

MEMORANDUM CIRCULAR NO. 2023-03
Series of 2023

TO: ALL HEADS OF GOVERNMENT OFFICES AND AGENCIES INCLUDING LOCAL GOVERNMENT UNITS (LGUS), GOVERNMENT- OWNED OR - CONTROLLED CORPORATIONSS (GOCCS), AND OTHER GOVERNMENT INSTRUMENTALITIES

SUBJECT: CAMPAIGN AGAINST FIXERS

1. BACKGROUND

- 1.1. Republic Act (RA) No. 11032 otherwise known as the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018" was enacted on May 28, 2018 and its Implementing Rules and Regulations" was subsequently promulgated on August 4, 2019.
- 1.2. It is the policy of the State to promote integrity, accountability, proper management of public affairs and public property as well as to establish effective practices, aimed at efficient turnaround of the delivery of government services and the prevention of graft and corruption in the government. Towards this end, the State shall maintain honesty and responsibility among its public officials and employees, and shall take appropriate measures to promote transparency in each agency with regard to the manner of transacting with the public, which shall encompass a program for the adoption of simplified requirements and procedures that will reduce red tape and expedite business and nonbusiness related transactions in government.
- 1.3. The Anti-Red Tape Authority (ARTA) was established and empowered to implement and oversee a national policy on anti-red tape and ease of doing business and to monitor and evaluate compliance of agencies covered under Sec 3 of R.A. 11032, and issue notice of warning to erring and/or noncomplying government employees or officials.
- 1.4. R.A. 11032 defined "fixer" as any individual whether or not officially involved in the operation of a government office or agency who has access to people working therein, and whether or not in collusion with them, facilitates speedy completion of transactions for pecuniary gain or any other advantage or consideration.
- 1.5. Fixing and/or collusion with fixers in consideration of economic and/or other gain or advantage has been defined as one of the punishable acts under Sec 21 of the same Act.
- 1.6. A Report Card Survey (RCS) pursuant to Section 20 of R.A. 11032 is implemented by the ARTA and will cover all offices and agencies providing government services. This shall be used to obtain feedback on how provisions in the Citizen's Charter and the provisions of the Act are being followed and how the agency is performing. The RCS shall also be used to obtain information and/or estimates of hidden costs by applicants or requesting parties to access government services which may include, but is not limited to, bribes and payment to fixers.

2. COVERAGE

- 2.1. This Memorandum Circular adopts the coverage specified under Section 3 of RA 11032 and Rule II, Sec 1, of its Implementing Rules and Regulations.

3. GENERAL GUIDELINES

- 3.1. To ensure the wide dissemination of the abovementioned provisions, and pursuant to Sec 8 of R.A. 11032 which holds the head of the office or agency primarily responsible for the implementation of the law, and shall further be held accountable to the public in rendering fast, efficient, convenient, and reliable service, all government offices are hereby enjoined to **conduct a massive information campaign against fixers and fixing by posting, among other modes of information dissemination, the pertinent provisions against fixers and the act of fixing, taking into account the penalties involved, at the agency's website and at the most conspicuous places of their office.**

- 3.1.1. The agencies may use the ARTA provided campaign materials or may opt to create their own information dissemination materials consistent with the provisions of R.A. 11032.

- 3.1.2. The Information, Education, and Communication (IEC) materials may be displayed through the use of posters, tarpaulins, or through the use of digital modalities.

- 3.2. To ensure compliance among all agencies covered herein, the Authority through its Compliance Monitoring and Evaluation Office (CMEO) shall include in their inspection and spot-checking monitoring tools the presence of the said materials in the most conspicuous space of each government agency.

- 3.3. Checking the presence of Anti-Fixing Campaign materials shall also be included in the conduct of the RCS 2.0. Specifically, the Survey Questionnaire and Inspection Checklist currently include the following questions:

- Are measures against fixers visible and used by the office?
- Did anyone approach you and offered to facilitate transactions in exchange for money or any other payment or consideration?

- 3.4. All clients and government employees should also be encouraged to report acts of fixing to the Authority using any of the following complaints channels:

- Website - arta.gov.ph
- Email - complaints@arta.gov.ph
- Facebook/Messenger – Anti-Red Tape Authority
- Twitter/Instagram - [@artagovph](https://www.instagram.com/artagovph)
- Walk-in complaint – 4th Floor, NFA Building, NFA Compound, Visayas Avenue, Brgy. Vasra, Diliman, Quezon City, Philippines 1128

4. FEEDBACK

All inquiries and concerns should be coursed to ARTA via email at info@arta.gov.ph.

5. EFFECTIVITY

This circular shall take effect immediately.

6. REFERENCES

6.1 All agencies may access the Anti-Fixing Campaign materials of ARTA through the following link: <https://arta.gov.ph/bawal-ang-red-tape/>.

6.2 All agencies accessing the link will be requested to fill in a form that shall aid ARTA in tracking which agencies have downloaded the campaign materials.

Approved:



SECRETARY ERNESTO V. PEREZ
Director General





WHAT IS ARTA?

The **Anti-Red Tape Authority (ARTA)** is an attached agency of the Office of the President that is tasked to oversee and implement the national policy on ease of doing business and anti-red tape in the Philippines.



REPUBLIC ACT 11032

Ease of Doing Business and Efficient Government Service Delivery Act of 2018

- Signed by President Rodrigo Roa Duterte on 28 May 2018
- Amended R.A. 9485 or the Anti-Red Tape Act of 2007
- Established the Anti-Red Tape Authority (ARTA)
- Streamlined government processes and made doing business in the country easier
- Covers all government offices under the executive department, including LGUs, GOCCs, water districts, and other agencies outside of the country

NOTABLE SALIENT PROVISIONS

- CITIZEN'S CHARTER**
Citizen's guide regarding the services of government agencies
- 3-7-20**
Standard processing time for all government transactions
 - 3 days if simple
 - 7 days if complex
 - 20 days if highly technical
- AUTOMATIC APPROVAL**
For applications with complete requirements and payment that were not acted upon within the prescribed processing time



Streamlined Procedures for the Issuance of Local Business Licenses, Clearances, Permits, or Authorizations

- Provision of a Unified Application Form
- Automation of the Business Permits and Licensing Systems in LGUs
- Establishment of an electronic Business One-Stop Shop (BOSS)
- Issuance of barangay clearances and permits is now at the city or municipality



Zero Contact Policy

No contact in any manner with any requesting party concerning any application or request except during submission of documents.



Report Card Survey 2.0

Implementation of a holistic tool that will measure the effectiveness of the Citizen's Charter in efficiently delivering public services.



Interconnectivity Infrastructure Development

Processing and approval of licenses, clearances, permits, or authorization for the installation and operation of telecommunications, broadcast towers, facilities, equipment and service shall be expedited.