

10 JUL 21 P4:35

SENATE  
S. No. 1773

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

In engaging the tri-media political campaign, many aspiring political candidates who are presently holding office in Government have used the resources of their respective offices and agencies and may have unlawfully appropriated hundreds of millions of pesos in public funds for the purpose. This practice of using public funds for this act is unlawful, immoral and unethical.

Millions of Filipinos are suffering from hunger, unemployment, lack of medical care and medication, lack of education and educational facilities, and lack of housing, while public funds are being thrown away and wasted for personal use of these aspiring candidates.

The use of public funds to promote one's candidacy and personal political agenda is an unlawful appropriation of public funds for a private purpose. It also goes against the Constitutional mandate that "public office is a public trust," that public officials are "accountable to the people" and that they must "serve them with utmost responsibility, integrity," and must "act with patriotism and justice, and lead modest lives."

This proposed measure would require every public notice, advertisement, or message paid for with public funds to include a statement that indicates that government funds were used to pay for the cost of such and the name of the agency or department paying for the same.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

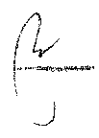
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<sup>1</sup> This bill was originally filed in the third regular session of the 14<sup>th</sup> Congress.

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

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1 AN ACT  
2 REQUIRING A DISCLOSURE STATEMENT ON THE USE OF GOVERNMENT  
3 FUNDS FOR DISSEMINATING PUBLIC INFORMATION

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

4 SECTION 1. *Title.* – This Act shall be known as the “*Public Information*  
5 *Disclosure Act.*”

6 SECTION 2. *Definition* – The terms used in this Act shall have the following  
7 meanings:

8 a) “*Agency*” – shall mean any authority of the government and includes a  
9 department, institution, board, bureau, commission, council, committee of  
10 territorial government, branch, autonomous instrumentality or other public  
11 entity of the government of the Philippines, whether or not it is within or  
12 subject to review by another agency.

13 b) “*Public notice*”, “*advertisement*” or “*message*” – shall mean all forms of  
14 media which includes but is not limited to print, radio, television or the  
15 Internet.

16 SECTION 3. *Disclosure of Source of Payment* - Any website, public notice,  
17 advertisement or message issued or published by an agency, or agencies, and paid for,  
18 partially or fully, using government funds, shall include a disclosure statement that the  
19 public notice, advertisement or message is paid for by government funds, and the name of  
20 the department, agency or agencies paying for the notice.

21           SECTION. 4. *Penalties.* – Any director, officer or agent of the Government who  
22 shall authorize, order or perform any of the acts or practices constituting in whole or in  
23 part a violation of Section 3 of this Act, shall upon conviction, be subject to a fine of not  
24 less than Ten thousand pesos (P10,000.00) but not more than One Hundred Thousand  
25 pesos (P100,000.00) and imprisonment of not less than two (2) months but not more than  
26 one (1) year, or both upon the discretion of the court.

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

29           SECTION 5. *Separability Clause.* – If any provision or part of this Act is held  
30 invalid or unconstitutional, the remainder of the law or the provision not otherwise  
31 affected shall remain valid and subsisting.

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

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

Approved.