



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

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 5547



Introduced by Representative Ranulfo P. "Dodong" Canonigo

EXPLANATORY NOTE

The 1987 Philippine Constitution empowers the President to grant executive clemency to persons convicted by final judgment. With the recommendation of the Board of Pardons and Parole, the President can reduce the duration of a prison sentence of a prisoner. Hence, Section 19 of the Constitution provides, to wit:

"SEC. 19. Except in cases of impeachment, or as otherwise provided in this Constitution, the President may grant reprieves, commutations, pardons and remit fines and forfeitures, after conviction by final judgment."

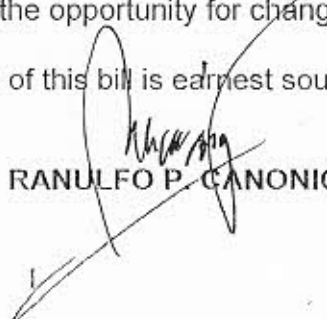
However, Act No. 4013, as amended, otherwise known as the "Indeterminate Sentence Law" does not apply to persons convicted of offenses punishable by death or life imprisonment.

This bill, therefore, seeks to grant commutation of sentence to all prisoners who have served at least one half (1/2) of the minimum of their indeterminate prison term or aggregate minimum of the indeterminate prison terms. Prisoners who have served at least ten (10) years of their prison sentence for which they were sentenced to one (1) *reclusion perpetua* or one (1) life imprisonment shall also be granted commutation of sentence.

This bill aims to redeem and reintegrate prisoners into the society to make them more productive and valuable citizens. Moreover, the reduction of the duration of prison sentence will consequently decongest our penal institutions nationwide and unburden the government of the financial costs for keeping prisoners within longer periods of time.

This gesture of mercy and compassion prevents excessive deprivation of liberty among qualified prisoners who deserve the opportunity for change.)

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


RANULFO P. CANONIGO



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AN ACT
GRANTING COMMUTATION OF SENTENCE TO ALL PRISONERS WHO ARE
SENTENCED TO RECLUSION PERPETUA OR LIFE IMPRISONMENT AND
INDETERMINATE PRISON TERMS

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 to redeem and uplift valuable human resources and prevent excessive deprivation liberty. Towards this end, the State shall provide opportunities to qualified and deserving prisoners by recommending to the President the grant of executive clemency subject to minimum requirements of imprisonment.

For purposes of this Act, commutation of sentence shall be granted to all prisoners who are sentenced to one (1) *reclusion perpetua* or one (1) life imprisonment and indeterminate prison terms.

SEC. 2 Requirements for Commutation of Sentence. – Upon filing of a petition by any prisoner, the Board of Pardons and Parole (BPP) shall recommend commutation of sentences to the following:

- a) The prisoner who has served at least one half (1/2) of the minimum of the indeterminate prison term or aggregate minimum of the indeterminate prison terms;
- b) The prisoner who has served at least ten (10) years of the sentence for one (1) *reclusion perpetua* or one (1) life imprisonment for crimes or offenses not punishable under Republic Act No. 7659 entitled, "An Act to Impose Seath Penalty on Certain Heinous Crimes, Amending For the Purpose the Revised Penal Laws, As Amended, Other Special Penal Laws, and for other purposes."

SEC. 3. Review of the Board of Pardons and Parole. – The BPP shall evaluate the petition within thirty (30) days from receipt of such petition, and after thorough investigation and deliberation, the board as a collegial body shall, either recommend to the President the grant of commutation of sentence, defer action on the case for compliance with other requirements or deny the petition for lack of merit.

SEC. 4. Implementing Rules and Regulations. – The Secretary of Justice, in coordination with Board of Pardons and Parole, shall issue the necessary rules and regulation for the effective implementation of this Act.

SEC. 5. Separability Clause. – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 6. Repealing Clause. – Section 2 of the Indeterminate Sentence Law, Act No. 4103, as amended, is hereby modified accordingly and all laws, orders, issuance, rules and regulation or part thereof inconsistent or contrary to the provisions of this Act, are hereby repealed or amended accordingly.

SEC. 7 Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,