

AUTHORIZING THE COMMISSION CREATED UNDER ADMINISTRATIVE ORDER NO. 469 TO ISSUE COMPULSORY PROCESSES, APPROPRIATING FUNDS FOR THE OPERATIONS OF THE COMMISSION, AND FOR OTHER PURP...

PRESIDENTIAL DECREE NO. 1879, August 27, 1983

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WHEREAS, under Administrative Order No. 469, a fact finding Commission was created to investigate the circumstances surrounding the assassination of former Senator Benigno S. Aquino, Jr.;

WHEREAS, in order to have a thorough, unlimited and exhaustive investigation into all aspects of the above-mentioned tragedy, it is imperative that the Commission be empowered to issue compulsory processes to compel and secure the attendance of witnesses and the production of any evidence relating to the matter under investigation by the Commission;

WHEREAS, to enable it to effectively carry out its objectives, it is necessary to appropriate funds for the Commission;

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

SECTION 1. The Commission shall have the power to issue subpoena duces tecum and other compulsory processes requiring the attendance and testimony of witnesses and the production of any evidence relative to any matter under investigation by the Commission.

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

SEC. 2. In case of contumacy or refusal to obey a subpoena issued to any person/s under the provisions of Section 1 of this Decree, the Commission may deputize any law enforcement agency to arrest and compel the attendance of said person/s before the Commission.

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

SEC. 3. The Commission may hold any person in contempt directly or indirectly and impose appropriate penalties therefor.

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

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

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

SEC. 4. 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 Commission on the ground that his testimony or the evidence required of him may tend to incriminate him or subject him to penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture (except demotion or removal from office) for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

SEC. 5. The Commission shall have the power to perform any and all acts, enter into contracts, make such rules and regulations and issue such orders and other administrative issuances as may be necessary in the execution and implementation of its functions.

SEC. 6. The Commission, thru its Chairman, shall have the power to contract the services of such persons as are necessary in the effective performance of its functions and responsibilities, prescribe their duties and fix their compensation; and to organize the structure and staffing pattern of the Commission.

The Commission may appoint a secretary who shall be a member of the Philippine Bar and who shall be empowered to administer oaths and affirmations and to issue summons, subpoena, and subpoena duces tecum upon instructions the Commission.

SEC. 7. The Commission may appoint a General Counsel and deputy counsel/s who shall be members of the Philippine Bar to assist the Commission in the execution and implementation of its functions.

SEC. 8. The sum of Two Million Pesos (₱2,000,000.00) is hereby appropriated out of available funds in the National Treasury for the operational expenses of the Commission.

SEC. 9. This Decree shall take effect immediately.

DONE in the City of Manila, this 27th day of August, in the year of Our Lord, nineteen hundred and eighty-three.

(SGD.) FERDINAND E. MARCOS

By the President:

(SGD.) JUAN C. TUVERA

Presidential Executive Assistant

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