

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



Senate  
Office of the Secretary

'16 JAN 25 P5:16

SENATE  
S. No. 3121

RECEIVED BY: J.

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
REQUIRING THE DISCLOSURE OF THE SOURCE OF FUNDING  
OF PUBLICLY FUNDED ADVERTISEMENTS

EXPLANATORY NOTE

Advertising is a marketing tool which utilizes mass media in order to promote a product - usually a brand -with the ultimate objective of generating a positive action or response from the target market. Advertising has been integrated into our socioeconomic culture and it is through advertising that we have come to know the many new product developments and innovations.

Lately, advertising has found itself in the center of controversy over the scandalous misuse and abuse of the tool by government officials who have utilized the advertising resources of their agencies, municipalities, cities or province for what are largely perceived as self aggrandizing efforts stealthily disguised as public information activities.

Much of the misuse and abuse of government advertising resources are connected to political objectives, the attempt to generate personal awareness and recall paid for by public funds. Even without an election in sight, the misuse and abuse are evident in those billboards, posters and streamers that proliferate – claiming how much we owe our public servants for building a road, a bridge or what not which we, not they, paid for.

This bill would require every advertisement paid for with public funds by a government agency, bureau, department, or office to include a statement that indicates the source of the public funds used to pay for the advertisement.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
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<sup>1</sup> This bill was originally filed during the Fourteenth Congress, Third Regular Session.



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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Public Ad Disclosure  
2 Act.”

3 SECTION 2. *Disclosure Requirement.* – Every advertisement paid for by public  
4 funds by a government agency, bureau, department, or office shall include a legible  
5 disclaimer in at least ten point roman boldface type or, if the advertisement is broadcast,  
6 read in a clearly audible tone of voice, that consists of a statement that indicates the  
7 source of the public funds used to pay for the advertisement in the following manner:

8 (a) If the funds were from general fund, then the statement shall indicate that the  
9 advertisement was paid for at taxpayer expense;

10 (b) If the funds were from assessments or fees upon a particular category of the  
11 population in return for a particular product or service, then the statement shall  
12 indicate that the advertisement was paid for by the particular category of the  
13 population.

14 SECTION 3. *Penalties.* – Any director, officer or agent of the Government who  
15 shall authorize, order or perform any of the acts or practices constituting in whole or in  
16 part a violation of Section 2 of this Act, shall upon conviction, be subject to a fine of not

1 less than Ten Thousand Pesos (P10,000.00) but not more than One Hundred Thousand  
2 Pesos (P100,000.00) and imprisonment of not less than two months but not more than  
3 one year, or both upon the discretion of the court.

4 In addition to the penalties provided in the preceding paragraph, the culprit shall  
5 also suffer the penalty of special temporary disqualification.

6 SECTION 4. *Separability Clause.* – If any provision of this Act is held invalid or  
7 unconstitutional, the same shall not affect the validity and effectivity of the other  
8 provisions hereof.

9 SECTION 5. *Repealing Clause.* – All laws, decrees, orders, and issuances, or  
10 portions thereof, which are inconsistent with the provisions of this Act, are hereby  
11 repealed, amended or modified accordingly.

12 SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after  
13 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/lml4Dec2015