



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE
Quezon City

Date: JAN 11 2021

REVENUE MEMORANDUM CIRCULAR NO. 9-2021

SUBJECT: Circularizing Administrative Order No. 23 entitled "Eliminating Overregulation to Promote Efficiency of Government Processes".

TO: All Internal Revenue Officials, Employees and Others Concerned

For the information and guidance of all internal revenue officials, employees and others concerned, attached herewith is **Administrative Order No. 23 dated February 21, 2020** entitled "Eliminating Overregulation to Promote Efficiency of Government Processes".

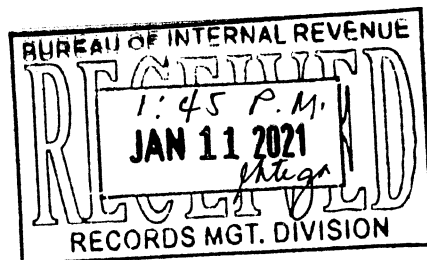
All internal revenue officials and employees are hereby enjoined to give this Circular as wide a publicity as possible.


CAESAR R. DULAY

Commissioner of Internal Revenue

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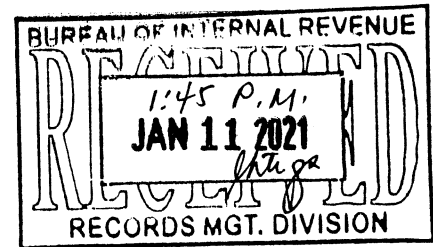
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MALACAÑAN PALACE
MANILA



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

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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:

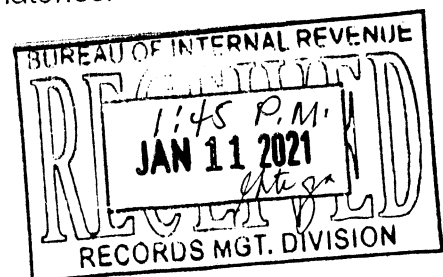
Section 1. Elimination of Overregulation. All national government agencies covered by Section 3 of RA No. 9485, as amended, are directed to hasten the reform of their processes in order to eliminate overregulation. They shall retain only such steps, procedures and requirements as may be necessary to 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.

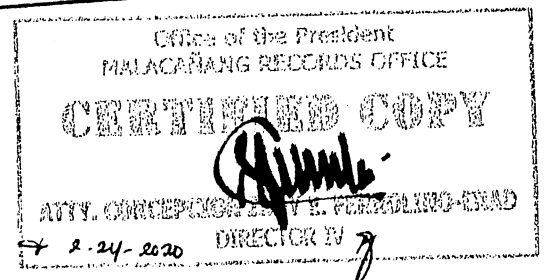
Section 7. Separability. Should any part or provision of this Order be held unconstitutional or invalid, the other parts or provisions not affected thereby shall continue to be in full force or effect.

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



Signature

