

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **5536**



Introduced by REP. Michael L. Romero and Enrico A. Pineda

EXPLANATORY NOTE

In the republic of the Philippines, it is under very strict compliance that in the performance of their duties all public officials and employees are under obligation to:

- (1) All public officials and employees shall, within fifteen (15) working days from receipt thereof, respond to letters, telegrams or other means of communications sent by the public. The reply must contain the action taken on the request.
- (2) All heads or other responsible officers of offices and agencies of the government and of government-owned or controlled corporations shall, within forty-five (45) working days from the end of the year, render a performance report of the agency or office or corporation concerned. Such report shall be open and available to the public within regular office hours.
- (3) All official papers and documents must be processed and completed within a reasonable time from the preparation thereof and must contain, as far as practicable, not more than three (3) signatories therein. In the absence of duly authorized signatories,

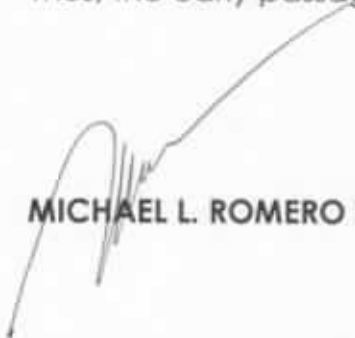
the official next-in-rank or officer in charge shall sign for and in their behalf.

(4) All public officials and employees must attend to anyone who wants to avail himself of the services of their offices and must, at all times, act promptly and expeditiously.

(5) All public documents must be made accessible to, and readily available for inspection by, the public within reasonable working hours.

This House Bill seeks to promote accountability to the people and see to it that all public officials and employees discharge their duties with utmost responsibility, integrity, competence, loyalty, and above all uphold public interest over personal interest.

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO Ph.D



ENRICO A. PINEDA

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AN ACT
AMENDING REPUBLIC ACT NO.6713, OTHERWISE KNOWN AS
THE "Code of Conduct and Ethical Standards for Public Officials and
Employees", PROVIDING STIFFER PENALTIES AND SANCTIONS, TO
PROMOTE A HIGHER STANDARD OF ETHICS IN PUBLIC SERVICE, TO
FOSTER ACCOUNTABILITY, TO ENSURE THE PROPER IMPOSITION
OF THEIR DUTIES WITH UTMOST RESPONSIBILITY, INTEGRITY,
COMPETENCE, AND LOYALTY, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representative of the
Philippines in congress assembled:*

SECTION 1. Declaration of Policy – it shall be the policy of the state to establish a code of conduct and ethical standards for public officials and employees.

The state shall hereby uphold the time-honored principle of public office being a public trust, granting incentives and rewards for exemplary service.

It shall hereby be the policy of the state to enumerate and identify prohibited acts and transactions and providing penalties for violations thereof.

SECTION 2. Penalties:

(a) Any public official or employee, regardless of whether or not he holds office or employment in a casual, temporary, holdover, permanent or regular capacity, committing any violation of this Act shall be punished with a fine not less than the equivalent of six **(6)** months' salary or suspension not less than one **(1)** year, or removal depending on the gravity of the offense after due notice and hearing by the appropriate body or agency.

If the violation is punishable by a heavier penalty under another law, he shall be prosecuted under the latter statute. Violations of Sections **7, 8 or 9 of RA6713** shall be punishable with imprisonment not less than five **(5)** years, or a fine not less than Fifty thousand pesos **(P50,000)**, or both, and, in the discretion of the court of competent jurisdiction, disqualification to hold public office.

(b) Any violation hereof proven in a proper administrative proceeding shall be sufficient cause for removal or dismissal of a public official or employee, even if no criminal prosecution is instituted against him.

(c) Private individuals who participate in conspiracy as co-principals, accomplices or accessories, with public officials or employees, in violation of this Act, shall be subject to the same penal liabilities as the public officials or employees and shall be tried jointly with them.

(d) The official or employee concerned may bring an action against any person who obtains or uses a report for any purpose prohibited by Section **8 (D) of RA6713**. The Court in which such action is brought may assess against such person a penalty in any amount not less than Fifty thousand pesos (**P50,000**).

If another sanction hereunder or under any other law is heavier, the latter shall apply.

SECTION 3. Administration and Enforcement - The Civil Service Commission (CSC) shall have the primary responsibility for the administration and enforcement of this Act. It shall transmit all cases for prosecution arising from violations of this Act to the proper authorities for appropriate action:

Provided, however, That it may institute such administrative actions and disciplinary measures as may be warranted in accordance with law.

Nothing in this provision shall be construed as a deprivation of the right of each House of Congress to discipline its Members for disorderly behavior.

The Civil Service Commission (CSC) is hereby authorized to promulgate rules and regulations necessary to carry out the provisions of this Act, including guidelines for individuals who render free voluntary service to the Government.

The Ombudsman shall likewise take steps to protect citizens who denounce acts or omissions of public officials and employees which are in violation of this Act.

SECTION 4. Provisions for Stiffer Standards - Nothing in this Act shall be construed to derogate from any law, or any regulation prescribed by anybody or agency, which provides for more stringent standards for its official and employees.

SECTION 5. Appropriations - The sum necessary for the effective implementation of this Act shall be taken from the appropriations of the Civil Service Commission on the year of its effectivity and every year after.

Thereafter, such sum as may be needed for its continued implementation shall be included in the annual General Appropriations Act (GAA).

SECTION 6. Separability Clause - If any provision of this Act or the application of such provision to any person or circumstance is declared invalid, the remainder of the Act or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SECTION 7. Repealing Clause - All laws, decrees and orders or parts thereof inconsistent herewith, are deemed repealed or modified accordingly, unless the same provide for a heavier penalty.

SECTION 8. Effectivity. - This Act shall take effect after thirty (30) days following the completion of its publication in the Official Gazette or in two (2) national newspapers of general circulation.