

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. 5135



INTRODUCED BY REPRESENTATIVE ADRIAN MICHAEL A. AMATONG

EXPLANATORY NOTE

Government projects should stand as testaments to the sacrifice of the Filipino people, funded through their hard-earned taxes, not serve as monuments to the vanity or political ambition of those who temporarily occupy public office.

Unfortunately, it has become a common and deeply unethical practice for some public officials to affix their names, images, or likenesses on publicly funded projects and materials. Such acts distort the true source of these undertakings — the people themselves — and mislead communities into believing that these projects are personal contributions of officials in power.

This practice also fosters premature campaigning, cultivates political patronage, and undermines the very constitutional principles of accountability, integrity, and modesty that public office demands. It allows incumbents to entrench themselves in power, not by the strength of their service, but by exploiting the projects that belong to the people.

This bill therefore seeks to put an end to such practices by declaring unlawful the use of a public official's name, image, or identity in government-funded projects, programs, properties, and publicity materials. It prescribes strict penalties for violators, including fines and perpetual disqualification from public office for repeat offenders, while recognizing limited exceptions such as those determined by the National Historical Commission of the Philippines (NHCP) in accordance with law.

The immediate passage of this measure is earnestly sought, so that government projects are rightly recognized as belonging to the Filipino people, and never as instruments of personal glorification or political gain.


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AN ACT
DECLARING AS UNLAWFUL THE USE OF THE NAME, IMAGE, OR
IDENTITY OF ANY GOVERNMENT OFFICIAL IN THE NAMING,
IDENTIFICATION, OR PROMOTION OF GOVERNMENT PROJECTS,
PROGRAMS, PROPERTIES, AND PUBLICITY MATERIALS, AND PROVIDING
PENALTIES THEREFOR

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

SECTION 1. Declaration of Policy. - It is the policy of the State, consistent with Article XI, Section 1 of the 1987 Constitution that public office is a public trust, to uphold transparency, accountability, and neutrality in the implementation of government projects. Public resources shall be used solely for the welfare of the people and never as instruments of personal promotion or political gain.

SEC. 2. Definition of Terms. - For the purpose of this Act, the terms shall be defined as follows:

- a. "Government" refers to the national government, local governments, government-owned and -controlled corporations, and all other instrumentalities or agencies of the Republic of the Philippines and their branches;
- b. "Government Official" means any person, appointed or elected, in government whose office is given the authority, privilege, or right to identify, administer, implement, coordinate, or propose a government project;
- c. "Government Project" covers goods and infrastructure projects as defined in Section 5, paragraphs (h) and (k), respectively, of Republic Act No. 9184 (Government Procurement Reform Act);
- d. "Public Officer" means elective and appointive officials and employees, permanent or temporary, whether in the classified or unclassified or exempt service, receiving compensation, even nominal, from the government as defined in the preceding paragraph;
- e. "Public Works" includes, but is not limited to, streets, bridges, sidewalks, walkways, public buildings, public parks, sewage facilities, basketball courts, waiting sheds, and lamp posts, which are funded, wholly or partly, through public funds expended by the Government;
- f. "Signage" means any form of written announcement installed, posted, hanged, painted, or otherwise displayed in a public place;
- g. "Names, Images, or Likenesses" shall include names, initials, signatures, portraits, photographs, caricatures, silhouettes, or any visual or textual representation that directly or indirectly identifies a public official.

SEC. 3. *Prohibited Acts.* - No government official or public officer shall cause, authorize, or allow the placement, affixture, printing, painting, installation, or display of their names, images, or likenesses on any government project, public works, goods, equipment, or publicity materials funded, wholly or partly, by public funds.

This prohibition covers, but is not limited to, the following:

- a. Billboards, tarpaulins, posters, signages, banners, infographics, brochures, pamphlets, press releases, audiovisual presentations, social media content, television and radio infomercials, and other publicity materials;
- b. Government-funded vehicles, equipment, relief goods, uniforms, or any items for public distribution; and
- c. Infrastructure and public works, including roads, bridges, schools, hospitals, public markets, and other government facilities.

SEC. 4. *Allowed Practices.* - The prohibition under this Act shall not apply to the following:

- a. Official correspondence, reports, press releases, or documents issued in the normal course of duty;
- b. Campaign materials authorized by the Commission on Elections (COMELEC) during the official campaign period;
- c. Situations where the identification of a public official is required by law or strictly necessary for contracts, certificates, or other legal documents;
- d. Instances as may be determined by the National Historical Commission of the Philippines (NHCP), in accordance with law, or its duly issued guidelines or regulations, including historical markers, commemorations, and heritage designations.

SEC. 5. *Penalties.* - Any government official or public officer who violates this Act shall, upon conviction, suffer the following penalties:

- a. First Violation – A fine equivalent to fifty percent (50%) of the cost of the prohibited signage, material, or advertisement, or both, at the discretion of the court;
- b. Second Violation – A second violation, however, shall in addition to the above penalty of fine, subject the offender to suffer absolute perpetual disqualification to hold public office.

The penalties herein are without prejudice to liability under other existing laws, including Republic Act No. 3019 (*Anti-Graft and Corrupt Practices Act*) and Republic Act No. 6713 (*Code of Conduct and Ethical Standards for Public Officials and Employees*).

SEC. 6. *Implementing Rules and Regulations.* - Within sixty (60) days from the effectivity of this Act, the Government Procurement Policy Board (GPPB), in coordination with the NHCP and other relevant agencies, shall promulgate the necessary rules and regulations to effectively carry out the provisions of this Act.

SEC. 7. *Separability Clause.* - If any part or provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

SEC. 8. *Repealing Clause.* - All laws, decrees, executive orders, rules, regulations, or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,