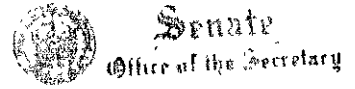


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



13 OCT -3 P5:30

SENATE
S. No. 1797

RECEIVED BY *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article III, Section 7 recognizes the right of the people to information on matters of public concern. This right reinforces the equally important right to suffrage. A well-informed voting population would be able to carefully choose their future leaders.

Batas Pambansa Blg. 881, or the "Omnibus Election Code of the Philippines," Sections 90 to 93, likewise recognize the importance of this right, by providing for venues and opportunities to inform the people of the qualifications of candidates.

This bill complements these laws by seeking to establish a Presidential Debate Commission which will: (1) schedule the debates for the Presidential and Vice Presidential candidates; (2) submit reports evaluating the debates scheduled by the Commission itself and by other agencies, organizations, or the mass media; and (3) formulate the guidelines for the adoption of the best format for the debates.*

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Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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

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SENATE
S. No. 1797

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 ESTABLISHING THE PRESIDENTIAL DEBATE COMMISSION

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

3 SECTION 1. *Short Title.* – This Act shall be known as the “Presidential Debate Reform
4 Act.”

5 SECTION 2. *Declaration of Policy.* – It is the policy of the State to recognize the right of
6 the people to information on matters of public concern.

7 SECTION 3. *Definition of Terms.* – As used in this Act:

8 (A) “Candidate” refers to any person aspiring for or seeking an elective public office,
9 who has filed a certificate of candidacy by himself or through an accredited political party,
10 group, or coalition of parties; and

11 (B) “Regular Election” refers to the election for President and Vice-President, which,
12 unless otherwise provided by law, shall be held on the second Monday of May.

13 SECTION 4. *Establishment of Presidential Debate Commission.* –

14 (A) *Establishment.* – Not later than one (1) year before the date of each general
15 election for the offices of President and Vice President of the Republic of the Philippines,
16 beginning with the next national election, in which the President and Vice President shall be
17 elected, a Presidential Debate Commission (hereafter referred to as the “Commission”) shall be
18 appointed in accordance with this section with respect to such election.

19 (B) *Membership.* –

1 (1) *In General.* – The Commission shall be composed of six (6) members
2 appointed as follows:

3 (a) One (1) member shall be appointed by the Speaker of the House;

4 (b) One (1) member shall be appointed by the House Majority Leader,
5 who shall not be a member of the Majority Leader's political party;

6 (c) One (1) member shall be appointed by the President of the Senate;

7 (d) One (1) member shall be appointed by the Majority Leader of the
8 Senate; and

9 (e) Two (2) members shall be appointed by the President from among a
10 list of nominees submitted by the two (2) dominant political parties.

11 Provided, that, the members to be appointed in the preceding items (a),
12 (b), (c), and (d) shall not be members of the same political parties from which the
13 appointees of the President will be selected. Provided, further, that not more than
14 three appointees shall come from any political party. Provided, finally, that the
15 appointees, shall as much as possible come from the different sectors provided in
16 paragraph (B)(2) of this Section. Candidates for President and Vice President are
17 automatically disqualified from becoming a member of the Commission as well
18 as their relatives within the fourth degree of consanguinity and affinity.

19 (2) *Qualifications.* – Members of the Commission may be from the public or
20 private sector, and may include national or local government officers or
21 employee, members of the academe, nonprofit organizations, or other
22 interested individuals.

23 (3) *Vacancies.* – Any vacancy shall be filled in the same manner as the original
24 appointment not later than ten (10) days after the vacancy occurs.

25 (4) *Compensation.* – Members of the Commission shall receive a per diem of
26 Five Hundred Pesos (P500.00) for each day of attendance in the Commission
27 and actual traveling expenses not exceeding Five Thousand Pesos (P5,000.00)
28 per month.

1 (C) *Powers; Meetings.* – Except as provided in subparagraph (D), decisions made by
2 the Commission shall be made by consent of no less than four (4) of the commissioners. The
3 Commission shall meet at a time and a site agreed upon by no less than four (4) of the members.

4 (D) *Staffing.* – The Commission shall be responsible for maintaining its own
5 secretariat as well as such other staff as it may deem necessary. Except those detailed from other
6 government offices, the tenure of office of the regular staff of the secretariat shall be coterminous
7 with the tenure of the Commission.

8 Each Commissioner shall also be entitled to a personal staff of two (2): Provided,
9 however, that the tenure of office of the regular personal staff of each Commissioner shall be
10 coterminous with his own tenure of office.

11 (E) *Duties.* –

12 (1) It shall be the duty of the Commission to establish a schedule of debate in
13 accordance with subsection (F) as follows:

14 (a) One (1) preliminary debate;

15 (b) Not more than two (2) Vice Presidential debates; and

16 (c) Not less than two (2) but not more than four (4) Presidential debates.

17 (2) The Commission shall decide on the format of the debates taking into
18 consideration the most efficient and effective way to provide useful and
19 necessary information about the candidates to the voting public.

20 (3) The Commission shall coordinate with the different government agencies
21 charged with the enforcement and administration of all laws relative to the
22 conduct of elections for the purpose of ensuring free, orderly, and honest
23 elections, and with other organizations or associations concerned with the
24 elections.

25 (4) The Commission shall, after the termination of its term, submit a report on the
26 debates conducted, describing in detail the presentation strategies and
27 techniques used, evaluating the effectiveness of the format adapted, and
28 recommending the best format.

1 (5) The Commission shall closely monitor all other scheduled debates for
2 Presidential and Vice-Presidential candidates initiated by the mass media or
3 other government agencies or private organizations, and submit another report
4 evaluating the effectiveness of said debates.

5 (6) The Commission shall, after taking into consideration all the submitted
6 evaluation reports, formulate guidelines for the adoption of a debate format
7 which will best achieve the policies adopted by this Act.

8 (F) *Debates Described.* –

9 (1) *Preliminary Debates.* – A preliminary debate shall take place no sooner than
10 sixty (60) days and no later than forty-five (45) days before a Presidential
11 election. The time and place of the preliminary debate shall be announced by
12 the Commission no later than ninety (90) days before the scheduled
13 preliminary debate. A preliminary debate shall involve any person who has
14 declared himself a candidate for the position of President or Vice-President of
15 the Republic of the Philippines, as determined by the Commission. The format
16 shall be decided by the Commission. The attendance by any candidate at the
17 preliminary debate is optional.

18 (2) *Vice Presidential Debates.* – Vice Presidential debates shall take place at least
19 seven (7) days following the preliminary debate. The time and date of all Vice
20 Presidential debates shall be announced no later than ninety (90) days prior to
21 the first Vice Presidential debate. The Commission may alter the time and
22 date of such debates for good cause with the consent of seven (7) members.
23 All Vice Presidential debates shall involve persons who are *bona fide*
24 candidates. The format of debates shall be decided by the Commission.

25 (3) *Presidential Debates.* – Presidential debates shall take place no sooner than
26 seven (7) days following the preliminary debate. The time and date of all
27 qualified debates shall be announced no later than ninety (90) days prior to the
28 first scheduled qualified debate. The Commission may alter the time and date
29 of such debates for good cause with the consent of seven (7) members. The

1 format of debates shall be decided by the Commission, with at least one (1)
2 being of the single moderator format. Presidential debates shall involve
3 persons who are qualified Presidential candidates.

4 (G) *Termination.* – Each Commission appointed under this section shall terminate on
5 the date following the day of the election for which the Commission was appointed.

6 SECTION 5. *Appropriations.* – There are authorized to be appropriated to each
7 Commission appointed under this Act such sums as may be necessary to carry out its activities
8 with respect to the election involved.

9 SECTION 6. *Separability Clause.* – If any provision or part thereof is held invalid or
10 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
11 valid and subsisting.

12 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
13 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
14 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

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

Approved,