

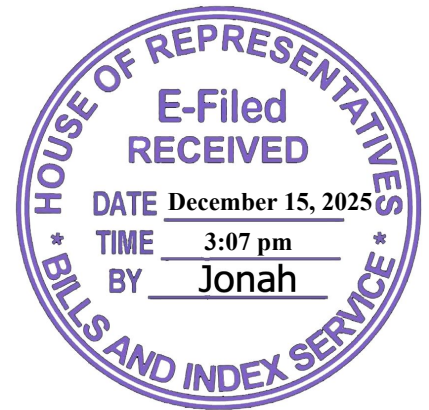
Republic of the Philippines
HOUSE OF REPRESENTATIVES

Quezon City, Metro Manila

TWENTIETH CONGRESS

First Regular Session

HOUSE BILL NO. 6864



Introduced by:

HON. CHRISTOPHERSON "COCO" M. YAP

EXPLANATORY NOTE

Corruption has wounded the Philippines for generations. It drains resources meant for classrooms, hospitals, and communities. It weakens the rule of law, deepens inequality, and leaves ordinary Filipinos feeling powerless and betrayed. Even with many laws and institutions in place, large and complex schemes continue to slip through the cracks, eroding trust in those who should serve the public with integrity.

Our Constitution reminds every public servant that office is a public trust. It demands accountability, responsibility, and patriotism. Yet experience has shown that existing mechanisms, often limited by complaints and case-by-case processes, struggle to confront corruption that is systematic and deeply entrenched.

The country has faced moments when only a strong, independent, and well-equipped body could confront a crisis. Congress has created such bodies before, including special commissions with broad authority to uncover the truth, protect the public interest, and recommend reforms. The Supreme Court has also made clear that fact-finding bodies are valid so long as they respect the Constitution treat everyone equally, and do not intrude on the powers of independent offices like the Ombudsman.

This bill follows these guideposts. It creates an Independent People's Commission Against Corruption that stand above politics and beyond the limits of any administration. Its mission is to uncover serious wrongdoing wherever it occurs and to shine light on schemes that rob the nation of dignity and progress. It does not prosecute or judge, and it does not infringe on the authority of the Ombudsman or

other courts. Its purpose is to gather truth, expose patterns, support reform, and empower citizens.

The Commission protects due process. It respects rights, secures data, and shields whistleblowers. It gives citizens a voice, invites civil society to the table, and ensures that anti-corruption work is rooted in public participation. Its independence is strengthened by strict qualifications, security of tenure, clear limits on political influence, congressional oversight, and transparent reporting. It is provided with stable funding so that its work cannot be undermined through neglect or pressure.

This measure is built on the belief that Filipinos deserve a government they can trust. A people-centered commission, created by Congress and guided by the Constitution, can help uncover the truth, protect public resources, and restore faith in honest service.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON "COCO" M. YAP
Representative, Second District of Southern Leyte

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HOUSE OF REPRESENTATIVES
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HOUSE BILL NO. 6864

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AN ACT
ESTABLISHING AN INDEPENDENT PEOPLE’S COMMISSION AGAINST
CORRUPTION, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS
THEREFOR, 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 *“Independent People’s Commission Against Corruption Act.”*

SECTION 2. Declaration of Policy. — It is hereby declared the policy of the State to maintain honesty and integrity in the public service and to take positive and effective measures against graft and corruption in all its forms, in accordance with the mandate to ensure accountability of public officers and to promote transparency and people participation in governance.

Towards this end, the State shall establish an independent, citizen-participated, non-partisan body to conduct fact-finding investigations into serious allegations of graft and corruption, recommend the filing of appropriate cases, propose systemic reforms, and help ensure that all public officials and employees are held to the highest standards of ethical conduct.

SECTION 3. Creation of the Independent People’s Commission Against Corruption (IPCAC). — There is hereby created an independent collegial body to be

known as the **Independent People’s Commission Against Corruption (IPCAC)**, hereinafter referred to as the **Commission**.

The Commission shall be attached to the Office of the President for budgetary purposes only, and shall otherwise operate as an independent and impartial body, free from political interference.

SECTION 4. Composition. —

- (a) The Commission shall be composed of **seven (7) Commissioners**, including a **Chairperson**, who shall sit as a collegial body.
- (b) The Commissioners shall be natural-born citizens of the Philippines, of known probity, independence, and integrity, and with at least fifteen (15) years of distinguished professional experience in any of the following fields:
 - 1. Law, particularly criminal, anti-graft, or administrative law;
 - 2. Audit, accountancy, or financial forensics;
 - 3. Public administration, governance or public policy;
 - 4. Civil society anti-corruption advocacy; or
 - 5. Journalism or investigative research related to public accountability.
- (c) At least **three (3) Commissioners** shall come from bona fide non-governmental, people’s or civil society organizations with a proven record of engagement in transparency, accountability, or anti-corruption work for at least five (5) years immediately preceding appointment.
- (d) The Chairperson and Commissioners shall be appointed by the President from a list of nominees submitted by a **Second Council** composed of:
 - 1. The Chief Justice of the Supreme Court, or his/her duly authorized representative;
 - 2. The Senate President, or his/her duly authorized representative;
 - 3. The Speaker of the House of Representatives, or his/her duly authorized representative;
 - 4. The Chairperson of the Civil Service Commission, or his/her duly authorized representative; and
 - 5. Three (3) representatives from accredited national people’s and civil society organizations involved in anti-corruption work, to be selected in a manner to be provided in the implementing rules and regulations (IRR).

The Selection Council shall publicly call for applications and nominations and shall conduct public interviews in such a manner as it may prescribe in its own rules.

SECTION 5. Term of Office; Security of Tenure. —

- (a) The Chairperson and Commissioners shall hold office for a **non-renewable term of seven (7) years**, unless sooner removed for cause as provided by law.
- (b) Of those first appointed, two (2) Commissioners shall serve for three (3) years, two (2) for five (5) years, and three (3), including the Chairperson, for seven (7) years, to be determined by lot immediately upon assumption of office, so as to ensure staggered terms.
- (c) The Commissioners shall enjoy security of tenure and may be removed from office only by impeachment, or in the case of those not covered by impeachment under the Constitution, only for causes and in accordance with procedures analogous to those for removal of members of constitutional commissions, to be defined in the IRR and without prejudice to judicial review.

SECTION 6. Rank, Compensation and Privileges. — The Chairperson shall have the rank, salary, and privileged equivalent to that of an Associate Justice of the Court of Appeals, and the Commissioners shall have the rank, salary, and privileges equivalent to that of Regional Trial Court Judges, as may be adjusted by law. They shall not receive additional compensation from any other government or private office of employment.

SECTION 7. Prohibitions and Disqualifications. —

- (a) No person shall be appointed as Commissioner if he or she:
 - 1. Is, or has been within three (3) years prior to appointment, a candidate for any elective public office;
 - 2. Is, or has been within three (3) years prior to appointment, an officer of any national political party; or
 - 3. Has been convicted by final judgment of any crime involving moral turpitude, or found liable for any administrative offense involving dishonesty, grave misconduct, or corruption.

- (b) During the tenure and for two (2) years after cessation from office, Commissioners shall not:
1. Hold any other public office except in an ex officio capacity;
 2. Appear as counsel or agent before any court, tribunal, or agency in any matter involving the government; or
 3. Be employed, or receive compensation from, any person or entity with a direct or indirect interest in any matter investigated by the Commission during their tenure.

SECTION 8. Secretariat and Support Staff. —

- (a) The Commission shall have a **Secretariat** headed by and Executive Director, who shall be appointed by the Commission and shall have the rank and compensation equivalent to that of an Assistant Secretary.
- (b) The Commission may appoint and fix the qualifications, ranks, and salaries of such technical, legal, investigative, and administrative personnel as may be necessary for the effective performance of its functions, subject to existing civil service laws, rules and regulations.
- (c) The Secretariat and staff shall be composed, as far as practicable, of a multidisciplinary team including lawyers, accountants, auditors, data analysis, investigators, information technology specialists, and communications officers.

SECTION 9. Mandate and Functions. — The Commission shall:

- (a) Conduct **thorough, independent, and non-partisan fact-finding investigations** of serious allegations and patterns of graft and corruption, whether motu proprio or upon complaint, including:
1. Large-scale or systemic corruption involving public funds or property;
 2. Corruption in high-impact public projects and programs;
 3. Corruption involving high-ranking officials of the Executive, Legislative, and Judicial branches, local government units, and government-owned or controlled corporations; and
 4. Any other corruption cases of significant public interest as may be determined in the Commission.

- (b) **Collect, receive, review, and evaluate evidence** related to corruption cases being investigated, and for this purpose, require any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations and their subsidiaries, to produce documents, books, records and other papers relevant to the investigation;
- (c) **Recommend the filing of appropriate criminal, civil, and administrative charges** before the Office of the Ombudsman, the Department of Justice, or other appropriate bodies, based on its fact-finding investigations;
- (d) **Recommend the adoption of systemic and institutional reforms**, including legislative, administrative, and policy measures to prevent the occurrence of similar acts of corruption and to strengthen transparency, accountability, and public participation;
- (e) **Coordinate and cooperate** with the Office of the Ombudsman, the Commission on Audit, the Commission on Human Rights, the Civil Service Commission, the Department of Justice, law enforcement agencies, and other relevant government bodies in the investigation and prosecution of graft and corruption;
- (f) **Provide a protected channel for citizen complaints and whistleblowers** against graft and corruption, and adopt appropriate procedures and safeguards to encourage public participation while preventing abuse;
- (g) Conduct **information and education campaigns** to raise public awareness on corruption, citizens' rights, and available remedies; and
- (h) Perform such other acts as may be necessary, proper, or incidental to the attainment of the objectives of this Act.

SECTION 10. Powers. — To accomplish its mandate, the Commission shall have the powers of an investigative body, including the authority:

- (a) To **promulgate its own rules and regulations** governing its proceedings and internal operations, consistent with this Act, which rules shall be published in at least two (2) national newspapers of general circulation and shall take effect two (2) days after publication;

- (b) To **issue subpoenas ad testificandum and duces tecum** to any person, natural or juridical, including banks and financial institutions, subject to constitutional and statutory safeguards, and to require the production of documents, records, and other evidence;
- (c) To **administer oaths or affirmations**, examine witnesses, and take their testimonies, including through depositions, consistent with the powers commonly granted to special commissions of inquiry;
- (d) To **initiate appropriate proceedings for indirect contempt** before the proper court against any person who, without lawful excuse, disobeys a subpoena or subpoena duces tecum issued by the Commission, refuses to be sworn or to answer any proper and relevant question, or otherwise obstructs its investigations, without prejudice to criminal or administrative liability under other laws;
- (e) To **request or recommend to the Department of Justice, the Bureau of Immigration, or the appropriate courts** the issuance of hold departure orders, lookout bulletins, or similar measures with respect to persons under investigation by the Commission when there is reasonable ground to believe that they have committed serious acts of graft and corruption and that there is a risk of flight or evasion of investigation or prosecution.
- (f) To **coordinate with, and where appropriate assist, law enforcement agencies or prosecutors** in the **preparation and filing of applications for search warrants and arrest warrants** before the proper courts, based on evidenced gathered by the Commission and consistent with Article III, Section 2 of the Constitution;
- (g) To **enter into a memoranda of agreement** with other government agencies, constitutional bodies, and non-government organizations for the sharing of information, technical expertise, and other forms of assistance;
- (h) To **call upon any government investigative, prosecutorial, or law enforcement agency**, including the National Bureau of Investigation and the Philippine National Police, to make available their offices, personnel, and facilities as may be necessary to attain the objectives of this Act;

- (i) To **recommend the grant of immunity** to certain witnesses in accordance with existing laws and rules on state witnesses when their testimony is necessary to ensure that the ends of justice be fully served; and
- (j) To **adopt measures for the protection of witnesses, whistleblowers, and informants**, in coordination with the Witness Protection, Security, and Benefit Program and any existing whistleblower protection mechanisms.
- (k) To exercise such other acts as may be necessary and proper to carry out the purposes of this Act, **provided that nothing herein shall be construed as conferring upon the Commission prosecutorial, adjudicatory, or penal powers**, which remain vested in the office of the Ombudsman, the Department of Justice, the regular courts and other competent authorities under existing laws.

SECTION 11. Nature of Findings. —

- (a) The Commission is a **fact-finding body**. Its findings and recommendations **shall not bind** the Office of the Ombudsman, the Department of Justice, the courts, or other appropriate bodies, which shall independently evaluate the evidence and determine the existence of probable cause or liability.
- (b) The proceedings and findings of the Commission shall be **non-duplicative** of, and without prejudice to, the powers, functions and jurisdiction of the Office of the Ombudsman and other constitutional bodies.

SECTION 12. Due Process; Rights of Persons Involved. —

- (a) The Commission shall, at all times, respect and uphold the constitutional rights persons appearing before it, including the right to due process, the right against self-incrimination, the right to counsel, and the presumption of innocence.
- (b) No person shall be compelled to testify against himself or herself, or against his or her spouse.
- (c) The Commission shall adopt procedures to ensure fairness, including the opportunity of persons named adversely in its proceedings to be heard and to

submit explanations or evidence in their defense prior to the issuance of a final report involving them.

SECTION 13. Transparency and Public Participation. —

- (a) The Commission shall conduct its proceedings in a transparent manner, consistent with the requirements of due process, confidentiality of sensitive information, and data privacy.
- (b) It shall establish accessible channels, both physical and electronic, for receiving complaints, reports, and information from citizens and organizations on alleged acts of graft and corruption.
- (c) The Commission may conduct public hearings or consultations on major investigations or proposed reforms, except where confidentiality is necessary to protect ongoing investigations, witnesses, or national security.

SECTION 14. Reports. —

- (a) The Commission shall submit to the President and to Congress an **Annual Report** on its operations, including:
 - 1. The number and nature of cases investigated;
 - 2. The agencies or sectors involved;
 - 3. Recommendations for the filing of charges and the status of such recommendations; and
 - 4. Proposed legislative, policy, or administrative reforms.
- (b) The Commission may issue a **special or interim reports** on matters of urgent public interest which shall be made public, subject to redaction of sensitive information.
- (c) All final reports, including recommendations, shall be **published** and made publicly accessible.

SECTION 15. Relationship with Other Bodies. —

- (a) Nothing in this Act shall be construed to diminish or alter the constitutional powers, functions, and independence of the Office of the Ombudsman, the

Commission on Audit, the Civil Service Commission, the Commission on Human Rights, or other constitutional offices.

- (b) The Commission shall not exercise **prosecutorial powers**, which shall remain with the Office of the Ombudsman, the Department of Justice, and other prosecutorial offices as provided by law.
- (c) The Commission shall endeavor to **avoid duplication** of investigations being conducted by the Ombudsman or any other competent agency and, when appropriate, may defer or refer a matter to such agency.

SECTION 16. Appropriations. — The amount necessary to carry out the initial organization and operation of IPCAC shall be charged against the appropriate funds of the Office of the President. Thereafter, such sums as may be necessary for the continued operation and maintenance of the Commission shall be included in the annual General Appropriations Act.

SECTION 17. Implementing Rules and Regulations. — Within ninety (90) days from the effectivity of this Act, the Commission, in consultation with the Office of the Ombudsman, the Department of Justice, the Commission on Audit, the Civil Service Commission, the Commission on Human Rights, representative of the judiciary, and accredited people’s and civil society organizations, shall promulgate the necessary rules and regulations to effectively implement the provisions of this Act.

SECTION 18. Protection of Data and Confidential Information. —

- (a) The Commission shall adopt protocols to safeguard personal data and confidential information obtained in the course of its investigations, consistent with existing data protection laws.
- (b) Unauthorized disclosure of confidential information by any Commissioner, official, employee, or agent of the Commission shall be a ground for administrative and, when appropriate, criminal liability under applicable laws.

SECTION 19. Offenses and Penalties. —

- (a) Any persons who, without lawful excuse, refuses to obey a lawfully issued subpoena or subpoena duces tecum of the Commission, or who, being present

before the Commission, refuses to be sworn or to answer any proper and relevant question, may upon application of the Commission, be cited in indirect contempt by the proper court in accordance with the Rules of Court, without prejudice to other applicable criminal or administrative liabilities;

- (b) Any person who knowingly makes a materially false statement or submits falsified documents to the Commission in the course of its investigations shall be liable under existing penal and administrative laws, including but not limited to the Revised Penal Code and the Anti-Graft and Corrupt Practices Act.
- (c) Any public office or employee who willfully fails or refuses, without just cause, to comply with any lawful request or order of the Commission in relation to its investigations shall be administratively liable, without prejudice to other liabilities under existing laws.

SECTION 20. Congressional Oversight. — There is hereby created a Congressional Oversight Committee on the Independent People’s Commission Against Corruption, composed of seven (7) members of the Senate and seven (7) members from the House of Representatives, to oversee the implementation of this Act and review the IRR. The Committee shall exist for a period of five (5) years from the effectivity of this Act, unless extended by Congress.

SECTION 21. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SECTION 22. Repealing Clause. — All laws, decrees, orders, rules, regulations or parts thereof inconsistent with this Act are hereby amended, repealed, or modified accordingly.

SECTION 23. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,