

[BATAS PAMBANSA BLG. 39, September 07, 1979]

AN ACT REGULATING THE ACTIVITIES AND REQUIRING THE REGISTRATION OF FOREIGN AGENTS IN THE PHILIPPINES.

Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. *Title*.—This Act shall be known as the "Foreign Agents Act of 1979".

SEC. 2. *Declaration of Policy*.—It shall be the purpose and policy of this Act for reasons of national security and interest to regulate the activities of foreign agents and to require them to register and to disclose their political activities in the Republic of the Philippines, so that the government and the people of the Philippines may be informed of their identity and may appraise their statements and actions.

SEC. 3. *Definition of Terms*.—For purposes of this Act—

1. "Person" refers to an individual, partnership, association, corporation or any other combination of individuals.
2. "Foreign principal" refers to the government of a foreign country or a foreign political party; a foreigner located within or outside the jurisdiction of the Republic of the Philippines; or a partnership, association, corporation, organization or other entity owned or controlled by foreigners.
3. "Foreign agent" refers to any person who acts or agrees to act as political consultant, public relations counsel, publicity agent, information representative, or as agent, servant, representative, or attorney for a foreign principal or for any domestic organization subsidized directly or indirectly in whole or in part by a foreign principal. The term "foreign agent" shall not include a duly accredited diplomatic or consular officer of a foreign country or officials of the United Nations and its agencies and of other international organizations recognized by the Republic of the Philippines while engaged in activities within the scope of their legitimate functions as such officers or a *bona fide* member or employee of a foreign press service or news organization while engaged in activities within the scope of his legitimate functions as such.
4. "Political activity" refers to political propaganda or any other activity which seeks in any reasonable degree to prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence any agency or official of the Philippine Government, or any section of the public within the Philippines with respect to the domestic or foreign policies of the Philippines, or with respect to the political or public interests, policies, or relations of a foreign government or a foreign political party.
5. "Political propaganda" refers to any oral, visual, graphic, written, pictorial, or other communication or expression :
 - (a) which seeks in any reasonable degree to prevail upon, indoctrinate, convert, induce, or in any other way influence a person or any section of the public within the Philippines with respect to the political or public interests, policies, or relations of a

foreign government or a foreign political party or with respect to the foreign policies of the Philippines; or

(b) which advocates, advises, instigates, or promotes social, political, or religious dissension, disorder, civil riot, or conflict involving the use of force, or the overthrow of the government of the Republic of the Philippines.

6. "Political consultant" refers to any person who engages in informing or advising any other person on the domestic or foreign policies of the Philippines or on the political or public interests, policies, or relations of a foreign government or of a foreign political party.
7. "Public relations counsel" refers to any person who engages directly or indirectly in informing, advising, or in any way representing a principal in any matter affected by the public policies or interests of a principal.
8. "Publicity agent" refers to any person who engages directly or indirectly in the dissemination and/or publication of information for and on behalf of a principal.
9. "Information representative" refers to any person who engages in collecting or gathering data and in disseminating and/or publishing the same for and on behalf of a principal.

SEC. 4. *Registration*.— (1) Every person who is now a foreign agent shall, within thirty days after this Act takes effect, and every person who shall hereafter become a foreign agent shall, within ten days thereafter, file with the Ministry of Justice a true and a complete registration statement, under oath, which shall set forth—

- a. The name, principal business address, and all other business and residence addresses in the Philippines or elsewhere, if any, of the registrant.
- b. The name of the foreign principal or other person/s or organization/s for which such person is acting as agent.
- c. A copy of the contract/s of employment, or in the absence thereof, a full statement of the terms and conditions, under which such person acts or agrees to act as agent.
- d. The date when such contract or each of such contracts was made, the date of commencement of activity thereunder and the period during which such contract or each of such contracts is to be in effect.
- e. The compensation to be paid, if any, and the form and manner of such compensation.
- f. The name of every foreign principal or other person, or organization which contributed or which has promised to contribute to the compensation provided for such contract.
- g. A detailed statement of every activity which the registrant is performing or is assuming or purporting or has agreed to perform for himself or any other person other than a foreign principal and which requires his registration.
- h. If the registrant be a partnership, association, or corporation, a true and complete copy of its charter, articles of incorporation, association, constitution, and by-laws and any other instruments relating to its organizations, powers and purposes.
- i. Such other statements, information or documents as the Ministry of Justice for purposes of this Act may from time to time require.