


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

6 MAY 23 1986

SENATE  
S. B. No. 2250

RECEIVED BY: 

---

Introduced by Senator Juan Ponce Enrile

---

EXPLANATORY NOTE

The Presidential Commission on Good Government (PCGG) was created in the aftermath of the 1986 EDSA Revolution (Edsa I), by virtue of Executive Order No. 1 issued by former President Corazon C. Aquino. It was originally envisioned to undertake the complicated and crucial tasks of: 1) recovering all the ill-gotten wealth accumulated by former President Ferdinand E. Marcos and his immediate family, relatives, subordinates and close associates; 2) investigating cases of graft and corruption assigned by the President from time to time; and, 3) adopting safeguard measures to ensure that such practice of acquiring wealth through unlawful means shall not be repeated in any manner as well as to prevent the occurrence of corruption in government. Such responsibilities were vested in the Commission in order that all recovered funds, assets and other properties may be used to hasten national economic recovery, or be preserved for the benefit of the People and the Republic.

Over the last twenty (20) years, however, the PCGG's performance and credibility in pursuit of its mandated functions have been put to serious question due to the acts of some of its officials and agents who not only failed to do their task to preserve the funds and properties under their watch but worse, participated in the dissipation of these assets. The Commission that was established to safeguard the interest of the people and the Republic now exists indifferent and apathetic on the unbridled dissipation of the same wealth it was originally mandated to protect.

On several occasions, inquiries and investigations were conducted to look into the activities and operations of the PCGG. However, its officials have boldly refused to explain their actuations or justify their actions by invoking a provision in its charter which states that "no members or staff of the Commission shall be required to testify or produce evidence in any judicial, legislative or administrative proceedings concerning matters within its official cognizance." Such provision has been the refuge of those in the Commission who think that they are above the law.

To correct this anomalous situation, this bill seeks to amend the PCGG charter in order to ensure greater transparency in the transactions undertaken by PCGG as well as greater accountability of its members, officials and employees.


In view of all these, the immediate enactment of this bill is earnestly sought.

  
JUAN PONCE ENRILE  
Senator

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

6 MAY 23 1986

SENATE  
S. B. No. 2250

RECEIVED BY: 

---

Introduced by Senator Juan Ponce Enrile

---

AN ACT  
AMENDING EXECUTIVE ORDER NO. 1, CREATING THE PRESIDENTIAL  
COMMISSION ON GOOD GOVERNMENT, AS AMENDED BY EXECUTIVE  
ORDER NO. 13, AND FOR OTHER PURPOSES

SECTION 1. Section 4(b) of Executive Order No. 1, issued on February 28, 1986, as amended by Executive Order No. 13, issued on April 23, 1986, is hereby amended to read as follows:

"Section 4. (a) No civil action shall lie against the commission or any member thereof for anything done or omitted in the discharge of the task contemplated by this order.

"(b) [No member or staff of the commission shall be required to testify or produce evidence in any judicial, legislative or administrative proceeding concerning matters within its official cognizance.] **WHENEVER NECESSARY, MEMBERS OF THE COMMISSION AND THEIR STAFF SHALL BE REQUIRED TO TESTIFY BEFORE, OR PRODUCE EVIDENCE IN, ANY JUDICIAL, LEGISLATIVE OR ADMINISTRATIVE PROCEEDING CONCERNING MATTERS WITHIN ITS OFFICIAL COGNIZANCE. WHEN THE SECURITY OF THE STATE OR THE PUBLIC INTEREST SO REQUIRES, THE TESTIMONY OR PRODUCTION OF EVIDENCE MAY BE CONDUCTED IN EXECUTIVE SESSION, CLOSED CHAMBERS, OR CLOSED-DOOR PROCEEDINGS, WHICHEVER APPLIES."**

SEC. 2. All other provisions of law, rules, and regulations, which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 3. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,