

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session

SENATE
P.S.R. No. 010

INTRODUCED BY SENATOR SERGIO OSMEÑA III

RESOLUTION
AMENDING RESOLUTION NO. 5 OTHERWISE KNOWN AS THE RULES OF
PROCEDURE GOVERNING INQUIRIES IN AID OF LEGISLATION

WHEREAS, Article VI, Section 21 of the 1987 Constitution provides that the Senate or the House of Representatives or any of its respective committees may conduct inquiries in aid of legislation in accordance with its duly published rules of procedure;

WHEREAS, inherent to the enforcement of the right to conduct inquiries in aid of legislation is the right of the Senate and its committees to exercise the power of contempt;

WHEREAS, at present, the required vote necessary for a Senate committee to punish any witness for contempt is "a vote of a majority of all its members";

WHEREAS, the amendment is necessary to allow the senators to attend to equally important matters requiring their immediate attention without frustrating the inherent right of the committees to exercise the power of contempt;

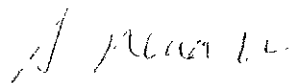
NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved by the Senate of the Philippines, to amend SECTION 18 of RESOLUTION NO. 5 otherwise known as the SENATE RULES OF PROCEDURE GOVERNING INQUIRIES IN AID OF LEGISLATION to read as follows:

"Section 18. *Contempt.* (a) The Chairman with the concurrence of at least one (1) member of the Committee, may punish or cite in contempt any witness before the Committee who disobeys any order of the Committee or refuses to be sworn or to testify or to answer a proper question by the Committee or any of its members, or testifying, testifies falsely or evasively, or who unduly refuses to appear or bring before the Committee certain documents and/or object evidence required by the Committee notwithstanding the issuance of the appropriate subpoena therefor. A majority of all the members of the Committee may, however, reverse or modify the aforesaid order of contempt within seven (7) days.

A contempt of the Committee shall be deemed a contempt of the Senate. Such witness may be ordered by the Committee to be detained in such place as it may designate under the custody of the Sergeant-at-Arms until he agrees to produce the required documents, or to be sworn or to testify, or otherwise purge himself of that contempt.

(b) A report of the detention of any person for contempt shall be submitted by the Sergeant-At-Arms to the Committee and the Senate."

Adopted,


SERGIO OSMEÑA III
Senator