

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

Senate  
Office of the Secretary

'22 AUG 11 A10 :23

SENATE  
S. No. 1126

RECEIVED



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Introduced by Senator MARK A. VILLAR

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**AN ACT  
MANDATING TRANSITION OF THE GOVERNMENT TO E-GOVERNANCE IN  
THE DIGITAL AGE, APPROPRIATING FUNDS THEREFOR,  
AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The use of technology in almost all aspects of interactions of people in the Philippines had already emerged. The national government had already acted in accepting the reality that we are now moving from mechanical to digital age by enacting numerous laws, rules and regulations pertaining to the use of digital means. This particularly involves internet, paperless transactions, strengthening the e-commerce, and other enactments incorporating the use of electronic means in the daily lives of Filipinos.

The law attempted to integrate digitization in the lives of private Filipino citizens but has yet to start embracing fully the technology as part of administering the government. This was highlighted especially during COVID-19 pandemic as it cannot be denied that public service was hampered due to increasing infected cases that frequently shut down government offices. Despite the availability of technology as part of public governance, digital transformation has yet to be fully implemented in the Philippine government due to lack of law involving governance thru the use of electronic services and platforms.

The use of internet, intranet and governance thru electronic means should therefore be institutionalized as part of public service. Thru this measure, the government will eliminate delays in delivering services and information sharing. This is in keeping with the State policy embodied in Section 24 Article II of the 1987

Constitution that recognizes vital role of communication and information in nation-building.

In response to the call of the Executive, this bill shall mandate E-governance as mandatory part of public service and administration, by means of information sharing and disseminations. This measure shall create the Philippine Infostructure Management Corporation to ensure that E-governance throughout the national government is effectively carried.

Together with the advocacies made by Senator Christopher Lawrence "Bong" T. Go when he filed a similar bill, the undersigned also earnestly sought the passage of the same.




**MARK A. VILLAR**

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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 the "E-Governance Act of  
2 2022".

3 Sec. 2. *Declaration of policy.* - It is hereby declared the policy of the State to  
4 recognize the vital role of communication and information in nation-building and the  
5 necessity of harnessing the power of information and communications technology in  
6 pursuit of national development and progress. The State hereby adopts a policy to  
7 create, foster, and sustain a digitally empowered and integrated government that  
8 provides responsive and transparent online citizen-centered services for a globally  
9 competitive Filipino nation.

10 In pursuit of this policy, this Act shall have the following purposes:

- 11 a. Provide effective leadership of government efforts to develop and promote  
12 electronic government services and processes by providing guidance to  
13 the Department of Information and Communications Technology in  
14 accordance with its mandate;
- 15 b. Promote use of the internet, intranet, and other information and  
16 communications technologies to provide increased opportunities for citizen  
17 participation in government;
- 18 c. Promote inter-agency collaboration in providing electronic government  
19 services, where this collaboration would improve the service to citizens by

1 integrating related functions, and in the use of internal electronic  
2 government processes, where this collaboration would improve the  
3 efficiency and effectiveness of the processes;

4 d. Improve the ability of the government to achieve agency missions and  
5 program performance goals;

6 e. Promote the use of the internet, intranet, and emerging technologies  
7 within and across government agencies to provide citizen-centric  
8 government information and services;

9 f. Reduce costs and burdens for businesses and other government entities;

10 g. Promote better informed and data-driven decision making by policy  
11 makers, taking into consideration data analytics results;

12 h. Promote access to high quality government information and services  
13 across multiple channels;

14 i. Make the national and local governments more transparent and  
15 accountable;

16 j. Transform agency operations by utilizing, where appropriate, best  
17 practices from public and private sector organizations, both local and  
18 international; and

19 k. Provide enhanced access to government information and services in a  
20 manner consistent with laws regarding protection of personal privacy,  
21 national security, records retention, access for persons with disabilities,  
22 and other relevant laws.

23 *Sec. 3. Coverage.* - This Act shall apply to all government offices and agencies  
24 including local government units and government-owned or -controlled corporations.

25 *Sec. 4. Definition of Terms.* - As used in this Act, the following terms are  
26 defined as follows:

27 a. *E-Governance* - refers to use of information and communications  
28 technology by the government and the public to enhance the access to and  
29 delivery of government services to bring about efficient, responsive, ethical,  
30 accountable and transparent government service;



- 1 b. *Workflow* - refers to the sequence of industrial, administrative, or other  
2 processes through which a piece of work passes from initiation to completion;  
3 c. *Intranet* - refers to a secure and private enterprise network that shares  
4 data or application resources via Internet Protocol;  
5 d. *Internet* - refers to a secure and public enterprise network that shares data  
6 or application resources via Internet Protocol;  
7 e. *ICT assets* - refers any data, device, equipment, infrastructure, system, or  
8 component thereof, or property, owned or possessed by the DICT in  
9 accordance with its mandate, utilized to ensure or support the proper and  
10 efficient operation and implementation of ICT-related programs and delivery  
11 of ICT services; and  
12 f. *ICT plan* - refers to the sum or set of goals, measures, strategies, agenda,  
13 and programs for the implementation of ICT programs and projects and the  
14 use of information and communications technology, including digital  
15 platforms, to deliver public services or otherwise perform governmental  
16 functions.

## 17 **Chapter 1**

### 18 **Role of the Government**

19 *Sec. 5. Responsibilities of the heads of government agencies.* - The head of  
20 each agency, office, and instrumentality of the national and local government shall  
21 be responsible for:

- 22 a. Complying with the requirements of this Act, including related standards  
23 for all ICT infrastructure, systems, equipment, designs, and all other  
24 technology, which shall be promulgated by the Department of Information  
25 and Communications Technology;  
26 b. Complying with the standards and protocols for cybersecurity, resiliency,  
27 privacy, and confidentiality, which shall also be promulgated by the  
28 Department of Information and Communications Technology;  
29 c. Ensuring that the information technology standards promulgated by the  
30 Department of Information and Communications Technology are  
31 communicated promptly and effectively to all relevant officials within their  
32 agency; and

1 d. Supporting the efforts of the national and local government to develop,  
2 maintain, and promote an integrated Internet-based system of delivering  
3 Federal Government information and services to the public.

4 To these ends:

5 a. Agencies shall develop performance measures that demonstrate how  
6 electronic government enables progress toward agency objectives,  
7 strategic goals, and statutory mandates;

8 b. In measuring performance, agencies shall rely on existing data collections  
9 to the extent practicable. Areas of performance measurement that  
10 agencies should include customer service; agency productivity; and  
11 adoption of innovative information technology, including the appropriate  
12 use of commercial best practices;

13 c. Agencies shall link their performance goals, as appropriate, to key groups,  
14 including citizens, businesses, and other governments;

15 d. As appropriate, agencies shall work collectively in linking their  
16 performance goals to key groups and shall use information technology in  
17 delivering government information and services to those groups.

18 *Sec. 6. Role of the Department of Information and Communications*  
19 *Technology (DICT).* - The Department of Information and Communications  
20 Technology (DICT) shall, in addition to its mandates and functions under Republic  
21 Act No. 10844:

22 a. Harmonize and coordinate all national ICT plans and initiatives to ensure  
23 knowledge, information and resource-sharing, database-building, and  
24 agency networking linkages among government agencies, consistent with  
25 E-Government objectives in particular, and national objectives in general;

26 b. Ensure the development and protection of integrated government ICT  
27 infrastructures and designs, taking into consideration the Inventory of  
28 existing manpower, plans, programs, software, hardware, and installed  
29 systems;

30 c. Assist and provide technical expertise to government agencies in the  
31 development of guidelines in the enforcement and administration of laws,  
32 standards, rules, and regulations governing ICT;

- 1 d. Assess, initiate, review and support ICT research and development  
2 programs of the government; and
- 3 e. Prescribe, in accordance with applicable civil service laws and rules, the  
4 creation of ICT-related government positions and corresponding  
5 compensation rates aligned with the personnel needs of a digitalized  
6 government, as well as the qualifications, standards, duties, and functions  
7 essential to the effective development and operation of government ICT  
8 infrastructures and systems.

9 *Sec. 7. DICT to act as the primary implementing body.* - The DICT shall be  
10 the primary implementing body and principal administrator of this Act. All ICT  
11 projects in the Philippines shall be done in accordance with the National ICT  
12 Development Agenda. For this purpose, the DICT shall establish measures to  
13 implement policies under this Act and ensure that all ICT projects in the Philippines,  
14 whether national or local are harmonized with the overall ICT plans and in  
15 compliance with applicable standards.

16 Accordingly, the DICT shall be responsible for the following:

- 17 a. Adopting a national policy and process that would facilitate the entry  
18 and adoption of technologies consistent with the goals of this Act;
- 19 b. Ensuring the quality, security, reliability, and interoperability of all ICT  
20 infrastructure and services in accordance with international or  
21 industrial standards, specifications, and best practices;
- 22 c. Tapping into the private sector and entering into partnerships and joint  
23 ventures in accordance with the goals of this Act;
- 24 d. Mandate and supervise the adoption of policies and processes to  
25 ensure the implementation of this Act;
- 26 e. Mandate and supervise the interconnection or interoperability of ICT  
27 infrastructure, systems, and facilities when necessary to achieve the  
28 goals of this Act; and
- 29 f. Regulate and supervise the operations of ICT infrastructure, systems,  
30 and facilities, and in the exercise of such functions, in accordance with  
31 applicable laws and rules, charge reasonable administrative and  
32 operational fees as may be necessary.







1 information, and data through and on digital and electronic platforms across all of  
2 the government.

3 The IGN shall also act as the government's primary and focal information  
4 management tool and communications network.

5 Sec. 11. *Scope and coverage of the IGN* - The IGN shall cover all branches,  
6 agencies, instrumentalities, and offices of the national and local government,  
7 including government-owned and controlled corporations.

8 Sec. 12. *Interconnectivity and interoperability of the IGN to existing*  
9 *government networks.* - All internal networks already established and maintained by  
10 any government agency, office, or instrumentality, including local governments, shall  
11 upon the effectivity of this Act, enact measures to establish interconnection to and  
12 interoperability with the IGN.

13 Sec. 13. *Internal Records Management Information System.* - The  
14 government shall establish, maintain, and support a records management system for  
15 the systematic, efficient, and cost-effective management of all government and  
16 public documents and records. All paper-based documents and records shall be  
17 digitized, migrated to, and managed through this system. The government shall  
18 establish a framework to allow efficient interoperability among agencies, offices, and  
19 instrumentalities of the national and local government when using electronic  
20 signatures, including processing of digital signatures.

21 Sec. 14. *Internal Email Network.* - The government shall establish and  
22 maintain an internal email and communications network, to be known as "GovMail"  
23 for internal and intra-government communications, information dissemination and  
24 sharing, coordination, feedback, and other similar and related purposes. It shall be  
25 structured in a manner that ensures that the use and operation of such email  
26 network shall be accessible, safe, interactive, interconnected, and Interoperable.

27 Sec. 15. *Migration, digitization, and automation of paper-based workflows.* -  
28 All paper-based government and bureaucratic workflows involving internal  
29 communications, information dissemination and sharing, coordination, feedback, and  
30 other similar and related purposes shall be migrated, digitized, and, as far as  
31 practicable, automated.

1 Notwithstanding the provisions of this Act, communication, information  
2 dissemination and sharing, coordination, and feedback which deals with critical and  
3 sensitive information as may be determined by the head of the agency shall be  
4 allowed to be conducted through traditional and non-digital means as may be  
5 deemed appropriate for the purpose by the head of the agency.

### 6 **Chapter 3**

#### 7 **The Philippine Information Database**

8 *Sec. 16. The Philippine Individual Information Database and Civil Registration*  
9 *System.* - The government shall establish, maintain, and support an Individual  
10 information database which shall act as a national repository and directory of  
11 information and data on citizens of the Philippines, whether residing in the  
12 Philippines or not, and foreign nationals who enters the Philippines through legal  
13 channels. Information and data to be stored on the database shall include names,  
14 addresses, whether permanent or temporary, national Identification numbers, dates  
15 and places of birth, citizenship, civil status, biometric data and information, and  
16 other associated information: provided, that the acquisition and storage of data and  
17 information on the database shall not in any way violate any applicable domestic and  
18 international laws and rules on privacy of data and information.

19 *Sec. 17. Access to and use of the database.* - The database shall be  
20 accessible, through digital platforms such as intranet and internet, to all agencies,  
21 offices, and instrumentalities of the government for purposes consistent with  
22 legitimate and valid public purposes, subject to the Data Privacy Act (Republic Act  
23 10173).

24 All government agencies, offices, and instrumentalities with access to the  
25 database shall maintain a record of all the instances when, where, and how such  
26 agency, office, or instrumentality, or its duly authorized representatives, had  
27 accessed any information or data stored on the database and the purposes of such  
28 access, including the identity of the actual person or persons gaining access to the  
29 said database.

30 Notwithstanding the provisions of this Act, access to and use of the resources,  
31 information, and data on the database shall be in accordance with all relevant





1 Notwithstanding the provisions of this Act, access to and use of the resources,  
2 information, and data on the directory shall be in accordance with all relevant laws,  
3 rules, and regulations on data and information privacy and the pertinent rules on  
4 confidentiality of government information.

## 5 **Chapter 5**

### 6 **The Government E-Portals**

7 *Sec. 23. Establishment of online public service portal for individuals and*  
8 *business.* -In accordance with the policy of the government to maintain and promote  
9 an integrated internet-based system of providing the public with access to  
10 government information and services, the government, through the DICT, shall  
11 establish, maintain, and continuously update a portal which shall serve as a helpdesk  
12 where citizens can request for information and assistance on government frontline  
13 services, service procedures, and report commendations, appreciation, complaints,  
14 and feedback.

15 The online portal shall also serve as centralized contact point where all  
16 communications from the public through such portal may be routed, logged,  
17 responded to, and ultimately distributed to the different government agencies for  
18 proper handling and resolution, and follow through If necessary.

19 *Sec. 24. Access to and use of the online public service portal.* - The portal  
20 shall be accessible, through digital platforms such as the intranet and internet, to  
21 citizens of the Philippines, foreign nationals who have entered the Philippines  
22 through legitimate channels, and businesses organized and existing or operating  
23 under the laws and rules of the Philippines for purposes consistent with the efficient  
24 delivery of public services.

25 Notwithstanding the provisions of this Act, access to and use of the resources,  
26 information, and data through the portal shall be in accordance with all relevant  
27 laws, rules, and regulations on data and information privacy and the pertinent rules  
28 on confidentiality of government information.

29 *Sec. 25. Government frontline services through the portal.* - All government  
30 agencies, offices, and instrumentalities which provide frontline services, as defined  
31 under Republic Act No. 9485, as amended, shall establish, and maintain measures to



1 ensure that such services are accessible and capable of delivery to the public  
2 through the portal.

3 All offices and agencies which provide frontline services are hereby mandated  
4 to regularly undertake time and motion studies, undergo evaluation and  
5 improvement of their transaction systems and procedures and re-engineer the same  
6 if deemed necessary to maximize the use of the portal for efficiency and  
7 transparency.

8 *Sec. 26. Access to frontline services.* - The following shall be adopted by all  
9 government offices and agencies covered in the immediately preceding paragraph:

- 10 a. Acceptance of applications and request - All officers or employees shall accept  
11 written applications, requests, and/or documents being submitted by clients  
12 of the office or agencies through the portal. The responsible officer or  
13 employee shall acknowledge receipt of such application and/or request by  
14 writing or printing clearly thereon, through the portal, his/her name, the unit  
15 where he/she is connected with, and the time and date of receipt. The  
16 receiving officer or employee shall perform a preliminary assessment of the  
17 request so as to promote a more expeditious action on requests.
- 18 b. Action of offices. - All applications and/or requests submitted through the  
19 portal shall be acted upon by the assigned officer or employee during the  
20 period stated in the Citizen's Charter which shall not be longer than five  
21 working days in the case of simple transactions and ten (10) working days in  
22 the case of complex transactions from the date the request or application was  
23 received.

24 Depending on the nature of the frontline services requested or the  
25 mandate of the office or agency under unusual circumstances, the maximum  
26 time prescribed above may be extended.

27 For the extension due to nature of frontline services or the mandate of  
28 the office or agency concerned the period for the delivery of frontline services  
29 shall be indicated in the Citizen's Charter. The office or agency concerned  
30 shall notify the requesting party in writing of the reason for the extension and  
31 the final date of release for the extension and the final date of release of the  
32 frontline service/s requested.

1 No application or request shall be returned to the client without  
2 appropriate action. In case an application or request is disapproved, the  
3 officer or employee who rendered the decision shall send a formal notice to  
4 the client within five working days from the receipt of the request and/or  
5 application, stating therein the reason for the disapproval including a list of  
6 specific requirement/s which the client failed to submit.

7 c. Denial of request for access to government service. - Any denial of request  
8 for access to government service shall be fully explained in writing and  
9 through the portal, stating the name of the person making the denial and the  
10 grounds upon which such denial is based. Any denial of request is deemed to  
11 have been made with the permission or clearance from the highest authority  
12 having jurisdiction over the government office or agency concerned.

13 d. Access to progression of frontline service requests through the online portal. -  
14 All offices, agencies, and instrumentalities shall make accessible through the  
15 portal the progress of all frontline service requests in real time.

16 e. Adoption of working schedules to serve clients through the online portal. -  
17 Heads of offices and agencies which render frontline services shall adopt  
18 appropriate working schedules to ensure that all clients have requested for  
19 public services through the portal are attended to and served even during  
20 lunch break and after regular working hours, in accordance with pertinent civil  
21 service rules.

22 f. Identification of public employees. - All employees transacting with the public  
23 shall be provided with an official identification card which should be publicly  
24 accessible through the online portal. Government agencies, offices, and  
25 instrumentalities mandated under this Act to provide and deliver public  
26 services through the portal shall not in any way require the person requesting  
27 for such public service to physically go and report to the physical office of  
28 such agency, office, or instrumentality where the purpose of such physical  
29 presence may be reasonably accomplished through the online portal.

30 *Sec. 27. The Government Online Payment System.* - In conjunction with the  
31 online portals for the delivery of public services, the government shall establish an  
32 internet-based electronic payment system and facility to enable citizens and

1 businesses to remit payments through digital platforms to the government agencies  
2 to which such payments are due. For this purpose, the government may engage the  
3 services of and interconnect with public and private payment systems and facilities,  
4 in accordance with applicable laws and rules.

5 *Sec. 28. The Citizens' Concerns Center.* - There is hereby established a  
6 Citizens' Concerns Center, which shall serve as a mechanism where citizens may  
7 report their complaints, grievances, and concerns on acts of red tape, as defined  
8 under Republic Act No. 9485 and other relevant laws, and/or corruption or  
9 misconduct on the part of any government agency, government-owned or controlled  
10 corporation, government financial institution, and other instrumentalities of the  
11 government or any of its officers, officials, or employees.

12 The Center shall be under the direction and supervision of the Office of the  
13 Cabinet Secretary, in coordination with the DILG and representatives from the local  
14 government units.

15 *Sec. 29. Integration with existing public feedback mechanisms.* - All existing  
16 public feedback mechanisms for similar purposes established and/or maintained by  
17 agencies, offices, and instrumentalities, and local government units, shall be fully  
18 integrated with the Center.

19 For this purpose and in accordance with the objectives of this Act, the Center  
20 may enter into such arrangements as are necessary for the interconnection,  
21 interoperability, and integration of the public feedback mechanisms.

22 *Sec. 30. Integration with the internal government network and database.* -  
23 The Center, including its sub-operations units, and its operations shall be fully  
24 integrated with the internal government network and database for real time  
25 updating of data and information.

26 *Sec. 31. Minimum operating standards.* - The Center, including its sub  
27 operational units, shall have the following minimum operating standards:

- 28 a. Communications channels. - The Center shall provide communications  
29 channels which include but are not limited to the following:  
30 1. Telephone;  
31 2. Short message service (SMS) or text message service;  
32 3. Electronic mail (email);



1 4. Social media; or

2 5. Other emerging communications media which can reasonably be  
3 used to fulfill the purposes of the Center.

4 b. Operating hours. -The Center shall operate, through any of its  
5 communications channels, twenty-four (24) hours a day, seven (7)  
6 days a week including national holidays and days in which work is  
7 suspended for whatever reason, for which purpose the Center may  
8 establish effective measures and hire the necessary personnel;

9 c. Process flow. - A citizen's concern received through any of the  
10 communications channels shall immediately be encoded onto the  
11 Philippine Information Database and referred, directly or indirectly, in  
12 real time, to the concerned agency, office, or instrumentality for  
13 appropriate action through the internal government network. The  
14 complainant shall be given advice or feedback on the status of the  
15 concern until its resolution;

16 d. Period to take action. - A citizen's concern lodged and received through  
17 any of the communication channels shall have a concrete and specific  
18 action within seventy-two (72) hours from receipt by the proper  
19 government agency or instrumentality. For purposes of this provision,  
20 the period provided shall exclude such time outside the normal office  
21 hours of the agency or office concerned.

22 *Sec. 32. Cooperation of government agencies and local government units. –*

23 To ensure that the public is served efficiently and expeditiously in accordance with  
24 the objectives of this Act, all national government agencies, offices, and  
25 instrumentalities, government-owned and controlled corporations, government  
26 financial institutions, as well as the local government units, are enjoined to  
27 cooperate and coordinate with the Office of the Cabinet Secretary and each other to  
28 ensure prompt action on the concerns received through the communications  
29 channels of the Center.

30 **Chapter 6**

31 **The Philippine Citizen Connect Program**

32





1 traditional modes therefor, publish such notices, documents, or other information on  
2 the website and e-bulletin board.

3 Notwithstanding the provisions of this Act and other relevant laws, publication  
4 of notices, documents, or any other information on the website and e-bulletin board  
5 shall be construed as sufficient notice to the public for purposes of compliance with  
6 laws and rules requiring publication; provided, that such website or e-bulletin board  
7 is accessible at such point in time where accessibility is claimed. For purposes of this  
8 provision, the start of publication shall be the date on which the notice, document,  
9 or information was first uploaded and made accessible to the public.

10 Sec. 39. *Minimum standards for government websites and information*  
11 *portals.* - The following shall be the minimum standards for government websites  
12 and information portals:

- 13 a. It shall include direct and easily identifiable links to (i) description of the  
14 mission, statutory authority, and the organizational structure of the agency;  
15 and (ii) commonly asked questions and the corresponding answers, and other  
16 common matters of public concern; and  
17 b. It shall include direct and easily identifiable links to the relevant and  
18 applicable portals for the delivery of public services.

## 19 **Chapter 8**

### 20 **Security and Privacy**

21 Sec. 40. *Data and information security.* - All resources, information, or data  
22 stored on or transmitted through the IGN and all networks interconnected to and  
23 interoperable with it, the Philippine Information Database, the Public Service  
24 Directory, the portals, and websites shall be kept secure and free from interference  
25 or unauthorized access that can hamper or otherwise compromise the integrity of  
26 the information and communication technology assets.

27 Access to and use of the resources, information, and data on the IGN shall be  
28 limited to the government and its duly authorized officers and agents, in accordance  
29 with all relevant laws, rules, and regulations on data and information privacy and the  
30 pertinent rules on confidentiality of government information.

31 Any person who shall knowingly commit an act which results to the  
32 compromise of the security and integrity of the IGN and all networks interconnected





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

## 4 Chapter 10

### 5 The Philippine Infostructure Management Corporation

6 Sec. 43. *The Philippine Infostructure Management Corporation.* - For the  
7 purpose of ensuring proper and efficient operations and management of the ICT  
8 assets of the DICT, and a faster implementation of infrastructure programs related  
9 to connectivity, data center and cloud infrastructure, there is hereby established a  
10 body corporate to be known as Philippine Infostructure Management Corporation  
11 (PIMC), which shall be an attached agency to the DICT. The legal existence of the  
12 DIC shall be for a period of 50 years from the date of the approval of this Act. The  
13 PIMC shall be subject to the rules and regulations as the DICT may impose from  
14 time to time.

15 Sec. 44. *Powers and functions.* - To carry out its main purpose and in  
16 accordance with applicable laws and rules, the PIMC shall have, in addition to any  
17 and all powers granted to a corporation under the general corporation code, the  
18 following functions and powers:

- 19 a. Plan and implement infrastructure programs such as but not limited to the  
20 National Broadband Plan, Free WiFi for All, and expansion of the National  
21 Government Data Centers and Government Cloud;
- 22 b. Manage ICT assets of the DICT;
- 23 c. Prescribe, repeal, and alter its own by-laws;
- 24 d. Determine its operating policies, and to issue such rules and regulations as  
25 may be necessary to achieve its main purpose;
- 26 e. Adopt, alter and use a corporate seal;
- 27 f. Acquire and own real and personal property, and to sell, mortgage or  
28 otherwise dispose of the same;
- 29 g. Sue and be sued, enter into contracts, and borrow money from both local  
30 and foreign sources; provided, that such loans shall be incurred only upon  
31 favorable recommendation of the DICT and approval by the President of  
32 the Philippines;



- 1 h. Hold, own, purchase, acquire, sell or otherwise invest, or reinvest in  
2 stocks, bonds or other securities capable of giving the PIMC a reasonably  
3 assured income sufficient to support its activities; and
- 4 i. Provide ICT counselling and technical services to government and private  
5 entities; provided, that for this purpose, the PIMC may contract the  
6 services of private consultants.

7 Sec. 45. *Board of Trustees.* —The corporate powers and functions of the  
8 PIMC shall be vested in and exercised by a Board of Trustees that shall be composed  
9 of the following:

- 10 a. The Secretary of the Department of Information and Communications  
11 Technology, as the ex-officio Chairman and Chief Executive Officer;
- 12 b. The Undersecretary of the Department of Information and  
13 Communications Technology, as the ex-officio Executive Vice Chairman;
- 14 c. The Commissioner of the National Telecommunications Commission, or  
15 his/her duly designated undersecretary, as ex-officio member;
- 16 d. The Undersecretary of the Department of Budget and Management, or  
17 his/her duly designated undersecretary, as ex-officio member;
- 18 e. One (1) representative from the private sector from the Information  
19 Technology and Business Process Outsourcing Industry;
- 20 f. One (1) representative from the private sector from the  
21 Telecommunications Industry; and
- 22 g. One (1) representative from the local government units.

23 The representatives from the private sector and the local government units  
24 shall be appointed by the President. The representatives from the private sector  
25 shall be appointed only upon a favorable recommendation from the DICT and the  
26 Government Commission on GOCCs. The representatives from the private sector  
27 shall be persons of accepted integrity, probity, and intellect, at least thirty-five years  
28 of age, possessed of demonstrated administrative skill and ability in the field of ICT,  
29 and with a minimum of ten (10) years of professional experience in the field of ICT.  
30 The representative from the local government units shall be appointed only upon a  
31 favorable recommendation from the DICT, the GCG, and the Department of Interior  
32 and Local Government.

1           The Chief Executive Officer of the Corporation shall execute and administer  
2 the policies and resolutions approved by the Board of Trustees, prepare its agenda,  
3 and direct and supervise the operations and management of the Corporation. He  
4 shall have direct control and supervision of the business of the PIMC in all matters  
5 which are not by this Act or by the by-laws of the Bank specifically reserved to be  
6 done by the Board of Trustees. He shall, subject to the approval of the Board in case  
7 of approval of appointments to managerial positions and above, and the  
8 confirmation of the Board in appointments to below that of manager level, appoint  
9 the personnel of the Corporation, remove, suspend or otherwise discipline them for  
10 cause, and prescribe their duties and qualifications, in accordance with existing civil  
11 service laws, rules and regulations, to the end that only competent and qualified  
12 personnel may be employed.

13           All members of the Board shall serve for a term of seven years.

14           The Chairman and the members of the Board shall act as the heads of such  
15 operating departments as may be set up by the Board. The Chairman shall have  
16 authority, exercisable at his discretion, to determine from time to time the  
17 organizational divisions to be headed by each member serving full time and to make  
18 the corresponding shifts in designations pursuant thereto. The compensation of the  
19 Chairman and the members of the Board of Trustees shall be in accordance with  
20 applicable laws and rules on compensation in the civil service.

21           The Chairman of the Board shall be assisted by an Executive Vice-Chairman  
22 and one or more Vice-Chairmen who shall be chosen and may be removed by the  
23 Board of Trustees. The salaries of the Vice-Chairmen shall be fixed by the Board of  
24 Trustees with the approval of the President of the Philippines.

25           *Sec. 46. Authorized capital stock.* - The PIMC shall have an authorized capital  
26 stock of Five Billion pesos (PHP 5,000,000,000.00), divided into Five Million  
27 (5,000,000) shares of common stock with a par value of One Thousand Philippine  
28 Pesos (PHP 1,000.00) per share, which shall be fully subscribed by the government.  
29 Of the total capital subscribed by the government One Billion Philippine Pesos (PHP  
30 1,000,000,000.00) shall be paid by the Government within one year from the  
31 effectivity of this Act, and One Billion Philippine Pesos (PHP 1,000,000,000.00) every  
32 year thereafter for four (4) years for which purpose the amount of One Billion

1 Philippine Pesos (PHP 1,000,000,000.00) is hereby appropriated upon the effectivity  
2 of this Act, and One Billion Philippine Pesos (PHP 1,000,000,000.00) every year for  
3 the next four (4) years thereafter, out of the funds in the National Treasury not  
4 otherwise appropriated for the purpose.

5       *Sec. 47. Personnel; cost of administration.* — The Board of Trustees shall  
6 provide for an organization and staff of officers and employees necessary to carry  
7 out the functions of the PIMC, fix their compensation, and appoint and remove such  
8 officers and employees for cause. The PIMC officers and employees shall be subject  
9 to the rules and regulations issued by the Civil Service Commission but shall not fall  
10 under the Salary Standardization Law. The Board of Trustees shall recommend to  
11 the Civil Service Commission rules and regulations for the recruitment, appointment,  
12 compensation, administration, conduct, promotion and removal of all PIMC officers  
13 and employees under a strict merit system and prepare and conduct examinations  
14 under the supervision of said Commission.

15       The administrative expenses of the PIMC during any single fiscal year shall  
16 not in any case exceed five percent (5%) of its total assets.

17       *Sec. 48. Legal Counsel.* — The Secretary of Justice shall be ex-officio legal  
18 adviser of the PIMC. Any provision of law to the contrary notwithstanding, the PIMC  
19 shall have its own Legal Department, the chief and members of which shall be  
20 appointed by the Board of Trustees. The composition, budget, and operating  
21 expenses of the Office of the Legal Counsel and the salaries and traveling expenses  
22 of its officers and employees shall be fixed by the Board of Trustees and paid by the  
23 PIMC.

24       *Sec. 49. Removal of members.* — The President of the Philippines may, at any  
25 time, remove the Chairman or any member of the Board appointed by him for, in  
26 addition to any and all recognized causes for termination under applicable civil  
27 service laws and rules, any of the following causes:

- 28       a. Mismanagement, grave abuse of discretion, infidelity in the conduct of  
29       fiduciary relations, or gross neglect in the performance of duties;
- 30       b. Dishonesty, corruption, or any act involving moral turpitude; and
- 31       c. Any act or performance tending to prejudice or impair the substantial rights of  
32       the government and the corporation's stockholders.



1 The Chairman or member may, in any of the above cases, be civilly liable for  
2 any damage that may have been suffered by the corporation.

3 *Sec. 50. Timeline of organization of the PIMC.* — The PIMC shall be instituted  
4 and organized within one (1) year from effectivity of this Act.

## 5 **Chapter 11**

### 6 **The ICT Academy**

7 *Sec. 51. Establishment of the ICT Academy and its purposes.* - The DICT shall  
8 establish and develop rules and policies for the operations of an ICT Academy that  
9 shall have the following purposes:

- 10 a. To foster and support the strategic goals of the national ICT development  
11 agenda through data collection and globally competitive ICT skills  
12 development programs and for other purposes;
- 13 b. To promote the education and training of citizens in ICT skills, for  
14 purposes of enhancing the nation's labor capacity in relation to the most  
15 relevant and updated data on local and international skills supply and  
16 demand;
- 17 c. To promote the development of globally competitive skills and drive an  
18 inclusive economic growth;
- 19 d. To promote, foster, and nurture the right of all citizens to quality  
20 education in ICT;
- 21 e. To lead the country in setting standards in the development of ICT  
22 curriculum and training;
- 23 f. Create and foster partnerships with different persons, entities, and  
24 institutions for purposes of developing and updating the Academy's  
25 resources, its ICT curriculum, modules, pedagogical approaches; and
- 26 g. To regularly assess the state of the country in terms of comparative ICT  
27 skills and performance, and suggest responsive policies to address  
28 concerns.

29 *Sec. 52. Satellite units.* - The ICT Academy shall have satellite units in  
30 particular regions, provinces or municipalities in the country if, upon determination  
31 of the DICT, in coordination with the Commission on Higher Education and the  
32 Technical Education and Skills Development Authority, it is found to be necessary to





1 implement a master plan for the transition of the government and its provision of  
2 services in the digital age.

3 For purposes of this Act, until such time that the government shall have  
4 completed the transition in accordance with the objectives of this Act, all  
5 government activities covered under this Act shall be conducted in the manner  
6 provided for under existing laws and rules.

7 The government shall complete the transition in a maximum of five (5) years  
8 from effectivity of this Act.

9 *Sec. 57. Regular status reports.* - All agencies, offices, and instrumentalities of  
10 the national and local governments covered under this Act shall submit to the  
11 Congress, the President, and to the DICT, an annual report on the status of  
12 implementation of this Act. These reports shall likewise be made publicly available  
13 on and through the e-portals.

14 *Sec. 58. Appropriations and funding.* - The amount necessary to cover the  
15 initial implementation of this Act in the national government level shall be charged  
16 against the current year's appropriation of the national government agency, office,  
17 or instrumentality concerned. Thereafter, such sums as may be needed for its  
18 continued implementation shall be Included In the annual General Appropriations  
19 Act.

20 The amount necessary to implement this Act In the local government level  
21 shall be charged against the funds of the local government unit concerned.

22 *Sec. 59. Implementing rules and regulations.* - The Department of  
23 Information and Communications Technology, in coordination with relevant offices,  
24 agencies, and instrumentalities of the national and local government, shall  
25 promulgate the necessary rules and regulations to implement this Act properly and  
26 efficiently within ninety (90) days from the effectivity of this Act.

27 *Sec. 60. Separability clause.* - If any provision of this Act shall be declared  
28 invalid or unconstitutional, such declaration shall not affect the validity of the  
29 remaining provisions of this Act.

30 *Sec. 61. Repealing clause.* - All provisions of laws, presidential decrees, letters  
31 of instruction and other presidential issuances which are incompatible or inconsistent  
32 with the provisions of this Act are hereby deemed amended or repealed.

1           Sec. 62. *Effectivity.* -This Act shall take effect within fifteen (15) days  
2 following its publication in the Official Gazette or in at least two (2) national  
3 newspapers of general circulation.

Approved,