

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7268



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

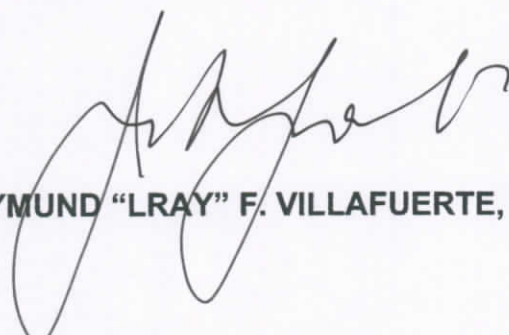
EXPLANATORY NOTE

Misrepresentation in government is possible when you have access to the logo, letterhead and stationery of the office concerned. A State banks upon the sincerity of the people that work for it. Blatant misuse of official government stationeries tarnishes the reputation of the State. When the integrity of the State is questioned, the people start to lose their trust on the government.

Regulations are crafted to help maintain the integrity of the government and promote social justice. Without rules that help prevent anyone from misrepresenting the government, and the people it serves, this integrity would be tarnished. The responsibility of keeping the government untainted lies on both the State and its people. Citizens are encouraged to be honest and just while public servants, and especially public officials, are expected to be ethical and professional.

This bill intends to help prevent this by prohibiting and penalizing the unauthorized possession and use of official letterheads and stationery belonging to different National Government Agencies, offices or entities. It hopes to stop the misuse of government property, agency seals and such by any private or public individual. This bill proposes a process to file a complaint for anyone who has knowledge of such misuse and sanctions the person proven to be at fault. This bill also intends to give teeth to current laws on civil service ethics by increasing the sanctions in violation of this act.

The approval of this bill is earnestly sought.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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AN ACT
PROHIBITING AND PENALIZING THE UNAUTHORIZED POSSESSION AND USE
OF OFFICIAL LETTERHEADS AND STATIONERY BELONGING TO DIFFERENT
NATIONAL GOVERNMENT AGENCIES, OFFICES OR ENTITIES, AND LOCAL
GOVERNMENT UNITS AND PROVIDING PENALTIES THERETO

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

SECTION 1. *Punishable Act.* – It shall be unlawful for any person to possess and to use any official letterheads and/or stationeries belonging to the different National Government Agencies, Offices or Entities, and Local Government Units without the express written authorization of the head of the agency, office or entity.

SECTION 2. *Filing a Complaint.* – Any person who has knowledge of the unauthorized possession and unauthorized use of any official letterhead and/or stationery belonging to a particular government agency, office or entity, and Local Government Units may file a criminal complaint for violation of this Act.

SECTION 3. *Venue.* – A criminal action arising from the violation of this Act shall be filed and prosecuted following the Revised Rules on Criminal Procedure.

SECTION 4. *Penalties and Sanctions.* – The following penalties and sanctions are hereby established for the violation of this Act:

- a) Any person who shall violate this Act shall suffer the penalty of *prision coreccional* in its medium period to *prision mayor* in its minimum period and a fine of not less than Fifty Thousand Pesos (Php 50,000.00) but not more than One Hundred Thousand Pesos (Php 100,000.00): *Provided*, That if the offender is a foreigner, he or she shall be immediately deported after servicing his sentence and be barred permanently from entering the Philippines again.
- b) If the person charged under this Section is a government official or employee, any member of the Armed Forces of the Philippines or any member of other law enforcement agencies, the applicable punishment imposed is *prision mayor* in its medium period to *prision mayor* in its maximum period, and the accessory penalty of perpetual absolute disqualification or a fine of not less than Fifty Thousand Pesos (Php 50,000.00) but not more than One Hundred Thousand Pesos (Php 100,000.00) or all at the discretion of the court.

Any employee or official of government agencies and Local Government Units who violate the provisions of this Act shall be held administratively liable, without prejudice to possible criminal liability should the pieces of evidence indicate that they have directly or indirectly violated this Act.

SECTION 5. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,