

[EXECUTIVE ORDER NO. 46, June 13, 2011]

AMENDING EXECUTIVE ORDER NO. 8 (S.1998), AS AMENDED TO FURTHER STRENGTHEN AND REORGANIZE THE PRESIDENTIAL ANTI-ORGANIZED CRIME COMMISSION

WHEREAS, a steadfast, strong-minded and unwavering campaign to eradicate organized crime along with the graft and corruption it breeds are among the priorities of this Administration.

WHEREAS, the reorganization and strengthening of the Presidential Anti-Organized Crime Commission (PAOCC) is imperative to substantiate and generate results in the fight to eliminate corrupt practices and

WHEREAS, the Revised Administrative Code of 1987 empowers the President with the continuing authority to reorganize the Executive Department.

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

SECTION 1. Section 1 of Executive Order No. 799 (s, 2009) is hereby amended to read as follows:

Section 1. COMPOSITION. The Presidential Anti-Organized Crime Commission (PAOCC) shall be composed of the following:

Chairperson: Executive Secretary

Members: Secretary of the Interior and Local Government
Secretary of Justice
Secretary of National Defense
Secretary of Foreign Affairs
National Security Adviser
Chief of Staff, Armed Forces of the Philippines (AFP)
Director General, Philippine National Police (PNP)
Director General, National Intelligence Coordinating Agency (NICA)
Director, National Bureau of Investigation (NBI)
Executive Director, Philippine Center for Transnational Crime (PCTA)

SECTION 2. Section 3 of Executive Order No. 295 (s.2000) is hereby amended to read as follows:

Section 3. POWERS AND FUNCTIONS. The PAOCC shall have the following powers and functions.

- a. Prepare and implement a fast track anti-crime anti-graft and corruption action plan and program, and adopt appropriate measures to ensure an effective and efficient anti-crime drive;
- b. Conduct intelligence and counterintelligence operations to identify government officials and employees, crime syndicates and their cohorts who are involved in criminal activities;
- c. Cause or direct the immediate arrest, investigation and speedy prosecution of organized crime groups/syndicates, government officials and employees and co-principals, accomplices and accessories, with due regard to legal and constitutional processes.
- d. Refer the cases at hand, as the PAOCC may deem proper and necessary, to the Department of Justice (DOJ), and/or other appropriate law enforcement agencies for investigation or prosecution as the case may be
- e. Follow up the progress of on-going investigation and prosecution of cases taken cognizance by PAOCC
- f. Recommended the passage of appropriate anti-crime issuances and legislation;
- g. Select and recruit personnel from PNP, the DOJ and other government agencies for assignment to the PAOCC, subject to the conformity of the agency concerned;
- h. Enlist the assistance of any department bureau, office, agency or instrumentality of the Government including government owned and/or controlled corporations, in the anti-crime and anti-graft and corruption drive which may include the use of their respective personnel facilities and resources for a more resolute prevention, detection and investigation of crimes and prosecution of their perpetrators.
- i. Subject to existing laws, grant monetary rewards or incentives to informants giving information leading to the successful prosecution of criminal offenders and corrupt government officials.
- j. Coordinate with the Witness Protection Security and Benefit Program Committee of the DOJ to evaluate and assess witnesses who may qualify under the provisions of Republic Act No. 6981 otherwise known as the Witness Protection and Benefit Act.
- k. Authorize access to documents installations and facilities in pursuit of specific crime investigations over government offices, agencies and/or government owned/or control corporations;
- l. Refer cases involving alleged proceeds and gains of a crime to other agencies for purposes of initiating forfeiture and seizure proceedings in accordance with law;
- m. Engage or contract the services of resource persons professionals and other personnel deemed necessary to carry out PAOCC's mandate.