

CONGRESS OF THE PHILIPPINES
SENATE

**COMMITTEE ON ACCOUNTABILITY OF PUBLIC
OFFICERS AND INVESTIGATIONS (BLUE RIBBON)**

***RULES OF THE COMMITTEE ON ACCOUNTABILITY OF
PUBLIC OFFICERS AND INVESTIGATIONS (BLUE
RIBBON)
(19th Congress)***

By virtue of Section 21 of Article VI of the Constitution of the Philippines and pursuant to Rules X and XI of the Rules of the Senate, the following Rules are hereby adopted for the Blue Ribbon Committee.

ARTICLE I
JURISDICTION

SECTION 1. Jurisdiction. – The Committee, in aid of legislation, shall have jurisdiction over all legislative matters relating to, including



investigation of, malfeasance, misfeasance, and nonfeasance in office by officers and employees of the government, its branches, agencies, subdivisions and instrumentalities; implementation of the provision of the Constitution on nepotism; and investigation of any matter of public interest on its own initiative or brought to its attention by any member of the Senate.

SECTION 2. Jurisdictional Challenge. – If the jurisdiction of the Committee is challenged on any ground, the said issue must first be resolved by the Committee before proceeding with the inquiry.

If the Committee by a majority vote of its members present, there being a quorum, decides that its inquiry is pertinent or relevant to the implementation or reexamination of any law or appropriation or in connection with any pending or proposed legislation or will aid in the review or formulation of a new legislative policy or enactment, or extends to any and all matters vested by the Constitution in Congress or in the Senate alone, it shall overrule such objection and proceed with the investigation.

Only one challenge on the same ground shall be permitted.

The filing or pendency of any prosecution or criminal action shall not stop or abate any inquiry to carry out a legislative purpose.

ARTICLE 2
OFFICERS

SECTION 1. Officers. – The Committee shall have a Chairman chosen by the Senate and one or more Vice Chairmen designated by the Chairman.



The Chairman may also appoint a General Counsel.

The Director-General of the Blue Ribbon Oversight Office Management (BROOM) shall be the Committee's permanent Secretary and the Directors and staff of BROOM shall be the Committee's permanent Secretariat.

The Sergeant-At-Arms of the Senate shall be the ex officio Sergeant-At-Arms of the Committee.

SECTION 2. Duties. – (a) The Chairman shall be the Chief Executive Officer of the Committee and shall preside over all its meetings and hearings with all the powers and duties inherent in said office.

(b) The Vice Chairman or Vice Chairmen of the Committee shall have such powers and duties as the Chairman may specify or delegate.

(c) The General Counsel shall be the Legal Adviser of the Committee, exercise the powers and perform the duties specified in these rules and such other duties that the Chairman or the Committee may assign.

(d) The Secretary shall prepare the agenda of meetings and the calendar of meetings and hearings, record the minutes, have custody of and certify all the records of the Committee, and perform such functions and duties inherent in his office.

(e) The Sergeant-At-Arms shall be responsible for the security and maintenance of order during investigations and inquiries conducted by the Committee.

SECTION 3. Consultants. – The Chairman may engage the services of consultants to ~~assist~~ the Committee under such terms and conditions

and with such authority and duties as he may determine.

ARTICLE 3 COMMITTEE SEAL

SECTION 1. The Committee shall have a blue, gold, red and white seal which shall be oval in form with a torch at the middle of the red background and the Senate Seal centrally superimposed on the torch. Below the Seal is a golden balance. The year 1950 in Roman numerals, showing the Committee's inception, is inscribed on the golden torch just below the flames. Twenty-four gold stars representing the twenty-four senators are distributed around the oval. Each star is connected to the torch's flames by a line.

A blue ribbon with the inscription "SENATE BLUE RIBBON COMMITTEE" runs across the lower part of the oval. Along the blue oval margin above the blue ribbon are inscribed the words "COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS" in white. The Committee Motto, "VERITAS LIBERABIT VOS" meaning "THE TRUTH SHALL SET YOU FREE" in white is found in the oval margin below the blue ribbon.

SECTION 2. The Committee Seal shall be affixed to or placed on all official documents signed by the Chairman or emanating from the Committee.

The Committee Secretary shall have custody of the Committee Seal.

ARTICLE 4
MEETINGS

SECTION 1. Regular Meetings. – The Committee may hold regular meetings at least twice a month, on such days, place and time as may be determined by a majority of the Committee.

SECTION 2. Special Meetings. – Special meetings may be called by the Chairman or by one-third of the members of the Committee, but notice, including the agenda of the meeting, shall be given three days in advance to every member of the Committee.

SECTION 3. Quorum. – Two members of the Committee shall constitute a quorum to do business provided that the presence of ex officio members may be considered in determining the existence of a quorum.

ARTICLE 5
REPORTS

SECTION 1. Approval of Committee Reports. – All Committee Reports shall, before submission to the Senate, be discussed, decided and approved by the Committee members and must be signed by majority of all the members of the Committee. Any dissenting member may signify his dissent in writing.

SECTION 2. Subcommittee Reports. – Reports of Subcommittee



shall be submitted to the Committee as a whole for discussion, decision and approval, before their submission to the Senate.

SECTION 3. Reports on Bills and Resolutions. – Reports on Bills and Resolutions referred to the Committee shall, as far as practicable, be completed and approved within thirty days from such referral.

Where evidence of malfeasance, misfeasance and nonfeasance is uncovered in the course of the Committee's investigation, the matter may be referred to the Ombudsman or the Department of Justice or any appropriate investigative agency as the case may be.

SECTION 4. UNFINISHED BUSINESS. – All pending matters and proceedings of the Committee in the immediate past Congress may be refiled and be taken up by the Committee in the succeeding Congress. Provided, That, The deliberations and documents submitted during the pending proceedings may be adopted by the committee in the present Congress upon approval of a majority of the members present provided there is a quorum.

ARTICLE 6
INVESTIGATIONS

SECTION 1. Initiation of Investigations. – The Committee shall initiate an inquiry on any matter referred to it by the Senate or the President, or on its own initiative on any matter affecting the public interest. A decision to conduct an inquiry on a matter referred to the Committee by the Senate or the President shall be vested on the Chairman. If he refuses to conduct an inquiry, five members may petition in writing for the inquiry to proceed. The decision of the Committee whether or not to conduct an inquiry shall be reported to the Committee on Rules.



The rights of persons appearing in or affected by such inquiries shall be respected.

SECTION 2. Quorum at Hearings. – Two members of the Committee shall constitute a quorum for the purpose of conducting hearings and acting on motions and other incidents related thereto.

SECTION 3. Executive Sessions. – Whenever, in the opinion of the Chairman, the security of the State or the public interest so requires, the testimony of any witness called to appear before the Committee may be taken in executive session.

SECTION 4. Subpoena Ad Testificandum and Duces Tecum. – (a) The Committee may issue a subpoena requiring a witness to attend and to testify at its inquiries or for the taking of his deposition and, whenever required, to bring with him any books, documents or other things under his control.

(b) The subpoena, under the seal of the Committee, shall be signed by the Chairman, or in his absence by any of the Vice Chairmen and approved by the President.

(c) The subpoena, which shall state at the title thereof the subject matter under inquiry, shall be directed to the witness whose attendance is required and in case of a subpoena duces tecum, shall contain a reasonable description of the books, documents or things demanded to be produced.

(d) The subpoena shall be served through the Sergeant-At-Arms of the Senate, who shall exhibit the original and deliver a copy thereof to the person named therein.

SECTION 5. Examination of Witnesses. – (a) Whenever possible, witnesses shall be required to file, at least three days before the scheduled hearing, written statements of their proposed testimonies which shall be subscribed and sworn to before the Committee General Counsel or in his absence, the Committee Secretary, to whom the documents shall be submitted.

(b) The General Counsel or in his absence the Committee Secretary shall administer the oath to all witnesses before they are allowed to testify before the Committee.

In the absence of both the General Counsel and the Secretary, the Service Chief of the Investigation or the Service Chief of the Assessment and Monitoring divisions of BROOM may administer the oath.

(c) A witness, may present, for a ruling by the Presiding Officer, objection on constitutional grounds to questions propounded to him or to the production of documents or things required by a subpoena duces tecum.

No person can refuse to testify or be placed under oath or affirmation or answer questions before an incriminatory question is asked. His invocation of such right does not by itself excuse him from his duty to give testimony. In such case, the Committee by a majority vote of the members present, there being a quorum, shall determine whether the right has been properly invoked.

If the Committee decides otherwise, it shall resume its investigation and question or questions previously refused to be answered shall be repeated to the witness.

(d) At every hearing, public or in an executive session, the witness shall be accorded the right of having a counsel of his own choice. The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine

his activity to the area of legal advice to his client.

(e) A witness and his counsel shall not have the right to examine or cross-examine any witness before the Committee or Subcommittee but may ask leave to submit to the Presiding Officer proposed questions which the latter may propound if, in his opinion, the same are necessary for clarificatory purposes.

SECTION 6. Contempt. – (a) The Chairman, with the concurrence of at least one (1) member of the Committee, may punish or cite in contempt any witness before the Committee who disobeys any order of the Committee or refuses to be sworn or to testify or to answer a proper question by the Committee or any of its members, or testifying, testifies falsely or evasively, or who unduly refuses to appear or bring before the Committee certain documents and/or object evidence required by the Committee notwithstanding the issuance of the appropriate subpoena therefor. A majority of all the members of the Committee may, however, reverse or modify the aforesaid order of contempt within seven (7) days.

A contempt of the Committee shall be deemed a contempt of the Senate. Such witness may be ordered by the Committee to be detained in such place as provided for in Section 6 (c) hereof under the custody of the Sergeant-At-Arms until he agrees to produce the required documents, or to be sworn or to testify, or otherwise purge himself of that contempt.

(b) A report of the detention of any person for contempt shall be submitted by the Sergeant-At-Arms to the Committee and the Senate.

(c) *A witness cited in contempt may be ordered to be detained in such place as may be designated by the Committee alone or with*

the concurrence of the Senate President by either a:

(i) Detention Order – wherein the witness cited in contempt shall be ordered to be detained at the Office of the Sergeant-At-Arms (OSAA). The Order shall be effected by the Chairman with the concurrence of at least one (1) member of the Committee.

The Order may be lifted by the Chairman.

(ii) Commitment Order – wherein the witness cited in contempt refuses to produce the documents required of him or her, or to be sworn to or to testify, or maliciously evades or misleads the Committee, or otherwise purge himself or herself of that contempt, may be ordered to be committed to any jail or prison facility upon the recommendation of the Committee through the Chairman and with the concurrence of the Senate President.

The Order may be lifted by the Chairman with the concurrence of the Senate President.



**ARTICLE 7
DOCUMENTS**

SECTION 1. Control of Confidential Documents. - No document of a confidential nature shall be copied, withdrawn or taken from the office of the Secretary of the Committee or any Subcommittee without the permission of the Chairman.

**ARTICLE 8
SUPPLEMENTARY RULES**

SECTION 1. Applicability. - If there is no rule applicable to a specific case, the Rules of the Senate and the Rules of Procedure Governing Inquiries in Aid of Legislation shall have suppletory application.


**ARTICLE 9
AMENDMENTS AND EFFECTIVITY**


SECTION 1. Amendments. - These Rules may be amended by a motion filed at least one day before its consideration and approved by a majority of the members of the Committee.

SECTION 2. Effectivity. - These Rules shall take effect on the date of their adoption and shall remain in force until amended or repealed.

Adopted,

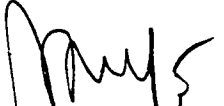
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SEN. E. TOLENTINO


Sen. Kokoy Pimentel


SEN. LOREN LEGARDA



Sen. Robin Padilla


SEN. RAFFY TULFO


SEN. BONG REVILLA


SEN. J.V. EJERCITO

SEN. SONNY ANGARA

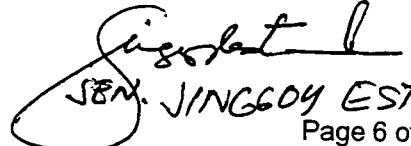

SEN. MARK VILLAR

SEN. BATO DELA ROSA


SEN. JOEL VILLANUEVA


Sen. Alan Peter Cayetano


SEN. GRACE POE


SEN. JINGGOY ESTRADA


SEN. CHRISTOPHER "BONG" GO