

MEMORANDUM CIRCULAR NO. 2023-03
Series of 2023

TO: ALL HEADS OF GOVERNMENT OFFICES AND AGENCIES INCLUDING LOCAL GOVERNMENT UNITS (LGUS), GOVERNMENT- OWNED OR - CONTROLLED CORPORATIONSS (GOCCS), AND OTHER GOVERNMENT INSTRUMENTALITIES

SUBJECT: CAMPAIGN AGAINST FIXERS

1. BACKGROUND

- 1.1. Republic Act (RA) No. 11032 otherwise known as the “Ease of Doing Business and Efficient Government Service Delivery Act of 2018” was enacted on May 28, 2018 and its Implementing Rules and Regulations” was subsequently promulgated on August 4, 2019.
- 1.2. It is the policy of the State to promote integrity, accountability, proper management of public affairs and public property as well as to establish effective practices, aimed at efficient turnaround of the delivery of government services and the prevention of graft and corruption in the government. Towards this end, the State shall maintain honesty and responsibility among its public officials and employees, and shall take appropriate measures to promote transparency in each agency with regard to the manner of transacting with the public, which shall encompass a program for the adoption of simplified 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 established and empowered to implement and oversee a national policy on anti-red tape and ease of doing business and to monitor and evaluate compliance of agencies covered under Sec 3 of R.A. 11032, and issue notice of warning to erring and/or noncomplying government employees or officials.
- 1.4. R.A. 11032 defined “fixer” as any individual whether or not officially involved in the operation of a government office or agency who has access to people working therein, and whether or not in collusion with them, facilitates speedy completion of transactions for pecuniary gain or any other advantage or consideration.
- 1.5. Fixing and/or collusion with fixers in consideration of economic and/or other gain or advantage has been defined as one of the punishable acts under Sec 21 of the same Act.
- 1.6. A Report Card Survey (RCS) pursuant to Section 20 of R.A. 11032 is implemented by the ARTA and will cover all offices and agencies providing government services. This shall be used to obtain feedback on how provisions in the Citizen’s Charter and the provisions of the Act are being followed and how the agency is performing. The RCS shall also be used to obtain information and/or estimates of hidden costs by applicants or requesting parties to access government services which may include, but is not limited to, bribes and payment to fixers.

2. COVERAGE

- 2.1. This Memorandum Circular adopts the coverage specified under Section 3 of RA 11032 and Rule II, Sec 1, of its Implementing Rules and Regulations.

3. GENERAL GUIDELINES

- 3.1. To ensure the wide dissemination of the abovementioned provisions, and pursuant to Sec 8 of R.A. 11032 which holds the head of the office or agency primarily responsible for the implementation of the law, and shall further be held accountable to the public in rendering fast, efficient, convenient, and reliable service, all government offices are hereby enjoined to **conduct a massive information campaign against fixers and fixing by posting, among other modes of information dissemination, the pertinent provisions against fixers and the act of fixing, taking into account the penalties involved, at the agency's website and at the most conspicuous places of their office.**

3.1.1. The agencies may use the ARTA provided campaign materials or may opt to create their own information dissemination materials consistent with the provisions of R.A. 11032.

3.1.2. The Information, Education, and Communication (IEC) materials may be displayed through the use of posters, tarpaulins, or through the use of digital modalities.

- 3.2. To ensure compliance among all agencies covered herein, the Authority through its Compliance Monitoring and Evaluation Office (CMEO) shall include in their inspection and spot-checking monitoring tools the presence of the said materials in the most conspicuous space of each government agency.

- 3.3. Checking the presence of Anti-Fixing Campaign materials shall also be included in the conduct of the RCS 2.0. Specifically, the Survey Questionnaire and Inspection Checklist currently include the following questions:

- Are measures against fixers visible and used by the office?
- Did anyone approach you and offered to facilitate transactions in exchange for money or any other payment or consideration?

- 3.4. All clients and government employees should also be encouraged to report acts of fixing to the Authority using any of the following complaints channels:

- Website - arta.gov.ph
- Email - complaints@arta.gov.ph
- Facebook/Messenger – Anti-Red Tape Authority
- Twitter/Instagram - [@artagovph](https://www.instagram.com/artagovph)
- Walk-in complaint – 4th Floor, NFA Building, NFA Compound, Visayas Avenue, Brgy. Vasra, Diliman, Quezon City, Philippines 1128

