

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

Fifteenth Congress
Second Regular Session

HOUSE BILL NO. 5060

Introduced by the Hon. ANGELO B. PALMONES

AN ACT
AMENDING REPUBLIC ACT NO. 6981 OTHERWISE KNOWN AS THE WITNESS
PROTECTION, SECURITY AND BENEFIT PROGRAM AND FOR OTHER
PURPOSES.

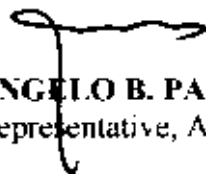
EXPLANATORY NOTE

RA 6981 otherwise known as the Witness Protection, Security and Benefit Act does not provide for the conduct of physical, medical and psychological examination of potential witnesses. Many times in the past witnesses admitted into the program have been lost by the program because they needed but were not provided one because there was no previous medical examination.

Witnesses under the Program are under tremendous physical stress and it is necessary that those administering the Program be informed of the physical condition of the witnesses so that precautionary measures can be taken to safeguard their health.

Many witnesses recant or change their testimonies or outright refuse to testify later. Being under the Program also exerts emotional and psychological pressure particularly to unstable witnesses. The psychological examination will identify these unstable witnesses and the Program can institute remedial measures or decide not to admit these kind of witnesses.

To safeguard the integrity of the Program and to save expenses it is urged that this bill be enacted soonest.


ANGELO B. PALMONES
Representative, AGHAM Party List

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

SECTION 1. Title. This Act shall be known as the "Amended Witness Protection, Security and Benefit Act of 2011"

SECTION 2. Admission into the Program. Any person who has witnessed or has knowledge or information on the commission of a crime and has testified or is testifying or about to testify before any judicial or quasi-judicial body, or before any investigating authority, may be admitted into the Program:

Provided, That:

(a) the offense in which his testimony will be used is a grave felony as defined under the Revised Penal Code, or its equivalent under special laws;

(b) his testimony can be substantially corroborated in its material points;

(c) he or any member of his family within the second civil degree of consanguinity or affinity is subjected to threats to his life or bodily injury or there is a likelihood that he will be killed, forced, intimidated, harassed or corrupted to prevent him from testifying, or to testify falsely, or evasively, because or on account of his testimony; and

(d) he is not a law enforcement officer, even if he would be testifying against the other law enforcement officers. In such a case, only the immediate members of his family may avail themselves of the protection provided for under this Act.

PROVIDED FURTHER THAT BEFORE A WITNESS IS ADMITTED INTO THE PROGRAM HE/SHE SHALL UNDERGO MEDICAL, PHYSICAL AND PSYCHOLOGICAL

EXAMINATION CONDUCTED IN A GOVERNMENT MEDICAL FACILITY AND BY GOVERNMENT DOCTORS/PSYCHOLOGISTS THIS IS TO DETERMINE IF THE POTENTIAL WITNESS IS PHYSICALLY, MEDICALLY AND PSYCHOLOGICALLY FIT TO ENTER THE WITNESS PROTECTION PROGRAM.

SECTION 3. Implementing rules and regulations – The Department of Justice shall issue the implementing rules and regulations within 180 days from the date of approval of this Act.

SECTION 4. Separability clause - Any portion or provision of this Act which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

SECTION 5. Repealing Clause. - All other laws, ordinances, rules, regulations, and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 6. Effectivity Clause - This Act shall take effect immediately after its publication in two (2) newspapers of general circulation.

Approved