

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



23 JUL 24 P1 :27

SENATE

S. No. 2344

RECEIVED BY: _____

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
ESTABLISHING A FRAMEWORK FOR CITIZENS PARTICIPATION IN
LEGISLATIVE POLICYMAKING THROUGH THE USE OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY PLATFORMS**

EXPLANATORY NOTE

The 1987 Constitution guarantees the right of the people to participate in the government's decision-making process and governance as stipulated in Section 16, Article XIII which states that, "The right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall, by law, facilitate the establishment of adequate consultation mechanisms."

Pieces of legislation that allow the public to participate in the legislative process were filed in the previous Congresses but, unfortunately, were not passed into law. During those years, the full breadth and capacity of information and communications technology (ICT) is still being explored and is not yet fully appreciated and utilized by the Congress. However, with the onset of the COVID-19 pandemic, the Congress intensified its usage of ICT to perform its mandate despite the implemented safety protocols and restrictions in movement and gathering. Through this, administrative functions were continued, committee hearings and plenary sessions were conducted virtually. The virtual platform also allowed more

resource persons to participate because they do not have to travel all the way to Metro Manila to physically attend the hearings.

At present, we continue to witness the evolution of ICT that enables us to reach and connect to more people from various parts of the world. This enormous capacity of ICT should be harnessed for the benefit of good governance and people participation.

The term “crowdsourcing” is defined as “the practice of obtaining needed services, ideas, or content by soliciting contributions from a large group of people and especially from the online community rather than from traditional employees or suppliers”.¹ In the field of public sector, crowdsourcing is considered as a “meeting-in-the-middle of top-down and bottom-up efforts to solve problems”.²

The “*Crowdsourcing in Legislative Policymaking Act*” provides for mechanisms that will ensure the convenient, accessible, and meaningful participation of the public in the legislative process. It seeks to broaden the reach of the Congress in considering the inputs, suggestions, recommendations, and objections of the people on a particular legislative proposal. Also, the bill will provide for channels that will help the lawmakers prioritize the issues and problems that needs to be address, solicit ways on how to solve them, and obtain feedback on the implemented solutions and policies.

In view of the foregoing, the immediate passage of this measure is highly recommended.


JINGGOY EJERCITO ESTRADA

¹ [Crowdsourcing Definition & Meaning - Merriam-Webster](#)

² [Explainer: What you need to know about crowdsourcing | Bloomberg Cities \(jhu.edu\)](#)

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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 “*Crowdsourcing in*
2 *Legislative Policymaking Act*”.

3 Sec. 2. *Declaration of Policy.* – It is declared the policy of the State to
4 harness various channels, particularly the available information and communication
5 technology platforms, to provide its citizens in all locations, from all fields of
6 expertise the means to participate and contribute in the formulation of pieces of
7 legislation.

8 Sec. 3. *Definition of Terms.* – As used in this Act:

9 (a) *Crowdsourcing* refers to the practice of engaging individuals or a group
10 towards a common goal, often at innovation, problem solving or efficiency
11 in the delivery of services. Powered by new technologies, social media
12 and the development of worldwide web 2.0, the individuals or groups are
13 able to contribute to the formulation, improvement, and creation of laws
14 that are beneficial to the nation;

1 (b) *Information and communications technology* refers to the totality of
2 electronic means to access, create, collect, store, process, receive,
3 transmit, present and disseminate information;

4 (c) *Online* refers to a location accessed, through a connection to or services
5 by a central computer network or telecommunication systems, such as the
6 internet, by citizens anywhere in the world as opposed to a physical
7 location, or the condition of being connected to a network of computers or
8 other devices;

9 (d) *Portal* refers to the homepages of the Senate of the Philippines and the
10 House of Representatives, including that of the Presidential Legislative
11 Liaison Office (PLLO) maintained by their respective Secretariats for
12 purposes of this Act;

13 (e) *Web 2.0* or the *Participative and Social Web* refers to the second
14 generation of the World Wide Web (www) characterized especially by the
15 change from static web pages to user generated content, ease of use,
16 interoperability for end users, and which encourages a participatory
17 culture as typified by social media users.

18 *Sec. 4. Crowdsourcing in the Senate and the House of Representatives. –*

19 This Act allows the citizens and the public at large to participate in the legislative
20 process through the internet or telecommunications platforms. The crowdsourcing
21 process shall be as follows:

22 (a) On First Reading – Upon the filing of a national measure, the
23 Secretariats of the Senate and the House of Representatives shall post
24 a copy of the measure in their respective websites and shall give the
25 public fifteen (15) working days, except for bills certified as urgent by
26 the President, to submit their comments upon referral of the measure
27 on First Reading. The comments from the public shall be part of the
28 inputs to the committee deliberations. A standing or special committee
29 may incorporate the comments submitted by the public and issue a
30 crowdsourcing feedback report online to inform the proponent of the
31 action taken by the standing or special committee.

1 (b) On Second Reading – Upon the submission of a committee report by
2 the concerned standing or special committee to the Committee on
3 Rules, the public is given three (3) working days to submit its
4 comments on the measure, except for bills certified as urgent by the
5 President, before the Committee on Rules includes the report in the
6 Calendar of Business.

7 (c) On Third Reading – After the measure is approved on Third Reading,
8 but before a Conference Committee is created, the public is given three
9 (3) working days to submit its comments and the concerned committee
10 shall review the same for consideration at the Conference Committee
11 level. Only comments germane to the measure approved on Third
12 Reading shall be considered.

13 *Sec. 5. Crowdsourcing through the Presidential Legislative Liaison Office*
14 *(PLLO).* – This Act allows all citizens and the public at large to participate in the
15 legislative process through the legislative liaison system via the internet or
16 telecommunication platforms. The homepage of the PLLO shall serve as the portal
17 for the department legislative liaison system for crowdsourcing purposes.

18 The PLLO website shall provide a platform through the internet where people
19 can start a campaign or petition to review, amend and repeal a law or create a bill,
20 the result of which may be transmitted to any member of both Houses for
21 appropriate action. The PLLO shall also provide for a crowdsourcing feedback report
22 online to inform the proponent of the action taken thereto.

23 *Sec. 6. Procedure of Registration.* – A citizen who would like a start a
24 campaign or petition to review, amend and repeal a law or create a bill, shall register
25 online, consistent with the provisions of Republic Act No. 10173, otherwise known as
26 the "Data Privacy Act of 2012" and other applicable laws.

27 *Sec. 7. Monitoring and Evaluation.* – There shall be a feedback mechanism to
28 guide the post-facto crowdsourcing exercise. This shall enable legislators to
29 understand public sentiments for improved grounding of their legislative duties and
30 to ensure that concerns raised by the public are acted upon by appropriate entities.
31 The concerned committees shall provide the result of feedback consultations to a
32 central secretariate of the Planning and Management Information Service of both

1 Houses of Congress and the Office of the President that will analyze the data for
2 emergent issues and concerns.

3 Sec. 8. *Sunset Review.* – Six (6) years from its enactment, Congress shall
4 review and recommend amendments to this Act to attune it to the developments in
5 technology, and to determine if the same can be implemented in provinces and
6 highly urbanized cities that have adopted telecommunications and information
7 technology convergence.

8 Sec. 9. *Implementing Rules and Regulations.* – Within sixty (60) days from
9 the effectivity of this Act, the Secretariate of both Houses of Congress and the PLLO
10 shall, in coordination with the Department of Information and Communications
11 Technology (DICT), National Economic and Development Authority (NEDA), and
12 concerned civil society organizations (CSOs), promulgate the necessary rules and
13 regulations for the effective implementation of this Act.

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

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

21 Sec. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its
22 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,