

HOUSE OF REPRESENTATIVES

House Bill No. 351

Introduced by Representative Susan A. Yap

EXPLANATORY NOTE

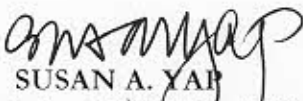
Graft and corruption is probably the most pervasive problem facing the country today. This year, the Philippines is ranked 139th out of 180 countries on Transparency International's corruption perception index, 28 places behind Indonesia and the lowest of the major Southeast Asian nations. Concerns about endemic corruption and weak institutions have seen foreign investment in the Philippines lag behind those of its neighbors.

Cases show that persons, particularly government officials, who may be held liable for graft or corruption under Republic Act 3019 (otherwise known Anti-Graft and Corrupt Practices Act) commit the same during the time of their incumbency or at a time when they still have "strong connections" in government.

Usually, concerned citizens or the proper government agency only muster the courage to file a case or discover such irregularity after a change in government administration. Prior to the filing of a case, in-depth investigations are required to build an airtight case. However, by the time a case is about to be initiated against such erring government official, the crime is about to prescribe.

Section 11 of R.A. 3019 provides that offenses punishable under said law shall prescribe in fifteen (15) years. This amendatory bill seeks to increase the prescriptive period to thirty (30) years. With the passage of this bill, it is hoped that government scalawags would not be able to exculpate from their criminal liability just because of a technicality, i.e. prescription of the offense. This will enable subsequent administrations to go after those who robbed and stole from the country in the past.

In view of the foregoing, passage of this bill is urgently requested.


SUSAN A. YAP
Representative, 2nd District of Tarlac

FIFTEENTH CONGRESS
OF THE REPUBLIC OF THE PHILIPPINES
First Regular Session

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AN ACT
AMENDING SECTION 11 OF REPUBLIC ACT NO. 3019, OTHERWISE
KNOWN AS THE "ANTI-GRAFT AND CORRUPT PRACTICES ACT", BY
INCREASING THE PRESCRIPTIVE PERIOD FOR ITS VIOLATION FROM
FIFTEEN (15) YEARS TO THIRTY (30) YEARS

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

1 SECTION 1. Section 11 of Republic Act No. 3019, otherwise known as the "Anti-
2 Graft and Corrupt Practices Act", is hereby amended to read as follows:

3
4 "SEC. 11. Prescription of offenses. - All offenses punishable under this Act shall
5 prescribe in [fifteen] **THIRTY** years."

6
7 SEC. 2. All laws, presidential decrees, executive orders and their implementing rules
8 inconsistent with the provision of this Act are hereby repealed, amended or modified
9 accordingly.

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

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14 Approved,