

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

SENATE
S. B. No. 1322

2013
7 1 2
RECEIVED: *g*

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 and without remedy to seek redress from this form of extortion.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
flor


* This bill was originally filed during the Thirteenth Congress, First Regular Session.

SECRETARY

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

7 1 26

SENATE
S. B. No. 1322

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

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

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

7 SECTION 1. *Short Title.* – This Act may be cited as “Protection from Involuntary
8 Collection Act.”

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

12 SECTION 3. *Definition of Terms.* – For purpose of this Act, the following term:

13 (A) “Labor organization” means any union or association of employees which exists in
14 whole or in part for the purpose of collective bargaining or of dealing with
15 employees concerning terms and conditions of employment;

16 (B) “Corporation” means an entity organized under the Corporation Code, including
17 government-owned and controlled corporations;

18 (C) “Religious group” means any non-profit or non-stock association of individuals
19 belonging to any religious denomination or having the same faith or belief;

20 (D) “Civic group” means any club or association of individuals created or established
21 for the purpose of delivering public or conducting activities benefiting the common
22 good;

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

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

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

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

16 SECTION 4. *Prohibition.* – Except with the separate, prior, written, and voluntary
17 authorization of each individual, which shall remain in effect until revoked and may be revoked
18 any time, it shall be unlawful:

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

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

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

- 1 (D) For any civic group or organization to collect or assess from its members,
2 volunteers, and employees and dues, fees, or other payments if any part of such
3 dues, fees, or other payments will be used for political activities;
- 4 (E) For any people's organization to collect or assess from its members and volunteers
5 any dues, fees, or other payments if any part of such dues, fees, or other payments
6 will be used for political activities;
- 7 (F) For any sectoral group or organization to collect or assess from its members any
8 dues, fees, or other payments if any part of such dues, fees, or other payments will
9 be used for political activities;
- 10 (G) For any government organization to collect or assess from its members any dues,
11 fees, or other payments if any part of such dues, fees, or other payments will be
12 used for political activities;
- 13 (H) For any person or other organizations, group, or association who exert control, in
14 whatever form, over other individuals such as landlords, militant groups, and the
15 like to collect any amount of money for political activities.

16 SECTION 5. *Penalty.* – A penalty in the amount of not less than Fifty Thousand Pesos
17 (P50,000.00) or imprisonment of not less than three (3) months or both shall be imposed to the
18 guilty officer or officers, leader or leaders, employees, members, or volunteers of any
19 organization, corporation or association who violated any provision of this Act.

20 SECTION 6. *Disclosure of Purpose.* – The labor, civic, religious, government or non-
21 government, sectoral or people's organizations and corporations shall specifically inform in
22 writing the individuals concerned, of the purpose or purposes for which any amount of money
23 shall be collected, especially if they are being collected for political activities, and not conceal
24 their true purpose by incorporating it with other dues, fees, or other payments that can be
25 legitimately collected from the said individuals.

1 SECTION 7. – Separability Clause. – If any provision or part hereof, is held invalid or
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
3 valid and subsisting.

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

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

9 Approved,