

SENATE

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COMMITTEE REPORT NO. 236
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Submitted by the Committee on Justice and Human Rights on DEC 17 2008

Re: Senate Bill No. 2974

Recommending its approval in substitution of Senate Bill No. 1309.

Sponsor: Senator Escudero.

MR. PRESIDENT:

The Committee on Justice and Human Rights to which was referred Senate Bill No. 1309, introduced by Senator Defensor Santiago, entitled:

**“AN ACT
AMENDING REPUBLIC ACT NO. 3019, OTHERWISE KNOWN AS THE
ANTI-GRAFT AND CORRUPT PRACTICES ACT, SECTION 13, ON ITS
NON-APPLICATION TO IMPEACHABLE PUBLIC OFFICERS”**

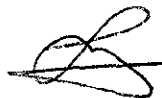
has considered the same and has the honor to report it back to the Senate with the recommendation that the attached bill, Senate Bill No. 2974 prepared by the Committee, entitled:

**“AN ACT
AMENDING SECTION 13 REPUBLIC ACT NO. 3019, OTHERWISE
KNOWN AS THE ANTI-GRAFT AND CORRUPT PRACTICES ACT”**

be approved in substitution of Senate Bill No. 1309, with Senators Defensor Santiago and Escudero as authors thereof.

Respectfully submitted:

Chairman:



FRANCIS “CHIZ” G. ESCUDERO
Committee on Justice and Human Rights

Vice-Chairman:


BENIGNO S. AQUINO III

*may interpellate
and amend*

Members:



ALAN PETER "COMPAÑERO" S. CAYETANO

Prep. by Compt. may interpellate
"COMPAÑERA" PIA S. CAYETANO

JUAN PONCE ENRILE


GREGORIO B. HONASAN II


RAMON BONG REVILLA JR.


RODOLFO G. DIAZON

M.A. MADRIGAL

Ex-Officio Members:


JINGGOY EJERCITO ESTRADA
President Pro-Tempore


JUAN MIGUEL F. ZUBIRI
Majority Leader

May Amend:
AQUILINO Q. PIMENTEL JR.
Minority Leader

Hon. JUAN PONCE ENRILE

Senate President
Senate of the Philippines
Pasay City

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

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SENATE

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S. No. **2974**

(In substitution of SB No. 1309)

Prepared by the Committee on Justice and Human Rights with Senators Defensor Santiago and Escudero as authors thereof

AN ACT
AMENDING SECTION 13 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:

1 SECTION 1. Section 13 of Republic Act No. 3019 is hereby amended to read as
2 follows:
3 "Section 13. *Suspension and Loss of Benefits.* Any [incumbent] public officer,
4 EXCEPT THE PRESIDENT, THE VICE PRESIDENT, OR ANY PUBLIC OFFICER
5 WHO CAN BE REMOVED ONLY BY IMPEACHMENT MEMBERS OF
6 CONGRESS, AND JUSTICE OF THE COURT OF APPEALS AND THE
7 SUPREME COURT, against whom any criminal prosecution under a valid
8 information under [its] THIS Act or under the provisions of the REVISED Penal
9 Code on bribery is pending in court, shall be suspended from office. Should [the
10 accused] HE/SHE be convicted by final judgment, HE/SHE shall lose all retirement
11 or gratuity benefits under any law, BUT IF HE/SHE IS ACQUITTED HE/SHE

1 **SHALL BE ENTITLED TO REINSTATEMENT AND TO THE SALARIES AND**
2 **BENEFITS, which HE/SHE failed to receive during [his/her] suspension, unless in**
3 **the meantime administrative proceedings have been filed against him/HER.**

4 SEC. 2. *Repealing Clause.* - Any law, presidential decree or issuance, executive
5 order, letter of instruction, administrative order, d e or regulation contrary to, or
6 inconsistent with, the provisions of this Act is hereby repealed, modified or
7 amended accordingly.

8 SEC. 3. *Effectivity Clause.* - This Act shall take effect after the expiration of the
9 full term of all the members of Congress approving this Act and its complete
10 publication in the Official Gazette and in at least two (2) newspapers of general
11 circulation.

12 Approved,