


SENATE

S. NO. 282

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

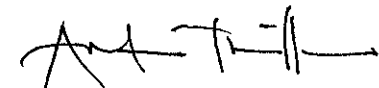
Philippines continuously climbed in the global corruption index over the last few years. The Hong Kong-based Political and Economic Risk Consultancy (PERC) gave the Philippines a grade of 9.4 (with 10 as the worst possible grade) in 2007, up sharply from a grade of 7.8 in 2006.

From the Corruption Perception Index survey conducted by the Transparency International (TI) in 2007, the Philippines, moreover, ranked 131st among 179 countries, 10 ranks higher from 2006 result of the same survey.

According to another survey, bribery is one of the most rampant forms of corruption in the country. From the 2007 Global Corruption Barometer Report of Transparency International (TI), the Philippines is included in the top rung of countries most affected by bribery in the world. It is one of the top 10 countries with the highest level of petty bribery. Moreover, petty bribery has penetrated every level of government and affected the delivery of services to the people.

This bill seeks to prevent petty bribery and other corrupt practices in the delivery of government services by limiting transactions to the appropriate "transaction windows" and prohibiting the clients from going inside government offices except during interviews, examinations, official business, and other similar cases. To serve more efficiently, this bill furthermore encourages government agencies to create electronic delivery of services that is accessible to the general public without charge. This will lessen if not eliminate the hassle of going through the usually long-winded and tiring process of transacting business with the government and will decrease the likelihood of committing bribery and other corrupt practices.

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



ANTONIO "SONNY" F. TRILLANES IV
Senator

SENATE

S. NO. 282

10 JUL -6 A: 51
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AN ACT

MANDATING THE USE OF TRANSACTION WINDOWS AND THE CREATION OF E-SERVICES IN ALL GOVERNMENT AGENCIES, MINIMIZING OPPORTUNITIES FOR THE COMMISSION OF BRIBERY AND OTHER CORRUPT PRACTICES, AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as “*Transaction Windows and E-*
2 *Services Act.*”

3
4 **SEC. 2. *Definition of Terms.*** - As used in this Act, the following terms shall mean:

5 (a) ***Commission on Information and Communications Technology (CICT)*** - An agency
6 under the Office of the President mandated to promote, develop, and regulate integrated and
7 strategic Information and Communications Technology (ICT) systems and reliable and cost-
8 efficient communication facilities and services in the country;

9 (b) ***E-services*** - The electronic delivery of government information, programs and
10 services often (but not exclusively) over the Internet;

11 (c) ***Client*** - A person who is availing a particular government service in any agency of the
12 government;

13 (d) ***Transacting Official*** - An official or employee of the government who transacts
14 directly with a client in the delivery of a particular government service;

15 (e) ***Fixer*** – A person who offers to facilitate or assists in the facilitation of government
16 transactions either for a fee or a tip or in exchange for certain favors such as preference in the
17 patronage of service providers (i.e., insurance, medical check-up, drug test, etc.).

1 **SEC. 3. *Transaction Windows.*** - All government agencies and/or instrumentalities which
2 provide direct services to the public, where said services involve any form of payment of taxes,
3 fees and/or other charges payable to the government, shall provide and utilize transaction
4 windows in the conduct of their transactions with the public.

5 All transactions shall be conducted through these transaction windows, which windows
6 shall physically separate the transacting official and the client.

7 It shall be the duty of the Head of the agency to ensure that there are enough transaction
8 windows to allow the orderly and efficient processing of clients doing business with the said
9 agency.

10

11 **SEC. 4. *Cuing System and Clients' Lounge.*** – When the volume of transactions of the
12 agency so warrants, the agency shall provide for a system of cuing which will ensure that clients
13 are attended to and served in an orderly and timely manner on a “*first time, first serve basis*”.

14 If the clients are compelled to wait for a substantial period of time before being served,
15 the agency shall provide a clients' lounge where clients can comfortably sit while waiting to be
16 served. Whenever possible, the clients' lounge shall be equipped with comfort rooms and
17 facilities for entertainment to keep clients entertained and comfortable while waiting.

18

19 **SEC. 5. *Client Restricted Areas.*** – Clients shall remain in the clients' lounge, on cue or
20 at the transaction windows when transacting business with the agency. Clients are absolutely
21 prohibited from entering the areas beyond the transaction windows and clients' lounge except
22 during interviews, examinations or in other similar cases.

23 In relation hereto, the Head of the agency shall make sure that this provision is properly
24 implemented.

25

26 **SEC. 6. *'Fixer-free' Areas.*** - It shall be the duty and obligation of the Head of the
27 agency concerned to ensure that the agency's transaction windows, the clients' lounge and other

1 public areas within the agency's premises shall remain free of unauthorized personnel and in
2 particular, of *'fixers'*, whether or not the latter are employed by the agency. The Head of the
3 agency shall keep said areas *'fixer-free'* and shall bring the appropriate administrative
4 disciplinary action against employees moonlighting as *fixers*.

5

6 **SEC. 7. E-services.** – Each government agency, in consultation with the Commission on
7 Information and Communications Technology (CICT), shall design, develop, and maintain an
8 appropriate website accessible through the internet and shall provide and render e-services which
9 shall be accessible to the general public without charge.

10 The website shall include the following basic information on the government agency
11 concerned, thus:

- 12 (a) The official name, principal office address and key officials of the agency;
- 13 (b) The mandate, mission and vision of the agency and the legal basis thereof;
- 14 (c) A list of the services rendered by the agency and a simplified description of the
15 process or procedure of conducting or transacting business with the agency;
- 16 (d) Directory of all key officials as well as offices and branches of the agency,
17 including telephone numbers, email addresses, physical addresses and other
18 contact details of the said key officials and/or offices;
- 19 (e) Downloadable application forms, check-lists and other forms necessary to
20 transact business with the agency;
- 21 (f) Downloadable or viewable versions of relevant laws, rules and regulations and/or
22 memorandum circulars and/or orders which concerns or affect the agency and/or
23 client's transacting business with it.
- 24 (g) Links to all attached and/or relevant government as well as private entities with
25 related content.

1 **SEC. 8. *Penalty Clause.*** – (a) Any public officer such as but not limited to the
2 transacting official, head of agency, or office supervisor found not implementing or violating any
3 provision of this Act shall be punished administratively, and/or by imprisonment for not less than
4 one (1) month nor more than one (1) year and perpetual disqualification from public office,
5 depending on the severity.

6 (b) Any client violating any provision of this Act shall be fined P1,000.00 but not more
7 than P10,000.00, and/or by imprisonment for not less than one (1) month nor more than three (3)
8 months, depending on the severity.

9
10 **SEC. 9. *Appropriation.*** - The amount necessary to carry out the provisions of this Act
11 shall be charged to the current fiscal year appropriation of the concerned agency. Thereafter,
12 such sums as may be necessary shall be included in the annual General Appropriations Act.

13
14 **SEC. 10. *Repealing Clause.*** – All laws, presidential decrees, executive orders and other
15 issuances, and rules and regulations, or part thereof, contrary to or inconsistent with any
16 provision of this Act, are hereby repealed, modified or amended accordingly.

17
18 **SEC. 11. *Separability Clause.*** – Should any provision of this Act be found
19 unconstitutional by a court of law, such provision shall be severed from the other provisions, and
20 the same shall not affect the enforceability and effectivity of the remaining provisions of this
21 Act.

22
23 **SEC. 12. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
24 complete publication in the Official Gazette or in any two (2) national newspapers of general
25 circulation.

Approved,