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27 April 2020

CUSTOMS MEMORANDUM CIRCULAR
NO. 120-2020

To: The Assistant Commissioner
All Deputy Commissioners
All Directors and Division Chiefs
All District/Port Collectors
And Others Concerned

Subject: ARTA Advisory No. 01 / Adoption of Fast-Track Measures During the COVID-19 State of Calamity

Attached is a copy of Advisory No. 01 series of 2020 dated 25 March 2020 issued by Atty. Jeremiah B. Belgica, REB, EnP, Director General, Anti-Red Tape Authority (ARTA), entitled: "Advisory for the Adoption of Fast-Track Measures During the COVID-19 State of Calamity".

For your information and guidance.

For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.

REY LEONARDO B. GUERRERO

Commissioner
APR 30 2020



BOC-03-05634



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CMC No. 120-2020 p.2

Internal Admin. Group
Received by: VICKY REYES
Date: 04272020
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**ADVISORY NO. 01
SERIES OF 2020**

FOR: ALL GOVERNMENT OFFICES AND AGENCIES IN THE EXECUTIVE DEPARTMENT, INCLUDING LOCAL GOVERNMENT UNITS (LGUs), GOVERNMENT-OWNED OR -CONTROLLED CORPORATIONS (GOCCs), AND OTHER GOVERNMENT INSTRUMENTALITIES, WHETHER LOCATED IN THE PHILIPPINES OR ABROAD

SUBJECT: ADVISORY FOR THE ADOPTION OF FAST-TRACK MEASURES DURING THE COVID-19 STATE OF CALAMITY

DATE: 25 MARCH 2020



I. BACKGROUND

"I also call on relevant agencies to ensure the speedy delivery of basic medical supplies and equipment to help facilities. From the approval, importation, and to delivery – everything must go smoothly to make sure that we do not waste time..."

...CUT RED TAPE[S]! I DO NOT WANT RED TAPE[S]. I do not want so many questions, kapag sinertify ng isang government employee 'yan, I said, do not commit the mistake and we will all be happy and comfortable. Kung gusto ninyo magloko, huwag itong panahon na ito."

-President Rodrigo Roa Duterte
24 March 2020 Address to the Nation

Consistent with the letter and intent of the recently enacted Republic Act No. 11469 or the "Bayanihan to Heal As One Act"¹ authorizing the President to undertake emergency measures to expedite delivery of government services in view of the declaration of a State of Calamity² throughout the Philippines due to Corona Virus Disease 2019, the **Anti-Red Tape Authority (Authority)**, pursuant to its mandate to *implement and oversee a national policy on anti-red tape and ease of doing business*³ and complemented by the President's directive to *eliminate overregulation to promote efficiency of government processes*⁴, hereby issues the following advisory for the adoption of fast-track measures during this period.

¹ Specifically, Section 4 thereof.
² Presidential Proclamation No. 929.
³ Sec. 17 (a) of Republic Act No. 11032 (Ease of Doing Business and Efficient Government Service Delivery Act of 2018).
⁴ Administrative Order No. 23 dated February 21, 2020.



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II. PURPOSE

This **ADVISORY** is issued to all Government Agencies including Local Government Units (LGUs), as defined in Section III herein, with measures and tools they can adopt to fast track and simplify their respective procedures and documentary requirements, consistent with the policies of RA Nos. 11032 and 11469, the mandate of Pres. Proc. No. 929, and the recent pronouncements of the President.

III. COVERAGE

This **ADVISORY** shall apply to all government agencies falling within the jurisdiction of the Anti-Red Tape Authority pursuant to Section 3 of RA No.11032, *to wit*:

“This Act shall apply to all government offices and agencies including Local Government Units (LGUs), government-owned or -controlled corporations and other government instrumentalities, whether located in the Philippines or abroad, that provide services covering business and nonbusiness related transactions as defined in this Act.”

IV. SUGGESTED MEASURES

In reviewing their respective procedures and documentary requirements for purposes of simplifying and streamlining these to speed up government service delivery, all Government Agencies may be guided by the following measures:

- 1. Emergency Extensions.** This pertains to extension of the validity of permits, licenses, certifications and other similar authorizations that are expiring within the period of State of National Emergency, particularly licenses whose application for renewal or extension may not be filed, processed, or are pending approval due to the ECQ. Some agencies already adopted this emergency measure such as the Land Transportation Office (LTO)⁵ and Bureau of Customs (BOC)⁶. Thus, the Heads of Agencies are likewise encouraged to exercise their discretion in adopting similar practice of extending the validity of their agencies' issued license, clearance, permit, certification or authorization, without prejudice to existing laws.
- 2. Electronic Submissions and Approvals.** Agencies previously operating through manual procedures may consider accepting applications or reports through email and other online platforms, including submissions of digital copies of supporting documents. Approvals may likewise be issued via email or other online platforms, provided adequate security measures are in place. Further, it is suggested that these transactions be subjected to **post-audits** when able. For example, Department of

⁵ See LTO Memorandum on Non-Collection of Penalties, and Extension of Validity of Driver's Licenses, Registration and other Permits and Clearances dated 13 March 2020 [<https://www.autoindustriya.com/auto-industry-news/lto-waives-penalties-for-late-renewals-of-licenses-registrations.html>]

⁶ See BOC Memorandum on the Extension of Accreditation of Affected Stakeholders [<https://www.rappler.com/business/255391-bureau-of-customs-extends-stakeholder-accreditation>]

Labor and Employment (DOLE) adopted online submission procedures of reports on flexible working arrangements and application for DOLE's Covid-19 adjustment measures program (CAMP) via email.⁷ Pag-IBIG has likewise allowed the public to apply for Multi-Purpose Loan and Calamity Loan via email either thru Fund Coordinators/ Authorized company representative or directly with Pag-IBIG. Thus, the Heads of Agencies are likewise encouraged to exercise their discretion in adopting similar practice.

3. **Suspension of Notarization Requirement for Documents to be Submitted, Unless Required by Law.** It is to be noted that when private documents required by law to be entered in public records are submitted and stored in the records of government agencies, these are then converted into public documents. Hence, agencies may consider accepting signed and unnotarized copies of these documents, which are converted into public documents once accepted and stored in public records. Also, submission of a falsified document whether notarized or not, is already punishable by the Revised Penal Code⁸.

4. **Reduction of Signatories and Requirements.** In accepting applications, renewals or requests, Government Agencies may process incomplete applications, subject to completion after a designated period or when conditions normalize. Electronic signatures or pre-signed license, clearance, permit, certification or authorization with adequate security and control mechanism may be used. In case the authorized signatory is on official business or official leave, an alternate shall be designated as signatory. The Bureau of Customs (BOC) adopted a similar procedure, generally, for provisional goods declaration (pursuant to the Customs Modernization and Tariff Act),⁹ and more specifically applying to relief consignments.¹⁰ The Food and Drug Administration (FDA) also adopted the same in relation to clearance of imported medical health devices.¹¹ Thus, the Heads of Agencies are likewise encouraged to exercise their discretion in adopting similar practice.

5. **Whole-of-Government Approach.** Government Agencies shall take an integrated approach to public service delivery, characterized by seamless government transactions, integrated policy design and implementation across several agencies, inter-operability of government processes, horizontal coordination, and strengthened linkages among government units.

6. **Payments of Processing Fees.** For payment of prescribed processing fees, the Government Agency, whenever practicable, may employ an online payment scheme or outsourced payment collection centers for the transacting public. If payment online is not possible, consider waiver or deferment of payments.

⁷ DOLE Labor Advisory No. 9, Series of 2020; Labor Advisory No. 11, Series of 2020; DOLE Department Order No. 209, Series of 2020.

⁸ Article 171 and 172, RPC.

⁹ BOC CMO -7-2020, effective 16 March 2020, Interim Procedure on Provisional Goods Declaration.

¹⁰ BOC Memorandum dated 17 March 2020, Provisional Goods Declaration for Relief Consignment under a State of Calamity.

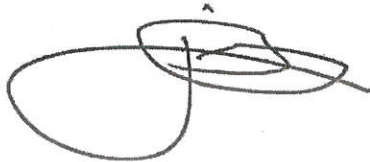
¹¹ Letter from FDA Director General to the BOC Commissioner dated 16 March 2020.



7. **Submission of Regulations to UP-ONAR.** Book VII, Chapter 2, Sections 4 and 5 of E.O. No. 292 (Revised Administrative Code) and Item No. 7 of DILG and ARTA JMC No. 2019-01 dated 10 December 2018 require Government Agencies to furnish the University of the Philippines - Office of National Administrative Register (UP-ONAR) copies of their regulations to give legal effect thereto. Thus, it is requested that government agencies electronically forward copies of their issuances, including those which were previously issued, to the UP-ONAR at onar_law.upd@up.edu.ph.

These measures are being issued to assist the Government Agencies in their duty to streamline their processes in delivering government services especially during this emergency period. All agencies are also reminded to adopt a ZERO RED-TAPE POLICY and to ensure unhampered delivery of government services to the Filipino people.

Finally, this ADVISORY is being issued in line with the President's call to set aside our personal intentions and, instead, join our efforts in fighting this pandemic.



ATTY. JEREMIAH B. BELGICA, REB, EnP
Director General



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