

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 690



INTRODUCED BY REPRESENTATIVE XAVIER JESUS D. ROMUALDO

EXPLANATORY NOTE

Section 1, Article XI of the 1987 Constitution provides that “[p]ublic office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives.” Despite this constitutional injunction, graft and corruption seems to remain in Philippine society.

The Office of the Ombudsman is tasked to investigate on its own or on complaint by any person, any act or omission of any public official, employee, office or agency, when such act or omission appears to be illegal, unjust, improper, or inefficient. Though zealous, the men and women of the Office of the Ombudsman, themselves government officials and employees, are not spared from challenges brought about by numerous suits filed against them by disgruntled litigants. Moreover, their personal safety and the safety of their family are at constant risk due to the cases they handle. Furthermore, despite the enormity of their task of battling graft and corruption, the compensation of Ombudsman officials and employees not comparable to that of their counterparts in other anti-graft and corruption bodies in the Asia-Pacific Region.

With the enactment of this bill into law, it is believed that the enhancement of the welfare of the country’s graft busters will strengthen the Office of the Ombudsman as an institution in its fight against graft and corruption.

In view of all the foregoing, the support of the Members of Congress for the prompt and timely passage of this measure is earnestly sought.


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AN ACT
STRENGTHENING THE OFFICE OF THE OMBUDSMAN BY UPGRADING
EMPLOYEE SKILLS, AUGMENTING COMPENSATION AND BENEFITS, AND
ENHANCING FISCAL AUTONOMY, APPROPRIATING FUNDS THEREFOR,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6770, OTHERWISE KNOWN
AS THE OMBUDSMAN ACT OF 1989, AND FOR OTHER PURPOSES

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

1 SECTION 1. Section 6 of Republic Act (RA) No. 6770 is hereby amended to read as
2 follows:

3
4 SEC. 6. Rank and Salary. — The Ombudsman and his Deputies shall have
5 the same ranks, salaries and privileges as the Chairman and members, respectively,
6 of a Constitutional Commission. Their salaries shall not be decreased during their
7 term of office.

8
9 [The members of the prosecution, investigation and legal staff of the Office of the
10 Ombudsman shall receive salaries which shall not be less than those given to
11 comparable positions in any office in the Government.]

12
13 THE MEMBERS OF THE PROSECUTION, INVESTIGATION, LEGAL,
14 AND PERMANENT ADMINISTRATIVE STAFF OF THE OFFICE OF THE
15 OMBUDSMAN SHALL HAVE THE SAME RANK, SALARIES,
16 ALLOWANCES, EMOLUMENTS, AND OTHER PRIVILEGES, INCLUDING
17 THE SAME RETIREMENT AND OTHER BENEFITS, AS THOSE OF

MEMBERS OF THE JUDICIARY IN ACCORDANCE WITH THE
FOLLOWING TABLE:

OFFICE OF THE OMBUDSMAN	JUDICIARY
ASSISTANT OMBUDSMAN AND OTHER PERMANENT EMPLOYEES WITH SALARY GRADE (SG) 29	REGIONAL TRIAL COURT JUDGE
GRAFT INVESTIGATION AND PROSECUTION OFFICER (GIPO) IV AND OTHER PERMANENT EMPLOYEES WITH SG 28	METROPOLITAN TRIAL COURT JUDGE
GIPO III AND OTHER PERMANENT EMPLOYEES WITH SG 27	MUNICIPAL TRIAL COURT IN CITIES JUDGE
GIPO II AND OTHER PERMANENT EMPLOYEES WITH SG 26	MUNICIPAL TRIAL COURT JUDGE

SEC. 2. The following Sections are hereby inserted between Sections 6 and 7 of RA No.
6770:

SEC. 6-A. RETIREMENT BENEFITS. – MEMBERS OF THE
PROSECUTION, INVESTIGATION, LEGAL, AND PERMANENT
ADMINISTRATIVE STAFF OF THE OFFICE OF THE OMBUDSMAN, AS
PRESENTED IN THE TABLE IN SECTION 6 HEREOF, WHO HAVE
RENDERED AT LEAST FIFTEEN (15) YEARS OF GOVERNMENT SERVICE,
THE LAST FIVE (5) OF WHICH ARE WITH THE OFFICE OF THE

1 OMBUDSMAN, AND HAVE REACHED THE AGE OF SIXTY-FIVE (65),
2 SHALL BE ENTITLED TO A RETIREMENT PENSION BASED ON THEIR
3 HIGHEST MONTHLY SALARY, PLUS THE HIGHEST MONTHLY
4 AGGREGATE OF TRANSPORTATION, LIVING, AND REPRESENTATION
5 ALLOWANCES, WHICH THEY WERE RECEIVING IMMEDIATELY PRIOR
6 TO THE TIME OF THEIR RETIREMENT.

7
8 THOSE WHO HAVE RENDERED SERVICE FOR THE SAME PERIOD AND
9 WHO HAVE REACHED THE AGE OF SIXTY (60) AND OPT TO RETIRE
10 SHALL BE ENTITLED TO THE SAME BENEFIT.

11
12 SEC. 6-B. CONDITIONS FOR ENTITLEMENT OF PENSION. – TO
13 MAINTAIN ENTITLEMENT TO THE PENSION HEREIN PROVIDED, NO
14 FORMER LAWYER OF THE OFFICE OF THE OMBUDSMAN, DURING THE
15 TIME HE OR SHE IS RECEIVING SAID PENSION, SHALL APPEAR AS
16 COUNSEL BEFORE ANY JUDICIAL OR QUASI-JUDICIAL AGENCY IN
17 ANY CIVIL CASE WHEREIN THE GOVERNMENT OR ANY AGENCY,
18 SUBDIVISION, OR INSTRUMENTALITY THEREOF IS AN ADVERSE
19 PARTY, IN ANY CRIMINAL CASE WHEREIN ANY OFFICER OR
20 EMPLOYEE OF THE GOVERNMENT IS ACCUSED OF AN OFFENSE
21 COMMITTED IN RELATION TO HIS/HER OFFICE, OR IN ANY
22 ADMINISTRATIVE PROCEEDINGS TO MAINTAIN AN INTEREST
23 ADVERSE TO THE NATIONAL OR A LOCAL GOVERNMENT OR TO ANY
24 OF ITS LEGALLY CONSTITUTED OFFICERS.

25
26 WHEN A FORMER LAWYER OR MEMBER OF THE ADMINISTRATIVE
27 STAFF OF THE OFFICE OF THE OMBUDSMAN COVERED BY AND
28 RECEIVING ANY BENEFIT UNDER THIS ACT SHALL ASSUME AN
29 ELECTIVE OR APPOINTIVE POSITION IN GOVERNMENT, HE OR SHE
30 SHALL NOT, UPON ASSUMPTION OF OFFICE AND DURING HIS/HER

1 TERM OR TENURE, RECEIVE THE MONTHLY PENSION OR ANY OF THE
2 ALLOWANCES DUE HIM/HER FROM THE OFFICE OF THE OMBUDSMAN.

3
4 SEC. 6-C. OTHER PERSONNEL BENEFITS AND PRIVILEGES. – THE
5 PROVISIONS OF OTHER LAWS TO THE CONTRARY
6 NOTWITHSTANDING, THE OFFICE OF THE OMBUDSMAN MAY PROVIDE
7 ITS EMPLOYEES WITH THE FOLLOWING BENEFITS:

8
9 A. HEALTH CARE SERVICES THROUGH A HEALTH MAINTENANCE
10 ORGANIZATION;

11
12 B. ACCIDENT INSURANCE, PROCURED BY THE OFFICE OF THE
13 OMBUDSMAN AT ITS OWN EXPENSE, DURING TRAVELS WHILE
14 IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AND
15 FUNCTIONS;

16
17 C. SCHOLARSHIPS FOR DESERVING EMPLOYEES ON OFFICIAL
18 TIME AND AT THE EXPENSE OF THE OFFICE OF THE OMBUDSMAN
19 TO ENHANCE THEIR ACADEMIC GROWTH AND UPGRADE THEIR
20 KNOWLEDGE AND SKILLS; PROVIDED, THAT BENEFICIARIES
21 UNDER THIS PROVISION SHALL BE SELECTED ON THE BASIS OF
22 COMPETITIVE EXAMINATION AND SUCH OTHER GUIDELINES
23 SET BY THE OMBUDSMAN;

24
25 D. A PROVIDENT FUND, WHICH SHALL CONSIST OF
26 CONTRIBUTIONS BY THE OFFICE OF THE OMBUDSMAN AND BY
27 ITS LAWYERS AND EMPLOYEES TO A COMMON FUND WHICH
28 MAY BE USED FOR THE BENEFIT OF SUCH LAWYERS AND
29 EMPLOYEES AND THEIR HEIRS; AND
30

1 E. PROFESSIONAL MEMBERSHIP FEES, MANDATORY CONTINUING
2 LEGAL EDUCATION SERVICE FEES, AND RELATED
3 MISCELLANEOUS EXPENSES OF EMPLOYEES HOLDING
4 POSITIONS FOR WHICH A PROFESSIONAL LICENSE IS REQUIRED.
5

6 SEC. 6-D. SPECIAL ALLOWANCES. – TO CARRY OUT THE
7 OBJECTIVES OF THIS ACT AND SUPPORT THE EFFORTS TO FIGHT
8 CORRUPTION, THE OMBUDSMAN, SUBJECT TO AVAILABILITY OF
9 FUNDS, IS AUTHORIZED TO GRANT SPECIAL ALLOWANCES TO
10 OFFICIALS AND EMPLOYEES OF THE OFFICE OF THE OMBUDSMAN TO
11 AUGMENT SALARIES AND BENEFITS. THE GRANT OF SPECIAL
12 ALLOWANCES SHALL BE IN SUCH AMOUNTS AS CAN BE SUPPORTED
13 BY THE FUNDING SOURCES IDENTIFIED IN THIS LAW AS WELL AS
14 FROM THE OFFICE OF THE OMBUDSMAN'S GENERAL FUND AND
15 SAVINGS; PROVIDED, THAT SUCH ALLOWANCES SHALL NOT EXCEED
16 ONE HUNDRED PERCENT (100%) OF THE BASIC SALARY OF THE
17 OFFICIAL OR EMPLOYEE CONCERNED.
18

19 SEC. 3. Section 38 of RA No. 6770 is hereby amended to read as follows:
20

21 SEC. 38. Fiscal Autonomy. – The Office of the Ombudsman shall enjoy
22 fiscal autonomy. Appropriations for the Office of the Ombudsman may not be
23 reduced below the amount appropriated for the previous year and, after approval,
24 shall be automatically and regularly released.
25

26 THE FUNDS NECESSARY TO SUPPORT THE GRANT OF SPECIAL
27 ALLOWANCES AND BENEFITS PROVIDED HEREIN AND TO ENSURE
28 THE EFFECTIVE IMPLEMENTATION OF THIS ACT, SHALL BE TAKEN
29 FROM THE FOLLOWING:
30

1 A. THIRTY-FIVE PERCENT (35%) OF THE VALUE OR PROCEEDS OF
2 FORFEITED ASSETS UNDER REPUBLIC ACT NO. 1379. THE
3 COURT SHALL INCLUDE, IN ITS JUDGEMENT OF FORFEITURE,
4 THE SEGREGATION OF THE OFFICE OF THE OMBUDSMAN'S
5 SHARE IN THE FORFEITED ASSETS.

6
7 B. ALL OTHER INCOME, FEES, AND REVENUES COLLECTED BY THE
8 OFFICE OF THE OMBUDSMAN.

9
10 THE OMBUDSMAN IS AUTHORIZED TO RETAIN SUCH SHARES AS
11 PROVIDED IN THIS SECTION AND DISBURSE THE SAME FOR THE
12 PURPOSE OF AND IN ACCORDANCE WITH THIS ACT, AS WELL AS FOR
13 OTHER OPERATIONAL PURPOSES, INCLUDING BUT NOT LIMITED TO
14 CAPITAL EXPENDITURES, TRAININGS, AND OTHER OPERATIONAL
15 NEEDS.

16
17 SEC. 4. Implementing Rules and Regulations. – The Ombudsman shall, within ninety
18 (90) days from the effectivity of this Act, issue the necessary rules and regulation to implement
19 the provisions of this Act.

20
21 SEC. 5. Separability Clause. – If any provision of this Act is declared invalid or
22 unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

23
24 SEC. 6. Repealing Clause. – All laws, decrees, orders, rules and regulations, and other
25 issuances or parts thereof that are inconsistent with the provisions of this Act are hereby repealed
26 or modified accordingly.

27
28 SEC. 7. Effectivity. – This Act shall take effect fifteen (15) days after its publication in
29 the Official Gazette or a newspaper of general circulation.

30 Approved,