

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 7146



Introduced by **BAYAN MUNA** Representative **CARLOS ISAGANI T. ZARATE**

AN ACT
REQUIRING PUBLIC OFFICIALS AND EMPLOYEES TO EXECUTE A WRITTEN
PERMISSION TO EXAMINE, INQUIRE OR LOOK INTO THEIR BANK
DEPOSITS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6713 (RA 6713)
OR THE ACT ESTABLISHING A CODE OF CONDUCT AND ETHICAL
STANDARDS FOR PUBLIC OFFICIALS AND EMPLOYEES, AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

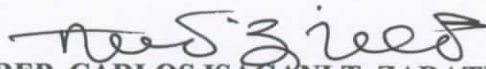
The 1987 Constitution explicitly provides that *Public office is a public trust. Public officers and employees must, at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency; act with patriotism and justice, and lead modest lives* (Art XI, Sec 1). It likewise provides that *The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption* (Art II Sec. 27).

Sec. 2 of RA 6713 or The Act Establishing a Code of Conduct and Ethical Standards for Public Officials and Employees, on the other hand, states that *It is the policy of the State to promote a high standard of ethics in public service. Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence, and loyalty, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest.*

To fulfill such policies, there is a need for additional measures to ensure that public officials and employees adhere to the highest ethical standards. Despite having in place deterrents like the annual filing of Statement of Assets and Liabilities (SALN), it does not stop public officials and employees from hiding undeclared income which in turn hampers transparent governance and anti-corruption mechanisms.

In view of the foregoing, immediate passage of this bill is earnestly sought.

Approved,


REP. CARLOS ISAGANI T. ZARATE
Bayan Muna Party-list

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

SECTION 1. Section 8 (A) of RA 6713 or the ACT ESTABLISHING A CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOYEES, is hereby amended to read as follows:

Section 8. Statements and Disclosure. - Public officials and employees have an obligation to accomplish and submit declarations under oath of, and the public has the right to know, their assets, liabilities, net worth and financial and business interests including those of their spouses and of unmarried children under eighteen (18) years of age living in their households.

(A) Statements of Assets and Liabilities and Financial Disclosure. - All public officials and employees, except those who serve in an honorary capacity, laborers and casual or temporary workers, shall file under oath their Statement of Assets, Liabilities and Net Worth and a Disclosure of Business Interests and Financial Connections and those of their spouses and unmarried children under eighteen (18) years of age living in their households.

The two documents shall contain information on the following:

- (a) real property, its improvements, acquisition costs, assessed value and current fair market value;
- (b) personal property and acquisition cost;
- (c) all other assets such as investments, cash on hand or in banks, stocks, bonds, and the like;
- (d) liabilities, and;

- (e) all business interests and financial connections.

The documents must be filed:

- (a) within thirty (30) days after assumption of office;
- (b) on or before April 30, of every year thereafter; and
- (c) within thirty (30) days after separation from the service.

All public officials and employees required under this section to file the aforesaid documents shall also execute, within thirty (30) days from the date of their assumption of office, the necessary authority in favor of the Ombudsman to obtain from all appropriate government agencies, including the Bureau of Internal Revenue, such documents as may show their assets, liabilities, net worth, and also their business interests and financial connections in previous years, including, if possible, the year when they first assumed any office in the Government. **THEY SHALL LIKEWISE EXECUTE A WRITTEN PERMISSION FOR THE OMBUDSMAN TO EXAMINE, INQUIRE OR LOOK INTO ALL THEIR BANK DEPOSITS, AS AN ADDITIONAL EXCEPTION TO REPUBLIC ACT NO. 1405 OR THE BANK SECRECY LAW, AS AMENDED.**

Husband and wife who are both public officials or employees may file the required statements jointly or separately.

The Statements of Assets, Liabilities and Net Worth and the Disclosure of Business Interests and Financial Connections shall be filed by:

- (1) Constitutional and national elective officials, with the national office of the Ombudsman;
- (2) Senators and Congressmen, with the Secretaries of the Senate and the House of Representatives, respectively; Justices, with the Clerk of Court of the Supreme Court; Judges, with the Court Administrator; and all national executive officials with the Office of the President.
- (3) Regional and local officials and employees, with the Deputy Ombudsman in their respective regions;
- (4) Officers of the armed forces from the rank of colonel or naval captain, with the Office of the President, and those below said ranks, with the Deputy Ombudsman in their respective regions; and
- (5) All other public officials and employees, defined in Republic Act No. 3019, as amended, with the Civil Service Commission.

SEC. 2. *Effectivity Clause.* This Act shall take effect immediately after its complete publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,