

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
DEPARTMENT SECRETARY

SENATE
S. B. No. 1247

04 JUL -1 11:03

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Individuals who are part of a group, corporation, or an organization are beholden to the wishes of the group which they belong to. There have been cases where fees are collected involuntarily from them for the purpose of funding activities of a political nature.

There is no law prohibiting collections of this kind. The absence of legislation has left the individual unprotected and without remedy to seek redress from this form of extortion.

After due consultation, through the conduct of public hearings, the Committee on Constitutional Amendments drafted this bill to respond to this lacuna in our laws.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO *gd*

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AN ACT
TO PROTECT INDIVIDUALS FROM HAVING THEIR MONEY INVOLUNTARILY
COLLECTED AND USED FOR POLITICAL ACTIVITIES BY A CORPORATION,
ORGANIZATION OR GROUP

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

SECTION 1. Short Title. - This Act may be cited as "Protection from
Involuntary Collection Act."

SECTION 2. Declaration of Policy. - It is hereby declared to be the policy of the
State to protect any individual by prohibiting the use of their money involuntarily collected
from them for political activities.

SECTION 3. Definition of Terms. - For purposes of this Act, the following terms
shall mean:

(a) "Labor organization" means any union or association of employees
which exists in whole or in part for the purpose of collective bargaining or of dealing with
employees concerning terms and conditions of employment;

(b) "Corporation" means an entity organized under the Corporation
Code, including government-owned and controlled corporations;

(c) "Religious group" means any non-profit or non-stock association of
individuals belonging to any religious denomination or having the same faith or belief;

(d) "Civic group" means any club or association of individuals created
or established for the purpose of delivering public or conducting activities benefiting the
common good;

(e) "People's organization" means any *bona fide* association of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure;

(f) "Sectoral organization" means a group of citizens or a coalition of groups of citizens who share similar physical attributes or characteristics, employment, interests or concerns;

(g) "Non-Government Organization," also known as private voluntary organizations or voluntary agencies, are private, non-profit, non-stock organizations or corporations, engaged in long-term activities, contributing to the welfare of communities or social sector such as but not limited to: community organizing, community education, sectoral development, humanitarian or charity work, disaster relief, family planning, physical, psychological and social rehabilitation; environmental concerns, human rights promotion and protection, and social amelioration;

(h) "Government Organization" pertains to national or local agencies under the Executive, Legislative and the Judiciary branches of government; and

(i) "Political Activities" includes any communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating in any political campaign or political party.

Sec. 4. Prohibition.- Except with the separate, prior, written, and voluntary authorization of each individual, which shall remain in effect until revoked and may be revoked any time, it shall be unlawful:

(a) For any labor organization to collect from or assess its members or non-members any dues, fees, or other payments, if any part of such dues, fees, or other payments will be used for political activities;

(b) For any corporation to collect or assess from its stockholders or employees any dues, fees, or other payments if any part of such dues, fees, or other payments will be used for political activities;

(c) For any religious group or organization to collect or assess from its members and employees any dues, fees, or other payments if any part of such dues, fees, or other payments will be used for political activities;

(d) For any civic group or organization to collect or assess from its members, volunteers, and employees any dues, fees, or other payments if any part of such dues, fees, or other payments will be used for political activities;

(e) For any people's organization to collect or assess from its members and volunteers any dues, fees, or other payments if any part of such dues, fees, or other payments will be used for political activities;

(f) For any sectoral group or organization to collect or assess from its members any dues, fees, or other payments if any part of such dues, fees, or other payments will be used for political activities;

(g) For any non-government organization to collect or assess from its members, volunteers, and employees any dues, fees, or other payments if any part of such dues, fees, or other payments will be used for political activities;

(h) For any government organization to collect or assess from employees any dues, fees, or other payments if any part of such dues, fees, or other payments will be used for political activities; and

(i) For any person or other organizations, groups, or associations who exert control, in whatever form, over other individuals such as landlords, militant groups, and the like to collect any amount of money for political activities.

Sec. 5. Disclosure of Purpose.- The labor, civic, religious, government or non-government, sectoral or people's organizations and corporations shall specifically inform in writing the individuals concerned, of the purpose or purposes for which any amount of money shall be collected, especially if they are being collected for political activities, and not conceal their true purpose by incorporating it with other dues, fees, or other payments that can be legitimately collected from the said individuals.

Sec. 6. Penalty.- A penalty in the amount of not less than Fifty Thousand pesos (P 50,000.00) or imprisonment of not less than three (3) months or both shall be imposed to the guilty officer or officers, leader or leaders, employees, members, or volunteers of any organization, corporation or association who violated any provision of this Act.

Sec. 7. Separability Clause.- If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Sec. 8. Repealing Clause.- Any law, presidential decree, or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

Sec. 9. Effectivity Clause.- This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.