

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

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2459



Introduced by HON. AMADO T. ESPINO, JR.

EXPLANATORY NOTE

Peace and order is a condition *sine qua non* for development to take place in any country. The truism of this statement is proven by the cases of the Philippines and South Korea. In 1966, when the Asian Development bank was established in Metro Manila, the Philippines was second only to Japan as Asia's richest nation, while South Korea was among the poorest, being a top borrower of the ADB. Nearly four decades later, their fortunes are completely reversed; as pointed out by the ADB Chief, the Philippines is now one of Asia's poorest countries, while South Korea is now one of the richest and a key contributor to the ADB. This can be attributed mainly to the peace and order conditions obtaining in these two countries for the past 38 years.

To spur development in and enable the Philippines to regain its former status as one of Asia's richest nations, it is therefore urgently imperative to markedly enhance the peace and order condition in the country on a sustained basis. This is to attract foreign investors and tourist alike to come to the Philippines, as well as arrest the divestment of both foreign and local investors who are already here in the country.

Merely reforming the Philippine National Police, as sought by Administrative Order No. 85 (September 19, 2003) that created the PNP Reform Commission, would hardly create a dent in the peace and order condition of our country. What must be done is to enact a comprehensive anti-crime law, similar to Republic Act No. 9165 otherwise known as the Comprehensive Dangerous Drugs Law of 2002.

I have the honor then to submit this bill entitled " **An Act Instituting the Comprehensive Crime Prevention and Criminal Justice of 2004** " for immediate consideration and enactment of Congress.


AMADO T. ESPINO, JR.
2nd District, Pangasinan

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AN ACT
INSTITUTING THE COMPREHENSIVE CRIME PREVENTION AND
CRIMINAL JUSTICE ACT OF 2004, PROVIDING FUNDS THEREFOR AND
FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

ARTICLE I

TITLE AND DECLARATION OF POLICY

Section 1. *Title of the Act.* – This Act shall be known as the “**Comprehensive Crime Prevention and Criminal Justice Act of 2004.**”

Section 2. *Declaration of Policy.* – It is hereby the declared policy of the State to foster and ensure not only obedience to its authority and the rule of law, but also to adopt such measures as would effectively promote the maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare which are essential for the enjoyment by all the people of the blessings of democracy in a just and humane society.

Toward this end, the government shall pursue an all-out and relentless campaign against crime and lawlessness through an integrated system of planning, implementation and enforcement of crime prevention and criminal justice policies, programs and projects based on and compliant with the United Nations Standards and Norms in Crime Prevention and Criminal Justice; notable of which among others, are the following:

- a.) “Measures of crime prevention include the treatment of offenders”, or administration of criminal justice to offenders; hence, crime prevention and criminal justice should be pursued together;
- b.) “The criminal justice system, besides being an instrument to effect control and deterrence (of crime), should also contribute to the objective of maintaining peace and order for equitable social and economic development, redressing inequalities and protecting human rights”;
- c.) Responding to crime demands “reducing the opportunities to commit crime and address the relevant socio-economic factors, such as poverty, inequality and unemployed”;
- d.) “The multi-sectoral and interdisciplinary nature of crime prevention and criminal justice demands the coordinated attention of various agencies and disciplines”;
- e.) “Crime prevention and criminal justice planning should be carried out with the participation of representatives of the different criminal justice subsystems (or pillars), members of the community and other experts”; “with short-term, medium-term and long-term objectives”.

- f.) "Community participation in all phases of crime prevention and criminal justice processes should be promoted and strengthened, paying full attention to the protection of human rights".
- g.) "Crime prevention and criminal justice should be considered in the context of economic development, political systems, social and cultural values and social change, as well as in the context of the new international order".

The government shall further include Restorative Justice, a step beyond Criminal Justice, as part of crime prevention; by providing a mechanism for healing the wounds, and restoring harmony among the feuding parties to pave the way for the smooth return and reintegration of rehabilitated inmates in their respective communities once released.

As a matter of state policy, the government adopts the principle that: "The police are the public, and the public are the police; police officers are only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the intent of the community welfare".

ARTICLE II

DEFINITIONS OF TERMS

Section 3. Definitions. – As used in this Act, the following terms shall mean:

a) **Applicable Laws** – For purposes of this Act, Article III thereof applies to and supplements the unlawful acts and penal provisions of the following laws:

- 1) Revised Penal Code, as amended, including RA 7659;
- 2) Republic Act 6539: Anti-Carnapping Act of 1972, as amended;
- 3) Presidential Decree 532: Anti-Piracy and Anti-Highway Robbery Law of 1974;
- 4) Presidential Decree 533: Anti-Cattle Rustling Law of 1974;
- 5) Presidential Decree 704: Penalizing Illegal Fishing, as amended;
- 6) Presidential Decree 705: Penalizing Illegal Logging, as amended;
- 7) Presidential Decree 1612: Anti-Fencing Law of 1979;
- 8) Presidential decree 1866: Firearms Law of 1983, as amended;
- 9) Republic Act 3019: Anti Graft and Corrupt Practices Act, as amended;
- 10) Republic Act 7080: Penalizing the Crime of Plunder, as amended;
- 11) Presidential Decree 2018: Illegal recruitment;
- 12) Republic Act 6235: Prohibiting Certain Acts Inimical to Civil Aviation;
- 13) Presidential Decree 1602: Illegal Gambling, as amended;
- 14) Presidential Decree 449: Counterfeiting Law of 1974, as amended;
- 15) Republic Act 1937: Tariff and Customs Code of the Philippines, as amended;
- 16) Republic Act 7642: Tax Evasion; and
- 17) Executive Order 129, s 1993: Anti-Professional Squatting Syndicates and Squatters Drive;

b) **Board** – Refers to the Crime Prevention and Criminal Justice Synergism Board under Sec 48, Art XXII of this Act.

c) **Center** – Refers to the National Action Center on Crime Prevention and Criminal Justice Synergism, or NAC; as provided under Sec 52, Article XXII of this Act.

d) **Crime Risk Management** – Refers to the anticipation, recognition and appraisal of a potential or actual occurrence of crime and the initiation of some action or measure to remove or reduce it.

e) **Crime Prevention Through Environmental Design** – or CPTED, pertains to the proper design and effective use of the partially or fully built environment to reduce fear and the incidence of crime.

f) **Crime Prevention Through Social Development** – or CPTSD, is the inculcation and formation of the proper values, such as good manners and right conduct, morality and spirituality, to a child up to adolescence, so that he/she shall become a law-abiding and crime prevention-conscious citizen.

g) **Crime Syndicate** – Any organized group of two (2) or more persons forming or joining together with the intention of committing any offense prescribed under this Act; as such, the type of offense they shall be perpetrating is known as an organized crime.

h) **Financier** – Any person who pays for, raises or supplies money for, or underwrites any of the illegal activities prescribed under this Act; i.e., the applicable laws.

i) **Force Multiplier** – A private individual who shall join and participate in the campaign of the criminal justice system and/or the government in their crime prevention and criminal justice programs, projects and/or activities, thereby increasing manpower.

j) **Person** – Any entity, natural or juridical, including among others, a corporation, partnership, trust or estate, joint stock company, association, joint venture or other unincorporated organization or group capable of acquiring rights or entering into obligations.

k) **Planting of Evidence** – The willful act of any person of maliciously and surreptitiously inserting, placing, adding or attaching directly or indirectly, through any overt or covert act, whatever quantity of any instrument, substance or article in the person, house, effects or in the immediate vicinity of an innocent individual for the purpose of implicating, incriminating or imputing the commission of any violation of the Act.

l) **Protector/Coddler** – Any person who knowingly and willfully consents to the unlawful acts provided for in this Act, including the pertinent provisions of applicable laws, and uses his/her influence, power or position in shielding, harboring, screening or facilitating the escape of any person he/she knows, or has reasonable grounds to believe on or suspects, has violated the provisions of this Act in order to prevent the arrest, prosecution and conviction of the violator.

m) **Resource Multiplier** – A private individual who shall not join and participate, but shall support the campaign by contributing financial, logistical and other material resources for the implementation of crime prevention and criminal justice programs, projects and/or activities.

n) **School** – Any educational institution, private or public, undertaking educational operation for pupils/students, pursuing certain studies at defined levels, receiving instructions from teachers, usually located in a building or a group of buildings in a particular physical or cyber site.

o) **Target Hardening** – Pertains to the crime prevention approach relying on the installation of mechanical and organized means to prevent or reduce crime incident, like locks, CCTV, preventive patrols, etc.

ARTICLE III

SUPPLEMENTARY PROVISIONS TO APPLICABLE LAWS

Section 4. *Financier of Any Illegal Activity.* – The maximum penalty prescribed for the unlawful act shall be imposed upon any person, who acts as a financier of such illegal activity, as prescribed in the pertinent provision/s of any applicable law, wherein this unlawful act is not yet defined and/or penalized.

Section 5. *Protector/Coddler of any Violator.* – The Minimum to medium penalty prescribed for the unlawful act shall be imposed upon any person, who acts as a protector/coddler of any violator of the pertinent provisions of any applicable law, wherein this unlawful act is not defined/penalized yet.

Section 6. *Planting of Evidence.* – Any person who is found guilty of “planting” any evidence for the purpose of implicating, incriminating or imputing the commission of any violation of this Act to an innocent individual to make him/her liable to being penalized as a violator of the pertinent provision/s of any applicable law, shall suffer the maximum penalty for the unlawful act intended to be filed versus the victim, as provided in the same law; unless otherwise provided.

Section 7. *Criminal Liability of Government Officials and Employees.* – The maximum penalties of the aforecited unlawful acts provided in the applicable laws shall be imposed, in addition to absolute perpetual disqualification from any public office, if those found guilty of such unlawful acts are government officials and employees.

Section 8. *Failure to Enforce the Law, Arrest, or Prosecute the Offender.* – Any law enforcer, government official or employee entrusted with the enforcement of any of the applicable laws, who knowingly and willfully fails to enforce the said law/s or refrains from arresting or prosecuting the offender/s thereof, or deliberately prevents its enforcement or the arrest or prosecution of the offender/s thereof, shall suffer the minimum to medium penalty provided in the law which he/she did not enforce, or prevented from being enforced, or the offense which was not prosecuted, as the case maybe.

If the non-enforcement of the said law/s, or non-arrest or prosecution of the offender/s thereof is in consideration of any offer, promise, gift or present, the medium to maximum penalty thereof shall be imposed. If it is the public officer who asks or demands such gift or present, he/she shall suffer the maximum penalty. *Penalty that:* if the crime committed by the offender is punishable by *reclusion perpetua* to death, the concerned public officer shall be prosecuted under article 211-A on Qualified Bribery of the Revised Penal Code, as provided in RA 7659.

Section 9. *Responsibility and Liability of Law Enforcement Agencies and other Government Officials and Employees in Testifying as Prosecution Witnesses in any Criminal Cases.* Any member of law enforcement agencies or any other government official and employee who, after due notice, fails or refuses intentionally or negligently, to appear as a witness for the prosecution in any proceeding, involving violations of this Act, without any valid reason, shall be imposed with the minimum to medium penalty prescribed for the instant case in the pertinent provisions of the said laws, in addition to the administrative liability he/she may be meted out by his/her immediate superior and/or appropriate body.

Section 10. *Delay and Bungling in the Prosecution of Criminal Cases.* – Any government officer or employee tasked with the prosecution of criminal cases under any applicable law for which this penalty is not yet provided, who, through patent laxity, inexcusable neglect, unreasonable delay or deliberately causes the dismissal of such criminal cases, shall suffer the minimum to medium penalty provided by the applicable law/s for the bungled cases; without prejudice to his/her prosecution under the pertinent provisions of the Revised Penal Code.

Section 11. *Criminal Liability of a Public Officer or Employee for Misappropriation, Misapplication or Failure to Account for the Confiscated, Seized or Surrendered Pieces of Evidence, including the Proceeds or Properties obtained from the Unlawful Act Committed.* – The minimum to medium penalty of the applicable law/s violated, in addition to absolute perpetual disqualification from any public office, shall be imposed upon any public officer or employee who misappropriates, misapplies or fails to account for confiscated, seized or surrendered piece/s of evidence, including the proceeds or properties obtained from the unlawful acts as provided for in this Act.

Any elective national or local official found to have benefited from the proceeds or properties obtained from the unlawful acts, as prescribed in this Act, or have received any financial or material contributions or donations from natural or juridical persons found guilty of such unlawful acts, as prescribed in this Act, shall be removed from office and perpetually disqualified from holding any elective or appointive positions in the government, its divisions, subdivisions, and intermediaries, including government-owned or controlled corporations.

Section 12. *Grant of Compensation, Reward, Award and/or Other Benefits.* – The Board and/or concerned government agency shall grant compensation, reward, award and/or other benefits or incentives to any person/s who shall perform any of the following:

a) Personally execute the Doctrine of Citizen's Arrest and/or Doctrine of Defense of a Stranger vis-à-vis any violator/s or wanted person/s in a lawful manner;

b) As a whistle blower of a financier, a protector/coddler, or any anomalous transactions/deals in/with any government agency/office and cases of graft and corruption;

c) Provide information/pieces of evidence which shall enable the law enforcers to conduct successful operations; resulting in the arrest/apprehension of any offender/s, suspect/s or wanted person/s, especially financier/s, and/or recovery/confiscation of pieces of evidence, proceeds of the unlawful act/s and/or contraband.

ARTICLE IV

PARTICIPATION OF THE FAMILY AND THE CITIZENRY

Section 13. *Involvement of the Family.* – The family, being the basic unit of the Filipino society, shall be primarily responsible for the education and awareness of the members of the family on crime prevention and criminal justice; emphasizing that "crime does not pay", both to the perpetrators and the victims.

Since the core values of a person are formed during the first ten (10) years of one's existence, it is incumbent upon the parents to participate in Crime Prevention Through Social Development (CPTSD), by setting the example to be emulated, properly rearing, closely monitoring and developing their children to become law-abiding and well-disciplined.

The parents shall formulate a Family Crime Prevention Program, consisting of physical security, or Crime Prevention Through Environmental Design (CPTED) and/or target hardening measures to be installed at home, and procedures, or Dos and Don'ts, to be implemented by all members of the family while at home, or elsewhere all the time.

The family shall be involved in and avail of the Community-Oriented Policing Service (COPS) of the Philippine National Police and other crime prevention activities in the community.

Section 14. *Participation of the Citizenry.* – It shall be the responsibility of the citizenry to participate in crime prevention and criminal justice, as they are considered to be an informal part of the police in the intent of the community welfare. As such, it is incumbent upon each and every citizen to perform the following related functions; but not limited to:

a) Obey the laws and other related issuances;

b) Be crime prevention-conscious and implement legitimate self-help crime prevention measures and procedures to serve as his/her first line of defense against crimes;

- c) Exercise the doctrine of self-defense and/or defense of a stranger vis-à-vis the offenders, as applicable;
- d) Execute the doctrine of citizen's arrest vis-à-vis the offender/s or fugitive/s, if capable and as applicable;
- e) As a minimum, in relation to c) and d) above, immediately report the crime to the nearest police/law enforcement unit; and
- f) Serve as the force and/or resource multiplier of the Criminal Justice System in applying crime prevention and criminal justice measures and procedures to potential or actual offenders as well as of the Government in addressing the root causes and abetting factors of crime and lawlessness in the environment/society.

ARTICLE V

PARTICIPATION OF STUDENTS, TEACHERS AND SCHOOL AUTHORITIES; AND THE DEPARTMENT OF EDUCATION, COMMISSION ON HIGHER EDUCATION AND TESDA

Section 15. *Student Councils and Campus Organizations.* – All student councils and campus organizations in elementary, secondary, tertiary and vocational/technical schools shall include in their year round activities a program on crime prevention and criminal justice, including participation in the observance of National Crime Prevention/Respect for Law Week every year.

Section 16. *School Curricula.* – Instruction on crime prevention, including CPTSD subjects in the kindergarten and elementary, and criminal justice shall be progressively integrated in the kindergarten, elementary, secondary, tertiary and vocational/technical curricula of all public and private schools, whether general, technical, vocational or agro-industrial as well as non-formal, informal and indigenous learning systems. Among others, such instructions shall include:

- 1) Nature and dynamics of crime;
- 2) The Criminal Justice System, its Legal Parameters and Procedures;
- 3) Crime Prevention, including Crime Prevention through Environmental Design (CPTED) and Crime Prevention through Social Development (CPTSD);
- 4) Interdependence of Peace and Order, and Development and the adverse effects of crime and lawlessness in the country;
- 5) The Role of the Family, Citizenry, Students and Community in Crime Prevention and Criminal Justice;
- 6) Observation and Description fro Crime Watching and Reporting; and
- 7) Doctrines of Citizen's Arrest, Self-defense and Defense of a Stranger.

Section 17. *Publication and Distribution of Materials on Crime Prevention and Criminal Justice.* – With the assistance of the Board, the Secretary of the Department of Education (DepEd), the Chairman of the Commission on Higher Education (CHED) and the Director General of the Technical Education and Skills Development Authority (TESDA) shall cause the development, publication and distribution of information and support educational materials on crime prevention and criminal justice to the students, the faculty, the parents and the community.

Section 18. *Heads, Supervisors and Teachers of Schools.* – For the purpose of enforcing the pertinent provisions of all applicable laws, in addition to RA 9165, all school heads, supervisors and teachers shall be deemed persons in authority; such as, are hereby vested with the authority to apprehend, arrest, or cause the apprehension or arrest of any person, who shall violate any of the said provisions of subject laws, pursuant to Section 5, Rule 113 of the Rules of Court. They shall be deemed persons in authority while they are in the school, or within its immediate vicinity; or even beyond such immediate vicinity, if they are in attendance at any school or class function in their official capacity as school heads, supervisors and teachers.

Any teacher or school employee, who discovers or finds that any person in the school, or within its immediate vicinity, is liable for violating any said provisions, or is about to commit, or actually committing, or has just committed a crime, shall have the duty to immediately report the same to the immediate supervisor or the school head; who in turn, shall report the matter to the nearest police or law enforcement unit.

Failure to do so in either case, within a reasonable period from the time of discovery of the violation or crime, shall after due hearing, constitute sufficient cause for disciplinary action by the school authorities.

Section 19. *Anti-Crime Citizens Empowerment Schools (ACCESs).* – With the assistance of the Board, ACCESs shall be established in all NCR cities and municipalities and all provinces and highly urbanized cities nationwide as joint undertakings of the five (5) pillars of the Criminal Justice System, with the support of other NGAs, LGUs and Ngos in the localities. Mobile Training Teams (MTTs) shall be formed and dispatched by ACCESs as warranted, subject to the availability of teaching staff and resources. These ACCESs shall provide education/seminar on crime prevention and criminal justice to the citizenry, who won't be able to take this up in school anymore, such as college graduates, elderly, out-of-school youth, street children and those in orphanages and drug rehabilitation centers. (NOTE: *Please see attached Rationale/General Framework*)

Section 20. *DepEd, CHED, and TESDA.* – In addition to those in the preceding Sections, the DepEd, CHED and TESDA, including State Universities and Colleges shall formulate and implement their respective crime prevention and criminal justice programs with the assistance of the Board/NAC, in their respective campuses, buildings and facilities; and shall prescribe and cause the implementation thereof in all public and private schools, whether general, technical, vocational or agro-industrial. The program shall include but not limited to education and awareness on crime prevention and criminal justice, including CPTSD, as well as installation of CPTED and/or target hardening measures; including the activation of a crime prevention unit, or at least appointments of crime prevention officers and/or specialists with the technical assistance of the NAC.

ARTICLE VI

PARTICIPATION OF THE PRIVATE AND LABOR SECTORS AND THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE)

Section 21. *Promotion of Crime Prevention and Criminal Justice in the Workplace Program.* – As a matter of policy, the State shall promote the Crime Prevention and Criminal Justice in the Workplace Program nationwide, using a tripartite approach. With the assistance of the Board, the DOLE shall develop, promote, and implement a national crime prevention and criminal justice program in the workplace to be adopted by private companies with ten (10) or more employees. Such program shall include the mandatory drafting and adoption of company policies on the implementation of appropriate crime prevention and criminal justice measures and procedures in the workplace, including CPTSD and CPTED, in close consultation and coordination with the DOLE, Board/NAC, labor and employee organizations, human resource development managers and other such private sector organizations.

Section 22. Guidelines for the National Crime Prevention and Criminal Justice in the Workplace Program. – The Board/NAC and the DOLE shall jointly formulate the necessary guidelines for the implementation of the National Crime Prevention and Criminal Justice in the Workplace Program. The amount necessary for the implementation thereof shall be included in the General Appropriations Act.

Section 23. Labor Organizations and the Private Sector. – All labor unions, federations, associations and organizations, in cooperation with their respective private sector partners may, in pursuit of the program/s mentioned in the preceding section, secure the technical assistance of the NAC and other law enforcement and/or government agencies, such as, but not limited to, seminars and information dissemination campaigns.

Section 24. The Department of Labor. – In addition to those in the preceding Sections, the DOLE shall formulate and implement its own Department – wide Crime Prevention and Criminal Justice Program; which shall include, but not limited to: education and awareness on Crime Prevention and Criminal Justice, including CPTSD, as well as installation of CPTED and/or target-hardening measures, including the activation of a crime prevention unit in the department and appointment of crime prevention officers and/or specialists; in its Bureaus and regional offices with the technical assistance of the NAC.

ARTICLE VII

PARTICIPATION OF LOCAL GOVERNMENT UNITS

Section 25. Involvement of Local Government Units (LGUs). – Local government units shall participate in the implementation and enforcement of this Act, for their respective constituencies/areas of responsibility; such as, but not limited, to the following:

- a) Information dissemination and awareness campaigns on crime prevention and criminal justice, including CPTSD;
- b) Installation of CPTED and/or target hardening measures and procedures in crime-prone areas, such as street lighting, sustained clearing of tall weeds in vacant areas and the like. If feasible, revise/amend the local zoning and land development plan, based on CPTED;
- c) Monitoring and resolution of neighborhood conflicts or misunderstandings to forestall potential crimes;
- d) Detection and extension of appropriate emergency/humanitarian assistance to hapless/desperate local folks to pre-empt them from being forced by circumstances to commit crime, such as stealing to buy medicine/food;
- e) Initiate/assist in the restorative justice efforts to heal the “wounds” and restore harmony among the feuding parties involved in crime incidents in affected communities;
- f) Undertake job placement, self-employment assistance, livelihood and/or job-generating projects for the jobless; and
- g) Participate in the COPS implementation by involving LGU personnel in problem solving and community partnership thereof, in tandem with the Police-Community Precincts (PCPs) of the local Police stations.

In addition, the LGUs shall formulate and implement their respective crime prevention and criminal justice programs for their respective officials and employees, and buildings and facilities; which shall, among others, consist of a) and b) above, including the activation of their respective crime prevention units, or at least the appointment of a crime prevention specialist in small barangays.

Section 26. *Local Government Support.* – Local government units shall appropriate a substantial portion of their respective annual budgets to support the implementation of projects and activities under the preceding section to be prioritized in consultation with the local Peace and Order Council (POC).

Section 27. *Abatement of Crime-Related Public Nuisances.* – Any place or premises which have been used on two or more occasions as the site of the unlawful acts or crimes covered by appropriate law/s enumerated in Section 3-a above, may be declared to be a public nuisance, and such nuisance may be abated, pursuant to the following procedures:

1. Any city or municipality may, by ordinance, create an administrative board to hear complaints regarding this type of nuisances;
2. Any employee, officer, or resident of the city or municipality may bring a complaint before the Administrative Board, after giving not less than three (3) days written notice of such complaint to the owner of the place, or premises at his/her last known address;
3. After hearing, the Administrative Board may consider any evidence, including evidence of the general reputation of the place or premises, and at which the owner of the premises shall have an opportunity to present evidence in his/her defense, the Board may declare the place or premises to be a public nuisance.

Section 28. *Effect of Board Declaration.* – If the Board declares a place or premises to be a public nuisance, it may declare an order immediately prohibiting the conduct, operation, or maintenance of such premises that is conducive to such nuisance.

An order entered under this section shall expire after one (1) year, or at such earlier time as stated in the order. The Board may bring a complaint seeking a permanent injunction against any nuisance described under this Section.

This article does not restrict the right of any person to proceed under the Civil Code against any public nuisance.

ARTICLE VIII

PARTICIPATION OF THE BANKING/FINANCIAL COMMUNITY, AND THE CENTRAL BANK OF THE PHILIPPINES

Section 29. *The Central Bank of the Philippines and the Banking/Financial Community.* – The Central Bank of the Philippines, the Banking/Financial Community and allied entities shall formulate and implement their respective Crime Prevention and Criminal Justice Programs for their respective personnel, clientele, buildings and facilities, with the technical assistance of the NAC based on the guidelines to be formulated by the Board and/or the Central Bank. The program shall include, but not limited to information and awareness campaign on crime prevention and criminal justice, including CPTSD, as well as the installation of CPTED and/or target hardening measures and procedures; including the activation of crime prevention units for the Central Bank and big banks, and hiring of crime prevention officers and/or specialists for medium to small size banks and branches and allied entities.

ARTICLE IX

PARTICIPATION OF THE BUSINESS/INDUSTRIAL/INVESTMENT COMMUNITY AND THE DEPARTMENT OF TRADE AND INDUSTRY

Section 30. *The Department of Trade and Industry and the Business/Industrial/Investment Community and other Allied Entities.* – The Department of Trade and Industry, the Business/Industrial/Investment Community and other allied entities shall formulate and implement their respective Crime Prevention and

Criminal Justice Programs for their respective personnel, clientele, buildings and facilities, with the technical assistance of the NAC based on the guidelines to be formulated by the Board and/or DTI. The program shall consist of, among others, information and awareness campaign on crime prevention and criminal justice, including CPTSD, as well as the installation of CPTED and/or target hardening measures and procedures, including the activation of crime prevention units in DTI, its Bureaus and big enterprises, or at least, a crime prevention officer and/or specialists for Regional Offices of DTI, and medium to small size enterprises. Crime prevention measures and procedures for likely kidnap for ransom targets, especially foreign investors, shall be maximized, without unduly alarming them, by concerned stakeholders, with the assistance of NAC and other law enforcement agencies.

ARTICLE X

PARTICIPATION OF THE TOURISM INDUSTRY AND THE DEPARTMENT OF TOURISM

Section 31. *The Department of Tourism and the Tourism Industry.* – The Department of Tourism, and the Tourism Industry, including tourist spots stakeholders shall formulate and implement their respective crime prevention and criminal justice programs for their respective personnel, clientele, buildings and facilities with the technical assistance of the NAC, based on the guidelines to be formulated by the Board and/or the DOT. The program shall include, but not limited to, information and awareness campaign on crime prevention and criminal justice, including CPTSD, as well as the installation of CPTED and/or target hardening measures and procedures; including the activation of crime prevention units in DOT, and big enterprises, or at least crime prevention officer and/or specialists for the Regional Offices of DOT and its Bureaus medium to small size enterprises. Crime prevention measures and procedures for likely kidnap for ransom targets, especially foreign tourists, shall be maximized without unduly alarming them, by concerned stakeholders, with the assistance of NAC and other law enforcement agencies.

ARTICLE XI

PARTICIPATION OF THE TRANSPORTATION, COMMUNICATIONS AND ALLIED INDUSTRIES AND THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS

Section 32. *The Department of Transportation and Communications and the Transportation, Communications and Allied Industries.* – The Department of Transportation and Communications and the stakeholders in the land, air and sea transportation, communications and allied industries shall formulate and implement their respective crime prevention and criminal justice programs for their respective personnel, clientele, buildings, facilities and land/air/sea conveyances, with the technical assistance of the NAC, based on the guidelines to be formulated by the Board and/or the DOTC. The program shall, among others, consist of information and awareness campaign on crime prevention and criminal justice, including CPTSD, as well as installation of CPTED and/or target hardening procedures; including the activation of crime prevention units in DOTC, its Bureaus and big companies, and crime prevention officer and/or specialists for the Regional Offices of DOTC and medium to small size companies.

ARTICLE XII

PARTICIPATION OF EXPORTERS/IMPORTERS, ARRASTRE AND ALLIED SERVICES, AND THE DEPARTMENT OF FINANCE

Section 33. *The Department of Finance and the Exporters/Importers, Arrastre and Allied Services.* – The Department of Finance, the exporters and importers and the stakeholders in the arrastre and allied services shall formulate and implement their

respective crime prevention and criminal justice programs for their respective personnel, clientele, buildings, facilities and cargoes/merchandises with the technical assistance of the NAC based on the guidelines to be formulated by the Board and/or the Department of Finance. The program shall include, but not limited to, information and awareness campaigns on crime prevention and criminal justice, including CPTSD, as well as installation of CPTED and/or target hardening measures and procedures; including the activation of crime prevention units in DOTC and its Bureaus and big companies, and crime prevention officer and/or specialists in the Regional Offices of DOF and medium to small size companies.

ARTICLE XIII

PARTICIPATION OF MINING, TIMBER AND ALLIED INDUSTRIES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Section 34. *The Department of Environment and Natural Resources and the Mining, Timber and Allied Industries.* – The Department of Environment and Natural Resources and the stakeholders in the mining, timber and allied industries shall formulate and implement their respective crime prevention and criminal justice programs for their personnel, clientele, buildings, facilities and criminal justice programs for their personnel, clientele, buildings, facilities and equipment; with the technical assistance of the NAC, based on the guidelines to be formulated by the Board and/or the DENR. The program shall, among others, consist of information and awareness campaign on crime prevention and criminal justice, including CPTSD, as well as installation of CPTED and/or target hardening measures, including the activation of crime prevention units in the DENR, its Bureaus and big companies, and crime prevention officer and/or specialists in the Regional Offices of DENR and medium to small size companies.

ARTICLE XIV

PARTICIPATION OF AGRICULTURAL, LIVESTOCK, FISHERY AND ALLIED INDUSTRIES AND THE DEPARTMENT OF AGRICULTURE

Section 35. *The Department of Agriculture and the Agricultural, livestock, Fishery and Allied Industries.* – The Department of Agriculture and the stakeholders in the agricultural, livestock, fishery and allied industries shall formulate and implement their respective crime prevention and criminal justice programs for their personnel, clientele, buildings, facilities, farms and equipment; with the technical assistance of the NAC, based on the guidelines to be formulated by the Board and/or the Department of Agriculture. The program shall include, but not limited to, information and awareness campaign, including CPTSD, as well as installation of CPTED and/or target hardening measures and procedures; including the activation of crime prevention units in the Department, its Bureaus and big enterprises, and crime prevention officer and/or specialists in the Regional offices of DA and medium to small size enterprises.

ARTICLE XV

PARTICIPATION OF HEALTH CARE, PHARMACEUTICAL AND ALLIED INDUSTRIES, AND THE DEPARTMENT OF HEALTH

Section 36. *The Department of Health and the Health Care, Pharmaceutical and Allied Services/Industries.* – The Department of Health and the stakeholders in the health care, pharmaceutical and allied services/industries shall formulate and implement their respective crime prevention and criminal justice programs for their personnel, clientele, hospitals, buildings, facilities and equipment; with the technical assistance of the NAC, based on the guidelines to be formulated by the Board and/or the Department of Health. The program shall, among others, consist of information and awareness campaign on crime prevention and criminal justice, including CPTSD, as well as installation of CPTED and/or target hardening measures and procedures; including the

activation of crime prevention units in the Department, its Bureaus and big establishments, and crime prevention officers and/or specialists in the Regional Offices of DOH and medium to small size establishments.

ARTICLE XVI

PARTICIPATION OF PETROLEUM, POWER AND ALLIED INDUSTRIES AND THE DEPARTMENT OF ENERGY

Section 37. *The Department of Energy and the Petroleum, Power and Allied Industries.* – The Department of Energy and the stakeholders in the petroleum, power and allied industries shall formulate and implement their respective crime prevention and criminal justice programs for their personnel, clientele, refineries, power generating plants, buildings, facilities and equipment, with the technical assistance of the NAC, based on the guidelines to be formulated by the Board and/or the Department of Energy. The program shall include, but not limited to, information and awareness campaign, including CPTSD, as well as installation of CPTED and/or target hardening measures and procedures; including the activation of crime prevention units in the Department and its Bureaus, oil refineries, power generating plants and other large establishments, and appointments or hiring of crime prevention officers and/or specialists in the Regional Offices of DOE and medium to small size establishments, including gasoline stations.

ARTICLE XVII

PARTICIPATION OF THE DIPLOMATIC COMMUNITY AND THE DEPARTMENT OF FOREIGN AFFAIRS

Section 38. *The Department of Foreign Affairs and the Diplomatic Community.* – The Department of Foreign Affairs shall formulate and implement a crime prevention and criminal justice program in the Department and its Bureaus for its personnel, clientele, buildings and facilities; as well as make representations with the Diplomatic Community for the formulation and implementation of their respective crime prevention programs for their respective personnel, embassies, chanceries, consulates and facilities; with the technical assistance of the NAC, based on the guidelines to be formulated by the Board and/or the Department of Foreign Affairs and in coordination with the heads of mission concerned. The programs for the Department shall, among others, consist of information and awareness campaign on crime prevention and criminal justice, including CPTSD, as well as installation of CPTED and/or target hardening measures and procedures; including the activation of crime prevention units in the Department and its Bureaus, and appointment or designation of crime prevention officers and/or specialists in its medium to small size offices. For the Diplomatic Community, the programs shall consist of crime prevention information and awareness for the diplomatic personnel and installation of CPTED and/or target hardening measures and procedures for their embassies, consular offices, chanceries and other facilities, with the assistance of the NAC and other law enforcement agencies.

ARTICLE XVIII

PARTICIPATION OF LOCATORS IN EXPORT PROCESSING ZONES, SBMA, CLARK AND OTHERS, AND THE PEZA

Section 39. *PEZA, SBMA, Clark and other Export Processing Zones and the Locators.* – PEZA, SBMA, Clark and other Export Processing Zones shall formulate and implement their respective crime prevention and criminal programs in their respective areas of jurisdiction; and likewise cause their implementation by the locators therein for their personnel, workers, factories, buildings, facilities and equipments; with the technical assistance of the NAC, based on the guidelines to be formulated by the Board and/or the concerned zone authorities for their respective areas of responsibility. The programs shall typically, among others, consist of information and awareness campaign on crime

prevention and criminal justice, including CPTSD, as well as installation of CPTED and/or target hardening measures and procedures; including the activation of crime prevention unit in every processing zone and appointment or hiring of crime prevention officers and/or specialists in each locator therein, depending on the size and crime risk of their establishments.

ARTICLE IX

PARTICIPATION OF THE DEPARTMENT OF NATIONAL DEFENSE

Section 40. *The Department of National Defense.* – The Department of National Defense shall formulate and implement its Department-wide, to include the Armed Forces of the Philippines (AFP), crime prevention and criminal justice program for all its personnel based on the guidelines to be formulated by the Board and/or the DND.

Through the AFP, it shall assist the Center in the enforcement of Article III of this Act, by providing augmentation troops, air/land/sea lift capability as well as in counter-intelligence versus any law enforcers, government officials or employees committing, attempting or planning to commit any of the unlawful acts under Article III above.

ARTICLE XX

PARTICIPATION OF SECURITY AGENCIES, GUARDS, ALLIED PERSONNEL AND FIREARMS LICENSEES

Section 41. *Security Agencies, Guards, Allied Personnel and Firearms Licenses.* – The program of instructions for the training of management and staff of security agencies, guards and allied personnel as well as pre-licensing seminar for firearms licensees shall include a module on crime prevention and criminal justice. The module contents and guidelines shall be jointly formulated by the Board/NAC and/or the PNP.

ARTICLE XXI

PARTICIPATION OF THE GOVERNMENT-OWNED OR-CONTROLLED CORPORATIONS (GOCCs)

Section 42. *The Government-Owned and Controlled Corporations.* – The Government-owned or-controlled corporations shall formulate and implement their respective crime prevention and criminal justice programs, for their respective personnel, clientele, buildings, facilities, equipment and the like; with the technical assistance of the NAC, based on the guidelines to be formulated by the Board and/or concerned National Government Agencies. The program shall include but not limited to, information and awareness campaign on criminal justice, including CPTSD, as well as installation of CPTED and/or target hardening measures and procedures; including the activation of crime prevention unit and appointment/hiring of commensurate number of crime prevention officers and/or specialists, depending on the size and crime risk of the corporation concerned.

ARTICLE XXII

PARTICIPATION OF THE FIVE PILLARS OF THE CRIMINAL JUSTICE SYSTEM

Section 43. *The Role of Criminal Justice System.* – The Criminal Justice System shall serve as the protective umbrella of the society against crime and lawlessness, while at the same time upholding and protecting the human rights of every individual member thereof. As a system, its primary role in crime prevention shall be to deter crime through the effective and expeditious administration of justice to all, so that everyone in the society, especially the offenders themselves and the would-be offenders, shall be fully

convinced that "crime does not pay". Collectively, the five (5) pillars of the criminal justice system shall have to work together and strive hard to enforce and sustain crime deterrence, while strictly observing the due process of law. The focal point for criminal justice system and inter-pillar coordination shall be the Board for policy matters and the Center for enforcement, implementation and orchestration matters respectively.

Section 44. *The Law Enforcement Pillar.* – All law enforcement agencies shall closely coordinate the enforcement of their respective mandates. For this purpose, the Board shall formulate interagency guidelines to enhance coordination as well as promote the attainment of a seamless law enforcement pillar in all levels of governance. The Center shall serve as the focal point for interagency law enforcement and crime prevention and criminal justice coordination, at the national and regional levels. The Philippine National Police Provincial/City Police Offices, and City/Municipal Police Stations and Police Community Precincts (PCPs) shall be the focal point for law enforcement and crime prevention coordination as well as lead agency in the conduct of crime prevention operations through Community-Oriented Policing Service (COPS) at the local levels down to the barangays.

Section 45. *The Prosecution Pillar.* – The Department of Justice through its National Prosecution Service shall be the lead agency in and shall promote the attainment of a seamless prosecution pillar in all levels of governance. For this purpose, it shall tap the Board or NAC for interagency or inter pillar coordination and facilitation of pertinent matters on crime prevention and criminal justice.

Section 46. *The Courts Pillar.* – Through and/or in consultation with the Court Administrator, the Board and the NAC shall closely coordinate with the Regional Trial Courts and lower courts for the purpose of better inter-pillar coordination as well as in the promotion of a seamless Courts Pillar in all level of governance. Relatedly, the Board and the NAC shall promote and tap the Barangay Justice System in advancing the cause of crime prevention and criminal justice in the barangays, in coordination with the DOJ and the DILG.

Section 47. *The Corrections Pillar.* – All correctional institutions, including the provincial jails, shall closely coordinate the implementation of their mandates. For this purpose, the Board shall formulate interagency guidelines to enhance coordination, minimize jailbreaks, and optimize the utilization of limited facilities to mitigate jail congestion, and address other problems as well as promote the attainment of a seamless Corrections Pillar in all levels of governance. The Board and the Center shall serve as the focal points of the Corrections Pillar for inter-pillar and interagency coordination on policy and operational matters respectively.

All correctional institutions and allied agencies shall pursue and provide restorative justice in affected communities as additional service to their respective inmates for their smooth reintegration in said communities upon their release, pardon or probation.

Section 48. *The Community Pillar.* – The Non-Government Organizations involved in crime prevention and/or criminal justice shall be encouraged by the Board/Center to get organized, work together and function as the Community Pillar of the Criminal Justice System in all levels of governance. Once organized, the Board jointly with the leaders of the consolidated organization, shall formulate guidelines for their deputation, as the citizen's arm of the Board/Center for the Community Pillar, functions and relationships with the other pillars, NGAs, LGUs, GOCCs, other NGOs and the mobilized citizenry in crime prevention and criminal justice programs, projects and activities.

They shall be assigned an office in the Board or NAC office building to serve as the focal point for inter-pillar and inter-NGO coordination on crime prevention and criminal justice.

ARTICLE XXIII

CRIME PREVENTION AND CRIMINAL JUSTICE SYNERGISM BOARD AND NATIONAL ACTION CENTER

Section 49. *The Crime Prevention and Criminal Justice Synergism Board.* – The Board shall be the policy-making and strategy-formulating body in the planning and promulgation of policies and programs on Crime Prevention and Criminal Justice Synergism; so that the simultaneous, continuing action of National Government Agencies (NGAs), Local Government Units (LGUs), Government-Owned and Controlled Corporations (GOCCs), participating Non-Government Organizations (NGOs) and the mobilized citizenry in undertaking these two (2) major fields of endeavor combined together as a continuum shall have greater total effects against crime and lawlessness, than the sum-total of the two (2) effects when they would be pursued separately as a dichotomy. It shall develop and adopt a holistic crime prevention and criminal justice strategy, which is compliant with the aforesaid State policy and United Nations Standards and Norms. The Board shall be under the Office of the President.

Section 50. *Composition of the Board.* – The Board shall be composed of twenty-five (25) members, wherein three (3) of whom are permanent members, the other eighteen (18) members shall be in ex-officio capacity, and the four (4) shall be regular members.

The three (3) permanent members, who shall possess, at least seven (7) year education, training and experience in the field of law, law enforcement, criminology, social science/social work or psychology; shall be appointed by the President of the Philippines. The President shall designate a chairman, who shall have the rank of a secretary from among the three (3) permanent members, who shall serve for six (6) years. Of the two (2) other members, who shall both have the rank of undersecretary, one (1) shall serve for four (4) years and the other two (2) years. Thereafter, the persons appointed to succeed such member shall hold office for a term of six (6) years, until their successors shall have been duly appointed and qualified. The Chairman shall designate one of the two (2) members, Vice-Chairman for Criminal Justice and the other, Vice-Chairman for Crime Prevention.

The other eighteen (18) members, who shall be ex-officio members of the Board, are the following:

- 1) Secretary of the Department of Justice or his/her designated representative;
- 2) Secretary of the Department of the Interior and Local Government or his/her designated representative;
- 3) Secretary of the Department of Labor and Employment or his/her designated representative;
- 4) Secretary of the Department of Social Welfare Development or his/her designated representative;
- 5) Secretary of the Department of Education or his/her designated representative;
- 6) Secretary of the Department of National Defense or his/her designated representative;
- 7) Secretary of the Department of Finance or his/her designated representative;
- 8) Secretary of the Department of Foreign Affairs or his/her designated representative;

- 9) Secretary of the Department of Environment and Natural Resources or his/her designated representative;
- 10) Secretary of the Department of Trade and Industry or his/her designated representative;
- 11) Secretary of the Department of Tourism or his/her designated representative;
- 12) Secretary of the Department of Agriculture or his/her designated representative;
- 13) Secretary of the Department of Transportation and Communication or his/her designated representative;
- 14) Secretary of the Department of Health or his/her designated representative;
- 15) Secretary of the Department of Energy or his/her designated representative;
- 16) Chairman of the Commission on Higher Education or his/her designated representative;
- 17) Chairman of the National Youth Commission or his/her designated representative; and
- 18) Director General of the NAC-CPCJS

Cabinet secretaries, who are members of the Board, may designate their duly authorized and permanent representative, whose rank should not be lower than undersecretary. Their representative in the Dangerous Drugs Board (DDB) maybe concurrently designated also in this Board.

The four (4) regular members shall be as follows:

- 1) President of the Integrated Bar of the Philippines (IBP) or his/her designated senior representative;
- 2) Chairman or President of a Non-Government Organization (NGO), involved in the Community Pillar of the Criminal Justice System (CJS);
- 3) Chairman or President of an NGO involved in Crime Prevention; and
- 4) Chairman or President of an Interfaith NGO.

The Court Administrator, the Vice Chairman/Executive Officer of the National Police Commission, the Chief of the Philippine National Police and the Executive Director of the Dangerous Drugs Board (DDB), or their respective designated senior representatives shall be the permanent consultants of the Board, and shall attend all the meetings of the Board. *(If the Chief Justice agrees, the Court Administrator shall be elevated as a member of the Board, representing the Courts Pillar in the Criminal Justice System).*

All members of the Board as well as its permanent consultants shall receive a per diem for every meeting actually attended, subject to pertinent budgetary laws, rules and regulations on compensation, honoraria and allowances. Provided that where the representative of an ex-officio member, or of the permanent consultant of the Board, attends a meeting in behalf of the latter, such representative shall receive the per diem.

Section 51. Secretariat of the Board. – The Chairman shall recommend to the President of the Philippines the appointment of the Secretary of the Board, with the rank of Assistant Secretary, who shall head the secretariat that shall record, prepare and

authenticate the minutes of the meetings of the Board; prepare the agenda for the meeting and dispatch the notices/invitations, and other related functions. He/She shall concurrently serve as the executive officer of the administrative staff of the Board that shall provide staff and material support/services to the offices of the chairman and the two (2) vice chairpersons and the Boardroom. He/She must possess adequate knowledge, training and experience in the field of law, law enforcement, criminology, social science/social work or psychology.

Section 52. Powers and Functions of the Board. – The Board shall:

- a) Develop, adopt and cause the implementation of a holistic strategy and its corresponding program of action on crime prevention and criminal justice synergism;
- b) Promulgate such rules and regulations as maybe necessary to carry out the purposes of this Act, including guidelines for orchestrating the seamless implementation of the respective mandates, programs and projects on crime prevention and criminal justice of the different NGAs, LGUs, GOCCs, participating NGOs, and the mobilized sectors of the citizenry;
- c) Conduct policy development, strategic planning, program monitoring and evaluation of crime prevention and criminal justice programs, projects and activities;
- d) Develop an educational program and information drive on the hazards, ill effects and prevention or reduction of crimes;
- e) Conduct and/or support scientific, social and other researches in crime, crime risks and its socio-economic factors as bases/inputs for policy making and strategy formulation;
- f) Receive, gather, collect and analyze crime statistics, crime risk analysis and percentage of crime solution, conviction rate and other performance indicators of the different pillars of the criminal justice system and participating agencies;
- g) Formulate and prescribe designs, specifications and standards on CPTED and target hardening measures and procedures;
- h) Develop and maintain international networking, coordination and cooperation with international and regional crime prevention and criminal justice agencies and organizations, and implement the provisions of international conventions and agreements thereon which have been adopted and ratified by the Congress of the Philippines;
- i) Coordinate and promote teamwork among the five (5) pillars of the criminal justice system; towards crime prevention and criminal justice synergism;
- j) Administer and supervise the Center through the issuance of policies, rules and regulations, standards of performance, recruitment and appointment, assignment and promotion, discipline and training, monitoring and ensuring its compliance therewith;
- k) Prescribe guidelines on the organization, training, accreditation, supervision, monitoring, evaluation and enhancement of crime prevention units, officers and specialists;
- l) Receive in trust legacies, gifts and donations of real and personal properties of all kinds;

- m) Establish a regular and continuing consultation and coordination with agencies, LGUs, GOCCs and/or NGOs involved in crime prevention and criminal justice;
- n) Issue guidelines and/or approve the grant of compensation, reward, award and other benefits or incentives implemental to Sec. 12 of this Act;
- o) Recommend to the President and/or the Senate and House of Representatives appropriate issuances and legislative measures to enhance the effectiveness of crime prevention and criminal justice policies and programs;
- p) Submit annual and semestral reports to the President and the Congress of the Philippines and such other reports, as maybe required;
- q) Appoint such technical, administrative and other personnel, as maybe necessary for the effective implementation of this Act, subject to Civil Service Law and its rules and regulations; and
- r) Perform such other functions as maybe authorized by law or directed by the President.

Section 53. *The National Action Center on CPCJS.* – To carry out the provisions of this Act, the Center which serves as the implementing and orchestrating arm as well as the resource component for policy formulation and strategic planning of the Board, shall be responsible for the efficient and effective implementation of the pertinent provisions of this Act, as well as orchestrating the implementation of the respective mandates of the different participating NGAs, LGUs, GOCCs, NGOs and mobilized sectors of the citizenry, as provided in this Act.

The Center shall be headed by a Director General with the rank of Undersecretary, who shall be responsible for the general administration and management of the NAC. He/She shall be appointed by the President of the Philippines, and shall perform such other duties that maybe assigned to him/her. Just like the permanent members of the Board, he/she shall also possess at least seven-year education, training and experience in law, law enforcement, criminology, social science/social work and/or psychology.

The Director General of the Center shall be assisted in the performance of his/her duties and responsibilities by two (2) Executive Directors with the rank of Assistant Secretary; one for Administration, Policy Development and Strategic Planning, and the other for Implementation, Orchestration and International Cooperation. The two (2) Deputies shall likewise be appointed by the President of the Philippines upon recommendation of the Board. The two (2) Executive Directors shall possess the same qualifications, as those of the Director General. The Director General and the two (2) deputies shall receive compensation and salaries as prescribed by law.

Section 54. *Organization of the Center.* - For purposes of carrying out the powers and duties of the Center, it shall have the following Services: Administrative and Financial Management; National Crime Information, Risk Research and Macro-analysis; Policy Development and Strategic Planning; Legal and Internal Affairs; Intelligence, Enforcement and Investigation; Crime Risk Management and Orchestration; Community Relations, Empowerment and Involvement; and International Cooperation.

The Center shall establish and maintain Regional Action Centers (RACs) as its operating and orchestrating arms. Each RAC shall have five (5) staff divisions, namely: Administrative and Financial Management; Legal and Internal Affairs; Intelligence and Investigation; Plans, Operations and Orchestration; and Community Relations, Empowerment and Involvement; as well as two (2) operating arms; namely: Law Enforcement Group, and Crime Risk Management Group.

Section 55. Powers and Duties of the NAC. – The Center shall:

- a) Spearhead and orchestrate the effective and efficient implementation of the holistic strategy and its corresponding program of action on crime prevention and criminal justice synergism with the involvement of participating NGAs, LGUs, GOCCs, NGOs, and the mobilized citizenry;
- b) Lead and orchestrate the effective and relentless enforcement of the provisions of Article III of this Act relative to the unlawful acts and penalties of applicable laws, in coordination with support of the law enforcement agencies, other NGAs, LGUs and GOCCs concerned;
- c) Create and maintain an efficient special enforcement unit to conduct an investigation, file charges and transmit evidence to the proper court, wherein members of the said unit shall possess suitable and adequate firearms for their protection in connection with the performance of their duties. Provided, that no previous special permit for such possession shall be requires;
- d) Administer oath, issue *subpoena* and *subpoena duces tecum* relative to the conduct of investigation involving the violations of this Act;
- e) Arrest and apprehend as well as search all violators and seize or confiscate, the effects or proceeds of the crimes as provided by law and take custody thereof, for this purpose the prosecutors and enforcement agents are authorized to possess firearms, in accordance with existing laws;
- f) Recommend to the DOJ the forfeiture of properties and other assets of persons and/or corporations found to be violating the provisions of this Act, in accordance with the pertinent provisions of the Anti-Money-Laundering Act of 2001;
- g) Create and maintain a crime risk management unit that shall conduct crime prevention activities, such as, broad and continuing crime risk analysis and initiation of measures and procedures to remove or reduce it; security survey of the buildings, facilities, vital installations, etc. and design the corresponding CPTED and/or target hardening measures and procedures to be implemented by the concerned stakeholders; exercise technical accreditation, supervision, monitoring, evaluation and rating of crime prevention units, officers and specialist as well as recommend enhancement measures to the concerned administration or management officials; extend technical assistance; and other related functions;
- h) Undertake continuing information, awareness, motivational enlightenment, empowerment and mobilization of the citizenry, students and local folks from all walks of life and the different sectors to join, participate in and/or support the crime prevention and criminal justice efforts of the Criminal Justice System and the Government, as force and/or resource multipliers;
- i) Serve as the focal point of the five pillars of the Criminal Justice System and the concerned NGAs, LGUs, GOCCs, NGOs and the mobilized citizenry on crime prevention and criminal justice programs, projects and activities, including networking and cooperation with counterpart international and regional agencies and organizations;

- j) Prepare for prosecution or cause the filing of appropriate criminal and civil cases for violation of all applicable laws and assist, support and coordinate with other government agencies for the proper and effective prosecution of the same;
- k) Initiate and undertake the formation of a nationwide organization which shall coordinate and supervise all activities on crime prevention and criminal justice in every province, city, municipality and barangay with the active and direct participation of all such local government units and non-governmental organizations, including the citizenry, subject to the provisions of previously formulated programs of action against crime;
- l) Establish and maintain a national crime information system for the criminal justice system in cooperation with law enforcement agencies, other government agencies/offices and local government units that will participate in crime prevention and criminal justice programs, projects and activities;
- m) Establish and maintain close coordination, cooperation and linkages with international crime prevention and criminal justice agencies and organizations, and implement the applicable provisions of international conventions and agreements related to crime prevention and criminal justice programs, projects and activities to which the Philippines is a signatory;
- n) Coordinate with the Board for the facilitation of the issuance of necessary guidelines, rules and regulations for the proper implementation of this Act;
- o) Conduct policy studies, strategic planning, crime information, crime risk research and macro analysis and other related undertakings for submission to and consideration of the Board in its policy-making and strategy formulation;
- p) Formulate and implement programs, projects and activities implemental to the program/s of action issued by the Board, where it may enlist the assistance of any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, in the anti-crime campaign, which may include the use of their respective facilities, and resources for a more resolute detection and investigation of any related crimes and prosecution of offenders;
- q) Submit an annual and semestral reports to the Board, and other reports as may be required from time to time; and
- r) Perform such other functions as may be authorized or required under existing laws, or as directed by the President himself/herself, or as recommended by the congressional committees concerned.

ARTICLE XXIV

INVOLVEMENT OF THE RELIGIOUS SECTOR

Section 56. *Involvement of the Religious Sector.* The Board and the Center shall seek and tap the involvement of the religious sector in crime prevention and criminal justice, especially in crime prevention through social development (CPTSD) in terms of spiritual, moral and value formation for the children and youth. The different congregations shall be likewise encouraged to formulate and implement their respective

crime prevention and criminal justice programs with the technical assistance of the Center, which shall include, but not limited to, information and awareness campaign for their respective members as well as installation of CPTED and/or target hardening measures and procedures, in their respective churches, mosques, institutions, buildings and facilities, including the activation of crime prevention unit and appointment/hiring of crime prevention officers and/or specialists to be trained by the Center.

ARTICLE XXV

APPROPRIATIONS, MANAGEMENT OF FUNDS AND ANNUAL REPORT

Section 57. Appropriations. – The amount necessary for the initial organization and start up operation of the Board and the Center shall be generated from the Philippine Charity Sweepstakes Office (PCSO) and the Philippine Amusement and Gaming Corporation (PAGCOR) in the amount of Ten Million Pesos (Php 10,000,000.000) each per month for the remaining months of the year/s only that they do not have any budget yet. Thereafter, the amount necessary for the implementation of this Act shall be included in the Annual General Appropriations Act.

All receipts derived from fines, fees and other income authorized and imposed under this Act, including ten percent (10%) of all unclaimed and forfeited sweepstakes and lotto prizes are hereby constituted as a special account in the general fund for the implementation of this Act: Provided, that no amount shall be disbursed to cover the operating expenses of the Board and other concerned agencies: provided further, that at least fifty percent (50%) of all funds shall be reserved for assistance to the ACCESs and additional fund for the grant of compensation, reward, award and other benefits and/or incentives, as prescribed in section 12 of this Act.

The fund maybe augmented by grants, donations and endowments from various sources, domestic or foreign, for purposes related to their functions, subject to the existing guidelines set by the government.

Section 58. Management of Funds under this Act; Annual Report by the Board and the Center. – The Board and the Center shall manage their respective funds, whether appropriated by Congress or coming from other sources, as each may deem proper for the attainment of the objectives of this Act, and respectively account for the same subject to the observance of the terms and conditions set in the annual general appropriations act and pertinent budgeting, accounting and auditing rules and regulations.

Section 59. Auditing the Accounts and Expenses of the Board and the Center. All accounts and expenses of the Board and the Center shall be audited by the COA, or its duly authorized representative.

ARTICLE XXVI

IMPLEMENTING RULES AND REGULATIONS

Section 60. Implementing Rules and Regulations. – The Chairman and Members of the Board, including the Director General of the Center, shall be immediately appointed, so that the Board could be convened as soon as possible. The Board, in consultation with PCSO, PAGCOR and other concerned government agencies, shall promulgate within sixty (60) days the Implementing Rules and Regulations that shall be necessary to implement and clarify the provisions of this Act; reckoned from the date the Board shall be initially convened.

ARTICLE XXVII

FINAL PROVISIONS

Section 61. *Separability Clause.* – If for any reason, any section or provision of this Act, or any portion thereof, or the application of such section, provision or portion thereof to any person, group or circumstance is declared invalid or unconstitutional,

Section 62. *Amending Clause.* – All applicable laws, as enumerated in Section 3-a above, are hereby amended accordingly.

Section 63. *Effectivity.* – This Act shall take effect fifteen (15) days upon its publication in at least two (2) national newspapers of general circulation.

Approved.