

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 4080

Introduced by **REP. SALVADOR H. ESCUDERO III**

EXPLANATORY NOTE

The admittance of some witnesses in deplorable and high profile crimes into the Witness Protection Program as enunciated under Republic Act No. 6981 gave rise to some problems in implementation arising from circumstances not provided for by law.

The bill 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.

Passage of this measure is earnestly requested


SALVADOR H. ESCUDERO III
Representative
1st District, Sorsogon

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

Be it enacted by the Senate and the 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 2009”

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 publication in the Official Gazette or in at least two (2) general newspapers of national circulation.

Approved,