Republic of Philippines HOUSE OF REPRESENTATIVES Quezon City, Metro Manila

SEVENTEENTH CONGRESS 1st Regular Session

HOUSE BILL. NO.



Introduced by Rep. BERNADETTE HERRERA-DY

EXPLANATORY NOTE

Corruption in the Philippines is perceived to be the worst among South East Asia's leading economies and had even sunk lower among those seen to be lagging in governance reforms. in 2015, the World Bank report on worldwide governance indicators (WGI) for developing countries identified which countries were doing well in controlling corruption and some even matched rich-country performance in overall governance measures. Unfortunately, the Philippines was not among them. The Philippines is 5th to the bottom of the list of South East Asia's 10 largest economics when it comes to the control of corruption. Corruption, since then, has long been a hindrance to the development of this country and has been a threat and discouragement to prospective foreign as well as domestic investors in the country. Moreover, this fact does not only worsen the image of the government, but the entire Filipino race as a whole.

Section 27 of Article II of the 1987 Constitution states that it is a policy of the State to maintain honesty and integrity in the public service, and to this end it shall take positive and effective measures against graft and corruption. Accordingly, Republic Act No. 9485, otherwise known as the "Anti-Red Tape Act of 2007," was enacted on 02 July 2007 during the Thirteenth Congress, primarily to eliminate red tape and improve frontline service delivery, as these issues had been considered of utmost urgency at that time.

Today, in light of the Duterte Administration's drive to end graft and corruption in the public service, there is an imperative need to strengthen the Anti Red Tape Act of 2007 to upgrade its competence in promoting transparency in government affairs and integrity and honesty among government servants. This bill therefore seeks to amend Section 1 of the law by providing more stringent penalties for the violators thereof, which will hopefully deter further violations and corrupt practices in the future.

In this light, the immediate passage of this bill is earnestly requested.

REP. BÉRNADETTÉ HERRERA-DY

http://info.worldbank.org/governance/wgi/index.aspx#reports

Republic of Philippines 1 HOUSE OF REPRESENTATIVES 2 Quezon City, Metro Manila 3 4 SEVENTEENTH CONGRESS 5 1st Regular Session 6 7 8 HOUSE BILL. NO. 3793 9 10 11 12 Introduced by Rep. BERNADETTE HERRERA-DY 13 14 15 AN ACT AMENDING SECTION 12 OF REPUBLIC ACT NO. 9485, 16 OTHERWISE KNOWN AS "AN ACT TO IMPROVE EFFICIENCY IN 17 18 THE DELIVERY OF GOVERNMENT SERVICES TO THE PUBLIC BY REDUCING BUREAUCRATIC RED TAPE, PREVENTING GRAFT 19 AND CORRUPTION, AND PROVIDING PENALTIES THEREFOR. 20 OTHERWISE KNOWN AS THE "ANTI-RED TAPE ACT OF 2016" 21 AND FOR OTHER PURPOSES 22 23 Be it enacted by the Senate and the House of Representatives of the 24 25 Philippines in the Congress assembled: 26 Section I. It is hereby declared the policy of the State to establish an 27 effective system that will eliminate bureaucratic red tape, avert graft and corrupt 28 practices and improve the efficiency of delivery of government frontline services. 29 30 Section 2. Section 12 of Republic Act No. 9485, otherwise known as the "anti-Red Tape Act of 2007 is hereby amended as follows: 31 32 Section 12. Criminal Liability for fixers - In addition to Section 11 (b), Fixers, as defined in this act, shall suffer the penalty of 33 imprisonment NOT LESS THAN SIX YEARS BUT NOT 34 EXCEEDING TWELVE YEARS or a fine not less than Two 35 Hundred Thousand Pesos (Php200, 000.00) but not more than 36 One Million Pesos (Php1,000,000.00) or both fine and 37

imprisonment at the discretion of the court.

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Section 3. The administrative jurisdiction on any violation on any of the provision of this act shall be vested in either the Civil Service Commission in coordination with the Development Academy of the Philippines (DAP), the Office of the Ombudsman, and the Investigative and Adjudicatory Division under Office of the Deputy Secretary for Legislative Affairs, as determined by appropriate laws and issuances.

Section 4. All laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 5. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

51 Approved,