

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3425



Introduced by Hon. Giorgidi B. Aggabao

EXPLANATORY NOTE

Graft and corruption is a world-wide malaise that affects the development of countries. It is considered as a stumbling block in uplifting the lives of the people proving the causal link between graft and corruption and underdevelopment. The international community through the United Nations, in addressing the growing malady adopted the United Nations Conventions Against Graft and Corruption (UNCAC) to which the Philippines is a signatory.

In the Philippines, graft and corruption has become pervasive that it developed into a total systemic affliction. Recently, we were dumbfounded by the grand larceny of public funds for private pecuniary gain and benefit. It is bleeding the coffers of the government and the innocent victim is no less than the Filipino people. Violations of anti-graft and corruption laws are considered to be one of the most difficult crimes to investigate and prosecute. It thrives in secrecy and the uncovering of new information to build up the case relatively takes considerable amount of time. Records show that those accused of violating the Anti-Graft Laws are often made liable for their crimes only upon its discovery either after their term or tenure in public or even after the change in government administration. By the time an Information in the graft court is to be filed, the crime is about to prescribe or has already prescribed.

Thus, not only in compliance with the provisions of the UNCAC but also, considering the transformational leadership we are all aspiring for, there is an urgent need to increase the prescriptive period for filing of graft cases from fifteen (15) years to thirty (30) years by amending Section 11 of Republic Act No. 3019, otherwise known as the "Anti Graft and Corrupt Practices Act". This will prevent perpetrators from escaping criminal liability by the mere technicality of prescription.

This bill was originally filed during the 14th Congress by Rep. Rufus B. Rodriguez. In the 15th Congress, he re-filed the same bill and a similar bill was also filed by Rep. Susan A. Yap. It was approved by the Committee on Revision of Laws on both Congresses under Committee Report No. 1681 and 931, respectively.

In view of the foregoing, the passage of this measure is earnestly requested.



GIORGIDI AGGABAO

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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 of the Philippines and the House of Representatives in Congress assembled:

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

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

SECTION 2. *Repealing Clause.* All laws, presidential decrees, executive orders and their implementing rules, inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 3. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.