

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City



SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 792

Introduced by Representative Harlin Cast. Abayon

EXPLANATORY NOTE

"It is the policy of the State to promote a high standard of ethics in public service. Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence, and loyalty." In order to discharge this, even the slightest appearance of impropriety by government officials and agencies is frowned upon and consequently prohibited. When a non-government entity occupies a portion of a government office, the physical closeness creates an impression of intimacy and the possibility of mutual influence. This presence of a non-government entity unintentionally operates as an endorsement for whatever purpose of the non-government entity. The biggest danger of having a government and a non-government entity situated in the same vicinity is the possible leakage and mishandling of sensitive and classified government information to those who are not authorized to possess the same.

As aptly stated by Sen. Aquilino Q. Pimentel, Jr. when he originally filed this legislation in the 14th Congress: "This measure in no way prohibits consultation or the provision of assistance to the government. As we all know, there are many areas where government needs the participation of the private or of the foreign sector where in such cases such sectors have more experiences. What is prohibited is the actual occupation by these non-government entities of government office premises, as well as the provision of any material support by the government to the offices of these non-government entities."

Hence, the approval of this initiative is earnestly sought.


HARLIN CAST. ABAYON
Representative
First District of Northern Samar

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AN ACT
TO PROHIBIT THE GOVERNMENT FROM ALLOWING ANY
NON-GOVERNMENT ENTITY FROM OCCUPYING ANY BUILDING,
OFFICE OR OTHER PREMISES WHERE GOVERNMENTAL
FUNCTIONS ARE BEING PERFORMED

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

Section 1. Unless otherwise provided by law, all government departments, agencies, bureaus, offices or instrumentalities are prohibited from leasing, renting, lending or otherwise allowing any non-government entity, whether domestic or foreign, to occupy any building, office or other premises where such department, agency, bureau, office or instrumentality of holding office or otherwise performing governmental functions.

Section 2. Unless otherwise provided by law, the government is likewise prohibited from using government funds for the provision of any material, supplies, utilities or goods for the maintenance or functioning of any office of any non-government entity, whether domestic or foreign and whether or not they are located in any government building, office or other premises. This prohibition shall include the provision of government personnel hours for the maintenance of functioning of any office of any non-government entity, whether domestic or foreign.

Section 3. Any person who shall violate the provisions of this Act shall be imprisoned for a period for a period not less than one (1) year but not more than six (6) years in the discretion of the court and a fine of not more than twenty thousand pesos (P 20,000.00).

Section 4. This Act shall effect (15) days after its publication in at least (2) newspaper of general circulation.

Approved,