

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. **2159**

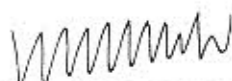
Introduced by: Representative Karlo A. B. Nograles

EXPLANATORY NOTE

The Office of the Ombudsman unlike other vital government agencies lacks fiscal autonomy. The Office of Ombudsman cannot attract and employ top notch people and experts because, with this lack of fiscal independence, the salaries it offers are much lower compared to those given in the private sector. Its employees cannot fully perform their duties due to lack of equipment and logistic support. Worse, with their meagre salaries the officers and employees of the Office of the Ombudsman are susceptible to commit graft and corruption.

Under Republic Act No. 6770 or the "Ombudsman Act of 1989", the Ombudsman and his deputies, shall act promptly on complaints files against officers or employees of the Government, or any of its subdivision, agency or instrumentality, including government-owned or controlled corporation, and enforce their administrative, civil and criminal liability in every case where the evidence warrants in order to promote efficient service by the Government to the people.

With this huge responsibility, it is imperative that the Office of the Ombudsman be granted enhanced fiscal autonomy to be able to fulfil its duty as a pillar of good governance.


KARLO A.B. NOGRALES

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HOUSE BILL NO. **2159**

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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 or representatives of the Philippines in Congress assembled:

Section 1. Section 38 of Republic Act No. 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, THE OFFICE OF THE OMBUDSMAN IS HEREBY EXEMPTED FROM THE PROVISION OF R.A. 6758, OTHERWISE KNOWN AS THE "SALARY STANDARDIZATION LAW", AND 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 FOM, AND CHARGED AGAINST THE REGULAR APPROPRIATION 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 BLG. 325. *PROVIDE, 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 APPROPRIATED 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 position, 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. The amount necessary for the implementation of this Act shall be included in the Annual General Appropriations Act.

Section 4. If any provision of this Act shall be held unconstitutional, other provisions not affected thereby shall remain valid and binding.

Section 5. All laws, decrees, order and issuance inconsistent with the provision of this Act shall be considered amended or modified accordingly.

Section 6. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspaper of general circulation.

Approved,