



PCAB BOARD RESOLUTION No. 212 Series of 2018

GUIDELINES FOR THE USE OF ELECTRONIC SIGNATURE IN ISSUING CONTRACTOR'S LICENSE AND REDUCING THE NUMBER SIGNATORIES TO THREE (3)

WHEREAS, Section 5 of RA 4566, known as the Contractors' License Law, empowers the PCAB with the authority to issue licenses to contractors and issue such rules and regulations as may be deemed necessary to carry out the provisions of RA 4566 and to authenticate its official documents;

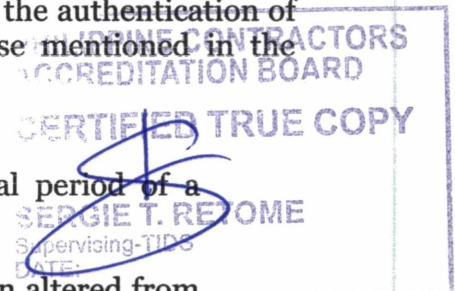
WHEREAS, Section 2.1 (c) of the Implementing Rules of gives the members of the Board the authority to issue rules and regulations, subject to confirmation of the Authority for implementation of R.A. 4566 as amended by P.D. 1746;

WHEREAS, Administrative Matter No. 01-7-01-SC or the Rules On Electronic Evidence, defines "**Electronic Signature**" as any distinctive mark, characteristic and/or sound in electronic form, representing the identity of a person and attached to or logically associated with the electronic data message or electronic document or any methodology or procedure employed or adopted by a person and executed or adopted by such person with the intention of authenticating, signing or approving an electronic data message or electronic document. For purposes of these Rules, an electronic signature includes digital signatures after an intensive review of the filing of new license applications, applications for registration for government projects and license renewal, especially during the months of May, June, July of every year, the peak period for license renewal, there was also a significant increase in the filing of applications for registration for government projects;

WHEREAS, pursuant to Rule 6, Section 4 of the Rules on Electronic Evidence, states that the use of **Electronic signature** is valid and upon the authentication of a digital signature, it shall be presumed, in addition to those mentioned in the immediately preceding section, that:

- (a) The information contained in a certificate is correct;
- (b) The digital signature was created during the operational period of a certificate;
- (c) No cause exists to render a certificate invalid or revocable;
- (d) The message associated with a digital signature has not been altered from the time it was signed; and,
- (e) A certificate had been issued by the certification authority indicated therein.

The existing number of filed applications for registration and license renewal which needs to be processed on time, effectively and efficiently.





WHEREAS, there is need for the PCAB to adopt the use of **Electronic Signature** in the issuance of contractor's license, to be **able to comply with the Prescriptive Periods given in the Ease of Doing Business Act and the Anti Red Tape Act**, since the authority and responsibility to accredit by the issuance of contractor's license creates a situation of urgency where any delay in its delivery will adversely affect the outcome of the service to clients and its effective and efficient delivery;

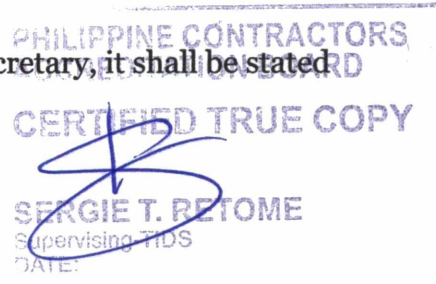
WHEREAS; the PCAB Board by virtue of RULE 2 Sec. 2.1 par (d) of the IRR on the POWERS AND DUTIES OF THE BOARD is given the authority **to adopt rules and regulations to effect the classification, categorization and accreditation of constructor**;

WHEREAS, the adoption of the E-signature, reducing the number of signatories to three (3) and the personalities to sign therein is part of the act of accreditation by PCAB.

NOW, THEREFORE, for and in consideration of the foregoing premises, the Board **RESOLVES** as it is hereby **RESOLVED** and in the exigency of service adopts the use of electronic signature in the issuance of contractor's license, within the following parameters:

1. The use of electronic signatures shall be limited to PCAB licenses only;
2. The affixing of the electronic signatures for all the licenses shall only be allowed after the recommendation of the Executive Director has been approved by a majority of the members of the Board either via ad referendum or during a Board meeting; and
3. The PCAB licenses bearing electronic signatures shall have security features to prevent the proliferation of falsified or fake licenses.
4. Only the following shall be the signatories therein:
 - Any member of the Board
 - PCAB Director
 - Board Secretary

In case of Official Leave by the Director or Board Secretary, it shall be stated thereon that they are "on official leave/business".





This Resolution shall take effect immediately.

Unanimously Approved.

Makati City, Philippines, 24 August 2018.

PERICLES P. DAKAY
Chairman

(on-leave)
FILOMENO H. CASTILLO, JR.
Member

ARTHUR N. ESCALANTE
Member

Attested by:

HERBERT D.G. MATIENZO
Executive Director

SERGIE T. RETOME
Board Secretary

