

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



'22 DEC -5 P1:13

SENATE

S. No. 1579

RECEIVED BY:

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
AMENDING SECTION 6 OF REPUBLIC ACT NO. 1379, OTHERWISE KNOWN
AS "AN ACT DECLARING FORFEITURE IN FAVOR OF THE STATE ANY
PROPERTY FOUND TO HAVE BEEN UNLAWFULLY ACQUIRED BY ANY PUBLIC
OFFICER OR EMPLOYEE AND PROVIDING FOR THE PROCEEDINGS
THEREFOR" AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Section 27, Article II of the 1987 Constitution provides that "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption." At the forefront of this mandate is the Office of the Ombudsman, as the prime anti-corruption agency. However, it is challenged due to scarce financial and human resources. The inability to fast-track corruption cases remains detrimental to the government's operations. There is a global crisis of corruption that needs to be addressed.

This measure aims to provide support to the Office of the Ombudsman in fulfilling its mandate by providing additional resources through the grant of a share in any property forfeited in favor of the State under Republic Act 1379, or the "*Forfeiture Law*."

In view of strengthening the Ombudsman in its fight against corruption, the passage of this measure is earnestly sought.

RAMON BONG REVILLA, JR.

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

1 Section 1. Section 6 of Republic Act No. 1379 is hereby amended to read as
2 follows:

3 "Section 6. Judgment. If the respondent is unable to show to the satisfaction
4 of the court that he has lawfully acquired the property in question, then the court shall
5 declare such property, forfeited in favor of the State, and by virtue of such judgment
6 the property aforesaid shall become property of the State: *Provided*, That **THIRTY**
7 **PERCENT (30%) OF THE VALUE OF SUCH PROPERTY FORFEITED IN A FINAL**
8 **AND EXECUTORY ORDER OF THE COURT SHALL BE EARMARKED AS**
9 **ADDITIONAL FUNDING IN FAVOR OF THE OFFICE OF THE OMBUDSMAN:**
10 ***PROVIDED, FURTHER, THAT IF THE PROPERTY IS NOT IN CASH, THE***
11 **PROPERTY SHALL BE SOLD AT A PUBLIC AUCTION AND THE PROCEEDS**
12 **THEREOF, AFTER DEDUCTING THE THIRTY PERCENT (30%) SHARE OF THE**
13 **OFFICE OF THE OMBUDSMAN AS PROVIDED HEREIN, SHALL ACCRUE TO**
14 **THE GENERAL FUND.** No judgment shall be rendered within six months before any
15 general election or within three months before any special election. The Court may, in

1 addition, refer this case to the corresponding Executive Department for administrative
2 or criminal action, or both."

3 *Sec. 2. Implementing Rules and Regulations (IRR).* - Within sixty (60) days
4 from the effectivity of this Act, the Office of the Ombudsman, in consultation with
5 relevant stakeholders and other concerned government agencies, shall issue the IRR
6 for the effective implementation of this Act.

7 *Sec. 3. Separability Clause.* - If any provision or part hereof is held invalid or
8 unconstitutional, the remainder of the law or the provision or part not otherwise
9 affected shall remain in full force and effect.

10 *Sec. 4. Repealing Clause.* - Any law, presidential decree or issuance, executive
11 order, letter of instruction, administrative order, rule, or regulation contrary to or
12 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
13 accordingly.

14 *Sec. 5. Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
15 publication in the *Official Gazette* or in at least two (2) newspapers of general
16 circulation in the Philippines.

Approved,