

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**Thirteenth Congress
First Regular Session**

HOUSE BILL NO. 2444

Introduce by Honorable Raul T. Gonzalez, Jr.

EXPLANATORY NOTE

This bill seeks to amend Section 24 of Republic Act 6770 on the power of the Ombudsman to preventively suspend any officer or employee under his authority pending an investigation.

Pursuant to law and jurisprudence, preventive suspension cannot last for more than ninety (90) days, however under RA 6770, the Ombudsman may suspend for not more than six (6) months.

Preventive suspension is not a penalty. However, a preventive suspension for six (6) months is a long period of time, which has the effect of making suspension take the form of a penalty, and the suspending authority can abuse such power.

There is no cogent reason why in all other administrative investigations, including under the Anti and Corrupt Practices Law, preventive suspension cannot last more than ninety (90) days while the Ombudsman may suspend for six (6) months.

In the light of the foregoing, approval of this bill is earnestly sought.


RAUL T. GONZALEZ, JR.

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**AN ACT
AMENDING SECTION 24, PARAGRAPH 2 OF REPUBLIC ACT NO. 6770,
AND FOR OTHER PURPOSES.**

SECTION 1. This Act shall be known as an amendment to Section 24 paragraph 2 of Republic Act 6770; otherwise known as the Ombudsman Act of 1989.

SECTION 2. Paragraph 2 of Section 24 is hereby amended to read as follows:

“The preventive suspension shall continue until the case is terminated by the Office of the Ombudsman but not more than (SIX MONTHS) NINETY DAYS, without pay, except when the delay in the disposition of the case by the Ombudsman is due to the default, negligence, or petition of the respondent, in which case the period of such delay shall not be counted in computing the period of suspension herein provided”.

SECTION 3. All laws, rules and regulations inconsistent herewith are hereby deemed repealed accordingly.

SECTION 4. This law shall take effect upon its approval.

Approved.