

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES
H. No. 4351

Introduced by Representative H. Harry L. Roque Jr.

EXPLANATORY NOTE

The 1987 Constitution affirms that sovereignty resides in the people and all government authority emanates from them. As such, the government has an interest in ensuring that the selection of government leaders is done in a manner most consistent with the principle of democracy and accountability. It is well-recognized that one of the greatest threats to Philippine democracy is the lack of transparency in elections. Campaign funds come from various sectors undetected, making candidates beholden to private interest groups at the expense of the general public. Similarly, many new, young, aspiring candidates that do not have an established group of funders have little opportunity to represent the people.

Following the model of many first world liberal democratic States, the purpose of this bill is provide candidates an opportunity to have their campaigns funded by the State. In doing so, candidates may have a reasonable opportunity to run for office without becoming beholden to a limited number of supporters. The bill also provides some conditions for applicability, and ensures that those applying for campaign financing do not, at the same time, rely on personal funds.

The passage of this bill is earnestly sought.


HERMINIO HARRY L. ROQUE JR.

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AN ACT PROVIDING SUBSIDIZING PUBLIC CAMPAIGN EXPENSES
OF QUALIFIED ELECTORAL CANDIDATES, AND DEFINING ITS
COVERAGE AND RESTRICTIONS THEREOF

SECTION 1. Short Title – This act shall be known as the “Public Campaign Finance Act.”

SECTION 2. Declaration of State Policy – It is the policy of the State to ensure fair and free elections for the purpose of preserving the principle democracy. To this end, the State shall provide matching payment to qualified candidates in national elections to increase transparency and accountability.

SECTION 3. Public Campaign Financing, in general - Every candidate for an electoral position in national office, duly certified by the COMELEC, who is eligible under the following section, shall be entitled to receive matching payments from the government for the purpose of conducting their electoral campaign. For the purposes of this Act, a matching payment is an amount of money granted by the government equivalent to the contribution, as defined by B.P. 881, made by an individual campaign donor, not exceeding P5,000.00, on or after the beginning of the calendar year immediately preceding the calendar year of the campaign period of the qualified

candidate. At no point shall any candidate receive more than P50,000,000.000 through matching payments from the government.

SECTION 4. Eligibility – The following candidates are qualified to receive matching payments:

- a) Those who are running for President, Vice President, Senate, or the House of Representatives;
- b) Belong to a political party, as provided by B.P. 881;
- c) Have received at least P500,000 in matching contributions from individual contributors, donating not more than P250 per contributor, from residents representing at least 6 regions in the year before the election,
- d) Not declared a nuisance candidate by the COMELEC; and
- e) And undertake not to make campaign expenditures from his personal funds, or the funds of his family, up to the fourth degree of consanguinity.

SECTION 5. Registration for public financing – All eligible candidates shall inform the COMELEC of their intention to apply for public campaign financing through their Certificate of Candidacy.

SECTION 5. Matching Contributions –Contributors who seek to donate funds to their respective candidates for the purposes of qualifying for public campaign financing may do so upon registering for voting with the COMELEC.

SECTION 6. Implementing Rules and Regulations – The COMELEC shall promulgate the rules and regulations for the implementation of the provisions of this act.

SECTION 7. *Separability Clause.* - If any provision is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

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

Approved,