

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4776

Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

The Bureau of Corrections of the Department of Justice is axiomatically, a highly politicized office. Perhaps, it is much like the Armed Forces of the Philippines of the Department of National Defense.

And a good mechanism to insulate the agency or institution from partisan politics is perhaps, the granting of a fixed six-year term in office for the Head of the Bureau of Corrections (BuCor) upon appointment.

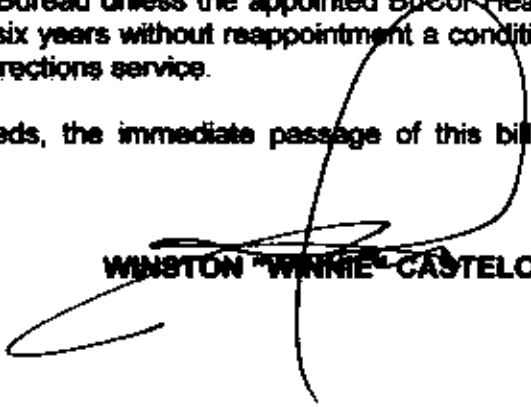
This serves also as the single best strategy to professionalize a bureau which in a Performance Audit Report of 2004 shows an expansion of its correctional jurisdiction, a significant change in functions that imperil it in the performance of its custodial and rehabilitation functions, and recruitment irreverent of qualification standards.

The increase alone of inmates by 15,260 (as of CY 2004) leaves the rehabilitation program for inmates inadequate let alone the conditions of dormitories, hospital equipment and facilities including custodial personnel as doubly aggravating.

Granting a fresh mandate of six-year term of office for one who will be appointed as the Head of the Bureau insures the commencement and gestation of highly relevant plans, programs and projects that could be implemented efficiently, effectively, and economically.

This bill envisions to save the negative public perception that the Bureau has acquired in recent developments involving high profile politicians who could go around rules and regulations of the Bureau unless the appointed BuCor Head enjoy security of tenure or a term of office of six years without reappointment a condition sine qua non to continuously upgrade the corrections service.

For these unmet needs, the immediate passage of this bill is most earnestly sought.



WINSTON "WINNIE" CASTELO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4776

Introduced by Rep. Winston "Winnie" Castelo

AN ACT
PRESCRIBING A FIXED TERM OF SIX YEAR FOR THE DIRECTOR
OF THE BUREAU OF CUSTOMS WITHOUT REAPPOINTMENT
AND FOR OTHER PURPOSES

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

SECTION 1. Declaration of Policy. – It is hereby declared the policy of the State that appointments in the civil service shall be made according to merit and fitness and the professionalism in key government bureaus enjoys highest precedence in order to perform the Constitutional mandate of the Bureau of Corrections.

SEC. 2. Term of Office of the Director, Bureau of Corrections. – The Director, Bureau of Corrections shall have a fixed term of office of six (6) years. The term shall commence on the date of appointment by the President, regardless of the date of confirmation by the Commission on Appointments: *Provided*, That no reappointment of term shall be allowed.

When the officer appointed to the position of Director, Bureau of Corrections reaches the compulsory retirement age before the end of the six (6)-year term, the statutory compulsory retirement of the Director, BuCor shall be deferred until the completion of the prescribed six (6)-year term.

SEC. 3. Rules & Regulations. – The Secretary of the Department of Justice shall formulate the rules and regulations necessary to implement the provisions of this Act.

SEC. 4. Repealing Clause. – All issuances, laws, decrees, orders, rules and regulations or parts thereof not consistent with this Act are hereby repealed or modified accordingly.

SEC. 5. Effectivity. – This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,