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SENATE

S. No. 192

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Every April of each year, millions of Filipinos line up to fill out their tax returns and send a portion of their hard-earned money for the government to spend. Most, however, do not have any idea where their money went after paying their appropriate taxes. With news and stories involving millions of pesos being lost by the government to graft and corruption, taxpayers have the right to know how their money is being spent and if they are getting the right value for it.

Further, Article 2, Sections 27 and 28 of the Constitution provides:

SEC. 27. The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption.

SEC. 28. 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.

Our people need a new tool to hold the government accountable for spending decisions. Thus, this bill aims to increase accountability and reduce incentives for wasteful spending by providing the public with information about how their taxes are spent thru a searchable website which would foster a culture of openness, transparency, and accountability throughout the whole bureaucracy.

In view of the foregoing, immediate approval of this measure is earnestly sought.



ANTONIO "SONNY" F. TRILLANES IV
Senator

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SENATE
S. No. 192

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Introduced by Senator Antonio “Sonny” F. Trillanes IV

AN ACT
REQUIRING THE FULL DISCLOSURE OF ALL ENTITIES AND
ORGANIZATIONS RECEIVING GOVERNMENT FUNDS THRU A
SEARCHABLE DATABASE WEBSITE

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

Section 1. Short Title. - This Act shall be known as the “Government Funding
Accountability and Transparency Act of 2010”

Sec. 2. Definition of Terms. – As used in this Act, the term –

(1) “Entity” – the term “entity” –

(A) includes –

- (i) a corporation;
- (ii) an association;
- (iii) a partnership;
- (iv) a limited liability company;
- (v) a limited liability partnership;
- (vi) any other legal business entity;
- (vii) any other grantee or contractor that is not included in
Subparagraph (2) or (3); and
- (viii) Local Government Units; and

(B) does not include –

- (i) an individual recipient of Government assistance;
- (ii) a Government employee; or

1 (iii) a grant or contract of a nature that could be reasonably
2 expected to cause damage to national security.

3
4 (2) "Government Funding" means Government financial assistance and
5 expenditures that include grants, contracts, subgrants, subcontracts, loans, awards and
6 other forms of financial assistance.

7
8 (3) "Searchable Database Website" means a website that allows the public to
9 –

10 (A) search Government funding by name of entity, parent entity, or type of
11 industry, geography, including location of the entity and the primary
12 location of the performance, amounts and types of government
13 funding, program sources, type of activity being performed, time
14 factors such as fiscal years or multiple fiscal years, and other relevant
15 information; and

16
17 (B) download data included in subparagraph (A) including outcomes from
18 searches.

19
20 **Sec. 3. Website.** The database website established by this section –

21 (1) shall not be considered in compliance if it links to the Philippine
22 Government Electronic Procurement System (PhilGEPS) or other existing websites and
23 databases, unless each of those sites has information from all agencies and each category
24 of information required to be itemized can be searched electronically by field in a single
25 search;

26
27 (2) shall provide an opportunity for the public to provide input about the
28 utility of the site and recommendations for improvements; and

29
30 (3) shall be updated not later than 30 days after the award of any assistance
31 requiring a posting.

32
33 **Sec. 4. Full Disclosure of Entities Receiving Government Funding. –**

34 (1) Effective beginning January 1, 2011 and subject to paragraphs (2) and (3),
35 the Department of Budget and Management shall ensure the existence and operation of a

1 single updated searchable database website accessible by the public at no cost that
2 includes for each entity receiving Government funding –

3 (a) the name of the identity;

4 (b) the amount of any Government funds that the entity has received in
5 each of the last 10 fiscal years;

6 (c) an itemized breakdown of each transaction, including funding agency,
7 program source, and a description of the purpose of each funding
8 action;

9 (d) the location of the entity and primary location of performance,
10 including the city, congressional district, and country;

11 (e) a unique identifier for each such entity and parent entity, should the
12 entity be owned by another entity; and

13 (f) any other relevant information.
14

15 (2) Effective January 1, 2011, the website shall include data for fiscal years
16 2009 and 2008.
17

18 (3) Not later than January 1, 2011, information required by this section shall
19 be posted on the website for fiscal years 2000 through 2010.
20

21 **Sec. 5. Agency Responsibility.** – The Secretary of the DBM shall provide
22 guidance to agency heads to ensure compliance with this section.
23

24 **Sec. 6. Implementation Report.** – The Secretary of the DBM shall annually report
25 to the Senate and the House of Representatives with regard to the implementation of the
26 website that shall include data about the usage and public feedback on the utility of the
27 site, including recommendations for improvements. The annual report shall be made
28 publicly available on the website.
29

30 **Sec. 7. Appropriations.** – To carry out the provisions of this Act, such amount as
31 hereby necessary is hereby authorized to be appropriated to the National Treasury.
32

33 **Sec. 8. Separability Clause.** - If any provision of this Act is declared
34 unconstitutional or invalid, the remainder thereof not affected thereby shall continue to be
35 in full force and effect.

1 **Sec. 9. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or
2 other issuance or parts thereof inconsistent with the provision of this Act are hereby
3 repealed, amended or modified accordingly.

4
5 **Sec. 10. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
6 publication in at least two (2) newspapers of general circulation.

Approved,