

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1764



Introduced by: **REP. PROSPERO A. PICHAY, JR.**

EXPLANATORY NOTE

The Philippines is one of the few countries in the world which criminalize the act of plundering a nation's wealth and impose a penalty of *reclusion perpetua* to death. And this is not without valid reason. It is one of the few countries, if not the only country, in the world that has experienced massive corruption by a regime which existed for more than twenty years and pillaged the government's coffers by billions of pesos.

When the Aquino government took over the reins of government in 1986, it howled "never again" to allow such avaricious larceny of the country's wealth even as it vowed to curb graft and corruption.

In 1991, Congress passed Republic Act No. 7080, defining and penalizing the crime of plunder. Section 2 of the law provides that any public officer who, by himself or in connivance with members of his family, relatives by affinity or consanguinity, business associates, subordinates or other persons, amasses, accumulates or acquires ill-gotten wealth through a combination or series of overt or criminal acts in the aggregate amount or total value of at least P75,000,000 shall be guilty of the crime of plunder and shall be punished by life imprisonment with perpetual absolute disqualification from holding any public office.

In 1993, Republic Act No. 7659 declared the crime of plunder as heinous crime and imposed the penalty of *reclusion perpetua* to death. It likewise lowered the aggregate amount or total value involved in the said act to P50,000,000.

The measures were framed as deterrents to those with an inclination to succumb to the corrupting influence of power and a safeguard against the possible recurrence of the depravities of a morally bankrupt regime.

Eight years have passed henceforth but corruption has never left the bureaucratic halls. In fact, it has been deemed to have worsened. According to the Hong Kong-based think tank Political and Economic Risk Consultancy or PERC, in 1998, the Philippines rank eighth in perceived corruption in Asia on a scale of zero to 10 with zero being specified as "no problem," five as "an average problem," and 10 as a "very serious problem." The country ranked only sixth in 1997.

This bill redefines the crime of plunder by further lowering the aggregate amount involved to P25,000,000. Indeed, the present level of P50,000,000 is seemingly ineffective. It has not deterred public officials from committing various forms of corruption as exposès after exposès hug newspaper headlines.

The inadequacy of existing measures to contain graft and corruption in government behooves members of Congress to strengthen legislation against such acts. The immediate approval of this bill is thus earnestly sought.

PROSPERO A. PICHAY, JR.



SEC. 2. This Act shall take effect upon its approval.

Approved,