

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



Senate  
Office of the Secretary

73 JUL -4 AIO 34

SENATE

RECEIVED BY: 

S.B. NO. 472

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Introduced by Senator TEOFISTO "TG" GUINGONA III

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#### EXPLANATORY NOTE

The efficacy of our anti-corruption laws, as well as the deterrence intended through its enforcement cannot be overemphasized. Unfortunately, this is often lost in the length of proceedings that a case normally takes. Because of this, even high-profile cases involving senior public officials and huge amounts of money oftentimes become buried and lost in the memory of our citizens. The need to extract accountability in a timely and relevant manner thus suffers.

Findings from a study jointly sponsored by the Supreme Court and the World Bank entitled "Philippines: Formulation of Case Decongestion and Delay Reduction Strategy Project-Phase I, reveal that on an average, each justice has a workload of 441 cases. Since Sandiganbayan justices work in divisions, each division effectively handles more than 1,000 cases per year. Because of this large number of cases vis-à-vis the number of Sandiganbayan Divisions (only five), in many instances, around only four (4) to five (5) hearings for every case (assuming that there are no postponements) are conducted annually, with an alarming average of three to four months interval between each scheduled hearing. As a consequence, the average time for disposition of cases (from filing to decision) is almost seven (7) years.

This bill seeks to increase the number of Associate Justices in the Sandiganbayan and to allow this Court, despite the retention of decision-making by division, to assign a single justice to hear and receive evidence. It is hoped that these measures would allow for the continuous trial of more cases and to expedite the resolution of the same.

It is essential for the Sandiganbayan to conduct expeditious trials and speedy disposition of cases to impress upon the public its degree of responsibility, integrity, and accountability at all times. Increasing its capacity and rationalizing its procedures will make this court more capable in performing its principal function of eliminating grant and corruption in the government services.

The immediate enactment of this measure is earnestly requested.

  
TEOFISTO "TG" GUINGONA III  
Senator



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Introduced by Senator TEOFISTO "TG" GUINGONA III

**AN ACT STREAMLINING THE JURISDICTION OF THE SANDIGANBAYAN AND INCREASING THE NUMBER OF SANDIGANBAYAN ASSOCIATE JUSTICES AND DIVISIONS AND, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREEE NO. 1606, AS AMENDED BY REPUBLIC ACT NO. 7975 AND REPUBLIC ACT 8294, AND FOR OTHER PURPOSES**

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

1 SECTION 1. Section 1, first paragraph, of the same decree is hereby further amended to read  
2 as follows:

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“Section 1. Sandiganbayan; Composition; Qualifications; Tenure; Removal and Compensation- A special court, of the same level as the Court of appeals and possessing all the inherent powers of a court of justice, to be known as the Sandiganbayan is hereby created composed of a presiding justice and [fourteen] **FORTY FOUR (44)** associate justices who shall be appointed by the President.”

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SECTION 2. The first paragraph of Section 3 of the same decree is hereby further amended to read as follows:

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“Section 3. Divisions of the Court; Quorum- The Sandiganbayan shall sit in **FIFTEEN (15)** divisions of three justices each. The **FIFTEEN (15)** divisions may sit at the same time.

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The first **SEVEN (7)** divisions shall be stationed in the Metro Manila area, **FOUR** divisions shall be **STATIONED** in **ONE OR MORE CITIES IN THE VISAYAS** for cases coming from the Visayas region, and **ANOTHER FOUR DIVISIONS** shall be **STATIONED IN ONE OR MORE CITIES IN MINDANAO** for cases coming from the Mindanao region

1 SECTION 3. Section 5 of the same decree is hereby further amended to read as follows:  
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3 Section 5. *Proceedings, how conducted; votes required.* **FOR ALL CASES,**  
4 **THE SANDIGANBAYAN SHALL DESIGNATE A JUSTICE TO**  
5 **HEAR THE CASE AND RECEIVE THE EVIDENCE. HOWEVER,** the  
6 unanimous vote of the three justices in a division shall **STILL BE** necessary  
7 for the pronouncement of a judgment. In the event that the three justices do  
8 not reach a unanimous vote, the Presiding Judge shall designate two other  
9 justices from among the members of the Court to sit temporarily with them,  
10 forming a division of five justices, and the concurrence of a majority of such  
11 division shall be necessary for rendering judgment.  
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14 SECTION 4. **URGENCY. RECOGNIZING THE CRITICAL NATURE OF**  
15 **INCREASING THE DIVISIONS IN THE SANDIGANBAYAN AS AN**  
16 **INDISPENSABLE PART OF THE EFFORTS AGAINST GRAFT AND**  
17 **CORRUPTION, THE FUNDS FOR THE FIRST FIFTEEN (15) POSITIONS OF**  
18 **THE ADDITIONAL THIRTY POSITIONS FOR ASSOCIATE JUSTICES SHALL**  
19 **BE RELEASED AND THE POSITIONS CREATED WITHIN THIRTY DAYS FROM**  
20 **EFFECTIVITY OF THIS ACT, WHILE THE JUDICIAL AND BAR COUNCIL**  
21 **SHALL, IN THE MEANTIME, IMMEDIATELY COMMENCE THE PROCESS OF**  
22 **NOMINATION AND SELECTION OF THE NAMES TO BE SUBMITTED TO THE**  
23 **PRESIDENT FOR APPOINTMENT. AS FOR THE REST OF THE FIFTEEN**  
24 **POSITIONS FOR ASSOCIATE JUSTICES, THE SAME SHALL BE CREATED**  
25 **AND THE FUNDS THEREFOR RELEASED WITHIN NINETY DAYS FROM**  
26 **EFFECTIVITY OF THIS ACT. THE PRESIDENT SHALL MAKE**  
27 **APPOINTMENTS TO SAID POSITIONS WITHIN THE PERIOD SET BY THE**  
28 **CONSTITUTION.**  
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31 SECTION 5. Separability Clause. – If any provision of this Act is declared unconstitutional,  
32 the same shall not affect the validity and effectivity of the other provisions hereof.  
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35 SECTION 6. Repealing Clause. – All laws, decrees, orders, and issuances or portions thereof,  
36 which are inconsistent with the provisions of this Act, are hereby repealed, amended or  
37 modified accordingly.  
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40 SECTION 7. Effectivity. – This Act shall take effect fifteen (15) days following its  
41 publication in at least two (2) national newspapers of general circulation.

Approved,