

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress

First Regular Session

HOUSE BILL NO. 1928

Introduced by: Hon. MARY MITZI "MITCH" L. CAJAYON

EXPLANATORY NOTE

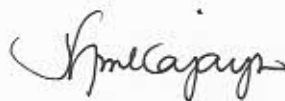
This bill is anchored on the belief that the only way to close a revolving prison door is to open another one which offers ex-inmates, including their children and families, a second chance.

The measure seeks to provide assistance to former inmates as they reintegrate and become productive members of the community as part of comprehensive crime intervention, prevention and law enforcement effort, especially in the area of employment as former prisoners have a slimmer opportunity of being employed after their release since employers are reluctant to hire them because of their past.

It also aims to provide tax incentives to private establishments hiring former inmates through an additional deduction from the gross income, equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to former prisoners, to be given to business establishments employing former prisoners.

Moreover, this bill proposes to create a committee on former prisoners' assistance program under the Department of Justice which will be tasked to implement the assistance program including, but not limited to, the training and employment of former prisoners, provision of discharge allowance and other basic social services to help pave the way for their reintegration from prison to the broader community.

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



MARY MITZI "MITCH" L. CAJAYON

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress

First Regular Session

HOUSE BILL NO. 1928

Introduced by: Hon. MARY MITZI "MITCH" L. CAJAYON

AN ACT
INSTITUTING THE FORMER PRISONERS' ASSISTANCE PROGRAM, AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* - This Act shall be known as the "Former Prisoners' Assistance Program Act of 2008."

SECTION 2. *Declaration of Policy.* It is the policy of the State to assist former prisoners to continue their reformation, and help them reintegrate into society after they have been released from prison.

SECTION 3. *Definition of Terms.* For purposes of this Act, the following terms shall have the meaning as indicated hereunder:

- (a) "Business establishments" refer to private companies that employ former prisoners.
- (b) "Committee" refers to the Committee on Former Prisoners' Assistance Program, under the Department of Justice.
- (c). "Former prisoners" refer to those convicted by final judgment and who have been released on probation, parole, pardon, or after having served their sentences.

SECTION 4. *Committee on Former Prisoners' Assistance Program.* The Committee on Former Prisoners' Assistance Program under the Department of Justice, hereinafter referred to as the Committee, is hereby created with the task of drafting provisions for assistance of former prisoners.

SECTION 5. *Structural and Personnel Organization.* The Committee shall be headed by a Chairman and assisted by a Vice Chairman, who shall both be appointed by the Secretary of the Department of Justice. Appointees to the positions of Chairman and Vice Chairman must be holders of a master's degree in business or public administration with no less than two years experience in penology management. The Committee shall have a Technical Service Arm to assist it to carry out its duties and functions.

SECTION 6. *Tax Credit.* Business establishments that will employ former prisoners upon the effectivity of this Act shall be entitled to an additional deduction from their gross income, equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to former prisoners, subject to Section 4 of the National Internal Revenue Code.

SECTION 7. *Discharge Allowance.* Prisoners discharged upon completion of their term or released on parole or mandatory conditional release may be supplied, in accordance with the

rules and regulations of this Act, within budget requirements, with transportation allowance to the point of destination within the country if the inmate or the inmate's family is not financially capable to provide the same.

SECTION 8. *Adequate Social Services.* The Committee shall work to find ways to provide adequate basic social services to former prisoners to facilitate their efficient community integration.

SECTION 9. *Rules and Regulations.* The Department of Justice and the Department of Labor and Employment shall, within thirty (30) days from effectivity of this Act, issue such rules and regulations necessary for the proper implementation of the provisions of this law.

SECTION 10. *Appropriations.* The sum of Five Million Pesos (P5,000,000.00) shall be appropriated from the General Appropriations Act for the initial implementation of this Act. Thereafter, such sum as may be necessary for its continued implementations shall be included in the annual budget of the Department of Justice.

SECTION 11. *Repealing Clause.* - Any law, presidential decree, issuance, executive order, fetter of instruction, administrative order, rule and regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 12. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

SECTION 13. *Effectivity Clause.* - This Act shall take effect fifteen (15) days following its complete publication in any national newspaper of general circulation or in the Official Gazette.

Approved,