

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3291

Introduced by **REP. ANTONIO M. DIAZ**

EXPLANATORY NOTE

Republic Acts 3019 and 6713 provide a strict standard for the conduct of public officials and employees in the performance of their official functions. Hounded by the nagging specter of graft and corruption, the illustrious men of the past Congresses passed these laws as measures to curb and prevent the incidence of corruption.

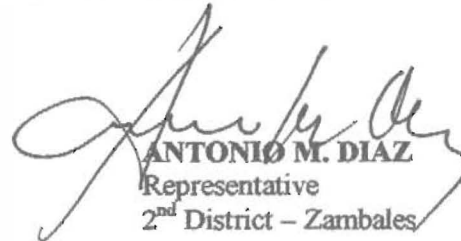
It cannot be gainsaid that graft and corruption impacts negatively on the national growth of this nation. The economic losses can be easily demonstrated. The Department of Budget and Management (DBM) estimates losses at P200 billion every year. An independent study conducted by the Mindanao Business Council estimates the losses at P609 billion in the last five years. The Office of the Ombudsman places the losses at US\$48 billion in the last 20 years. These figures starkly stare the eyes of our national leaders vis-à-vis the widespread grinding poverty that is sweeping the entire country.

While the government ceaselessly invites foreign investors, the development of strong structural components such as a leveled playing field have been stymied by rampant bribery and kickbacks. While Congress heeds the call of the President for the passage of revenue measures designed to improve the government's fiscal position, the officials of the various implementing agencies wallow in ostensible display of unexplained wealth. It is beyond cavil that in the mind of an ordinary man, official position is being used as a means to perpetrate large-scale larceny from the government coffers.

Precisely, to address these problems, the aforecited laws offer remedies. There are criminal and administrative sanctions imposed against erring public officials. Admittedly however, there are legal loopholes which can and are already being used to evade the same law. While the public applaud the lifestyle checks being conducted left and right, we have yet to hear and see the conviction of public officials involved. The basis of lifestyle check is the Statement of Assets and Liabilities (SALN) filed by

government officials and employees. This is also the basis for their prosecution. But conviction is difficult to do. The reason is that under Section 10 of RA 6713, a review of a department head is mandatory, hence, a convenient excuse for one charged under either RA 3019 or 6713. To date, lifestyle check has been regarded as a more effective weapon for gaining media mileage rather than prosecuting and dismissing corrupt public officials.

In view hereof, the immediately repeal of Section 10 of RA 6713 is earnestly sought.



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AN ACT
REPEALING SECTION 10 OF REPUBLIC ACT NO. 6713 AND FOR OTHER
PURPOSES

Section 1. Section 10 of Republic Act No. 6713 is hereby repealed.

Section 2. All laws, orders, decrees, rules and regulations inconsistent with this Act is hereby repealed or modified accordingly.

Section 3. This Act takes effect fifteen (15) days after its publication in a newspaper of general circulation.

Approved.