

DECLARING THE EFFECTIVITY OF THE OFFICE OF THE OMBUDSMAN AS PROVIDED FOR IN THE 1987 CONSTITUTION.

EXECUTIVE ORDER NO. 243, July 24, 1987

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WHEREAS, the 1987 Constitution has created an independent Office of the Ombudsman.

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Office of the Ombudsman as provided for under Section 5, Article XI, of the 1987 Constitution is hereby declared to be now in existence.

SEC. 2. The Office of the Ombudsman shall be composed of the Ombudsman to be known as Tanodbayan, one overall Deputy and at least one Deputy each for Luzon, Visayas, and Mindanao. A separate Deputy for the Military establishment may likewise be appointed.

SEC. 3. The officials and employees of the Office of the Ombudsman, other than the Deputies, shall be appointed by the Ombudsman according to the Civil Service Law.

SEC. 4. The Ombudsman and his Deputies shall be natural-born citizens of the Philippines, and at the time of their appointment, at least forty years old, of recognized probity and independence, and members of the Philippine Bar, and must not have been candidates for any elective office in the immediately preceding election. The Ombudsman must have for ten years or more been a judge or engaged in the practice of law in the Philippines.

During their tenure, they shall be subject to the same disqualifications and prohibitions as provided for in Section 2 of Article IX-A of the Constitution.

SEC. 5. The Ombudsman and his Deputies shall be appointed by the President from a list of at least six nominees prepared by the Judicial and Bar Council, and from a list of three nominees for every vacancy thereafter. Such appointments shall require no confirmation. All vacancies shall be filled within three months after they occur.

SEC. 6. The Ombudsman and his Deputies shall have the rank of Chairman and Members, respectively, of the Constitutional Commissions, and they shall receive the same salary, which shall not be decreased during their term of office.

SEC. 7. The Ombudsman and his Deputies shall serve for a term of seven years without reappointment. They shall not be qualified to run for any office in the election immediately succeeding their cessation from office.

SEC. 8. The Ombudsman and his Deputies, as protectors of the people, shall act promptly on complaints filed in any form or manner against public officials or employees of the Government, or any subdivision, agency or instrumentality thereof, including government-owned or controlled corporations, and shall, in appropriate cases, notify the complainants of the action taken and the result thereof.

SEC. 9. The Office of the Ombudsman shall have the following powers, functions, and duties:

(1)

Investigate on its own, or on complaint by any person, any act or omission of any public official, employee, office or agency, when such act or omission appears to be illegal, unjust, improper, or inefficient.

(2)

Direct, upon complaint or at its own instance, any public official or employee of the Government, or any subdivision, agency or instrumentality thereof, as well as of any government-owned or controlled corporation with original charter, to perform and expedite any act or duty required by law, or to stop, prevent, and correct any abuse or impropriety in the performance of duties.

(3)

Direct the officer concerned to take appropriate action against a public official or employee at fault, and recommend his removal, suspension, demotion, fine, censure, or prosecution, and ensure compliance therewith.

(4)

Direct the officer concerned, in any appropriate case, and subject to such limitations as may be provided by law, to furnish it with copies of documents relating to contracts of transactions entered into by his office involving the disbursement or use of port any irregularity to the Commission on Audit for appropriate action.

(5)

Request any government agency for assistance and information necessary in the discharge of its responsibilities, and to examine, if necessary, pertinent records and documents.

(6)

Publicize matters covered by its investigation when circumstances so warrant and with due prudence.

(7)

Determine the causes of inefficiency, red tape, mismanagement, fraud, and corruption in the Government and make recommendations for their elimination and the observance of high standards of ethics and efficiency.

(8)

Promulgate its rules of procedure and exercise such other powers or perform such functions or duties as may be provided by law.

SEC. 10. The Office of the Ombudsman shall enjoy fiscal autonomy. Its approved annual appropriations shall be automatically and regularly released.

SEC. 11. All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 12. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 24th day of July, in the year of Our Lord, nineteen hundred and eighty-seven.

CORAZON C. AQUINO

President of the Philippines

By the President:

JOKER P. ARROYO
Executive Secretary

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