

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HB NO. 1425

Introduced by **Rep. Roseller L. Barinaga**

EXPLANATORY NOTE

This bill seeks to require full disclosure of the identity, nature of work, and compensation of foreign consultants hired or retained by the government, its agencies, instrumentalities, including Government-owned or-controlled corporations.

The bill aims to inform the public of how much money is being used to pay consultants hired by the government. Transparency in this regard is needed so that the public will know whether or not the consultancy fees paid these consultants are commensurate with the benefits that the Government is supposed to get from such consultancy contracts.

While it is to the best interest of the public to know who are providing expert advice and support to their government, this measure will also certainly ensure their appraisal whether or not the services of these consultants are indispensable and cannot be rendered by our local experts.

Finally, this bill is in accordance with the constitutional mandate to make available to the people all information on matters of public concern.

The immediate passage of this bill is earnestly sought.

ROSELLER L. BARINAGA
Representative
2nd District, Zamboanga del Norte

Congress of the Philippines)
Thirteenth Congress)
First Regular Session)

HOUSE OF REPRESENTATIVES

HB NO. 1425

Introduced by **Rep. Roseller L. Barinaga**

AN ACT
REQUIRING ALL BRANCHES, SUBDIVISIONS, INSTRUMENTALITIES, AND AGENCIES OF THE GOVERNMENT, INCLUDING GOVERNMENT-OWNED OR-CONTROLLED CORPORATIONS OR THEIR SUBSIDIARIES TO DIVULGE THE IDENTITY OF HIRED FOREIGN CONSULTANTS, THE NATURE OF THEIR WORK AND THEIR COMPENSATION, PERKS, AND OTHER PRIVILEGES, AND PROVIDING PENALTIES IN CASE OF VIOLATION THEREOF

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

SECTION 1. ***Declaration of Policy***. It is hereby declared a policy of the State to adopt and implement full public disclosure of all its transactions, pursuant to the principle of transparency in public office and the constitutional mandate to make available to the people all information on matters of public concern.

SEC. 2. ***Definition***. Foreign consultants refers to a national of another State who renders certain services to the Government.

SEC. 3. ***Disclosure Requirement***. All heads of branches, subdivisions, instrumentalities, and agencies of the government, including government-owned or-controlled corporations or their subsidiaries shall, within six (6) months from the effectivity of this Act, provide Congress in writing and under oath the following:

a) identity of any foreign consultant hired or retained by their respective offices;

b) foreign consultant's nature of work including the compensation, honoraria, fees, financial or other benefits or remuneration received by the said foreign consultant; and

c) terms and conditions of the consultancy agreement entered into by the government office, specifying therein the particular services that the consultant is expected to perform.

SEC. 4. ***Publication***. The Office of the Executive Secretary shall maintain a centralized data-file of all foreign consultants hired by the government, its agencies, bureaus, instrumentalities, including government-owned or-controlled corporations. In January of

every year, the Office of the Executive Secretary shall cause the publication of the list of foreign consultants hired or retained by the Government, whether for the full year or for only a part thereof, in at least two newspapers of general circulation.

SEC. 5. ***Penal Clause***. The head of any branch, subdivision, instrumentality, and agency of the government, including a government-owned or-controlled corporation or its subsidiary that violates section 3 and 5 of this Act shall be punished by a fine of not less than Fifty Thousand Pesos (₱50,000.00) but not more than One hundred thousand Pesos (P100,000.00) and imprisonment of not less than six (6) years or both at the discretion of the court. Those convicted shall be perpetually disqualified from holding public office. Upon conviction by the proper regional trial court, the official convicted shall likewise be suspended immediately from office and shall remain suspended pending the final outcome of any appeal he or she shall have taken in the case.

SEC. 6. ***Repealing Clause***. All laws, executive orders, rules and regulations contrary to the provisions of this Act are hereby repealed or modified accordingly.

SEC. 7. ***Separability Clause***. If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 8. ***Effectivity Clause***. This Act shall take effect immediately following its publication in two (2) national newspapers of general circulation or in the *Official Gazette*, whichever takes place earlier.

Approved.