

CHEATING A FACT-FINDING BOARD WITH PLENARY POWERS TO INVESTIGATE THE TRAGEDY WHICH OCCURRED ON AUGUST 21, 1983

PRESIDENTIAL DECREE NO. 1886, October 14, 1983

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/2c004c4d60a1/>

WHEREAS, the treacherous and vicious assassination of former Senator Benigno S. Aquino, Jr. on August 21, 1983, has to all Filipinos become a national tragedy and national shame specially because of the early distortions and exaggerations in both foreign and local media so that all right thinking and honest men desire to ventilate the truth through free, independent and dispassionate investigation by prestigious and free investigators;

WHEREAS, to avoid any bias or partiality in the conduct of an investigation, there is a need to create an independent ad hoc fact-finding Board with plenary powers to determine the facts and circumstances surrounding the killing and to allow for a free, unlimited and exhaustive investigation into all the aspects of said tragedy;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, pursuant to the powers vested in me by the Constitution, do hereby order and decree:

SECTION. 1. There is hereby created an independent ad hoc fact-finding Board, which shall be independent from the three departments of the Government, to determine all the facts and circumstances surrounding the said killing. The Board shall be composed of a Chairman and at least four (4) but not exceeding six (6) members including two representatives of the Batasang Pambansa, The Batasang Pambansa may, by resolution, designate two (2) of its members as representatives to the Board in whatever capacity to conform with the provisions of Article VII, Section 10 of the 1973 Constitution mandating that a member of the Batasang Pambansa shall not hold any other office or employment in the Government, or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations, during his tenure.

With the exception of the two representatives of the Batasang Pambansa, the members of the Board shall be appointed by the President of the Philippines from among the recommendees of the various sectors of society, such as but not limited to legal or bar associations, civic/service organizations, and the business, education, student, labor and other sectors. The President shall appoint/designate the Chairman from among the members of the Board upon its recommendation.

The positions of the Chairman and member of the Board shall be honorary. The Chairman and the members of the Board shall only be entitled to transportation allowance of Three Thousand Pesos (P3,000.00) and Two Thousand Pesos (2,000.000 a monthly respectively. The chairman and the members of the Board shall be disqualified from appointment to any public office within one (1) year from and after the date of the Board has become functus officio.

SEC. 2. The following persons shall be disqualified from becoming Chairman of the Board:

- Persons financially interested, directly or indirectly, in any transaction or contract with the National Government and its subdivisions, instrumentalities and agencies, including government-owned or controlled corporations; and

- Persons who have in any manner commented, theorized, or made any public statement, pronouncement, opinion or view on the circumstances surrounding the tragedy, or who have directly or indirectly prejudged preconceived or in any manner arrived at any conclusion on the tragedy or any aspect thereof.

SEC. 3. The Board shall have the power to review the evidence already submitted and determine which to accept and which to hear anew, to issue subpoena duces tecum and other compulsory process requiring the attendance and testimony of witnesses and production of any evidence relative to any matter under investigation by the Board.

The board, or any member thereof, or its duly authorized representative may administer oaths and affirmations, examine witnesses and receive evidence.

The Board may appoint sheriffs and deputize any law enforcement agency as may be necessary to ensure compliance with its orders and processes.

SEC. 4. The Board may hold any person in direct or indirect contempt, and impose appropriate penalties therefore.

A person guilty of misbehavior in the presence of or so near the Board as to obstruct or interrupt the proceedings before the same, including disrespect towards its officials, offensive personalities towards others, or refusal to be sworn or to answer as a witness or to subscribe to an affidavit or disposition when lawfully required to do so may be summarily adjudged in direct contempt by the Board and punished with a fine not exceeding P200.00 or imprisonment not exceeding thirty (30) days or both.

Judgment of the Board on direct contempt shall be final and unappealable.

Indirect contempt shall be dealt with by the Board in the manner prescribed under Rule 71 of the Rules of the Court.

SEC. 5. No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to a subpoena issued by the board on the ground that his testimony or the evidence required of him may tend to incriminate him or subject him to penalty for forfeiture; but his testimony or any evidence produced by him shall not be used against him in connection with any transaction, matter or thing concerning which he is compelled, after having invoked his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt that shall not be exempt from prosecution and punishment for perjury committed in so testifying, nor shall he be exempt from demotion or removal from office.

SEC. 6. The Board shall have the power to enter into contracts promulgate its rules and regulations, and to perform any and all acts necessary in the execution and implementation of its functions.

SEC. 7. The Board, thru its Chairman, shall have the power to engage the service of such persons or personnel as may be required for the effective performance of its functions and responsibilities, to prescribe their duties and fix their compensation, and to organize the structure and staffing pattern of the Board. All persons or personnel appointed, designated or contracted by the Board shall not be subject to the Civil Service Law, rules and regulations.

The Board may appoint a secretary and assistant secretaries who shall be members of the Philippine Bar and to issue summons, subpoena, and subpoena duces tecum by authority of the Board.

SEC. 8. All government agencies including the National Bureau of Investigation (NBI), Philippine Constabulary Criminal Investigation Services (PC-CIS) and all other government investigating agencies shall make available

their staff or services and facilities of their office to the Board as may be required by the latter in the discharge of its functions.

SEC. 9. The Board shall appoint a General Counsel and such Deputy General Counsel (s) who shall be members of the Philippine Bar to assist the Board in the discharge of its functions.

The General Counsel and Deputy General Counsels must have all the qualifications of a Justice of the Supreme Court.

SEC. 10. The proceedings and hearings conducted by the Board may either public or held in closed-doors at the discretion of the majority of the members of the Board or as may be warranted by the circumstances as where they would affect matters of the national security or public safety, or as may be requested by any person testifying in the said proceedings.

The board may sit either en banc in a Division of two as may be provided in the rules and regulations to be promulgated.

Any person called to testify before the Board shall have the right to counsel at any stage of the proceedings.

SEC. 11. The Board may allow local and/or foreign observers in its proceedings. The presentation of the evidence and the conduct of the proceedings or investigations shall at all times remain under the direction and control of the General Counsel and/or his deputies.

The rules of evidence under the Rules of Court shall be followed as far as practicable.

SEC. 12. The findings of the Board shall be made public. Should the findings warrant the prosecution of any person, the Board may initiate the filing of the proper complaint wit the appropriate government agency. Thereafter, the Board shall become functus officio, and shall its assets and properties shall revert the National Treasury.

SEC. 13. The sum of Five Million Pesos (P5,000,000.00) is hereby appropriated out of available funds in the National Treasury for the operational expenses of the Board. As a further assurance of its independence, the Board shall not be subject to the jurisdiction of the Commission on Audit. The Board, by resolution, may dispose of its funds in accordance with the accepted principles of auditing and accounting and shall not be subject to the rules and regulations of the Office of Budget and Management on allocations and release of funds.

SEC. 14. The Commission created and constituted under Administrative Order No. 469 is hereby abolished, and all its records, assets and liabilities shall be transferred to and assumed by the Board. The Board shall not be bound by the evidence so far submitted to or by the acts performed by the said Commission, The Presidential Decree No. 1879, as amended, together with the rules and regulations issued pursuant thereto and Administrative Order No. 469 are hereby repealed.

SEC. 15. This Decree shall take effect immediately.

Done in the City of Manila, this 14th day of October, in the year of Our Lord, nineteen hundred and eighty-three.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA

Presidential Executive Assistant

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.