

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

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3905

Introduced by Rep. BERNADETTE HERRERA-DY

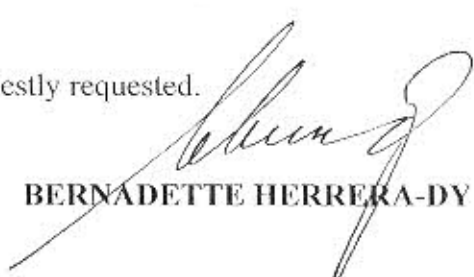
EXPLANATORY NOTE

Corruption in the Philippines is perceived to be the worst among the East Asia's leading economies and even sunk lower among those seen to be lagging in governance reforms. In a 2008 World Bank report on 2008 Worldwide Governance Indicators (WGI), developing countries were doing well in controlling corruption and some even matched rich-country performance in overall governance measures. Unfortunately, the Philippines was not among them. The Philippines now is at the bottom of the list of East Asia's 10 largest economies when it comes to control of corruption, edged out by Indonesia which scored the worst in the region in the 2008 survey. Corruption, since then, has long been a hindrance to development of this country and has been a threat and discouragement to prospective foreign as well as domestic investors in the country. Moreover, this fact does not only worsen the image of the government of the country but the entire Filipino race as a whole.

Section 27 of Article II of the 1987 Constitution, mandates that it is a policy of the State to maintain honesty and integrity in the public service, and to this end it shall take positive and effective measures against graft and corruption. Accordingly, Republic Act No. 9485, otherwise known as the "**Anti-Red Tape Act of 2007**," was enacted on 02 July 2007 during the Thirteenth Congress, primarily to eliminate red tape and improve frontline service delivery, as these issues had been considered of utmost urgency at that time.

Today, in light of the Aquino Administration's drive to end graft and corruption in the public service, there is an imperative need to strengthen the Anti-Red Tape Act of 2007 to upgrade its competence in promoting transparency in government affairs and integrity and honesty among government servants. This bill therefore seeks to amend Section 12 of the law by providing more stringent penalties for the violators thereof, which will hopefully deter further violations and corrupt practices in the future.

In this light, the immediate passage of this bill is earnestly requested.



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AN ACT
AMENDING SECTION 12 OF REPUBLIC ACT NO. 9485, OTHERWISE KNOWN AS
“AN ACT TO IMPROVE EFFICIENCY IN THE DELIVERY OF GOVERNMENT
SERVICE TO THE PUBLIC BY REDUCING BUREAUCRATIC RED TAPE,
PREVENTING GRAFT AND CORRUPTION, AND PROVIDING PENALTIES
THEREFOR,”* AND FURTHER KNOWN AS THE *“ANTI-RED TAPE ACT OF 2007”
AND FOR OTHER PURPOSES

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

Section 1. It is hereby declared the policy of the State to establish an effective system that will eliminate bureaucratic red tape, avert graft and corrupt practices and improve the efficiency of delivery of government frontline services.

Section 2. Section 12 of Republic Act No. 9485, otherwise known as the *“Anti-Red Tape Act of 2007,”* is hereby amended to read as follows:

Section 12. *Criminal Liability for Fixers* - In addition to Sec. 11 (b), fixers, as defined in this Act, shall suffer the penalty of imprisonment not [exceeding six years] **LESS THAN SIX YEARS BUT NOT EXCEEDING TWELVE YEARS** or a fine not less than [Twenty Thousand Pesos (P20,000.00)] **ONE HUNDRED THOUSAND PESOS (P100,000.00)** but not more than [Two Hundred Thousand Pesos (P200,000.00)] **ONE MILLION PESOS (P1,000,000.00)** or both fine and imprisonment at the discretion of the court.

Section 3. The Civil Service Commission in coordination with the Development Academy of the Philippines (DAP), the Office of the Ombudsman and the Presidential Anti-Graft Commission (PAGC),

Section 5. All laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

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

Approved,



BERNADETTE HERREKA-DY