

THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

SENATE
OFFICE OF THE SECRETARY

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SENATE

S. No. 363

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

The Office of the Ombudsman is an independent constitutional body created to be the "champions and protectors of the citizen." For this purpose, it is authorized to entertain complaints and take all necessary actions thereon, except to file the corresponding complaint, which is the job of the Tanodbayan.

The Ombudsman is vested with broad powers to deter public officials and employees from committing abuse, graft and corruption. Concomitant to its powers of investigation, it can direct any public official or employee of the government including government owned or controlled corporations to explore and expedite any act to stop and correct any abuse or impropriety in the performance of public duties.

The Ombudsman has its main office in Manila, and its regional offices in large cities like Cebu and Davao. To this day, the people in the provinces continue to have to travel to the regional centers at great expense in terms of effort, time and money to air their complaints.

This bill seeks to bring justice within closer access to the people by requiring the Ombudsman to designate deputies in every province where they can hear and attend to the people's complaints without so much expense on the part of the citizens.

This measure will be an eloquent demonstration of the government's sincerity in putting an end to the graft and corruption and its debilitating effects on the economic life of the nation.

In view of the foregoing, early passage of this bill is earnestly urged.

S. R. Osmeña III

SERGIO OSMEÑA III
Senator

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AN ACT
AMENDING SECTION 31 OF REPUBLIC ACT NO. 6770 ENTITLED "AN ACT
FOR THE FUNCTIONAL AND STRUCTURAL ORGANIZATION OF THE
OFFICE OF THE OMBUDSMAN, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

SECTION 1. Section 31 of Republic Act No. 6770 is hereby amended to
read as follows:

"Sec 31. **ESTABLISHMENT OF PROVINCIAL OFFICERS;**
Designation of PROVINCIAL DEPUTIES, Investigators and Prosecutors. -
The Ombudsman SHALL ESTABLISH AN OFFICE IN EVERY PROVINCE
AND FOR THIS PURPOSE may utilize [the] ANY QUALIFIED personnel of
his office and/or designate or deputize any fiscal, ASSISTANT FISCAL,
state prosecutor or lawyer in the government service to RECEIVE SUCH
COMPLAINTS PURSUANT TO THE PROVISIONS OF THIS ACT,
CONDUCT PRELIMINARY INVESTIGATION THEREON AND/OR act as
special investigator or prosecutor to assist in the investigation and
prosecution of certain cases. Those designated or deputized to assist him
as herein provided shall be under his supervision and control.

The Ombudsman and/or his PROVINCIAL DEPUTY, investigators
and prosecutors, whether regular members of his staff or designated by
him as herein provided, shall have authority to administer oaths, to issue
subpoena and *subpoena duces tecum*, to summon and compel witnesses

1 to appear and testify under oath before them and/or bring books,
2 documents and other things under their control, and to secure the
3 attendance or presence of any absent or recalcitrant witnesses through
4 application before the Sandiganbayan or before any inferior or superior
5 court having jurisdiction of the place where the witnesses or evidence is
6 found.”

7 SECTION 2. **Repealing Clause** - All laws, executive orders, resolutions,
8 ordinances, and any rules and regulation which may be inconsistent with the
9 provisions of this Act are hereby deemed repealed, amended or modified
10 accordingly.

11 SECTION 3 **Effectivity Clause** - This Act shall take upon its approval.

Approved,