

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



'22 JUL 13 A10 :01

SENATE
S. No. 455

RECEIVED BY

Introduced by SENATOR JINGGOY EJERCITO ESTRADA

**AN ACT
ESTABLISHING THE E-GOVERNMENT, DEFINING ITS POWERS AND
FUNCTIONS, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article II, Section 24 of the 1987 Constitution states that, "The State recognizes the vital role of communication and information in nation-building."

In 1990s, the use of the term "electronic government" or "e-government" became prevalent when governments around the world started harnessing information and communications technology (ICT) to improve the quality of public services and decreasing the cost of the same.

According to the United Nations E-Government Knowledgebase, e-government is "the use of ICTs to more effectively and efficiently deliver government services to citizens and businesses. It is the application of ICT in government operations, achieving public ends by digital means. The underlying principle of e-government, supported by an effective e-governance institutional framework, is to improve the internal workings of the public sector by reducing financial costs and transaction times so as to better integrate work flows and processes and enable effective resource utilization across the various public sector agencies aiming for sustainable solutions. Through innovation and e-government, governments around the world can be more efficient, provide better services, respond to the demands of citizens for transparency

and accountability, be more inclusive and thus restore the trust of citizens in their governments.”

Various countries have already implemented various forms of e-government to increase the efficiency and effectivity of public service. While there are still concerns regarding data privacy and digital divide, e-government is worth implementing to maximize its benefits that corresponds to the rapid advancements in ICT.

The Philippine government has continuously been developing ICT plans, the most recent of which are E-Government Masterplan (EGMP) 2013-2016 and EGMP 2022 which were formulated by the Department of Information and Communications Technology (DICT). EGMP 2022 seeks to achieve “One Digitized Government by “developing the country’s E-Government systems through the digital transformation of basic services that cut across the whole-of-government”.

The “E-Government Act” seeks to provide a legal framework for the establishment of an E-Government Master Plan that will encourage excellence in facilitating the development and enhancement of all E-Government services and processes under the auspices of the Department of Information and Communications Technology (DICT). Among the programs that will be included in the E-Government Master Plan are:

- 1) Philippine Government Interoperability Framework;
- 2) Database and Other Resources Sharing Network;
- 3) Archives and Records Management System;
- 4) Full Disclosure and Transparency System;
- 5) Government Online Payment System;
- 6) Citizen Frontline Delivery Services;
- 7) Public Financial Management;
- 8) Procurement System; and,
- 9) Cybersecurity Protection and Data Privacy Measures.

Through the establishment of a comprehensive plan that will enable the full interoperability of all government systems and services, public service is expected to be more effective, efficient and responsive to the needs of the people.

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


JINGGOY EJERCITO ESTRADA

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Office of the Secretary
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**AN ACT
ESTABLISHING THE E-GOVERNMENT, DEFINING ITS POWERS AND
FUNCTIONS, AND FOR OTHER PURPOSES**

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

- 1 Section 1. *Short Title.* – This Act shall be known as the “E-Government Act”.
- 2 Sec. 2. *Declaration of Policy.* – The State hereby adopts the following policies:
- 3 1. The State shall provide effective leadership for the development and
- 4 promotion of electronic government services and processes;
- 5 2. The State shall provide increased opportunities for citizen participation in
- 6 government and people empowerment through use of available electronic
- 7 technologies and increased access to high quality government information
- 8 across multiple channels;
- 9 3. The State shall promote inter-agency collaboration and harmonized
- 10 systems in providing automated government services;
- 11 4. The State shall promote the use of the internet, as well as available and
- 12 emerging technologies within and across government agencies to provide
- 13 efficient and effective citizen-centric government information and services;
- 14 5. The State shall ensure that costs and burdens in availing government
- 15 services are substantially reduced for the general public, businesses and
- 16 other entities;
- 17 6. The State shall make the government more transparent and accountable;

1 7. The State shall recognize its inherent obligation to ensure that personal
2 information in information and communications systems in the government
3 are secured and protected;

4 8. The State shall strengthen and update existing electronic systems, online
5 or remote transaction mechanisms and other contactless means of service
6 in recognition of the health protocols, mobility restrictions and safety
7 guidelines posed by the epidemics and similar health emergencies, and
8 natural or man-made calamities.

9 **Sec. 3. *Definition of Terms.* – As used in this Act:**

10 1. *Information and Communications Technology or ICT* – shall mean the
11 totality of electronic means to access, create, collect, store, process,
12 receive, transmit, present and disseminate information;

13 2. *Electronic Government or E-Government* – shall mean the use of ICT by the
14 government and the public to enhance access to and delivery of
15 government services to bring about efficient, responsive, ethical,
16 accountable, and transparent government service;

17 3. *ICT-enabled Services* – shall mean those engaged in providing services that
18 require the intrinsic use of ICTs including engineering or architectural
19 design, informatics service providers, offshoring and outsourcing service
20 providers such as call centers, back office processing, software
21 development, medical or legal transcription, animation, game development,
22 and other services that require the intrinsic use of a networked information
23 infrastructure;

24 4. *Chief Information Officer or CIO* – shall mean a senior officer in all national
25 government agencies, including constitutional offices, state universities and
26 colleges, government-owned and –controlled corporations, and
27 government financial institutions responsible for the development and
28 management of the agency’s ICT systems and applications;

29 5. *Interoperability* – shall mean the ability of different operating and software
30 systems, applications and services to communicate and exchange data in
31 an accurate, effective and consistent manner.

1 Sec. 4. *E-Government Master Plan.* – The Department of Information and
2 Communications Technology (DICT) shall establish and promote an E-Government
3 Master Plan to encourage excellence in facilitating the development and enhancement
4 of all E-Government services and processes. The E-Government Master Plan shall be
5 reviewed and revised every three (3) years.

6 Sec. 5. *E-Government Programs.* – The E-Government Master Plan shall include
7 the following programs:

- 8 1. *Philippine Government Interoperability Framework.* – A framework shall be
9 developed to guide and govern basic technical and informational
10 interoperability of government ICT systems. Such framework shall guide all
11 shared operations and services of the Philippine government between and
12 among its various agencies, in dealing with their various constituencies.
- 13 2. *Database and Other Resources Sharing Network.* – A network shall be
14 designed to allow agencies to access shared database and other resources
15 in order to facilitate seamless validation, inquiry and research procedures,
16 inter-agency cooperation and support, and regular exchange of datasets,
17 studies and statistics towards effective policy making, monitoring and
18 evaluation.
- 19 3. *Archives and Records Management System.* – A system shall be designed
20 to systematically and efficiently manage government documents and
21 records. This includes the digitization of paper-based documents and
22 records and the development of systems that will manage these documents
23 – from creation, routing, tracking, and archiving to disposal – while adhering
24 to existing policies, laws and the standards of the International Organization
25 for Standardization.
- 26 4. *Full Disclosure and Transparency System.* – An open data system which
27 allows the general public access to government information and other public
28 interest documents, projects and transactions, and allows citizens to engage
29 public officials in shaping public policies.
- 30 5. *Government Online Payment System.* – An internet-based electronic
31 payment facility and gateway that will enable citizens and businesses to
32 remit payments electronically to government agencies shall be created. It

1 shall render services through various delivery channels, which include debit
2 instructions accounts (debit cards), credit instructions (credit cards) and
3 mobile wallets (SMS).

4 6. *Citizen Frontline Delivery Services.* – Services that are needed to facilitate
5 business registration-related transactions shall be made efficient by
6 integrating all agencies involved in business registration, such as the
7 Department of Trade and Industry, Securities and Exchange Commission,
8 Cooperative Development Authority, Bureau of Internal Revenue, Social
9 Security System, Home Development Mutual Fund, Philippine Health
10 Insurance Corporation, Local Government Units (LGUs) and other
11 permit/license-issuing agencies.

12 7. *Public Financial Management.* – Various financial systems in government
13 such as taxation, payment systems, accounting, business registries, shall be
14 harmonized and managed.

15 8. *Procurement System.* – An online and real-time service that encompasses
16 all procurement processes involving bidding, contract agreements, and
17 payment for services or supplies shall also be developed.

18 9. *Cybersecurity Protection and Data Privacy Measures.* – This refers to policies
19 and safeguards that will ensure the protection of data and personal
20 information against cyber security threats, breach of privacy, and illegal use
21 of information.

22 The E-Government Master Plan shall likewise include the following:

- 23 1. Inventory and purchase of hardware and software of all government
24 offices;
- 25 2. Utilization of servers, network connections and data centers in all
26 government offices;
- 27 3. Security, disaster recovery plans and archiving considering existing services
28 and capabilities, as well as future information systems;
- 29 4. Standardization of systems across government agencies to promote
30 interoperability and database management.

31 *Sec. 6. DICT Secretary as E-Government Head.* – The Secretary of the DICT
32 shall head the E-Government initiative. The Secretary is expected to spearhead all

1 aspects of implementation of the E-Government Master Plan to catalyze the optimum
2 use of ICT in government to expand and improve public services, government
3 operations and capabilities.

4 *Sec. 7. Chief Information Officers.* – Chief Information Officers shall be
5 assigned and deployed to national and key governmental units and perform the
6 following functions:

- 7 1. Advise agencies on how best to leverage ICTs to optimize the delivery of
8 public services, and achieve efficient and cost-effective operations;
- 9 2. Develop, maintain and manage the agency's information systems;
- 10 3. Manage and supervise the implementation of ICT-based projects, systems,
11 and processes;
- 12 4. Formulate and implement processes in relation to the adoption of ICT-based
13 solutions as provided by the E-Government plan;
- 14 5. Manage operational risks to ICT in coordination with the agency's
15 management and stakeholders; and
- 16 6. Ensure that the ICT programs and operations are consistent with national
17 policies and standards.

18 *Sec. 8. Local Government Unit (LGU) ICT Officers.* – Each LGU shall have an
19 ICT Officer assigned to manage and supervise its adoption of the E-Government Plan.
20 The LGU ICT Officer is likewise tasked to spearhead seminars and other means of
21 educating the community to maximize the E-Government initiatives.

22 *Sec. 9. E-Government Status Report.* – Each agency and LGU shall compile and
23 submit an annual E-Government Status Report on:

- 24 1. The status of the implementation of electronic government initiatives;
- 25 2. Compliance by the agency with this Act; and
- 26 3. Performance in delivering programs through the E-Government to
27 constituencies.

28 *Sec. 10. Separability Clause.* – If any provision or part hereof is held invalid or
29 unconstitutional, the remainder of the law or the provision or part not otherwise
30 affected shall remain valid and subsisting.

31 *Sec. 11. Repealing Clause.* – Any law, presidential decree or issuance, executive
32 order, letter of instruction, administrative order, rule, or regulation contrary to or

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

3 Sec. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its
4 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,