Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
EIGHTEENTH CONGRESS
Second Regular Session

House Resolution No. 1392

Introduced by
ANAKALUSUGAN PARTY-LIST REPRESENTATIVE MICHAEL T. DEFENSOR
AND SAGIP PARTY-LIST REPRESENTATIVE RODANTE D. MARCOLETA

RESOLUTION DIRECTING THE COMMITTEE ON PUBLIC ACCOUNTS OF THE
HOUSE OF REPRESENTATIVES TO CONDUCT AN INQUIRY IN AID OF
LEGISLATION, ON THE IMPLEMENTATION OF EXISTING LAWS PERTAINING TO
THE FILING OF THE STATEMENT OF ASSETS, LIABILITIES AND NET WORTH
(SALN) BY GOVERNMENT OFFICIALS AND EMPLOYEES TO ENSURE THE STRICT
AND EFFECTIVE IMPLEMENTATION OF SAID EXISTING LAWS AND REGULATIONS.

WHEREAS, Section 17 Article XI of the 1987 Constitution mandates that all public officers
and employees shall submit a declaration of his or her Statement of Assets, Liabilities and Net Worth
(SALN) upon assumption of office. It specifically provides that, “In case of the President, the Vice
President, the Members of the Cabinet, the Congress, the Supreme Court, the Constitutional
Commissions and other constitutional offices, and officers of the armed forces with general or flag rank,
the declaration shall be disclosed to the public in the manner provided by law”;

WHEREAS, Section 8 of Republic Act No. 6713, or the Code of Conduct and Ethical
Standards for Public Officials and Employees, not only reiterates the constitutional mandate for public
officials and employees to file their SALNs but likewise affirms the taxpayer’s “right to know” by
providing the manner by which the SALN of a public official may be obtained. The same provision
includes a waiver authorizing the Ombudsman or his authorized representatives to obtain documents
that may show assets, liabilities, net worth, business interests, and financial connections from all
appropriate government agencies;

WHEREAS, the filing of the SALN, as laid out in several cases decided by the Supreme Court,
the latest of which were the Quo Warranto proceedings filed against then Chief Justice Ma. Lourdes
Sereno1, is a constitutional and statutory requirement that helps establish the integrity, or lack thereof,
of a public official;

1 GR No. 237428, May 11, 2018
WHEREAS, the Supreme Court made the following pronouncements in the said case of the former Chief Justice¹, who failed to file her SALNs for the years 2000, 2001, 2003, 2004, 2005 and 2006 despite having worked for the government for several years, thus:

"Failure to file the SALN is clearly a violation of the law. The offense is penal in character and is a clear breach of the ethical standards set for public officials and employees. It disregards the requirement of transparency as a deterrent to graft and corruption. For these reasons, a public official who has failed to comply with the requirement of filing the SALN cannot be said to be of proven integrity and the Court may consider him/her disqualified from holding public office."

WHEREAS, Section 7, Article 3, of the 1987 Constitution guarantees every Filipino the right to information on matters of public concern in the spirit of transparency and accountability;

WHEREAS, in July 2016, Executive Order No. 2, series 2016, was signed to operationalize the people's constitutional right to information, which also affirms the requirement to file the SALNs by officials in the Executive Department and, furthermore, to make these SALNs available for scrutiny in accordance with existing laws, rules and regulations;

WHEREAS, in a Memorandum dated 1 September 2020, the Office of the Ombudsman restricted access to a public officials’ SALN by requiring the consent of the declarant prior to gaining access to the same. The said Memo provided an additional requirement by providing thus:

"In all other instances, no SALN will be furnished to the requester unless he/she presents a notarized letter of authority from the declarant allowing the release of the requested SALN."

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the Committee on Public Accounts of the House of Representatives be directed to conduct an inquiry, in aid of legislation, into the policy gaps regarding the requirements for obtaining a public official’s SALN with the end in view of ensuring the strict and effective implementation of existing laws and regulations pertaining thereto; RESOLVED, FURTHER, that the Committee shall determine policy gaps and formulate amendatory measures, including the passage of the proposed People’s Right to Information Act that will apply to all branches of government, to help protect the integrity of public service, and ensure that any elected or appointed official or employee shall be transparent and accountable for his or her actions at all times.

Adopted,

MICHAEL T. DEFENSOR

RODANTE D. MARCOLETA

¹ Ibid