

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

OFFICE OF THE SECRETARY

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SENATE
S.B. No. 996

RECEIVED BY: blw

Introduced by Senator Jinggoy Estrada

EXPLANATORY NOTE

In a group or corporation, there are certain rights and privileges that are granted to individual members. There are also certain obligations that the members must carry out to be able to avail of said privileges. Nonetheless, it must be clear that no group, organization or corporation can force their members to pay fees for the purpose of funding organizational activities.

Because no law has been passed to protect organization and group members from this type of involuntary collection, many unwilling individuals are victims to extortion. This bill proposes to set guidelines which will define the extent to which groups and corporations may solicit funds from their members.

In view of the foregoing, passage of this bill is earnestly recommended.


JINGGOY EJERCITO ESTRADA
Senator

SENATE
S.B. No. 996

RECEIVED BY: Alm

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
TO PROTECT INDIVIDUALS FROM HAVING THEIR MONEY
INVOLUNTARY COLLECTED AND USED FOR POLITICAL ACTIVITIES BY A
CORPORATION, ORGANIZATION OR GROUP

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

SECTION 1. **Short Title.** – This Act may be cited as “Protection from Involuntary Collection Act.”

SECTION 2. **Declaration of Policy.** – It is hereby declared to be the policy of the State to protect any individual by prohibiting the use of their money involuntarily collected from them for political activities.

SECTION 3. **Definition of Terms.** – For purposes of this Act, the following terms shall mean:

- (a) “Labor organization” means any union or association of employees which exists in whole or in part for the purpose of collective bargaining of dealing with employees concerning terms and conditions of employment;
- (a) “Corporation” means an entity organized under the corporation Code, including government-owned and controlled corporations;
- (b) “Religious group” means any non-profit or non-stock association of individuals belonging to any religious denomination or having the same faith or belief;
- (c) “Civic group” means any club or association of individuals created or established for the purpose of delivering public or conducting activities benefiting the common good;
- (d) “People’s organization” means any *bona fide* association of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership and structure.

- (e) "Sectoral organization" means a group of citizens or a coalition of groups of citizen who share similar physical attributes or
- (f) characteristics, employment, interest or concern;
- (g) "Non – Government Organization," also known as private voluntary organization or voluntary agencies, are private, non profit, non stock organization or corporation, engage in long -term activities, contributing to the welfare of communities or social sector such as but not limited to: community organizing, community education, sectoral development, humanitarian or charity work, disaster relief, family planning, physical, psychological and social rehabilitation: environmental concern, human rights promotion and protection, and social amelioration;
- (h) "Government Organization" pertains to national or local agencies under the Executive, Legislative and the Judiciary branches of government; and
- (i) "Political Activities" includes any communication or other activities which involve carrying on propaganda, attempting to influence legislation, or participating in any political campaign or political party.

SECTION 4. **Prohibition.** - Except with the separate, prior, written, and voluntary authorization of each individual, which shall remain in effect until revoked and may be revoked anytime, it shall be unlawful:

- (a) For any labor organization to collect from or assess its members or non – members any dues, fees or other payments, if any part of such dues, fees or other payments will be used for political activities;
- (b) For any corporation to collect or assess from its stockholder or employees any dues, fees or other payments if any part of such dues, fees, payments will be used for political activities:
- (c) For any religious group or organization to collect or assess to its members and employees any dues, fees, or other payments if any part of such dues, fees, or other payments will be used for political activities:
- (d) For any civic group or organization to collect or assess from its members, volunteers, and any employees dues, fees, or other payments if any part of such dues, fees or other payments of will be used for political activities:
- (e) For any peoples organization to collect or assess from its members and volunteers any dues, fees, or other payments if any part of such as dues, fees, or other payments will be used for political activities:
- (f) For any sectoral group or organization to collect or assess from its members any dues, fees, or other payments if any part of such dues, fees, or other payment will be used for political activities:

- (g) For any non government organization to collect or assess from its members volunteers and employees any dues, fees, or other payments if any part of such dues, fees, or other payments will be used for political activities, and
- (h) For any government organization to collect or assess from employees any dues , fees, or other payments if any part of such dues, fees, or other payments will be used for political activities; and
- (i) For any persons or other organizations, groups or associations who exert control, in whatever form, over other individuals such as landlords, militant groups, and the like to collect any amount of money for political activities.

SECTION 5. *Disclosure of Purpose.* – The labor , civic, religious, government or non government, sectoral or people’s organization and corporation shall specifically inform in writing the individuals concerned, of the purpose or purposes of which any amount of money shall be collected, especially if they are being collected for political activities, and not conceal their true purpose by incorporating it with other dues, fees, or other payments, that can be legitimately collected from the said individuals.

SECTION 6. *Penalty.* – A penalty in the amount of not less than Fifty thousand pesos (P 50,000.00) or imprisonment of not less than three (3) months or shall be imposed to the guilty officer, or leader or leaders, employees, members, or volunteers of any organization, corporation or association who violated any provision of this Act.

SECTION 7. *Separability Clause.* - If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. *Repealing Clause.* - any law, presidential decree, issuance, executive, order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two(2) newspapers of general circulation.

Approved.