

FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )

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SENATE

Senate Bill No. 3300

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Introduced by SENATOR TEOFISTO "TG" GUINGONA III

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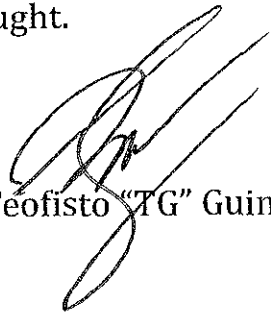
### Explanatory Note

Laws are expressions of the People's dreams, goals, and vision. The People have to participate in the development of the law. While representatives are elected to the legislative bodies of this country, election does not create a monopoly controlled only by Members of the House of Representatives and Senators on the process of determining what policies are necessary for the good of the Nation.

This bill seeks to expand the avenues of participation to the online community. It seeks to harness the productive and effective power of social media. It seeks to give a voice to netizens. People participation must go beyond physical borders. From Batanes to Sulu, people must be allowed to participate in the process of law-making.

When people are allowed to participate, we have better laws. When people are allowed to participate, we have better people.

The urgent passage of this measure is earnestly sought.

  
Teofisto "TG" Guingona III

FIFTEENTH CONGRESS OF THE )  
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Secretary

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**CROWDSOURCING ACT OF 2012**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

1 **Section 1. Purpose of the law-** This Act seeks to allow the people to  
2 participate in the legislative process, online and/or with the use of  
3 information and communications technology, providing effective and  
4 responsive mechanisms therefor.

5

6 **Section 2. Declaration of Policy.** - The State must promote and protect  
7 the right of the people and their organizations to effective and reasonable  
8 participation at all levels of social, political, and economic decision-making.  
9 Because of the great potential of technology, the State must strive to  
10 promote its ever-increasing use to protect and enhance the right of  
11 participation. The State should harness its potential in all fields of social,  
12 political, and economic discourse, including its potential to consult more  
13 people from all over the world, on legislative matters.

14

1 **Section 3. Crowdsourcing in the Legislative Process, Principles and**  
2 **Guidelines.** This law allows the public to participate in the legislative  
3 process wherever they are. It believes in the power of online  
4 crowdsourcing. The law believes that:

- 5
- 6 A. Crowd sourcing is a concept that recognizes and allows the  
7 individual and collective power of the people, with the use of  
8 the internet and/or other information and communications  
9 system, to contribute to the formulation, improvement, and  
10 creation of laws that benefit the entire nation.
- 11 B. Crowdsourcing is an expression of the belief that despite our  
12 geographical separation, people can still participate in national  
13 affairs through the borderless world of the internet.
- 14 C. Crowdsourcing is a recognition of a new breed of citizens that  
15 work effectively and productively, contributing to national  
16 development, through the internet and/or with the use of  
17 information and communications system.

18

19 **Section 4. Definition of Terms**

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- 21 A. "Information and communications system" refers to a system  
22 for generating, sending, receiving, storing, or otherwise  
23 processing electronic documents and includes the computer  
24 system or other similar device by or in which data is recorded  
25 or stored and any procedures related to the recording or  
26 storage of electronic document.
- 27 B. "Online" refers to a location that is accessible by the public  
28 anywhere in the world as opposed to a physical location like  
29 the building of the House of Representatives or the Senate. This  
30 includes electronic mails, websites, internet fora, social media  
31 sites, and other such similar media.

1 **Section 5. Right to Information.** All pending bills and committee reports  
2 of Congress must be made available online for public access within three  
3 (3) days from the time the bill or committee report is filed and until it is  
4 approved by Congress.

5 The computation of the three-day period shall exclude non-working days.  
6  
7

8 **Section 6. Parallel online consultations.** While committee hearings are  
9 done offline and in the physical offices of the House of Representatives or  
10 the Senate, the public shall likewise be allowed to participate online and  
11 give comments on pending bills, at any time between the filing of the bill  
12 and the filing of the committee report.  
13

14 All comments sent through email and similar means using information and  
15 communications technology shall form part of the official and public  
16 records of Congress and must be considered in the drafting of the  
17 committee reports for pending bills. This includes all comments sent as  
18 soon as the bill is filed, those sent prior to the first committee hearing on a  
19 bill, and those sent even after all committee hearings have been concluded,  
20 and those sent prior to the filing of the committee report.  
21

22 Furthermore, for purposes of broadening public participation in committee  
23 hearings, the schedule of committee hearings must be published online at  
24 least three (3) days before the scheduled hearing date. It must contain:  
25

- 26 1. A clear invitation for the people to send their comments  
27 on pending bills even after the date of the committee  
28 hearing.
- 29 2. A link to the online location of the bills to be heard.
- 30 3. The concerned committee's electronic mail (email)  
31 address and other ways through which the people can  
32 send their comments on pending bills without actually  
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1 going to the physical offices of the Senate or the House of  
2 Representatives.

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4  
5 **Section 7. Continuing Participation during the Period of Debates.** The  
6 public must be allowed to continuously express their views on pending  
7 bills from the time the sponsorship speech is delivered until the time that  
8 the bill is approved and voted on Third Reading, and until the report of the  
9 bicameral committee is approved by the House of Representatives or the  
10 Senate. This shall be done according to the following guidelines:

- 11
- 12 A. The Agenda for the Day must be published online at least one  
13 (1) day before the session indicated in the Agenda. Should the  
14 Agenda change on the day of the session, the revised Agenda  
15 should immediately be published online. The online agenda  
16 must provide links to the online location of the bills included in  
17 the Agenda for the Day.
  - 18  
19 B. Congress must provide an online mechanism that allows the  
20 public to view and observe the sessions of both Houses of  
21 Congress.
  - 22  
23 C. In order to guide each Senator or Member of the House of  
24 Representatives in the discussion of pending bills, the people  
25 must be allowed to continue sending their comments to their  
26 representatives. Congress must post online the contact  
27 information of each Member of the House of Representatives  
28 and the Senate. The contact information should include  
29 electronic mail addresses and other information that allows the  
30 public to contact the legislators without need of going to the  
31 physical location of the House of Representatives and the  
32 Senate.
- 33

1 D. Congress must post online the versions of pending bills  
2 approved on Second Reading, Third Reading, and the Bicameral  
3 Conference. Posting must be done within twenty-fours (24)  
4 from the time of approval. The computation of this period shall  
5 exclude hours within a non-working day.

6  
7 **Section 8. Pre-approval Consultation.** Before signing any bill into law,  
8 the President must allow the people to submit their comments online for at  
9 least five (5) days. After the five-day period, the President must observe a  
10 three-day period or longer within which he can consider the views  
11 presented to him by the people. The periods in this provision can only be  
12 shortened for measures that have been certified as urgent by the President.

13  
14 **Section 9. Separability Clause.** If, for any reason, any section or provision  
15 of this Act is held unconstitutional or invalid, no other section or provision  
16 shall be affected.

17  
18 **Section 10. Repealing Clause.** All laws, decrees, executive orders, rules  
19 and regulations, or issuances inconsistent with the provisions of this Act  
20 are hereby repealed or amended accordingly.

21  
22 **Section 11. Effectivity.** This Act shall take effect fifteen (15) days after its  
23 publication in at least two (2) national newspapers of general circulation.

Approved,