

9
NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL -7 P 4 :20

SENATE
S. No. 176

RECEIVED BY

Introduced by SENATOR FRANCIS "TOL" N. TOLENTINO

AN ACT
INSTITUTIONALIZING THE FILIPINO FIRST POLICY IN THE GOVERNMENT
PROCUREMENT SYSTEM, AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 9184, OTHERWISE KNOWN AS THE "GOVERNMENT PROCUREMENT
REFORM ACT," AND FOR OTHER PURPOSES

EXPLANATORY NOTE

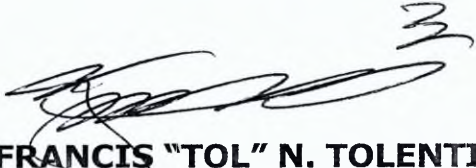
The Philippines is home to some of the most brilliant scientists and inventors of modern times. Filipinos have made breakthroughs that will definitely improve the lives of their fellow countrymen and even propel the country to economic development and prosperity. Unfortunately, the State has not given much attention and focus on the importance and benefits that can be brought about by these discoveries and we have not taken full advantage of their potential for economic prosperity and development as a whole.

Article XII, section 2 of the 1987 Constitution provides that:

The State shall promote the preferential use of Filipino labor, domestic materials and locally produced goods, and adopt measures that help make them competitive.

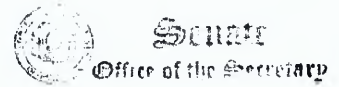
Therefore, it is imperative that the State ensure that the Filipinos are always first in the choice of labor and supplier of goods within our jurisdiction. Hence, in order to give life to this constitutional mandate, promote the ingenuity and creativity of Filipinos, as well as encourage Filipino scientists and inventors to create more beneficial products and services, this bill seeks to institutionalize the Filipino first policy in the government procurement system. With this bill, before any government institution or agency can procure products and services from foreign suppliers, there must be a certification or clearance that there is no existing domestic and Filipino supplier who can supply and satisfy the procurement need.

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



FRANCIS "TOL" N. TOLENTINO

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*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 "Gawang Pilipino,
2 Para sa Pilipino Act of 2022"

3 **Sec. 2.** Section 43 of Republic Act No. 9184, otherwise known as the
4 "Government Procurement Reform Act," is hereby amended to read as follows:

5 "SEC. 43. Procurement of Domestic and Foreign Goods. – Consistent
6 with the country's obligations under the international treaties or agreements,
7 Goods may be obtained from domestic or foreign sources and the
8 procurement thereof shall be open to all eligible suppliers, manufacturers and
9 distributors. However, in the interest of availability, efficiency and timely
10 delivery of Goods, the Procuring Entity [~~may~~] **SHALL** give preference to the
11 purchase of domestically-produced **AND FILIPINO-MADE** [~~and~~]
12 manufactured goods, supplies and materials, **AS WELL AS PREFERENCE**

1 **TO FILIPINO DOMESTIC SUPPLIERS OF SERVICES**, that meet specified
2 or desired quality.”

3 **Sec. 3. *Implementing Rules and Regulations.*** – Within sixty (60) days
4 from the effectivity of this Act, the necessary rules and regulations for the proper
5 implementation of its provisions shall be promulgated by the Government
6 Procurement Policy Board (GPPB), jointly with the members of the Oversight
7 Committee created under Republic Act No. 9184, otherwise known as the
8 “Government Procurement Reform Act.”

9 **Sec. 4. *Separability Clause.*** – If any part or provision of this Act is held
10 unconstitutional or invalid, other parts or provisions hereof which are not affected
11 thereby shall continue to be in full force and effect.

12 **Sec. 5. *Repealing Clause.*** – All laws, decrees, orders, and issuances, or
13 portions thereof which are inconsistent with the provisions of this Act, are hereby
14 repealed, amended, or modified accordingly.

15 **Sec. 5. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
16 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,