

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

SENATE
OFFICE OF THE SECRETARY

10 JUL 27 1984

SENATE
S. No. 2170

RECEIVED BY: 

Introduced by Senator Juan Miguel F. Zubiri

EXPLANATORY NOTE

The Filipino people have been witnesses to some, if not, all of the most controversial graft and corruption cases our history has ever encountered. On one hand, the cases for graft and corruption against public officials sprout here and there. Indeed, our government has been plagued with the graft and corruption disease since time immemorial. On the other hand, our lawmakers have been steadfast in finding solutions to this disease. We have quite a handful of laws specifically addressing this problem.

It seems, however, that the graft and corruption disease is becoming more and more complicated as the methods for its commission diversifies. Moreover, the delivery of government service to the Filipino people has not gone unscathed. Public service has suffered as an effect of the graft and corrupt practices acts of our public officials. In particular, although preventive suspension is one of the more effective tools in the prosecution of a graft and corruption case, it has, in effect, prevented some of our public officials from performing their publicly mandated functions. We have seen that it has massively delayed the delivery of public service by the Executive and the Judicial Departments of our Government particularly the high-ranking officials. Certainly, public service has suffered as an effect of graft and corruption. Thus, the need to amend and update our anti-graft and corruption laws becomes obligatory.

With this amendment, an exemption to definite high-ranking officials namely, the President, Vice-President, any public officer removable by impeachment, and Justices of the Court of Appeals and the Supreme Court is created in order not to hamper the delivery of public service to the Filipino people.

Hence, this Representation humbly asks the approval of this bill.



JUAN MIGUEL F. ZUBIRI

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**AN ACT
AMENDING SECTION 13 OF 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
4 officer, **EXCEPT THE PRESIDENT, THE VICE PRESIDENT, OR ANY PUBLIC**
5 **OFFICER WHO CAN BE REMOVED ONLY BY IMPEACHMENT MEMBERS**
6 **OF 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
11 retirement or gratuity benefits under any law, **BUT IF HE/SHE IS ACQUITTED**
12 **HE/SHE SHALL BE ENTITLED TO REINSTATEMENT AND TO THE**
13 **SALARIES AND BENEFITS**, which **HE/SHE** failed to receive during [his/her]
14 suspension, unless in the meantime administrative proceedings have been filed
15 against him/**HER**.

16
17 **SEC. 2. Repealing Clause.** - Any law, presidential decree or issuance, executive
18 order, letter of instruction, administrative order, or regulation contrary to, or inconsistent
19 with, the provisions of this Act is hereby repealed, modified or amended accordingly .
20

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

4

5 Approved,