

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 2267

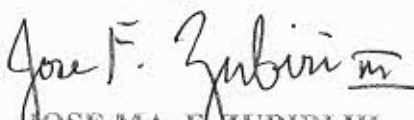
Introduced by **REPRESENTATIVE JOSE MA. F. ZUBIRI III**

EXPLANATORY NOTE

It has been the practice of many public officials (former and present alike) to place posters, billboards, and/or streamers with their name, nickname, initials and/or pictures beside infrastructure projects and/or equipment (such as vehicles) that have been purchased or built with taxpayer's money. Some attempts are open and blatant, while others have resorted to ingenious means, such as affixing their initials on public works infrastructure. This begs the question: Is it right for public officials, mere administrators of the public trust, to claim (and advertise) a project that they implemented with taxpayer's money as their "own"?

Public officials are elected or appointed to work in behalf of the people and for the people. They chose to enter public service freely and willingly and the funds that they handle are not their own. In our constitutional democracy and free market economy, public officials are to use public money for the public good. Certain reasonable standards of public administrative practices and a sense of duty and honor are expected of them. It would be unethical, egotistical, self-serving and be without a sense of shame to do the jobs that public officials are expected to be doing in the first place and then affix posters, billboards and/or streamers with one's name, initials or pictures on it and claim the project as their "own". This bill is meant to put a stop to this notorious practice.

Thus, the approval of this bill is earnestly sought.


JOSE MA. F. ZUBIRI III
Representative
3rd District, Bukidnon

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HOUSE BILL NO. 2267

Introduced by **REPRESENTATIVE JOSE MA. F. ZUBIRI III**

AN ACT
PROHIBITING ALL PUBLIC OFFICIALS FROM AFFIXING, APPENDING, AND
ASSOCIATING THEIR NAMES AND PICTURES ON ANY AND ALL PUBLIC
WORKS AND PUBLICLY FUNDED PROJECTS THROUGH SIGNS AND OTHER
INFORMATION OR ADVERTISEMENT MEDIUM

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

Section 1. Short Title. – This Act may be referred to as the “Anonymous Projects Act of 2010”.

Section 2. Declaration of State Policies. – The State recognizes that public funds are used for the implementation of all public works and public projects; that it is because of the people that such projects are implemented. Performance and proper delivery of services, not information campaigns and advertisement, is the thrust of modern governance. The State further recognizes that public officials are only the medium through which the needed projects are implemented as a result of proper consultations.

Section 3. Definition of Terms. – As used in this Act:

- a. *Name* – refers to the whole name, the first name, the middle name, the surname, all suffixes and prefixes, nicknames, single letters that are part or found in a part of the complete name of an former or incumbent public official’s name.
- b. *Picture* – refers to a design or representation made by various means describing a person so vivid or graphic as to suggest a mental image or give an accurate idea of someone or something which includes, but is not limited to, digital portraits, paintings, caricatures, drawings, sketches and other printed materials such as tarpaulins and other mediums of representation which includes, but is not limited to, conventional or digital portraits, pictures, painting,
- c. *Public Official* – refers to all elected and appointed public officials regardless of rank and stature. This includes all public officials who have been separated or have resigned from office or have been considered *ipso facto* resigned from public service on account of their filing the necessary papers for candidacy to an upcoming national or local election. *Provided*, That for individuals or public officials who have resigned or have been separated from service not running for any elected posts, the prohibited act mentioned here shall continue to apply within one (1) year from the time of separation from service.
- d. *Project/s* – refers to any and all forms of publicly funded projects including programs implemented by the national or local government for the benefit of the public.

Section 4. Prohibited Acts. – It shall be unlawful for any and all public officials, past or present, to append, associate, affix, add as a design, erect and give away any and all kind of information materials including, but not limited to, billboards and streamers, their whole name, first name, middle name, surname, all suffixes and prefixes, nicknames, single letters that are part or found in the whole name of an incumbent public official. It shall also be prohibited for any and all public officials to use and put insignias or emblems bearing or representing even a letter of the alphabet that is found in their name in publicly funded projects and programs. The attachment or association of a public official's picture, or a facsimile of it, to a public project or program is also prohibited. Only the seal of the local government unit, of the national government, and of the agency/agencies concerned implementing the projects and programs are allowed.

Section 5. Penalties. – The individuals who have been found guilty of violating the provisions of this Act shall be suspended from holding public office for a period of six (6) months and the medium where the prohibited act has been put shall be destroyed with costs and interests against the individual or public official concerned. *Provided,* That if the medium where the individual put his name, as defined in Section 4 hereof, should form part of a public structure, the same shall not only be destroyed, but restored without his name or any part thereof, at cost with interests against the individual or public official concerned. If the prohibited act is done or has continued up and within the campaign period, the same shall constitute a prohibited act under the election laws. Accordingly, the penalties under the elections laws for and against the individual or public official concerned shall apply in addition to the destruction of such at cost against him.

Section 6. Separability Clause. – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

Section 7. Repealing Clause. – All laws, executive orders, rules and regulations inconsistent with or contrary to this Act are hereby deemed accordingly repealed or amended.

Section 8. Effectivity Clause. – This Act shall take effect after fifteen (15) days from publication in at least two (2) newspapers of general circulation.

Approved,