

MALACANAN PALACE
MANILA

EXECUTIVE ORDER NO. 670

**AMENDING EXECUTIVE ORDER NO. 531, SERIES OF 2006 TO SPEED UP
THE PROCESSING OF CASES OF THE PRESIDENTIAL ANTI-GRAFT
COMMISSION**

WHEREAS, there is a need to demonstrate firm resolve in the anti-corruption campaign;

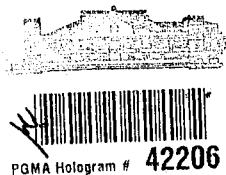
WHEREAS, by virtue of Executive Order No. 12 dated April 16, 2001 as amended by Executive Order No. 531 dated May 31, 2006 as well as by Executive Order Nos. 531-A and 531-B, the Presidential Anti-Graft Commission (PAGC) was created to assist the President in the campaign against graft and corruption by investigating or hearing administrative cases against all presidential appointees in the government and submitting its report or recommendation to the President;

WHEREAS, in order to speed up and streamline the investigation, hearing and resolution of cases involving presidential appointees, there is a need to give adjudicatory powers to the PAGC;

NOW, THEREFORE, I, GLORIA M. ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and the law, do hereby order the following amendments to Executive Order no. 531, series of 2006:

SECTION 1. Section 2, paragraph (a) shall heretofore read as follows:

The Commission shall have the power, on complaint or *motu proprio*, and concurrent with the Office of the Ombudsman, to investigate, receive, gather and evaluate evidence, intelligence reports and information on or hear **and decide** administrative cases against all Presidential appointees in the Executive Branch of the government and any of its agencies or instrumentalities occupying the position of Assistant Regional Director or an equivalent rank, and higher, otherwise classified as Salary Grade "26" and higher, under the Compensation and Position classification of 1989 (Republic Act No. 6758) including members of the governing board of any instrumentality, regulatory agency, chartered institution, and directors or officers appointed or nominated by the President to government-owned or controlled corporations or corporations where the government has a minority interest, or who otherwise represent the interests of the government, hereinafter referred to as "covered Presidential appointees," as well as other public officers and employees, and private persons, in conspiracy or connivance with covered Presidential appointees, for acts or omissions constituting violations of any of the following:



- (1) Republic Act No. 3019, as amended, otherwise known as the "Anti-Graft and Corrupt Practices Act";
- (2) Republic Act No. 1379 on the unlawful acquisitions of property by a public officer or employee;
- (3) Republic Act No. 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees";
- (4) And provisions under Title Seven, Book Two of the Revised Penal Code;
- (5) Executive Order No. 292, series of 1987, otherwise known as the "Administrative Code of 1987", whenever it defines and imposes administrative sanctions on acts and omissions constituting violations of the foregoing laws and issuances;
- (6) Rules and regulations duly promulgated by competent authority to implement any of the foregoing laws and issuances; and
- (7) Other violations as may be referred to the Commission by the President of the Philippines.

SECTION 2. Section 2, paragraph (c) shall heretofore read as follows:

The Commission shall, on complaint or *motu proprio*, have the authority to **administratively adjudicate on the merits** all cases falling within its jurisdiction upon sufficient cause. All decisions of the Commission shall be rendered en banc and shall state, among others, the factual findings, legal conclusions and the appropriate administrative penalties imposed.

Such decisions shall become final and executory unless appealed to the President by filing a Notice of Appeal with the Office of the President within thirty (30) days from receipt thereof by the respondent in accordance with the procedure set forth in Administrative Order No. 18, series of 1987.

SECTION 3. Section 2, paragraph (d) shall heretofore read as follows:

The Commission shall have the Complaints and Investigation Unit (CIU), to be headed by a lawyer appointed by the Commission, which shall investigate all complaints/cases against all covered Presidential appointees. The CIU shall keep a record of all cases filed with the Commission, monitor their status and disposition, and shall make a quarterly report to the Commission on the progress thereof. In the conduct of its investigation, the CIU Head shall designate a panel of investigators preferably composed of three (3) lawyer-members, headed by a Chairman who shall conduct hearings and render a report of their findings and recommendation to the Commission en banc. In investigating complaints on disciplinary cases, the Panel of Investigators shall observe closely pertinent provisions of the Administrative Code of 1987 (EO 292), CSC rules and regulations and other applicable related laws, and shall submit its findings and



recommendations to the Commission, through the CIU Head, within fifteen (15) days from the conclusion of the investigation.

SECTION 4. Section 2, paragraph (e) shall heretofore read as follows:

Within fifteen days from receipt of the recommendation by the CIU, the Commission en banc shall resolve or decide the case submitted before it.

SECTION 5. Section 2, paragraph (f) shall heretofore read as follows:

Upon the filing of a complaint or charge, the commission may **issue** an Order of Preventive Suspension against covered Presidential Appointees, when the circumstances of the investigation warrant the same, as when the charges are punishable with removal from service or when respondent's continued stay in office would prejudice the fair determination of the case. The preventive suspension shall continue until the case is terminated by the Commission but in no case shall exceed a maximum of ninety (90) days, except when the delay in the disposition of the case is due to the fault, negligence or petition of the respondent, in which case the period of such delay shall not be counted in computing the period of suspension. **The Order of Preventive Suspension shall take effect immediately upon receipt thereof by the respondents unless set aside or modified by the President.**

SECTION 6. Section 3 shall heretofore read as follows:

Power to Summon Government Personnel **and Records** and to Administer Oaths.
– Pursuant to its power to investigate and adjudicate, the commission shall have the power to administer oaths and summon or subpoena government personnel and records.

SECTION 7. Section 4 shall heretofore read as follows:

Effect of Non-Compliance with Summons. – Any unreasonable delay or refusal of a public officer or employee in the Executive Branch to comply with the summons or subpoenas issued by the Commission shall constitute a ground for administrative disciplinary action **which shall be heard and adjudicated by the Commission separately from the investigation or administrative case relative to which the summons or subpoenas were issued.** The Commission en banc may, for this purpose, also file the appropriate criminal charge or complaint against erring public officer or employee before the appropriate bodies, courts or tribunals.

SECTION 8. Section 6 shall heretofore read as follows:

Disclosures. – The commission and its personnel shall not disclose or make public any record or information in connection with any investigation **pending its decision**.



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thereon and when such disclosures would deprive the respondent of his/her right to a fair and impartial disposition of the case. Only the chairperson may disclose any information to the public; provided that any such disclosure shall be balanced, fair and accurate.

SECTION 9. Section 7 shall heretofore read as follows:

Transitory Provision. – Upon effectivity of this Executive Order, all cases involving Presidential Appointees or otherwise within the jurisdiction of the commission which are pending before the Office of the President shall be immediately remanded to the Commission for appropriate disposition by the Commission in accordance with the provisions thereof.

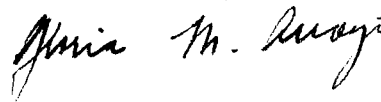
SECTION 10. Section 2, paragraphs (e), (f), (g), (h), (i), (j), (k) shall heretofore be renumbered as paragraphs (g), (h), (i), (j), (k), (l) and (m), respectively.

Sections 7, 8, and 9, shall heretofore be renumbered as Sections 9, 10 and 11, respectively.

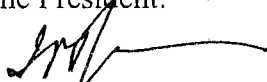
SECTION 12. Repealing Clause. – All orders, rules and regulations and issuances or parts thereof inconsistent with this Executive Order are hereby repealed, amended or modified, accordingly.

SECTION 13. – Effectivity. - This Executive Order shall take effect immediately after publication in a newspaper of general circulation.

Done in the City of Manila this 22nd of October, 2007.



By the President:



IGNACIO R. BUNYE
Acting Executive Secretary



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