

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4731



Introduced by **HON. GUS S. TAMBUNTING**

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, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest." Section 2, Republic Act No. 6713

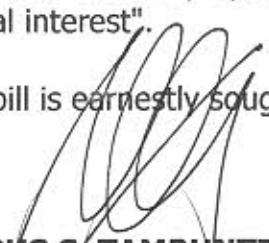
Public Office is a Public Trust.

This often quoted adage is a cornerstone of the Civil Service. Every citizen who wishes to dispense a Public Office must remember that he or she must at all times, act in a manner that preserves and promotes the Public Trust. This duty is incumbent upon every civil servant, not just because it is his or her duty as an individual actor in Government, but because he or she is part of bigger system upon which the people have resided great confidence.

Too often however, this duty has been relegated to a mere footnote. Public office has, in most cases in the past, been seen as an instrument of self-aggrandizement and gain. This is especially true for Presidential appointees who sit in executive positions with access to the vast resources of the Government. That there are Government officials who use and abuse these resources is a well-known fact. The vigorous *Anti-Epal* campaigns from civil society groups in the past elections bear testament to this.

And while there are measures in place to prevent losing candidates from assuming executive positions, at least for some time after the election where they participated, there are no direct checks for executive officials who may use the resources of their offices in preparing for their political ambitions. This measure is envisioned to close this gap. As stated in the Declaration of Policy of Republic Act No. 6713, otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees, every civil servant is expected to "uphold public interest over personal interest".

It is for the reason that the timely approval of this bill is earnestly sought.


GUS S. TAMBUNTING

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AN ACT
PRESCRIBING A BAN ON PRESIDENTIAL APPOINTEES FROM SEEKING ANY
ELECTIVE POSITION IMMEDIATELY AFTER THEIR TERMS OF OFFICE

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

SECTION 1. *Short Title.* – This Act shall be known as "The Executive Election Ban Act of 2016."

SECTION 2. *Declaration of Policy.* – The State subscribes to the principles that Public Office is a Public Trust. The high degree of transparency, honesty and fidelity to the Public Interest that is inherent in any position in Government, whether elective or appointive, behoves all civil servants to observe this principles in all their dealings. As such, all civil servants must act in manner which upholds the Public Interest at all times. For appointed officials who wish to elective posts, it is in the Public Interest for them to show that they will not use the power, perquisites, resources and influence of their appointive positions to their advantage in their preparations for seeking such elective post. Thus persons who accept these appointments must be prevented from seeking elective positions in any general election after their completion of their terms of office.

SECTION 3. *Coverage.* – This Act shall cover all persons who hold executive positions in Government based on a Presidential appointment, who serve either at the pleasure of the President of the Republic or upon a specified term of office.

SECTION 4. *Extent of Ban.* – In order to ensure that appointive officials shall not use and abuse the power, perquisites, resources and influence of their appointive positions to advance their political ambitions, it shall be deemed unlawful for such appointive officials to seek an elective position for a period which shall not be less than twelve (12) months from the time their term of office for the appointive position ends, whether by operation of law, by reason of the expiration of such term or upon a voluntary resignation therefrom.

SECTION 5. *Repealing Clause.* – All laws, decrees, executive orders, issuances, regulations or parts or provisions of this Act, which are inconsistent herewith are hereby deemed repealed, amended or modified.

SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette and one (1) newspaper of general circulation.

Approved,