

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**18<sup>th</sup> Congress**  
**First Regular Session**

**HOUSE BILL No. 5604**



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**Introduced by: Hon. Raneo E. Abu**

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**EXPLANATORY NOTE**

Section 27, Article II, of the 1987 Constitution provides that "[t]he State shall maintain honesty and integrity in public service and take positive and effective measures against graft and corruption."

Section 15, Article XI of the 1987 Constitution states that "[t]he right of the State to recover properties unlawfully acquired by public officials or employees, from them or from their nominees or transferees, shall not be barred by prescription, laches, or estoppel."

Section 1 of Republic Act 3019 or the "Anti-Graft and Corrupt Practices Act" (R.A. 3019) also provides that "[i]t is the policy of the Philippine Government, in line with the principle that a public office is a public trust, to repress certain acts of public officers and private persons alike which constitute graft or corrupt practices or which may lead thereto."

The commission of graft and corruption by any public officer can be considered as the highest form of betrayal of public trust and any prosecution for such act should be imprescriptible in the same manner as the right of the State to recover properties unlawfully acquired by public officers or employees.

The first sentence of Section 14 of Republic Act 3019 causes confusion in the implementation of the said law as there exist an ambiguity as to when a given case falls under the exception provided therein. There is a need to eliminate this part of the above-mentioned law.

This measure aims to eliminate to confusion created by the first sentence of Section 14 of Republic Act 3019 and to make the offenses described in the said law as imprescriptible.

For these reasons, the passage of the measure is earnestly sought.

**RANEO E. ABU**

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**AN ACT**  
**AMENDING SECTIONS 11 and 14 OF REPUBLIC ACT NO. 3019, OTHERWISE**  
**KNOWN AS "THE ANTI-GRAFT AND CORRUPT PRACTICE ACT", AS**  
**AMENDED**

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

**SECTION 1.** Section 11 of Republic Act No. 3019, as amended by Republic Act 10910, is further amended to read as follows:

"Sec. 11. Prescription of offenses - All offenses punishable under this Act shall be imprescriptible."

**SECTION 2.** Section 14 of Republic Act No. 3019, as amended by Republic Act 10910, is further amended to read as follows:

"Sec. 14. Exception. Nothing in this Act shall be interpreted to prejudice or prohibit the practice of any profession, lawful trade or occupation by any private person or by any public officer who under the law may legitimately practice his profession, trade or occupation, during his incumbency, except where the practice of such profession, trade or occupation involves conspiracy with any other person or public official to commit any of the violations penalized in this Act."

**SECTION. 3. *Separability Clause.*** - Should anyj provision of this Act be declared invalid the remaining provisions shall continue to be valid and subsisting.

**SECTION. 4. *Repealing Clause.*** - All laws, executive orders, or administrative orders, rules and regulations or parts thereof, which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

**SECTION. 5. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.