



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
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EXCERPTS FROM THE MINUTES OF THE FIFTH (5TH) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON FEBRUARY 08, 2022 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present : Vice Mayor Josephine H. Sumangil - Evangelista, Presiding Officer
S.B. Member Miko C. Pelegrina
S.B. Member Janos S. Lapid
S.B. Member Geronimo A. Ciceron
S.B. Member Marlo PJ A. Alipon
S.B. Member Mike Dexter A. Concio
S.B. Member Mark Lester B. Dizon
S.B. Member Cris Dayril B. Bagnes
S.B. Member Rodora P. Loares
S.B. Member Arlene P. delos Santos, Liga President
S.B. Member Jozylyn N. Manansala, SK Federation President
Secretary Dona T. Alborida
Ms. Felomina I. Lincallo, LLSO I

Absent : None

Visitor : None

ORDINANCE NO. 2022 - 2276

AN ORDINANCE PROVIDING ONLINE APPLICATION FOR SERVICES AND OTHER TRANSACTIONS AT THE MUNICIPAL GOVERNMENT OF LOS BAÑOS.

Author : Councilor  Mike Dexter A. Concio

WHEREAS, Republic Act No. 11032, An Act Promoting Ease Of Doing Business And Efficient Delivery Of Government Services, amending for the purpose Republic Act No. 9485, otherwise known as The Anti-Red Tape Act Of 2007, and for other purposes was passed into law. Section 1 of Republic Act No. 9485, otherwise known as the "Anti-Red Tape Act of 2007", is hereby amended to "Sec. 1. *Short Title.* – This Act shall be known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018";

WHEREAS, The Philippine government is committed to establishing a robust private sector, free of corruption and inefficiency. By the end of his presidency in 2022, Duterte aims to lift the Philippines to the top 20 percent of world economies in the World Bank's Ease of Doing Business Report. The report measures how easy it is to start and operate a business in 190 countries. Currently, the Philippines stands in 124th place;



WHEREAS, the State recognizes the vital role of information and communications technology (ICT) in nation-building; the need to create an information-friendly environment which supports and ensures the availability, diversity and affordability of ICT products and services; the primary responsibility of the private sector in contributing investments and services in telecommunications and information technology; the need to develop, with appropriate training programs and institutional policy changes, human resources for the information technology age, a labor force skilled in the use of ICT and a population capable of operating and utilizing electronic appliances and computers; its obligation to facilitate the transfer and promotion of adaptation technology, to ensure network security, connectivity and neutrality of technology for the national benefit; and the need to marshal, organize and deploy national information infrastructures, comprising in both telecommunications network and strategic information services, including their interconnection to the global information networks, with the necessary and appropriate legal, financial, diplomatic and technical framework, systems and facilities;

NOW THEREFORE, on motion of Councilor Mike Dexter A. Concio duly seconded by Councilor Miko C. Pelegrina and approved by the councilors present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA, in session assembled, **THAT**:

SECTION 1. TITLE. This Ordinance is entitled as “An Ordinance Providing Online Application for Services and Other Transactions at the Municipal Government of Los Baños;

SECTION 2. COVERAGE. This Ordinance shall be applicable only within the Local Government Unit of the Municipality of Los Baños;

SECTION 3. DECLARATION OF POLICY. It is hereby declared 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 the prevention of graft and corruption in 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 procedures that will reduce red tape and expedite transactions in government;

SECTION 4. DEFINITION OF TERMS. As used in this ordinance, the following terms are defined as follows:

4.1 **Action** - refers to the written approval or disapproval made by the Municipal Government of Los Baños or agency on the application or request submitted by an applicant or requesting party for processing;

- 4.2 ***Business One Stop Shop (BOSS)*** – a single common site or location, or a single online website or portal designated for the Business Permit and Licensing System (BPLS) of the Municipal Government of Los Baños to receive and process applications, receive payments, and issue approved licenses, clearances, permits, or authorizations;
- 4.3 ***Business-related transactions*** – a set of regulatory requirements that a business entity must comply with to engage, operate or continue to operate a business, such as, but not limited to, collection or preparation of a number of documents, submission to national and local government authorities, approval of application submitted, and receipt of a formal certificate or certificates, permits, licenses which include primary and secondary, clearances and such similar authorization or documents which confer eligibility to operate or continue to operate as a legitimate business;
- 4.4 ***Complex transactions*** – applications or requests submitted by applicants or requesting parties to a certain office in the Municipal Government of Los Baños which necessitate evaluation in the resolution of complicated issues by an officer or employee of said government office, such transactions to be determined by the office concerned;
- 4.5 ***Fixer*** – 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 self-advantage or consideration;
- 4.6 ***Government service*** – process or transaction between applicants or requesting parties and government offices or agencies involving applications for any privilege, right, reward, license, clearance, permit or authorization, concession, of for any modification, renewal or extension of the enumerated applications or requests which are acted upon in the ordinary course of business of the agency or office concerned in Municipal Government of Los Baños;
- 4.7 ***Highly technical application*** – an application which requires the use of technical knowledge, specialized skills and/or training in the processing and/or evaluation thereof;
- 4.8 ***Officer or employee*** – a person employed in a government office here at Municipal Government of Los Baños or agency required to perform specific duties and responsibilities related to the application or request submitted by an applicant or requesting party for processing;
- 4.9 ***Processing time*** – the time consumed or time allotment by an office at Municipal Government of Los Baños from the receipt of an application or request with complete requirements, accompanying documents and payment of fees to the issuance of certification or such similar documents approving or disapproving an application or request;



- 4.10 **Red tape** – any regulation, rule, or administrative procedure or system that is ineffective or detrimental in achieving its intended objectives and, as a result, produces slow, suboptimal, and undesirable social outcomes;
- 4.11 **Regulation** –any legal instrument that gives effect to the Municipality of Los Baños’ policy intervention and includes licensing, imposing information obligation, compliance to standards or payment of any form of fee, levy, charge or any other statutory and regulatory requirements necessary to carry out activity; and
- 4.12 **Simple transactions**– applications or requests submitted by applicants or requesting parties of a government office or agency which only require ministerial actions on the part of the public officer or employee, or that which present only inconsequential issues for the resolution by an officer or employee of Municipal Government of Los Baños.

SECTION 5. CITIZEN’S CHARTER. Local government Unit in the municipality shall set up their respective most current and updated service standards to be known as the Citizen’s Charter in the form of information billboards which shall be posted at the main entrance of offices or at the most conspicuous place, in their respective websites and in the form of published materials written either in English, Filipino, or in the local dialect, that detail:

- 5.1 A comprehensive and uniform checklist of requirements for each type of application or request;
- 5.2 The procedure to obtain a particular service;
- 5.3 The person/s responsible for each step;
- 5.4 The maximum time to conclude the process;
- 5.5 The document/s to be presented by the applicant or requesting party, if necessary;
- 5.6 The amount of fees, if necessary; and
- 5.7 The procedure for filing complaints.

SECTION 6. ZERO-CONTACT POLICY. Except during the preliminary assessment of the request and evaluation of sufficiency of submitted requirements, no government officer or employee shall have any contact, in any manner, unless strictly necessary with any applicant or requesting party concerning an application or request. Once the Municipal Information and Communication Systems Office (ICSO) has completed a web-based software enabled business registration system that is acceptable to the public and approved by the Municipal Government of Los Baños, all transactions shall be coursed through such system;

SECTION 7. MANDATE. The Municipal Information and Communication Systems Office (ICSO) is hereby mandated to implement and manage the development of an Interconnectivity Infrastructure Development Program for interconnectivity between and among LGUs. Also, with proper coordination with other concerned offices shall also conduct information dissemination campaigns aimed towards raising public awareness on the existence of the CBP and the improved access to and effective utilization of the program;

SECTION 8. ACCESSING GOVERNMENT SERVICES. The following shall be adopted by the concerned municipal offices:

8.1 Acceptance of Applications or Requests.

- a. All officers or employees shall accept written applications, requests, and/or documents being submitted by applicants or requesting parties of the offices or agencies;
- b. The receiving officer or employee shall perform a preliminary assessment of the application or request submitted with its supporting documents to ensure a more expeditious action on the application or request. The receiving officer or employee shall immediately inform the applicant or requesting party of any deficiency in the accompanying requirements, which shall be limited to those enumerated in the Citizen's Charter;
- c. The receiving officer or employee shall assign a unique identification number to an application or request, which shall be the identifying number for all subsequent transactions between the Municipal Government of Los Baños and the applicant or requesting party regarding such specific application or request;
- d. The receiving officer or employee shall issue an acknowledgement receipt containing the seal of the agency, the name of the responsible officer or employee, his/her unit and designation, and the date and time of receipt of such application or request;

8.2 Action of Offices.

- a. All applications or requests submitted shall be acted upon by the assigned officer or employee within the prescribed processing time stated in the Citizen's Charter which shall not be longer than three (3) working days in the case of simple transactions and seven (7) working days in the case of complex transactions from the date the request and/or complete application or request was received;




For applications or requests involving activities which pose danger to public health, public safety, public morals, public policy, and highly technical application, the prescribed processing time shall in no case be longer than twenty (20) working days or as determined by the government agency or instrumentality concerned, whichever is shorter.

The maximum time prescribed above may be extended only once for the same number of days, which shall be indicated in the Citizen's Charter. Prior to the lapse of the processing time, the office or agency concerned shall notify the applicant or requesting party in writing of the reason for the extension and final date of release of the government service/s requested. Such written notification shall be signed by the applicant or requesting party to serve as proof of notice.

If the application or request for license, clearance permit, certification or authorization shall require the approval of the local *Sangguniang Bayan* as the case may be, the *Sanggunian* concerned shall be given a period of forty-five (45) working days to act on the application or request, which can be extended for another twenty (20) working days. If the local *Sanggunian* concerned has denied the application or request, the reason for the denial, as well as the remedial measures that may be taken by the applicant shall be cited by the concerned *Sanggunian*.

In cases where the cause of delay is due to force majeure or natural or man-made disasters, which result to damage or destruction of documents, and/or system failure of the computerized or automatic processing, the prescribed processing times mandated in this Act shall be suspended and appropriate adjustments shall be made.

- b. No application or request shall be returned to the applicant or requesting party without appropriate action. In case an application or request is disapproved, the officer or employee who rendered the decision shall send a formal notice to the applicant or requesting party within the prescribed processing time, stating therein the reason for the disapproval. A finding by a competent authority of a violation of any or other laws by the applicant or requesting party shall constitute a valid ground for the disapproval of the application or request, without prejudice to other grounds provided in this Act or other pertinent laws;



8.3 Denial of Application or Request for Access to Government Service. – Any denial of application or request for access to government service shall be fully explained in writing, stating the name of the person making the denial and the grounds upon which such denial is based. Any denial of application or request is deemed to have been made with the permission or clearance from the highest authority having jurisdiction over the government office or agency concerned;

8.4 Limitation of Signatories – The number of signatories in any document shall be limited to a maximum of three (3) signatures which shall represent officers directly supervising the office or agency concerned: *Provided*, That in case the authorized signatory is on official business or official leave, an alternate shall be designated as signatory. Electronic signatures or pre-signed license, clearance, permit, certification or authorization with adequate security and control mechanism may be used;

8.5 Electronic Versions of Licenses, Clearances, Permits, Certifications or Authorizations. – all municipal offices in the municipality of Los Baños shall, when applicable, develop electronic versions of licenses, clearances, permits, certifications or authorizations with the same level of authority as that of the signed hard copy, which may be printed by the applicants or requesting parties in the convenience of their offices;

8.6 Adoption of Working Schedules to Serve Applicants or Requesting Parties. – Heads of offices and agencies which render government services shall adopt appropriate working schedules to ensure that all applicants or requesting parties who are within their premises prior to the end of official working hours are attended to and served even during lunch break and after regular working hours;

8.7 Establishment of Public Assistance/Complaints Desk. – Each office or agency shall establish a public assistance/complaints desk in all their offices;

SECTION 9. Central Business Portal (CBP). To eliminate bureaucratic red tape, avert graft and corrupt practices and to promote transparency and sustain ease of doing business, the ICSO shall be primarily responsible in establishing, operating and maintaining a CBP or other similar technology, as the Department of Information and Communications Technology may prescribe;

The CBP shall serve as a central system to receive applications and capture application data involving business-related transactions, including primary and secondary licenses, and business clearances, permits, certifications, or authorizations issued in the Municipality of Los Baños: *Provided*, that the CBP may also provide links to the online registration or application systems established by the Local Government;

The ICSSO, upon consultation with the National Privacy Commission (NPC), the Municipal Government of Los Baños shall issue rules and guidelines on the following: (a) the establishment, operation and maintenance of the Central Business Portal (CBP); and (b) the use of electronic signatures;

SECTION 10. APPROPRIATIONS. The amount necessary to carry out the provisions of this ordinance shall be charged against the current year's appropriations of the concerned agencies and offices.

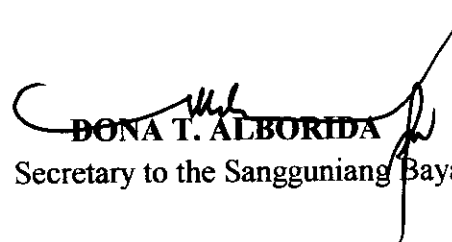
SECTION 11. REPEALING CLAUSE. All ordinances, rules and regulations or parts not consistent with any provision of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 12. SEPARABILITY CLAUSE. If for any reason, any part or provision of the Ordinance be declared invalid, any part or provision not affected thereby, shall remain in full force and effect.


SECTION 13. EFFECTIVITY. This Ordinance shall take effect immediately upon approval and shall remain in force until repealed or amended by another Ordinance.

ENACTED : February 08, 2022

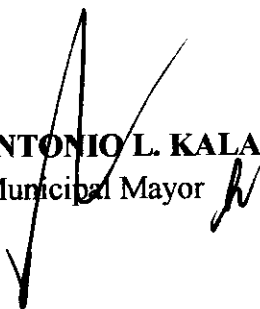
I HEREBY CERTIFY to the correctness of the above –quoted Ordinance.


DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:


HON. JOSEPHINE H. SUMANGIL - EVANGELISTA
Vice Mayor / Presiding Officer

APPROVED:


HON. ANTONIO L. KALAW
Municipal Mayor