

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Second Regular Session

HOUSE BILL No. 5544



Introduced by Honorable **RANULFO P. 'Dodong' CANONIGO**

EXPLANATORY NOTE

Article 97 of the Revised Penal Code provides for allowance for good conduct, and recognizes the ability of prisoners to reform while serving their sentence. This provision, which in effect would reduce sentence, is in consideration of the good conduct of a prisoner, who does not violate the code of conduct while in prison, and has shown compliance with the duties assigned to him.

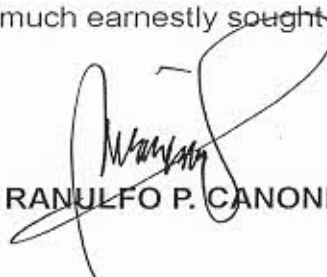
However, the reduction of sentence as contemplated in article 97 of the revised penal code does not entitle prisoners whose cases are on appeal. It either discourages prisoners from complying with prison rules or encourages them to withdraw their appeal to qualify for good conduct allowance. In the same way a detention prisoner or a detainee, who is confined in prison pending preliminary investigation, or trial is granted good conduct time allowance only if he voluntarily offers in writing to perform such labor as may be assigned to him, and that the credit he may receive shall be deducted from the sentence that may be imposed upon him if he is convicted.

This bill seeks to remedy the situation by amending Article 97 of the Revised Penal Code and allows inmates, even with appealed cases, to qualify for good conduct allowances. In the same way it will make mandatory the grant of good conduct time allowance in accordance with and pursuant to Article 97 of the Revised Code to all detainees (those whose cases are being tried by the courts) and prisoners (those who are serving sentences) and have shown good behavior.

This measure will give equal privilege to both detainees and prisoners by

amending Article 97 of the Revised Penal Code by giving them the right to avail of good conduct allowance.

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



RANULFO P. CANONIGO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Second Regular Session

House Bill No. 5544

Introduced by Honorable **RANULFO P. 'Dodong' CANONIGO**

AN ACT PROVIDING FOR A MANDATORY GRANT OF ALLOWANCE FOR GOOD CONDUCT TO DETAINEES AND PRISONERS, AMENDING FOR THE PURPOSE ARTICLE 97 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

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

SECTION 1. Article 97 of the Revised Penal Code *is* hereby amended to read as follows:

"Article 97. **Allowance for good conduct.** - The good conduct of any prisoner OR DETAINEE in any penal institution shall entitle him to the following deductions from the period of his sentence:

1. During the first two years of his imprisonment, he shall be allowed a deduction of five days for each month of good behavior;
2. During the third to the fifth year, inclusive, of his imprisonment, he shall be allowed a deduction of eight days for each month of good behavior;
3. During the following years until the tenth year, inclusive, of his imprisonment, he shall be allowed a deduction of ten days for each month of good behavior; and
4. During the eleventh and successive years of his imprisonment, he shall be allowed a deduction of fifteen days for each month of good behavior.

AN APPEAL BY THE ACCUSED SHALL NOT DEPRIVE HIM OF ENTITLEMENT TO THE ABOVE ALLOWANCES FOR GOOD CONDUCT.

FOR PURPOSES OF THIS ARTICLE, A DETAINEE REFERS TO A PERSON CONFINED IN PRISON PENDING PRELIMINARY INVESTIGATION, TRIAL OR APPEAL, OR UPON LEGAL PROCESS ISSUED BY COMPETENT AUTHORITY."

SECTION 2. Rules and Regulations. The Department of Justice shall, in coordination with the Director of Corrections, issue the rules and regulations for the effective implementation of this Act within thirty (30) days after its effectivity.

SECTION 3. Repealing Clause. All laws, executive orders, executive issuances, rules and regulations or part thereof inconsistent or contrary to the provisions of this Act, are hereby repealed or amended accordingly.

SECTION 4. Separability Clause. In case any provision of this Act is declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall continue in full force and effect.

SECTION 5. Effectivity. - This Act shall take effect thirty (30) days after its publication in two (2) national newspapers of general circulation.

Approved,