

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



73 DEC -3 P2 33

SENATE
S. No. 1996

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article II, Section 27, mandates the State to maintain honesty and integrity in the public service. This is designed to prevent government officers and employees from using their office for personal aggrandizement.

Government offices and premises, as long as their establishment and maintenance are paid out of public funds, should be devoted entirely to the performance of public service. Hence, the use thereof, during the election period up to the election day, in order to solicit any contribution or to raise funds for political purposes, should be prohibited.

This bill seeks to declare it unlawful for any person seeking public office to use government offices and premises in any manner that will promote his/ her election.

This bill is a product of the public hearings conducted by the Committee on Constitutional Amendments, Revision of the Codes and Laws during the 11th Congress.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
ms

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



13 DEC -3 P2:33

SENATE
S. No. 1996

RECEIVED BY: *js*

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 AMENDING BATAS PAMBANSA BLG. 881, AS AMENDED, OTHERWISE KNOWN AS
3 THE OMNIBUS ELECTION CODE OF THE PHILIPPINES, SECTION 97, ON
4 CONDUCTING FUND-RAISING ACTIVITIES FOR POLITICAL PURPOSES

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

5 SECTION 1. Section 97 of Batas Pambansa Blg. 881, as amended, is further amended to
6 read as follows:

7 "Sec. 97. Prohibited raising of funds:

8 (A) It shall be unlawful for any person to hold dances, lotteries,
9 cockfights, boxing bouts, bingo, beauty contests, entertainment, or
10 cinematographic, theatrical or other performances for the purpose of raising funds
11 for an election campaign or for the support of any candidate from the
12 commencement of the election period up to and including election day; or for any
13 person or organization whether civic or religious, directly or indirectly, to solicit
14 and/ or accept from any candidate for public office, or from his campaign
15 manager, agent or representative, or any person acting in their behalf, any gift,
16 food, transportation, contribution, or donation in cash or in kind from the
17 commencement of the election period up to and including election day; Provided,
18 That normal and customary religious stipends, tithes, or collections on Sundays
19 and/ or other designated collection days are excluded from this prohibition; and

20 (B) It shall be unlawful for any person seeking public office whether local,
21 regional or national to solicit or receive any contribution, monetary and/ or in
22 kind, **OR CONDUCT ANY FUND RAISING ACTIVITY FOR POLITICAL**
23 **PURPOSES**, in any government office or premises, **WHICH SHALL**

1 **INCLUDE BUT ARE NOT LIMITED TO NATIONAL, REGIONAL AND**
2 **LOCAL GOVERNMENT OFFICES, GOVERNMENT-OWNED OR**
3 **CONTROLLED CORPORATIONS, any military or police camp, installation**
4 **or office AND THE LIKE, AS LONG AS THE MAINTENANCE OF SAID**
5 **OFFICES OR PREMISES ARE PAID OUT OF PUBLIC FUNDS. THIS**
6 **PROHIBITION SHALL APPLY BEFORE AND DURING ELECTION**
7 **PERIOD UP TO ELECTION DAY ITSELF.”**

8 SECTION 2. *Separability Clause.* -- If any provision or part hereof is held invalid or
9 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
10 valid and subsisting.

11 SECTION 3. *Repealing Clause.* -- Any law, presidential decree or issuance, executive
12 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
13 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

14 SECTION 4. *Effectivity Clause.* -- This Act shall take effect fifteen (15) days after its
15 publication in at least two (2) newspapers of general publication.

Approved,