

HOUSE OF REPRESENTATIVES

H. No. 7835

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BY REPRESENTATIVES CABOCHAN, ROBES, VERGARA, BALINDONG, CHUNGALAO, LUSOTAN,  
BORDADO, ESCUDERO, SAVELLANO, BAÑAS-NOGRALES, ERIGUEL, PANCHO, ACOSTA-ALBA AND  
CULLAMAT, PER COMMITTEE REPORT NO. 552

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AN ACT

REQUIRING FOR THE FULL DISCLOSURE OF LOBBYING ACTIVITIES IN THE  
GOVERNMENT SECTOR, REPEALING FOR THE PURPOSE REPUBLIC ACT  
NO. 1827, ENTITLED "AN ACT TO REGULATE LOBBYING IN THE CONGRESS  
OF THE PHILIPPINES AND IN THE COMMISSION ON APPOINTMENTS" AND  
PROVIDING PENALTIES THEREFOR

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

1           **SECTION 1. *Short Title.*** – This Act shall be known as the "Lobbying Disclosure  
2           Act."

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4           **SEC. 2. *Declaration of Policy.*** – It is the policy of the State to enhance public  
5           confidence in the integrity of public office and the decision-making process in  
6           government by implementing a policy of full public disclosure in all its transactions  
7           involving public interest.

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9           Furthermore, Section 4, Article III of the Constitution states that no law shall be  
10          passed abridging the freedom of speech, of expression, or the right of the people to  
11          petition the government for redress of grievances. As such, lobbying activities shall  
12          be recognized by the State as constitutionally protected speech and whether  
13          undertaken for profit or not, is considered a mode of seeking redress from government  
14          or airing grievances against it.

15  
16          **SEC. 3. *Definition of Terms.*** – As used in this Act:

1 (a) *Direct Lobbying activities* refer to attempts by a lobbyist to influence a public  
2 official, government agency or legislative body through direct communication,  
3 such as:  
4

5 (1) Any face-to-face personal visit to a public official and government agency  
6 with the knowledge and intention to influence their actions, policies or  
7 decisions;

8 (2) Any personal visit to the staff and subordinates of public officials with the  
9 knowledge and intention to influence their actions, policies or decisions;

10 (3) Accompanying influential constituents to meet with public officials;

11 (4) Writing letters to public officials with the knowledge and intention to  
12 persuade;

13 (5) Making phone calls to public officials or their staff; and

14 (6) Sending electronic mail (e-mail) to public officials;  
15

16 (b) *Full public disclosure* refers to the act of revealing all information and  
17 transactions involving lobbying activities with the government;  
18

19 (c) *Government registering agencies* refer to agencies that issue certificates of  
20 registration such as the Securities and Exchange Commission, Bureau of Labor  
21 Relations of the Department of Labor and Employment, Housing and Land Use  
22 Regulatory Board, and Cooperative Development Authority;  
23

24 (d) *Indirect lobbying activities* refer to the act of creating, conditioning and  
25 enhancing the social, economic and political environment made by a lobbyist to  
26 influence a public official, government agency or legislative body, as defined:  
27

28 (1) Grassroots lobbying campaigns;

29 (2) Mass media advertising;

30 (3) Public opinion polls;

31 (4) Mass public opinion molding efforts; and

32 (5) Elite opinion molding efforts;  
33

34 (e) *Lobbying activities* refer to the direct or indirect practice and attempt by a  
35 lobbyist through communication to influence the actions, policies, or decisions of  
36 public officials and government agencies, including the legislative body as well as  
37 intervening in the transaction of public officials and the implementation of  
38 government programs and projects;  
39

40 (f) *Lobbyist* refers to any person, juridical person or entity, former public officials,  
41 representative of an industry chambers association, law firms, private  
42 corporations, partnership, association and interest organizations and groups who  
43 engage and participates in the practice of lobbying for a regular salary, stipend,  
44 retainer or other compensation, or a non-monetary benefit; and

1 (g) *Public officials* refer to elective and appointive officials and employees,  
2 permanent or temporary, whether in the career or non-career service, including  
3 military and police personnel, as defined under Republic Act No. 6713, otherwise  
4 known as the *Code of Conduct and Ethical Standards for Public Officials and*  
5 *Employees.*”  
6

7 **SEC. 4. Coverage of Direct Lobbying Activities.** – Lobbying activities shall  
8 include any action or communication, whether oral, written or electronic intended to  
9 influence any of following:  
10

- 11 (a) Crafting of any legislative proposal by the government or by a member of  
12 either House of Congress;
  - 13 (b) Introduction, shepherding, and passage of any legislative proposal and  
14 amendment thereto in either House of Congress;
  - 15 (c) Drafting of implementing rules and regulations pursuant to a law;
  - 16 (d) Formulation or amendment of any delegated legislations;
  - 17 (e) Introduction of or changing any government policy or program;
  - 18 (f) Exercise of any authority or power conferred by law;
  - 19 (g) Inclusion of issuances of the local government units; and
  - 20 (h) Expenditure of public money.
- 21

22 **SEC. 5. Limitations on Lobbying Activities.** – Lobbying activities shall not include  
23 actions or communications that are:  
24

- 25 (a) Made by a public official, an agency, or any other person holding public office  
26 in their official capacity;
  - 27 (b) Made in response to a written request from a public official acting in official  
28 capacity;
  - 29 (c) Made by an employee or a representative of a media organization for the  
30 purposes of gathering and disseminating news and information to the public;
  - 31 (d) Made in a speech, article, publication, or other material that is distributed and  
32 made available to the public through radio, television, or other medium of  
33 mass communication;
  - 34 (e) Incidental to arranging or attending a meeting with a public official that is  
35 open to the public; or is attended by an employee or representative of a media  
36 organization for the purpose of gathering and disseminating information to the  
37 public;
  - 38 (f) Made in a petition to either House of Congress or submitted as evidence to a  
39 committee of either Houses or a joint committee of both Houses of Congress;
  - 40 (g) Made in the course of any judicial proceeding; and
  - 41 (h) Made on behalf of the government of a foreign country.
- 42

1       **SEC. 6. Registration Requirements.** – Any person, whether natural or juridical,  
2 representative of private corporations, partnership, association and interest  
3 organizations and groups who engages in lobbying activities shall register with the  
4 appropriate government registering agencies, and with the appropriate Secretariat  
5 referred prescribed under Section 9 of this Act. The registration must be notarized  
6 and contain the following information:  
7

- 8       (a) Name, business address, contact number and e-mail address of the lobbyist;  
9       (b) Name and business address of the employer or the principal in whose behalf  
10       the lobbying activity is carried out: *Provided*, That if the employer is a  
11       corporation, the name and business address of the corporation that has a direct  
12       interest in the outcome of the lobbying activity must be stated;  
13       (c) Any person that has a direct interest in the outcome of the lobbying activity;  
14       (d) A description, in summary form, of the employer's or principal's business  
15       activities and such other related information;  
16       (e) A description, in summary form, of the subject matter of the lobbying activity  
17       and such other information regarding the subject matter as is prescribed;  
18       (f) Particulars to identify any legislative proposal, delegated legislations, policy,  
19       program or authority related to the lobbying activity;  
20       (g) Identification of public officials and government agency to whom lobbying  
21       activities are directed; and  
22       (h) Estimated expenditures and income related to the lobbying activity.  
23

24       The appropriate government registering agency may, on the application of a lobbyist,  
25 extend the time within which the registration required must be made but not to exceed  
26 fourteen (14) days.  
27

28       Each department and constitutional office shall establish a lobbying registration  
29 office that is capable of (a) managing the lobbying registration process, including  
30 investigation and review of conflicts of interest, and monitoring of compliance or registered  
31 of lobbyists; (b) rendering advice, analysis, and raising public awareness through information  
32 dissemination activities; (c) handling complaints; and (d) recommending sanctions for  
33 violators of this Act.  
34

35       **SEC. 7. Register of Lobbyists and Lobbying Activities.** – The government  
36 registering agencies and the designated lobbying registration office shall maintain and update  
37 and submit a Register of Lobbyists and a report of lobbying activities to the Secretariat, as  
38 provided under Section 9 of this Act, which shall be made available to the public upon  
39 request.  
40

41       The Register shall be comprised of all of the information set out in reports lodged  
42 under this Act. It may be compiled in such manner and form as the aforementioned offices of  
43 the Legislative and Executive branches may consider convenient: *Provided*, That the Register

1 must be readily available and regularly updated. It must be open to the public and must be  
2 posted in the websites of the Legislative and Executive Departments.  
3

4 **SEC. 8. *Issuance of a License to Lobby.*** – Upon approval of registration, the  
5 appropriate government registering agency shall issue the lobbyist a license to lobby, which  
6 shall expire on the last day of December of the year it was issued.

7 No license to lobby in the Congress shall be issued without the approval of the  
8 Secretaries of both Houses. Furthermore, no license to lobby in any department, agency or  
9 instrumentality of the Executive Department shall be issued without the approval of the  
10 concerned Secretariat.  
11

12 **SEC. 9. *Secretariats.*** – A Joint Secretariat for both Houses of Congress and the  
13 Commission on Appointments and another Secretariat for the Executive Department shall  
14 be formed to attend to the registration of lobbyists and the compilation and maintenance of  
15 the Register of Lobbyists and the publication of the annual report on lobbying activities.  
16 The Secretariat shall also submit to the courts the list of lobbyists who have been cited for  
17 contempt due to non-compliance with the provisions of this Act.  
18

19 **SEC. 10. *Reportorial Requirement.*** – A duly licensed lobbyist shall submit a report  
20 on the lobbying activities undertaken to the respective Secretariat for both Houses of  
21 Congress and the Commission on Appointments at the end of the three (3)-year Congress  
22 and to the Secretariat for Executive Department annually. The report may be submitted  
23 online or electronically in the new normal and shall include the following:  
24

25 (a) A statement of expenses incurred in the course of lobbying which must be taken  
26 under oath and must be duly notarized;

27 (b) Estimated income of lobbyist earned from its principal as payment for its services  
28 and time spent on lobbying;

29 (c) List of the bills or general issues that the lobbyist participated in and tried to  
30 influence;

31 (d) Updates in the information provided in the initial registration; and

32 (e) A certification that they have read and are familiar with the standing Rules of the  
33 Senate and the House of Representatives pertaining to the Rules of Conduct and with  
34 the Code of Conduct and Ethical Standards for Public Officials and Employees.  
35

36 **SEC. 11. *Notice Requirement.*** – The concerned Secretariat shall, in writing, serve  
37 notice to the lobbyists to provide additional information in relation to the report lodged  
38 pursuant to Section 7 of this Act. All notices made in writing by any of the Secretariats or  
39 executive agency to lobbyist has to be made known to the concerned government registering  
40 agency or designated lobbying registration office.  
41

42 The notice shall specify the following:  
43

44 (a) Nature of the additional information required;

- 1 (b) Period of compliance within which the additional information must be provided;
- 2 and
- 3 (c) Person receiving the notice is required to comply with the notice.
- 4

5 A lobbyist who, without reasonable excuse, fails to comply with a duly served notice,  
6 shall be cited for contempt by the concerned Secretariat, and shall be suspended from  
7 performing or conducting lobbying activities until the requirement stated in the notice has  
8 been complied with.

9  
10 **SEC. 12. *Anti-Revolving Door Policy.***- A public official, whether elected or  
11 appointed, shall not be issued a license to lobby or engage in lobbying activities  
12 within one (1) year from resignation, retirement, expiration of term of office or  
13 removal from a former position.

14  
15 **SEC. 13. *Prohibited Acts*** – The following acts and omission are prohibited under this  
16 Act :

- 17
- 18 (a) Performing act of a lobbyist without an issued license from the corresponding
- 19 government agencies;
- 20 (b) Failure to take an annual report as required under Section 10 of this Act;
- 21 (c) Filing a false report or an application for registration that is attended by fraud
- 22 or misrepresentations; and
- 23 (d) Willfully interfering with or restraining a person from performing an act
- 24 allowed under this Act, or coercing a person to do a prohibited act or violating
- 25 any provision of this Act.
- 26

27 **SEC. 14. *Penal Provisions.*** – Any person, natural or juridical, who violates the  
28 provisions under Section 13 of this Act shall suffer the following penalties:

- 29
- 30 (a) A fine of not less than Three hundred thousand pesos (P 300,000.00) but not
- 31 more than Five hundred thousand pesos (P 500,000.00) or imprisonment of
- 32 not less than six (6) months but not more than one (1) year, or both at the
- 33 discretion of the court for violation of Section 13 (a) of this Act;
- 34
- 35 (b) An administrative penalty of debarment from acting as a lobbyist for a period
- 36 of at least one (1) year from the date of the administrative ruling handed
- 37 down by the joint secretariats, as the case may be, after due notice and hearing
- 38 for violation of Section 13 (b) of this Act;
- 39
- 40 (c) A fine of not less than One hundred eighty thousand pesos (P 180,000) but
- 41 not more than three hundred thousand pesos (P 300,000.00) or imprisonment
- 42 of not less than six (6) months but not more than two (2) years, or both at the
- 43 discretion of the court for violation of Section 13 (c) of this Act;
- 44

1 (d) A fine of not less than One hundred eighty thousand pesos (P 180,000.00) but  
2 not more than three hundred thousand pesos (P 300,000.00), or imprisonment  
3 of not less than six (6) months but not more than one (1) year, or both at the  
4 discretion of the court for violation of Section 13 (d) of this Act;

5  
6 (e) If the offender is a public official, the court may impose the additional penalty  
7 of perpetual disqualification from public service in addition to the penalties  
8 provided in the preceding paragraph; and

9  
10 (f) In case the violation is committed by a partnership, corporation, association or  
11 any juridical person, the partner, president, director or manager who consents  
12 to or knowingly tolerates such violation shall be directly liable and  
13 responsible.  
14

15 **SEC. 15. Appropriations.** – The amount necessary to carry out the implementation of  
16 this Act shall be charged against the current year’s appropriations of the implementing  
17 agencies. Thereafter, such sums as may be necessary for the continued  
18 implementation of this Act shall be included in the annual General Appropriations  
19 Act.  
20

21 **SEC. 16. Implementing Rules and Regulations.** – The Securities and Exchange  
22 Commission and the Joint Secretariats created under Section 9 of this Act shall  
23 promulgate the implementing rules and regulations as may be necessary to carry out  
24 the provisions of this Act within ninety (90) days from the effectivity thereof.  
25

26 **SEC. 17. Sunset Review.** – Five (5) years from the effectivity of this Act, Congress  
27 shall review and recommend amendments thereto, after evaluating the problems and  
28 issues in its implementation.  
29

30 **SEC. 18. Separability Clause.** – If any provision or part of this Act is held invalid or  
31 unconstitutional, the other sections or provisions hereof shall not be affected thereby  
32 and shall remain in full force and effect.  
33

34 **SEC.19. Repealing Clause.** – Republic Act No. 1827, entitled “An Act to Regulate  
35 Lobbying in the Congress of the Philippines and in the Commission on  
36 Appointments” is hereby repealed. All other laws, presidential decrees, executive  
37 orders, proclamations, issuances, administrative order, rules and regulations contrary  
38 to or inconsistent with any provision of this Act are hereby modified, repealed or  
39 modified accordingly.  
40

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

*Approved*