

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

H. B. No. **608**

Introduced by HONORABLE JUAN EDGARDO "SONNY" M. ANGARA

EXPLANATORY NOTE

There is an urgent need to provide protection and security to witnesses and/or resource persons who attend legislative investigations in aid of legislation conducted by the Congress of the Philippines. The present law should be amended in order to improve the conditions and procedure for providing protection and assistance to a witness in legislative investigations when reasonable fear exists that testifying for the purpose of giving evidence and/or testimony during the investigation on criminal offenses in connection with which the protection may be provided under the present law, would expose the witness to severe danger to his/her life, health, freedom, corporal inviolability or property, where other measures do not suffice. The object of this bill is to ensure that the due administration of justice in legislative investigations is not prejudiced by witnesses not being given protection relative to his/her testimony in said proceedings.

The object of this bill is to provide for the safety and well-being of witnesses in legislative investigations who, unless protected, may not give evidence for fear of death, violence or serious injury by criminal interests likely to be affected by the proceedings, and for related purposes.

The bill also proposes to amend RA 6981 by entitling witnesses admitted into the program to the following benefits: 1) hospitalization benefits while in the safehouse; 2) free public education to minor or dependent children. Presently, free hospitalization is provided to witnesses only for injuries or illnesses incurred or suffered primarily due to witness duty. Also, minors or dependent children of witnesses cannot avail themselves of free education provision in the law because such can only be availed of in case of death or permanent incapacity of the witness. The bill limits the grant of free education to minors or dependents to the public educational system primarily because of limited funds of the State.

Moreover, the bill seeks to provide clearly and explicitly for the perpetuation of testimonies of witnesses in consonance with Rule 134 of the Revised Rules of Court. Although this can readily be done administratively, this measure would like to provide such in the law.

In view of the foregoing, the approval of this bill is earnestly sought.


JUAN EDGARDO "SONNY" M. ANGARA
Representative
Lone District, Province of Aurora

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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H. B. No. **608**

Introduced by Honorable JUAN EDGARDO "SONNY" M. ANGARA

AN ACT
AMENDING REPUBLIC ACT NO. 6981, OTHERWISE KNOWN AS THE
"WITNESS PROTECTION, SECURITY AND BENEFIT ACT"

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

SECTION 1. This Act shall be known as the ***"Witness Protection, Security and Benefit Act of 2010."***

SEC. 2. Section 4 of Republic Act No. 6981 is hereby amended to read as follows:

"Section 4. *Witness in Legislative Investigations.* In case of legislative investigations in aid of legislation, [a witness] **THE SENATE OF THE PHILIPPINES OR THE HOUSE OF REPRESENTATIVES, AS THE CASE MAY BE, SHALL PROVIDE FOR A SEPARATE "WITNESS PROTECTION, SECURITY AND BENEFIT PROGRAM" FOR THE RESOURCE PERSONS AND/OR WITNESSES. THE WITNESS AND/OR RESOURCE PERSON,** with his express consent, may be admitted into the Program upon the recommendation of the legislative committee where his/her testimony is needed when in its judgment there is pressing necessity therefor: Provided, That such recommendation is approved by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

THE SENATE OF THE PHILIPPINES OR, THE HOUSE OF REPRESENTATIVES, AS THE CASE MAY BE, SHALL HAVE PRIMARY JURISDICTION IN THE ADMINISTRATION AND IMPLEMENTATION OF THE PROGRAM. CONGRESS MAY REQUEST THE NECESSARY ASSISTANCE FROM ANY DEPARTMENT, BUREAU, OFFICE OR ANY OTHER EXECUTIVE AGENCY TO ASSIST WITH THE IMPLEMENTATION OF THE PROGRAM.

HOWEVER, THE PROGRAM SHALL BE IMPLEMENTED BY THE SENATE OR THE HOUSE OF REPRESENTATIVES INDEPENDENT FROM ANY OTHER DEPARTMENT, BUREAU, OFFICE OR ANY OTHER EXECUTIVE AGENCY WHEN IT IS APPARENT THAT THE INVESTIGATION

MIGHT BE PREJUDICED AND/OR WHEN THE SAFETY OF THE WITNESS
MIGHT BE JEOPARDIZED ESPECIALLY WHEN THE PUBLIC OFFICIALS
ARE INVOLVED.

CONGRESS MAY PROMULGATE ITS OWN RULES AND
REGULATIONS FOR THE IMPLEMENTATION OF THIS PROVISION."

SEC. 3. Section 8 (e) and (g) of the same Act are hereby amended to read as follows:

"SEC. 8. *Rights and Benefits.* -The witness shall have the following rights
and benefits:

X X X

(e.) To be provided with free medical treatment, hospitalization and medicines for
any injury or illness incurred or suffered by him because of witness duty **OR**
WHILE IN THE SAFEHOUSE in any private or public hospital, clinic, or such
institution at the expense of the Program.

X X X

(g.) [In case of death or permanent incapacity, his] **THE WITNESS'** minor or
dependent children shall be entitled to free education, from primary to college
level in any state, or private school, college or university [as may be determined
by the Department,] as long as they shall have qualified thereto."

SEC. 4. A new section, Section 12-A, shall be inserted under Section 12 of the same
Act, which shall read as follows:

**"SEC. 12-A. PERPETUATION OF TESTIMONY. ONCE ADMITTED
INTO THE PROGRAM, A WITNESS MAY PERPETUATE HIS TESTIMONY
PURSUANT TO RULE 134 OF THE REVISED RULES OF COURT."**

SEC. 5. The Department of Justice shall' promulgate the necessary rules and regulation
to implement this Act.

SEC. 6. If any provision or part hereof is held invalid or unconstitutional, the remainder
of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 7. All laws, executive orders, decrees, rules, regulations, ordinances, or parts
thereof which are inconsistent with the provision of this Act are hereby repealed or modified
accordingly.

SEC. 8. This Act shall take effect fifteen (15) days upon its complete 14 publication in
the Official Gazette or in at least two (2) general newspapers of national 15 circulation.

Approved,