

Ensuring businesses compete and consumers benefit

Overview of NCP Requirements

FY 2023 PBB Cycle







Introduction

Legal Bases

Institutionalizing a National Competition Policy

Establishment of PCC January 2016



Signing of NEDA-PCC JMC 01-2020 July 2020



Issuance of AO 25 IATF Memorandum Circular 2022-1

March 2022



Issuance of AO 25 IATF Memorandum Circular 2023-1

August 2023





Enactment of the PCA July 2015



Launch of PDP 2017-2022 January 2017



Signing of AO No. 44 October 2021



Launch of PDP 2023-2028 January 2023

NEDA-PCC Joint Memorandum Circular 2020-1:

The National Competition Policy of the Philippines

In line with the government's continuing efforts to improve consumer welfare and market efficiency, the NEDA and the PCC developed the NCP for steering regulations and administrative procedures of government agencies to level the economic playing level.

With the NCP, all government agencies need to adopt and comply with pro-competitive policies and government interventions, competitive neutrality, and enforcement of competition-related laws and issuances.

Key Elements

- 1. Pro-competitive policies and government interventions
- 2. Competitive Neutrality
- 3. Enforcement of competition-related laws and issuances

Administrative Order No. 44, s. 2021

Directing the Adoption and Implementation of the NCP

Scope and Coverage:

To further institutionalize the NCP, AO No. 44, s. 2021 was issued to direct all national government agencies (NGAs), as well as local government units (LGUs), to adopt and implement the NCP and its key elements.

This included the directive that all government policies, rules, regulations and interventions shall support the objectives of the NCP and foster a culture of competition.

Integration with the Performance-Based Bonus (PBB) and Seal of Good Local Governance (SGLG)

As far as practicable, AO No. 44, s. 2021 integrated the adoption of and compliance with the NCP as part of good governance conditions criteria and for the grant of the PBB and the SGLG.

FY 2022 – Section 5.2 of AO No. 25 IATF MC No. 2022-1 (24 March 2022)

FY 2023 – Annex 5 of AO No. 25 IATF MC No. 2023-1 (23 August 2023)

Philippine Development Plan 2023-2028

Chapter 10: Promote Competition and Improve Regulatory Efficiency



Strategy Framework

ADOPT A WHOLE-OF-GOVERNMENT APPROACH TO STRENGTHEN MARKET COMPETITION

- Pursue full implementation of the National Competition Policy
- Increase awareness, understanding, and support for the PCA and the Philippine Competition Commission

Outcome 2: Barriers to entry and re-entry reduced

Institutionalize the use of Competition Impact Assessment Manual/Toolkit among government agencies and local government units

The PCC, ARTA, and NEDA will work to harmonize and mainstream the use of a Competition Impact Assessment Manual/Toolkit in the law-making process of Congress and the policy- and rule-making processes of other government agencies, sector regulators, and LGUs.

Annex 5 of AO No. 25 IATF Memorandum Circular No. 2023-1

Guidelines on the Compliance with National Competition Policy (NCP)-related Requirements for FY 2023

Designation of a **focal committee** for NCP implementation.

To enhance networking efforts, Department-level entities and government agencies with regional offices shall include at least one (1) representative from each regional office.

Item 1.1.1 of the NCP Guidelines

Certificate of Training
Completion via the iCLP:
Online Learning Hub on
Competition Law and
Policy of at least 50% of
the NCP focal committee
members

2 Item 1.1.2 of the NCP Guidelines

Provision of List of Agency's Policies, Issuances, Rules, and/or Regulations.

Remarks on relevance to competition shall now be provided by covered agencies based on their review.

3 Item 1.1.3 of the NCP Guidelines

Review of at least one (1) policy, issuance, rules, and/or regulations relevant to market competition based on the application of the Competition Impact Assessment (CIA) threshold checklist.

Item 1.1.4 of the NCP Guidelines

NCP-PBB Requirements for FY 2023

Agency Accountabilities

Requirements and Requisite Activities

Possible Accomplishment for NCP Covered Agencies

Requirement 1

Designate a **focal committee** for NCP implementation.

Special Order, Office
Order, or its equivalent
signed by the Head of
Agency or their
representative

Annex 5.2
Directory/Contact
Details for FY 2023
NCP-PBB

Requirement 2

Completion of the self-paced NCP training course by at least **50%** of the NCP Focal Committee membership.

Leveling the Playing
Field through the
National Competition
Policy: A Blended
Learning Course for
Government Agencies

(https://iclp.phcc.gov.ph/)

Requirement 3

Provision of List of Agency's Policies, Issuances, Rules, and/or Regulations

Additional Reference:
Annex 5.3 CIA
Keywords

Accomplishment of Annex 5.4 List of Agency's Policy Issuances, Rules and/or Regulations

Requirement 4

Accomplishment of the Competition Impact Assessment (CIA) Checklist

Choice of at least one
(1) policy issuance, rule,
and/or regulation from
Annex 5.4 to be
subjected to the CIA
checklist.

(https://tinyurl.com/CIAChecklist-NCP-PBB)

REMINDER:

20 October 2023

Extended Deadline for the submission of Designation of NCP Focal Committee

30 November 2023

Deadline for the submission of all NCP requirements

Thank you very much!

For concerns and/or clarifications, kindly email us at ncp-pbb@phcc.gov.ph or contact us at 8771-9722 loc. 214.