

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

7 JUN 30 P.M.

SENATE

RECEIVED BY: 

S. No. 258

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INTRODUCED BY THE HONORABLE MAR ROXAS

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EXPLANATORY NOTE

This bill seeks to increase the number of divisions of the *Sandiganbayan* from its present five (5) divisions to fifteen (15) divisions to enhance its capacity to resolve anti-graft and corruption cases and to deter further acts of the same which will effectively save billions of pesos for the nation.

As of 31 December 2005, the number of cases pending in the *Sandiganbayan* is one thousand seven hundred eighty-four (2,145). Because of this large number of cases vis-a-vis the number of *Sandiganbayan* Divisions (only five), in many instances, only two (2) hearings for every case are conducted every (2) two months.

The sheer volume of cases being handled by the *Sandiganbayan* makes it impossible to promptly dispose of said cases. It is this sad reality of heavily clogged dockets and the very limited number of justices and judges that cause the trial of erring public officials to take years to complete.

Continuous trials would require greater preparation by prosecutors and defense counsel at the outset but would reduce the amount of time taken for the trial, and reduce the possibility of fading memories on the part of witnesses, and the opportunity for interference with evidence. With the increased number of divisions and justice, the *Sandiganbayan* would be able to hold continuous trials.

The *Sandiganbayan* plays a critical role in fighting graft and corruption. Any delay in the resolution of anti-graft cases negatively impacts on its ability to deter others to commit similar acts of corruption. The search for a solution to this critical problem of congested dockets requires recourse to drastic but creative and economical measures.

In view of the foregoing, the immediate approval of this measure is earnestly requested.

  
M A R ROXAS  
Senator

FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
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7 JUN 30 P4:02

SENATE

RECEIVED BY: [Signature]

S. No. 258

INTRODUCED BY THE HONORABLE MAR ROXAS

AN ACT  
INCREASING THE NUMBER OF SANDIGANBAYAN DIVISIONS,  
AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1606,  
AS AMENDED BY R.A. NO. 7975 AND R.A. NO. 8249,  
AND FOR OTHER PURPOSES

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

1 SECTION 1. The first paragraph of Section 1 of the same decree is hereby further  
2 amended to read as follows:

3 "SECTION 1. *Sandiganbayan; Composition; Qualifications; Tenure; Removal and*  
4 *Compensation.* - A special court, of the same level as the Court of Appeals and  
5 possessing all the inherent powers of a court of justice, to be known as the  
6 Sandiganbayan is hereby created composed of a presiding justice and [fourteen]  
7 FORTY FOUR (44) associate justices who shall be appointed by the President."

8 SEC. 2. Section 2 of the same decree is hereby further amended to read as follows:

9 "SEC. 2. *Official Station; Place of Holding Sessions.* - The  
10 Sandiganbayan shall have its principal office in the Metro Manila area. THE  
11 FIRST TO THIRTEENTH DIVISIONS OF THE SANDIGANBAYAN [and]  
12 shall hold sessions IN METRO MANILA [thereat] for the trial and  
13 determination of cases filed with FROM THE GEOGRAPHICAL REGION OF  
14 LUZON, INCLUDING THOSE FROM THE NATIONAL CAPITAL REGION.

1 THE FOURTEENTH AND FIFTEENTH DIVISIONS OF THE  
2 SANDIGANBAYAN SHALL HOLD SESSIONS IN CEBU CITY AND  
3 CAGAYAN DE ORO CITY, RESPECTIVELY, FOR THE TRIAL AND  
4 DETERMINATION OF CASES FILED WITH IT FROM THE  
5 GEOGRAPHICAL REGIONS OF [: *Provided, however,* That cases originating  
6 from the principal geographical regions of the country, that is, from Luzon,  
7 Visayas AND [or] Mindanao, RESPECTIVELY; [ shall be heard in their  
8 respective regions of origin except only when the greater convenience of the  
9 accused and of the witnesses, or other compelling considerations require the  
10 contrary, in which instance a case originating from one geographical region  
11 may be heard in another geographical region: ] *Provided [further]*  
12 *HOWEVER,* That [for this purpose] the presiding justice [shall] MAY  
13 authorize any division or divisions of the court to hold sessions at any time  
14 and place outside [Metro Manila] THEIR DESIGNATED STATIONS and,  
15 where the interest of justice so requires, outside the territorial boundaries of  
16 the Philippines. The Sandiganbayan may require the services of the personnel  
17 and the use of facilities of the courts or other government offices where any of  
18 the divisions is holding sessions and the personnel of such courts or offices  
19 shall be subject to the orders of the Sandiganbayan.

20 **SEC. 3.** Section 3 of the same decree is hereby further amended to read as follows:

21 "SEC.3. Divisions of the Court; Quorum. - The Sandiganbayan shall sit  
22 in [five] FIFTEEN [(5)] 15 divisions of three justices each. The [five] FIFTEEN  
23 may sit at the same time.

1           Three Justices shall constitute a quorum for sessions in divisions:  
2           Provided, That when the required quorum for the particular division cannot  
3           be had due to the legal disqualification or temporary disability of a Justice or of  
4           a vacancy occurring therein, the Presiding Justice may designate an Associate  
5           Justice of the Court, to be determined by strict rotation on the basis of the  
6           reverse order of precedence, to sit as a special member of said division with all  
7           the rights and prerogatives of a regular member of said division in the trial and  
8           determination of a case or cases assigned thereto, unless the operation of the  
9           SANDIGANBAYAN [court] will be prejudiced thereby, PROVIDED, THAT  
10          IN CASES BEFORE THE SANDIGANBAYAN DIVISIONS STATIONED IN  
11          CEBU CITY AND CAGAYAN DE ORO CITY, THE SENIOR ASSOCIATE  
12          JUSTICES OF THE COURT OF APPEALS IN THOSE CITIES DULY  
13          AUTHORIZED BY THE COURT OF APPEALS PRESIDING JUSTICE FOR  
14          THE PURPOSE SHALL IMMEDIATELY MAKE THE DESIGNATION, UPON  
15          REQUEST OF THE CHAIRMAN OF THE ASSOCIATE JUSTICES OF THE  
16          COURT OF APPEALS DIVISIONS IN CEBU CITY AND CAGAYAN DE ORO  
17          CITY, RESPECTIVELY [in which case the President shall upon the  
18          recommendation of the Presiding Justice, designate any Justice or Justices of  
19          the Court of Appeals to sit temporarily therein].”

20          SEC. 4. *Separability Clause* - If any provision or part hereof, is held invalid or  
21          unconstitutional, the remainder of the law or the provision not otherwise affected shall  
22          remain valid and subsisting.

1           SEC. 5. *Repealing Clause.* - All laws, decrees, orders, rules and regulations or parts  
2 therefore, inconsistent with this Act are hereby amended or modified accordingly.

3           SEC. 6. *Effectivity Clause* - This act shall take effect fifteen (15) days following its  
4 publication in a newspaper of general circulation.

Approved,