

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



Thirteenth Congress
First Regular Session

House Bill No. 3916

Introduced by Honorable Catalino V. Figueroa

EXPLANATORY NOTE

This bill seeks to amend Article Ninety-seven (97) of the Revised Penal Code (Act No. 3815, as amended). Said article deals with the "allowance for good conduct" of convicted felons. Article Ninety-seven (97) specifies the persons who may avail of the said "allowance for good conduct" and the periods to be deducted. The purpose of this "allowance for good conduct" is to reward prisoners who, during their incarceration, have displayed commendable conduct. It seeks to encourage prisoners to rehabilitate themselves from their criminal past. However, as it stands today, the law is defective for being discriminatory. Said discrimination stems from the fact that "allowance for good conduct" under Article 97, is only given to convicted felons, effectively excluding detention prisoners. Therefore, one can only avail of the above benefit, after the person has been finally convicted. It is of common knowledge that by the time a judgment of conviction is finally rendered, the prisoner has already spent a number of years behind bars awaiting the court's decision. With our present law, the convict will not be credited for the purpose of computing his benefits under the "allowance for good conduct" privilege, for the period he has spent prior to conviction. I believe that this is unjust. The law will not allow to meet its objectives, unless we revise it.

It is in this light that I seek the immediate approval of this bill.



CATALINO V. FIGUEROA

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**AN ACT
AMENDING THE PROVISIONS OF ARTICLES 97 AND 99 OF THE
REVISED PENAL CODE**

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

SECTION 1. The first paragraph of Article 97, Title Four, Chapter Two of the Revised Penal Code, is hereby amended to read, as follows:

"Article 97. Allowance for good conduct. – The good conduct of any DETENTION PRISONER OR FINALLY CONVICTED, in any penal institution, REHABILITATION OR DETENTION CENTER OR ANY OTHER LOCAL JAIL, shall entitle him to the following deductions from the period of his sentence:

1. During the first two (2) years of his imprisonment, he shall be allowed a deduction of five days each month of good behavior;
2. During the third to the fifth year, inclusive of his imprisonment, he shall be allowed a deduction of eight days for each month of good behavior;

3. During the following years until the tenth year, inclusive of his imprisonment, he shall be allowed a deduction of ten days for each month of good behavior; and
4. During the eleventh and successive years of his imprisonment, he shall be allowed a deduction of fifteen days for each month of good behavior.”

SECTION 2. Article 99 of the same Title and Chapter of the Revised Penal Code, is likewise amended to read as follows:

“Article 99. Who grants time allowance. Whenever lawfully justified, the Director of CORRECTIONS AND THE WARDEN OF A PROVINCIAL, DISTRICT OR CITY JAIL shall grant allowances for good conduct. Such allowances once granted, shall not be revoked.”

SECTION 3. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,