

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

TWENTIETH CONGRESS
Second Regular Session

House Bill No. **11434**



INTRODUCED BY REPRESENTATIVES RALPH WENDEL P. TULFO,
JOCELYN P. TULFO, AND JEFFREY SORIANO

AN ACT
DISQUALIFYING RELATIVES OF PUBLIC OFFICIALS WITHIN THE FOURTH
CIVIL DEGREE OF CONSANGUINITY OR AFFINITY IN ALL GOVERNMENT
CONTRACTS

EXPLANATORY NOTE

Article XI, Section 1 of the 1987 Philippine Constitution states that "Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives." To preserve this trust, government processes, especially the award of public contracts, must remain free from favoritism, undue influence, and conflict of interest.

Existing law under Article XV, Section 81 of Republic Act No. 12009, otherwise known as the "New Government Procurement Act", provides for the disclosure of relationship by consanguinity or affinity up to the third civil degree between the bidder or any partner, member of the board, or officer of the juridical entity to the head of the Procuring Entity; the members of the Bids and Awards Committee (BAC), the Technical Working Group (TWG), and the BAC Secretariat; the head of the Project Management Office or the end-user unit or implementing unit, and the project consultants of the Procuring Entity, or the procurement agent. For this reason, relation

to the aforementioned persons within the third civil degree of consanguinity or affinity shall automatically disqualify the bidder from participating in the procurement of contracts of the Procuring Entity. However, this rule leaves critical loopholes such as its restricted scope, the need to push for stricter bans, and undisclosed detection challenges.

This proposed measure seeks to address this concern by disqualifying relatives of public officials within the fourth degree of consanguinity or affinity from participating in or benefiting from government contracts during the official term of office. By setting clear boundaries, the bill aims to prevent conflict of interest and ensure that public contracts are awarded solely on merit, qualifications, and compliance with procurement guidelines. Moreover, this measure strengthens transparency, promotes fairness in government transactions, and reinforces the principle that public office must never be used for personal gain or profit.

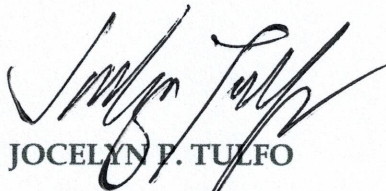
In view of the foregoing, the urgent passing of this bill is earnestly sought.



RALPH WENDEL P. TULFO

Representative

2nd District of Quezon City



JOCELYN P. TULFO

Representative

ACT-CIS Partylist



JEFFREY SORIANO

Representative

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

1 **SECTION 1. *Disqualification on the Basis of Relations.*** – Notwithstanding
2 any provisions of law to the contrary, all relatives of public officials within the fourth
3 civil degree of consanguinity or affinity shall be barred from entering into any
4 government contract.

5
6 For purposes of this Act, the term “public official” shall refer to the heads of
7 agency, head or procuring entity, members of governing board, or any public officer
8 or employee exercising policy-determining, supervisory, or managerial functions,
9 whether in the career or non-career service, including military and uniformed
10 personnel, whether or not they receive compensation, regardless of amount.

11
12 Moreover, the term "government contract" shall refer to any contract between
13 a private entity and any government agency or instrumentality, including

1 government-owned or -controlled corporations (GOCCs) and local government units,
2 that pertains to (a) supplies, materials, machinery, equipment, and services; (b)
3 infrastructure projects; (c) joint ventures; (d) public-private partnership projects; and
4 (e) other similar or analogous agreements or undertaking to which the latter is the
5 procuring party, partner, shareholder, implementing agency, end user, or a party
6 contributing public funds or property: *Provided, That, this shall exclude contracts that*
7 *are highly technical, proprietary, or confidential in nature.*

8
9 **SEC. 2. *Implementing Rules and Regulations (IRR).*** – Within sixty (60) days
10 from the effectivity of this Act, the Government Procurement Policy Board, the
11 Department of the Interior and Local Government, the Public-Private Partnership
12 Center, and the Governance Commission for GOCCs, in consultation with
13 government agencies concerned, shall jointly promulgate the rules and regulations to
14 effectively implement the provisions of this Act.

15
16 **SEC. 3. *Repealing Clause.*** – All laws, decrees, orders, rules and regulations,
17 other issuances, and parts thereof, which are inconsistent with the provisions of this
18 Act, are hereby repealed or modified accordingly.

19
20 **SEC. 4. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete
21 publication in the Official Gazette or in a newspaper of general circulation.

22
23 *Approved,*