

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

16th CONGRESS
First Regular Session

HOUSE BILL NO. 2205



Introduced by **REP. EVELINA G. ESCUDERO**

EXPLANATORY NOTE

This bill intends to augment the financial resources, thus increasing the funding of the Ombudsman by giving it a share in any property forfeited in favor of the State under Republic Act No. 1379, otherwise known as the Forfeiture Law. It bill provides a mechanism wherein 30% of the value of forfeited assets shall be used as funding for the Ombudsman which will assist the continued progress of cases. This method therefore ensures additional funding to the Ombudsman, and eliminates the need to reallocate funding from a stretched national budget.

The passage of this bill therefore is earnestly sought.


EVELINA G. ESCUDERO

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AN ACT
AMENDING SECTION 6 OF REPUBLIC ACT NO. 1379, OTHERWISE KNOWN AS
THE FORFEITURE LAW, TO PROVIDE A FIXED PERCENTAGE OF THE VALUE
OF FORFEITED PROPERTIES IN CORRUPTION CASES AS ADDITIONAL
FUNDING FOR THE OFFICE OF THE OMBUDSMAN AND FOR OTHER PURPOSES

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

1 **SECTION 1.** Sec. 6 of Republic Act No. 1379 is hereby amended to read as follows:
2

3 “Section 6. *Judgment.* If the respondent is unable to show to the satisfaction
4 of the court that he has lawfully acquired the property in question, then the
5 court shall declare such property forfeited in favour of the State, and by
6 virtue of such judgment the property aforesaid shall become property of the
7 State: *Provided, That THIRTY PERCENT (30%) OF THE VALUE OF*
8 *SUCH PROPERTY FORFEITED IN A FINAL AND EXECUTORY*
9 *ORDER OF THE COURT SHALL BE EARMARKED AS*
10 *ADDITIONAL FUNDING IN FAVOR OF THE OFFICE OF THE*
11 *OMBUDSMAN; PROVIDED, FURTHER, THAT IF THE PROPERTY*
12 *IS NOT IN CASH IT SHALL BE SOLD AT PUBLIC AUCTION AND*
13 *THE PROCEEDS THEREOF, AFTER DEDUCTING THE THIRTY*
14 *PERCENT (30%) FOR THE OFFICE OF THE OMBUDSMAN,*
15 *SHALL ACCRUE TO THE GENERAL FUND.* No judgment shall be
16 rendered within six months before any general election or within three
17 months before any special election. The Court may, in addition, refer to this
18 case to the corresponding Executive Department for administrative or
19 criminal action, or both.”
20

21 **SEC. 2.** *Separability Clause.* – Any portion of provisions of this Act that may be
22 declared unconstitutional or invalid shall not have the effect of nullifying other portions and

1 provisions hereof as long as such remaining portions or provisions can still subsist and be given
2 effect in their entirety.

3
4 **SEC. 3.** *Repealing Clause.* – All laws, decrees, executive orders, proclamations
5 and administrative regulations, or any parts thereof inconsistent herewith are hereby revoked,
6 repealed or modified accordingly.

7
8 **SEC. 4.** *Effectivity Clause.* This Act shall take effect fifteen (15) days from its
9 publication in at least two (2) newspapers of general circulation.

10
11 *Approved,*
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