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SENATE
S. No. 2781

(In substitution of S. Nos. 67, 194, 298, 318, 334, 455, 625,685, 974, 982, 1051,1126,
1172, 1542, 1574, 1867, 1978, taking into consideration H. No. 7327)

Prepared by the Committees on Science and Technology; Civil Service, Government Reorganization and Professional Regulation; Local Government; Public Information and Mass Media; and Finance with Senators A. Cayetano, Go, Zubiri, Poe, Estrada, Angara, Gatchalian, Lapid, Revilla Jr., M. Villar, Ejercito, Villanueva, and Legarda as authors thereof

AN ACT
INSTITUTIONALIZING THE TRANSITION OF THE GOVERNMENT TO E-
GOVERNANCE, ESTABLISHING FOR THE PURPOSE THE E-GOVERNANCE
ACADEMY, AND APPROPRIATING FUNDS THEREFOR

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

CHAPTER I

PRELIMINARY PROVISIONS

Section 1. Short Title. - This Act shall be known as the "E-Governance Act".

Sec. 2. Declaration of Policy. – The State recognizes the vital role of information and communication in nation-building and the necessity of leveraging the power of information and communications technology (ICT) to drive national development and progress.

The State hereby adopts a policy to establish, foster, and sustain a digitally empowered and integrated government achieved through the implementation of a regulated, secure

1 and robust information and communication system aimed at facilitating responsive and
2 transparent online citizen-centered services, thereby optimizing the potential of open data
3 for promoting economic growth while balancing the rights to freedom of information and
4 data privacy of every Filipino.

5 **Sec. 3. Purposes and Objectives.** – The purposes and objectives of this Act are:

- 6 a) Define the roles and responsibilities of various government agencies in the entire
7 digital transformation process and provide effective leadership in developing and
8 promoting electronic government services and processes;
- 9 b) Promote interoperability of inter-agency systems and processes through a
10 consolidated process architecture, while also allowing government agencies,
11 offices, and instrumentalities to implement the proper controls and safeguards it
12 deems appropriate on its ICT and information assets;
- 13 c) Provide citizen-centric government information and services, and improve public
14 trust and citizen participation in the government;
- 15 d) Enable access to government information and services, in accordance with the
16 constitution and relevant laws, while leveraging ICT and emerging technologies to
17 enhance process efficiency, data security, and overall effectiveness;
- 18 e) Strengthen transparency and accountability efforts of the national and local
19 governments;
- 20 f) Foster an informed and data-driven decision-making process for policy makers by
21 utilizing data analytics results, among other pertinent factors;
- 22 g) Strengthen resilience against information technology disruptions, including but not
23 limited to cybersecurity attacks, by incorporating best practices both from public
24 and private sector, locally and internationally;
- 25 h) Promote electronic transaction particularly where mobility of citizens is restricted
26 during disasters or pandemics;
- 27 i) Foster job creation, promote sustainability, and ensure up-to-date qualification and
28 competency standards of ICT positions within the government;
- 29 j) Encourage sustainability and fortify manpower capabilities by the continuous
30 upskilling of ICT professionals through the E-Governance Academy; and

k) Reduce costs and burdens for businesses and other government entities.

Sec. 4. Coverage. - This Act shall apply to all executive, legislative, judicial offices, and constitutional offices, including local government units (LGUs), state universities and colleges (SUCs), government-owned or -controlled corporations (GOCCs) and other instrumentalities, whether located in the Philippines or abroad, that provide services covering business- and nonbusiness-related transactions as defined in this Act, subject to limitations under existing laws. Further, this Act shall also cover back-end government operations, within, between and across agencies, government-to-government transactions, particularly those involving sharing and processing of data and information between and among government agencies for policy, planning and decision-making purposes, and other government operations. Nothing in this Act shall be construed to derogate the fiscal and administrative autonomy and independence of government entities.

Sec. 5. Definition of Terms. - As used in this Act:

- a) *Application Programming Interfaces (APIs)* refers to an intermediary that allows interaction between applications, programs, software components, systems, hardware, and micro- services of different individuals or organizations;
- b) *Blockchain* is a shared, immutable ledger that facilitates the process of recording transactions and tracking assets in a business network. An *asset* can be tangible (a house, car, cash, land) or intangible (intellectual property, patents, copyrights, branding). Virtually anything of value can be tracked and traded on a blockchain network, reducing risk and cutting costs for all involved;
- c) *Chief Information Officer or CIO* refers to a senior officer responsible for the development, planning and implementation of the agency's information systems strategic plan or ICT plan, and management of the agency's ICT systems, platforms, and applications;
- d) *Critical Information Infrastructure (CII)* refers to the computer systems, and/or networks whether physical or virtual, and/or the computer programs, computer data and/or traffic data that are vital to this country that the incapacity or destruction or interference with such system and assets would have a debilitating

- 1 impact on security, national or economic security, national health and safety or
2 any combination of those matters. Sectors initially classified as CIIs are the
3 following: government transportation (land, sea, air), energy, water, health,
4 emergency services, public finance, banking and finance, business process
5 outsourcing, telecommunications, space, and media;
- 6 e) *Digitization* refers to the process of encoding information or procedure into digital
7 form that can be read and manipulated by computers;
- 8 f) *Digitalization* refers to the process of using digital technologies to enhance the
9 operations of the government, and provide new revenue and value-producing
10 opportunities;
- 11 g) *Digital Transformation* refers to the process of optimizing, reconstructing, and
12 integrating digital technology into all areas of the government, to maximize
13 resource configuration, improve operational efficiency and innovation capability,
14 and enhance value delivery to stakeholders;
- 15 h) *E-Governance* refers to the use of ICT by the government to provide public services
16 to people in a more friendly, convenient, affordable, efficient, and transparent
17 manner. Further, it is the application of ICT for delivering government services
18 through integration of various stand-alone systems between Government-to-
19 Citizens (G2C), Government-to-Business (G2B), and Government-to-Government
20 (G2G) services. It is often linked with back office processes and interactions within
21 the entire government framework;
- 22 i) *E-Government* refers to the use of ICT by the government to enhance the access
23 to and delivery of government services to bring about efficient, responsive, ethical,
24 accountable and transparent government;
- 25 j) *ICT Assets* refer to any data, device, equipment, infrastructure, system, or
26 component thereof, utilized to ensure or support the proper and efficient operation
27 and implementation of ICT-related programs and delivery of ICT services;
- 28 k) *ICT Plan* refers to the sum or set of goals, measures, strategies, agenda, budget
29 and timeline for the implementation of ICT programs and projects and the use of
30 information and communications technology, including digital platforms, to deliver

- 1 public services or otherwise perform governmental functions;
- 2 l) *Information and Communications Technology or ICT* refers to the totality of
3 electronic means to access, create, collect, store, process, receive, transmit,
4 present, regulate and disseminate information;
- 5 m) *Information Security Standards (ISS)* refers to generally acceptable security
6 standards which aim to protect, and secure the confidentiality, integrity,
7 availability, authenticity, and non-repudiation of information;
- 8 n) *Information Systems Strategic Plan (ISSP)* refers to the 3-year plan that serves as
9 the agency's roadmap for using ICT as a strategic resource to support the
10 attainment of its goals, mission, and vision and it is also a written expression of
11 how an agency intends to use ICT to support its data processing and decision-
12 making processes;
- 13 o) *Interoperability* refers to the ability of different operating and software systems,
14 applications, and services to communicate and exchange data in an accurate,
15 effective, and consistent manner to different platforms and agencies;
- 16 p) *Nonbusiness-related transaction* refers to all other government transactions not
17 falling under Section 4(c) of Republic Act No. 11032, or the "Anti-Red Tape Act of
18 2007";
- 19 q) *Privacy Engineering* refers to the integration of privacy concerns into engineering
20 practices for systems and software engineering life cycle processes;
- 21 r) *Privacy-by-Design* refers to an approach in the development and
22 implementation of projects, programs, and processes that integrates safeguards
23 that are necessary to protect and promote privacy into the design or structure;
24 and
- 25 s) *Privacy-by-Default* refers to a practice of applying the strictest privacy settings by
26 default, without any manual input from the user, when a product or service has
27 been deployed for public use.

CHAPTER II
IMPLEMENTING AGENCY

Sec. 6. Role of the Department of Information and Communications

Technology. - The DICT shall be the lead implementing body and administrator of this Act. In accordance with applicable laws and rules, and subject to limitations provided by the Constitution, the DICT shall ensure that all ICT projects in the Philippines shall be done in accordance with the National ICT Development Agenda and E-Government Master Plan, as provided under Republic Act No. 10844 or the "Department of Information and Communications Technology Act of 2015". For this purpose, the DICT shall establish measures to implement policies under this Act and ensure that all ICT projects in the Philippines, whether national or local are harmonized with the overall ICT plans and in compliance with applicable standards. Accordingly, the DICT shall:

- a) Adopt a national policy and process that promotes innovations, supports start-ups, and facilitate the entry and adoption of technologies consistent with the goals of this Act;
- b) Support, advise, monitor and guide the government agencies in ensuring the quality, security, and reliability of their respective ICT infrastructure and services in accordance with international or industrial standards, specifications, and best practices, and ensure the interconnection or interoperability of ICT infrastructure, systems, and facilities when necessary to achieve the goals of this Act;
- c) Coordinate and/or collaborate with the private sector and enter into partnerships and joint ventures in accordance with the goals of this Act;
- d) Mandate and guide the adoption of policies and processes to ensure the implementation of this Act, including the adoption of a roadmap to provide a strategic and phased whole-of-government transformation to e- Government, with clear and identified milestones, and which explicitly defines the roles and responsibilities of covered government agencies, offices, and instrumentalities;
- e) Empower and guide the operations of ICT infrastructure, systems, and facilities, and in the exercise of such functions, in accordance with applicable laws and rules;
- f) Mandate government agencies, offices and instrumentalities to comply with the

1 minimum qualification and competency standards of ICT positions in the
2 government and require government agencies, offices, and instrumentalities, to
3 regularly report the status of compliance thereto;

4 g) Engage technical and standards organizations and consult industry experts on
5 matters requiring engineering inputs, enterprise architecture, and other highly
6 specialized concerns;

7 h) Where applicable, recognize the administrative autonomy provided by the
8 Constitution for independent government agencies, offices, and instrumentalities
9 in the implementation and enforcement of the foregoing;

10 i) Develop in accordance with applicable civil service laws and rules, consistent with
11 the compensation and position classification system of the government, the
12 competency and qualification standards of all ICT positions in the government, and
13 submit to the Department of Budget and Management (DBM) the proposal for the
14 creation and updating of current civil service positions for ICT workers, which
15 include cybersecurity, data governance, data privacy, and other ICT-related
16 government positions and the appropriate job levels and corresponding
17 compensation rates aligned with the personnel needs of digitized government and
18 comparable with the prevailing industry rates, as well as the qualifications
19 standards, duties and functions essential to the effective operation of government
20 ICT infrastructure and systems: Provided, That government agencies, offices, and
21 instrumentalities granted by law and by their charter with fiscal and administrative
22 autonomy in the performance of its constitutional and statutory mandates shall
23 independently undertake, supervise, and regulate their own ICT projects and shall
24 only be required to coordinate and report to the DICT for purposes of alignment
25 of policy objectives;

26 j) Ensure that E-Government programs and platforms are inclusive and accessible to
27 persons with disabilities, as far as practicable; and

28 k) Issue Performance Score Card on the compliance of the different agencies, LGUs,
29 SUCs, GOCCs as provided under Sec. 4 hereof. Such Performance Score Cards
30 shall only be advisory in nature.

Sec. 7. The E-Governance Unified Project Management Office. (E-Gov-UPMO). – Within one (1) year from the effectivity of this Act, the DICT shall establish a government-wide E-Governance Unified Project Management Office (E-Gov-UPMO), which shall cater to and address the portfolio, program, and project management needs of government agencies, with the end goal of ensuring that ICT projects across the government are managed with efficiency and agility, following international best practices and standards.

The DICT shall provide guidelines on the operation of the E-Gov-UPMO and the qualifications of personnel under the E-Gov-UPMO, who shall, at the minimum obtain internationally-recognized certifications and a required number of units on Project Management, Program Management, IT Service Management, the Enterprise Architecture, Information Security, Data Privacy, Risk Management, and other similar fields or specializations. For this purpose, the E-Governance Academy created under this Act, shall ensure that courses, multimodal training, and certifications to develop this human resource are regularly offered.

The E-Gov-UPMO shall be headed by the Undersecretary for E-Governance of the DICT.

CHAPTER III

THE E-GOVERNMENT MASTER PLAN, PROGRAMS AND SYSTEMS

Sec. 8. E-Government Master Plan. – The DICT shall formulate and promote an E-Government Master Plan (EGMP) or its equivalent that will serve as a blueprint for the development and enhancement of all electronic Government service processes, and workforce to achieve digital transformation in the bureaucracy, taking into consideration the Philippine Development Plan. Supplemental to this, an integrated framework shall be developed to provide the government enterprise architecture and operationalize the blueprint through programs and projects relating to E-Government, in order to fully realize the vision, goals and objectives of the Master Plan. The EGMP and the accompanying integrated framework shall be reviewed and updated every three (3) years or earlier as the need arises, in anticipation of disruptions, emergencies, crises, and new and emerging technologies.

1 In order to effectively implement E-Governance across the government, a whole-of-
2 government approach shall be adopted for the formulation and promotion of EGMP. This
3 approach shall facilitate engagement primarily with the government agencies,
4 instrumentalities, GOCCs, LGUs, Regional Development Councils, ICT Councils, technical
5 and standards organizations and other relevant stakeholders towards ensuring the full
6 and effective implementation of the country's E-Governance Agenda. All E-Government
7 Programs identified herein and, in the future, as well as in the ISSP of each government
8 agency, instrumentality, and GOCCs shall be subject to mandatory monitoring by the
9 DICT in order to be aligned with the EGMP and its accompanying integrated framework.

10 **Sec. 9. E-Government Programs (EGMP).** - The DICT shall develop the following
11 programs and systems that will be regularly updated in consultation with the stakeholders
12 and ensure that such programs and systems are compliant with the standards imposed
13 by relevant laws, rules, and regulations relating to data privacy and security, including
14 among others and not limited to Republic Act No. 10173 10173, or the "Data Privacy Act
15 of 2012":

16 a) **Philippine Government Interoperability Framework.** - A Philippine
17 government interoperability framework shall guide and govern the basic technical
18 and informational interoperability of government ICT systems. Such a framework
19 shall provide shared operations and services of the Philippine government,
20 between and among its various agencies, as well as for these agencies in dealing
21 with their various constituencies. This shall be reviewed and updated regularly, to
22 ensure that this framework is responsive with the current needs of the government
23 and aligned with the newly adopted standards;

24 b) **Records and Knowledge Management Information System.** — A records
25 and knowledge management information system shall be designed to
26 systematically and efficiently manage government documents, records and
27 knowledge products and services. This includes the digitization of paper-based
28 documents, records and knowledge products and services, as well as the re-
29 engineering and digitalization of paper-based workflows, from creation,
30 dissemination, processing, analysis, tracking, storing, verification and

1 authentication, and archiving or disposal, while adhering to existing policies, laws
2 and internationally-recognized standards and best practices.

3 A repository and corresponding Secure Application Programming Interfaces
4 (APIs) shall be created for the common data sets, which include pricing data,
5 demographic data, geospatial data in order to improve publication, sharing and
6 utilization of data across the government. The DICT shall ensure that such
7 repository shall be in compliance with applicable data privacy laws and information
8 security standards, in coordination with the NPC. The DICT shall also establish a
9 government data storage and interoperability platform or its equivalent to store all
10 information and services that are currently housed in the government data center;

11 c) **Integrated Government Network.** - An integrated, dedicated, interconnected,
12 interoperable, secure and resilient government network, to be known as the
13 "Integrated Government Network" (IGN) shall be established to act as the primary
14 means for the sharing and communication of resources, information, and data
15 through digital and electronic platforms across all agencies of the government,
16 covering all branches, agencies, instrumentalities, and offices of the national and
17 local government, including GOCCs.

18 Such network shall also act as the government's primary and focal information
19 management tool and communications network and the data traffic that will be
20 coursed by the government agencies and key stakeholders through this network
21 will be exchanged through a designated Government Internet Protocol Exchange
22 (G/IPX) facility. Interconnectivity and interoperability measures shall be
23 established and maintained between all existing internal networks and the IGN.
24 This program shall also cover the acquisition and management of internet
25 resources of the government, such as internet protocol (IP) addresses, and domain
26 names, among others;

27 d) **Integrated Local Government Unit (ILGU) System.** — In compliance with
28 the immediately preceding paragraph, LGUs shall establish their own portal or
29 utilize the ILGU developed by the DICT, its equivalent programs and systems
30 thereof: Provided, That LGUs that are unable to establish their own system within

one (1) year from the effectivity of this Act are mandated to utilize the ILGU or equivalent programs and systems: Provided, further. That LGUs establishing their own portal or those with existing portals shall immediately be connected by the DICT to the IGN, pursuant to Section 11, subparagraph (c) of this Act: Provided, finally. That the ILGU software or equivalent including its necessary infrastructure shall likewise be provided by the DICT for the effective use of the ILGU to the unserved and underserved municipalities;

e) Government Digital Payment Systems for Collection and Disbursement.

– An internet- based electronic payment facility and gateway that will enable citizens and businesses to remit and receive payments electronically or from government agencies shall be created. It shall render services through various delivery channels, which include debit instructions (ATM accounts), credit instructions (credit cards) and mobile wallets (mobile application/SMS). For this purpose, the government may, in accordance with applicable laws and rules, engage the services of and interconnect with public and private payment systems and facilities, among others, consistent with the National Retail Payment System Framework of the Bangko Sentral ng Pilipinas (BSP).

These systems should smoothly interface with the current monitoring and accounting systems of the National Treasury;

f) Citizen Frontline Delivery Services Platform. — Services that are needed to facilitate business and non-business transactions referring to permitting, licensing, and the issuance of any privilege, right, reward, clearance, authorization, or concession, including frontline services enrolled in the existing citizen’s charter, whether or not related to business, corresponding back- and/support services, and regulatory functions related to permitting, licensing, and the issuance of any privilege, right, reward, clearance, authorization, or concession shall be made efficient by integrating all agencies involved, such as the Philippine Statistics Authority (PSA), Department of Foreign Affairs (DFA), Land Transportation Office (LTO), Land Transportation Franchising and Regulatory Board (LTFRB), National Bureau of Investigation (NBI), Professional Regulation Commission, Department

1 of Trade and Industry (DTI), Securities and Exchange Commission (SEC), BSP,
2 Cooperative Development Authority (CDA), Bureau of Internal Revenue (BIR),
3 Government Service Insurance System (GSIS), Social Security System (SSS),
4 Home Development Mutual Fund (HDMF), PAG-IBIG, and Philippine Health
5 Insurance Corporation (PhilHealth), into one platform and shall be made available
6 in a form of portal, mobile applications and other applicable variations thereof.

7 All other government agencies, offices, and instrumentalities, including LGUs
8 which provide frontline services, as defined under Republic Act No. 9485, or the
9 "Anti-Red Tape Act of 2007" as amended by Republic Act No. 11032, shall file an
10 application for integration with the DICT. All agencies, offices and instrumentalities
11 that will be integrated shall establish and maintain measures to ensure that such
12 services are accessible and capable of delivery to the public through the platform;

13 g) **Philippine Digital Health System.** — A comprehensive, integrated,
14 interoperable, progressive, secure, and sustainable system and framework of
15 providing wide access to quality health information and services using ICT, and
16 promoting and ensuring streamlined and safety regulated delivery of digital health
17 services to reduce inequalities, achieve universal healthcare, and better health
18 outcomes for every Filipino;

19 h) **Online Public Service Portal.** — Complementing the Citizen Frontline Delivery
20 Services Platform, an Online Public Service Portal shall be made accessible,
21 through digital platforms, such as the internet and other information and
22 communications technologies, to citizens of the Philippines, foreign nationals who
23 have been lawfully admitted in the country, and businesses organized and existing
24 or operating under the laws and rules of the Philippines for purposes consistent
25 with the efficient delivery of public services. The Online Public Service Portal shall
26 serve as a helpdesk where citizens can request for information and assistance on
27 government frontline services, service procedures, and report commendations,
28 appreciation, complaints, and feedback.

29 For the purposes of interoperability, interconnection and harmonization, all
30 existing systems or mechanisms, such as 8888 Citizens' Complaint Center,

1 government social media channels, established and/or maintained by agencies,
2 offices, and instrumentalities, and LGUs shall be integrated to Online Public Service
3 Portal. Likewise, the Online Public Service Portal shall be fully integrated with the
4 integrated government network and Records and Knowledge Management
5 Information System for real time updating of data and information.

6 To ensure that the public is served efficiently and expeditiously in accordance
7 with the objectives of this Act, all national government agencies, offices, and
8 instrumentalities, GOCCs, government financial institutions, as well as the LGUs,
9 are hereby mandated to cooperate and coordinate with the Presidential
10 Management Staff (PMS) and each other to ensure prompt action on the concerns
11 received through the Online Public Service Portal and associated communication
12 channels.

13 Notwithstanding the provisions of this Act, access to and use of resources,
14 information, and data through the portal shall be in accordance with all relevant
15 laws, rules, and regulations on data and information privacy and pertinent rules
16 on confidentiality of government information, such as Republic Act No. 11032;

17 i) **Integrated Financial Management Information System (IFMIS).** — To
18 ensure fiscal discipline, fund allocation efficiency and operational efficiency in the
19 delivery of public services, an IFMIS shall be jointly developed by the DBM,
20 Department of Finance (DOF), Commission on Audit (COA), and DICT. This shall
21 harmonize all existing financial systems in the government to enable real-time,
22 online accounting monitoring, and control of obligations and disbursements and
23 directly link these to cash management for a more effective financial control and
24 accountability. This shall facilitate the generation and monitoring of vital
25 information on all aspects of government financial transaction to support timely
26 and informed decisions across the bureaucracy;

27 j) **Procurement System.** — A modernized Philippine Government Procurement
28 System shall be developed and implemented to provide an auditable online system
29 that encompasses all procurement and supply chain management processes
30 involving bidding, contract management, delivery, acceptance and payment for

1 services or supplies: Provided, That government agencies, offices, and
2 instrumentalities granted by law and by their respective Charters with fiscal and
3 administrative autonomy in the performance of their constitutional and statutory
4 mandates, shall independently develop, maintain, undertake, supervise and
5 regulate their own Procurement Systems and shall only be required to coordinate
6 and report to the DICT for purposes of alignment of policy objectives; Provided,
7 further, That such system shall be in compliance with Republic Act No. 9184, or
8 the Government Procurement Reform Act;

9 **k) Human Capital Management Information System.** – A Human Capital
10 Management Information System (HCMIS) shall be developed in order to eliminate
11 paper-based and manual human resource (HR)-related processes. Consistent with
12 the applicable civil service laws and rules, HCMIS shall automate the following HR-
13 related functions in the government: recruitment and selection, appointment
14 preparation and submission, personnel records keeping, salary, benefits and
15 payroll administration, leave management, learning and development, rewards
16 and recognition and performance management, among others. Further, this
17 system shall utilize analytics in order to provide insights necessary for strategic HR
18 functions such as performance management, forecasting, promotion, succession
19 planning, among others: Provided, That government agencies, offices, and
20 instrumentalities granted by law and by their respective Charters with fiscal and
21 administrative autonomy in the performance of their constitutional and statutory
22 mandates, including those that have been exempted from the Salary
23 Standardization Law and have been granted authority to formulate their own
24 classification systems, shall be allowed to independently develop, maintain,
25 undertake, supervise and regulate their own HCMIS and shall only be required to
26 coordinate and report to the DICT for purposes of alignment of policy objectives;
27 and

28 **l) Government Public Key Infrastructure (PKI) Program.** – The DICT shall
29 encourage and promote the use of Government PKI digital certificates that shall
30 allow paperless transactions and remote approval of signatories in the

1 government. This would reduce red tape, therefore enforcing Ease of Doing
2 Business. The adoption of PKI aims to strengthen E-Government security through
3 its implementation in all government offices and supply of digital certificates to the
4 citizens. The PKI digital certificates shall ensure the security of digital data and
5 transactions by providing the

- 6 1. Authentication to prevent unauthorized disclosure of information;
- 7 2. Confidentiality to ensure that a message shall remain unmodified during
8 transmission;
- 9 3. Integrity to validate that the senders are exactly who they say they are;
10 and
- 11 4. Non-repudiation to ensure non-deniability of actions by any party.

12 **Sec. 10. Privacy Impact Assessment (PIA).** – The DICT shall conduct a
13 mandatory PIA, according to relevant NPC guidelines, on the proposed systems involved
14 in processing personal data included in the EGMP before its publication to identify privacy
15 risks and establish the appropriate controls framework in line with existing data privacy
16 and cybersecurity standards.

17 **Sec. 11. Minimum Information Security Standards Compliance.** – The DICT
18 shall establish and implement minimum information security standards for E-Government,
19 aligned with internationally accepted standards, relevant law, rules and regulations,
20 including its own policies, to ensure the security of all ICT systems utilized.

21 **Sec. 12. Protection of Government Critical Information Infrastructure (CII).**
22 – The DICT, in coordination with relevant government agencies and stakeholders, shall
23 issue guidelines for the protection of government CII identified in the EGMP. All
24 government CIIs shall undergo Vulnerability Assessment and Penetration Testing (VAPT)
25 before deployment and an annual risk and security assessment at least once a year.

26 **Sec. 13. Public Service Continuity Plan.** - Consistent with the existing issuances
27 of the National Disaster Risk Reduction and Management Council (NDRRMC) and Civil
28 Service Commission (CSC), all ICT systems and infrastructure covered in the priority
29 programs of the EGMP and ISSPs shall be included as part of the Public Service Continuity

1 Plan (PSCP) of all government agencies and instrumentalities, to ensure the continuous
2 delivery of essential agency functions, notwithstanding any emergency or disruptions.

3 **Sec. 14. National E-Government DEVELOPMENT Index (EGDI) and E-**
4 **Government Maturity Survey.** – The DICT shall, in coordination with other
5 government agencies, establish a national E-Government Development Index, which
6 provides globally competitive indicators, definitions, and statistical standards. They shall
7 develop a manual for measuring E-Government indicators to institutionalize the
8 measurement framework and conduct an annual E-Government maturity survey to assess
9 the ICT readiness and maturity of agencies, with the survey results primarily used for
10 formulating and updating EGMP.

11 **Sec. 15. Free Access to the Internet for the Public.** – Subject to compliance with
12 existing laws, rules, and regulations, the free public internet access program shall utilize
13 the free public internet access fund (FPIAF) to provide necessary computer systems,
14 programs, databases, management and information systems, and core transmission and
15 distribution networks to facilitate knowledge-building among citizens and empower them
16 to participate in the evolving digital age.

17 **CHAPTER IV**

18 **ROLE OF GOVERNMENT AGENCIES, OFFICES, INSTRUMENTALITIES**

19 **Sec. 16. Responsibilities of the Heads of Government Agencies, Offices, and**
20 **Instrumentalities.** - The head of each agency, office, and instrumentality of the
21 national and local government, in consultation with the Department of Information and
22 Communications Technology (DICT), shall ensure:

- 23 a) Adherence to the requirements of this Act, including related standards for all ICT
24 infrastructures, systems, equipment, designs, and all other technology
25 promulgated by the DICT;
- 26 b) Compliance with the standards and protocols for cybersecurity, resiliency, and data
27 privacy and confidentiality, promulgated by the DICT in consultation with the
28 National Privacy Commission (NPC);
- 29 c) Prompt and effective communication of information technology standards
30 promulgated by the DICT to all concerned officials within their agency;

- d) Support for the efforts of the national and local government to develop, maintain, and promote an integrated system of delivering government information and services to the public;
- e) Establishment and implementation of policies and standards, in consultation with the DICT, on information security, freedom of information, and open data within their organization following its mandate and technological needs or risks;
- f) Conformity to the reengineering and streamlining requirements of the Anti-Red Tape Authority (ARTA) as provided under Republic Act No. 11032 or the "Ease of Doing Business and Efficient Services Act of 2018";
- g) Availability of government information and services shall not be diminished for individuals and entities who lack access to the internet; and
- h) Alternative modes of delivery that make government information and services more accessible to individuals, either electronically or manually.

Sec. 17. Chief Information Officer (CIO). - All covered government agencies under this Act shall create a plantilla position for a Chief Information Officer (CIO) who shall ensure the development and implementation of the agency's ICT system, its security and compliance with DICT-prescribed standards, relevant laws, rules, and regulations, including "Data Privacy Act of 2012."

Recruitment, selection and appointment to the position shall be subject to civil service law, rules and regulations, and the competency standards prescribed by the DICT.

Sec. 18. Functions of the CIO. - The CIO shall perform the following functions:

- a) Advise agencies on how to leverage ICTs to optimize the delivery of secured public services and achieve efficient and cost-effective operations;
- b) Securely develop, maintain, and manage the agency's information systems;
- c) Manage and supervise the implementation of ICT related projects, systems, and processes;
- d) Formulate and implement processes in relation to the adoption of ICT-based solutions, including emerging technologies as provided in the EGMP;
- e) Manage operational risks related to ICT in coordination with the agency's management and stakeholders;

- f) Ensure that the ICT programs and operations are consistent with national policies and prevailing industry standards;
- g) Accelerate the adoption of open data, blockchain, and emerging technologies, while benchmarking against ICT industry best practices in ICT programs and operations; and
- h) Ensure that personal information and data in information systems in the government are secured and protected;
- i) Ensure that E-Government Programs are accessible and inclusive to persons with disabilities, as far as practicable.

CHAPTER V

GOVERNMENT WEBSITES AND INFORMATION PORTALS

Sec. 19. Government Website and Electronic Bulletin (E-Bulletin) Board. -

National government agencies, offices, instrumentalities, including local governments, are mandated to consistently enhance their existing website and establish an e-Bulletin Board for efficient information dissemination. The website and e-bulletin board should be interactive, well-designed, functional, and mobile-friendly, and prioritize security and accessibility. Regular updates to website content are also required.

Sec. 20. Minimum Standards. - The following shall be the minimum standards for government websites and information portals:

- a) It shall include direct and easily identifiable links to: (i) description of the mission, statutory authority, and the organizational structure of the agency; and (ii) frequently asked questions (FAQs) with the corresponding answer; and other common matters of public concern;
- b) It shall include direct and easily identifiable links to the relevant and applicable portals and E-Government programs for the delivery of public services;
- c) It shall include the ability to provide access to public information via an API;
- d) It shall include an up-to-date government directory containing the contact information, such as emails, telephone numbers, and the likes, of the offices and officials within an agency; and

1 e) It shall be compliant with the Philippine Web Accessibility policy, or any relevant
2 and updated issuance from the DICT.

3 **Sec. 21. Information Dissemination Through Website and Board. -**

4 Government offices, agencies, and instrumentalities required by law or rules to share
5 public notices, documents, or information must publish them on their website, e-bulletin
6 board, and verified official government social media accounts, in addition to traditional
7 publication methods.

8 Except in cases provided by law, publication of notices, documents, or any other
9 information on the website and e-bulletin board shall be construed as sufficient notice for
10 purposes of this Act. Date of publication shall be reckoned from the date on which the
11 notice, document, or information was first uploaded and made accessible to the public.

12 **CHAPTER VI**

13 **SECURITY AND PRIVACY**

14 **Sec. 22. Data and Information Security. –** This Act limits the access and usage of
15 ICT assets to authorized government personnel in compliance with applicable laws and
16 regulations regarding data privacy and confidentiality of government information to
17 protect them against any interference or unauthorized access that can hamper or
18 otherwise compromise its confidentiality, integrity, and availability.

19 Destruction or disposal of data collected and stored by covered agencies upon
20 fulfillment of their purpose shall be in accordance with existing laws, standards, and
21 guidelines.

22 Any person who shall knowingly commit an act that compromises the security and
23 integrity of the government information systems and all networks interconnected to and
24 interoperable with it to the detriment of the government and the public shall incur criminal
25 liability as may be governed by applicable laws.

26 **Sec. 23. Responsibility of the National and Local Government. –** All agencies,
27 offices, and instrumentalities of the national and local government, including SUCs and
28 GOCCs, under this Act shall be responsible for:

29 a) Providing information security protections commensurate with the risk and
30 magnitude of the harm resulting from unauthorized access, use, disclosure,

1 disruption, modification, or destruction of information collected or maintained
2 by or on behalf of the agency; and information systems used or operated by
3 an agency or by a contractor of an agency or other organization on behalf of
4 an agency;

5 b) Determining the levels of information security appropriate to protect such
6 information and information systems and implementing the same in
7 coordination with the DICT;

8 c) Periodically testing and evaluating information security controls and techniques
9 to ensure that they are effectively implemented;

10 d) Ensuring procedures, standards, and guidelines, including information security
11 standards promulgated by the DICT and information security standards and
12 guidelines for national security systems issued in accordance with law and as
13 directed by the President of the Philippines;

14 e) Ensuring that information security management processes are integrated with
15 agency strategic and operational planning processes; and

16 f) Adopting the Privacy-by-Design, Privacy Engineering, and Privacy-by-Default
17 principles in developing, implementing, and deploying systems, processes,
18 software applications, and services throughout the processing of personal data.

19 **Sec. 24. Master Data Management.** – In order to have access to the most updated
20 data, the government shall establish and maintain measures to ensure that the parent
21 government agency responsible for a set of data shall own, maintain, update, and protect
22 the data while giving access via secure Application Programming Interface (API) to other
23 agencies.

24 **CHAPTER VII**

25 **PARTICIPATION OF THE PRIVATE SECTOR**

26 **Sec. 25. Government Cooperation with the Private Sector.** – Nothing in this Act
27 shall prevent the government, both national and local, from entering into contracts,
28 agreements, or partnerships with the private sector to provide various resources, assets,
29 and services in order to comply or enhance compliance with the provisions of this Act.

1 Any and all contracts or agreements with the private sector within the context of this
2 Act shall be subject to the laws and rules on public accountability and transparency and
3 good governance.

4 To ensure inclusivity, public telecommunications entities (PTEs) and non-PTE internet
5 service providers (ISPs) shall be allowed to enter into contract with government agencies
6 at the national and local levels to build and operate networks to provide internet
7 connections in support of E-Government programs, especially in the underserved and
8 unserved areas.

9 CHAPTER VIII

10 E-GOVERNANCE ACADEMY

11 **Sec. 26. *Establishment of the ICT Academy and Its Purposes.*** — The DICT
12 shall reorganize and restructure its ICT Literacy and Competency Development Bureau in
13 order to establish and develop rules and policies for the operations of an ICT Academy,
14 herein after referred to as Academy that shall have the following purposes:

- 15 a. Become the National Center of Excellence for ICT Education;
- 16 b. Promote education for purposes of enhancing the nation's labor capacity in relation
17 to the most relevant and updated data on local and international skills supply and
18 demand;
- 19 c. Promote, foster and conduct quality ICT education for the capacity development
20 of all citizens;
- 21 d. Foster and support the strategic goals of the national ICT development agenda,
22 as provided in Republic Act No. 10844 through data collection and globally
23 competitive ICT skills development programs and for other purposes;
- 24 e. Conduct programs and activities for the capacity development of all citizens to be
25 able to gain globally competitive skills and drive inclusive economic growth;
- 26 f. Create and foster partnerships with different persons, entities, and institutions
27 for purposes of developing and updating the Academy's resources, its ICT
28 curriculum, modules, and pedagogical approaches;
- 29 g. Promote gender parity through technology education;
- 30 h. Ensure continuous learning and development of educators on current ICT trends;

- i. Promote immersion of learners to industry partners whether it be private or in the public sector;
- j. Establish and implement a scholarship system offered to qualified individuals in training and programs under the Academy or other activities approved by the DICT Secretary;
- k. Facilitate the screening, admission process and monitoring of all admitted scholars;
- l. Spearhead academic research and development related to ICT;
- m. Assess regularly the state of the country in terms of comparative ICT skills and performance and suggest responsive policies to address concerns; and
- n. Develop curricula and courses for learners and students on ICT to upskill the ICT proficiency and competency of individuals in collaboration with the Department of Education (DepEd), Commission on Higher Education (CHED), Technical and Skills Development Authority (TESDA), SUCs, and local universities and colleges,.

Sec. 27. *Satellite Units.*- The Academy may establish satellite units in the existing DICT offices in particular regions, provinces or municipalities in the country. To ensure broader access to quality ICT trainings and skills development and to further enhance the capability of the Academy to attain its purposes, additional satellite units may be established upon determination of the DICT and in coordination with the CHED and the TESDA.

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

The DICT, through the Academy, shall promulgate an admission process that is equitable and inclusive to ensure that citizens shall have equal access to ICT education and that the broadest base of the citizenry shall have ICT education.

Sec. 29. *Finances.* - The operations of the Academy shall be financially supported by a budget from the DICT, reasonable fees and dues collected, as well as through donations, in accordance with applicable laws and rules.

1 Donations collected shall be held in a fund, to be administered in trust by a Committee
2 created by the DICT for such purpose. The fund shall in no case be impaired. Donations
3 received shall be used only for the purposes for which they were donated, subject to
4 accounting and auditing rules and regulations.

5 **Sec. 30. Partnerships.** - The Academy may form partnerships with different
6 educational institutions, technical and standards organizations, and private entities for
7 purposes of achieving the goals of the Academy.

8 Partnerships may be in the form of research collaborations, resource sharing, module
9 and training development, faculty exchange standards development, training
10 collaborations, internships, apprenticeships, and other similar forms.

11 All partnerships to be entered into by the Academy shall be in accordance with the
12 provisions of this law, and approved by the DICT Secretary. There shall be no
13 disbursement of any funds by the Academy or the government for the purpose of
14 establishing these partnerships.

15 The Academy shall be empowered to accredit courses offered by educational
16 institutions, private or public, following strict competency standards and guidelines
17 developed by the DICT.

18 **CHAPTER IX**

19 **MISCELLANEOUS AND FINAL PROVISIONS**

20 **Sec. 31. Transitory Provision.** – The DICT, in consultation with relevant
21 government agencies, instrumentalities, and private stakeholders and civic organizations,
22 shall study, formulate, and implement a plan for the transition to E-Government following
23 the objectives of this Act.

24 Until such time that the government shall have completed the transition, all
25 government activities covered under this Act shall be conducted in the manner provided
26 for under existing laws and rules.

27 The government shall complete the transition within a period of three (3) years from
28 the effectivity of this Act.

29 **Sec. 32. E-Government Interoperability Fund (EIF).** - An E-Government
30 Interoperability Fund (EIF) is hereby created as a special account in the general fund

1 managed by the DICT for the implementation of the EGMP, E-Government Programs and
2 Government Websites, including ILGU system, among others.

3 The EIF will be primarily sourced from donations and fees as well as Spectrum User's
4 Fees which currently accrues to the Free Public Internet Access Fund created under
5 Republic Act No. 10929 or Free Internet Access in Public Places Act. The EIF may be
6 funded through grants and loans from development and foreign partners, or through
7 applicable Public-Private Partnership mechanisms.

8 **Sec. 33. Appropriations.** – The amount necessary for the initial implementation of
9 this Act in the national government level shall be charged against the current year's
10 appropriations of the DICT, NTC, NPC, and such other national government agency,
11 office, or instrumentality concerned. Thereafter, such sums as maybe needed for its
12 continued implementation shall be included in the annual General Appropriations Act.

13 The amounts necessary to implement this Act in the local government level shall be
14 charged against the funds of the local government unit concerned.

15 **Sec. 34. Applicability of Republic Act No. 8349, as Amended by Republic Act**
16 **No. 11312 And Republic Act No. 10929.** – All ICT employees across all government
17 agencies and instrumentalities providing technical support to the implementation of all E-
18 Government Programs in their respective agencies shall be covered by Republic Act No.
19 8439, or the "Magna Carta for Scientists, Engineers, Researchers and other Science and
20 Technology Personnel in the Government," as amended.

21 The provisions of R.A. No. 10929 or the "Free Internet Access in Public Places Act"
22 shall apply suppletorily to this Act.

23 **Sec. 35. Implementing Rules and Regulations.** – Within one hundred-eighty
24 (180) days from the effectivity of this Act, the DICT, in coordination with relevant offices,
25 agencies, and instrumentalities of the national and local government, shall promulgate
26 the necessary rules and regulations necessary in effectively implementing the law.

27 **Sec. 36. Regular Status Reports.** – All agencies, offices, and instrumentalities of
28 the national and local governments shall submit to the President, both Houses of
29 Congress, and DICT, an annual report on the status of implementation of this Act. These
30 reports shall be made publicly available in government websites and information portals.

1 The status report shall include the following:

- 2 a) Status of the implementation of E-Government Initiatives based on its
- 3 approved ICT Plan;
- 4 b) Compliance by the agency with this Act; and
- 5 c) Performance in delivering programs and services through the E-Government to
- 6 their constituencies.

7 **Sec. 37. Joint Congressional Oversight Committee on E-Governance.** - A Joint
8 Congressional Oversight Committee on E-Governance (JCOCEG) shall be constituted to
9 monitor and ensure the effective implementation of this Act, identify the deficiencies,
10 limitations, and challenges in the current legal framework, and propose necessary
11 amendments or supplementary legislations to address them.

12 The JCOCEG shall be composed of three (3) members from the Senate and three (3)
13 members from the House of Representatives, in addition to the Chairperson of the Senate
14 Committee on Science and Technology and the Chairperson of the House of
15 Representatives Committee on Information and Communications Technology who shall
16 jointly chair the JCOCEG.

17 One (1) member from each chamber-shall come from the minority party, who shall be
18 Co-Vice Chairpersons.

19 The Secretariat of the JCOCEG shall come from the existing Secretariat personnel of
20 the Committee on Science and Technology of the Senate and the Committee on
21 Information and Communications Technology of the House of Representatives.

22 The JCOCEG shall exist for a period not exceeding five (5) years from the effectivity of
23 this Act. Thereafter, its oversight functions shall be exercised by the Senate Committee
24 on Science and Technology and the House of Representatives Committee on Information
25 and Communications Technology, acting separately.

26 **Sec. 38. Separability Clause.** - If any provision of this Act is declared
27 unconstitutional, the remainder thereof not otherwise affected shall remain in full force
28 and effect.

1 **Sec. 39. Repealing Clause.** - All laws, presidential decrees, executive orders, letters
2 of instruction, proclamations or administrative regulations that are inconsistent with the
3 provisions of this Act are hereby repealed, amended, or modified accordingly.

4 **Sec. 40. Effectivity.** - This Act shall take effect after fifteen (15) after its complete
5 publication in the Official Gazette, or in a newspaper of general circulation.

Approved,