

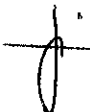
SIXTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*Second Regular Session*

}

Office of the Secretary

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SENATE

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COMMITTEE REPORT NO. 144

Submitted by the Committee on Electoral Reforms and People's  
Participation on MAY 13 2015.

Re: Senate Bill No. 1694.

Recommending its approval with amendments.

Sponsor: Senator Pimentel III

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**MR. PRESIDENT:**

The Committee on Electoral Reforms and People's Participation, to  
which was referred **Senate Bill No. 1694**, introduced by Senator Defensor  
Santiago, entitled:

**"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"**

has considered the same and has the honor to report it back to the Senate  
with the recommendation that it be approved with the following  
amendments; to wit:

1. On page 1, lines 8-15 – delete the entire paragraph "SEC. 14. Statement of Contribution and Expenditures. – Every candidate [and treasurer of the political party] shall, within thirty (30) days after the day of the elections, 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." and in lieu thereof insert a new paragraph to read as follows:

**"SECTION 14. STATEMENT OF CONTRIBUTIONS AND EXPENDITURES; EFFECT OF FAILURE TO FILE STATEMENT. – WITHIN THIRTY (30) DAYS AFTER THE DAY OF THE ELECTION, EVERY CANDIDATE SHALL, PERSONALLY OR THROUGH HIS AUTHORIZED REPRESENTATIVE, FILE IN DUPLICATE THE FULL, TRUE AND ITEMIZED STATEMENT OF ALL CONTRIBUTIONS AND EXPENDITURES IN CONNECTION WITH THE ELECTION WITH THE SAME OFFICE OF THE COMMISSION WHERE HE FILED HIS CERTIFICATE OF CANDIDACY."**

2. On page 1, lines 16-20 – delete the entire paragraph "**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.**" and in lieu thereof insert a new paragraph which reads as follows:

**"WITHIN THE SAME PERIOD PROVIDED IN THE IMMEDIATELY PRECEDING PARAGRAPH, THE TREASURER OF THE POLITICAL PARTY SHALL, PERSONALLY OR THROUGH HIS AUTHORIZED REPRESENTATIVE, FILE THE STATEMENT OF**

**CONTRIBUTIONS AND EXPENDITURES WITH THE LAW DEPARTMENT OF THE COMMISSION IN MANILA.”;**

3. On page 2, line 15 – delete the phrase “**WINNING OR LOSING**” before the word “**CANDIDATE**”;

4. On the same page and line – after the word “**CANDIDATE**” insert a comma mark “,” and the phrase “**WHETHER THE CERTIFICATE OF CANDIDACY WAS WITHDRAWN OR NOT,**”;

5. On page 2, lines 17-19 – delete the phrase “**AND FAILURE TO POST A BOND, THE AMOUNT OF WHICH SHALL BE DETERMINED BY THE COMMISSION, AT THE TIME OF FILING THE CERTIFICATE OF CANDIDACY**”;

6. On page 2, lines 20-23 – delete the phrase “an administrative offense for which the offenders shall be liable to pay an administrative fine ranging from [One thousand pesos (P1,000.00) to] Thirty thousand pesos (P30,000.00) **TO ONE HUNDRED THOUSAND PESOS (P100,000.00), at the discretion of the Commission**” and in lieu thereof insert the phrase “**AS AN ELECTION OFFENSE PUNISHABLE UNDER SECTIONS 263 AND 264 OF THE OMNIBUS ELECTION CODE.**”;

7. On page 2, lines 24-26 – delete the entire paragraph “The fine shall be paid within thirty (3) days from receipt of notice of such failure, otherwise, it shall be enforced by a writ of execution issued by the Commission against the properties of the offender.”;

8. On page 2, after line 26 – the Committee hereby proposes to include the last two (2) paragraphs of the provision of Section 14 of Republic Act No. 7166 which read as follows:

"It shall be the duty of every city or municipal election registrar to advise in writing, by personal delivery or registered mail, within five (5) days from the date of election all candidates residing in his jurisdiction to comply with their obligation to file their statements of contributions and expenditures.

For the commission of a second or subsequent offense under this Section, the Administrative fine shall be from Two thousand pesos (P2,000.00) to Sixty thousand pesos (P60,000.00), in the discretion of the Commission. In addition, the offender shall be subject to perpetual disqualification to hold public office."

9. The Committee recommends deleting the last paragraph of the provision of Section 14 of Republic Act No. 7166 which reads as follows:

"For the commission of a second or subsequent offense under this Section, the Administrative fine shall be from Two thousand pesos (P2,000.00) to Sixty thousand pesos (P60,000.00), in the discretion of the Commission. In addition, the offender shall be subject to perpetual disqualification to hold public office."

10. On page 3, line 1 – delete the entire provision of "Section 2" and replace it with a new "SECTION 2" to read as follows:

**"SECTION 2. SEPARABILITY CLAUSE. – SHOULD ANY PROVISION OF THIS ACT OR PART HEREOF BE DECLARED UNCONSTITUTIONAL, THE OTHER PROVISIONS OR PARTS NOT AFFECTED THEREBY SHALL REMAIN VALID AND EFFECTIVE.";**

11. On page 3, line 4 – delete the entire provision of "Section 3" and replace it with a new "SECTION 3" to read as follows:

**"SECTION 3. REPEALING CLAUSE. – ALL LAWS, DECREES, ORDERS, AND ISSUANCES, OR PORTIONS THEREOF, WHICH ARE INCONSISTENT WITH THE PROVISIONS OF THIS ACT, ARE HEREBY REPEALED, AMENDED, OR MODIFIED ACCORDINGLY."**

12. The title of the bill is amended to read as follows:

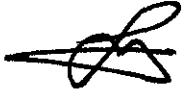
**"AN ACT  
AMENDING SECTION 14 OF REPUBLIC ACT NO. 7166,  
OTHERWISE KNOWN AS THE 'SYNCHRONIZED ELECTION LAW  
OF 1991', BY DESIGNATING THE PARTICULAR OFFICE WHERE  
CANDIDATES SHALL FILE THEIR STATEMENTS OF ELECTION  
CONTRIBUTIONS AND EXPENDITURES (SOCE) AND  
CONSTITUTING THE FAILURE TO FILE THEIR SOCE AS AN  
ELECTION OFFENSE"**

Respectfully submitted:

  
**AQUILINO "KOKO" PIMENTEL III**  
Chair

  
**GRACE POE**  
Vice Chair

Members:



FRANCIS "CHIZ" G. ESCUDERO

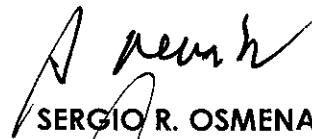
CYNTHIA A. VILLAR

LOREN B. LEGARDA

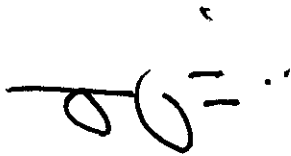


ANTONIO "SONNY" TRILLANES IV

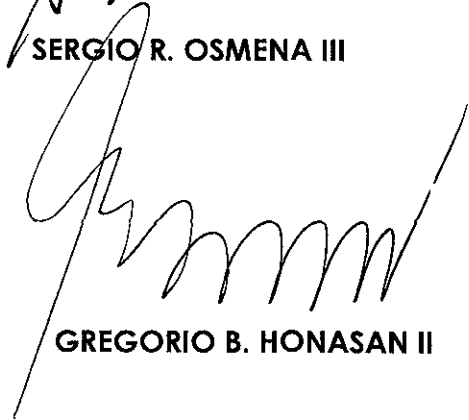
TEOFISTO L. GUINGONA III



SERGIO R. OSMENA III



JOSEPH VICTOR G. EJERCITO



GREGORIO B. HONASAN II

VICENTE C. SOTTO III

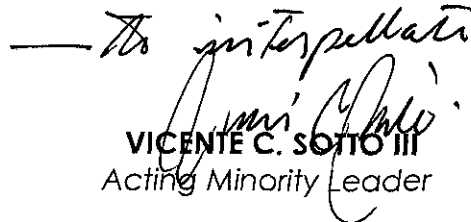
**Ex-Officio Members:**

  
**RALPH G. RECTO**  
President Pro-Tempore

*may  
and*

**ALAN PETER "COMPAÑERO"S. CAYETANO**  
Majority Leader

**JUAN PONCE ENRILE**  
Minority Leader

  
**VICENTE C. SOTTO III**  
Acting Minority Leader

**FRANKLIN M. DRILON**  
Senate President  
Senate of the Philippines  
Pasay City

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



Senate  
Office of the Secretary

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SENATE  
S. No. 1694

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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.\*

*acc* *Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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



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



Senate  
Office of the Secretary

'13 SEP 17 P3:49

SENATE  
S. No. 1694

RECEIVED BY: *js*

Introduced by Senator Miriam Defensor Santiago

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

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

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

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

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

21 **THE REGIONAL ELECTION DIRECTOR, PROVINCIAL**  
22 **ELECTION SUPERVISOR, AND ELECTION OFFICER SHALL KEEP**  
23 **DUPLICATE COPIES OF ALL THE STATEMENTS FILED IN THEIR**  
24 **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,