

13th Congress of the Republic)
of the Philippines)
First Regular Session)

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SENATE

RECEIVED BY: 

S. B. No. 1157

Introduced by Senator Aquilino Q. Pimentel, Jr.

EXPLANATORY NOTE

It is essential for the survival of any state to preserve its independence and integrity. It does not mean, however, that the government and its people remain in a vacuum. Between its people and the government, the key to effective and relevant government policy is open consultation where people's opinions are heard and channels are open to participative governance.

There is, however, a limit to participation in governance, and a line should be drawn where consultation ends and the possibility of interference begins. When a non-government entity occupies a portion of a government office, the physical closeness creates an impression of intimacy and the possibility of mutual influence. This simple presence of a non-government entity also operates as the government's unintentional endorsement for whatever purpose of the non-government entity. More importantly, there is a danger of unmonitored access to government documents, communications, or even private information or documents in the custody of government offices.

This measure in no way prohibits consultation or the provision of assistance to the government. As we all know, there are many areas where government needs the participation of the private or foreign sector where in such cases such sectors have more experience or expertise. What is prohibited is the actual occupation by these non-government entities of government office premises, as well as the provision of any material support by the government to the offices of these non-government entities.

For the foregoing reasons, the passage of this bill is urged.


AQUILINO Q. PIMENTEL, JR.

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**AN ACT
TO PROHIBIT THE GOVERNMENT FROM ALLOWING ANY
NON-GOVERNMENT ENTITY FROM OCCUPYING ANY BUILDING,
OFFICE OR OTHER PREMISES WHERE GOVERNMENTAL
FUNCTIONS ARE BEING PERFORMED**

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

Section 1. Unless otherwise provided by law, all government departments, agencies, bureaus, offices or instrumentalities are prohibited from leasing, renting, lending or otherwise allowing any non-government entity, whether domestic or foreign, to occupy any building, office or other premises where such department, agency, bureau, office or instrumentality of holding office or otherwise performing governmental functions.

Section 2. Unless otherwise provided by law, the government is likewise prohibited from using government funds for the provision of any material, supplies, utilities or goods for the maintenance or functioning of any office of any non-government entity, whether domestic or foreign and whether or not they are located in any government building, office or other premises. This prohibition shall include the provision of government personnel hours for the maintenance or functioning of any office of any non-government entity, whether domestic or foreign.

Section 3. Any person who shall violate the provisions of this Act shall be imprisoned for a period not less than one (1) year but not more than six (6) years in the discretion of the court and a fine of not more than twenty thousand pesos (P 20,000.00).

Section 4. This Act shall effect (15) days after its publication in at least (2) newspapers of general circulation.

Approved,