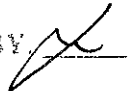


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

Senate
Office of the Secretary

'11 OCT 24 P3:44

SENATE
S.B. NO. 3003

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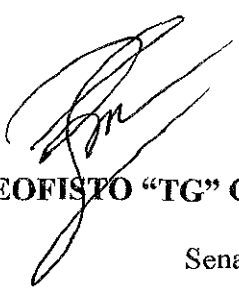
Introduced by **Senator TEOFISTO "TG" GUINGONA III**

EXPLANATORY NOTE

This bill seeks to amend Section 9 of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act, by increasing the penalties of the unlawful acts or omissions enumerated under Sections 3, 4, 5 and 6. The reason for the increase of penalty for said offenses is to ensure that the penalties imposed by law are commensurate with the crime committed. This bill also seeks to increase the prescriptive period of offenses under Republic Act No. 3019. Furthermore, this bill seeks to ensure that the right of the State to recover properties acquired through the commission of the acts enumerated under Republic Act No. 3019 shall not be barred by prescription, laches or estoppel.


This bill is a product of the public hearings conducted by the Committee on Accountability of Public Officers & Investigations (Blue Ribbon) on the Philippine National Police (PNP) Helicopters Deal.

In view of the foregoing, the immediate enactment of this measure is earnestly sought


TEOFISTO "TG" GUINGONA III

Senator

SENATE
S.B. NO. 3003

RECORDED BY 

Introduced by Senator TEOFISTO "TG" GUINGONA III

**AN ACT AMENDING 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 9 (a) of Republic Act No. 3019, as amended, otherwise known as the
2 Anti-Graft and Corrupt Practices Act is hereby further amended to read as follows:

3
4 SEC. 9. Penalties for violations. – (a) any public officer or private person
5 committing any of the unlawful acts or omissions enumerated in Sections
6 3, 4, 5 and 6 of this Act shall be punished with imprisonment of not less
7 than TWELVE YEARS AND ONE DAY [six years and one month] nor
8 more than TWENTY YEARS [fifteen years], perpetual disqualification
9 from public office, and confiscation or forfeiture in favor of the
10 Government of any prohibited interest and unexplained wealth manifestly
11 out of proportion to his salary and other lawful income.

12
13 Any complaining party at whose complaint the criminal prosecution was
14 initiated shall, in case of conviction of the accused, be entitled to recover
15 in the criminal action with priority over the forfeiture of the Government,
16 the amount of money or the thing he may have given to the accused, or the
17 fair value of such thing.

18

1 SECTION 2. Section 11 of Republic Act No. 3019, as amended, otherwise known as the
2 Anti-Graft and Corrupt Practices Act is hereby further amended to read as follows:

3
4 Sec. 11. Prescription of offenses. – All offenses punishable under this Act
5 shall prescribe in TWENTY YEARS [fifteen years]. HOWEVER, THE
6 RIGHT OF THE STATE TO RECOVER PROPERTIES UNLAWFULLY
7 ACQUIRED BY PUBLIC OFFICER FROM THEM OR FROM THEIR
8 NOMINEES OR TRANSFEREES SHALL NOT BE BARRED BY
9 PRESCRIPTION, LACHES OR ESTOPPEL.

10
11 SECTION 3. Separability Clause. – If for any reason, any section or provision of this Act is
12 declared invalid or unconstitutional, the other sections or provision hereof not affected
13 thereby shall continue to be in full force and effect.

14
15 SECTION 4. Repealing Clause. – All laws, decrees, orders, rules and regulations, and other
16 issuances, or parts thereof which are inconsistent with the provisions of this Act are hereby
17 deemed repealed, amended or modified accordingly.

18
19 SECTION 5. Effectivity. – This Act shall take effect after fifteen (15) days following its
20 publication in the Official Gazette or in two (2) newspapers of general circulation.

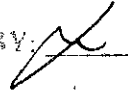
21
22 Approved,

FIFTEENTH CONGRESS OF THE)
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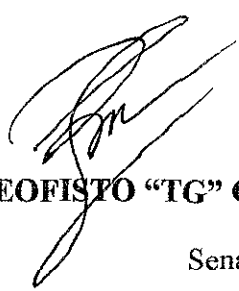
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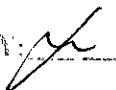
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TEOFISTO "TG" GUINGONA III

Senator

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