

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS

First Regular Session

House Bill No. 629



INTRODUCED BY REPRESENTATIVE JURDIN JESUS M. ROMUALDO

EXPLANATORY NOTE

This measure is a refiled bill principally authored by Hon. Xavier Jesus D. Romualdo of the Lone District of Camiguin since the 17th Congress and during the 18th Congress this bill remained pending at the Senate.

It seeks to amend Article 2 of the Civil Code of the Philippines to explicitly recognize the validity of publishing laws through the Official Gazette Online (OG-Online) as a sufficient means for effectivity.

The requirement of publication before laws can take effect is grounded in the constitutional principle of **due process**. Citizens must be properly informed of the laws that regulate their rights and obligations. Article 2 of the Civil Code currently provides that "Laws shall take effect after fifteen (15) days following the completion of their publication in the Official Gazette, unless otherwise provided."

In its official position paper submitted in the previous Congress, the University of the Philippines Law Center supported amending Article 2 to align with existing practices and reinforce legal clarity. The Law Center cited the following reasons:

1. To promote procedural due process and the constitutional right to information on matters of public concern (Section 7, Article III);
2. To clarify the publication requirement for joint resolutions of Congress;
3. To define more clearly the publication of presidential issuances under the Administrative Code—such as memorandum orders, circulars, and general or special orders.

The Supreme Court, in *Tañada v. Tuvera*¹ (G.R. No. L-63915, December 29, 1986), emphasized that publication is indispensable to due process and that any omission thereof renders the law unenforceable. The Court noted that the limited circulation and irregular release of the printed *Official Gazette* diminished its ability to inform the general public. Although the Court held that publication in the *Official Gazette* remained necessary under Article 2, it left open the opportunity for Congress to amend the law to reflect changing conditions.

Following this decision, President Corazon C. Aquino issued **Executive Order No. 200**, authorizing publication either in the Official Gazette or in a newspaper of general

¹ 1 Tañada v. Tuvera, G.R. No. L-63915, December 29, 1986.

circulation. This amendment was later reaffirmed in **Section 18 of Executive Order No. 292**, or the Administrative Code of 1987.

Today, access to the internet is widespread and has become an essential part of daily life. The COVID-19 pandemic dramatically accelerated digital transformation in both public and private sectors. Remote work, online education, and e-governance have become the norm. In this environment, the public increasingly relies on digital platforms—particularly official government websites—for information and guidance.

The **Official Gazette Online (OG-Online)**, launched in 2010 and hosted at www.gov.ph, is a secure and regularly updated platform that publishes all laws, executive issuances, and official government communications. It is easily accessible, widely available, and effectively reaches the broader public far more than its printed predecessor.

Given these technological advances and the evolving behavior of the Filipino public in accessing government information, it is both timely and necessary to formally recognize the OG-Online as a valid medium for the publication of laws. Institutionalizing this practice ensures that our legal framework keeps pace with modern realities while continuing to safeguard the public's right to be informed.

With the foregoing, may I earnestly request for the support of the Members of Congress for the immediate passage of this bill.



JURDIN JESUS M. ROMUALDO

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INTRODUCED BY REPRESENTATIVE JURDIN JESUS M. ROMUALDO

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 the House of Representatives of the Philippines in Congress Assembled:

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

3
4 **"ARTICLE 2.** Laws shall take effect [after] fifteen (15) days [following the completion
5 of] **AFTER** their publication [either] **IN FULL**, in the **PRINT OR ONLINE VERSION**
6 **OF THE** Official Gazette, [or] **AND** in the **PRINT OR ONLINE VERSION OF A**
7 newspaper of general circulation in the Philippines, unless [it] **A DIFFERENT PERIOD**
8 is otherwise [provided.] **PRESCRIBED TO RESPOND TO A NATIO AL**
9 **EMERGENCY: PROVIDED, THAT PUBLICATION IN THE ONLINE VERSION**
10 **OF THE OFFICIAL GAZETTE AND THE NEWSPAPER OF GENERAL**
11 **CIRCULATION SHALL INDICATE THE OFFICIAL DATE OF THE**
12 **PUBLICATION.**

13
14 **AS USED IN THIS ACT, THE TERM "LAWS" SHALL REFER TO:**

15
16 **(1) ALL STATUTES ENACTED BY THE CONGRESS OF THE**
17 **PHILIPPINES;**

1 (2) ALL ORDERS, PROCLAMATIONS, CIRCULARS, AND OTHER
2 ISSUANCES PROMULGATED BY THE PRESIDENT OF THE
3 PHILIPPINES PURSUANT TO THE ORDINANCE POWER, AS
4 PROVIDED FOR BY EXECUTIVE ORDER NO. 292, OTHERWISE
5 KNOWN AS THE ADMINISTRATIVE CODE OF 1987; OR
6 (3) ALL RULES AN REGULATIONS PROMULGATED TO IMPLEMENT
7 OR ENFORCE STATUTES PURSUANT TO A VALID DELEGATION
8 OF LEGISLATIVE POWER BY THE CONGRESS OF THE
9 PHILIPPINES."

10
11 SEC. 2. Section 18 of Executive Order No. 292, otherwise known as the Administrative
12 Code of 1987, is hereby amended to read, as follows:

13
14 "Section 18. *When Laws Take Effect.* - Laws shall take effect after fifteen (15)
15 days following the completion of their publication in the **PRINT OR ONLINE**
16 **VERSION OF THE** Official Gazette [or] **AND IN THE PRINT OR ONLINE**
17 **VERSION OF** [in] a newspaper of general circulation, unless [it] **A**
18 **DIFFERENT PERIOD** is otherwise [provided] **PRESCRIBED TO RESP ND**
19 **TO A NATIONAL EMERGENCY."**

20
21 SEC. 3. Sections 24 and 25 of the same Executive Order are hereby amended to read, as
22 follows:

23
24 "Section 24. *Contents.* - There shall be published in the Official Gazette, **IN ITS**
25 **PRINT AND ONLINE VERSION**, all legislative acts and resolutions of a
26 public nature; all executive and administrative issuances of general application;
27 decisions or abstracts of decisions of the Supreme Court and the Court of
28 Appeals, or other courts of similar rank, as may be deemed by said courts of
29 sufficient importance to be so published; such documents or classes of documents
30 as may be required so to be published by law; and such documents or classes of
31 documents as the President shall determine from time to time to have general
32 application or which he may authorize so to be published.

33
34 The publication of any law resolution or other official documents in the Official
35 Gazette shall be prima facie evidence of its authority."

36
37 "Section 25. *Editing and Publications.* - The Official Gazette shall be edited in
38 the Office of the President and published weekly in [Pilipino] **FILIPINO** or in

1 the English language **IN PRINT OR THROUGH THE OFFICIAL GAZETTE**
2 **WEBSITE MANAGED BY THE OFFICE OF THE PRESIDENT OR SUCH**
3 **OTHER GOVERNMENT AGENCY OR OFFICE AUTHORIZED BY THE**
4 **PRESIDENT. [It] THE PRINT VERSION OF THE OFFICIAL GAZETTE**
5 shall be sold and distributed by the National Printing Office which shall promptly
6 mail copies thereof to subscribers free of postage.”
7

8 **SEC. 4.** If any portion or provision of this Act is subsequently declared invalid or
9 unconstitutional, other provisions hereof which are not affected thereby shall remain in full force
10 and effect.
11

12 **SEC. 5.** Executive Order No. 200, dated June 18, 1987, is hereby repealed. Sections 18,
13 25 and 26 of Executive Order No. 292, otherwise known as the Administrative Code of 1987 are
14 hereby amended. All other laws, acts, presidential decrees, executive orders, presidential
15 proclamations, issuances, rules and regulations or parts thereof which are contrary to or
16 inconsistent with any of the provisions of this Act are hereby repealed, amended, or modified
17 accordingly.
18

19 **SEC. 6.** This Act shall take effect fifteen (15) days after its publication in the *Official*
20 *Gazette* or in a newspaper of general circulation.
21

22 Approved,