



November 4, 2019

MEMORANDUM TO ALL EMPLOYEES

SUBJECT : Twelve (12) things to know about R.A. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018"

1. Coverage. The Ease of Doing Business and Efficient Government Service Delivery (EODB EGSD) Act of 2018 applies to all government offices and agencies including local government units (LGUs), government-owned and/or-controlled corporations (GOCCs), and other government instrumentalities, whether located in the Philippines or abroad, that provide services covering business and nonbusiness related transactions as defined in the Act.

2. Purpose. It aims to establish efficient service delivery, prevent graft and corruption, reduce red tape, and expedite business and non-business transactions in government. The Act also provides for rules, tools, and mechanisms designed to improve frontline service efficiency and ensure customer satisfaction.

3. Citizen's/Service Charter. The posted information should have a comprehensive and uniform checklist of requirements; procedure to avail of the service; person/s responsible for each step; maximum time to complete the process; document/s to be presented by the customer, if necessary; amount of fees to be paid, if necessary; and procedure for filing complaints.

4. Zero Contact Transaction. Except during preliminary assessment of the request and evaluation of the sufficiency of submitted requirements, no government officer or employee shall have any contact with a customer. Examples of which are physical interaction and phone conversations.

5. 3-7-20 Days Processing Time. Assigned officers or employees shall follow specific processing times for client transactions.

- a. 3 Days (Simple Transaction) - Applications or requests which only require ministerial actions or that which present only inconsequential issues for resolution.
- b. 7 Days (Complex Transaction) - Requests or applications which necessitate evaluation in the resolution of complicated issues by an officer or employee of a government office.
- c. 20 days (Highly Technical Application) - Applications or requests which require use of technical knowledge, specialized skills and/or training in the processing and/or evaluation.

6. Grant of Automatic Extension. An application or request shall be automatically extended if a government office or agency fails to act on it, until such time a decision or resolution is rendered.



7. The Anti-Red Tape Authority (ARTA). To ensure the attainment of the objectives of the EODB EGSD Act of 2018, there is hereby created the Anti-Red Tape Authority, which shall be organized within six (6) months and shall be attached to the Office of the President. The Anti-Red Tape Authority, in coordination with the Civil Service Commission (CSC) and the Ease of Doing Business and Anti-Red Tape Advisory Council, shall conduct an information dissemination campaign in all LGUs and national government agencies (NGAs) to inform them of the EODB EGSD Act amending Republic Act No. 9485 or the Anti-Red Tape Act of 2007.

8. Anti-Red Tape Unit in the CSC. The CSC shall maintain an anti-red tape unit in its central and all its regional offices, utilize Report Card Survey (RCS) findings for purposive and integrated government-wide human resource systems and programs toward efficient delivery of government service as contemplated in the Act; and receive, review, hear, and decide on complaints on erring government employees and officials and non-compliance with the provisions of the EODB EGSD Act of 2018.

9. Report Card Survey (RCS). The RCS will be used to check compliance of all government agencies with the law. The RCS will be initiated by the Authority, in coordination with the CSC, and the Philippine Statistics Authority (PSA).

10. Administrative Jurisdiction and Penalties. The administrative jurisdiction on any violation of the provisions of the EODB EGSD Act of 2018 shall be vested either with the CSC or the Office of the Ombudsman.


- a. First Offense: Administrative liability with six (6) months suspension.
- b. Second Offense: Administrative liability and criminal liability of dismissal from the service, perpetual disqualification from holding public office and forfeiture of retirement benefits and imprisonment of one (1) year to six (6) years with a fine of not less than Five Hundred Thousand Pesos (P500,000.00) but not more than Two Million Pesos (P2,000,000.00).

11. Violations and People Liable. Any person who performs or causes the performance of the following acts shall be liable:

- a. Refusal to accept request and/or application with complete requirements without due cause;
- b. Imposition of additional requirements other than those listed in the Citizen's Charter;
- c. Imposition of additional costs not reflected in the Citizen's Charter;
- d. Failure to give the applicant or requesting party a written notice on the disapproval of an application/request;
- e. Failure to render government services within the prescribed processing time on any application without due cause;
- f. Failure to attend to applicants who are within the premises of the office or agency concerned prior to the end of official working hours and during lunch break;
- g. Failure or refusal to issue official receipts; and
- h. Fixing and/or collusion with fixers in consideration of economic and/or other gain or advantage.

12. Implementing Rules and Regulations. Republic Act No. 11032 and its Implementing Rules and Regulations which the Civil Service Commission (CSC), Anti-Red Tape Authority (ARTA) and Department of Trade and Industry (DTI) promulgated through its Joint Memorandum Circular No. 2019-001 dated July 17, 2019.

For your information and guidance.


EDGARDO R. MASONGSONG
Administrator

