

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**13<sup>TH</sup> CONGRESS**

**RULES OF PROCEDURE IN  
IMPEACHMENT PROCEEDINGS**

1  
2

**RULE I  
APPLICABILITY OF RULES**

3 **Section 1. Applicability of Rules.** - These Rules shall apply to all proceedings for  
4 impeachment in the House of Representatives against the President, Vice-President,  
5 the Members of the Supreme Court, the Members of the Constitutional Commissions  
6 and the Ombudsman for culpable violation of the Constitution, treason, bribery, graft  
7 and corruption, other high crimes or betrayal of public trust.

8  
9

**RULE II  
INITIATING IMPEACHMENT**

10 **Section 2. Mode of Initiating Impeachment.** - Impeachment shall be initiated by  
11 the filing and subsequent referral to the Committee on Justice of:\*

- 12 (a) a verified complaint for impeachment filed by any Member of the House  
13 of Representatives or;
- 14 (b) a verified complaint filed by any citizen upon a resolution of endorsement  
15 by any Member thereof; or
- 16 (c) a verified complaint or resolution of impeachment filed by at least one-third  
17 (1/3) of all the Members of the House.

18 **Section 3. Filing and Referral of Verified Complaints.** - A verified complaint for  
19 impeachment by a Member of the House or by any citizen upon a resolution of  
20 endorsement by any Member thereof shall be filed with the office of the Secretary General  
21 and immediately referred to the Speaker.

22 The Speaker shall have it included in the Order of Business within ten (10) session  
23 days from receipt. It shall then be referred to the Committee on Justice within three (3)  
24 session days thereafter.

---

\* *The Supreme Court decision in Francisco et al. vs. House of Representatives (GR No. 160261, 10 November 2003), states that Impeachment proceedings are initiated upon filing of the complaint and/or resolution and its referral to the Committee on Justice.*

1 **RULE III**  
2 **FINDING A PROBABLE CAUSE**

3 **A. COMMITTEE PROCEEDINGS**

4 **Section 4. *Determination of Sufficiency in Form and Substance.*** - Upon due  
5 referral, the Committee on Justice shall determine whether the complaint is sufficient in  
6 form and substance. If the committee finds that the complaint is insufficient in  
7 form, it shall return the same to the Secretary General within three (3) session days  
8 with a written explanation of the insufficiency. The Secretary General shall return the  
9 same to the complainant or complainants together with the committee's written  
10 explanation within three (3) session days from receipt of the committee resolution finding  
11 the complaint insufficient in form.

12 Should the committee find the complaint sufficient in form, it shall then determine if  
13 the complaint is sufficient in substance. The requirement of substance is met if there is a  
14 recital of facts constituting the offense charged and determinative of the jurisdiction of the  
15 committee. If the committee finds that the complaint is not sufficient in substance, it shall  
16 dismiss the complaint and shall submit its report as provided hereunder.

17 **Section 5. *Notice to Respondent and Time to Plead.*** - If the committee finds the  
18 complaint sufficient in form and substance, it shall immediately furnish the respondent  
19 with a copy of the resolution and/or verified complaint, as the case may be, with written  
20 notice that he shall answer the complaint within ten (10) days from receipt of notice  
21 thereof and serve a copy of the answer to the complainant or complainants. No  
22 motion to dismiss shall be allowed within the period to answer the complaint.

23 The answer, which shall be under oath, may include affirmative defenses. If the  
24 respondent fails or refuses to file an answer within the reglementary period, he is deemed  
25 to have interposed a general denial to the complaint. Within three (3) days from receipt  
26 of the answer, the complainant may file a reply, serving a copy thereof to the  
27 respondent who may file a rejoinder within three (3) days from receipt of the reply,  
28 serving a copy thereof to the complainant or complainants. If the complainant fails to  
29 file a reply, all the material allegations in the answer are deemed controverted. Together  
30 with their pleadings, the parties shall file their affidavits or counter-affidavits, as the  
31 case may be, with their documentary evidence. Such affidavits or counter-affidavits shall  
32 be subscribed before the chairman of the Committee on Justice or the Secretary  
33 General. Notwithstanding all the foregoing, failure of any respondent to file an answer  
34 will not preclude him from presenting evidence in support of his defenses.

35 When there are more than one respondent, each shall be furnished with a copy  
36 of the verified complaint from a member of the House or a copy of the verified  
37 complaint from a private citizen together with the resolution of endorsement by a  
38 member of the House of Representatives and a written notice to answer and in that  
39 case, reference to respondent in these Rules shall be understood as respondents.

1           **Section 6. *Submission of Evidence and Memoranda.*** - After receipt of the  
2 pleadings and affidavits and counter-affidavits and relevant documents provided for in  
3 Section 5, or the expiration of the time within which they may be filed, the Committee  
4 shall determine whether the complaint alleges sufficient grounds for impeachment.

5           If it finds that sufficient grounds for impeachment do not exist, the Committee shall  
6 dismiss the complaint and submit the report required hereunder. If the Committee finds  
7 that sufficient grounds for impeachment exist, the Committee shall conduct a hearing. To  
8 that end, the Committee, through the chairman, may limit the period of examination and  
9 cross-examination. The Committee shall have the power to issue compulsory processes  
10 for the attendance of witnesses as well as the production of documents and other  
11 related evidence.

12           The hearing before the Committee shall be open to the public except when the  
13 security of the State or public interest requires that the hearing be held in executive  
14 session.

15           After the submission of evidence, the Committee may require the submission of  
16 memoranda, after which the matter shall be submitted for resolution.

17           **Section 7. *Protection to Complainant or Witness.*** - The House may, upon proper  
18 petition, provide adequate protection to a complainant or witness if it is shown that his  
19 personal safety is in jeopardy because of his participation in an impeachment  
20 proceeding.

21           **Section 8. *Report and Recommendation.*** - The Committee on Justice after  
22 hearing, and by a majority vote of all its members, shall submit its report to the House  
23 containing its findings and recommendations within sixty (60) session days from the  
24 referral to it of the verified complaint and/or resolution. Together with the report  
25 shall be a formal resolution of the committee regarding the disposition of the complaint  
26 which shall be calendared for consideration by the House within ten (10) session days  
27 from receipt thereof.

28           If the Committee finds by a vote of the majority of all its members that a probable  
29 cause exists, it shall submit with its report a resolution setting forth the articles of  
30 impeachment on the basis of the evidence adduced before the Committee. Otherwise,  
31 the complaint shall be dismissed subject to Section 11 of these Rules.

32           **Section 9. *Report to be Calendared.*** - The Committee on Rules shall calendar the  
33 report and the accompanying resolution of the Committee on Justice regarding  
34 the disposition of the complaint in accordance with the Rules of the House of  
35 Representatives. The House shall dispose of the report within sixty (60) session days  
36 from its submission by the Committee on Justice.

1 **B. HOUSE ACTION**

2 **Section 10. *Vote Required for Approval.*** - A vote of at least one-third (1/3) of all  
3 the members of the House is necessary for the approval of the resolution setting  
4 forth the articles of impeachment. If the resolution is approved by the required vote, it  
5 shall then be endorsed to the Senate for its trial.

6 On the other hand, should the resolution fail to secure the approval by the  
7 required vote, the same shall result in the dismissal of the complaint for impeachment.

8 **Section 11. *Where Dismissal Recommended.*** - When the report of the Committee  
9 on Justice dismisses the complaint, it shall submit to the House a resolution for the  
10 dismissal of the verified complaint and/or resolution of impeachment. A vote of at least  
11 one-third (1/3) of all the members of the House shall be necessary to override such  
12 resolution, in which case the Committee on Justice shall forthwith prepare the articles  
13 of impeachment.

14 **Section 12. *Vote by Roll Call.*** - The voting on a favorable resolution with the articles of  
15 impeachment of the Committee on Justice or a contrary resolution shall be by roll call,  
16 and the Secretary General shall record the vote of each member.

17 **RULE IV**  
18 **VERIFIED COMPLAINT/RESOLUTION**  
19 **BY ONE-THIRD OF MEMBERS**

20 **Section 13. *Endorsement of the Complaint/Resolution to the Senate.*** - A verified  
21 complaint/ resolution of impeachment filed by at least one-third (1/3) of all the  
22 members of the House shall constitute the articles of impeachment, and in this case the  
23 verified complaint/resolution shall be endorsed to the Senate in the same manner as an  
24 approved bill of the House.

25 The complaint/resolution must, at the time of filing, be verified and sworn to before  
26 the Secretary General by each of the members constituting at least one-third (1/3) of  
27 all the members of the House.

28 The contents of the verification shall be as follows:

29 *"We, after being sworn in accordance with law, depose and state: That we*  
30 *are the complainants in the above-entitled complaint/resolution of*  
31 *impeachment; that we have caused the said complaint/resolution to be*  
32 *prepared and have read the contents thereof; and that the allegations*  
33 *therein are true of our own knowledge and belief on the basis of our*  
34 *reading and appreciation of documents and other records pertinent thereto.*

35 \_\_\_\_\_"  
36 (Signature)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

**RULE V  
BAR AGAINST IMPEACHMENT**

**Section 14. *Scope of Bar.*** - No impeachment proceedings shall be initiated against the same official more than once within the period of one (1) year.

**RULE VI  
PROSECUTOR IN ALL  
IMPEACHMENT PROCEEDINGS**

**Section 15. *Impeachment Prosecutor.*** - The House of Representatives shall act as the sole prosecutor at the trial in the Senate through a committee of eleven (11) members thereof to be elected by a majority vote.

**RULE VII  
APPLICABILITY OF THE RULES OF CRIMINAL PROCEDURE**

**Section 16. *Rules of Procedure.*** - The Rules of Criminal Procedure under the Rules of Court shall, as far as practicable, apply to impeachment proceedings before the House.

*Adopted, August 1, 2005*