



**REPUBLIC OF THE PHILIPPINES**

Anti-Red Tape Authority

Department of Information and Communications Technology

Department of the Interior and Local Government

Department of Human Settlements and Urban Development

Department of Public Works and Highways

Civil Aviation Authority of the Philippines

Department of Health

Food and Drug Administration

**Joint Memorandum Circular No.: 01 s. 2020**

Date: \_\_\_\_\_

**SUBJECT: STREAMLINED GUIDELINES FOR THE ISSUANCE OF PERMITS, LICENSES, AND CERTIFICATES FOR THE CONSTRUCTION OF SHARED PASSIVE TELECOMMUNICATIONS TOWER INFRASTRUCTURE (PTTIs)**

**Section 1. Background**

- 1.1. In his State of the Nation Addresses in 2018 and 2019, President Rodrigo Roa Duterte, in his vision to improve service delivery and eradicate corruption, directed all units of the Government, particularly all departments, bureaus, offices, instrumentalities, including the local government units and government-owned and controlled corporations engaged in frontline services to simplify and streamline the processing of various permits and licenses.
- 1.2. Republic Act No. (R.A.) 11032, otherwise known as the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018" amended R.A. 9485 or the "Anti-Red Tape Act of 2007" to implement programs on the simplification of "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 created to develop, implement, and oversee the national policy against red tape and in favor of ease of doing business, among others. Pursuant thereto, ARTA is spearheading the implementation of the

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National Effort for the Harmonization of Efficiency Measures of Interrelated Agencies or the NEHEMIA Program. It is a sectoral based inter-agency streamlining effort that aims to reduce fifty-two percent (52%) of processing time, costs, requirements or procedures within fifty-two (52) weeks in 2020, for key sectors of the society.

- 1.4. The Telecommunications Sector is one of the focus sectors considering its rising importance in ease of doing business. ARTA, together with the Department of Information and Communications Technology (DICT), is mandated to review and recommend the repeal of outdated, redundant, and unnecessary licenses, clearances, permits, certifications or authorizations being required by National Government Agencies (NGAs), Local Government Units (LGUs), and private entities.
- 1.5. The DICT issued Department Circular No. 8, series of 2020, entitled "Policy Guidelines on the Co-Location and Sharing of Passive Telecommunications Tower Infrastructure for Macro Cell Sites," promoting the utilization of Shared Passive Telecommunication Tower Infrastructure (PTTI) among various players and stakeholders in the telecommunications industry in order to address the necessity of installing and operating telecommunication and broadcast towers, facilities, equipment, and services in such numbers as may be sufficient to connect the entire country.
- 1.6. Republic Act No. 10844, otherwise known as the "Department of Information and Communications Technology Act of 2015," provides that the DICT shall be the primary policy, planning, coordinating, implementing, and administrative entity of the Executive Branch of the government mandated to plan, develop, and promote the national information and communications technology (ICT) development agenda. The DICT is mandated to streamline the processes for the application, renewal, and release of permits, licenses, and clearances needed for the construction of infrastructure or installation of equipment, in coordination with the concerned national and local government agencies, instrumentalities, and departments for the effective implementation of R.A. 10929, otherwise known as the "Free Internet Access in Public Places Act", the National Broadband Program, and Emergency Telecommunications.
- 1.7. As the lead builder for streamlining the process of government services, pursuant to R.A. 11032, the DICT recognizes the urgent need to re-evaluate the processing time and requirements of permits, licenses, or clearances needed for the construction of Shared PTTI and to revisit certain laws, rules, and regulations in

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relation thereto. Thus, the DICT coordinated with and sought the active cooperation of the following national agencies:

- 1.7.1. The Department of the Interior and Local Government (DILG), which is mandated to assist the President in the exercise of general supervision over local governments pursuant to Executive Order (E.O.) No. 262, series of 1987;
  - 1.7.2. The Department of Human Settlements and Urban Development (DHSUD), which is the sole and main planning and policy-making, regulatory, program coordination, and performance monitoring entity for all housing, human settlement, and urban development concerns, primarily focusing on the access to and the affordability of basic human needs as provided under Section 4 of Chapter III of R.A. 11201;
  - 1.7.3. The Department of Public Works and Highways (DPWH), which is mandated to administer and enforce the provisions of Presidential Decree (P.D) No. 1096, also known as the National Building Code of the Philippines, including the imposition of penalties for administrative violations;
  - 1.7.4. The Civil Aviation Authority of the Philippines (CAAP), which is mandated to ensure the safety, quality, reliability, and affordability of air transport services for the riding of the public pursuant to Section 21(e) of R.A. 9497; and
  - 1.7.5. The Department of Health (DOH), which is the lead agency in the promotion of the health and well-being for every Filipino, and the protection of individuals, families and communities exposed to health hazards and risks, among others.
- 1.8. In view of the foregoing and in line with the directives of the President against red-tape and corruption, as well as to streamline the processes for the issuance of permits, licenses, and clearances, particularly with respect to Shared PTTIs, the ARTA, DICT, DILG, DHSUD, DPWH, DOTR, CAAP, DOH and the FDA issue this Joint Memorandum Circular (JMC) for the strict observance of all LGUs, government personnel, and employees.
  - 1.9. The DPWH, CAAP, DHSUD, and LGUs as well as their various instrumentalities have the authority and power to streamline the processes of securing construction-

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related permits, clearances, and certificates, consistent with and supportive of the provisions of pertinent national and local policies to ensure ease, comfort, and convenience to applicants as well as for efficiency and prompt delivery of services by the government, anchored on the overall policy of the State to safeguard life, health, property, and public welfare.

## **Section 2. Purpose**

The primary purpose of this JMC is to prescribe the streamlined processes and requirements as to application for permits, licenses and clearances for the construction of Shared PTTIs that will be constructed by Mobile Network Operators (MNOs) and Independent Tower Companies (ITCs) duly registered with the DICT, in order to facilitate the accelerated rollout of telecommunication infrastructure and service projects.

## **Section 3. Legal Compliance**

3.1 Section 301 of the National Building Code of the Philippines (NBCP) provides that:

“No person, firm or corporation, including any agency or instrumentality of the government shall erect, construct, alter, repair, move, convert or demolish any building or structure or cause the same to be done without first obtaining a building permit therefor from the Building Official assigned in the place where the subject building is located or the building work is to be done.”

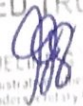
3.2 Section 309 of the NBCP provides that:

“No building or structure shall be used or occupied and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy thereof as provided in this Code.”

3.3 The DPWH National Building Code Development Office Memorandum Circular No. 1, s. 2005, provides that:

“Until a Building Official (BO) is fully deputized by the Secretary of Public Works and Highways for a particular local government, the official designated by the concerned local chief executive through a Special Order to be responsible for the enforcement of the provisions of the NBCP as well as of its IRR shall serve as BO for said local government.

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- 3.4 Section 10 of R.A. 11032, otherwise known as the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018," provides that:

"Section 10. Automatic Approval or Automatic Extension of License, Clearance, Permit, Certification or Authorization, "If a government office or agency fails to approve or disapprove an original application or request for issuance of license, clearance, permit, certification or authorization within the prescribed processing time, said application or request shall be deemed approved: Provided, that all required documents have been submitted and all required fees and charges have been paid. The acknowledgement receipt together with the official receipt for payment of all required fees issued to the applicant or requesting party shall be enough proof or has the same force and effect of a license, clearance, permit, certification or authorization under this automatic approval mechanism; if a government office or agency fails to act on an application or request for renewal of a license, clearance, permit, certification or authorization subject for renewal within the prescribed processing time, said license, clearance, permit, certification or authorization shall automatically be extended."

- 3.5 The Administrative Order No. 23 s. 2020, states that:

"Section 1. Elimination of Overregulation, "All national government agencies covered by Section 3 of R.A. 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."

- 3.6 DILG-DICT-DPWH-DTI Joint Memorandum Circular 2018-10 dated January 4, 2018 titled Guidelines in Streamlining the Processes for the Issuance of Building Permits and Certificate of Occupancy.
- 3.7 DILG Memorandum Circular 2019-177 dated October 17, 2019 titled Guidelines in the Integration of the Issuance of Barangay Clearance in the Permitting Processes of Cities and Municipalities.

#### **Section 4. Scope/Coverage**

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This JMC applies to all responsible officers of the DICT, DILG, DHSUD, DPWH, CAAP and FDA; to local Chief Executives of all cities, municipalities and barangays; and to the members of the Sangguniang Panlungsod, Sangguniang Bayan and Sangguniang Barangay.

The above mentioned NGAs and all cities, municipalities, and barangays are enjoined to implement the standards for the issuance of construction and business-related permits for Shared PTTIs. LGUs are directed to set up procedures that will further improve these service standards in partnership with the NGAs.

Shared PTTIs that are installed on buildings, rooftops, walls, and other edifices **shall further be subject to appropriate rules on height restrictions/elevation, and the internal rules of the directly-concerned private property owners and building/condominium owners' associations in accordance with applicable laws, rules, and regulations.**

For applications requiring special permits as enumerated in Section 6.4 in this JMC, the application and issuance of special permits/clearances **shall be governed by the regular permitting procedure as prescribed by the agencies with jurisdiction thereon, in accordance with applicable laws, rules and regulations.**

#### **Section 5. Definition of Terms**


**Active Infrastructure** – For purposes of active infrastructure sharing, this refers to the active elements of wireless networks which are maintained and operated/managed by operators, such as antennas, antenna systems, transmitters/receivers, transmission systems, radio frequency modules, channel elements, and other radio-communications systems.

**Applicant** – refers to any qualified person, firm, partnership, corporation, government or private institution/organization applying for the issuance of permits, licenses, and certificates.

**Building Official** – refers to the Executive Officer of the Office of the Building Official (OBO) designated by the Secretary of the Department of Public Works and Highways.

**Building Permit** – refers to a document issued by the Building Official to an owner/applicant to proceed with the construction, installation, addition, alteration, renovation, conversion, repair, moving, demolition or other work activity of a specific

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project/building/structure or portions thereof after the accompanying principal plans, specifications and other pertinent documents with the duly notarized application are found satisfactory and substantially conforming with the NBCP and its Implementing Rules and Regulations (IRR).

**Business Permit or Mayor's Permit** – refers to a document issued by the City or Municipal Head, authorizing an applicant to operate Active Infrastructure of the Shared PTTI.

**Construction** – refers to all on-site work done in the site preparation, excavation, foundation, assembly of all components and installation of utilities, machineries, and equipment of buildings/structures.

**Certificate of Use** – refers to a document issued by the Building Official certifying that the building/structure was completed and can be used in accordance with the approved use.

**Elevation** – refers to the vertical distance of a point or a level, on or affixed to the surface of the earth, measured from the mean sea level.

**Passive Telecommunications Tower Infrastructure (PTTI)** – refers to all types of outdoor non-electronic telecommunications infrastructure or civil works, including but not limited to towers, masts, poles, and other similar infrastructure, as well as the facilities auxiliary thereto —built on the ground or installed on buildings, walls, rooftops or other edifice—that are utilized for purposes of mounting antennas, transmitters/receivers, radio frequency modules, and other radio-communications systems as macro cell sites for the rendition of ICT services in the telecommunications network. The term shall include: (a) the ducts, ladders, arresters, mounts, cable entrances, and the cable trays of the PTTI; (b) the shared fiber-optic and/or radio frequency cables or other similar equipment assemblies that make up the fronthaul; (c) its appurtenant shelters, sheds, cabins, cabinets or other similar house for the base-band units, radio units, and related electronic equipment, as well as the cable entrances thereof; (d) its power supply and back-up power management systems; and (e) all other ancillary facilities as thereto may be necessary and pertinent for its proper, resilient, and continuous operation as a PTTI. These auxiliary and ancillary facilities need not necessarily have to be owned or managed by each mobile network operator.

**JMC** - refers to this Joint Memorandum Circular.

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**Shared PTTI** – refers to PTTI which are non-exclusive and are accessible for common use in accordance with Title III of DICT Department Circular No. 8, s. of 2020.

## **Section 6. Streamlined Documentary Requirements and Processing Times for Building Permit Applications on Shared PTTIs**

The following requirements and clearances shall be submitted and obtained by the applicant from the NGAs or LGU concerned, as necessary. Such NGA or LGU concerned **shall be prohibited** from requiring documents or clearances other than those expressly enumerated below.

### 6.1 Barangay Clearance

Pursuant to Section 11(f) of R.A. 11032, "Barangay clearances and permits related to doing business shall be applied, issued, and collected at the city/municipality in accordance with the prescribed processing time of this Act: Provided, That the share in the collections shall be remitted to the respective barangays."

### 6.2 Documentary Requirements for building permit applications on Shared PTTIs

Consistent with the provisions of the Section 302 of the NBCP and R.A. No. 11032, the applicant shall be required to submit the following documents together with the prescribed application form to a one-stop-shop provided by the local government:

- a) Unified Application Form for Locational Permit, Fire Safety Evaluation Certificate and Building Permit;
- b) Property Documents:
  - i. **Owners/Authorized occupants of Registered/Untitled lands**
    - Owners of registered land - a certified true copy of the Original Certificate of Title (OCT) /Transfer Certificate of Title (TCT). If OCT or TCT is not yet in the name of the applicant-owner, include deed of absolute sale or other contracts conveying similar rights, as part of submission;
    - Authorized occupants of untitled land - Tax Declaration or Current Real Property Tax Receipt, Deed of Absolute Sale, or other contracts conveying similar rights;

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**ii. Authorized occupants of registered land**

- Lessees or other tenants - certified true copy of the TCT and a duly notarized copy of the Contract of Lease, or other contracts conveying similar rights.

c) Ancillary Permit Requirements:

Survey plans, design plans, and other documents prepared, signed, and sealed over the printed names of duly licensed and registered professionals, as stipulated under Section 302 (3) of the IRR of the NBCP:

- Architectural Documents;
- Civil/Structural Documents;
- Electrical Documents;
- Mechanical Documents;
- Electronics Documents;
- Geodetic Documents; and
- Fire Protection Plan (if applicable)

d) Accessory Permits, when applicable:

- Ground Preparation and Excavation;
- Encroachment of Foundation to Public Area;
- Fencing (for fence not exceeding 1.8 meters high);
- Sidewalk Construction;
- Temporary Sidewalk Enclosure and Occupancy;
- Erection of Scaffolding; and
- Erection, Repair, Removal of Sign and Demolition.

e) Copies of valid licenses of all involved professionals (e.g. Professional Tax Receipt [PTR] and the Professional Regulation Commission [PRC] identification card);

f) Estimated value of the building or structure to be erected;

g) Vicinity Map.

6.2.1 Notwithstanding the foregoing requirements, the applicant shall ensure that the construction of the PTTI is compliant with DICT Department Circular 8

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s. 2020, and all existing occupational health and safety, labor, environmental, and other construction-related laws, rules and regulations.

### 6.3. Height Clearance Permit

A Height Clearance Permit (HCP) from the CAAP is required for **all** proposed Shared PTTIs that are in excess of the maximum allowable height in a given area, as determined by CAAP through its special survey mapping, and **within** the specified CAAP critical areas as provided for or may be inferred under R.A. 9497 and/or subsequent implementing rules and regulations. Likewise, Shared PTTIs to be constructed **within** the 10-km radius of Communication-Navigation-Surveillance Facilities located off- airport shall secure an HCP.

The special survey mapping for the agreed/identified critical areas shall be accomplished within a reasonable time from the issuance of this JMC.

Applicants must secure the HCP by submitting the following requirements to the nearest CAAP Office:

- a) Updated HCP & HL Application Forms;
- b) Elevation Plan of the Proposed Structure (for HCP only);
- c) Form GE0313 (Geodetic Engineer's Certificate);
- d) Form GE0413 (Geodetic Engineer's Index Card);
- e) Copy of Certification of Reference Stations used (if established by NAMRIA);
- f) Location Plan with Vicinity Map (showing runway if applicable); and
- g) Computations (traverse, leveling and/or GNSS processing).

For applications covering the areas pre-surveyed by CAAP, and upon receipt of the complete documents, payment of fees and charges as indicated in the CAAP Citizen's Charter, CAAP shall evaluate the application and issue the HCP or recommendation within seven (7) working days.

When the proposed Shared PTTI structure is **outside** the CAAP critical areas and below fifty (50) meters in height above the elevation of the ground, the applicant shall **not be required** to submit an HCP but only to submit to the LGU an *Undertaking certified by a Geodetic Engineer*, attesting that the proposed structure will be built outside the CAAP critical areas, as validated and approved by the concerned LGU. The concerned LGU shall promptly notify CAAP of such application copy furnish the DILG by electronic mail or any other electronic means.

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6.4 Clearances from other Government Agencies (where applicable)

- a) Environmental Compliance Certificate, if the proposed project site is within an Environmentally Critical Area;
  - b) Special Use Agreement in Protected Areas, if the proposed project site is a Protected Area under RA 7586 (NIPAS Act of 1992) as amended by RA 11038 (E-NIPAS Act of 2018);
  - c) Special Land Use Permit, if the land classification of the proposed project site is a forest/timber land or one that is not yet classified as Alienable and Disposable Land under P.D. 705;
  - d) Free and Prior Informed Consent, if the proposed project site is within an ancestral domain;
  - e) Land Use Conversion, from the Department of Agrarian Reform (DAR) Central Office if the proposed project site requires conversion of agricultural land above five (5) hectares; or from the DAR Regional Office if five (5) hectares and below;
  - f) Clearance from the Laguna Lake Development Authority (LLDA), if the proposed project site is within the Laguna de Bay Region;
  - g) Clearance from the Philippine Economic Zone Authority, if the proposed site is within an ECOZONE or any other area owned, administered or operated by the PEZA; and
  - h) Strategic Environment Plan (SEP) Clearance from the Palawan Council for Sustainable Development (PCSD), if the proposed project site is within the province of Palawan.
- 6.5 To avoid doubt, the following shall **not be required** from the applicants in securing a Building Permit, Fire Safety Evaluation Clearance, Barangay Clearance, or Locational Clearance:
- a) Sangguniang Panlungsod/Bayan Resolution;
  - b) Sangguniang Barangay Resolution/ Barangay Council Resolution;

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- c) Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC), if the proposed site of construction is outside an environmentally critical area (ECA);
- d) Radiation Safety Evaluation Report from the Food and Drug Administration (FDA); and
- e) Certified True Copy of NTC Provisional Authority (PA) or Certificate of Public Convenience and Necessity (CPCN) or Certificate of Registration to Provide Telecommunication Services.

#### 6.6 Processing Time

The prescribed processing time for construction-related permits for Shared PTTIs shall be counted from the date the complete application was submitted to the concerned agency, provided as follows:

- a) Locational Clearance, Barangay Clearance, Fire Safety Evaluation Certificate from BFP, and Building Permit – shall be issued together within seven (7) working days, exclusive of the period for appeals.
- b) If the appropriate LGU is without a Comprehensive Land Use Plan and is unable to issue a Locational Clearance, the applicant may secure said Locational Clearance from the regional office of the Department of Human Settlements and Urban Development (DHSUD). The said office shall issue the Locational Clearance within seven (7) days.
- c) An application for Locational Clearance, Barangay Clearance, Fire Safety Evaluation Certificate, and Building Permit shall proceed without the prior submission of the Written Consent (HOA/ Condominium or Building Association/ Owner or Developer of Buildings). If the Shared PTTI is proposed to be located on a privately-owned land within a residential subdivision, the applicant shall certify that there is no other available or suitable site within the coverage area except the subject property inside the subdivision project and that said location will most effectively and efficiently serve the purpose of interconnectivity. The applicant shall also submit an Undertaking that they will conduct social preparation or will

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endeavor to educate the affected homeowners, households or families as to their health and safety protocols. Provided that, the above social preparation shall *not* be deemed to be a prerequisite to the issuance of any permit, certification, or authorization which is required for the construction of a Shared PTTI.

- d) Height Clearance Certificate (if applicable) - shall be issued within seven (7) days pursuant to Section 15 of R.A. No. 11032.

Pursuant to Section 9(b) of R.A. No. 11032, an application or request for issuance of license, clearance, permit, certification or authorization shall be deemed approved if the appropriate government office or agency fails to approve or disapprove said application or request within the prescribed processing time, provided that all requirements provided in this JMC have been submitted and all fees and charges have been paid.

Upon approval of the building permit application, the LGU shall notify the DICT and CAAP through electronic mail or other electronic means of the location, height, and ownership details of the Shared PTTI to be constructed. In case of disapproval, the LGU shall notify the DICT of the reason or ground for disapproval.

#### 6.7 Assessment of Fees

After the evaluation of the documentary requirements and attachments, the LGU in coordination with concerned agencies, shall prepare a Payment Order, specifying the fees that the applicant is obligated to pay in accordance with the NBCP, Fire Code of the Philippines, and other issuances necessary for the building permit application. LGU must ensure to put in place the necessary measures to implement a one-time assessment of building related fees and charges which shall include other related local fees.

The amount of local fees and charges of the LGU in connection with the construction of Shared PTTI shall be reasonably commensurate to the cost of regulation or provision of the service. The LGU must also ensure a One-time payment of fees and charges related to the applications shall be jointly implemented by LGU concerned officials and BFP.

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No additional local government fees beyond the requisite building permit fees shall be assessed on the applicant.

The LGU shall be bound by the provisions of DILG-DOF JMC No. 2019-01 entitled "Guidelines for the Review, Adjustment, Setting and / or Adoption of Reasonable Regulatory Fees and Charges of Local Government Units" in determining reasonable rates of fees and charges to be imposed.

**6.8 Streamlined Standard Processing Business-Related Permits for Shared PTTIs** - Upon complete construction of the Shared PTTI, the following requirements and clearances shall be submitted to the LGU one-stop shop for business-related permits. Such LGU shall be **prohibited** from requiring documents or clearances other than those expressly enumerated below:

6.8.1 Documentary Requirements for Business or Mayor's Permit, Certificate of Use and Fire Safety Inspection Certificate are as follows:

- a) Business Permit Application Form;
- b) Certificate of Use Application Form;
- c) Certificate of Completion issued by licensed architect or civil engineer of the project;
- d) Copy of As-Built Plans (if there is any modification on the submitted technical documents);
- e) Certificate of Final Electrical Inspection with valid PRC IDs & PTRs of the Electrical Inspector; and
- f) Copy of Fire Insurance Policy (if any).

For the avoidance of doubt, a Certificate of Occupancy shall **not be required** from the applicants in securing a Business Permit.

The LGU shall issue the Certificate of Use, Fire Safety Inspection Certificate, and Business Permit together within two (2) days upon submission of complete application.

An application or request for issuance of license, clearance, permit, certification or authorization shall be deemed approved if the appropriate government office or agency fails to approve or disapprove said application or request within the prescribed processing time, provided that all requirements

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provided in this JMC have been submitted and all fees and charges have been paid.

## **Section 7. Oversight Committee**

- 7.1 An Oversight Committee on PTTI Permit Reforms shall be created with the Secretary of the DPWH as Chairperson and the Secretary of the DILG as Vice-Chairperson. The committee shall have as members the heads of the following entities: (1) DICT; (2) ARTA; (3) DHSUD; (4) DOH; and (5) CAAP. The Committee shall have the following functions:
- a. Oversee the implementation of this JMC;
  - b. Promote the JMC to the national government agencies and local government units concerned;
  - c. Monitor the implementation of the JMC and ensure the imposition of sanctions to non-compliant NGAs and LGUs;
  - d. Undertake other measures necessary to enforce the standards set in the JMC; and
  - e. Assist in the prosecution for violations of Sections 21 and 22 of RA 9485, otherwise known as the "Anti-Red Tape Act of 2007", as amended, in connection to this JMC.
- 7.2 The DPWH in coordination with the DILG shall conduct a series of training programs for OBO and other concerned departments and offices of local governments as well as ARTA and BFP in the implementation of this JMC, which may cover among others the standards for the issuance of building permit and certificate of use and preparation of change management plan and action plan for each local government, OBO and local BFP office.

## **Section 8. Roles and Responsibilities of Oversight Agencies**

- 8.1 Department of Public Works and Highways (DPWH) – Ensure that all future policies and issuances of the DPWH shall take into consideration the promotion of ICT development infrastructure especially to Shared PTTI and in accordance with the intentions and purposes of this JMC.
- 8.2 Department of the Interior and Local Government (DILG) – Ensure active cooperation by the LGUs and other relevant agencies and offices under its purview (e.g. BFP) and monitor compliance of LGUs to this JMC.

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- 8.3 Department of Information and Communications Technology (DICT) – Ensure that the ICT standards and telecommunications policies relevant to this JMC are up to date and that the future issuances shall be in congruence with this JMC; Build, operate, and maintain the One-Stop-Shop System; and convene the Oversight Committee once every month, acting as Secretariat thereof.
- 8.4 Anti-Red Tape Authority (ARTA)
- 8.4.1 Coordinate technical assistance for the implementation of the JMC from the development partners as part of its Ease of Doing Business Activities;
  - 8.4.2 Provide technical support for the implementation of the standards provided for in the JMC;
  - 8.4.3 Coordinate with business groups at the local and national levels to support the new guidelines in streamlining the processes for issuance of building permits and certificate of occupancy; and
  - 8.4.4 Oversee the implementation of this JMC in close collaboration with DPWH, DILG, DICT, CAAP, DHSUD, and FDA
- 8.5 Department of Human Settlements and Urban Development (DHSUD) – Ensure that the processing of locational clearances in connection with the construction and operation of Shared PTTIs are streamlined.
- 8.6 DOH - Food and Drug Administration (FDA) – the DOH through the FDA shall coordinate with concerned agencies that the safety standards and guidelines are being followed to ensure the safety of the public from established health effects of exposure to radiofrequency radiation in relation to antenna installations.
- 8.7 Civil Aviation Authority of the Philippines (CAAP) – Ensure that issuances on the processing of height clearances and other compliances in connection to construction and operation of Shared PTTIs are streamlined.

**Section 9. Violations, Penalties, and Liabilities**

The provisions of Sections 21, 22, and 23 of RA 9485, as amended by RA 11032, are applicable to the implementation of this JMC, to wit:

*"Sec. 21. Violations and Persons Liable. – Any person who performs or causes the performance of the following acts shall be liable:*

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- a) Refusal to accept application or request with complete requirements being submitted by an applicant or requesting party without due cause;
- b) Imposition of additional requirements other than those listed in the Citizen's Charter;
- c) Imposition of additional costs not reflected in the Citizen's Charter;
- d) Failure to give the applicant or requesting party a written notice on the disapproval of an application or request;
- e) Failure to render government services within the prescribed processing time on any application or request without due cause;
- f) Failure to attend to applicants or requesting parties who are within the premises of the office or agency concerned prior to the end of official working hours and during lunch break;
- g) Failure or refusal to issue official receipts; and
- h) Fixing and/or collusion with fixers in consideration of economic and/or other gain or advantage.

Sec. 22. Penalties and Liabilities. – Any violations of the preceding actions will warrant the following penalties and liabilities.

- a) First Offense: Administrative liability with six (6) months suspension: Provided, however, that in the case of fixing and/or collusion with fixers under Section 21(h), the penalty and liability under Section 22(b) of this Act shall apply.
- b) Second Offense: Administrative liability and criminal liability of dismissal from the service, perpetual disqualification from holding public office and forfeiture of retirement benefits and imprisonment of one (1) year to six (6) years with a fine of not less than Five hundred thousand pesos (P500,000.00), but not more than Two million pesos (P2,000,000.00).

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Administrative Officer V  
Office of Undersecretary for UPMD  
Operations & Technical Services



Criminal liability shall also be incurred through the commission of bribery, extortion, or when the violation was done deliberately and maliciously to solicit favor in cash or in kind. In such cases, the pertinent provisions of the Revised Penal Code and other special laws shall apply.

Sec. 23. Civil and Criminal Liability, Not Barred. - The finding of administrative liability under this Act shall not be a bar to the filing of criminal, civil or other related charges under existing laws arising from the same act or omission as herein enumerated."

#### **Section 10. Reporting and Feedback**

All concerned national government agencies shall submit to the Oversight Committee monthly progress reports on their implementation of this JMC. For all inquiries and concerns regarding this JMC, all questions should be directed/addressed to:

**Anti-Red Tape Authority**

Telephone Number: (02)8478-5091

E-Mail: [info@arta.gov.ph](mailto:info@arta.gov.ph)

**Department of Information and Communications Technology**

Telephone Number (02)8920-0101

E-mail: [information@dict.gov.ph](mailto:information@dict.gov.ph)

**DILG-BLGD Director**

Telephone number: (02)925-0356

E-Mail: [lfrdd.official@gmail.com](mailto:lfrdd.official@gmail.com) / [odblqd@gmail.com](mailto:odblqd@gmail.com)

#### **Section 11. Funding**

The funding requirement for the implementation of this JMC and other relevant activities shall be charged from the allotted appropriations of each respective agency.

#### **Section 12. Separability Clause**

If any section or part of this JMC is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force and effect.

#### **Section 13. Repealing Clause**

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Administrative Officer IV  
Office of Administrative Services for UPMD  
Operational Services

All rules, regulations, orders and/or Circulars inconsistent or contrary to the provisions of this JMC are hereby repealed or modified accordingly.

#### Section 14. Counterparts

This JMC may be executed in counterparts, each of which will be deemed to be an original, but all of which, taken together, will constitute one and the same agreement.

#### Section 15. Effectivity

This JMC shall take effect immediately after filing of three (3) certified true copies with the Office of the National Administrative Register, University of the Philippines Law Center.

#### Section 16. Approving Authority

  
Digitally signed  
by Belgica  
Jeremiah Banta

**JEREMIAH B. BELGICA**  
*Director General*  
Anti-Red Tape Authority

  
Digitally  
signed by Ano  
Eduardo  
Manahan

**EDUARDO M. AÑO**  
*Secretary*  
Department of the Interior and Local  
Government

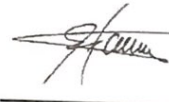
**MARK A. VILLAR**  
*Secretary*  
Department of Public Works and  
Highways

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JACQUELYN CRUZ  
Administrative Officer V  
Office of Undersecretary for UPMD  
Operations & Technical Services

  
Digitally signed  
by Honasan  
Gregorio  
Ballesteros II


**GREGORIO B. HONASAN II**  
*Secretary*  
Department of Information and  
Communications Technology

  
Digitally signed  
by Del Rosario  
Eduardo Drueco

**EDUARDO D. DEL ROSARIO**  
*Secretary*  
Department of Human Settlements and  
Urban Development

  
**EMIL K. SADAIN, CESO I**  
Undersecretary for UPMD Operations  
and Technical Services  
Officer-In-Charge

Department of Public Works and Highways  
Office of the Secretary

  
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Digitally signed  
by Sydiongco  
Jim Caones

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**JIM C. SYDIONGCO**  
*Director General*  
Civil Aviation Authority of the  
Philippines



Digitally signed by  
Rolando Enrique  
Domingo, MD

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**ROLANDO ENRIQUE D. DOMINGO,**  
**M.D., DPBO**  
*Director-General*  
Food and Drug Administration



Digitally signed by  
Duque Francisco  
Tiongson III

---

**FRANCISCO T. DUQUE III, M.D., MSc**  
*Secretary*  
Department of Health

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**JACQUELYN G. CRUZ**  
Administrative Officer V  
Office of Undersecretary for UPMD  
Operations & Technical Services