

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



Senate
Office of the Secretary

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SENATE

Senate Bill No. 2033

RECEIVED BY: *ji*

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Graft and corruption is one of the most pervasive problems in the country today. Cases show that persons, particularly government officials, who may be held liable for graft or corruption under Republic Act 3019 (otherwise known Anti-Graft and Corrupt Practices Act) commit the same during the time of their incumbency or at a time when they still have "strong connections" in government. Usually, concerned citizens or the proper government agency only muster the courage to file a case or discover such irregularity after a change in government administration. Prior to the filing of a case, in-depth investigations or evidence gathering are required to build an airtight case. However, by the time a case is about to be initiated against such erring government official, the crime is about to prescribe.

Section 11 of R.A. 3019 provides that offenses punishable under said law shall prescribed in fifteen (15) years. This bill seeks to amend this provision by increasing the prescriptive period to thirty (30). With the passage of this bill, it is hoped that government scalawags would not be able to exculpate from their criminal liability just because of a technicality, i.e. *prescription of the offense*.

In the light of the foregoing considerations, immediate passage of this bill is urgently requested.


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT
AMENDING SECTION 11 OF REPUBLIC ACT NUMBERED 3019,
OTHERWISE KNOWN AS THE "ANTI-GRAFT AND CORRUPT PRACTICES
ACT", BY INCREASING THE PRESCRIPTIVE PERIOD FOR ITS VIOLATION
FROM FIFTEEN (15) YEARS TO THIRTY (30) YEARS AND FOR OTHER
PURPOSES

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

SECTION 1. Section 11 Republic Act No. 3019 (otherwise known as the
Anti-Graft and Corrupt Practices Act), is hereby amended to read as follows:

"Sec. 11. Prescription of offenses – All offenses punishable
under this Act under prescribe in [fifteen] THIRTY YEARS".

SEC 2. *Repealing Clause.* All laws, decrees, ordinances, rules and
regulations, executive or administrative orders, and other presidential issuance
inconsistent with this Act, are hereby repealed, amended or modified.

SEC 3. *Effectivity.* This Act shall take effect after fifteen (15) days
following its publication in at least two (2) newspapers of general circulation.

Approved,