


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

7 AUG -6 1976

SENATE  
S. B. No. 1434

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE


Republic Act No. 7166, otherwise known as the 1991 Synchronized Election Law, contains sections 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.\*


  
MIRIAM DEFENSOR SANTIAGO  
*fldr*

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

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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

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

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

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

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

21 THE REGIONAL ELECTION DIRECTOR, PROVINCIAL ELECTION  
22 SUPERVISOR, AND ELECTION OFFICER SHALL KEEP DUPLICATE  
23 COPIES OF ALL THE STATEMENTS FILED IN THEIR RESPECTIVE  
24 OFFICES, AND WITHIN TEN (10) DAYS AFTER THE LAST DAY FOR  
25 FILING OF THE STATEMENTS, SEND THE ORIGINAL COPIES THEREOF

1 TO THE LAW DEPARTMENT OF THE COMMISSION. THEREAFTER, THE  
2 COMMISSION SHALL PUBLISH IN TWO (2) NEWSPAPERS OF GENERAL  
3 CIRCULATION, A LIST OF ALL THE WINNING CANDIDATES AND  
4 POLITICAL PARTIES SHOWING THE TOTAL CONTRIBUTIONS AND  
5 EXPENDITURES IN FIGURES.

6 No person elected to any public office shall enter upon the duties of his  
7 office until he has filed the statement of contributions and expenditures herein  
8 required.

9 The same prohibition shall apply if the political party which nominated the  
10 winning candidate fails to file the statements required herein within the period  
11 prescribed by this Act.

12 [Except candidates for the elective barangay office,] [f] Failure OF ANY  
13 WINNING OR LOSING CANDIDATE OR POLITICAL PARTY to file the  
14 statements or reports in connection with electoral contributions and expenditures  
15 as required herein AND FAILURE TO POST A BOND, THE AMOUNT OF  
16 WHICH SHALL BE DETERMINED BY THE COMMISSION, AT THE TIME  
17 OF FILING THE CERTIFICATE OF CANDIDACY shall constitute an  
18 administrative offense for which the offenders shall be liable to pay an  
19 administrative fine ranging from [One thousand pesos (P1,000.00) to] Thirty  
20 thousand pesos (P 30,000.00) TO ONE HUNDRED THOUSAND PESOS (P  
21 100,00.00), at the discretion of the Commission.

22 The fine shall be paid within thirty (3) days from receipt of notice of such  
23 failure, otherwise, it shall be enforced by a writ of execution issued by the  
24 Commission against the properties of the offender.

25 SECTION 2. *Separability Clause.* – If any provision or part hereof is held invalid or  
26 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
27 valid and subsisting.

1           SECTION 3. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
2 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent  
3 with, the provision of this Act is hereby repealed, modified, or amended accordingly.

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

6           Approved,