

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 4717



Introduced by **CHRISTOPHER S. CO** and **RODEL M. BATOCABE**

EXPLANATORY NOTE

The passage of this bill seeks to amend Section 4 of Republic Act 8249 (An Act Further Defining the Jurisdiction of the Sandiganbayan) by transferring the jurisdiction on the cases that may be filed from the Sandiganbayan to the regular trial courts.

Considered as a basic tenet of constitutional law, the right to a speedy administration of justice is given prime importance. Also, it has been the policy of the State to remove, as swiftly as possible, the numerous cases that clog the dockets of the courts. It is in response to this that numerous amendments on jurisdiction of various courts have been passed to address this perennial problem in our justice system.

It is expressly provided in Section 16, Article III of the 1987 Constitution that one of the constitutional rights of Filipino citizen is the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies. Pursuant to this provision, the State has the obligation to set up the mechanism to ensure the immediate resolution of the disputes among its citizens.

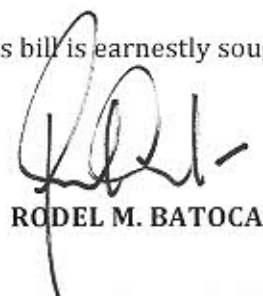
Sandiganbayan, a specialized court created by law to efficiently deal with cases of graft and corruption filed against erring government officials and employees, is currently criticized for the huge number of pending graft cases. There is an apparent long delay in the resolution of these cases which is proving to be detrimental to national interest and public accountability. Public office is a public trust, and when that trust is plagued by irregularities that destroy the confidence the public has reposed in an official, there is a moral obligation to ensure accountability and reparation swiftly and deliberately.

Therefore, it is imperative that a way be found to fast-track the process in Sandiganbayan. One such way is to lessen the load of the said court by limiting its jurisdiction to begin with public officials occupying the positions higher than a regional director [of a regional director or higher], otherwise classified as Grade '28 [27]' and higher. Those with a lesser salary grade will now be under the jurisdiction of regular courts. Through this re-classification, it is believed that the Sandiganbayan would be able to focus on cases involving people with higher accountability to the nation, with less delay and ample time to do so.

In light of all these circumstances, the swift passage of this bill is earnestly sought.



CHRISTOPHER S. CO



RODEL M. BATOCABE

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AN ACT AMENDING SECTION 4 OF REPUBLIC ACT 8249 (AN ACT FURTHER DEFINING THE JURISDICTION OF THE SANDIGANBAYAN) PROVIDING FOR THE TRANSFER OF JURISDICTION OVER SOME PUBLIC OFFICIALS FROM ITS JURISDICTION TO THE REGULAR TRIAL COURTS

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

SECTION 1. Section 4 of Republic Act 8249 is hereby amended to read as follows:

Section 4. Section 4 of the same decree is hereby further amended to read as follows:

"a. Violations of Republic Act No. 3019, as amended, otherwise known as the Anti-graft and Corrupt Practices Act, Republic Act No. 1379, and Chapter II, Section 2, Title VII, Book II of the Revised Penal Code, where one or more of the accused are officials occupying the following positions in the government whether in a permanent, acting or interim capacity, at the time of the commission of the offense:

"(1) Officials of the executive branch occupying the positions HIGHER THAN A REGIONAL DIRECTOR [of a regional director or higher], otherwise classified as Grade 28 [27]' and higher, of the Compensation and Position Classification Act of 1989 (Republic Act No. 6758), specifically including:

"(a) Provincial governors, vice-governors, members of the sangguniang panlalawigan; [and provincial treasurers, assessors, engineers and other provincial department heads]

"(b) City mayors, vice-mayors, members of the sangguniang panlungsod; [city treasurers, assessors engineers and other city department heads]

"(c) Officials of the diplomatic service occupying the position of consul and higher;

"(d) Philippine army and air force colonels, naval captains, and all officers of higher rank;

"(e) Officers of the Philippine National Police while occupying the position of provincial director and those holding the rank of senior superintendent or higher;

"(f) City and provincial prosecutors and their assistants, and officials and prosecutors in the Office of the Ombudsman and special prosecutor;

"(g) Presidents, directors or trustees, or managers of government-owned or -controlled corporations, state universities or educational institutions or foundations;

SECTION 2. Implementing Rules and Regulations. – Within ninety (90) days after the approval of this amendment, the Supreme Court shall prepare and promulgate the necessary rules and regulations needed to implement the amendatory provisions.

SECTION 3. Effectivity. This Act shall take effect fifteen (15) days after its complete publication in at least one (1) newspaper of general circulation.

Approved.