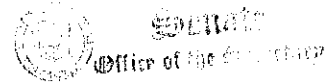


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 MAY 30 P2:16

SENATE
S. No. 2265

RECEIVED BY

Introduced by Senator Robinhood Padilla

AN ACT
DEFINING UNTRUTHFUL STATEMENT AND FABRICATED EVIDENCE BEFORE
CONGRESS IN THE CONDUCT OF THEIR LEGISLATIVE AND OVERSIGHT
FUNCTIONS COMMITTED BY MILITARY AND UNIFORMED PERSONNEL AND
OTHER GOVERNMENT PERSONNEL AND PROVIDING PENALTIES
THEREFOR

EXPLANATORY NOTE

The principle that public office is a public trust signifies that public officials hold this power in trust to benefit the people and never the interests of a few. Hence, they shall hold themselves accountable and act with the utmost integrity at all times. This weighs heavily on our military and uniformed personnel who have sworn to serve and protect our people and defend the State.

No one could argue that our government institutions rely on factual and accurate information in order to act in the best interest of our people when it comes to the enforcement of our laws. In the case of Congress, for example, it goes without saying that presenting misleading and inaccurate information or testimony before these bodies impedes the process of fact-finding and policy-making. More importantly, this undermines public trust in our military and uniformed personnel, who are expected to protect the nation and its citizens from threats.

While the Revised Penal Code of the Philippines currently criminalizes perjury and false testimony, the current penalties are not commensurate with the consequences of receiving false testimonies from government personnel during Congressional proceedings in addressing and protecting the public interest.

Thus, this amendment seeks to introduce a higher penalty for military and uniformed personnel who commit perjury in any congressional proceeding. It is an attempt to further safeguard the truth and increase the deterrent for making false statements, particularly within institutions central to the maintenance of peace, order, and national security.

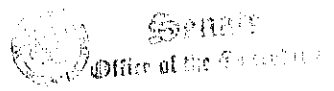
Given the great role of these agencies in enforcing the law, it is of utmost importance that their personnel maintain the highest degree of honesty and integrity.

In light of the foregoing, the immediate enactment of this bill is earnestly sought.



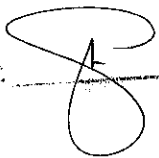
ROBINHOOD PADILLA
Senator

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

1 Section 1. *Short Title.* — This Act shall be known as the "*Truthful Congressional*
2 *Inquiry Act*".

3 *Sec. 2. Untruthful Statement in Congress.* — A penalty of ten (10) years
4 imprisonment shall be imposed to any personnel of the government who shall
5 knowingly makes untruthful statement or produce fabricated evidence in any
6 proceeding in Congress, in the exercise of its legislative or oversight functions,
7 pertaining to material facts which the Congress seeks to inquire that involves the
8 commission of any of the crimes enumerated or defined and punished under:

- 9 (a) Republic Act No. 7659;
- 10 (b) Title 7 (Crimes Committed by Public Officers) of Act No. 3815 (Revised
11 Penal Code);
- 12 (c) Secs. 65 (a)(5) and (b)(4) of Republic Act No. 9184 (Government
13 Procurement Act);
- 14 (d) Republic Act No. 8524 (National Internal Revenue Code), as amended;
- 15 (e) Republic Act No. 1937 (Tariff and Customs Code), as amended;
- 16 (f) Republic Act No. 10845 (Anti-Agricultural Smuggling Act of 2016);

- 1 (g) Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act);
2 (h) Sec. 166 of Republic Act No. 11232 (Revised Corporation Code);
3 (i) Republic Act No. 9160 (Anti-Money Laundering Act of 2001), as
4 amended;
5 (j) Republic Act No. 9165 (Dangerous Drugs Act of 2002), as amended;
6 (k) Anti-Trafficking in Persons Act of 2003 (RA 9208), as amended;
7 (l) Republic Act No. 11479 (Anti-Terrorism Act of 2020);
8 (m) Republic Act No. 10168 (The Terrorism Financing Prevention and
9 Suppression Act of 2012); and
10 (n) Batas Pambansa Blg. 881 (Omnibus Election Code), as amended.

11 *Provided, That* the penalty shall be twenty (20) years imprisonment shall be
12 imposed if the offender is a personnel of the Armed Forces of the Philippines,
13 Philippine National Police, Philippine Coast Guard, the Bureau of Fire Protection,
14 Bureau of Jail Management and Penology, Bureau of Corrections, National Mapping
15 and Resource Information Agency, National Bureau of Investigation, Philippine Drugs
16 Enforcement Agency, other law enforcement agencies, Bureau of Immigration and
17 Deportation, Bureau of Internal Revenue, and Bureau of Customs.

18 In both cases, a fine not to exceed Three Million Pesos (PHP3,000,000.00) and
19 perpetual absolute disqualification from holding any appointive or elective position in
20 any government agency, entity, or instrumentality shall be imposed; the offender shall
21 also not be eligible for executive clemency unless the latter served one-half of the
22 penalty actually imposed by the court.

23 *Sec. 3. Separability Clause.* — If any provision or part hereof is held invalid or
24 unconstitutional, the remainder of the law or the provision not otherwise affected shall
25 remain valid and subsisting.

26 *Sec. 4. Repealing Clause.* — All laws, decrees, orders, rules and regulations or
27 parts thereof inconsistent with the provisions of this Act are hereby repealed,
28 amended, or modified accordingly.

29 *Sec. 5. Effectivity Clause.* — This Act shall take effect fifteen (15) days after its
30 complete publication in the Official Gazette or in at least two (2) newspapers of general
31 circulation.

Approved,