

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



'22 NOV 29 P5:18

SENATE

S. No. 1572

RECEIVED BY

Introduced by SENATOR RAMON BONG REVILLA, JR.

AN ACT
MANDATING THE SECRETARIES OF THE DEPARTMENT OF FINANCE,
NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY, AND DEPARTMENT
OF BUDGET AND MANAGEMENT, AND THE GOVERNOR OF THE BANGKO
SENTRAL NG PILIPINAS, TO APPEAR SEMI-ANNUALLY BEFORE CONGRESS
TO REPORT ON THE STATUS AND DIRECTIONS OF THE FISCAL AND
MONETARY POLICIES OF THE STATE

EXPLANATORY NOTE

Article II Section 19 of the 1987 Constitution states that, "The State shall develop a self-reliant and independent national economy efficiently controlled by Filipinos." Further, Section 28 of the same Article provides that, "Subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full disclosure of all its transactions involving public interest."

The goal towards an independent, robust, and transparent economic governance can only be achieved if all the stakeholders are actively participating in its achievement. The government, being at the forefront of such endeavor, should always be abreast with the relevant information and recommended actions needed for its attainment. The public, who are the prime movers of the economy, should have access to such information and actions to guide and empower them in doing their share for the economy.

In this aspect, the Legislative Branch of the government is mandated to enact laws that will improve our economy. Appropriate and responsive legislation is best achieved when factual and updated data, prospects, targets and plans are provided as bases for such pieces of legislation.

Currently, the Department of Finance (DOF), the National Economic and Development Authority (NEDA), the Department of Budget and Management (DBM), and the Bangko Sentral ng Pilipinas (BSP), as members of the Development Budget Coordinating Council (DBCC), reports to Congress every year in relation to the deliberations on the General Appropriations bill. However, given the vast coverage and rapid developments in the economy, more frequent coordination among the members of the executive and legislative department of the government is necessary.

This bill mandates the heads of the DOF, NEDA, DBM, and BSP to appear twice a year before the Joint Congressional Oversight Committee to report on the status and directions of the fiscal and monetary policies of the state, enumerating in particular the basic data that they should present. Through such coordination, policies and laws will be aligned towards a united path, making governance more efficient and effective.

In this light, the immediate passage of this bill is highly recommended.



RAMON BONG REVILLA, JR.


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

1 Section 1. *Short Title.* - This Act shall be known as the "*Fiscal and Monetary*
2 *Report Act*".

3 Sec. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to
4 submit to full public disclosure, subject to reasonable conditions prescribed by law, all
5 its transactions involving public interest, as provided for under Section 28, Article II of
6 the 1987 Philippine Constitution, and recognize the significance of fiscal and monetary
7 policies as factors affecting the development directions of the country.

8 Sec. 3. *Appearance before Congress.* - The Secretaries of the Department of
9 Finance (DOF), National Economic and Development Authority (NEDA), Department
10 of Budget and Management (DBM), and the Governor of the Bangko Sentral ng
11 Pilipinas (BSP), or their designated representatives, shall appear before the House of
12 Representatives and the Senate biannually, on or before the last Tuesday of May and
13 during the Development Budget Coordination Committee (DBCC) Budget Briefing each
14 year to report on the status and directions of the fiscal and monetary policies of the

1 government, economic developments, prospects for the future, and other related data
2 taking into account past and prospective developments in employment,
3 unemployment, production, investment, real income, productivity, exchange rates,
4 debt, international trade and payments, and prices.

5 *Sec. 4. Reports. –*

6 (a) The Secretary of DOF shall submit to the House of Representatives and the
7 Senate a written report, which may be in digital format and may be
8 submitted electronically, on the conduct of fiscal policy, which shall include,
9 but shall not be limited to the following:

- 10 i. Consolidated Public Sector Financial Position;
- 11 ii. National Government Debt Service Expenditures;
- 12 iii. Foreign and Domestic Borrowings;
- 13 iv. National Government Revenues;
- 14 v. National Government Financing Program and Outstanding Debt;
- 15 vi. Fiscal obligations and contingent liabilities, including, but not limited
16 to:

- 17 1. Summary of payment obligations and contingent liabilities
18 arising from Public-Private Partnership (PPP) contracts
19 entered into by agencies authorized under Republic Act
20 No. 6957, as amended by Republic Act No. 7718, the
21 revised NEDA Joint Venture Guidelines, the Special
22 Charters and/or Joint Venture Guidelines of GOCCs, and
23 local PPP Ordinances. All agencies implementing the
24 foregoing contracts are hereby directed to submit a copy
25 of the said contracts and a quarterly report on the status
26 of payment obligations and contingent liabilities arising
27 from each contract to the DOF and to the PPP Center;
- 28 2. Loans contracted and liabilities incurred by the GOCCs or
29 by GFIs which were guaranteed by the National
30 Government;
- 31 3. Guarantee programs implemented by GOCCs and GFIs;

- 1 4. GFI-guaranteed private loans which were subsequently
- 2 transferred to and assumed by the National Government
- 3 by virtue of Proclamation No. 50, Administrative Order No.
- 4 64 s. 1998, and other similar statutes or issuances;
- 5 5. Government insurance programs;
- 6 6. Other potential losses arising from indemnities, pending
- 7 litigation, and other circumstances relating to claims and
- 8 assessments in respect of breach of contract, damages to
- 9 persons and property, and similar items; and,

10 vii. Other information that may be requested by the Committees
11 specified in Section 3 of this Act.

12 (b) The Secretary of NEDA shall submit to the House of Representatives and
13 the Senate a written report, which may be in digital format and may be
14 submitted electronically, regarding developments and prospects in the
15 macroeconomy and labor market which shall include, but shall not be limited
16 to the following:

17 i. Macroeconomy

- 18 1. Gross National Income
- 19 2. Net Primary Income
- 20 3. Gross Domestic Product

21 ii. Labor and Employment

- 22 1. Unemployment
- 23 2. Youth Unemployment
- 24 3. Underemployment

25 iii. Poverty statistics; and

26 iv. Other information that may be requested by the Committees
27 specified in Section 3 of this Act.

28 (c) The Secretary of the DBM shall submit to the House of Representatives and
29 the Senate a written report, which may be in digital format and may be
30 submitted electronically, which shall include, but shall not be limited to the
31 following:

32 i. Status of Expenditure Program;

- 1 ii. Status of Disbursement;
- 2 iii. Debt Service Expenditures;
- 3 iv. Outstanding Domestic and Foreign Debt from Regular and Assumed
- 4 Liabilities of the National Government; and,
- 5 v. Other information that may be requested by the Committees
- 6 specified in Section 3 of this Act.

7 (d) The Governor of the BSP shall submit to the House of Representatives and
8 the Senate a written report, which may be in digital format and may be
9 submitted electronically, which shall include, but shall not be limited to the
10 following:

- 11 i. Monetary aggregates and their components;
- 12 ii. Balance of payments of the Philippines;
- 13 iii. Headline and Core Inflation Rates;
- 14 iv. Volume and value of exports and imports;
- 15 v. Financial Condition of the BSP and the Philippine banking system;
- 16 vi. Government receipts and expenditures and on the status of the
- 17 public debt, both domestic and foreign;
- 18 vii. Major legal and administrative measures adopted by the Government
- 19 and the Monetary Board during the year which relate to the functions
- 20 or operations of the BSP or the financial system; and,
- 21 viii. Other related information that may be requested by the Committees
- 22 specified in Section 3 of this Act.

23 *Sec. 5. Full Disclosure and Cooperation.* – All relevant government agencies
24 are hereby directed to cooperate and submit to the DOF, NEDA, DBM, and BSP, as
25 may be applicable, all necessary documents for the abovementioned agencies to
26 comply with their obligations under this Act.

27 *Sec. 6. Public Access to Information.* – The DOF, NEDA, DBM, and BSP shall
28 make available copies of the reports submitted to Congress in their official websites
29 within seven (7) working days following the submission of their respective reports.

30 *Sec. 7. Violations and Persons Liable.* – Any person who performs or cause the
31 performance of the following acts shall be liable:

- 1 (a) Failure of head of the agency or his/her duly authorized representative
2 to appear before the Congress as required under Section 3 of this Act;
3 (b) Failure of the head of the agency to submit the necessary reports as
4 required under Section 4 and 6 of this Act;
5 (c) Failure of the head of the agency to submit the necessary documents
6 under Section 5 of this Act;
7 (d) Failure of the head of the agencies mentioned under Section 4(a)(vi)(1)
8 to submit a copy of PPP contracts and a quarterly report on the status
9 of obligations and contingent liabilities arising from each PPP contract to
10 the DOF and to the PPP Center;
11 (e) Failure of the head of the agency to make available copies of the reports
12 submitted to Congress in their official websites within seven (7) working
13 days following the submission of their respective reports as required
14 under Section 6 of this Act.

15 *Sec. 8. Penalties and Liabilities.* – Any violation of the preceding sections shall
16 warrant the following penalties and liabilities:

- 17 (a) First Offense: Administrative liability within six (6) months suspension.
18 (b) Second Offense: Administrative liability and criminal liability of dismissal
19 from service, perpetual disqualification from holding public office and
20 forfeiture of retirement benefits and imprisonment of one (1) year to six
21 (6) years with a fine of not less than Five hundred thousand pesos
22 (P500,000.00) but not more than Two million pesos (P2,000,000.00).

23 The liability of the public officer or employee or former public officer or
24 employee for the failure to comply with the provisions under this Act shall survive the
25 retirement of said public officer or employee.

26 *Sec. 9. Implementing Rules and Regulations (IRR).* – Within ninety (90) days
27 from the effectivity of this Act, the DOF, NEDA, DBM, and BSP, in consultation with
28 other relevant government agencies, shall promulgate the rules and regulations to
29 effectively implement the provisions of this Act.

30 *Sec. 10. Separability Clause.* – If any provision or part hereof is held invalid or
31 unconstitutional, the remainder of the law or the provision or part not otherwise
32 affected shall remain valid and subsisting.

1 Sec. 11. *Repealing Clause.* – Any law, presidential decree or issuance,
2 executive order, letter of instruction, administrative order, rule, or regulation contrary
3 to or inconsistent with the provisions of this Act are hereby repealed, modified, or
4 amended accordingly.

5 Sec. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its
6 complete publication either in the *Official Gazette* or in at least two (2) newspapers of
7 general circulation in the Philippines.

Approved,