

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 1318



Introduced by: REPRESENTATIVE JOCELYN F. FORTUNO

EXPLANATORY NOTE

The controversy generated then by the disqualification of former Governor J.R. Ejercito of the Province of Laguna, who was ousted by the Commission on Elections (COMELEC) for election overspending has brought to the fore the issue; Is the authorized campaign expenditures for candidates and political parties still realistic in the light of economic developments that had eroded the purchasing power of the Philippine Peso?

There have been loud clamour not only from politicians but even from the Commission on Elections (COMELEC) to update this antiquated provision of the law but until it is amended it remains valid and effective.

No matter what the reason is, or whatever the circumstances are, a law is a law. As the legal maxim states, DURA LEX SED LEX. Hard is the law but it is a law.

The Supreme Court upheld the decision of the Comelec in disqualifying former Governor Ejercito on the basis of the existing applicable law, Republic Act No. 7166, that a candidate is authorized to spend only Three pesos (P3.00) for every voter currently registered in the constituency where he filed his certificate of candidacy. There were thousands of candidates in the 2010 and 2013 elections, who received notice to explain overspending from the COMELEC and still awaiting its ruling.

Republic Act No. 7166 explicitly amended Sections 100 and 101 of Batas Pambansa Blg. 881 otherwise known as the Omnibus Election Code of the Philippines on the limitations upon the expenses of candidates and of political parties respectively effectively increasing the authorized campaign expenditure of candidates for every voter from P1.50 to P3.00 and of political parties for every voter from P1.50 to P5.00.


It is worthy to emphasize that the purchasing power of the Philippine peso has continuously diminished from the time Republic Act No. 7166 took effect in 1991 up to the present time due to numerous economic factors.

Dr. Romulo Emmanuel M. Miral, Jr., Acting Director General of the Congressional Policy and Budget Research Department of the House of Representatives revealed in an interview that the value of one (1) Philippine peso in 1991 was equivalent to P3.41 in 2013 or our one (1) Philippine peso in 2013 was equivalent to P0.29 in 1991 based on Consumer Price Index.

On the basis of the foregoing computation, the authorized campaign expenditure for candidates for the position of President and Vice-President should be from P10.00 to P34.10, for other candidates from P3.00 to P10.23 and for political parties from P5.00 to P17.05. Considering the time and economic factors, there is a need to increase this actual computation to meet the demands of the time when this proposed legislative measure is enacted into law. Therefore the adjustment should be as follows: For the position of President and Vice-President from P10.00 to P40.00, for other candidates from P3.00 to P15.00 and for political parties from P5.00 to P20.00

The paramount objective of this measure is to make the authorized campaign expenditures for all the candidates and political parties more realistic so that no candidate would ever be penalized on the basis of an antiquated law.

The foregoing reasons warrant the immediate approval of this bill.


JOCELYN F. FORTUNO
Representative
Fifth District, Camarines Sur

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Introduced by: **REPRESENTATIVE JOCELYN F. FORTUNO**

AN ACT
INCREASING THE AUTHORIZED EXPENSES OF CANDIDATES AND POLITICAL PARTIES, AMENDING FOR THE PURPOSE SECTION 13 OF REPUBLIC ACT NO. 7166, ENTITLED, "AN ACT PROVIDING FOR SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS AND FOR ELECTORAL REFORMS, AUTHORIZING APPROPRIATIONS THEREFOR, AND FOR OTHER PURPOSES"

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

SECTION 1. Section 13 of Republic Act No. 7166 is hereby amended to read as follows:

"Sec. 13. Authorized Expenses of Candidates and Political Parties. – The aggregate amount that a candidate or registered political party may spend for election campaign shall be as follows:

For candidates. – [Ten] **FORTY** pesos [(P10.00)] **(P40.00)** for President and Vice-President; and for other candidates, [Three] **FIFTEEN** pesos [(P3.00)] **(P15.00)** for every voter currently registered in the constituency where he filed his candidacy; Provided, That a candidate without any political party and without support from any political party may be allowed to spend [Five] **TWENTY** pesos [(P5.00)] **(P20.00)** for every such voter; and

For political parties. – [Five] **TWENTY** pesos [(P5.00)] **(P20.00)** for every voter currently registered in the constituency or constituencies where it has official candidates.

Any provision of law to the contrary notwithstanding any contribution in cash or in kind to any candidate or political party or coalition of parties for campaign purposes, duly reported to the Commission shall not be subject to the payment of any gift tax."

SEC. 2. The Commission on Elections (COMELEC) shall issue the necessary rules and regulations to implement this Act.

SEC. 3. All laws, presidential decrees, executive orders, rules and regulations found inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.