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Department of Environment and Natural Resources
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MEMORANDUM

TO : ALL REGIONAL EXECUTIVE DIRECTORS
ALL BUREAU DIRECTORS

FROM : THE UNDESECRETARY
Field Operations and Environment

SUBJECT : GUIDE ON THE VALIDATION CRITERIA OF PROGRAM
NEHEMIA FOR FY 2020 PBB

DATE : JUL 01 2021

Referred to your end is the memorandum dated 19 April 2021 of Undersecretary Jonas R. Leones regarding the abovementioned subject.

Based on the agreements made during the recent Committee on Anti-Red Tape (CART) Meeting on the Harmonization of Efficient Measures of Inter-related Agencies (NEHEMIA) or Program and as stipulated in AO 25 of the Inter-agency Task Force (IATF) Memorandum Circular 2020-1, one of the performance targets for eligibility to the 2020 PBB is the compliance of Departments/Agencies under priority sectors concerned with the NEHEMIA commitments to Rule 3, Section 3 of the IRR of Republic Act No 11032 and AO No 23 series of 2020 or Eliminating Overregulation to Promote Efficiency of Government Processes.

Relative thereto, you are hereby instructed to submit your FY 2020 accomplishments to the Anti-Red Tape Authority and AO 25 IATF including your FY 2020 streamlining and process improvements of other critical services. Attached for your reference, is a copy of AO No. 23 s. 2020.

Should you have clarifications/ inquiries you may send an email and ao25secretariat@dap.edu.ph.

For compliance.


ATTY. JUAN MIGUEL T. CUNA, *CESO I*



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MEMORANDUM

TO : The Director, Legal Service

THRU : The Assistant Secretary for Policy, Planning and Foreign-Assisted and Special Projects and Vice-Chair, Performance Management Group

FROM : The Undersecretary for Policy, Planning and International Affairs and Chair, Performance Management Group

SUBJECT : **GUIDE ON THE VALIDATION CRITERIA OF PROGRAM NEHEMIA FOR FY 2020 PBB**

DATE : **APR 19 2021**

As the DENR's Focal Office for the National Effort for the Harmonization of Efficient Measures of Inter-related Agencies or Program NEHEMIA, we are forwarding herewith the attached Memorandum from the Chair of the AO25 Technical Working Group regarding the validation criteria for the compliance of Departments/Agencies covered under the said Program.


It is stipulated in AO25 Inter-Agency Task Force (IATF) Memorandum Circular 2020-1 that one of the performance targets for eligibility to the 2020 Performance-Based Bonus (PBB) is the **compliance of Departments/Agencies under priority sectors concerned with Program NEHEMIA commitments** to Rule 3, Section 3 of the IRR of Republic Act. No. 11032 and AO No. 23 s. 2020 or Eliminating Overregulation to Promote Efficiency of Government Processes.

In this regard, Departments/Agencies with commitments to Program NEHEMIA, such as the DENR, should submit their FY 2020 accomplishments to the Anti- Red Tape Authority (ARTA) and AO25 IATF in addition to the FY 2020 streamlining and process improvements of other critical services. Adherence with the Compliance Report pursuant to AO No. 23 s. 2020 will be the basis of the ARTA to validate the reported accomplishments.

Attached, for your reference, is a copy of AO No. 23 s. 2020 as well as Annex 9 of MC No. 2020-1 (List of Agencies covered under Program NEHEMIA).

Should you have inquiries/clarifications, you may send an e-mail to regulatorymanagement@arta.gov.ph and ao25secretariat@dap.edu.ph.

For your information/guidance.


ATTY. JONAS R. LEONES



**INTER-AGENCY TASK FORCE ON THE HARMONIZATION OF
NATIONAL GOVERNMENT PERFORMANCE MONITORING, INFORMATION AND REPORTING SYSTEMS**
(Administrative Order No. 25 S. 2011)

MEMORANDUM

TO : ALL HEADS OF DEPARTMENTS AND AGENCIES UNDER THE PRIORITY SECTORS OF PROGRAM NEHEMIA

SUBJECT : GUIDE ON THE VALIDATION CRITERIA OF PROGRAM NEHEMIA FOR FY 2020 PERFORMANCE-BASED BONUS

DATE : 07 APRIL 2021

This is to advise your office of the validation criteria for the compliance of departments/agencies covered under the National Effort for the Harmonization of Efficient Measures of Inter-related Agencies or Program NEHEMIA as stated in Section 5.3 of AO 25 Memorandum Circular (MC) No. 2020-1.

Please be informed that adherence with the Compliance Report pursuant to Eliminating Overregulation to Promote Efficiency of Government Processes or Administrative Order (AO) No. 23 s. 2020 will be the basis of the Anti-Red Tape Authority (ARTA) to validate departments/agencies' accomplishments of their Physical Targets provided in Section 5.3 of MC No. 2020-1 for the grant of FY 2020 Performance-Based Bonus.

Likewise, we are furnishing you herein a copy of the AO No. 23 s. 2020 and Annex 9 of MC No. 2020-1 List of Agencies covered under the Program NEHEMIA, for reference.

For proper cascading of information within your department/agency and relevant units/offices.

Thank you and should you have further questions, kindly send an email to regulatorymanagement@arta.gov.ph and ao25secretariat@dap.edu.ph.

Thank you very much for your continued support.

Very truly yours,

LAURA B. PASCUA

Chair, AO 25 Technical Working Group and
Undersecretary, Department of Budget and Management



**development academy
of the philippines**

Technical Secretariat and Resource Institution



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 23

**ELIMINATING OVERREGULATION TO PROMOTE EFFICIENCY OF
GOVERNMENT PROCESSES**

WHEREAS, Section 20, Article II of the Constitution recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments;

WHEREAS, under Section 2 of Republic Act (RA) No. 9485, as amended by RA No. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018," the State is mandated to maintain a program for the adoption of simplified requirements and procedures that will reduce red tape and expedite business and nonbusiness related transactions in government;

WHEREAS, increasing competitiveness and the ease of doing business are pillars of this Administration's Ten-Point Socio-economic Agenda;

WHEREAS, excessive regulations at all levels of government, which are more than necessary to implement their respective mandates, create high costs on businesses, inhibit job creation, and discourage private sector investment;

WHEREAS, under Section 17 of RA No. 9485, as amended, the Anti-Red Tape Authority (ARTA) is mandated to implement various ease of doing business and anti-red tape reform initiatives aimed at improving the regulatory environment to be more conducive to business operations;

WHEREAS, pursuant to RA No. 9485, as amended, the ARTA shall coordinate with all government offices in the review of existing laws and executive issuances, and recommend the repeal of the same if deemed outdated, redundant and adds undue regulatory burden to the transacting public;

WHEREAS, Section 3(c), Rule IV of the Implementing Rules and Regulations (IRR) of RA No. 11032, requires all government agencies to review their respective Citizen's Charters, especially on the procedures, steps, processing time, documentary requirements and fees, with the end view of identifying and eliminating costly, redundant, unnecessary, ineffective and outdated regulations;

WHEREAS, RA No. 11234 or the "Energy Virtual One-Stop Shop Act," aims to ensure timely completion of energy-related projects by, among others, eliminating duplication, redundancy and overlapping mandates in documentary submissions and

THE PRESIDENT OF THE PHILIPPINES

processes, and for such purpose, the Energy Virtual One-Stop Shop (EVOSS) Steering Committee was established with the Office of the President as Chairperson; and

WHEREAS, Section 17, Article VII of the Constitution vests in the President the power of control over all executive departments, bureaus and offices;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. Elimination of Overregulation. All national government agencies covered by Section 3 of RA No. 9485, as amended, are directed to hasten the reform of their processes in order to eliminate overregulation. They shall retain only such steps, procedures and requirements as may be necessary to fulfill their legal mandates and policy objectives. All processes in excess thereof, including those which are redundant or burdensome to the public, shall be deemed manifestations of overregulation and shall be removed accordingly.

In pursuit of the reforms directed herein, the entirety of an agency's processes for the availing of its services shall be subject to scrutiny, from the most established and longstanding aspects thereof to the most recent. The imposition of tedious or time-consuming regulations on socially beneficial activities, as to render such activity impossible or extremely difficult to undertake, shall be especially targeted for reform.

Section 2. Compliance. The ARTA, pursuant to its mandates under RA No. 9485, as amended, in coordination with the Anti-Red Tape Unit established per covered agency, shall monitor and ensure compliance with this directive to eliminate overregulation.

Within sixty (60) working days from the effectivity of this Order, all national government agencies covered under Section 3 of RA No. 9485, as amended, shall provide the ARTA, copy furnished the Office of the President, with a Compliance Report on how their respective Citizen's Charters conform with the requirements of RA No. 9485, as amended. In particular, the Compliance Report shall contain the following:

- a. List of regulations issued by the covered agency that govern each type of service offered to the public;
- b. Particular steps or procedures, requirements and processing times necessary to be accomplished per service, as indicated in the agency's revised/updated Citizen's Charter;
- c. The legal basis for each regulation, as well as the legal or policy justification for each step or procedure and requirement; and
- d. Relevant provisions of its Citizen's Charter which comply with RA No. 9485, as amended, especially on Section 5 (*Reengineering of Systems and Procedures*), Section 7 (*Zero-Contact Policy*), and Section 9 (*Accessing Government Services*) including the prescribed processing times and limitation on the number of signatories.

Section 3. Processes Applicable to Energy-Related Projects. For processes applicable to energy-related projects, the timelines provided by RA No. 11234 shall be complied with.

Section 4. Review and Reporting. The ARTA shall review and evaluate the Compliance Reports submitted by the covered agencies, and within six (6) months from the deadline of submission of the said reports shall submit to the Office of the President, through the Office of the Executive Secretary, its findings and recommendations, including the compliance of covered agencies to the requirements of RA No. 9485, as amended, as well as data on the total number of regulations repealed, percentage of rules cut or simplified, and estimated amount of regulatory costs saved by the Government per covered agency as a result of implementing this Order.

With respect to covered agencies with processes falling within the scope of RA No. 11234, the ARTA shall review and evaluate their Compliance Reports, and formulate its findings and recommendations, in coordination with the EVOSS Steering Committee.

Section 5. Sanctions. Failure to comply with this Order shall result in the filing of appropriate administrative cases pursuant to the Civil Service Commission Rules on Administrative Cases in the Civil Service, and other relevant laws, rules and regulations.

Section 6. Repealing Clause. All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Order are hereby repealed, amended or modified accordingly.

Section 7. Separability. Should any part or provision of this Order be held unconstitutional or invalid, the other parts or provisions not affected thereby shall continue to be in full force or effect.

Section 8. Effectivity. This Order shall take effect immediately.

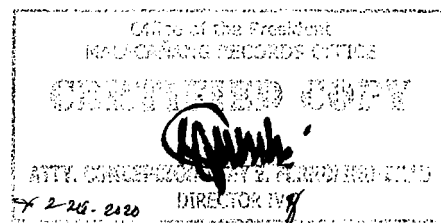
DONE, in the City of Manila, this 21st day of **February**, in the Year of our Lord, Two Thousand Twenty.



By the President:



SALVADOR C. MEDIALDEA
Executive Secretary



List of Agencies under Priority Sectors or Program NEHEMIA¹

I. Common Tower -

1. Department of Information and Communications Technology (DICT), Chair
2. Civil Aviation Authority of the Philippines (CAAP)
3. Department of Agrarian Reform (DAR)
4. Department of Environment and Natural Resources (DENR) ✓
5. Department of the Interior and Local Government (DILG)
6. Department of Health (DOH)
7. Department of Labor and Employment (DOLE)
8. Department of Public Works and Highways (DPWH)

II. Socialized Housing -

1. Department of Human Settlement and Development (DHSUD), Chair
2. Department of Agriculture (DA)
3. Department of Agrarian Reform (DAR)
4. Department of Environment and Natural Resources (DENR) ✓
5. Department of the Interior and Local Government (DILG)
6. Land Registration Authority (LRA)

III. Food and Pharmaceuticals -

1. Department of Health (DOH), Chair
2. Department of the Interior and Local Government (DILG)
3. Department of Trade and Industry (DTI)
4. Food and Drug Administration (FDA)
5. Securities and Exchange Commission (SEC)

IV. Logistics -

1. Department of Transportation (DOTr), Chair
2. Bureau of Internal Revenue (BIR)
3. Bureau of Customs (BOC)
4. Department of the Interior and Local Government (DILG)
5. Department of Trade and Industry (DTI)
6. Land Transportation Franchising and Regulatory Board (LTFRB)
7. Philippine Drug Enforcement Agency (PDEA)
8. Philippine National Police (PNP)
9. Philippine Ports Authority (PPA)
10. Securities and Exchange Commission (SEC)

V. Power -

1. Department of Energy (DOE), Chair
2. Department of Agriculture (DA)
3. Department of Agrarian Reform (DAR)
4. Department of Environment and Natural Resources (DENR) ✓
5. Department of Information and Communications Technology (DICT) ✓
6. Energy Regulation Commission (ERC)
7. National Commission on Indigenous Peoples (NCIP)
8. National Water Resources Board (NWRB)

EVSS

¹ Based on the provided list of the Anti-Red Tape Authority (ARTA) as of April 16, 2020.