

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. 843

Introduced by Hon. Aurelio M. Umali

EXPLANATORY NOTE

The Bill is submitted for the purpose of granting authority to the Department of Justice through the Office of the Chief State Prosecutor, to bring together to an extra-judicial settlement the parties to a criminal action involving minor offenses, punishable by imprisonment not exceeding one (1) year and/or a fine not exceeding five thousand pesos (P5,000.00)

Our courts of Justice are saddled with countless cases which could hardly be disposed of within the period prescribed by existing laws and rules. As a result, court proceedings and the dispensation of justice in other vital cases are often delayed and hampered. This bill, in consonance with the constitutional guarantee of the right of every person to a speedy disposition of their cases, will allow the litigants to settle their differences extra-judicially. Thus, valuable time, money and effort usually expended in pursuing criminal cases in court will be saved.

The authority of the DOJ to settle minor offenses, under this bill, shall include those cases not settled by the Lupong Tagapamayapa or the barangay court except those involving offenses under the Comprehensive Drugs Act of 2002 and the Special protection of Children Against Abuse, Exploitation and Discrimination Act.

Altogether, the proposed measure will not only help improve the administration of justice but will also decongest the dockets of cases filed in regular courts.

Premises considered, approval of this bill is earnestly sought.

AURELIO "OYIE" MATIAS UMALI
Representative
3rd District, Nueva Ecija

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AN ACT GRANTING THE DEPARTMENT OF JUSTICE THE AUTHORITY TO SETTLE MINOR CRIMINAL OFFENSES

Be it enacted by the Senate and the House of representatives of the Philippines in Congress assembled.

Sec. 1. Authority of the Department of Justice to settle minor criminal offenses – The Department of Justice (DOJ) through the Office of the Chief State prosecutor shall have the authority to settle minor criminal offenses as hereinafter defined.

Sec. 2. Definition of minor criminal offenses. "Minor criminal offenses" shall mean those offenses punishable by imprisonment not exceeding one (1) year and/or a fine not exceeding five thousand pesos (P5,000.00).

Sec. 3. Coverage – The authority of the DOJ to settle minor offenses shall include those cases not settled by the Lupong Tagapamayapa or the Barangay Court. Provided however, that the authority of the DOJ herein given shall not include any of the offenses under the Comprehensive Drugs Act of 2002 and the Special protection of Children Against Abuse, Exploitation and Discrimination Act.

Sec. 4. Settlement of minor criminal offenses. – The DOJ shall notify in writing the parties concerned, setting forth the date, time and purpose of the meeting and to bring their respective counsels if they desire. The settlement reached shall be in writing and signed by all parties concerned under oath, together with their respective counsels, if any. The settlement shall be deemed final from the date of signing and shall automatically extinguish the criminal and/or civil liability of the accused. Failure to reach a settlement within thirty (30) working days from the time the parties meet with the DOJ representative shall result in the continuance of preliminary investigation of the case or the start thereof.

Sec. 5. Implementing Rules and Regulations. – the DOJ shall promulgate the rules and regulations necessary to implement this Act.

Sec. 6. Repealing Clause – All laws, Presidential Decrees and Issuances, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 7. Effectivity – This law takes effect fifteen (15) days following its publication in the Official Gazette or in two (2) national newspaper of general circulation.

Approved.