

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

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 11084



Introduced by **ANG PROBINSYANO**
Partylist Representative Alfred Delos Santos

EXPLANATORY NOTE

The Supreme Court of the Philippines has continuously held that publication is indispensable in order that all statutes, including administrative rules that are intended to enforce or implement existing laws, attain binding force and effect.¹ According to the Civil Code, laws shall be published at the Official Gazette or in a newspaper of general circulation. However, given the revolution in digital technology and the shrinking reach of newspapers, there is a need to expand the ways into how laws are being published. Considering that most Filipinos have internet access, we must allow the publication of laws in the online versions of the Official Gazette or in a newspaper of general circulation.

It is for the foregoing premises that the approval of this bill is earnestly sought.


ALFRED C. DELOS SANTOS

¹ Republic v. Pilipinas Shell, G.R. No. 173918, April 08, 2008

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**AN ACT PROVIDING FOR THE PUBLICATION OF LAWS IN THE PRINT
OR ONLINE VERSION OF THE OFFICIAL GAZETTE AND OF A
NEWSPAPER OF GENERAL CIRCULATION**

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

SECTION 1. Article 2 of Republic Act No. 386, otherwise known as the Civil Code of the Philippines, is hereby amended to read as follows:

Article 2. Laws shall take effect [~~after~~] fifteen days [~~following the completion of~~] AFTER their publication IN FULL in the PRINT OR ONLINE VERSION OF THE OFFICIAL GAZETTE OR IN A NEWSPAPER OF GENERAL CIRCULATION IN THE PHILIPPINES, unless [~~it~~] A DIFFERENT PERIOD is otherwise [~~provided~~] PRESCRIBED; PROVIDED THAT PUBLICATION IN THE ONLINE VERSION OF THE OFFICIAL GAZETTE SHALL BE MADE WITH THE APPROPRIATE TIMESTAMP ON THE LAW PUBLISHED. This Code shall take effect one year after such publication.

FOR PURPOSES OF THIS ARTICLE, THE TERM "LAWS" SHALL REFER TO (1) ALL STATUTES, INCLUDING KOINE RESOLUTIONS, ENACTED BY THE CONGRESS OF THE PHILIPPINES (2) ALL ORDERS, PROCLAMATIONS, CIRCULARS, AND

OTHER ISSUANCES PROMULGATED BY THE PRESIDENT OF THE PHILIPPINES PURSUANT TO HIS OR HER ORDINANCE POWER, AS PROVIDED FOR BY EXECUTIVE ORDER NO. 292, DATED JULY 25, 1987, OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987, AND (3) ALL RULES AND REGULATIONS PROMULGATED TO IMPLEMENT OR ENFORCE STATUTES PURSUANT TO A VALID DELEGATION OF LEGISLATIVE POWER BY THE CONGRESS OF THE PHILIPPINES.

SECTION 2. Section 18 of Executive Order No. 292, otherwise known as the Administrative Code of 1987, is hereby amended to read, as follows:

Section 18. When Laws Take Effect. - Laws shall take effect after fifteen (15) days following the completion of their publication in the PRINT OR ONLINE VERSION OF THE Official Gazette~~{or}~~ AND IN THE PRINT OR ONLINE VERSION OF ~~{in}~~ a newspaper of general circulation, unless ~~{it}~~ A DIFFERENT PERIOD is otherwise ~~{provided}~~ PRESCRIBED TO RESPOND TO A NATIONAL EMERGENCY.

SECTION 3. *Separability Clause.* — If any provision of this Act, or part hereof, is held invalid or unconstitutional, the remainder of the law or provision not otherwise affected shall remain valid and subsisting.

SECTION 4. *Repealing Clause.* — All other laws, presidential decrees, orders, and issuances or portions thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 5. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,