment Promotion Staff (IPS) is hereby renamed
13 to Investment Promotion Office (IPO). The organizational
14 structure and staffing complement of the IPO shall be
15 determined by the DOE Secretary in consultation with the
16 Department of Budget and Management and in accordance
17 with existing Civil Service rules and regulations. The
18 budgetary requirements necessary for the creation of the
19 IPO shall be taken from the current appropriations of

1 DOE. Thereafter, the funding for the IPO shall be
2 included in the annual General Appropriations Act.

3 In addition to the existing functions of the IPS, the
4 IPO is hereby mandated to:

5 a) Fulfill its duties as the Secretariat of the
6 EVOSS-IATWG;

7 b) Develop and implement the EVOSS in
8 accordance with the provisions of this Act and as
9 instructed by the EVOSS-IATWG; and

10 c) Perform other functions that may be necessary
11 for the effective implementation of this Act.

12 SEC. 23. *Appropriations.* – The sum Fifty million
13 pesos (P50,000,000.00) for the initial implementation of
14 this Act shall be taken from the current appropriations of
15 the DOE. Thereafter, the funds necessary to carry out the
16 provisions of this Act shall be included in the annual
17 General Appropriations Act.

18 SEC. 24. *Oversight Committee.* – Upon the effectivity
19 of this Act, the JCPC established under Republic Act No.

1 9136 or the Electric Power Industry Reform Act of 2001
2 shall exercise oversight powers over the implementation of
3 this Act.

4 SEC. 25. *Reportorial Requirements.* – The EVOSS-
5 IATWG shall take the necessary measures to ensure that
6 the provisions of this Act are properly implemented and
7 should submit annual reports on the program
8 implementation and fund utilization to the JCPC.

9 SEC. 26. *Evaluation.* – Upon recommendation of the
10 EVOSS-IATWG, or within five (5) years after the
11 effectivity of this Act, the JCPC shall conduct a systematic
12 evaluation of the accomplishments and impact of this Act
13 for purposes of determining remedial legislation.

14 SEC. 27. *Separability Clause.* – If for any reason, any
15 provision of this Act is declared unconstitutional or invalid,
16 the other parts or provisions hereof which are not affected
17 thereby shall continue to be in full force and in effect.

18 SEC. 28. *Repealing Clause.* – All laws, decrees, orders,
19 rules and regulations or parts thereof which are

1 inconsistent with or contrary to the provisions of this Act
2 are hereby repealed, amended or modified accordingly.

3 SEC. 29. *Effectivity.* – This Act shall take effect
4 fifteen (15) days after its publication in at least two (2)
5 national newspapers of general circulation.

Approved.