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REPUBLIC OF THE PHILIPPINES
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Senate
Office of the Secretary

SENATE

Senate Bill No. 1738

20 JUL 27 A9:41

INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

**AN ACT
INSTITUTIONALIZING THE TRANSITION OF THE GOVERNMENT TO E-
GOVERNANCE IN THE DIGITAL AGE, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The transition of the government to the digital age has been a long time coming. In an age where almost everything can be done online and through other digital platforms, the government must harness the power of information and communications technology to better serve its purpose and bring the government closer to the people.

The COVID-19 pandemic highlighted gaps, both foreseen and unforeseen, in the delivery of government services in the country. As number of infected cases continues to increase, long queues and appointments with government agencies, financial institutions and other public offices has worsened. Moreover, major government social services and programs are being forced to shut down, limiting the public's accessibility to public services at a time when the same are needed the most. Limited workforce in different government offices and forced self-isolation of thousands of Filipinos has emphasized the inefficiency of public services – people cannot go to government offices to get services and government personnel cannot report to work to render public service.

The new normal warrants the government to consider and adopt, in a very radical but pragmatic way, the importance of digital transformation and use of electronic services and platforms to enable the government to do better.

This is not something new. A number of government agencies and local government units have begun their own transitions to the digital age, offering online services to the public. This bill takes into consideration what we have learned from what has been and is being done, drawing from the experiences of technologically-advanced countries and the best practices of those who have started the push for e-governance, to initiate the country's first big step to an institutional and whole-of-government approach to digitizing governance for a better government and a safer future.

The State is mandated to recognize the vital role of communication and information in nation-building and the necessity of harnessing the power of information and communications technology in pursuit of national development and progress. This bill shall materialize the said policy through: (a) providing effective leadership of government efforts to develop and promote electronic government services and processes; (b) promoting use of the internet, intranet, and other information and communications technologies; (c) improving the ability of the government to achieve agency missions and program performance goals; (d) reducing costs and burdens for businesses and other government entities; (e) promoting better informed and data-driven decision making by policy makers, taking into consideration data analytics results; and (f) making the national and local governments more transparent and accountable.

Anchored in President Rodrigo Duterte's push for a fast, systematic, reliable and compassionate provision of government services for all, this proposed bill envisions a more cohesive, whole-of-government approach in ushering policies that will be responsive to the "better normal".

This bill mandates the government to establish an integrated, interconnected, and interoperable information and resource sharing and communications network spanning the entirety of the national and local government, an internal records management information system, an information database, and digital portals for the delivery of public services. It likewise pushes for the digitization of paper-based and other traditional modes of workflows for a more efficient and transparent public service.

Moreover, this bill encourages government cooperation with the private sector in providing resources, assets, and services. This measure creates a body corporate to be known as Philippine Infostructure Management Corporation for the purpose of ensuring the proper and efficient operations and management of the country's ICT assets, as well as a training institution in recognition of the critical role of educating both the public and the government in ICT.

Through this measure, the government will eliminate delays and other problems associated with the traditional way of governance in communications and resource and information sharing. More importantly, through this measure, the public – the pillars of the country's life and economy – will feel that the government is actually and truly at their fingertips.

This should have been done a long time ago. Now, more than ever, is the time to do this.

Nisi hodie, quando erit?

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


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO



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**AN ACT
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AND FOR OTHER PURPOSES**

*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 "E-Governance Act of
2 2020."

3
4 Sec. 2. *Declaration of policy and purposes.* – It is hereby declared the policy
5 of the State to recognize the vital role of communication and information in nation-
6 building and the necessity of harnessing the power of information and
7 communications technology in pursuit of national development and progress. The
8 State hereby adopts a policy to create, foster, and sustain a digitally empowered and
9 integrated government that provides responsive and transparent online citizen-
10 centered services for a globally competitive Filipino nation.

11
12 In pursuit of this policy, this Act shall have the following purposes:

- 13
14 a. Provide effective leadership of government efforts to develop and promote
15 electronic government services and processes by providing guidance to the
16 Department of Information and Communications Technology in accordance
17 with its mandate;
18

- b. Promote use of the internet, intranet, and other information and communications technologies to provide increased opportunities for citizen participation in government;
- c. Promote inter-agency collaboration in providing electronic government services, where this collaboration would improve the service to citizens by integrating related functions, and in the use of internal electronic government processes, where this collaboration would improve the efficiency and effectiveness of the processes;
- d. Improve the ability of the government to achieve agency missions and program performance goals;
- e. Promote the use of the internet, intranet, and emerging technologies within and across government agencies to provide citizen-centric government information and services;
- f. Reduce costs and burdens for businesses and other government entities;
- g. Promote better informed and data-driven decision making by policy makers, taking into consideration data analytics results;
- h. Promote access to high quality government information and services across multiple channels;
- i. Make the national and local governments more transparent and accountable;
- j. Transform agency operations by utilizing, where appropriate, best practices from public and private sector organizations, both local and international; and
- k. Provide enhanced access to government information and services in a manner consistent with laws regarding protection of personal privacy, national

1 security, records retention, access for persons with disabilities, and other
2 relevant laws.

3
4 **Sec. 3. Coverage.** – This Act shall apply to all government offices and
5 agencies including local government units and government-owned or -controlled
6 corporations.

7
8 **Sec. 4. Definition of terms.** – As used in this Act, the following terms are
9 defined as follows:

10
11 a. "E-Governance" – refers to use of information and communications
12 technology by the government and the public to enhance the access to and
13 delivery of government services to bring about efficient, responsive, ethical,
14 accountable and transparent government service;

15
16 b. "Workflow" – refers to the sequence of industrial, administrative, or other
17 processes through which a piece of work passes from initiation to completion;

18
19 c. "Intranet" – refers to a secure and private enterprise network that shares
20 data or application resources via Internet Protocol; and

21
22 d. "Internet" – refers to a secure and public enterprise network that shares data
23 or application resources via Internet Protocol.

24
25 e. "ICT assets" – refers any data, device, equipment, infrastructure, system, or
26 component thereof, or property, owned or possessed by the DICT in
27 accordance with its mandate, utilized to ensure or support the proper and
28 efficient operation and implementation of ICT-related programs and delivery
29 of ICT services.

30
31 f. "ICT plan" – refers to the sum or set of goals, measures, strategies, agenda,
32 and programs for the implementation of ICT programs and projects and the

1 use of information and communications technology, including digital
2 platforms, to deliver public services or otherwise perform governmental
3 functions.

4
5 **Chapter 1**
6 **Role of the Government**
7

8 *Sec. 5. Responsibilities of the heads of government agencies.* – The head of
9 each agency, office, and instrumentality of the national and local government shall
10 be responsible for:

- 11
- 12 a. Complying with the requirements of this Act, including related standards for
13 all ICT infrastructure, systems, equipment, designs, and all other technology,
14 which shall be promulgated by the Department of Information and
15 Communications Technology;
- 16
- 17 b. Complying with the standards and protocols for cybersecurity, resiliency,
18 privacy, and confidentiality, which shall also be promulgated by the
19 Department of Information and Communications Technology;
- 20
- 21 c. Ensuring that the information technology standards promulgated by the
22 Department of Information and Communications Technology are
23 communicated promptly and effectively to all relevant officials within their
24 agency; and
- 25
- 26 d. Supporting the efforts of the national and local government to develop,
27 maintain, and promote an integrated Internet-based system of delivering
28 Federal Government information and services to the public.

29
30 To these ends:
31

1 a. Agencies shall develop performance measures that demonstrate how
2 electronic government enables progress toward agency objectives, strategic
3 goals, and statutory mandates;

4
5 b. In measuring performance, agencies shall rely on existing data collections to
6 the extent practicable. Areas of performance measurement that agencies
7 should include customer service; agency productivity; and adoption of
8 innovative information technology, including the appropriate use of
9 commercial best practices;

10
11 c. Agencies shall link their performance goals, as appropriate, to key groups,
12 including citizens, businesses, and other governments;

13
14 d. As appropriate, agencies shall work collectively in linking their performance
15 goals to key groups and shall use information technology in delivering
16 government information and services to those groups.

17
18 *Sec. 6. Role of the Department of Information and Communications*
19 *Technology (DICT).* – The Department of Information and Communications
20 Technology (DICT) shall, in addition to its mandates and functions under Republic
21 Act No. 10844:

22
23 a. Harmonize and coordinate all national ICT plans and initiatives to ensure
24 knowledge, information and resource-sharing, database-building, and
25 agency networking linkages among government agencies, consistent with
26 E-Government objectives in particular, and national objectives in general;

27
28 b. Ensure the development and protection of integrated government ICT
29 infrastructures and designs, taking into consideration the inventory of
30 existing manpower, plans, programs, software, hardware, and installed
31 systems;

1 c. Assist and provide technical expertise to government agencies in the
2 development of guidelines in the enforcement and administration of laws,
3 standards, rules, and regulations governing ICT;

4
5 d. Assess, initiate, review and support ICT research and development
6 programs of the government; and

7
8 e. Prescribe, in accordance with applicable civil service laws and rules, the
9 creation of ICT-related government positions and corresponding
10 compensation rates aligned with the personnel needs of a digitalized
11 government, as well as the qualifications, standards, duties, and functions
12 essential to the effective development and operation of government ICT
13 infrastructures and systems.

14
15 *Sec. 7. DICT to act as the primary implementing body.* – The DICT shall be
16 the primary implementing body and principal administrator of this Act. All ICT
17 projects in the Philippines shall be done in accordance with the National ICT
18 Development Agenda. For this purpose, the DICT shall establish measures to
19 implement policies under this Act and ensure that all ICT projects in the Philippines,
20 whether national or local are harmonized with the overall ICT plans and in
21 compliance with applicable standards. Accordingly, the DICT shall be responsible for
22 the following:

23
24 a. Adopting a national policy and process that would facilitate the entry and
25 adoption of technologies consistent with the goals of this Act;

26
27 b. Ensuring the quality, security, reliability, and interoperability of all ICT
28 infrastructure and services in accordance with international or industrial
29 standards, specifications, and best practices;

30
31 c. Tapping into the private sector and entering into partnerships and joint
32 ventures in accordance with the goals of this Act;

1
2 d. Mandate and supervise the adoption of policies and processes to ensure the
3 implementation of this Act;

4
5 e. Mandate and supervise the interconnection or interoperability of ICT
6 infrastructure, systems, and facilities when necessary to achieve the goals of
7 this Act; and

8
9
10 f. Regulate and supervise the operations of ICT infrastructure, systems, and
11 facilities, and in the exercise of such functions, in accordance with applicable
12 laws and rules, charge reasonable administrative and operational fees as may
13 be necessary.

14
15 **Sec. 8. *The DICT-Project Management Office.*** – Within one year from the
16 effectivity of this Act, the DICT shall establish a government-wide Project
17 Management Office, which shall cater to and address to the portfolio, program, and
18 project management needs of government agencies, with the end goal of ensuring
19 that ICT projects across the government are managed with efficiency and agility
20 following international best practices and standards, to deliver successful projects,
21 with the goal of delivering lasting benefits and value through new or enhanced ICT
22 services.

23
24 The DICT shall provide guidelines on the operation of the PMO and as to the
25 qualifications of personnel under the PMO, who shall, at the minimum obtain
26 internationally-recognized certifications and a required number of units on Project
27 Management, Program Management, IT Service Management ITIL, The Open Group
28 Enterprise Architecture, Risk Management, and other similar fields or specializations.
29 For this purpose, the ICT Academy shall ensure that courses, multimodal training,
30 and certifications to develop this human resource are regularly offered.

Sec. 9. *Inclusivity.* – In accordance with the provisions of this Act on the Philippine CitizenConnect Program, 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 will 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 who do not own computers or lack access to the internet or other platforms and channels.

Chapter 2

The Integrated Government Network

Internal Government Network

Sec. 10. *Establishment of the Integrated Government Network.* – The DICT shall establish an integrated, interconnected, and interoperable internal government network, to be known as the "Integrated Government Network" (IGN), which shall act as the primary means for the sharing and communication of resources, information, and data through and on digital and electronic platforms across all of the government. The IGN shall also act as the government's primary and focal information management tool and communications network.

Sec. 11. *Scope and coverage of the IGN.* – The IGN shall cover all branches, agencies, instrumentalities, and offices of the national and local government, including government-owned and controlled corporations.

Sec. 12. *Interconnectivity and interoperability of the IGN to existing government networks.* – All internal networks already established and maintained by any government agency, office, or instrumentality, including local governments, shall

1 upon the effectivity of this Act, enact measures to establish interconnection to and
2 interoperability with the IGN.

3
4 *Internal Records Management Information System*

5
6 Sec. 13. *Internal Records Management Information System.* – The
7 government shall establish, maintain, and support a records management system for
8 the systematic, efficient, and cost-effective management of all government and
9 public documents and records. All paper-based documents and records shall be
10 digitized, migrated to, and managed through this system.

11
12 The government shall establish a framework to allow efficient interoperability
13 among agencies, offices, and instrumentalities of the national and local government
14 when using electronic signatures, including processing of digital signatures.

15
16 *Internal Email and Communications Network*

17
18 Sec. 14. *Internal Email Network.* – The government shall establish and
19 maintain an internal email and communications network, to be known as "GovMail,"
20 for internal and intra-government communications, information dissemination and
21 sharing, coordination, feedback, and other similar and related purposes. It shall be
22 structured in a manner that ensures that the use and operation of such email
23 network shall be accessible, safe, interactive, interconnected, and interoperable.

24
25 *Migration, digitization, and automation of paper-based workflows*

26
27 Sec. 15. *Migration, digitization, and automation of paper-based workflows.* –
28 All paper-based government and bureaucratic workflows involving internal
29 communications, information dissemination and sharing, coordination, feedback, and
30 other similar and related purposes shall be migrated, digitized, and, as far as
31 practicable, automated.

1 Notwithstanding the provisions of this Act, communication, information
2 dissemination and sharing, coordination, and feedback which deals with critical and
3 sensitive information as may be determined by the head of the agency shall be
4 allowed to be conducted through traditional and non-digital means as may be
5 deemed appropriate for the purpose by the head of the agency.

6 7 **Chapter 3**

8 **The Philippine Information Database**

9

10 **Sec. 16. *The Philippine Individual Information Database and Civil Registration***
11 ***System.*** – The government shall establish, maintain, and support an individual
12 information database which shall act as a national repository and directory of
13 information and data on citizens of the Philippines, whether residing in the
14 Philippines or not, and foreign nationals who enters the Philippines through legal
15 channels.

16
17 Information and data to be stored on the database shall include names,
18 addresses, whether permanent or temporary, national identification numbers, dates
19 and places of birth, citizenship, civil status, biometric data and information, and
20 other associated information: *provided*, that the acquisition and storage of data and
21 information on the database shall not in any way violate any applicable domestic
22 and international laws and rules on privacy of data and information.

23
24 **Sec. 17. *Access to and use of the database.*** – The database shall be
25 accessible, through digital platforms such as intranet and internet, to all agencies,
26 offices, and instrumentalities of the government for purposes consistent with
27 legitimate and valid public purposes, subject to the Data Privacy Act (Republic Act
28 10173).

29
30 All government agencies, offices, and instrumentalities with access to the
31 database shall maintain a record of all the instances when, where, and how such
32 agency, office, or instrumentality, or its duly authorized representatives, had

1 accessed any information or data stored on the database and the purposes of such
2 access, including the identity of the actual person or persons gaining access to the
3 said database.

4
5 Notwithstanding the provisions of this Act, access to and use of the
6 resources, information, and data on the database shall be in accordance with all
7 relevant domestic and international laws, rules, and regulations on data and
8 information privacy and the pertinent rules on confidentiality of government
9 information.

10
11 **Sec. 18. *Integration with the Philippine Identification System.*** – The current
12 Philippine Identification System, including its existing and planned mechanisms for
13 collecting, storing, and accessing data and information, shall be fully integrated with
14 the database, in accordance with existing laws, rules, and regulations.

15
16 **Sec. 19. *Automatic and real time updating of information.*** – The government
17 shall establish and maintain measures to ensure that information stored on the
18 database shall automatically and in real time be updated across the entire
19 government network, regardless of when and where the change in such data or
20 information was first made or submitted, with the end view that an update made at
21 any access point in the government network shall automatically be reflected and
22 accessible across all access points in real time.

23
24 **Sec. 20. *Creation of data exchange protocols.*** — The DICT shall establish a
25 data exchange protocol between and among agencies and private sector which shall
26 ensure legitimacy of access to data, security of information, and compliance with
27 applicable domestic and international laws on data privacy.

28
29 **Chapter 4**
30 **The Public Service Directory**
31

1 Sec. 21. *The Public Service Directory.* – The government shall establish,
2 maintain, and support a directory, to be known as the "Philippine Public Service
3 Directory," of all civil and public officials and servants throughout the country,
4 including names, titles, telephone and facsimile numbers, departmental names,
5 office locations, and e-mail addresses. Any changes to the information stored on and
6 accessed through the directory shall be reflected in real time.

7
8 Sec. 22. *Access to and use of the directory.* – The directory shall be
9 accessible, through digital platforms such as intranet and internet, to all citizens of
10 the Philippines and foreign nationals who have entered the Philippines through
11 legitimate channels for legitimate and valid purposes consistent with civil service
12 rules and the right of the public to information.

13
14 Notwithstanding the provisions of this Act, access to and use of the
15 resources, information, and data on the directory shall be in accordance with all
16 relevant laws, rules, and regulations on data and information privacy and the
17 pertinent rules on confidentiality of government information.

18
19 **Chapter 5**
20 **The Government E-Portals**

21
22 *The Online Public Service Portals*

23
24 Sec. 23. *Establishment of online public service portal for individuals and*
25 *business.* – In accordance with the policy of the government to maintain and
26 promote an integrated internet-based system of providing the public with access to
27 government information and services, the government, through the DICT, shall
28 establish, maintain, and continuously update a portal which shall serve as a helpdesk
29 where citizens can request for information and assistance on government frontline
30 services, service procedures, and report commendations, appreciation, complaints,
31 and feedback.

1 The online portal shall also serve as centralized contact point where all
2 communications from the public through such portal may be routed, logged,
3 responded to, and ultimately distributed to the different government agencies for
4 proper handling and resolution, and follow through if necessary.

5
6 *Sec. 24. Access to and use of the online public service portal.* – The portal
7 shall be accessible, through digital platforms such as the intranet and internet, to
8 citizens of the Philippines, foreign nationals who have entered the Philippines
9 through legitimate channels, and businesses organized and existing or operating
10 under the laws and rules of the Philippines for purposes consistent with the efficient
11 delivery of public services.

12
13 Notwithstanding the provisions of this Act, access to and use of the
14 resources, information, and data through the portal shall be in accordance with all
15 relevant laws, rules, and regulations on data and information privacy and the
16 pertinent rules on confidentiality of government information.

17
18 *Sec. 25. Government frontline services through the portal.* – All government
19 agencies, offices, and instrumentalities which provide frontline services, as defined
20 under Republic Act No. 9485, as amended, shall establish and maintain measures to
21 ensure that such services are accessible and capable of delivery to the public
22 through the portal.

23
24 All offices and agencies which provide frontline services are hereby mandated
25 to regularly undertake time and motion studies, undergo evaluation and
26 improvement of their transaction systems and procedures and re-engineer the same
27 if deemed necessary to maximize the use of the portal for efficiency and
28 transparency.

29
30 *Sec. 26. Access to frontline services.* – The following shall be adopted by all
31 government offices and agencies covered in the immediately preceding paragraph:

1 a. *Acceptance of applications and request.* – All officers or employees shall
2 accept written applications, requests, and/or documents being submitted by
3 clients of the office or agencies through the portal.

4
5 The responsible officer or employee shall acknowledge receipt of such
6 application and/or request by writing or printing clearly thereon, through the
7 portal, his/her name, the unit where he/she is connected with, and the time
8 and date of receipt.

9
10 The receiving officer or employee shall perform a preliminary assessment of
11 the request so as to promote a more expeditious action on requests.

12
13 b. *Action of offices.* – All applications and/or requests submitted through the
14 portal shall be acted upon by the assigned officer or employee during the
15 period stated in the Citizen's Charter which shall not be longer than five
16 working days in the case of simple transactions and ten (10) working days in
17 the case of complex transactions from the date the request or application was
18 received. Depending on the nature of the frontline services requested or the
19 mandate of the office or agency under unusual circumstances, the maximum
20 time prescribed above may be extended. For the extension due to nature of
21 frontline services or the mandate of the office or agency concerned the period
22 for the delivery of frontline services shall be indicated in the Citizen's Charter.
23 The office or agency concerned shall notify the requesting party in writing of
24 the reason for the extension and the final date of release for the extension
25 and the final date of release of the frontline service/s requested.

26
27 No application or request shall be returned to the client without appropriate
28 action. In case an application or request is disapproved, the officer or
29 employee who rendered the decision shall send a formal notice to the client
30 within five working days from the receipt of the request and/or application,
31 stating therein the reason for the disapproval including a list of specific
32 requirement/s which the client failed to submit.

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c. *Denial of request for access to government service.* – Any denial of request for access to government service shall be fully explained in writing and through the portal, stating the name of the person making the denial and the grounds upon which such denial is based. Any denial of request is deemed to have been made with the permission or clearance from the highest authority having jurisdiction over the government office or agency concerned.

d. *Access to progression of frontline service requests through the online portal.* – All offices, agencies, and instrumentalities shall make accessible through the portal the progress of all frontline service requests in real time.

e. *Adoption of working schedules to serve clients through the online portal.* – Heads of offices and agencies which render frontline services shall adopt appropriate working schedules to ensure that all clients have requested for public services through the portal are attended to and served even during lunch break and after regular working hours, in accordance with pertinent civil service rules.

f. *Identification of public employees.* – All employees transacting with the public shall be provided with an official identification card which should be publicly accessible through the online portal.

Government agencies, offices, and instrumentalities mandated under this Act to provide and deliver public services through the portal shall not in any way require the person requesting for such public service to physically go and report to the physical office of such agency, office, or instrumentality where the purpose of such physical presence may be reasonably accomplished through the online portal.

The Government Online Payment System

1 Sec. 27. *The Government Online Payment System.* – In conjunction with the
2 online portals for the delivery of public services, the government shall establish an
3 internet-based electronic payment system and facility to enable citizens and
4 businesses to remit payments through digital platforms to the government agencies
5 to which such payments are due. For this purpose, the government may engage the
6 services of and interconnect with public and private payment systems and facilities,
7 in accordance with applicable laws and rules.

8
9 *The Citizens' Concerns Portal*

10
11 Sec. 28. *The Citizens' Concerns Center.* There is hereby established a Citizens'
12 Concerns Center, which shall serve as a mechanism where citizens may report their
13 complaints, grievances, and concerns on acts of red tape, as defined under Republic
14 Act No. 9485 and other relevant laws, and/or corruption or misconduct on the part
15 of any government agency, government-owned or controlled corporation,
16 government financial institution, and other instrumentalities of the government or
17 any of its officers, officials, or employees.

18
19 The Center shall be under the direction and supervision of the Office of the
20 Cabinet Secretary, in coordination with the DILG and representatives from the local
21 government units.

22
23 Sec. 29. *Integration with existing public feedback mechanisms.* – All existing
24 public feedback mechanisms for similar purposes established and/or maintained by
25 agencies, offices, and instrumentalities, and local government units, shall be fully
26 integrated with the Center. For this purpose and in accordance with the objectives of
27 this Act, the Center may enter into such arrangements as are necessary for the
28 interconnection, interoperability, and integration of the public feedback mechanisms.

29
30 Sec. 30. *Integration with the internal government network and database.* –
31 The Center, including its sub-operations units, and its operations shall be fully

1 integrated with the internal government network and database for real time
2 updating of data and information.

3
4 **Sec. 31. *Minimum operating standards.*** – The Center, including its sub-
5 operational units, shall have the following minimum operating standards:

6
7 a. ***Communications channels.*** – The Center shall provide communications
8 channels which include but are not limited to the following:

9
10 1. Telephone;

11
12 2. Short message service (SMS) or text message service;

13
14 3. Electronic mail (email);

15
16 4. Social media; or

17
18 5. Other emerging communications media which can reasonably be used
19 to fulfill the purposes of the Center.

20
21 b. ***Operating hours.*** – The Center shall operate, through any of its
22 communications channels, twenty-four (24) hours a day, seven (7) days a
23 week, including national holidays and days in which work is suspended for
24 whatever reason, for which purpose the Center may establish effective
25 measures and hire the necessary personnel;

26
27 c. ***Process flow.*** – A citizen's concern received through any of the
28 communications channels shall immediately be encoded onto the Philippine
29 Information Database and referred, directly or indirectly, in real time, to the
30 concerned agency, office, or instrumentality for appropriate action through
31 the internal government network. The complainant shall be given advice or
32 feedback on the status of the concern until its resolution;

1
2 d. *Period to take action.* – A citizen's concern lodged and received through any
3 of the communication channels shall have a concrete and specific action
4 within seventy-two (72) hours from receipt by the proper government agency
5 or instrumentality. For purposes of this provision, the period provided shall
6 exclude such time outside the normal office hours of the agency or office
7 concerned.

8
9 **Sec. 32. *Cooperation of government agencies and local government units.* –**
10 To ensure that the public is served efficiently and expeditiously in accordance with
11 the objectives of this Act, all national government agencies, offices, and
12 instrumentalities, government-owned and controlled corporations, government
13 financial institutions, as well as the local government units, are enjoined to
14 cooperate and coordinate with the Office of the Cabinet Secretary and each other to
15 ensure prompt action on the concerns received through the communications
16 channels of the Center.

17
18 **Chapter 6**
19 **The Philippine CitizenConnect Program**
20

21 **Sec. 33. *The Philippine CitizenConnect Program.* –** The government shall
22 establish a program, to be known as the "Philippine CitizenConnect," to assist and
23 help the public to who does not have access to, or need help with using computers,
24 the internet, and other analogous means to transact with and request the delivery of
25 public services from the government in their localities.

26
27 **Sec. 34. *Free access to the internet for the public.* –** Pursuant to Republic Act
28 No. 10929 or the Free Internet Access in Public Places Act, the government, through
29 the DICT, shall establish a program that will provide free access to internet service
30 in public places, with particular focus on unserved or underserved areas, throughout
31 the country, to enable access to the online portals, promote knowledge-building

1 among citizens, and enable them to participate and compete in the evolving
2 information and communication age.

3

4 Sec. 35. *Provision and maintenance of internet-capable devices in all*
5 *barangay centers.* – All barangay centers in the country shall provide and maintain
6 internet-capable devices such as but not limited to computers and tablets for the
7 purpose of enabling efficient and timely access to government services.

8

9 Sec. 36. *Staffing requirement for internet access.* – All barangay centers shall
10 ensure that there will be government staff present to help the public access the
11 government portal and perform online transactions with government agencies,
12 offices, and instrumentalities.

13

14

Chapter 7

15

The Government Websites and E-Bulletin Boards

16

17 Sec. 37. *The Government E-Bulletin Board.* – The government and all its
18 agencies, offices, and instrumentalities, including local governments, shall each
19 establish and maintain a website and an e-bulletin board for the purposes of
20 information sharing and dissemination, which shall be structured and maintained to
21 ensure accessibility and security.

22

23 Sec. 38. *Information dissemination through the website and board.* – All
24 government offices, agencies, and instrumentalities which are mandated by the laws
25 or rules to publish or otherwise disseminate notices, documents, or other
26 information intended for public consumption and information shall, in addition to the
27 traditional modes therefor, publish such notices, documents, or other information on
28 the website and e-bulletin board.

29

30 Notwithstanding the provisions of this Act and other relevant laws, publication
31 of notices, documents, or any other information on the website and e-bulletin board
32 shall be construed as sufficient notice to the public for purposes of compliance with

1 laws and rules requiring publication; *provided*, that such website or e-bulletin board
2 is accessible at such point in time where accessibility is claimed. For purposes of this
3 provision, the start of publication shall be the date on which the notice, document,
4 or information was first uploaded and made accessible to the public.

5
6 **Sec. 39. *Minimum standards for government websites and information***
7 ***portals.*** – The following shall be the minimum standards for government websites
8 and information portals:

9
10 a. It shall include direct and easily identifiable links to (i) description of the
11 mission, statutory authority, and the organizational structure of the agency;
12 and (ii) commonly asked questions and the corresponding answers, and other
13 common matters of public concern; and

14
15 b. It shall include direct and easily identifiable links to the relevant and
16 applicable portals for the delivery of public services.

17
18 **Chapter 8**
19 **Security and Privacy**

20
21 **Sec. 40. *Data and information security.*** – All resources, information, or data
22 stored on or transmitted through the IGN and all networks interconnected to and
23 interoperable with it, the Philippine Information Database, the Public Service
24 Directory, the portals, and websites shall be kept secure and free from interference
25 or unauthorized access that can hamper or otherwise compromise the integrity of
26 the information and communication technology assets.

27
28 Access to and use of the resources, information, and data on the IGN shall be
29 limited to the government and its duly authorized officers and agents, in accordance
30 with all relevant laws, rules, and regulations on data and information privacy and the
31 pertinent rules on confidentiality of government information.

1 Any person who shall knowingly commit an act which results to the
2 compromise of the security and integrity of the IGN and all networks interconnected
3 to and interoperable with it to the detriment of the government and the public shall
4 incur criminal liability in accordance with the provisions of applicable and/or relevant
5 penal laws.

6
7 Sec. 41. *Responsibility of the national and local government.* – All agencies,
8 offices, and instrumentalities of the national and local government under this Act
9 shall be responsible for:

- 10
- 11 a. Providing information security protections commensurate with the risk and
12 magnitude of the harm resulting from unauthorized access, use, disclosure,
13 disruption, modification, or destruction of information collected or maintained
14 by or on behalf of the agency; and information systems used or operated by
15 an agency or by a contractor of an agency or other organization on behalf of
16 an agency;
 - 17
 - 18 b. Determining the levels of information security appropriate to protect such
19 information and information systems and implementing the same;
 - 20
 - 21 c. Periodically testing and evaluating information security controls and
22 techniques to ensure that they are effectively implemented;
 - 23
 - 24 d. Complying with the requirements of pertinent laws on information security
25 and privacy, related policies, procedures, standards, and guidelines, including
26 information security standards promulgated by the Department of
27 Information and Communications Technology; and information security
28 standards and guidelines for national security systems issued in accordance
29 with law and as directed by the President; and
 - 30
 - 31 e. Ensuring that information security management processes are integrated with
32 agency strategic and operational planning processes.

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Chapter 9
Participation of the Private Sector

Sec. 42. *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 in the context of this Act shall be subject to the laws and rules on public accountability and transparency and good governance.

Chapter 10
The Philippine Infostructure Management Corporation

Sec. 43. *The Philippine Infostructure Management Corporation.* – For the purpose of ensuring proper and efficient operations and management of the ICT assets of the DICT, and a faster implementation of infrastructure programs related to connectivity, data center and cloud infrastructure, there is hereby established a body corporate to be known as Philippine Infostructure Management Corporation (PIMC), which shall be an attached agency to the DICT. The legal existence of the DIC shall be for a period of 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. 44. *Powers and functions.* – To carry out its main purpose and in accordance with applicable laws and rules, the PIMC shall have, in addition to any and all powers granted to a corporation under the general corporation code, the following functions and powers:

1 a. Plan and implement infrastructure programs such as but not limited to the
2 National Broadband Plan, Free WiFi for All, and expansion of the National
3 Government Data Centers and Government Cloud;

4
5 b. Manage ICT assets of the DICT;

6
7 c. Prescribe, repeal, and alter its own by-laws;

8
9 d. Determine its operating policies, and to issue such rules and regulations as
10 may be necessary to achieve its main purpose;

11
12 e. Adopt, alter and use a corporate seal;

13
14 f. Acquire and own real and personal property, and to sell, mortgage or
15 otherwise dispose of the same;

16
17 g. Sue and be sued, enter into contracts, and borrow money from both local and
18 foreign sources; provided, that such loans shall be incurred only upon
19 favorable recommendation of the DICT and approval by the President of the
20 Philippines;

21
22 h. Hold, own, purchase, acquire, sell or otherwise invest, or reinvest in stocks,
23 bonds or other securities capable of giving the PIMC a reasonably assured
24 income sufficient to support its activities; and

25
26 i. Provide ICT counseling and technical services to government and private
27 entities; provided, that for this purpose, the PIMC may contract the services
28 of private consultants.

29
30 **Sec. 45. Board of Trustees.** — The corporate powers and functions of the
31 PIMC shall be vested in and exercised by a Board of Trustees that shall be composed
32 of the following:

- 1
- 2 a. The Secretary of the Department of Information and Communications
- 3 Technology, as the *ex officio* Chairman and Chief Executive Officer;
- 4
- 5 b. The Undersecretary of the Department of Information and Communications
- 6 Technology, as the *ex officio* Executive Vice Chairman;
- 7
- 8 c. The Commissioner of the National Telecommunications Commission, or
- 9 his/her duly designated undersecretary, as *ex officio* member;
- 10
- 11 d. The Undersecretary of the Department of Budget and Management, or
- 12 his/her duly designated undersecretary, as *ex officio* member;
- 13
- 14 e. One (1) representative from the private sector from the Information
- 15 Technology and Business Process Outsourcing Industry;
- 16
- 17 f. One (1) representative from the private sector from the Telecommunications
- 18 Industry; and
- 19
- 20 g. One (1) representative from the local government units.
- 21

22 The representatives from the private sector and the local government units

23 shall be appointed by the President. The representatives from the private sector

24 shall be appointed only upon a favorable recommendation from the DICT and the

25 Government Commission on GOCCs. The representatives from the private sector

26 shall be persons of accepted integrity, probity, and intellect, at least thirty-five years

27 of age, possessed of demonstrated administrative skill and ability in the field of ICT,

28 and with a minimum of ten (10) years of professional experience in the field of ICT.

29 The representative from the local government units shall be appointed only upon a

30 favorable recommendation from the DICT, the GCG, and the Department of Interior

31 and Local Government.

32

1 The Chief Executive Officer of the Corporation shall execute and administer
2 the policies and resolutions approved by the Board of Trustees, prepare its agenda,
3 and direct and supervise the operations and management of the Corporation. He
4 shall have direct control and supervision of the business of the PIMC in all matters
5 which are not by this Act or by the by-laws of the Bank specifically reserved to be
6 done by the Board of Trustees. He shall, subject to the approval of the Board in case
7 of approval of appointments to managerial positions and above, and the
8 confirmation of the Board in appointments to below that of manager level, appoint
9 the personnel of the Corporation, remove, suspend or otherwise discipline them for
10 cause, and prescribe their duties and qualifications, in accordance with existing civil
11 service laws, rules and regulations, to the end that only competent and qualified
12 personnel may be employed.

13
14 All members of the Board shall serve for a term of seven years.

15
16 The Chairman and the members of the Board shall act as the heads of such
17 operating departments as may be set up by the Board. The Chairman shall have
18 authority, exercisable at his discretion, to determine from time to time the
19 organizational divisions to be headed by each member serving full time and to make
20 the corresponding shifts in designations pursuant thereto. The compensation of the
21 Chairman and the members of the Board of Trustees shall be in accordance with
22 applicable laws and rules on compensation in the civil service.

23
24 The Chairman of the Board shall be assisted by an Executive Vice-Chairman
25 and one or more Vice-Chairmen who shall be chosen and may be removed by the
26 Board of Trustees. The salaries of the Vice-Chairmen shall be fixed by the Board of
27 Trustees with the approval of the President of the Philippines.

28
29 Sec. 46. *Authorized capital stock.* – The PIMC shall have an authorized capital
30 stock of Five Billion pesos (PHP 5,000,000,000.00), divided into Five Million
31 (5,000,000) shares of common stock with a par value of One Thousand Philippine
32 Pesos (PHP 1,000.00) per share, which shall be fully subscribed by the government.

1

2 Of the total capital subscribed by the government, One Billion Philippine
3 Pesos (PHP 1,000,000,000.00) shall be paid by the Government within one year
4 from the effectivity of this Act, and One Billion Philippine Pesos (PHP
5 1,000,000,000.00) every year thereafter for four (4) years for which purpose the
6 amount of One Billion Philippine Pesos (PHP 1,000,000,000.00) is hereby
7 appropriated upon the effectivity of this Act, and One Billion Philippine Pesos (PHP
8 1,000,000,000.00) every year for the next four (4) years thereafter, out of the funds
9 in the National Treasury not otherwise appropriated for the purpose.

10

11 **Sec. 47. *Personnel; cost of administration.*** — The Board of Trustees shall
12 provide for an organization and staff of officers and employees necessary to carry
13 out the functions of the PIMC, fix their compensation, and appoint and remove such
14 officers and employees for cause. The PIMC officers and employees shall be subject
15 to the rules and regulations issued by the Civil Service Commission but shall not fall
16 under the Salary Standardization Law. The Board of Trustees shall recommend to
17 the Civil Service Commission rules and regulations for the recruitment, appointment,
18 compensation, administration, conduct, promotion and removal of all PIMC officers
19 and employees under a strict merit system and prepare and conduct examinations
20 under the supervision of said Commission.

21

22 The administrative expenses of the PIMC during any single fiscal year shall
23 not in any case exceed five percent (5%) of its total assets.

24

25 **Sec. 48. *Legal Counsel.*** — The Secretary of Justice shall be *ex-officio* legal
26 adviser of the PIMC. Any provision of law to the contrary notwithstanding, the PIMC
27 shall have its own Legal Department, the chief and members of which shall be
28 appointed by the Board of Trustees. The composition, budget and operating
29 expenses of the Office of the Legal Counsel and the salaries and traveling expenses
30 of its officers and employees shall be fixed by the Board of Trustees and paid by the
31 PIMC.

32

Sec. 49. *Removal of members.* — The President of the Philippines may, at any time, remove the Chairman or any member of the Board appointed by him for, in addition to any and all recognized causes for termination under applicable civil service laws and rules, any of the following causes:

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;

c. Any act or performance tending to prejudice or impair the substantial rights of the government and the corporation's stockholders.

The Chairman or member may, in any of the above cases, be civilly liable for any damage that may have been suffered by the corporation.

Sec. 50. *Timeline of organization of the PIMC.* — The PIMC shall be instituted and organized within one (1) year from effectivity of this Act.

Chapter 11

The ICT Academy

Sec. 51. *Establishment of the ICT Academy and its purposes.* – The DICT shall establish and develop rules and policies for the operations of an ICT Academy that shall have the following purposes:

a. To foster and support the strategic goals of the national ICT development agenda through data collection and globally competitive ICT skills development programs and for other purposes;

- 1 b. To promote the education and training of citizens in ICT skills, for purposes of
2 enhancing the nation's labor capacity in relation to the most relevant and
3 updated data on local and international skills supply and demand;
4
5 c. To promote the development of globally competitive skills and drive an
6 inclusive economic growth;
7
8 d. To promote, foster, and nurture the right of all citizens to quality education in
9 ICT;
10
11 e. To lead the country in setting standards in the development of ICT curriculum
12 and training;
13
14 f. Create and foster partnerships with different persons, entities, and institutions
15 for purposes of developing and updating the Academy's resources, its ICT
16 curriculum, modules, pedagogical approaches; and
17
18 g. To regularly assess the state of the country in terms of comparative ICT skills
19 and performance, and suggest responsive policies to address concerns;
20

21 Sec. 52. *Satellite units.* – The ICT Academy shall have satellite units in
22 particular regions, provinces or municipalities in the country if, upon determination
23 of the DICT, in coordination with the Commission on Higher Education and the
24 Technical Education and Skills Development Authority, it is found to be necessary to
25 ensure broader access to quality ICT trainings and skills development, and to further
26 enhance the Academy's capability to attain its purposes.
27

28 Sec. 53. *Access and admission.* -- The Academy shall be accessible to all
29 citizens regardless of skill, age, gender, religious belief, economic status, ethnicity,
30 physical disability, political opinion or affiliation.
31

1 The DICT shall institute an admissions process to ensure that citizens shall
2 have equal access to ICT education and that the broadest base of the citizenry shall
3 have ICT education.

4
5 Sec. 54. *Finances.* – The Academy's operations shall be financially supported
6 by a budget from the DICT, reasonable fees and dues collected, as well as through
7 donations, in accordance with applicable laws and rules.

8
9 All income collected by the Academy shall be retained and disbursed for the
10 for the benefit of the students, faculty, trainers, and advisers, to serve the
11 acquisition, construction, and maintenance needs of the Academy, as well as the
12 proper administration of its programs and, generally, the attainment of the purposes
13 of the Academy; *provided*, that such retention and disbursement shall be subjected
14 to applicable laws and rules on government audit and accountability.

15
16 Donations and fees collected shall be held in a fund, to be administered in
17 trust by a Committee created by the DICT for such purpose. The fund shall in no
18 case be impaired. Donations received shall be used only for the purposes for which
19 they were donated.

20
21 Sec. 55. *Partnerships.* – The Academy may form partnerships with different
22 educational institutions and private entities for purposes of achieving the goals of
23 the Academy. Partnerships may be in the form of resource sharing, module and
24 training development, faculty exchange, standards development, trainings
25 collaboration, and other similar forms. All partnerships to be entered into by the
26 Academy shall be in accordance with the law, approved by the DICT Secretary, and
27 shall not require the disbursement of any funds by the Academy or the government.

28
29 **Chapter 12**
30 **Miscellaneous Provisions**
31

1 **Sec. 56. *Transitory provisions.*** – In accordance with the objectives of this Act,
2 the DICT, in coordination with relevant government agencies and instrumentalities,
3 as well as private stakeholders and civic organizations, shall study, formulate, and
4 implement a master plan for the transition of the government and its provision of
5 services in the digital age.

6
7 For purposes of this Act, until such time that the government shall have
8 completed the transition in accordance with the objectives of this Act, all
9 government activities covered under this Act shall be conducted in the manner
10 provided for under existing laws and rules.

11
12 The government shall complete the transition in a maximum of five (5) years
13 from effectivity of this Act.

14
15 **Sec. 57. *Regular status reports.*** – All agencies, offices, and instrumentalities
16 of the national and local governments covered under this Act shall submit to the
17 Congress, the President, and to the DICT, an annual report on the status of
18 implementation of this Act. These reports shall likewise be made publicly available
19 on and through the e-portals.

20
21 **Sec. 58. *Appropriations and funding.*** – The amount necessary to cover the
22 initial implementation of this Act in the national government level shall be charged
23 against the current year's appropriation of the national government agency, office,
24 or instrumentality concerned. Thereafter, such sums as may be needed for its
25 continued implementation shall be included in the annual General Appropriations
26 Act.

27
28 The amount necessary to implement this Act in the local government level
29 shall be charged against the funds of the local government unit concerned.

30
31 **Sec. 59. *Implementing rules and regulations.*** – The Department of
32 Information and Communications Technology, in coordination with relevant offices,

1 agencies, and instrumentalities of the national and local government, shall
2 promulgate the necessary rules and regulations to properly and efficiently implement
3 this Act within ninety (90) days from the effectivity of this Act.

4

5 Sec. 60. *Separability clause.* – If any provision of this Act shall be declared
6 invalid or unconstitutional, such declaration shall not affect the validity of the
7 remaining provisions of this Act.

8

9 Sec. 61. *Repealing clause.* – All provisions of laws, presidential decrees,
10 letters of instruction and other presidential issuances which are incompatible or
11 inconsistent with the provisions of this Act are hereby deemed amended or repealed.

12

13 Sec. 62. *Effectivity.* – This Act shall take effect within fifteen (15) days
14 following its publication in the Official Gazette or in at least two (2) national
15 newspapers of general circulation.

Approved,