

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**Thirteenth Congress
First Regular Session**

House Bill No. 5736



Introduced by Hon. Ace S. Barbers

EXPALANATORY NOTE

The fundamental law of the land gives the Office of the Ombudsman the calling and badge of "Protector of the People." It is tasked to shield the Filipino people from abuse and misuse of governmental power for personal aggrandizement of corrupt government officials and employees. This mandate could have been more noble and well-meaning if translated into actions and decisions less influenced by physical factors. Central to these factors is the lack of fiscal autonomy of the Office of the Ombudsman which in effect restricted the performance of its employees.

For the past 18 years since its founding, the Office was restraint to perform its official duty to the fullest due to lack of fiscal independence. With the escalating number of graft and corruption charges being filed at the Office of the Ombudsman and the high expectations of the public that these cases would be solved promptly and impartially, it is significantly necessary to provide fiscal autonomy to the Office of the Ombudsman. It shall be given authority to establish, fix, review, revise and adjust the appropriate compensation package for its officials and employees. The reason behind this is to give the Office sufficient liberty in monitoring the general and specific performance of government officials and employees.

The Office of the Ombudsman is charged with five major functions. These are Public Assistance, Graft Prevention, Investigation, Prosecution and Administrative Adjudication. With this array of functions, it is only right and befitting that officials and employees of the organization be given due compensation and benefits. By providing it fiscal autonomy, the government could curtail possible corruption and bribery that may happen between the culprits and the officials and employees of the Office of the Ombudsman. With the meager salary and benefits that the employees receive, yielding to temptation is not far from impossibility. Granting them fiscal autonomy would surely boost the credibility of the Office of the Ombudsman

In view of the foregoing, immediate passage of this bill is earnestly sought.


ACE S. BARBERS

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AN ACT
TO STRENGTHEN THE FISCAL AUTONOMY OF THE OFFICE OF THE
OMBUDSMAN, AMENDING FOR THE PURPOSE SECTION 38 OF R.A. 6770,
OTHERWISE KNOWN AS THE “OMBUDSMAN ACT OF 1989”

Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:

• **SECTION 1.** Section 38 of Republic Act Number 6770 otherwise known as the
“Ombudsman Act of 1989,” is hereby amended to read as follows:

“Section 38. Fiscal Autonomy- The Office of the Ombudsman shall enjoy fiscal autonomy. Pursuant thereto, and notwithstanding the provisions of R.A. 6758, otherwise known as the “Salary Standardization Law,” the Office of the Ombudsman shall have the authority to establish, fix, review, revise and adjust the appropriate compensation package for its officers and employees. *Provided, that the amount necessary to effect the adjusted compensation shall be sourced from, and charged against the regular appropriations and savings thereon, if any, of the Office of the Ombudsman and from other sources, such as, but not limited to, fines, charges, awards and fees the Office of the Ombudsman is authorized to assess and collect in accordance with existing laws, including Executive Order No. 292 and Batas Pambansa Bldg. 325. *Provided, however, that should such amounts be inadequate, the needed balance shall be taken from any fund of the National Treasury not otherwise appropriated thereafter, the funds shall be included in the Annual General Appropriations Act.**

Appropriations for the Office of the Ombudsman may not be reduced below the amount appropriated for the previous years and, after approval, shall be automatically and regularly released.

SECTION 2. Nothing in this Act shall prejudice the positions, emoluments, security of tenure and other privileges enjoyed by the incumbent officers and employees of the Office of the Ombudsman before the implementation of this Act.

SECTION 3. If any position of this Act shall be held unconstitutional, other provisions not affected thereby shall remain valid and binding.

SECTION 4. All law, decrees and orders inconsistent with the provisions of this Act shall be considered amended or modified accordingly.

SECTION 5. This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,