

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

SENATE  
S. No. 1970

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Introduced by Senator Miriam Defensor Santiago

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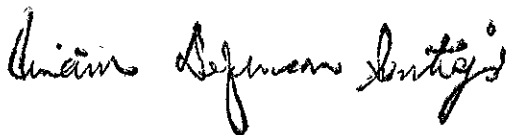
EXPLANATORY NOTE

The Constitution, Article 2, Section 28 states:

Subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest.

Lobbying activities are being carried out today in the Philippines and greatly influence the government's policy decisions and even the creation of laws by the legislature.

While the records of the deliberations of the Senate and the House of Representatives are open to the public, the behind-the-scenes negotiations are not. The numerous Senate and House hearings investigating the suspected anomalous deals of the government are proof of public distrust in the way that government transactions are concluded. Hence, it is equally, if not more important that lobbying activities be made public in order to restore the people's trust and confidence in the government and to ensure that openness, honesty, and integrity form the basis of dealings between Members of Congress and lobbyists.

  
MIRIAM DEFENSOR SANTIAGO  
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7 DEC 18 1970

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1 AN ACT  
2 TO PROVIDE FOR THE DISCLOSURE OF LOBBYING ACTIVITIES

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

5 SECTION 1. *Short Title.* – This Act may be cited as the Lobbying Accountability  
6 Act 2007.

7 SECTION 2. *Declaration of Policy.* – It is the policy of the State to enhance  
8 public confidence in the integrity of public office and the decision-making process in  
9 government by implementing a policy of full public disclosure of all its transactions  
10 involving public interest.

11 SECTION 3. *Lobbying activity defined.* – For the purposes of this Act, but subject  
12 to this section, lobbying activity means:

13 (1) Any oral or written communication (including an electronic communication) with  
14 a public official intended to influence:

15 (a) the development of any legislative proposal by the government or by a  
16 member of either House of Congress; or

17 (b) the introduction of any bill in either House of Congress or the passage or  
18 amendment of any bill that is before either House of Congress; or

19 (c) the making or amendment of any delegated legislation; or

20 (d) introduction of or change to any government policy or program; or

21 (e) the exercise of any authority or power conferred under a written law; or

22 (f) the expenditure of public money.

1 (2) Lobbying activity does not include oral or written communication (including an  
2 electronic communication) that is:

3 (a) made by a public official, an agency, or any other person holding office under  
4 a written law in his, her or its official capacity; or

5 (b) made on behalf of the government; or

6 (c) made on behalf of the government of a foreign country; or

7 (d) constituted by any application required or authorized by a written law; or

8 (e) made in response to a written request from a public official acting in his or her  
9 official capacity; or

10 (f) made by a representative or employee of a media organization for the  
11 purposes of gathering and disseminating news and information to the public;  
12 or

13 (g) made in a speech, article, publication or other material that is distributed and  
14 made available to the public, or through radio, television, or other medium of  
15 mass communication; or

16 (h) made in a petition to either House of Congress or in evidence or submissions  
17 to a committee of either of those Houses, or a joint committee of both Houses  
18 of Congress; or

19 (i) made in the course of any judicial proceedings.

20 (3) Lobbying activity does not include arranging or attending a meeting with a public  
21 official:

22 (a) that is open to members of the public; or

23 (b) by a representative or employee of a media organization for the purposes of  
24 gathering and disseminating news and information to the public.

1           SECTION 4. *Requirement of Registration.* – (1) A person or group engaged in  
2 lobbying activities must register with the Securities and Exchange Commission setting  
3 out the information referred to in subsection (2) below.

4           (2) A registration lodged in accordance with subsection (1) must be notarized and  
5 shall set out the following information in relation to all of the lobbying activity carried  
6 out by the lobbyist:

- 7           (a) the name and business address of the lobbyist;
- 8           (b) the name and business address of the employer or the person in whose  
9           behalf the lobbying activity is carried out;
- 10          (c) if the employer is a corporation, the name and business address of any  
11          related entity of the employer that, to the knowledge of the lobbyist, has a  
12          direct interest in the outcome of the lobbying activity;
- 13          (d) any other person that, to the knowledge of the lobbyist, has a direct  
14          interest in the outcome of the lobbying activity;
- 15          (e) a description in summary form of the employer's business or activities and  
16          such other information to identify the nature of the employer's business or  
17          activities as is prescribed;
- 18          (f) a description, in summary form, of the subject matter of the lobbying  
19          activity, and such other information regarding the subject matter as is  
20          prescribed;
- 21          (g) particulars to identify any legislative proposal, bill, delegated legislation,  
22          policy, program, authority, power or expenditure to which the lobbying  
23          activity related;
- 24          (h) the names and designations of the public officials in relation to whom  
25          lobbying activity was directed;
- 26          (i) such other information in relation to the lobbying activity as is prescribed.

1 (3) The Commissioner may, on the application of a lobbyist, extend the time  
2 within which the registration required by subsection (1) must be made by not more than  
3 fourteen (14) days.

4 SECTION 5. *Establishment of register of lobbying activities.* – (1) The  
5 Commissioner must compile and maintain a register to be called the Register of  
6 Lobbying Activity.

7 (2) The register is to comprise all of the information set out in returns lodged  
8 under this Act.

9 (3) The register may be compiled in such manner and form as the Commissioner  
10 considers convenient, except that the register must be available and up-to-date for  
11 inspection.

12 (4) The register must be open to inspection by any person at such place and at  
13 such reasonable times as the Commissioner may determine.

14 SECTION 6. *Appropriations.* – There shall be authorized to be appropriated such  
15 amounts as necessary to carry out the provisions of this Act..

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

19 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance,  
20 executive order, letter of instruction, administrative order, rule or regulation contrary to  
21 or inconsistent with, the provisions of this Act, are hereby modified, repealed, or  
22 amended accordingly.

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

25 Approved,