

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

7 JUL -4 1952

RECEIVED BY: _____

SENATE
S.B. No. **935**

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

This bill seeks to increase the prescriptive period for the filing of cases against graft and corruption by amending certain provisions of Republic Act No. 3019 otherwise known as the Anti-Graft and Corrupt Practices Act.

In a paper submitted by then Ombudsman Simeon Marcelo entitled "Combating Corruption in the Philippines" during the 4th Regional Anti-Corruption Conference of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific at Kuala Lumpur, Malaysia, he said that the conviction rate of the Office of the Special Prosecutor (OSP) at the Sandiganbayan is a dismal 6%. Put differently, a high-ranking government official accused of graft and corruption has a 94% chance of walking away scot-free. The reason for this are practical ones, foremost of which is the disabling lack of personnel at the OSP and lack of training program for prosecutors to improve their skills, due to heavy caseload.

Moreover, Ombudsman Marcelo added that based on available information, Hong Kong's Independent Commission against Corruption (ICAC) has 1,326 personnel for a population of about 6.8 million and maintains eight satellite offices with 18 district offices where the public can report incidents of corruption. In comparison, the Philippines' Office of the Ombudsman has only 1,141 staff for a population of P82 million, with only four satellite offices situated in three major cities. At ICAC, 838 field investigators are tasked exclusively with gathering evidence; this translates to a ratio of one investigator to every 8,114 citizens. In comparison, the Office of the Ombudsman's 89 investigators provides a ratio of one investigator to 921,348 Filipinos.

There is therefore a need to increase the prescriptive period of filing cases against graft and corruption so as not to afford violators of the law to escape criminal liability by mere technicality, i.e., prescription of offense.

This bill seeks to do that by providing that all offenses punishable under the Anti-Graft and Corrupt Practices Act shall prescribe in thirty years.

In view of the grave need to address graft and corruption in the country, immediate passage of this proposed measure is earnestly requested.


LOREN LEGARDA
Senator

