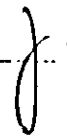


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

Office of the Secretary

16 JAN 14 P4:10

SENATE
P. S. R. No. 1706

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE
TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION,
ON THE REPORT THAT PRESIDENTIAL CANDIDATES SPENT A TOTAL OF P2.3
BILLION FOR TELEVISION ADVERTISEMENTS FROM JANUARY TO DECEMBER
2015, THEREBY EXCEEDING THE LIMIT FOR CAMPAIGN EXPENSES EVEN BEFORE
THE START OF THE CAMPAIGN PERIOD

1 WHEREAS, the Constitution, Article 11, Section 1, provides:

2 Public office is a public trust. Public officers and employees must at all
3 times be accountable to the people, serve them with utmost responsibility,
4 integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest
5 lives.

6 WHEREAS, the *Manila Times* on 5 January 2016 reported that four candidates in the
7 2016 presidential elections have spent a total of some P2.3 billion in television advertisements
8 from January to December 2015;

9 WHEREAS, Liberal Party standard-bearer Mar Roxas sat on top of the list released by
10 media monitoring firm Nielsen, allegedly shelling out P774 million, followed by Vice President
11 Jejomar Binay (P695 million), Sen. Grace Poe (P694 million), and Davao City Mayor Rodrigo
12 Duterte (P129 million);

13 WHEREAS, the reported expenses were incurred outside of the campaign period
14 identified by the Commission on Elections, from February 9 to May 7;

15 WHEREAS, almost all candidates have already spent beyond the expected limit for
16 campaign expenses for presidential candidates, pegged at P10 per voter, or a total of P545
17 million for the projected 54.5 million voters in 2016;

18 WHEREAS, the doctrine born of the Supreme Court decision in the 2009 case of *Peñera*
19 *v. Comelec* renders futile imposed limits on campaign spending by enabling candidates to spend
20 excessive amounts outside the monitored period;

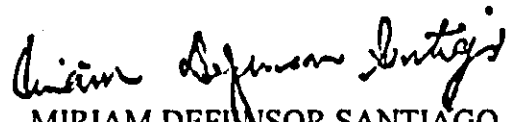
1 WHEREAS, while the Court in *Peñera* ruled that R.A. No. 8436, or the "Automated
2 Elections Law," as amended by R.A. No. 9369 effectively repeals the provision against
3 premature campaigning in B.P. No. 881, or the "Omnibus Election Code," Section 80, it added:

4 The forum for examining the wisdom of the law, and enacting remedial
5 measures, is not this Court but the Legislature.

6 WHEREAS, taking up this challenge from the Court, the Congress must ponder on the
7 implications of premature campaigning, and the wisdom of prohibiting it by passing a law, a
8 version of which has been pending at the Senate since in 2013;

9 WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct
10 the proper Senate committee to conduct an inquiry, in aid of legislation, on the report that
11 presidential candidates spent a total of ₱2.3 billion for television advertisements from January to
12 December 2015, thereby exceeding the limit for campaign expenses even before the start of the
13 campaign period.

Adopted,


MIRIAM DEFENSOR SANTIAGO
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/kmp