

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



Senate  
Office of the Secretary

13 JUL 23 P4:50

SENATE  
S.B. NO. 1086

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Introduced by **Senator TEOFISTO "TG" GUINGONA III**

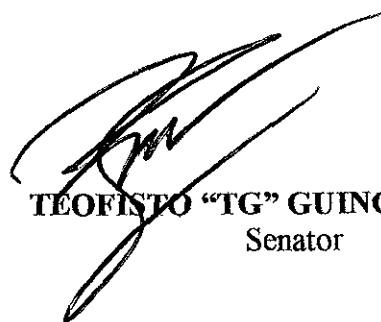
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#### EXPLANATORY NOTE

This bill seeks to amend Section 9 of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act, by increasing the penalties of the unlawful acts or omissions enumerated under Sections 3, 4, 5 and 6. The reason for the increase of penalty for said offenses is to ensure that the penalties imposed by law are commensurate with the crime committed. This bill also seeks to increase the prescriptive period of offenses under Republic Act No. 3019. Furthermore, this bill seeks to ensure that the right of the State to recover properties acquired through the commission of the acts enumerated under Republic Act No. 3019 shall not be barred by prescription, laches or estoppel.

This bill is a product of the public hearings conducted by the Committee on Accountability of Public Officers & Investigations (Blue Ribbon) on the Philippine National Police (PNP) Helicopters Deal during the Fifteenth Congress.

In view of the foregoing, the immediate enactment of this measure is earnestly sought.



**TEOFISTO "TG" GUINGONA III**  
Senator

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**AN ACT AMENDING REPUBLIC ACT NO. 3019, OTHERWISE KNOWN AS THE  
ANTI-GRAFT AND CORRUPT PRACTICES ACT**

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

**SECTION 1.** Section 9 (a) of Republic Act No. 3019, as amended, otherwise known as the Anti-Graft and Corrupt Practices Act is hereby further amended to read as follows:

SEC. 9. Penalties for violations. — (a) any public officer or private person committing any of the unlawful acts or omissions enumerated in Sections 3, 4, 5 and 6 of this Act shall be punished with imprisonment of not less than TWELVE YEARS AND ONE DAY [six years and one month] nor more than TWENTY YEARS [fifteen years], perpetual disqualification from public office, and confiscation or forfeiture in favor of the Government of any prohibited interest and unexplained wealth manifestly out of proportion to his salary and other lawful income.

Any complaining party at whose complaint the criminal prosecution was initiated shall, in case of conviction of the accused, be entitled to recover in the criminal action with priority over the forfeiture of the Government, the amount of money or the thing he may have given to the accused, or the fair value of such thing.

**SECTION 2.** Section 11 of Republic Act No. 3019, as amended, otherwise known as the Anti-Graft and Corrupt Practices Act is hereby further amended to read as follows:

Sec. 11. Prescription of offenses. – All offenses punishable under this Act, shall prescribe in TWENTY YEARS [fifteen years]. HOWEVER, THE RIGHT OF THE STATE TO RECOVER PROPERTIES UNLAWFULLY ACQUIRED BY PUBLIC OFFICER FROM THEM OR FROM THEIR NOMINEES OR TRANSFEREES SHALL NOT BE BARRED BY PRESCRIPTION, LACHES OR ESTOPPEL.

**SECTION 3. *Separability Clause.*** – If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

**SECTION 4 *Repealing Clause.*** – All laws, decrees, orders, and issuances or portions thereof, which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified accordingly.

**SECTION 5. *Effectivity.*** – This Act shall take effect fifteen (15) days following its publication in at least two (2) national newspapers of general circulation.

Approved,