


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

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SENATE
P. S. RES. No. 1264

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Introduced by SENATOR JOSEPH VICTOR G. EJERCITO

RESOLUTION
AMENDING SECTION 20 OF THE RULES OF PROCEDURE GOVERNING
INQUIRIES IN AID OF LEGISLATION

1 WHEREAS, Section 19 of the Rules Of Procedure Governing Inquiries In Aid Of
2 Legislation ("Rules of Procedure") adopted by the Senate on 7 August 1987 provides
3 that "the Committee or its Chairman, may from time to time constitute and appoint
4 subcommittees, including *ad hoc* or select subcommittees, composed of less than a
5 majority of the committee members for the purpose of performing any and all acts
6 which the Committee as a whole is authorized to do and perform, except the power
7 to punish for contempt under Section 17 hereof."

8 WHEREAS, Section 20 of the current Rules of Procedure adopted on 9 August
9 2010 states that "The Chairman of the Committee may create subcommittees as may
10 be deemed necessary for the purpose of performing any and all acts which the
11 Committee as a whole is authorized to do and perform, except the power to punish
12 for contempt under Section 18 hereof."

13 WHEREAS, Section 20 of the Rules of Procedure provides for the delegation of
14 the Committee's authority to subcommittees, but withholds from such delegation, the
15 contempt power as contemplated in Section 18 of the Rules of Procedure, considering
16 that a subcommittee may constitute less than a majority of the committee members.

17 WHEREAS, Congress' contempt power has long been established and
18 recognized in jurisprudence as inherent and essential to the legislature's discharge of
19 its functions, allowing Congress to perform its duties without impediment, to assert its
20 authority, and punish contumacious acts independently of the judicial branch.

1 WHEREAS, recently-constituted subcommittees comprise the same
2 membership as the main committee and should therefore be allowed to wield the
3 committee's full powers, including the power to cite and punish witnesses in contempt:

4 *Now, therefore, be it*

5 RESOLVED BY THE SENATE, to amend Section 20 of the Rules of Procedure
6 Governing Inquiries in Aid of Legislation to read as follows:

7 **Sec. 20. Subcommittees; Delegation of Authority.** The Chairman
8 of a Committee may create subcommittees as may be deemed
9 necessary for the purpose of performing any and all acts which the
10 Committee as a whole is authorized to do and perform, ~~except the~~
11 ~~power to punish for contempt under Section 18 hereof.~~

Adopted,


JOSEPH VICTOR G. EJERCITO