

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

SENATE

S. No. 663



Senate
Office of the Secretary

'19 JUL 22 P 2 :10

Introduced by SENATOR RAMON BONG REVILLA, JR.

RECEIVED BY: _____

AN ACT

REQUIRING PUBLIC OFFICIALS AND EMPLOYEES TO SUBMIT A WRITTEN PERMISSION OR WAIVER IN FAVOR OF THE OMBUDSMAN TO LOOK INTO ALL DEPOSITS OF WHATEVER NATURE WITH BANKS OR BANKING INSTITUTIONS BOTH WITHIN AND OUTSIDE THE PHILIPPINES INCLUDING INVESTMENT BONDS ISSUED BY THE GOVERNMENT OF THE PHILIPPINES, ITS POLITICAL SUBDIVISIONS AND INSTRUMENTALITIES AND PROVIDING PENALTIES THEREFOR

EXPLANATORY NOTE

Transparency is the key to better governance.¹ It exposes corruption and misdoings in the government – therefore the principle that public office is a public trust. The authors of the Constitution deemed it necessary to create an office which would act as a ‘Tanodbayan’. To strengthen further and render his powers effective, a waiver that is given to the Ombudsman to look into all deposits with banks within or outside of the Philippines is warranted.

Given the foregoing, the immediate passage of this measure is sought.

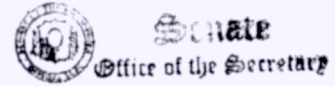

RAMON BONG REVILLA, JR.

¹ “The Political Origins of Transparency”, D. Berliner, University of Minnesota.

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

SENATE

S. No. 663



19 JUL 22 P2:10

Introduced by SENATOR RAMON BONG REVILLA, JR.

RECEIVED

AN ACT

REQUIRING PUBLIC OFFICIALS AND EMPLOYEES TO SUBMIT A WRITTEN PERMISSION OR WAIVER IN FAVOR OF THE OMBUDSMAN TO LOOK INTO ALL DEPOSITS OF WHATEVER NATURE WITH BANKS OR BANKING INSTITUTIONS BOTH WITHIN AND OUTSIDE THE PHILIPPINES INCLUDING INVESTMENT BONDS ISSUED BY THE GOVERNMENT OF THE PHILIPPINES, ITS POLITICAL SUBDIVISIONS AND INSTRUMENTALITIES AND PROVIDING PENALTIES THEREFOR

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

1 Section 1. *Declaration of Policy.* – It is the policy of the Philippine Government,
2 in line with the principle that a public office is a public trust, to repress certain acts of
3 public officers and private persons alike which constitute graft or corrupt practices or
4 which may lead thereto.

5 Sec. 2. *Submission of Written Permission or Waiver.* – All public officials and
6 employees, except those who serve in an honorary capacity, shall submit with the
7 Office of the Ombudsman a written permission or waiver in favor of the Ombudsman
8 to look into the deposits of whatever nature with banks or banking institutions both
9 within and outside of the Philippines including investment bonds issued by the
10 Government of the Philippines, its political subdivisions and instrumentalities.

11 Such permission or waiver shall be submitted thirty (30) days from assumption
12 of office. Said officers who have already assumed their functions, shall submit it within
13 ten (10) days from the publication of the implementing rules and regulations.

1 Sec. 3. *Limited Use of Permission or Waiver.* – The permission or waiver given
2 by the public officer or employee shall only be used by the Ombudsman upon a
3 legitimate complaint filed.

4 Sec. 4. *Penalties.* – In case of a failure of submission of the permission or
5 waiver, said officer or employee shall not be allowed to work until the submission of
6 the waiver or permission and a fine of twenty thousand pesos (P20,000.00).

7 The improper use of the permission or waiver other than the use it is intended
8 for, shall warrant the punishment of imprisonment of one (1) year to four (4) years at
9 and/or a fine of fifty thousand pesos (P50,000.00) to one hundred thousand pesos
10 (P100,000.00) at the discretion of the court.

11 Sec. 4. *Implementing Rules and Regulations.* – Within thirty (30) days, the
12 Office of the Ombudsman shall formulate the rules and regulations to effectively
13 implement the provisions of this Act.

14 Sec. 5. *Separability Clause.* – If any portion or provision of this Act is declared
15 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
16 remain in force and effect.

17 Sec. 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive
18 order, letter of instruction, rule or regulation inconsistent with the provisions of this
19 Act is hereby repealed or modified accordingly.

20 Sec. 17 *Effectivity.* – This Act shall take effect fifteen (15) days following its
21 complete publication in a newspaper of general circulation.

22
23 *Approved,*