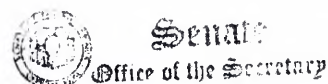


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NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



'22 JUL 25 AIO :26

**SENATE**

RECEIVED BY: 

**S. No. 795**

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**Introduced by Senator Jinggoy Ejercito Estrada**

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**AN ACT**  
**AMENDING SECTION 6 OF REPUBLIC ACT NO. 1379, OTHERWISE KNOWN**  
**AS THE FORFEITURE LAW, TO PROVIDE A FIXED PERCENTAGE OF THE**  
**VALUE OF FORFEITED PROPERTIES IN CORRUPTION CASES AS**  
**ADDITIONAL FUNDING FOR THE OFFICE OF THE OMBUDSMAN AND FOR**  
**OTHER PURPOSES**

**EXPLANATORY NOTE**

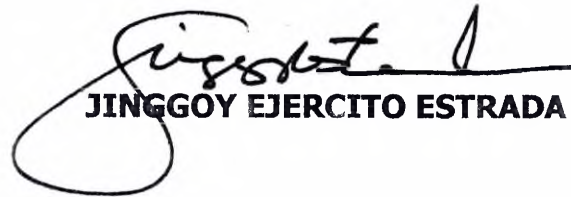
By constitutional mandate, the Office of the Ombudsman was created through Republic Act 6770, otherwise known as "The Ombudsman Act of 1989." Popularly known as the government's watchdog, the Office of the Ombudsman performs a major role in the government's fight against graft and corruption. It is the constitutional accountability authority in government with full powers to exercise extraordinary oversight and investigative authority over actions of all public officials and employees. However, the limited resources as well as the lack of personnel affect the resolution and disposition of cases.

This proposed bill seeks to assist the Office of the Ombudsman in the fulfillment of its mandate by providing additional funding to the said constitutional office thru the grant of a share in any property forfeited in favor of the State under Republic Act No. 1379, otherwise known as the Forfeiture Law.

This measure shall provide a mechanism wherein 30% of the value of forfeited assets shall be used as funding for the Office of the Ombudsman that will assist the continued progress of cases and help in effectively performing its functions and responsibilities. The percentage method will also ensure that the additional funding will not result to any revenue loss on the part of the national government.

This measure is a consolidated/substituted bill drafted by the Committee on Justice and Human Rights during the 14<sup>th</sup> Congress. This bill is pending on the same Committee during the 18<sup>th</sup> Congress.

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



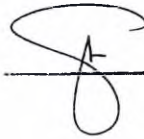
**JINGGOY EJERCITO ESTRADA**

NINETEENTH CONGRESS OF THE )  
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*Be it enacted by the Senate and House of Representatives of the Philippines in  
Congress assembled:*

1 Section 1. Sec. 6 of Republic Act No. 1379 is hereby amended to read as  
2 follows:

3 "Section 6. *Judgment.* If the respondent is unable to  
4 show to the satisfaction of the court that he has lawfully  
5 acquired the property in question, then the court shall  
6 declare such property forfeited in favor of the State, and by  
7 virtue of such judgment the property aforesaid shall become  
8 property of the State: **PROVIDED, THAT THIRTY**  
9 **PERCENT (30%) OF THE VALUE OF SUCH PROPERTY**  
10 **FORFEITED IN A FINAL AND EXECUTORY ORDER OF**  
11 **THE COURT SHALL BE EARMARKED AS ADDITIONAL**  
12 **FUNDING IN FAVOR OF THE OFFICE OF THE**  
13 **OMBUDSMAN; PROVIDED, FURTHER, THAT IF THE**  
14 **PROPERTY IS NOT IN CASH IT SHALL BE SOLD AT**  
15 **PUBLIC AUCTION AND THE PROCEEDS THEREOF,**  
16 **AFTER DEDUCTING THE THIRTY PERCENT (30%)**

1           **FOR THE OFFICE OF THE OMBUDSMAN , SHALL**  
2           **ACCRUE TO THE GENERAL FUND.** No judgment shall be  
3           rendered within six months before any general election or  
4           within three months before any special election. The Court  
5           may, in addition, refer the case to the corresponding  
6           Executive Department for administrative or criminal action,  
7           or both."

8           *Sec. 2. Separability Clause.* - Any portion or provisions of this Act that may be  
9           declared unconstitutional or invalid shall not have the effect of nullifying other  
10          portions and provisions hereof as long as such remaining portions or provisions can  
11          still subsist and be given effect in their entirety

12          *Sec. 3. Repealing Clause.* - All laws, decrees, executive orders, proclamations  
13          and administrative regulations, or any parts thereof inconsistent herewith are hereby  
14          revoked, repealed or modified accordingly.

15          *Sec. 4. Effectivity Clause.* - This Act shall take effect fifteen (15) days after its  
16          publication in two (2) national papers of general circulation.

*Approved,*