

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

HOUSE OF REPRESENTATIVES
H.B. No. 2280

HOUSE OF REPRESENTATIVES	
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REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by Representative Herminio Harry L. Roque Jr.

EXPLANATORY NOTE

The Philippine economy has greatly benefited from the proliferation of private businesses and public-private partnerships, thereby producing more jobs, improving infrastructure, and increasing cashflow. More than ever, the public sector has worked closely with private enterprises to improve the quality of life in the nation.

But as the interaction between the public and the private increases, so does the risk of conflicts of interest. There is little legislation that tackles this “revolving door” phenomenon – the transition of individuals from working as a public officer to a private employee, and vice versa.

Absent stringent regulations on this phenomenon, there is a large incentive for public officers to exercise discretion in a manner, which may unduly benefit private companies with the expectation that they may eventually exploit such benefits as a potential hire in the future. Similarly, newly elected or appointed public officers from the private sector may unduly use insider information obtained in their prior employment to create unfair advantages for their industry or company.

These anomalies are difficult to track immediately, and would be difficult to prosecute criminally. Instead, imposing a strict temporary ban on the transfer of individuals to offices which they have collaborated with during their work, either in government or private, would be more effective in reducing this possibility. Inspired by the “Code of Ethical Conduct for Public Officers” as well as “conflict of interest” legislation from abroad, this bill seeks to strengthen the government’s fight against graft and corruption and to finally close this revolving door.



HERMINIO HARRY L. ROQUE JR.

HOUSE OF REPRESENTATIVES
H.B. No. 2280

Introduced by Representative Herminio Harry L. Roque, Jr.

1 AN ACT
2 REGULATING THE TRANSITION OF PRIVATE CITIZENS TO PUBLIC OFFICE AND
3 PUBLIC OFFICERS TO PRIVATE LIFE

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

4 SECTION 1. *Short Title.* – This Act shall be known as the “Revolving Door Act.”

5 SECTION 2. *Declaration of Policy.* – Public office is a public trust. Public officials and
6 employees shall at all times be accountable to the people and place public interest over personal
7 interest. In this light, the State must prevent situations wherein conflicts of interest may arise.

8 SECTION 3. *Regulating the transition of private citizens into public office.* – Any citizen
9 which has owned, controlled, managed, or worked as an employee, officer, consultant, counsel,
10 broker, agent, trustee, or nominee in any private enterprise, whether for profit or not, regulated,
11 supervised, or licensed by a particular government office, whether local or national, shall be
12 prohibited from working in that public office for a period of THREE (3) years after resignation,
13 retirement, or separation from the private enterprise.

14 SECTION 4. *Regulating the transition of public officers towards private life.* – Public
15 officials and employees shall not own, control, manage, or accept employment as officer,
16 employee, consultant, counsel, broker, agent, trustee, or nominee in any private enterprise,
17 whether for profit or not, regulated, supervised, or licensed by their office, whether local or
18 national, unless expressly allowed by law, for a period of THREE (3) years after resignation,
19 retirement, or separation from public office.

20 SECTION 5. *Penalties* – Any person, whether private citizen or public official,
21 committing any violation of this Act shall be punished with imprisonment not exceeding FIVE

1 (5) years, or a fine not exceeding One Million Pesos (P1,000,000), or both, in the discretion of
2 the court of competent jurisdiction. In cases of private citizens who have transitioned to public
3 office, such public officers shall immediately be removed from office and shall be disqualified to
4 hold public office.

5 SECTION 6. *Separability Clause.* - If any provision is held invalid or unconstitutional,
6 the remainder of the law or the provision not otherwise affected shall remain valid and
7 subsisting.

8 SECTION 7. *Repealing Clause.* - Any law, presidential decree or issuance, executive
9 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
10 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

11 SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
12 publication in at least two (2) newspapers of general circulation.

Approved,