

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Batasan Hills, Quezon City

**TWENTIETH CONGRESS**  
First Regular Session

House Bill No. 5820



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Introduced by Abang Lingkod Party-list Representative  
**Manuel "Manman" O. Ko**

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### **EXPLANATORY NOTE**

Corruption, fraud, and abuse of authority continue to undermine public trust, weaken institutions, and drain public resources that should otherwise serve the Filipino people. Despite the existence of laws such as Republic Act No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees), Republic Act No. 9485 (Anti-Red Tape Act of 2007), and Republic Act No. 6770 (The Ombudsman Act of 1989), the mechanisms for detecting and reporting corruption remain weak—largely due to the absence of comprehensive legal protection for individuals who expose wrongdoing.

Whistleblowers, individuals who come forward to report corruption, fraud, or other unlawful acts, play a crucial role in promoting transparency and accountability in both government and the private sector. However, in the Philippines, the fear of retaliation, harassment, and loss of livelihood continues to silence potential whistleblowers. Existing protections are fragmented, procedural, and insufficient to ensure the safety and welfare of those who speak out in good faith.

In contrast, many countries across the ASEAN region and beyond have adopted robust legal frameworks to protect whistleblowers. Malaysia enacted its Whistleblower Protection Act of 2010, and South Korea institutionalized the Act on the Protection of Public Interest Whistleblowers (2011), both providing anonymity, legal immunity, and compensation for individuals who expose corruption or wrongdoing. These laws have significantly improved the detection of graft and public accountability in their respective jurisdictions.

This proposed measure seeks to fill the policy gaps by establishing a comprehensive whistleblower protection framework through the creation of a Whistleblower Protection Office (WPO) under the Office of the Ombudsman. The WPO will serve as the central authority for receiving disclosures, ensuring confidentiality, granting legal immunity, and protecting whistleblowers from retaliation or harm. The bill further introduces a reward mechanism, granting monetary incentives of one to five percent (1–5%) of recovered public funds to whistleblowers whose reports result in successful prosecution or asset recovery.

Moreover, the bill provides witness relocation, legal aid, and psychological support programs to safeguard the welfare of whistleblowers and their families. It also imposes strict penalties against individuals who retaliate against or endanger whistleblowers.

By enacting this measure, the State affirms its constitutional duty under Article XI, Section 1 of the 1987 Constitution, which mandates that public office is a public trust, and that public officers must, at all times, be accountable to the people. This bill strengthens the mechanisms for transparency, deters corruption, and complements the Freedom of Information (FOI) framework by empowering citizens to come forward without fear.

In sum, this proposed Whistleblower Protection and Anti-Retaliation Act is not merely an anti-corruption tool—it is a commitment to justice, integrity, and civic courage. It provides a legal and moral assurance that those who choose to expose wrongdoing in the service of the nation will be protected, supported, and rewarded.

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

  
**Manuel "Manman" O. Ko**

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**AN ACT PROVIDING COMPREHENSIVE PROTECTION, INCENTIVES, AND  
SUPPORT TO WHISTLEBLOWERS, ESTABLISHING THE  
WHISTLEBLOWER PROTECTION OFFICE UNDER THE OFFICE OF THE  
OMBUDSMAN, AND FOR OTHER PURPOSES**

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

**SECTION 1. Short Title.** - This Act shall be known as the “Whistleblower  
Protection and Anti-Retaliation Act.”

**SECTION 2. Declaration of Policy.** - It is hereby declared the policy of the  
State to promote integrity, transparency, and accountability in both public  
and private sectors by encouraging the reporting of corruption, fraud, abuse,  
and other wrongdoing. The State shall protect whistleblowers from retaliation,  
ensure confidentiality, provide for legal and psychological support, and  
incentivize disclosures that result in recovery of public harm.

**SECTION 3. Definition of Terms.** - For purposes of this Act, the following  
terms are defined as follows:

*a. Whistleblower* refers to any person who, in good faith and based on  
personal knowledge, discloses information relating to corruption,  
fraud, abuse of authority, waste, or violations of law by any public  
official, government employee, or private entity engaged in a  
transaction with the government.

*b. Protected Disclosure* refers to any report made in accordance with  
this Act to a proper authority regarding suspected or confirmed  
wrongdoing.

*c. Retaliation* pertains to negative or obstructive responses or reactions to a disclosure of misconduct or wrongdoing taken against the whistleblower and/or those officials and employees supporting him, or any of the whistleblower's relatives within the fourth civil degree either by consanguinity or affinity. It includes, but is not limited to, civil, administrative or criminal proceedings commenced or pursued against the whistleblower and/or those officials and employees supporting him, or any of the whistleblower's relatives within the fourth civil degree either by consanguinity or affinity, by reason of the disclosure made under these Rules. It also includes reprisals against the whistleblower and/or those officials and employees supporting him, or any of his relatives within the fourth civil degree either by consanguinity or affinity, such as forcing or attempting to force any of them to resign, to retire and/or transfer; negative performance appraisals; fault-finding; undue criticism; alienation; blacklisting; and such other similar acts.

*d. Good Faith* means the reasonable belief that the information disclosed is true and made without malice or intent for personal gain.

**SECTION 4. Scope and Coverage.** - This Act shall apply to all government agencies (including GOCCs), public officials, and private entities contracting with government, and individuals disclosing wrongdoing in good faith.

**SECTION 5. Whistleblower Protection Office (WPO).** - There is hereby created a *Whistleblower Protection Office (WPO)* under the Office of the Ombudsman, which shall:

- a. Receive, evaluate, and investigate disclosures made by whistleblowers;*
- b. Ensure the confidentiality and protection of the identity of whistleblowers;*
- c. Recommend administrative or criminal prosecution of offenders;*
- d. Implement protection programs and provide legal, psychological, and financial assistance; and*
- e. Administer the reward system provided under this Act.*

WPO's role is supportive and protective, while prosecution and investigation remain under the Ombudsman's core mandate.

**SECTION 6. Protection from Retaliation.** - A whistleblower who has made, or is believed or suspected to have made, a protected disclosure under this Act shall be entitled to the following rights and protections:

- a. Non-Retaliation Clause.* No whistleblower shall be subject to criminal, administrative, civil action, or disciplinary action, demotion, transfer,

harassment, or any form of retaliation as a result of making a protected disclosure.

b. *Confidentiality.* The identity and information of the whistleblower shall be kept strictly confidential and may only be disclosed upon written consent or by court order.

c. *Immunity from Prosecution.* Whistleblowers shall be granted immunity from administrative, civil, or criminal liability related to the disclosure made in good faith.

d. *Defense of Privileged Communication.* A whistleblower has the defense of absolute privileged communication in any action against him arising from a protected disclosure he has made.

e. *Relocation and Protection.* The WPO may arrange witness relocation, protective custody, or psychological support when the whistleblower's life or safety is threatened.

**SECTION 7. Confidentiality and Anonymity.** - The identity of the whistleblower and any related information shall be treated as strictly confidential and shall not be disclosed except:

- (a) upon written consent of the whistleblower; or*
- (b) by order of the court when disclosure is indispensable to the administration of justice.*

Violation of confidentiality shall be punishable by imprisonment of one (1) year to six (6) years and/or a fine of up to ₱500,000.00.

**SECTION 8. Immunity from Liability.** - A whistleblower who makes a protected disclosure in good faith shall be immune from any civil, criminal, or administrative liability arising from the act of disclosure.

However, immunity shall not apply to those who knowingly make false or malicious reports.

**SECTION 9. Incentives and Rewards.** - There is hereby created a *Whistleblower Reward Fund (WRF)* to be administered by the WPO.

The Fund shall be sourced from:

- a.) Ten percent (10%) of recovered public funds from successful corruption or fraud cases;*
- b.) Appropriations under the annual General Appropriations Act; and*

*c.) Donations and grants from domestic or international sources.*

A whistleblower may receive a monetary reward equivalent to one percent (1%) to five percent (5%) of the total recovered public funds, subject to the approval of the Ombudsman.

**SECTION 10. Protection and Assistance Program.** - The WPO shall implement a *Whistleblower Protection and Assistance Program (WPAP)* that provides:

*a.) Legal representation and counseling;*

*b.) Relocation, housing, or temporary safe haven;*

*c.) Psychological and medical assistance; and*

*d.) Employment reinstatement or compensation in case of retaliation.*

The Department of Justice (DOJ), Department of Social Welfare and Development (DSWD), and Philippine National Police (PNP) shall assist in the implementation of this program

**SECTION 11. Penalties**

*a.) False or Malicious Reports*

Any person who knowingly makes a false or malicious disclosure shall be liable for imprisonment of up to five (5) years and a fine of ₱1,000,000, without prejudice to civil damages.

*b.) Retaliation Action*

Any person who retaliates against a whistleblower shall, upon conviction, be punished with imprisonment of not less than six (6) years but not more than twelve (12) years, and a fine of ₱1,000,000 to ₱5,000,000, without prejudice to administrative or civil liability.

**SECTION 12. Coordination with Other Agencies.** - The WPO shall coordinate with the Office of the Ombudsman, Department of Justice (DOJ), Commission on Audit (COA), Civil Service Commission (CSC), Department of Budget and Management (DBM), and National Privacy Commission (NPC) to ensure consistency with existing procedures and data protection standards.

**SECTION 13. Relationship with Existing Laws.** - To avoid duplication, inconsistency, or conflict, this Act shall supplement and strengthen existing laws, including but not limited to:

- a. Republic Act No. 11232 (Revised Corporation Code) Section 169 — which penalizes retaliation against whistleblowers in corporations;*
- b. Republic Act No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees);*
- c. Republic Act No. 9485 (Anti-Red Tape Act);*
- d. Republic Act No. 10173 (Data Privacy Act of 2012) — especially in matters of confidentiality, consent, processing of personal information;*
- e. Republic Act No. 6770 (Ombudsman Act of 1989).*

In case of overlapping provisions, the more favorable protection or standard for the whistleblower shall apply.

**SECTION 14. Appropriation.** - The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the Office of the Ombudsman.

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

**SECTION 15. Implementing Rules and Regulations.** - Within ninety (90) days from the effectivity of this Act, the Office of the Ombudsman, in coordination with the Department of Justice (DOJ), Civil Service Commission (CSC), and the Department of Budget and Management (DBM), shall promulgate the Implementing Rules and Regulations (IRR) necessary to carry out the provisions of this Act.

**SECTION 16. Separability Clause.** - If any provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain valid, and in full force and effect.

**SECTION 17. Repealing Clause.** - All laws, orders, decrees, rules and regulations and other parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified.

**SECTION 18. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in newspapers of general circulation.

Approved,