

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. **8405**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

The law is important for a society for it serves as a norm of conduct for citizens. It was also made to provide for proper guidelines and order upon the behaviour for all citizens and to sustain the equity on the three branches of the government. It keeps the society running. Without law there would be chaos and it would be survival of the fittest and everyman for himself. Not an ideal lifestyle for most part.

More than that, the law is the manifestation of the people's general will. Even if law-making is the primary responsibility of the people's duly elected representatives, it does not in any way diminish the right of the people to influence legislative decisions—Congress has no right to monopolize the process of charting policies that shall provide the country's desired direction.

With this proposal, government would effectively expand the avenues of participation to the Filipino online community. It shall make good use of social media to give voice to the brilliant ideas and greatest concerns of the people. The Government will become much closer to the people it has sworn to serve, barriers will be torn down, and democracy will flourish.

This representation is convinced that when people are provided better means to participate in law-making, the better the direction our laws will be able to provide.

To fully realize the fruits of democracy, approval of this bill is earnestly sought.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. **8405**

Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

PHILIPPINE CROWDSOURCING ACT OF 2018

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

1 **SEC.1. Purpose of the law.-** This Act seeks to allow the people to participate in
2 the legislative process, online and/or with the use of information and communications
3 technology, providing effective and responsive mechanism therefor.
4

5 **SEC.2. Declaration of Policy.-** The State must promote and protect the right of
6 the people and their organizations to effective and reasonable participation at all levels
7 of social, political, and economic decision-making. Because of the great potentials of
8 technology, the State must strive to promote its ever-increasing use to protect and
9 enhance the right of participation. The State should harness its potential in all fields of
10 social, political, and economic discourse, including its potential to consult more people
11 from all over the world, on legislative matters.
12

13 **SEC.3. Crowdsourcing in the Legislative Process, Principles and Guidelines.-**
14 This law allows the public to participate in the legislative process wherever they are. It
15 believes in the power of online crowdsourcing. The law believes that:
16

- 17 A. Crowd sourcing is a concept that recognizes and allows the individual and
18 collective power of the people, with the use of the internet and/or other
19 information and communications system, to contribute to the formulation,
20 improvement, and creation of laws that benefit the entire nation.
21
- 22 B. Crowdsourcing is an expression of the belief that despite our geographical
23 separation, people can still participate in national affairs through the
24 borderless world of the internet.
25
- 26 C. Crowdsourcing is a recognition of a new breed of citizens that work
27 effectively and productively, contributing to national development, through
28 the internet and/or with the use of information and communications system.

1 **SEC.4. Definition of Terms**

- 2
- 3 A. "Information and communications system" refers to a system for
- 4 generating, sending, receiving, storing, or otherwise processing
- 5 electronic documents and includes the computer system or other
- 6 similar device by or in which data is recorded or stored and any
- 7 procedures related to the recording or storage of electronic document.
- 8
- 9 B. "Online" refers to a location that is accessible by the public anywhere
- 10 in the world as opposed to a physical location like the building of the
- 11 House of Representatives or the Senate. This included electronic mails,
- 12 websites, internet for a, social media sites, and other such similar
- 13 media.
- 14

15 **SEC.5. Right to Information.-** All pending bills and committee reports of

16 Congress must be made available online for public access within three (3) days form the

17 time the bill or committee report is filed and until it is approved by Congress.

18

19 The computation of the three-day period shall exclude non-working days.

20

21 **SEC.6. Parallel online consultations. -** While committee hearings are done

22 offline and in the physical offices of the House of Representatives or the Senate the

23 public shall likewise be allowed to participate online and give comments on pending

24 bills, at any time between the filing of the bill and the filing of the committee report.

25

26 All comments sent through email and similar means using information and

27 communications technology shall form part of the official and public records of

28 Congress and must be considered in the drafting of the committee reports for pending

29 bills. This includes all comments sent as soon as the bill is filed, those sent prior to the

30 first committee hearing on a bill, and those sent even after all committee hearings have

31 been concluded, and those sent prior to the filing of the committee report.

32

33 Furthermore, for purposes of broadening public participation in committee

34 hearings, the schedule of committee hearings must be published online at least three (3)

35 days before the schedule hearing date. It must contain:

36

- 37 1. A clear invitation for the people to send their comments on pending bills even
- 38 after the date of the committee hearing.
- 39
- 40 2. A link to the online location of the bills to be heard.
- 41
- 42 3. The concerned committee's electronic mail (email) address and other ways
- 43 through which the people can send their comments on pending bills without
- 44 actually going to the physical offices of the Senate or the House of
- 45 Representative
- 46

47 **SEC.7. Continuing Participation during the Period of Debates.-** The public

48 must be allowed to continuously express their views on pending bills form the time the

49 sponsorship speech is delivered until the time that the bill is approved and voted on

1 Third Reading, and until the report of the bicameral committee is approved by the
2 House of Representatives or the Senate. This shall be done according to the following
3 guidelines:

- 4
- 5 A. The Agenda for the Day must be published online at least one (1) day before
6 the session indicated in the Agenda. Should the Agenda change on the day of
7 the session, the revised Agenda should immediately be published online. The
8 online agenda must provide links to the online location of the bills included in
9 the Agenda for the Day.
- 10
- 11 B. Congress must provide an online mechanism that allows the public to view
12 and observe the sessions of both House of Congress.
- 13
- 14 C. In order to guide each Senator or Member of the House of Representatives in
15 the discussion of pending bills, the people must be allowed to continue
16 sending their comments to their representatives. Congress must post online
17 the contact information of each Member of the House of Representatives and
18 the Senate. The contact information should include electronic mail addresses
19 and other information that allows the public to contact the legislators
20 without need of going to the physical location of the House of
21 Representatives and the Senate.
- 22

23 **SEC.8. Pre-approval Consultation.-** Before signing any bill into law, the
24 President must allow the people to submit their comments online for at least five (5)
25 days. After the five-day period, the President must observe a three-day period or longer
26 within which he can consider the views presented to him by the people. The periods in
27 this provision can only be shortened for measures that have been certified as urgent by
28 the President.

29

30 **SEC.9. Separability Clause.-** If, for any reason, any section or provision of this
31 Act is held unconstitutional or invalid, no other section or provision shall be affected.

32

33 **SEC.10. Repealing Clause.-** All laws, orders, issuances rules and regulations or
34 parts thereof inconsistent with any provisions of this Act are hereby repealed, modified
35 or amended accordingly.

36

37 **SEC. 11. Effectivity.-** This Act shall take effect after fifteen (15) days following
38 the completion of its publication either in the Official Gazette or in newspaper of general
39 circulation in the Philippines.

Approved,