

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



19 OCT -3 P3:56

SENATE
S. No. 1102

RECEIVED

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.

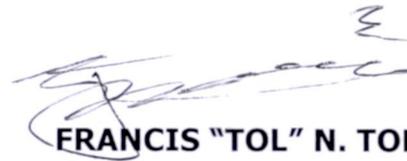
Article XII, section 2 of the 1987 Constitution provides that:

"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 even just within our jurisdiction, the Filipinos are always first in the choice of labor and supplier of goods. 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 House of Representatives of the Philippines in
Congress assembled:

1 Section 1. Short Title. – This Act shall be known as the "Gawang Pilipino, Para
2 sa Pilipino Act of 2019"

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

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

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1 Sec. 3. Within sixty (60) days from the promulgation of this Act, the necessary
2 rules and regulations for the proper implementation of its provisions shall be
3 formulated by the GPPB, jointly with the members of the Oversight Committee created
4 under Republic Act No. 9184 otherwise known as the Government Procurement
5 Reform Act.

6 Sec. 4. *Repealing Clause.* – All laws, decrees, orders, and issuances, or portions
7 thereof, which are inconsistent with the provisions of this Act, are hereby repealed,
8 amended or modified accordingly.

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

 Approved,