

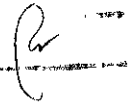
FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

10 AUG 10 P6:12

SENATE

RECEIVED BY



S. No. 2373

Introduced by Senator FRANCIS G. ESCUDERO

EXPLANATORY NOTE

Funding is a major limitation to the Office of the Ombudsman when fulfilling its mandate of combating corruption. The budget of the Office of the Ombudsman pales in comparison with those allocated to its international counterparts. Consequently, corruption goes unhampered eventually leading to massive losses in government revenues and further draining our coffers.

This bill thus intends to augment the financial resources of the Ombudsman by giving it a share in any property forfeited in favor of the State under Republic Act No. 1379, otherwise known as the Forfeiture Law; and thus increase its funding. This bill provides a mechanism wherein 30% of the value of forfeited assets shall be used as funding for the Ombudsman which will assist the continued progress of cases. This method therefore ensures additional funding to the Ombudsman, and eliminates the need to reallocate funding from a stretched national budget.

The passage of this bill therefore is earnestly sought.



FRANCIS G. ESCUDERO

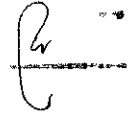
FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

10 AUG 10 P6:12

SENATE

RECEIVED BY



S. No. 2373

Introduced by Senator FRANCIS G. ESCUDERO

AN ACT
AMENDING SECTION 6 OF REPUBLIC ACT NO. 1379, OTHERWISE
KNOWN AS THE FORFEITURE LAW, TO PROVIDE A FIXED
PERCENTAGE OF THE VALUE OF FORFEITED PROPERTIES IN
CORRUPTION CASES AS ADDITIONAL FUNDING FOR THE
OFFICE OF THE OMBUDSMAN AND FOR OTHER PURPOSES

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

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

"Section 6. Judgment. If the respondent is unable to show to the satisfaction of the court that he has lawfully acquired the property in question, then the court shall declare such property forfeited in favour of the State, and by virtue of such judgment the property aforesaid shall become property of the State: *Provided,* That **THIRTY PERCENT (30%) OF THE VALUE OF SUCH PROPERTY FORFEITED IN A FINAL AND EXECUTORY ORDER OF THE COURT SHALL BE EARMARKED AS ADDITIONAL FUNDING IN FAVOR OF THE OFFICE OF THE OMBUDSMAN; PROVIDED, FURTHER, THAT IF THE PROPERTY IS NOT IN CASH IT SHALL BE SOLD AT PUBLIC AUCTION AND THE**

PROCEEDS THEREOF, AFTER DEDUCTING THE THIRTY PERCENT (30%) FOR THE OFFICE OF THE OMBUDSMAN, SHALL ACCRUE TO THE GENERAL FUND. No judgment shall be rendered within six months before any general election or within three months before any special election. The Court may, in addition, refer to this case to the corresponding Executive Department for administrative or criminal action, or both.”

SEC. 2. *Separability Clause.* – Any portion of provisions of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions and provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SEC. 3. *Repealing Clause.* – All laws, decrees, executive orders, proclamations and administrative regulations, or any parts thereof inconsistent herewith are hereby revoked, repealed or modified accordingly.

SEC. 4. *Effectivity Clause.* This Act shall take effect fifteen (15) days from its publication in at least two (2) newspapers of general circulation.

Approved,