

FOURTEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
First Regular Session }

8 MAR 15 1911

SENATE
P.S. Res. 321

RECEIVED BY

Introduced by **Senator Richard J. Gordon**

RESOLUTION
URGING THE SENATE TO AMEND ITS RULES OF PROCEDURE GOVERNING
INQUIRIES IN AID OF LEGISLATION, TO PROVIDE RULES ON DEPOSITION
AUTHORITY AND THE PRIOR SUBMISSION OF SWORN STATEMENTS BY
WITNESSES IN ORDER TO EXPEDITE INQUIRIES IN AID OF LEGISLATION

WHEREAS, Article VI Section 16 (3) of the Constitution provides that each House of the Legislative Department of government may determine the rules of its proceedings;

WHEREAS, the Senate has adopted the Rules of the Senate in consonance with the foregoing constitutional provision;

WHEREAS, the Senate has further adopted its Rules of Procedure Governing Inquiries in Aid of Legislation;

WHEREAS, Section 12 of the Senate Rules of Procedure Governing Inquiries in Aid of Legislation provides that a witness called before the Senate or any of its Committees shall testify under oath or affirmation;

WHEREAS, Section 16 of the Senate Rules of Procedure Governing Inquiries in Aid of Legislation also provides that any witness desiring to make a prepared or written statement for the record may file a copy of his or her statement with the appropriate committee secretary not less than twenty-four hours in advance of the hearing;

WHEREAS, considering the language of Section 16, the submission of a sworn statement in advance of the hearing is merely discretionary, not mandatory, on the part of the witness;

WHEREAS, prior notice as to the identity of the witness, his or her area of expertise, and the nature and contents of his or her testimony will facilitate efficiency and immediacy of inquiries in aid of legislation;

WHEREAS, the Rules of Court adopted by the Supreme Court provide for the taking of depositions of witnesses, the evident purpose of which is to enable the parties to a court case to obtain the fullest possible knowledge of the issues and facts before the commencement of civil trials and to prevent the said trial from being carried on in the dark;

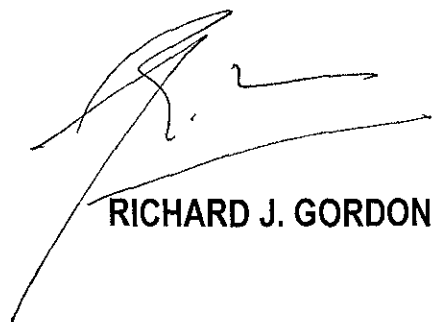
WHEREAS, through depositions, either party to a civil case may compel the other to disgorge whatever facts he or she has in possession, thereby advancing the stage at which the disclosure can be compelled from the time of trial to the period preceding it and reducing the possibility of surprise;

WHEREAS, it behooves the Senate to conduct speedy and expeditious inquiries before it or any of its Committees in order to speed up the lawmaking process and thus maximize the Senate's precious time and resources for the good of the Filipino people;

WHEREAS, amending the Rules of Procedure Governing Inquiries in Aid of Legislation to allow for the appropriate investigating Senate Committees to adopt applicable rules on deposition authority, specifically authorizing and regulating the taking of depositions by a member or counsel of the Committee, and/or to make the submission of sworn statements under Section 16 mandatory in case of inquiries involving the possible commission of a crime, will expedite inquiries in aid of legislation;

Resolved by the Senate, as it is hereby resolved, to direct the Senate to amend its Rules of Procedure Governing Inquiries in Aid of Legislation, particularly to adopt applicable rules on deposition authority, and/or to make the submission of sworn statements under Section 16 mandatory in case of inquiries involving the possible commission of a crime.

Adopted.



RICHARD J. GORDON