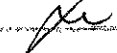


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

8 FEB 14 11:54

SENATE
S. No. 2079

RECEIVED BY: 

Introduced by **Senator Richard J. Gordon**

EXPLANATORY NOTE

Public office is a public trust, and an informed electorate will deliver an intelligent vote. While the current Fair Elections Act requires the Commission on Elections to procure free airtime from at least three national television and radio networks for equal allocation to all candidates for national office, there is currently no mechanism that requires nationally elected candidates to make known their position on matters of national significance through intelligent debate. Moreover, the indiscriminate proliferation of campaign propaganda on walls, trees, posts and buildings does nothing to improve the public's understanding of a candidate's platform, and serves no other purpose than to pollute our environment.

Consequently, this bill seeks to rectify the situation by amending Republic Act No. 9006, otherwise known as the Fair Elections Act, by making it mandatory for national television and radio networks to sponsor at least three (3) national debates among presidential candidates and at least one (1) national debate among vice presidential candidates. Each debate shall not be less than sixty (60) minutes, exclusive of airtime for commercials and advertisements. This bill also seeks to prohibit the posting of campaign materials in certain public areas, particularly on any post, tree, or structure on or along any road, on any wall or building adjoining a road, or on or within any government building or property. This is in line with the policy enunciated in the Fair Elections Act, which declares that the State shall, during the election period, supervise or regulate the enjoyment or utilization of all franchises or permits for the operation of media of communication or information to guarantee or ensure equal opportunity for public service, including access to media time and space.


For these reasons, immediate passage of this bill is earnestly sought.


RICHARD J. GORDON

FOURTEENTH CONGRESS OF THE)
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**AN ACT AMENDING REPUBLIC ACT NO. 9006, OTHERWISE KNOWN AS
THE FAIR ELECTIONS ACT**

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

1 **SECTION 1.** Section 7 of Republic Act No. 9006, otherwise known as The Fair
2 Elections Act, is hereby amended to read as follows:

3 "Sec. 7. *Affirmative Action by the COMELEC.* -

4 xxx

5 7.3 The COMELEC **SHALL** [may] require national television and radio
6 networks to sponsor at least three (3) national debates among presidential
7 candidates and at least one (1) national debate among vice presidential candidates.
8 The debates among presidential candidates shall be scheduled on three (3) different
9 calendar days: the first debate shall be scheduled within the first and second week of
10 the campaign period; the second debate within the fifth and six week of the
11 campaign period; and the third debate shall be scheduled within the tenth and
12 eleventh week of the campaign period.

13 The sponsoring television or radio network may sell airtime for commercials
14 and advertisements to interested advertisers and sponsors. The COMELEC shall
15 promulgate rules and regulations for the holding of such debates; **PROVIDED,**
16 **EACH DEBATE SHALL NOT BE LESS THAN SIXTY (60) MINUTES, EXCLUSIVE**
17 **OF AIRTIME FOR COMMERCIALS AND ADVERTISEMENTS."**

18 **Sec. 2.** Section 9 of Republic Act No. 9006, otherwise known as The Fair Elections
19 Act, is hereby amended to read as follows:-

20 "Sec. 9. *Posting of Campaign Materials.* - The COMELEC may authorize
21 political parties and party-list groups to erect common poster areas for their

1 candidates in not more than ten (10) public places **DESIGNATED BY THE**
2 **COMELEC**, such as plazas, markets, barangay centers and the like, wherein
3 candidates can post display or exhibit election propaganda; Provided, That the size
4 of the poster areas shall not exceed twelve (12) by sixteen (16) feet or its equivalent.

5 Independent candidates with no political parties may likewise be authorized to
6 erect common poster areas in not more than ten (10) public places **DESIGNATED**
7 **BY THE COMELEC**, the size of which shall not exceed four (4) by six (6) feet or its
8 equivalent.

9 Candidates may post any lawful propaganda material in private places with
10 the consent of the owner thereof, and in **COMELEC DESIGNATED** public places or
11 property which shall be allocated equitably and impartially among the candidates;
12 **PROVIDED, NO CAMPAIGN MATERIAL OR ELECTION PROPAGANDA SHALL**
13 **BE POSTED, NAILED, OR IN ANY OTHER MANNER DISPLAYED ON ANY**
14 **POST, TREE OR STRUCTURE ON OR ALONG ANY ROAD, ON ANY WALL OR**
15 **BUILDING ADJOINING A ROAD, OR ON OR WITHIN ANY GOVERNMENT**
16 **BUILDING OR PROPERTY. ANY VIOLATION OF THIS SECTION SHALL RESULT**
17 **IN THE IMMEDIATE REMOVAL AND DESTRUCTION OF SUCH MATERIAL OR**
18 **PROPAGANDA, AT THE EXPENSE OF THE CANDIDATE CONCERNED.**

19 **AFTER THE ELECTION, CANDIDATES ARE RESPONSIBLE FOR THE**
20 **REMOVAL OF SUCH CAMPAIGN MATERIALS OR ELECTION PROPAGANDA,**
21 **WHICH SHALL BE ACCOMPLISHED WITHIN A REASONABLE PERIOD OF TIME**
22 **NOT TO EXCEED THREE (3) WEEKS FROM THE DATE OF THE ELECTION."**

23 **Sec. 3. Repealing Clause.** – All laws, decrees, orders, rules and regulations or
24 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
25 repealed or modified accordingly.

26 **Sec. 4. Separability Clause.** – If any portion or provision of this Act is declared
27 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain
28 in force and effect.

1 **Sec. 5. Effectivity.** – This Act shall take effect after fifteen (15) days following the
2 completion of its publication either in the Official Gazette or in a newspaper of general
3 circulation in the Philippines.

4 Approved,