

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



'13 SEP 17 P3:49

SENATE
S. No. 1694

RECEIVED BY *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Republic Act No. 7166, otherwise known as the Synchronized Election Law of 1991, contains provisions designed to compel publicity with respect to electoral contributions and expenses.

This bill seeks to address two important areas concerning election related expenses:

First, it proposes to designate the particular Commission on Elections (COMELEC) office where the statements of expenditures and contributions in connection with the election are to be filed.

Second, it seeks to correct the flaw in the existing law. At present, the provisions decriminalize only the failure to declare election expenses. Failure to file statements of election contributions by the contributor required under Sections 98 and 99 of the Omnibus Election Code is still classified as an election offense.

This bill also proposes that all violations of the provisions concerning electoral contributions and expenditures be penalized administratively.*

ac *Miriam Defensor Santiago*
MIRIAM DEFENSOR SANTIAGO

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



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AN ACT

AMENDING SECTION 14 OF REPUBLIC ACT NO. 7166, OTHERWISE KNOWN
AS THE "SYNCHRONIZED ELECTION LAW OF 1991", ON THE PARTICULAR OFFICE
WHERE CANDIDATES SHALL FILE THEIR STATEMENTS OF ELECTION
CONTRIBUTIONS AND EXPENDITURES AND PROVIDING ADMINISTRATIVE
SANCTIONS FOR VIOLATIONS OF SAID SECTION

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

SECTION 1. Section 14 of Republic Act No. 7166, is hereby amended to read as follows:

"SEC. 14. Statement of Contributions and Expenditures. – Every candidate [and treasurer of the political party] shall, within thirty (30) days after the day of the election, file **DURING REGULAR OFFICE HOURS** in duplicate, **PERSONALLY OR THROUGH HIS AUTHORIZED REPRESENTATIVE** with the **SAME** office[s] of the Commission **WHERE HE FILED HIS CERTIFICATE OF CANDIDACY**, the full, true, and itemized statement of all contributions and expenditures in connection with the election.

THE STATEMENTS OF CONTRIBUTIONS AND EXPENDITURES OF TREASURERS OF POLITICAL PARTIES SHALL BE FILED PERSONALLY OR BY THEIR DULY AUTHORIZED REPRESENTATIVES WITH THE LAW DEPARTMENT OF THE COMMISSION IN MANILA.

THE REGIONAL ELECTION DIRECTOR, PROVINCIAL ELECTION SUPERVISOR, AND ELECTION OFFICER SHALL KEEP DUPLICATE COPIES OF ALL THE STATEMENTS FILED IN THEIR RESPECTIVE OFFICES, AND WITHIN TEN (10) DAYS AFTER THE

1 **LAST DAY FOR FILING OF THE STATEMENTS, SEND THE**
2 **ORIGINAL COPIES THEREOF TO THE LAW DEPARTMENT OF THE**
3 **COMMISSION. THEREAFTER, THE COMMISSION SHALL PUBLISH**
4 **IN TWO (2) NEWSPAPERS OF GENERAL CIRCULATION, A LIST OF**
5 **ALL THE WINNING CANDIDATES AND POLITICAL PARTIES**
6 **SHOWING THE TOTAL CONTRIBUTIONS AND EXPENDITURES IN**
7 **FIGURES.**

8 No person elected to any public office shall enter upon the duties of his
9 office until he has filed the statement of contributions and expenditures herein
10 required.

11 The same prohibition shall apply if the political party which nominated the
12 winning candidate fails to file the statements required herein within the period
13 prescribed by this Act.

14 [Except candidates for the elective barangay office,] [f] Failure **OF ANY**
15 **WINNING OR LOSING CANDIDATE OR POLITICAL PARTY** to file the
16 statements or reports in connection with electoral contributions and expenditures
17 as required herein **AND FAILURE TO POST A BOND, THE AMOUNT OF**
18 **WHICH SHALL BE DETERMINED BY THE COMMISSION, AT THE**
19 **TIME OF FILING THE CERTIFICATE OF CANDIDACY** shall constitute
20 an administrative offense for which the offenders shall be liable to pay an
21 administrative fine ranging from [One thousand pesos (P1,000.00) to] Thirty
22 thousand pesos (P30,000.00) **TO ONE HUNDRED THOUSAND PESOS**
23 (P100,000.00), at the discretion of the Commission.

24 The fine shall be paid within thirty (3) days from receipt of notice of such
25 failure, otherwise, it shall be enforced by a writ of execution issued by the
26 Commission against the properties of the offender.”

1 SECTION 2. *Separability Clause.* -- If any provision or part thereof 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 3. *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 4. *Effectivity Clause.* -- This Act shall take effect fifteen (15) days after its
8 publication in at least two (2) newspapers of general circulation.

Approved,