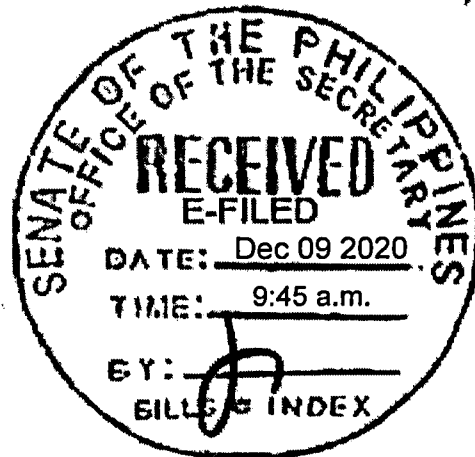


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE
S. B. No. 1943

Introduced by Senator SONNY ANGARA

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

EXPLANATORY NOTE

Information and communications technology (ICT) are now widely utilized in all sectors of society since it plays an important role in interactions between governments and people. Recently, we have seen local government units (LGUs) increasingly embrace digital technologies as it intensifies the quality of service delivery, improve the efficiency of public institutions, reach large numbers of people, promote transparency and accountability, facilitate electronic interaction and participation, and even mitigate corruption.

The on-going COVID-19 pandemic has emphasized the role of LGUs at the forefront of service delivery which has likewise forced them to accelerate digital transformation through the use of ICT to stay functional in the midst of the health crisis.

Digital transformation has now become a public sector imperative. Through digital technologies, people can easily access government service through various government portals, transact via e-services and interact with chatbots, among others. Digital transformation, however, is not just about innovative technologies but requires an overhaul of organizational structures, governance, work processes, culture and mindset.

Recognizing the new ways to engage in the community, the Department of the Interior and Local Government (DILG) has urged all LGUs to bolster digital economy

and move towards digitized government transactions to reduce contact, prevent further contagion, and boost economic activity as the country continues to battle the pandemic. On 12 August 2020, the National Economic and Development Authority (NEDA) also called the Filipinos to brace for a "digital new normal" and called on the LGUs to step up in bridging the digital divide beginning in their localities.

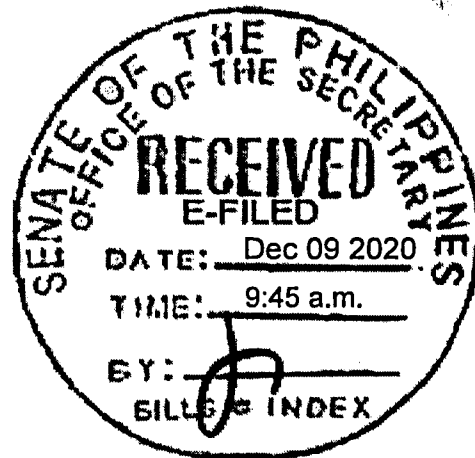
In order for LGUs to better address the fundamental challenges associated with the new normal, ICT development and digitalization, this bill proposes the mandatory appointment of an Information and Communications Technology Officer (ICTO) who will act as the over-all officer in charge for ICT concerns of the municipality, city or province, including the development, adoption, deployment, improvement and maintenance of ICT technologies, platforms, systems and solutions utilized by the said LGU for the effective, efficient, responsive, timely and transparent delivery of basic services and performance of public duties. The ICTO shall also be responsible in formulating measures that would ensure the digitization of public documents and digitalization of government process. In addition, the ICTO shall guide the LGU concerned in its digital transformation efforts, expedite change and minimize complications.

As the service delivery units of the national government, our LGUs need to be supported by sustainable mechanisms to ensure continuous and sustainable use of ICTs in their level. This can only be achieved with a specific officer mandated to focus on empowering and assisting all local departments within the LGU in utilizing and harnessing ICTs. Without sustainability and comprehensive planning and support, the national goal of ensuring digital transformation across the country will be difficult to achieve. Hence, the approval of this bill is earnestly sought.



SONNY ANGARA

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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SENATE
S. B. No. 1943

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AN ACT
STRENGTHENING THE DIGITAL TRANSFORMATION CAPACITY OF ALL LOCAL GOVERNMENT UNITS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991 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 "*Local Information*
2 *and Communications Technology Officer Act of 2020.*"
- 3 **SEC. 2. Declaration of Policy.** – It is hereby declared a policy of the State to
4 develop, harness, and integrate information and communication technology across all
5 levels of local government units in the country to ensure transparent, accountable,
6 efficient and participatory governance. Pursuant to this policy, the State shall provide
7 for a local government position that will be responsible and accountable for the
8 implementation of digital transformation in the local government units.
- 9 **SEC. 3. Definition of Terms.** – As used in this Act:
- 10 a) *Digitization* – refers to the technical conversion of physical, analog originals to
11 digital copies by means of electronic devices;
- 12 b) *Digitalization* – refers to the adoption of digital technologies to upgrade
13 business processes and models in order to create better ways of providing
14 service and obtaining greater benefits;
- 15 c) *Digital Transformation* – refers to cultural, organizational and operational
16 change of an organization, industry or ecosystem through a smart integration

1 of digital technologies, processes and competencies across all levels and
2 functions in a staged and strategic way;

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

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

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

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

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

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

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

29 "Sec. 443. *Officials of the Municipal Government.*

30 (a) There shall be in each municipality a municipal mayor, a municipal
31 vice-mayor, sangguniang bayan members, a secretary to the
32 sangguniang bayan, a municipal treasurer, a municipal assessor, a

1 municipal accountant, a municipal budget officer, a municipal
2 planning and development coordinator, a municipal
3 engineer/building official, a municipal health officer and a
4 municipal civil registrar [7]. **A MUNICIPAL INFORMATION AND
5 COMMUNICATIONS TECHNOLOGY OFFICER (ICTO) SHALL
6 ALSO BE APPOINTED: PROVIDED, THAT THE
7 MUNICIPALITY HAS THE OPTION TO APPOINT AN ICTO OR
8 MERGE SUCH POSITION TO AN EXISTING POSITION OR
9 OFFICIAL IN A RELATED OFFICE, UNIT OR DEPARTMENT
10 IN THE MUNICIPAL GOVERNMENT: PROVIDED, FURTHER,
11 THAT IF THE MUNICIPALITY SHALL APPOINT AN ICTO,
12 THE MUNICIPALITY HAS THE OPTION TO SET THE RANK,
13 REMUNERATION AND OTHER EMOLUMENTS OF THE
14 MUNICIPAL ICTO SUBJECT TO EXISTING LAWS, RULES
15 AND REGULATIONS.**

16 "(b) xxx

17 "(c) xxx

18 "(d) xxx

19 "(e) xxx

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

21 "Sec. 454. *Officials of the City Government.*

22 (b) There shall be in each city a mayor, a vice-mayor, sangguniang
23 panlungsod members, a secretary to the sangguniang panlungsod,
24 a city treasurer, a city assessor, a city accountant, a city budget
25 officer, a city planning and development coordinator, a city
26 engineer, a city health officer, a city civil registrar, a city
27 administrator, a city legal officer, a city veterinarian, a city social
28 welfare and development officer, and a city general services officer
29 [7]. **A CITY ICTO SHALL ALSO BE APPOINTED: PROVIDED,
30 THAT THE CITY HAS THE OPTION TO APPOINT AN ICTO OR
31 MERGE SUCH POSITION TO AN EXISTING POSITION OR
32 OFFICIAL IN A RELATED OFFICE, UNIT OR DEPARTMENT**

1 **IN THE CITY GOVERNMENT: PROVIDED, FURTHER, THAT**
2 **IF THE CITY SHALL APPOINT AN ICTO, THE CITY HAS THE**
3 **OPTION TO SET THE RANK, REMUNERATION AND OTHER**
4 **EMOLUMENTS OF THE CITY ICTO SUBJECT TO EXISTING**
5 **LAWS, RULES AND REGULATIONS.**

6 “(b) xxx

7 “(c) xxx

8 “(d) xxx

9 “(e) xxx

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

11 “Sec. 463. *Officials of the Provincial Government.*

12 (c) There shall be in each province a governor, a vice-governor,
13 members of the sangguniang panlalawigan, a secretary to the
14 sangguniang panlalawigan, a provincial treasurer, a provincial
15 assessor, a provincial accountant, a provincial engineer, a
16 provincial budget officer, a provincial planning and development
17 coordinator, a provincial legal officer, a provincial administrator, a
18 provincial health officer, a provincial social welfare and
19 development officer, a provincial general services officer, a
20 provincial agriculturist, and a provincial veterinarian, [7]. A

21 **PROVINCIAL ICTO SHALL ALSO BE APPOINTED:**
22 **PROVIDED, THAT THE PROVINCE HAS THE OPTION TO**
23 **APPOINT AN ICTO OR MERGE SUCH POSITION TO AN**
24 **EXISTING POSITION OR OFFICIAL IN A RELATED OFFICE,**
25 **UNIT OR DEPARTMENT IN THE PROVINCIAL**
26 **GOVERNMENT: PROVIDED, FURTHER, THAT IF THE**
27 **PROVINCE SHALL APPOINT AN ICTO, THE PROVINCE HAS**
28 **THE OPTION TO SET THE RANK, REMUNERATION AND**
29 **OTHER EMOLUMENTS OF THE PROVINCIAL ICTO SUBJECT**
30 **TO EXISTING LAWS, RULES AND REGULATIONS.**

31 “(b) xxx

32 “(c) xxx

1 “(d) xxx

2 “(e) xxx

3 **SEC. 7.** A new Section 491-A shall be inserted after Section 491 of the Code to
4 read as follows:

5 **ARTICLE XXI**

6 **THE LOCAL INFORMATION AND COMMUNICATIONS TECHNOLOGY**
7 **OFFICER**

8 **SECTION 491-A. QUALIFICATIONS, POWERS, AND**
9 **DUTIES. – (A) NO PERSON SHALL BE APPOINTED AS**
10 **INFORMATION AND COMMUNICATIONS TECHNOLOGY**
11 **OFFICER UNLESS HE OR SHE IS A CITIZEN OF THE**
12 **PHILIPPINES, A RESIDENT OF THE LOCAL GOVERNMENT**
13 **UNIT CONCERNED, OF GOOD MORAL CHARACTER, A**
14 **HOLDER OF A COLLEGE DEGREE ON INFORMATION AND**
15 **COMMUNICATIONS TECHNOLOGY, COMPUTER SCIENCE,**
16 **COMPUTER ENGINEERING, DATA SCIENCE, ELECTRONICS**
17 **AND COMMUNICATIONS ENGINEERING OR OTHER**
18 **COURSES DIRECTLY RELEVANT TO ANY OF THE**
19 **AFOREMENTIONED COURSES FROM A RECOGNIZED**
20 **COLLEGE OR UNIVERSITY, AND A FIRST GRADE CIVIL**
21 **SERVICE ELIGIBLE OR ITS EQUIVALENT. HE OR SHE MUST**
22 **HAVE ACQUIRED EXPERIENCE IN INFORMATION AND**
23 **COMMUNICATIONS TECHNOLOGY AND RELATED**
24 **EXPERIENCES FOR AT LEAST FIVE (5) YEARS IN THE CASE**
25 **OF THE PROVINCE OR CITY, OR AT LEAST THREE (3)**
26 **YEARS IN THE CASE OF THE MUNICIPALITY.**

27 **THE APPOINTMENT OF AN INFORMATION AND**
28 **COMMUNICATIONS TECHNOLOGY OFFICER SHALL BE**
29 **MANDATORY FOR THE PROVINCIAL, CITY AND**
30 **MUNICIPAL GOVERNMENTS.**

31 **(B) THE INFORMATION AND COMMUNICATIONS**
32 **TECHNOLOGY OFFICER SHALL:**

1 (1) FORMULATE MEASURES FOR THE
2 CONSIDERATION OF THE SANGGUNIAN AND PROVIDE
3 TECHNICAL ASSISTANCE AND SUPPORT TO THE LOCAL
4 CHIEF EXECUTIVE, IN CARRYING OUT MEASURES TO
5 ENSURE THE DIGITIZATION OF PUBLIC DOCUMENTS,
6 DIGITALIZATION OF GOVERNMENT PROCESS AND OVER-
7 ALL DIGITAL TRANSFORMATION OF GOVERNMENT

8 (2) DEVELOP PLANS AND STRATEGIES AND UPON
9 APPROVAL THEREOF BY THE LOCAL CHIEF EXECUTIVE
10 IMPLEMENT THE SAME, PARTICULARLY THOSE WHICH
11 HAVE TO DO WITH DEVELOPING, HARNESSING,
12 INTEGRATING AND UTILIZING INFORMATION AND
13 COMMUNICATIONS TECHNOLOGY FOR THE DIGITAL
14 TRANSFORMATION OF GOVERNMENT AND RELEVANT
15 PURPOSES;

16 (3) IN ADDITION TO THE FOREGOING DUTIES AND
17 FUNCTIONS, THE INFORMATION AND COMMUNICATIONS
18 TECHNOLOGY OFFICER SHALL:

19 (i) TAKE CUSTODY OF AND BE ACCOUNTABLE FOR
20 ALL PROPERTIES, REAL OR PERSONAL, OWNED BY THE
21 LOCAL GOVERNMENT UNIT AND THOSE GRANTED TO IT
22 IN THE FORM OF DONATION, REPARATION, ASSISTANCE
23 AND COUNTERPART OF JOINT PROJECTS;

24 (ii) WITH THE APPROVAL OF THE LOCAL CHIEF
25 EXECUTIVE, ASSIGN RESOURCES TO LOCAL OFFICIALS
26 OR OTHER PUBLIC OFFICIALS, WHO BY LAW, ARE
27 ENTITLED TO SUCH SPACES;

28 (iii) RECOMMEND TO THE LOCAL CHIEF EXECUTIVE,
29 THE REASONABLE PURCHASE, LEASE OR RENTAL RATES
30 OF DIGITAL EQUIPMENT FOR THE IMPLEMENTATION OF
31 DIGITAL TRANSFORMATION;

1 (iv) DEVELOP, MAINTAIN AND SUPERVISE ALL
2 OTHER INFORMATION AND COMMUNICATIONS
3 TECHNOLOGY PROGRAMS AND SERVICES OF THE LOCAL
4 GOVERNMENT;

5 (v) COLLATE AND DISSEMINATE INFORMATION
6 REGARDING INFORMATION AND COMMUNICATIONS
7 TECHNOLOGY PROGRAMS AND SERVICES OF THE LOCAL
8 GOVERNMENT TO THE PUBLIC,

9 (vi) PERFORM DATABASE AND RECORD
10 MANAGEMENT WITH RESPECT TO RECORDS OF OFFICES
11 AND DEPARTMENTS OF THE LOCAL GOVERNMENT UNIT;
12 AND

13 (vii) PERFORM ALL OTHER FUNCTIONS PERTAINING
14 INFORMATION AND COMMUNICATIONS TECHNOLOGY
15 PROGRAMS AND SERVICES OF THE LOCAL GOVERNMENT
16 AND ENFORCE POLICIES IN RELATION THERETO;

17 (4) BE IN THE FRONTLINE OF INFORMATION AND
18 COMMUNICATIONS TECHNOLOGY PROGRAMS AND
19 SERVICES OF THE LOCAL GOVERNMENT IN PARTNERSHIP
20 WITH PRIVATE SECTOR;

21 (5) DEVELOP, IMPLEMENT, AND EVALUATE ALL
22 PROGRAMS AIMED AT ENSURING THAT ALL PERSONNEL
23 UNDER HIS OR HER SUPERVISION INCLUDING HIMSELF
24 OR HERSELF ARE CONSTANTLY TRAINED OR EXPOSED TO
25 KNOWLEDGE IN INFORMATION AND COMMUNICATION
26 TECHNOLOGY AND OTHER RELEVANT AREAS;

27 (6) RECOMMEND TO THE SANGGUNIAN AND
28 ADVISE THE LOCAL CHIEF EXECUTIVE, ON ALL OTHER
29 MATTERS RELATIVE TO INFORMATION AND
30 COMMUNICATIONS TECHNOLOGY; AND

1 **(C) EXERCISE SUCH OTHER POWERS AND PERFORM**
2 **SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE**
3 **PRESCRIBED BY LAW OR ORDINANCE."**

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

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

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

Approved,