

[EXECUTIVE ORDER NO. 269, January 12, 2004]

**CREATING THE COMMISSION ON INFORMATION AND
COMMUNICATIONS TECHNOLOGY**

WHEREAS, Section 24, Article II (Declaration of Principles and State Policies) of the 1987 Constitution states that, "The State shall recognize the vital role of communication and information in nation-building."

WHEREAS, an enabling legal, policy and institutional environment to develop, promote and advance information and communications technology (ICT) is a prerequisite for the continued growth of the Philippine economy, the competitiveness of local industries and firms, and the achievement of national development goals;

WHEREAS, the government recognizes that the development of ICT will have a higher chance of success and sustainability if it is private sector-led, market-based and government-enabled;

WHEREAS, the Information Technology and Electronic Commerce Council (ITECC), created pursuant to Executive Order No. 264 dated July 12, 2000 and amended planning and policy advisory body on development, promotion and application of national ICT and e-commerce initiatives;

WHEREAS, the creation of Department of Information and Communications Technology (DICT) which will more effectively coordinate and implement national ICT programs, projects and other related initiatives is a priority of government, endorsed by ITECC, supported by the private sector and presently under consideration in Congress;

WHEREAS, as a transitory measure, the formation of a national body that is not merely advisory in nature, and which will have a more active role in streamlining, managing, coordination, and implementing the various ICT-related plans and policies of government, will immediately address the urgent need to harmonize and make the country's approach to ICT development more coherent and efficient;

WHEREAS, to be effective and efficient, such a national body, headed by a Cabinet ranked official, must be equipped with strong and clearly defined powers, appropriate manpower and resources;

WHEREAS, the creation of such an empowered national body is broadly supported by the private sector, which is keen to work closely with government to encourage ICT-related business and investment, enhance the skills of the country's workforce, pursue, meaningful legal and regulatory reform, continue to enhance the nation's information infrastructure, and promote e-governance, consistent with Philippine goals to compete in the global ICT market

WHEREAS, Section 31, Chapter 10, Title III of the 1987 Administrative Code provides the President with continuing authority to reorganize the bureaucracy;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the power vested upon me by law, do hereby order:

Section 1. Creation. A new body to be known as the Commission on Information and Communications Technology, hereinafter referred to as the Commission, is hereby created, and attached to the Office of the President

Section 2. Mandate. The Commission shall be the primary policy, planning, coordinating, implementing, regulating, and administrative entity of the executive branch of Government that will promote, develop, and regulate integrated and strategic ICT systems and reliable and cost-efficient communication facilities and services. In fulfilling its mandate, the Commission shall be guided by the following policies:

- a. To ensure the provision of strategic, reliable and cost-efficient information and communications technology (ICT) infrastructure, systems, and resources as instruments for nation-building and global competitiveness; "Information and Communications Technology" (ICT) is defined as the totality of electronic means to collect, store, process and present information to end-users in support of their activities. It consists, among others, of computer systems, office systems and consumer electronics, as well as networked information infrastructure, the components of which include the telephone system, the Internet, fax machines and computers.
- b. To ensure a policy and legal environment that will promote a level playing field, partnerships between the public and the private sectors, strategic alliances with foreign investors, balanced investments between high-growth and economically-depressed areas, and broader private sector participation in ICT development.
- c. To foster and accelerate convergence of ICT facilities such as but not limited to the development of networks;
- d. To ensure universal access and high-speed connectivity at fair and reasonable cost;
- e. To ensure the provision of information and communication services in areas not adequately served by the private sector;
- f. To foster the widespread use and application of emerging ICT;
- g. To establish a strong and effective regulatory system that will ensure consumer protection and welfare and foster a healthy competitive environment;
- h. To promote the development of ICT expertise in the country's human capital to enable Filipinos to compete in a fast-evolving information and communication age;
- i. To ensure the growth of the ICT industries;
- j. To preserve the rights of individuals to privacy and confidentiality of their personal information;
- k. To encourage the use of ICT in support of efforts for the development and promotion of the country's arts and culture, history, education, public health and safety, and other socio-civic purposes;

Section 3. Composition. The Commission shall be composed of the National Computer Center, Telecommunications Office (TELOF), and all other operating units currently existing in the Department of Transportation and Communications, which directly support Communications, including the Telecommunications Policy and Planning Office. The National Telecommunications Commission and the Philippine