

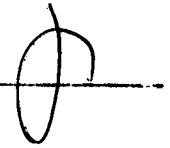
NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

24 FEB -7 P3 :35

SENATE

RECEIVED BY: _____

S. No. 2542



Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
FURTHER AMENDING PRESIDENTIAL DECREE NO. 1606, AS AMENDED BY
R.A. NO. 7975, R.A. NO. 8249, AND R.A. NO. 10660, ESTABLISHING
TERRITORIAL JURISDICTION OF REGIONAL TRIAL COURTS ON CASES
INVOLVING CORRUPT PRACTICES AND ACTS COMMITTED BY PUBLIC
OFFICIALS

EXPLANATORY NOTE

For cases involving corrupt practices and acts supposedly committed by public officials, Presidential Decree No. 1606, as amended, provides that Regional Trial Courts (RTCs) shall have exclusive original jurisdiction where the information: (a) does not allege any damage to the government or any bribery; or (b) alleges damage to the government or bribery arising from the same or closely related transactions or acts in an amount not exceeding one million pesos (P 1,000,000). More particularly, the same PD, as amended, mandates that the aforementioned cases shall be tried in a judicial region other than where the official holds office.

The administration of justice is always scaled between considerations of efficiency and effectiveness as well as the need to ensure that the court personnel and processes are not unduly influenced by respondent public officials, especially in such cases cognizable by the RTCs. However, since its institution in 2015, the justification that such RTC cases be heard in a place other than where the respondent public official holds office had proven illusory. More to the point, there is little evidence to show that the integrity of court officials and court processes will be compromised

simply because the venue of said cases remains in the place where the respondent public official holds office.

On the other hand, conducting trials outside the place where the crime was committed present avoidable challenges for the officials tasked with the administration of justice. Evidence and witnesses will have to be transported at extended distance; reducing the efficiency and the availability of the same.

This bill thus seeks to reaffirm our trust in the judiciary, its officials and employees, as well as its processes; and realigns PD 1606, as amended, with other laws respecting the venue of the cases that may involve public officials and employees (i.e. libel and cyber-libel). The Supreme Court is further empowered to promulgate rules and mechanisms to ensure that the integrity, independence, and physical safety of the members of the judiciary and their staff are protected.

Once enacted and pursuant to a more efficient administration of justice, this measure shall provide that such RTC-cognizable cases be heard in the city or municipality where the respondent public official holds office.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


MANUEL "LITO" M. LAPID
Senator 

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6 **OFFICIALS**

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

7 SECTION 1. Section 4 of Presidential Decree No. 1606, as amended, is hereby
8 further amended to read as follows:

9 "SEC. 4. Jurisdiction. – The Sandiganbayan shall exercise exclusive
10 original jurisdiction in all cases involving:

11 "a. Violations of Republic Act No. 3019, as amended, otherwise known
12 as the Anti-Graft and Corrupt Practices Act, Republic Act No. 1379, and
13 Chapter II, Section 2, Title VII, Book II of the Revised Penal Code,
14 where one or more of the accused are officials occupying the following
15 positions in the government, whether in a permanent, acting or interim
16 capacity, at the time of the commission of the offense:

17 "(1) Officials of the executive branch occupying the positions of
18 regional director and higher, otherwise classified as Grade '27'
19 and higher, of the Compensation and Position Classification Act
20 of 1989 (Republic Act No. 6758), specifically including:

1 "(a) Provincial governors, vice-governors, members of the
2 Sangguniang panlalawigan, and provincial treasurers,
3 assessors, engineers, and other provincial department
4 heads:

5 "(b) City mayors, vice-mayors, members of the
6 sangguniang panlungsod, city treasurers, assessors,
7 engineers, and other city department heads;

8 "(c) Officials of the diplomatic service occupying the
9 position of consul and higher;

10 "(d) Philippine army and air force colonels, naval captains,
11 and all officers of higher rank;

12 "(e) Officers of the Philippine National Police while
13 occupying the position of provincial director and those
14 holding the rank of senior superintendent and higher;

15 "(f) City and provincial prosecutors and their assistants,
16 and officials and prosecutors in the Office of the
17 Ombudsman and special prosecutor;

18 "(g) Presidents, directors or trustees, or managers of
19 government-owned or controlled corporations, state
20 universities or educational institutions or foundations.

21 "(2) Members of Congress and officials thereof classified as
22 Grade '27' and higher under the Compensation and Position
23 Classification Act of 1989;

24 "(3) Members of the judiciary without prejudice to the provisions
25 of the Constitution;

26 "(4) Chairmen and members of the Constitutional Commissions,
27 without prejudice to the provisions of the Constitution; and

1 "(5) All other national and local officials classified as Grade '27'
2 and higher under the Compensation and Position Classification
3 Act of 1989.

4 "b. Other offenses or felonies whether simple or complexed with other
5 crimes committed by the public officials and employees mentioned in
6 subsection a. of this section in relation to their office.

7 "c. Civil and criminal cases filed pursuant to and in connection with
8 Executive Order Nos. 1, 2, 14 and 14-A, issued in 1986.

9 "Provided, That the Regional Trial Court shall have exclusive original
10 jurisdiction where the information:

11 (a) does not allege any damage to the government or any bribery; or
12 (b) alleges damage to the government or bribery arising from the same
13 or closely related transactions or acts in an amount not exceeding One
14 million pesos (P1,000,000.00).

15 "[Subject to the rules promulgated by the Supreme Court, t]The cases
16 falling under the jurisdiction of the Regional Trial Court under this
17 section shall be tried in [a judicial region other than] **THE CITY OR**
18 **MUNICIPALITY** where the official holds office. **THE SUPREME**
19 **COURT SHALL PROVIDE FOR RULES AND/OR MECHANISMS**
20 **THAT SHALL UPHOLD THE INTEGRITY AND INDEPENDENCE OF**
21 **THE COURTS AND PROTECT MEMBERS OF THE JUDICIARY AND**
22 **OTHER COURT OFFICIALS.**

23 "In cases where none of the accused are occupying positions
24 corresponding to Salary Grade '27' or higher, as prescribed in the said
25 Republic Act No. 6758, or military and PNP officers mentioned above,
26 exclusive original jurisdiction thereof shall be vested in the proper
27 regional trial court, metropolitan trial court, municipal trial court, and
28 municipal circuit trial court, as the case may be, pursuant to their

