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Introduced by Senator Ralph G. Recto

**AN ACT
MANDATING THE ANNUAL PUBLIC DISCLOSURE OF ALL CONTINGENT
LIABILITIES INCURRED BY ALL NATIONAL GOVERNMENT AGENCIES, LOCAL
GOVERNMENT UNITS, GOVERNMENT-OWNED OR -CONTROLLED
CORPORATIONS, GOVERNMENT FINANCIAL INSTITUTIONS, AND OTHER
GOVERNMENT INSTRUMENTALITIES**

Explanatory Note

The Philippine Government is mandated by no less than the 1987 Constitution to recognize the role of the private sector in providing adequate social services, promoting full employment, raising the standard of living, and improving the quality of life for all Filipinos.

Encouraging the private sector to participate in the delivery of public services, however, is hampered by the country's market realities marked by stringent regulations, uncertain socio-economic and political environment, and market distortions caused by price control and subsidies.

To tap private sector capital and skills, the government was compelled to make public sector investments more profitable by providing incentives and assuming investment risks. As such, the conferment of government guarantees on public sector investment and borrowings became one of the prominent features of Republic Act No. 6957 as amended, otherwise known as the Build-Operate-Transfer (BOT) Law.

The benefits of government guarantees, however, come at a price. Studies conducted by the University of the Philippines School of Economics¹ showed that government risk management practices severely understate the level of exposure and risk arising from unfettered provision of guarantees. The Philippine Institute for Development Studies (PIDS)² and the Development Budget Coordinating Committee (DBCC)³ raised their concerns over the unexpected public sector obligations that could be brought about by government guarantees, especially on the delivery of public goods and services.

The Senate Economic Planning Office (SEPO)⁴ underscored the importance of effective identification, management, and reporting of contingent liabilities and off-budget risks of government-owned and -controlled corporations (GOCCs), since past fiscal crises in the Philippines were triggered by extra-budgetary activities. Considering the potential of government

¹ Reside, R. (1999). *Estimating the Philippine Government's Exposure to and Risk from Contingent Liabilities and Infrastructure Projects*. Quezon City: University of the Philippines School of Economics.

² Philippine Institute for Development Studies. (2005). *Contingent Liabilities: adding up to the fiscal burden*. Makati: Republic of the Philippines.

³ Development Budget Coordinating Committee. (2012). *2012 Fiscal Risk Statement*. Quezon City: Republic of the Philippines.

⁴ Senate Economic Planning Office. (2004) *Five Pillars of Growth: An Economic and Social Development Framework*. Pasay City: United Nations Development Programme.

Securities Disclosure Of Contingent Environmental Liabilities

Peter S. Menell



Securities Disclosure Of Contingent Environmental Liabilities:

Securities Disclosure of Contingent Environmental Liabilities Elizabeth Glass Geltman,1995 Environmental Regulation Through Financial Organisations:Comparative Perspectives on the Industrialised Nations Benjamin Richardson,2002-02-13 This book takes a comparative perspective of practice in the European Union North America Japan and Australasia arguing that existing legal reforms to promote sustainable development are unlikely to be successful unless environmental policy can be diffused and embedded in the financial services sector This sector plays a crucial role in creating the financial conditions that allow much economic development to proceed Financial markets are already highly regulated in pursuance of various public policy objectives and there is scope to adapt existing regulation to incorporate environmental aspects into the financial services sector In terms of specific reforms the book focuses on the role of corporate environmental reporting economic instruments and liability rules to provide a proper context for engaging financial organisations with the environment as well as reforms to the system of prudential regulation that currently governs this sector Beyond the focus on the financial services sector the book raises complex questions regarding the relationship between the state and market institutions in environmental policy and will appeal to scholars from a wide range of disciplines interested in problems of environmental governance Environmental Compliance Tools for Small Business United States. Congress. Senate. Committee on Small Business,1998 Environmental Law Peter S. Menell,2019-01-15 This title was first published in 2002 Since the importance of environmental governance was realised in the late 1960s and early 1970s this vibrant area of law has witnessed much change Assembling insightful essays from a number of key contributors Environmental Law takes stock of developments to date and outlines the challenges for the future Economics and Liability for Environmental Problems Kathleen Segerson,2018-01-12 This title was first published in 2002 This convenient reference brings together notable contributions examining all aspects of the liability for environmental accidents Articles included in the Part I of this volume examine the role of liability as a policy instrument and provide detailed examinations of the incentive effects created by the imposition of liability ie Bankruptcy litigation costs delegation of responsibility and insurance Those in Part II study specific environmental issues such as hazardous waste disposal and oil spills The International Library of Environmental Economics and Policy explores the influence of economics on the development of environmental and natural resource policy In a series of twenty five volumes the most significant journal essays in key areas of the contemporary environmental and resource policy are collected This convenient reference brings together the notable contributions examining all aspects of the liability for environmental accidents **Securities Regulation** Marc I. Steinberg,1984 This book provides you with the guidance you need to protect your clients confidential information while facing disclosure and liability concerns under the securities laws **Environmental Liability in Commercial Property Transactions** Alan Joel Robin,1994 *Financial Reporting of Environmental Liabilities and Risks after Sarbanes-Oxley* C. Gregory Rogers,2005-10-13 Financial Reporting of

Environmental Liabilities and Risks is a complete guide to developing the underlying business systems to successfully report environmental matters in audited financial statements and reports filed with the Securities Exchange Commission SEC It sets forth relevant reporting and internal control standards and discusses important issues affecting reporting entities accountants lawyers and environmental professionals Environmental disclosure SEC should explore ways to improve tracking and transparency of information : report to congressional requesters. , Annual Southern Federal Securities Institute ,1994

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