

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

15th CONGRESS

HOUSE BILL NO. 3943

Introduced by Representative Roman T. Romulo
Lone District of Pasig City

EXPLANATORY NOTE

Under Section 1, Article XI of the 1987 Philippine Constitution it is explicit that:

"Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives."

The elected and appointed public officials are mere trustees of the public office together with its funds and must at all times be accountable to the people. This fiduciary relationship necessitates that the taxes from which public funds are largely generated be spend strictly for the benefit of the public. Public interest must be the primordial and the main commitment of those in the public office.

Section 28, Article II of the 1987 Philippine Constitution further requires adoption and implementation of a policy of full public disclosure of all transactions involving public interest subject to reasonable conditions prescribed by law.

As servant of the people, public officials are duty bound to adequately and promptly inform the public of the management and administration in the government. Public officials are representatives of the general will of the public and appointed in accordance with the established rules and regulation, hence, the public office should remain to be for the people and its programs and projects should be identified under such office rather than to any public official.

The public must be informed of the affairs and transactions of the government and the public officials should also be recognized for their sincere commitment and active contribution to the furtherance of the public good.

Through the passage of this Bill, the public would be informed where their taxes go and determine the performance of public officials and the rightful public officials would be recognized for their worthy contribution to the society.

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



REP. ROMAN T. ROMULO

HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

15th CONGRESS

HOUSE BILL NO. 3943

Introduced by Representative Roman T. Romulo
Lone District of Pasig City

**AN ACT STANDARDIZING THE TITLES, SIGN BOARDS AND MARKERS
FOR GOVERNMENT PROPERTY, PROGRAMS AND/OR PROJECTS**

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

Section 1. Short Title - This Act shall be known as the "Public Works Title, Sign Board and Marker Standardization Act of 2011"

Section 2. Declaration of Policy - It is the policy of the State, pursuant to the Constitutional principle that a public office is a public trust, that elected and appointed public officials are mere trustees of the public office together with its funds and must at all times be accountable to the people. This fiduciary relationship requires that the taxes from which public funds are largely generated be spend strictly for the benefit of the public interest and not for personal interest, and that public works be identified with the public office and not with the public official.

Section 3. Definition of Terms – For the purposes of this Act, the term:

- a) "*government*" includes the national government, the local governments, and all other instrumentalities, agencies or branches of the Republic of the Philippines including government-owned or-controlled corporations, and their subsidiaries.
- b) "*sign board*" refers to any temporary means used to promote and disseminate information about a government property, program and/or project such as but not limited to billboards, posters, tarpaulins and similar means.
- c) "*marker*" includes any permanent conspicuous object used to identify or an identifying symbol or design placed in a government property, program and/or project.
- d) "*public officials*" includes elective and appointive officials and employees, permanent or temporary, whether in the career or non-career service, including military and police personnel, whether or not they receive compensation, regardless of amount.
- e) "*property, programs and/or projects*" refers to all real estate, motor vehicles including ambulances, programs and/or projects of the



government at any stage and form including infrastructure projects such as but not limited to buildings and roads.

- f) "title" refers to the name or term used to identify the government property, program and/or project.

Section 4. Scope – This Act shall govern the titles, sign boards and markers for all government property, programs and/or projects.

This Act shall also apply to property, programs and/or projects where, although no public funds were used, the government has a contribution and/or participation in whatever form, such as but not limited to partnership with private firms.

Section 5. Exception – This Act shall not apply to property, programs and/or projects wholly funded by a public official from his/her personal account; *Provided* that there is sufficient proof to the foregoing; *Provided further* that where doubt on the source of fund exists, there shall be strict compliance with this Act until the issue is fully resolved.

This Act shall also not apply to titles, sign boards and markers on government property, programs and/or projects which are found to be culturally and historically significant and to the names of deceased public officials who are nationally and historically significant based on the rules and regulations promulgated by the National Historical Commission of the Philippines (NHCP) in compliance with this Act.

Section 6. Mandatory Information and Statement on Sign board and Marker - All sign boards and markers on government property, programs and/or projects shall have the mandatory written or expressed statement "This is where your taxes/public funds go." The mandatory statement shall be the most prominent among the information on the sign board and marker.

Subject to the immediately succeeding paragraph and to Section 10 of this Act, it shall be unlawful to place on any government property, program or project, any name, logo, picture, any identified alias, initial, character, symbol or letter pertaining to a public official who is still in active service, has retired or is already deceased, whether or not he/she has been involved in the property, program and/or project.

The public office/s owning the property or responsible for the program and/or project may opt to indicate the name and/or official logo of such public office/s and the name of accountable public official/s on the sign board and marker provided that these shall not exceed the font size/size of all other information in the sign board and marker and provided always that these shall not be the most prominent among the information in the sign board and marker.

Section 7. Marker Specification – Markers shall not exceed two (2) feet by four (4) feet or its equivalent.

Markers on the government property, programs and/or projects itself shall be modestly and appropriately written in compliance with the attainment of the purpose of this Act.

Section 8. Title of Government Property, Programs and/or Projects – The title of government property, programs and/or projects shall be neutral.



It shall be unlawful to name and identify a government property, program and/or project after a name, logo, picture, any identified alias, initial, character, symbol or letter pertaining to a public official who is still in active service, has retired or is already deceased, whether or not he/she has been involved in the program and/or project.

Section 9. *Design of Government Property, Programs and/or Projects* – Government property, programs and/or projects shall not be designed or in any way be associated or suggesting association to any public official such as his/her name, logo, picture, any identified alias, initial, character, symbol or letter; *Provided that* this prohibition shall apply whether the public official is still in active service, has retired or is already deceased and whether or not he/she has been involved in the property, program and/or project.

Section 10. *Additional Requirements for Initiated and On-Going Infrastructure Programs and/or Projects* – All initiated and on-going government infrastructure programs and/or projects may put up a sign board which shall not exceed twelve (12) feet by sixteen (16) feet or its equivalent at a place reasonably near the site and visible to the public. It shall indicate the following information listed:

- a) Name of the program and/or project
- b) Project Cost
- c) Project start date and end date
- d) Name of the implementing agency/ies and of the funding agency/ies if different from the implementing agency/ies.
- e) Name of the accountable head of the implementing agency/ies and of the funding agency/ies if different from the implementing agency/ies.
- f) Name of the private contractor/winning bidder

Information required under this Section shall be written in same font size. Sign boards shall be modestly and appropriately written in compliance with the attainment of the purpose of this Act and shall be removed upon the completion of the government infrastructure, program or project. No other name, logo, picture, any identified alias, initial, character, symbol or letter pertaining to a public official who is still in active service, has retired or is already deceased, whether or not he/she has been involved in the program and/or project shall be found in the sign board.

In case the government has a contribution and/or participation other than funds, said contribution and/or participation shall also be indicated.

Section 11. *Automatic Renaming and Removal* – When there has been a flagrant violation of this Act, the government property, program and/or project shall automatically be renamed to conform to the standards; *Provided further*, that non-compliant sign board and markers shall be immediately removed and replaced in accordance with the requirements of this Act.

Section 12. *Liability of Public Officials* – Public official/s directly and/or indirectly involved in the titling, sign board and marking of the government property, program and/or project in violation of this Act shall be held equally liable.

There shall be prima facie evidence of knowledge on the part of the public official/s whose name appears in the title, sign board and/or marker for any violation of this Act.

Public official/s shall also bear the responsibility and be held jointly liable with persons acting in their behalf and/or aide for any violation committed under this Act.

Section 13. Penalties - Any public official or person, upon due notice and hearing, who is found to be in violation of the provisions of this Act shall be imposed with the following penalties:

- a) A public official who shall violate the provisions of this Act, or its implementing rules and regulations shall suffer the penalty of a fine of not less than ten thousand pesos (P10,000) nor more than fifty thousand pesos (P50,000.00) plus the cost of expenses to rename and/or comply with the provisions of this Act, without prejudice to administrative sanctions that may be imposed.
- b) Any juridical person which violates the provisions of this Act, or its implementing rules and regulations shall suffer the penalty of a fine of not less than ten thousand pesos (P10,000) nor more than fifty thousand pesos (P50,000.00) and prohibited to participate in any government bidding for 1 year; *Provided*, that its officers directly responsible for the violation shall suffer the penalty of fine of not less than Five Thousand pesos (P5,000.00) but not more than Twenty Five thousand pesos (P25,000.00).
- c) Any person who shall violate the provisions of this Act, or its implementing rules and regulations shall be subject to a fine of not less than Five Thousand pesos (P5,000.00) but not more than Twenty Five thousand pesos (P25,000.00) and prohibited to participate in any government bidding for 1 year.

Section 14. Implementing Rules and Regulations - Within ninety (90) days from the effectivity of this Act, the Department of Public Works and Highways (DPWH), the Land Transportation Office (LTO) and the National Historical Commission of the Philippines (NHCP), in coordination with the Department of Interior and Local Government (DILG) and concerned government offices, shall promulgate the rules and regulations to effectively implement the provisions of this Act.

Section 15. Implementing Agency - The Department of Public Works and Highways (DPWH), the Land Transportation Office (LTO) and the National Historical Commission of the Philippines (NHCP) shall enforce the provisions of this Act and its implementing rules and regulations.

Section 16. Transitory Provision - All agencies of government with existing government property, programs and/or projects affected by this Act shall be given a period of one (1) year from its effectivity within which to perform necessary acts in compliance with the provisions of this Act. After the period of one (1) year, the concerned building administrator/s and heads of agencies and public official/s shall be held liable for non-compliance and violation of this Act.

Section 17. Separability Clause - If any part or provision of this Act shall be held unconstitutional or invalid, the remainder of the provisions hereof that are not affected thereby shall continue to be in full force and effect.

Section 18. Repealing Clause - All other laws, decrees, executive orders, proclamations and administrative regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

For RL

Section 19. *Effectivity Clause* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation,

Approved.

Per [Signature]