

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

Third Regular Session



COMMITTEE REPORT NO. **2675**

Submitted by the Committee on Justice and the Committee on Appropriations on
04 FEB 2013

Re: House Bill No. **6887**

Recommending its approval in substitution of House Bill Nos. 197, 712, 2880, 4619, 4766, 5546, 5741, 5926, and House Resolution No. 1327

Sponsors: Representatives Niel C. Tupas, Jr., Jocelyn S. Limkaichong, Roilo Golez, Bernadette Herrera-Dy, Rufus B. Rodriguez, Rodolfo G. Biazon, Joseph Victor G. Ejercito, Danilo E. Suarez, Ranulfo P. "Dodong" Canonigo, Rodel M. Batocabe, and Leopoldo N. Bataoil

Mr. Speaker:

The Committee on Justice and the Committee on Appropriations, to which were referred House Bill No. 197, introduced by Representative Roilo Golez, entitled:

**"AN ACT
PROVIDING FOR THE MODERNIZATION OF THE BUREAU OF
CORRECTIONS (BuCor) PROVIDING THE FUNDS THEREOF AND
FOR OTHER PURPOSES",**

House Bill No. 712, introduced by Representatives Rufus B. Rodriguez and Maximo B. Rodriguez, Jr., entitled:

**"AN ACT
CREATING A BUREAU OF CORRECTIONS TECHNICAL INSTITUTE
(BCTI) WITHIN THE NEW BILIBID PRISONS (NBP) RESERVATION**

**AND THE CORRECTIONAL INSTITUTION FOR WOMEN (CIW),
AND APPROPRIATING FUNDS THEREFOR",**

House Bill No. 2880, introduced by Representative Joseph Victor G. Ejercito, entitled:

**"AN ACT
STREAMLINING THE BUREAU OF CORRECTIONS BUREAUCRACY
AND APPROPRIATING FUNDS THEREFOR",**

House Bill No. 4619, introduced by Representative Rodolfo G. Biazon, entitled:

**"AN ACT
TO MODERNIZE THE BUREAU OF CORRECTIONS, PROVIDING
FUNDS THEREFOR AND FOR OTHER PURPOSES",**

House Bill No. 4766, introduced by Representative Danilo E. Suarez, entitled:

**"AN ACT
MANDATING THE DEPARTMENT OF JUSTICE TO SELL THE NEW
BILIBID PRISONS AND FROM THE PROCEEDS THEREOF TO
ACQUIRE FOUR NEW PRISON FACILITIES TO BE LOCATED IN
LUZON, VISAYAS, MINDANAO, AND THE NATIONAL CAPITAL
REGION",**

House Bill No. 5546, introduced by Representative Ranulfo P. "Dodong" Canonigo, entitled:

**"AN ACT
ESTABLISHING THREE ADDITIONAL PENAL INSTITUTIONS IN
LUZON, VISAYAS AND MINDANAO, AND APPROPRIATING
FUNDS THEREFOR",**

House Bill No. 5741, introduced by Representatives Christopher S. Co and Rodel M. Batocabe, entitled:

**"AN ACT
PROVIDING FOR THE ESTABLISHMENT OF A HIGH-PROFILE
CRIME DETENTION CENTER UNDER THE BUREAU OF
CORRECTIONS, PROVIDING FUNDS THEREOF AND FOR OTHER
PURPOSES",**

House Bill No. 5926, introduced by Representative Bernadette Herrera-Dy, entitled:

**“AN ACT
STRENGTHENING THE BUREAU OF CORRECTIONS (BUCOR)
AND PROVIDING FUNDS THEREFOR”**

and House Resolution No. 1327, introduced by Representatives Leopoldo N. Bataoil, Edcel C. Lagman, Jose S. Aquino II, Erico B. Aumentado, Catalina C. Bagasina, Marc Douglas C. Cagas IV, Simeon A. Datumanong, Ma. Milagros H. Magsaysay, Reena Concepcion G. Obillo, Carlos M. Padilla, Mohammed Hussein P. Pangandaman, Philip A. Pichay, Elmer E. Panotes, and Ma. Amelita C. Villarosa, entitled:

**“RESOLUTION
DIRECTING THE COMMITTEE ON JUSTICE TO CONDUCT AN
INVESTIGATION, IN AID OF LEGISLATION, ON ANOMALIES
AND IRREGULARITIES COMMITTED WITHIN THE NEW BILIBID
PRISON COMPOUND UNDER THE MANAGEMENT OF THE
BUREAU OF CORRECTIONS”**

have considered the said measures and recommend that the attached House Bill No. 6887, entitled:

**“AN ACT
STRENGTHENING THE BUREAU OF CORRECTIONS (BUCOR)
AND PROVIDING FUNDS THEREFOR”**

be approved in substitution of House Bill Nos. 197, 712, 2880, 4619, 4766, 5546, 5741, 5926 and House Resolution No. 1327, with Representatives Roilo S. Golez, Bernadette Herrera-Dy, Niel C. Tupas, Jr., Rufus B. Rodriguez, Rodolfo G. Biazon, Maximo B. Rodriguez, Jr., Joseph Victor G. Ejercito, Danilo E. Suarez, Ranulfo P. “Dodong” Canonigo, Christopher S. Co, Rodel M. Batocabe, Leopoldo N. Bataoil, Edcel C. Lagman, Jose S. Aquino II, Erico B. Aumentado, Catalina C. Bagasina, Marc Douglas C. Cagas IV, Simeon A. Datumanong, Ma. Milagros H. Magsaysay, Reena Concepcion G. Obillo, Carlos M. Padilla, Mohammed Hussein P. Pangandaman, Philip A. Pichay, Elmer E. Panotes, Ma. Amelita C. Villarosa, George P. Arnaiz, Emmeline Y. Aglipay and David L. Kho, Jocelyn S. Limkaichong, Lani Mercado-Revilla, Emi G. Calixto-Rubiano, Mel Senen S. Sarmiento, Cresente C. Paez, and Rodolfo B. Albano, as authors thereof.

Respectfully submitted,



JOCELYN S. LIMKAICHONG
Chairperson
Committee on Appropriations



NIEL C. TUPAS, JR.
Chairperson
Committee on Justice

The Honorable
The Speaker
House of Representatives
Quezon City

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

FIFTEENTH CONGRESS

Third Regular Session

HOUSE BILL NO. 6887

Introduced by Honorables Roilo S. Golez, Bernadette Herrera-Dy, Niel C. Tupas, Jr., Rufus B. Rodriguez, Rodolfo G. Biazon, Maximo B. Rodriguez, Jr., Joseph Victor G. Ejercito, Danilo E. Suarez, Ranulfo P. "Dodong" Canonigo, Christopher S. Co, Rodel M. Batocabe, Leopoldo N. Bataoil, Edcel C. Lagman, Jose S. Aquino II, Erico B. Aumentado, Catalina C. Bagasina, Marc Douglas C. Cagas IV, Simeon A. Datumanong, Ma. Milagros H. Magsaysay, Reena Concepcion G. Obillo, Carlos M. Padilla, Mohammed Hussein P. Pangandaman, Philip A. Pichay, Elmer E. Panotes, Ma. Amelita C. Villarosa, George P. Arnaiz, Emmeline Y. Aglipay and David L. Kho, Jocelyn S. Limkaichong, Lani Mercado-Revilla, Emi G. Calixto-Rubiano, Mel Senen S. Sarmiento, Cresente C. Paez, and Rodolfo B. Albano

AN ACT

STRENGTHENING THE BUREAU OF CORRECTIONS (BUCOR) AND PROVIDING FUNDS THEREFOR

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

1 SECTION 1. *Short Title.* - This Act shall be known as the "The Bureau of
2 Corrections Act of 2013",

3
4
5 SEC. 2. *Declaration of Policy.* - It is the policy of the State to promote the
6 general welfare and safeguard the basic rights of every prisoner incarcerated in our
7 national penitentiary. It also recognizes the responsibility of the State to strengthen
8 government capability aimed towards the institutionalization of highly efficient and
9 competent correctional services.

1 Towards this end, the State shall provide for the modernization,
2 professionalization and restructuring of the BuCor by upgrading its facilities, increasing
3 the number of its personnel, upgrading the level of qualifications of their personnel and
4 standardizing their base pay, retirement and other benefits, making it at par with that of
5 the Bureau of Jail Management and Penology (BJMP).
6
7

8 SEC. 3. *Definition of Terms.* - (1) Safekeeping, which is the custodial component
9 of BuCor's present corrections system, shall refer to the act that ensures the public
10 (including families of inmates and their victims) that national inmates are provided
11 with their basic needs, completely incapacitated from further committing criminal acts,
12 and have been totally cut-off from their criminal networks (or contacts in the free
13 society) while serving sentence inside the premises of the national penitentiary. This
14 Act also includes protection against illegal organized armed groups which have the
15 capacity of launching an attack on any prison camp of the national penitentiary to
16 rescue their convicted comrade or to forcibly amass firearms issued to prison guards.
17

18 (2) Reformation, which is the rehabilitation component of BuCor's present
19 corrections system, shall refer to the acts which ensure the public (including families of
20 inmates and their victims) that released national inmates are no longer harmful to the
21 community by becoming reformed individuals prepared to live a normal and
22 productive life upon reintegration to the mainstream society.
23
24

25 SEC. 4. *The Mandates of the Bureau of Corrections.* - The BuCor shall be in
26 charge of safekeeping and instituting reformation programs to national inmates
27 sentenced to more than three (3) years.
28

29 (1) Safekeeping of National Inmates - The safekeeping of inmates shall include
30 decent provision of quarters, food, water, and clothing in compliance with established
31 United Nations standards. The security of the inmates shall be undertaken by the
32 Custodial Force consisting of Corrections Officers with a ranking system and salary
33 grades similar to its counterpart in the BJMP.
34

35 (2) Reformation of National Inmates - The Reformation Programs which will be
36 instituted by the BuCor for the Inmates shall be the following:
37

- 38 (a) Moral & Spiritual Program;
- 39 (b) Education & Training Program;
- 40 (c) Work & Livelihood Program;
- 41 (d) Sports & Recreation Program;
- 42 (e) Health & Welfare Program; and
- 43 (f) Behavior Modification Program to include Therapeutic Community

(3) The Reformation Programs shall be undertaken by Professional Reformation Personnel consisting of Corrections Technical Officers with ranking system and salary grades similar to Corrections Officers.

(a) Correctional Technical Officers (CTO) are personnel employed in the implementation of reformation programs and those personnel whose nature of work requires proximate or direct contact with inmates;

(b) Correctional Technical Officers include priests, evangelists, pastors, teachers, instructors, professors, vocational placement officers, librarians, guidance counselors, physicians, nurses, medical technologists, pharmacists, dentists, therapists, psychologists, psychiatrists, sociologists, social workers, engineers, electricians, agriculturist, veterinarians, lawyers and similar professional skills relevant to the implementation of inmate reformation programs.

SEC. 5. *Operations of the Bureau of Corrections.*- (1) The BuCor shall operate with a directorial structure. It shall undertake reception of inmates through its Directorate for Reception and Diagnostics (DRD) formerly Reception and Diagnostic Center (RDC), provide basic needs and security through its Security and Operations Directorates, administer reformation programs through its Reformation Directorates, and prepare inmate for reintegration to mainstream society through its Directorate for External Relations (DER) formerly External Relations Division (ERD).

(2) The DRD shall be responsible for the conduct of classification of each and every inmate admitted to the Bureau of Corrections. Inmates shall be classified according to security risk and sentence. Included in the classification is determining inmate's certain skills or talents, physical, spiritual, social, mental and psychological evaluation and other behavioral assessments, as reference of DRD in the preparation of individual Inmate Reformation Programs.

(3) Aside from those borne of the provisions under Rule 8, Part I. Rules of General Application of the United Nations Standard Minimum Rules for the Treatment of Prisoners and that of the existing regulation of the Bureau on security classification (i.e. Maximum, Medium and Minimum Security Risk), inmates shall also be internally classified by DRD and segregated according to crimes committed based on the related penal codes such as Crimes Against Persons, Crimes Against Properties, Crimes Against Chastity, so on and so forth, as well as by other related Special Laws, Custom and Immigration Laws.

(4) From DRD, the Custodial Force and Reformation Personnel of respective security institutions/camps shall be in charge for the security and the implementation of the recommended Inmate Reformation Program of each and every inmate while

1 serving sentence, respectively.

2
3 (5) The Directorate for External Relations (DER) shall be responsible for pre-
4 release and post-release programs of inmates due for release. The DER shall also
5 classify inmates according to skills acquired for referral and endorsement to
6 appropriate companies or corporations participating in BuCor On-The-Job Training
7 Programs for newly reformed inmates. ERD shall also evaluate, classify, and apply
8 necessary programs to inmates for readiness to join the mainstream society upon
9 release.

10
11 (6) Apart from handling inmates, BuCor shall administratively operate like a
12 standard government agency through its Administrative Directorates with internal
13 control and internal audit units.

14
15 (7) BuCor shall employ full computerization in the build-up, maintenance and
16 transmittal of necessary inmate records to all its Prison and Penal Farms and other
17 recipient agencies (i.e. Board of Pardons and Parole).

18
19
20 SEC. 6. *Lands of the Bureau of Corrections.* - (1) Aside from administrative
21 purposes, all BuCor Lands shall be used for inmate security, reformation programs,
22 and as a means to promote sustainability, both for income and non-income generating
23 programs, with or without partnership among NGO's, civic organizations or other
24 government entities.

25
26 (2) As a way to maximize its assets' value for the effective and extensive
27 reformation (corrections) programs for national inmates, BuCor shall have the absolute
28 authority to design, formulate and implement land-use development plans and policies.

29
30 (3) BuCor may propose additional Penal Farms as may be necessary as possible,
31 aside from its existing seven (7) Prison and Penal Farms to decongest existing penal
32 institutions and accommodate the increasing number of inmates committed to the
33 agency.

34
35 (4) All BuCor Lands shall have a Certificate of Title registered under its name.

36
37
38 SEC. 7. *Facilities of the Bureau of Corrections.* - BuCor shall operate with
39 standard and uniform design of Prison Facilities, Reformation Facilities, and
40 Administrative Facilities, through all the operating Prison and Penal Farms such as the
41 following:

42
43 (a) Dormitory;

- (b) Administration Building;
- (c) Perimeter/Security Fences;
- (d) Hospital/Infirmary; .
- (e) Recreation/Multipurpose Hall;
- (f) Training/Lecture Center;
- (g) Workshop Facility;
- (h) Mess Hall/Kitchen;
- (i) Visiting Area;
- (j) Water tank and Pump;
- (k) Reception and Diagnostic Center; and
- (l) Service Personnel Facilities

SEC. 8. *Supervision of the Bureau of Corrections.* - The Department of Justice (DOJ), having the BuCor as a line bureau and a constituent unit, shall maintain a relationship of administrative supervision with the latter as defined under Section 38 (2), Chapter 7, Book IV of E.O. No. 292 (Administrative Code of 1987), except that the DOJ shall retain authority over the power to review, reverse, revise, or modify the decisions of the BuCor in the exercise of its regulatory or quasi-judicial functions.

SEC. 9. *Organization and Key Positions of the BuCor.* - (1) The BuCor shall be headed by a Director who shall be assisted by three (3) Deputy Directors, one (1) for administration, one (1) for security and operations and one (1) for reformation, all of whom shall be appointed by the President upon recommendation of the Secretary of the DOJ. *Provided*, that the Director and Deputy Directors of BuCor shall serve a tour of duty not to exceed six (6) years from date of appointment: *Provided further*, however, that in times of war or other national emergency declared by Congress, the President may extend such tour of duty.

(2) The Head of the BuCor with the rank of Undersecretary shall have the position and title of Director General of Corrections. The second officers in command of the BuCor, with the rank of Assistant Secretary, shall have the position and title of Deputy Directors of Corrections. The third officer in command of the BuCor, with the rank of chief superintendent, shall have the position and title of Corrections Chief Superintendent. The fourth officer in command of the BuCor, with the rank of senior superintendent, shall have the position and title of Corrections Senior Superintendent. The fifth officer in command of the BuCor, with the rank of Superintendent, shall have the position and title of Corrections Superintendent.

(3) The DBM shall rationalize the existing organizational structure and staffing pattern of the BuCor in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

1 SEC. 10. *Increase of Personnel.* - BuCor shall maintain the custodial personnel-to-
2 inmate ratio of 1:7 and reformation personnel-to-inmate ratio of 1:24. Hence, it is
3 authorized to increase its manpower to meet such ratio and may continue to increase
4 personnel per percentage rate increase of committed inmates annually or as the need
5 arises.
6
7

8 SEC. 11. *Professionalization and Upgrading of Qualification Standards in the*
9 *Appointment of BuCor Personnel.* - (1) No person shall be appointed as personnel of the
10 BuCor unless one possesses the following minimum qualifications:
11

- 12 (a) A citizen of the Republic of the Philippines;
- 13 (b) A person of good moral character;
- 14 (c) Must have passed the psychiatric/psychological, drug and physical test for
- 15 the purpose of determining his/her physical and mental health;
- 16 (d) Must possess a baccalaureate degree from a recognized learning institution;
- 17 (e) Must possess the appropriate civil service eligibility;
- 18 (f) Must not have been dishonorably discharged or dismissed for cause from
- 19 previous employment;
- 20 (g) Must not have been convicted by final judgment of an offense or crime
- 21 involving moral turpitude; and
- 22 (h) Must be at least one meter and sixty-two centimeters (1.62 m.) in height for
- 23 male, and one meter and fifty-seven centimeters (1.57 m.) for female: *Provided,*
- 24 That a waiver for height and age requirement\ s may be granted to applicants
- 25 belonging to the cultural communities;
- 26

27 *Provided,* That a new applicant must not be less than twenty one (21) or more
28 than forty (40) years of age. Except for this particular provision, the above-enumerated
29 qualifications shall be continuing in character and an absence of anyone of them at any
30 given time shall be ground for separation or retirement from the service: *Provided,*
31 *further,* That those who are already in the service upon the effectivity of this Act shall be
32 given five (5) years from date of such effectivity to obtain the minimum educational
33 qualification and eligibility with subsidiary assistance provided for in this Act.
34

35 (2) After the lapse of the period for the satisfaction of a specific requirement,
36 incumbent personnel of the BuCor who fail to satisfy any of the requirements
37 enumerated under this Section shall be separated from the service if they are below fifty
38 (50) years of age and have served in the government for less than twenty (20) years, or
39 retired if they are age fifty (50) and above and have served in the government for at
40 least twenty (20) years without prejudice in either case to the payment of benefits they
41 may be entitled to under existing laws.
42

43 (3) For sustained professionalism in the service, BuCor is directed to conduct

1 study for the feasible establishment of the Philippine Corrections Academy, patterned
2 after the Philippine National Police Academy (PNPA) of PNP and the Philippine
3 Military Academy (PMA) of the Armed Forces of Philippines (AFP) for its
4 commissioned officers.

5
6 (4) BuCor shall continue training its personnel through its Personnel Training
7 School, which shall be renamed as Corrections Training School/Institute patterned after
8 BJMP's Jail National Training Institute (JNTI), the Bureau of Fire's Fire National
9 Training Institute (FNTI) and the PNP's National Training Institute (PNTI).

10
11
12 SEC. 12. *Appointment of Personnel to the BuCor.* - The appointment of the
13 BuCor shall be effected in the following manners:

14
15 (a) Corrections Officer I to Corrections Chief Superintendent. - Appointed by the
16 Director General of Corrections, and attested by the Civil Service Commission (CSC);
17 and

18
19 (b) Director General of Corrections and Deputy Director of Corrections.-
20 Appointed by the President upon recommendation of the Secretary of the DOJ, with the
21 proper endorsement by the Chairman of the Civil Service Commission.

22
23
24 SEC. 13. *Lateral Entry of Officer into the BuCor.* - In general, all original
25 appointments of officers in the Bureau of Corrections shall commence with the rank of
26 Corrections Inspector wherein applicants for lateral entry into the BuCor shall include
27 all those with highly specialized and technical qualifications such as, but not limited to,
28 civil engineers, mechanical engineers, electrical engineers, chemical engineers, chemist,
29 architects, criminologists, certified public accountants, nurses, physical therapists,
30 dentists, social workers, psychologists, sociologists, guidance counselors, and teachers.
31 Doctor of Medicine, members of the Philippine Bar and chaplains shall be appointed to
32 the rank of corrections senior inspector in their particular technical service.

33
34
35 SEC. 14. *Professionalization and Upgrading of Qualification Standards in the*
36 *Designation of Personnel of the BuCor to Key Positions.* -

37
38 (a) No person shall be designated to the following key positions of the BuCor
39 unless one has met the qualifications provided therein:

40
41 (1) Sub-Colony Supervisor - Should have the rank of senior inspector, who
42 have finished at least second year Bachelor of Laws or earned at least twelve (12)
43 units in a master's degree program in management, public administration, public

safety, criminology, penology, sociology, national security administration, defense studies, or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by BuCor;

(2) Colony Assistant Superintendent. - Should have the rank of chief inspector, who must have finished at least second year Bachelor of Laws or earned at least twenty four (24) units in a master's degree program in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or related disciplines from a recognized institution of learning and must have satisfactorily passed the necessary training or career courses for such position as may be established by the BuCor;

(3) Colony Superintendent. - Should have the rank of superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the BuCor: *Provided*, That in prison and penal farms with an inmate population of two thousand (2,000) but below three thousand (3,000) the Colony Superintendent shall have the rank and qualification of a Colony Senior Superintendent;

(4) Regional Superintendent - Should have the rank of senior superintendent or chief superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the BuCor: *Provided*, That in prison and penal farms with an inmate population of three thousand (3,000) but below five thousand (5,000), the Regional Superintendent shall have the rank and qualification of a Colony Senior Superintendent; *Provided, further*, That in prison and penal farms with an inmate population of over five thousand (5,000), the Regional Superintendent shall have the rank and qualification of a Chief Superintendent;

Any personnel of the BuCor who is currently occupying such position but lacks any of the qualifications mentioned therein shall be given five (5) years to comply with the requirements, otherwise the personnel shall be relieved from the position.

1 SEC. 15. *Professionalization and Qualifications Upgrading Program.* - The DOJ
2 shall design and establish a professionalization and qualifications upgrading program
3 for personnel of the BuCor in coordination with the CSC and the Commission on
4 Higher Education (CHED) through an off-campus education program or other similar
5 programs within ninety (90) days from the effectivity of this Act.
6
7

8 SEC. 16. *Attrition System for the Personnel of the BuCor.* - There shall be
9 established a system of attrition for the personnel of the BuCor within five (5) years
10 from the effectivity of this Act to be submitted by said bureau to the DOJ for approval.
11 Such attrition system shall include, but is not limited to, the provision of the following
12 principles:
13

14 (a) *Attrition by Demotion in Position or Rank.* - Any personnel of the BuCor who
15 is relieved and assigned to a position lower than what is established for the grade in the
16 respective staffing pattern, and who shall not be assigned to a position commensurate
17 to one's grade within two (2) years after such demotion in position shall be separated or
18 retired from the service;
19

20 (b) *Attrition by Non-Promotion.* - Any personnel of the BuCor who has not been
21 promoted for a continuous period of ten (10) years shall be separated or retired from the
22 service, except for those who are occupying a third-level position;
23

24 (c) *Attrition by Other Means.* - Any personnel of the BuCor with at least five (5)
25 years of accumulated active service shall be separated from the service based on any of
26 the following factors:
27

28 (1) Inefficiency based on poor performance during the last two (2)
29 successive semestral rating periods;
30

31 (2) Inefficiency based on poor performance for three (3) cumulative
32 semestral rating periods;
33

34 (3) Physical and/or mental incapacity to perform one's duties and
35 functions; or
36

37 (4) Failure to complete the required career courses and/or appropriate
38 civil service eligibility for his/her position except for justifiable cause or reason;
39 and
40

41 (d) *Separation or Retirement from the BuCor under this Section.* - Any personnel
42 who is dismissed from the BuCor pursuant to the above-enumerated principles in this
43 Section shall be separated if one's has rendered less than twenty (20) years of service,

1 and be retired if one's has rendered at least twenty (20) years of service unless the
2 concerned personnel is disqualified by law to receive such benefits.

3
4
5 SEC. 17. *Promotion System for the Personnel of the BuCor.* - Within six (6)
6 months after the effectivity of this Act, the BuCor shall establish a system of promotion
7 for the personnel of the BuCor through the following principles:

8
9 (a) Rationalized Promotion System. - The system of promotion shall be based on
10 merits and on the availability of vacant ranks in the BuCor staffing pattern. Such system
11 shall be gender-fair so as to ensure that women personnel of the BuCor shall enjoy
12 equal opportunity for promotion as to men;

13
14 (b) Requirements for Promotion. -

15
16 (1) Any personnel of the BuCor shall not be eligible for promotion to a
17 higher rank unless one's has met the minimum qualification standards or the
18 appropriate civil service eligibility set by the CSC, and has satisfactorily passed
19 the required psychiatric/psychological, drug and physical test; and

20
21 (2) Any personnel of the BuCor who has exhibited acts of conspicuous
22 courage and gallantry at the risk one's life above and beyond the call of duty, or
23 selected as such in a nationwide search conducted by any accredited civic
24 organization, shall be promoted to the next higher rank, *Provided*, That these shall
25 be validated by the DOJ and the CSC based on established criteria.

26
27
28 SEC. 18. *Performance Evaluation System.* - (1) There shall be established a
29 performance evaluation system which shall be administered in accordance with the
30 rules, regulations and standards, and a code of conduct for the personnel of the BuCor
31 to be promulgated by the bureau through the DOJ. Such performance evaluation
32 system shall be administered in such a way as to foster the improvement of the
33 individual efficiency and behavioral discipline as well as the promotion of
34 organizational effectiveness and commitment to public service.

35
36 (2) The rating system as contemplated herein shall be based on standards
37 prescribed by the BuCor through the DOJ and shall be considered the result of the
38 annual psychiatric/psychological and physical test conducted on the personnel of the
39 BuCor.

40
41
42 SEC. 19. *Standardization of the Base Pay and Other Benefits of the Uniformed*
43 *Personnel of the BuCor.* - In order to enhance the general welfare, commitment to

service and professionalism, the following are considered uniformed personnel of the Bucor:

CUSTODIAL RANK	REFORMATION RANK
Corrections Chief Superintendent	
Corrections Senior Superintendent	Corrections Technical Senior Superintendent
Corrections Superintendent	Corrections Technical Superintendent
Corrections Chief Inspector	Corrections Technical Chief Inspector
Corrections Senior Inspector	Corrections Technical Senior Inspector
Corrections Inspector	Corrections Technical Inspector
Corrections Senior Officer IV	Corrections Technical Senior Officer IV
Corrections Senior Officer III	Corrections Technical Senior Officer III
Corrections Senior Officer II	Corrections Technical Senior Officer II
Corrections Senior Officer I	Corrections Technical Senior Officer I
Corrections Officer III	Corrections Technical Officer III
Corrections Officer II	Corrections Technical Officer II
Corrections Officer I	Corrections Technical Officer I

The Department of Budget and Management shall determine the equivalent rank of the uniformed personnel of the Bucor patterned after the existing ranks of the military and uniformed personnel of other departments.

The base pay, allowances and other benefits of the above-mentioned personnel shall be in accordance with the existing compensation and position classification laws and regulations.

SEC. 20. Retirement Benefits. - Upon compulsory retirement, any custodial officer from the rank of Corrections Chief Superintendent and below shall be entitled to retirement benefits computed on the basis of one grade higher than the position last held: *Provided*, That the retirement pay shall be subject to adjustment/s based on the prevailing scale of base pay of the uniformed personnel in the active service.

SEC. 21. Funding Source. -- The funds required for the implementation of this Act including personnel benefits shall be taken from the budget of the Bureau of Corrections for the current fiscal year and also from the following:

- (1) Collections from clearances and certification fees;
- (2) Income from institutional projects subject to MOAs, contracts or Joint Venture Agreements; and
- (3) Other miscellaneous incomes (outside MOAs and contracts), such as
 - (a) Penal Farm Agro-Production; and
 - (b) Inmate Handicraft Industry

1 Thereafter, such amounts as may be necessary to implement this Act shall be
2 included in the Annual General Appropriations Act.
3
4

5 SEC. 22. *Implementation.* - The implementation of this Act shall be undertaken in
6 staggered phases, but not to exceed five (5) years, taking into consideration the financial
7 position of the national government: *Provided*, that any partial implementation shall be
8 uniform and proportionate for all ranks.
9
10

11 SEC. 23. *Implementing Rules and Regulations.* - The DOJ in coordination with
12 the BuCor, the CSC, the Department of Budget and Management (DBM), and the
13 Department of Finance (DOF) shall, within ninety (90) days from the effectivity of this
14 Act, promulgate the rules and regulations necessary to implement the provisions of this
15 Act.
16
17

18 SEC. 24. *Transitory Provisions.* - (a) The incumbent Director and two (2)
19 incumbent Assistant Directors shall serve under the terms for which they have been
20 appointed without need of new appointments upon the enactment of this Act.
21

22 b) All incumbent personnel who, upon the effectivity of this Act, shall opt to
23 early or optionally retire from the service will be entitled to the retirement benefits
24 computed as follows:
25

Age	Age Basis for Computing Benefits
57	62
58	63
59	64
60	65

26
27
28 (d) All incumbent personnel, upon the effectivity of the Act, may continue to render
29 services until one reaches the compulsory age of retirement for public officers of sixty-
30 five (65). Those who shall be newly hired will have a compulsory age retirement of
31 fifty-six (56) years pursuant to the prevailing provisions on retirement age of those who
32 are in the uniformed services.
33
34

35 SEC. 25. *Annual Report.* - The BuCor, through the DOJ and the DBM, shall jointly
36 submit to the President of the Senate and the Speaker of the House of Representatives
37 an annual report on the implementation of this Act. This report shall include

1 information on the application of the budget for the salary and other benefits provided
2 under this Act. The DBM, in consultation with the BuCor through the DOJ, shall
3 periodically review and adjust every five (5) years the rates of base pay, taking into
4 consideration labor productivity, consumer price index, oil price and other similar
5 economic indicators as may be determined by the National Economic and Development
6 Authority (NEDA).

7
8 SEC. 26. *Separability Clause.*- If any portion or provision of this Act is declared
9 unconstitutional, the same shall not affect the validity and effectivity of the other
10 provisions not affected thereby.

11
12
13 SEC. 27. *Repealing Clause.* - All laws, decrees, orders, rules and regulations, and
14 other issuances, or parts thereof, which are inconsistent with the provisions of this Act,
15 are hereby deemed repealed, amended or modified accordingly.

16
17
18 SEC. 28. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
19 complete publication in the Official Gazette or in at least two (2) newspapers of general
20 circulation, whichever comes earlier.

21
22
23 *Approved,*

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

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 197

Introduced by **Honorable Roilo Golez**

EXPLANATORY NOTE

This bill seeks to provide, consistent with the mandate imposed by the fundamental law and international conventions on the matter, for the modernization of the Bureau of Corrections (BuCor) to assuage wallowing and inhuman conditions of confinement and degrading or discriminatory treatment brought about by crowded, decrepit, or dilapidated buildings and penitentiary facilities. These conditions worsen as prisoner population increase calling for the modernization of the BuCor and its following detention facilities:

1. New Bilibid Prisons in Muntinlupa City;
2. Correctional Institution for Women in Mandaluyong City;
3. Iwahig Prisons and Penal Farm;
4. Sablayan Prison and Penal Farm in Occidental Mindoro;
5. San Ramon Prison and Penal Farm in Zamboanga City;
6. Leyte Regional Prison in Abuyog Leyte; and
7. Davao Prison and Penal Farm in Panabo, Davao Province.

To enable the BuCor to effectively perform its mandate of carrying out the government's institutional rehabilitation program for national offenders or those sentenced to more than three (3) years imprisonment and to ensure their safe custody.

While part of a prisoner's punishment is deprivation of certain civil rights, every prisoner has rights mandated and protected by the United Nations Standard Minimum Rules for the Treatment of Prisoners (Resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977 approved by the Economic and Social Council), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights which binds our country as member of the family of nations.

However at present, cramped or overcrowded spaces, dingy toilets, substandard meals, and improper treatment of prisoners do violence to the country's obligation not only under international accords but also in our fundamental law. The sad circumstance and conditions of the inmates and jails prevent rehabilitation and instead dispense unjust and cruel punishment putting prisoners in a state of living death. As pronounced in the oft-cited decision of the *Harden v. Director of Prisons* "[p]unishments are cruel when

they involve torture or a lingering death xxx"actly describing and may be said of the present system of confinement in our jail facilities.

Thus, there is a need to reorient and reindoctrinate jail officials and personnel in the proper handling of inmates as well as to modernize the physical jail and detention facilities in addition to providing career and vocational programs for inmates that will aid them in their rehabilitation.

Complementing the above international covenant on the treatment of prisoners, it is with equal error that the 1987 Constitution proscription against the imposition of unjust and cruel punishment and the use of inadequate penal facilities, to wit:

"(1) Excessive fines shall not be imposed, nor cruel, degrading or inhuman punishment inflicted. Neither shall death penalty be imposed, unless, for compelling reasons involving heinous crimes, the Congress hereafter provides for it. Any death penalty already imposed shall be reduced to reclusion perpetua.

(2) The employment of physical, psychological, or degrading punishment against any prisoner or detainee or the use of substandard or inadequate penal facilities under subhuman conditions shall be dealt with by law (Section 19 of Article III of the 1987 Constitution)"

If our present prison system should carry out effectively its purpose to dispense punishment, deterrence, reformation and rehabilitation, as well as the protection of society, it is imperative that the physical facilities to implement these purposes must be upgraded not only for the better treatment of the prisoners but also comply with our international human rights obligations. Thus, this reform is a must.

In view of the foregoing, the approval of the bill is strongly recommended.



ROMEO GOLEZ

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

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 197

Introduced by **Honorable Roilo Golez**

AN ACT

**PROVIDING FOR THE MODERNIZATION OF THE BUREAU OF CORRECTIONS (BuCor) PROVIDING
THE FUNDS THEREOF AND FOR OTHER PURPOSES**

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

Section 1. *Short Title* - This act shall be known as the "Bureau of Corrections (BuCor) Modernization Act of 2010".

Section 2. *Declaration of Policy* - It is hereby declared the policy of the State to modernize the Bureau of Corrections (BuCor) to a level where it can effectively and fully perform its mandate to carry out the institutional rehabilitation program of the government for national offenders or those sentenced to more than three (3) years imprisonment and to ensure their safe custody.

Section 3. *Objectives of the BuCor Modernization Program*. - The objectives of the modernization of the Bureau of Corrections (BuCor) is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, and appropriately secure, and which provide work and other self-improvement opportunities to assist offenders to become law-abiding citizens. This is to be accomplished thru improvement and construction of existing detention and correctional facilities

Section 4. *Thrusts and objectives of the BuCor Modernization Program*. It is the objective of the modernization of BuCor jails to enhance public safety by providing humane and secure penitentiary

activities and confinement for the effective rehabilitation of inmates in all national prisons and correctional facilities, to wit:

1. New Bilibid Prisons in Muntinlupa City;
2. Correctional Institution for Women in Mandaluyong City;
3. Iwahig Prisons and Penal Farm;
4. Sablayan Prison and Penal Farm in Occidental Mindoro;
5. San Ramon Prison and Penal Farm in Zamboanga City;
6. Leyte Regional Prison in Abuyog, Leyte; and
7. Davao Prison and Penal Farm in Panabo, Davao Province.

and other jails which shall come under the management and supervision of BuCor. The modernization program shall be consistent with the following functions of the BuCor:

1. Confine persons convicted by the courts to serve a sentence in national prisons;
2. Keep prisoners from committing crimes while in custody;
3. Provide humane treatment by supplying the inmates' basic needs and implementing a variety of rehabilitation programs designed to change their pattern of criminal or anti-social behavior;
4. Engage in agro-industrial projects for the purpose of developing prison lands and resources into productive bases or profit centers, developing and employing inmate manpower skills and labor, providing prisoners with a source of income and augmenting the Bureau's yearly appropriations.

Section 5. *Period of Implementation* - The modernization program under this Act shall be implemented over a period of ten (10) years, Provided, however, That payments for amortization of outstanding multi-year contract obligations incurred under this Act may extend beyond this period.

Section 6. *Components of the BuCor Modernization Program* - The BuCor modernization program shall include provision for extensive reform in the recruitment, management, employment, and training of BuCor personnel particularly in the rights of inmates under United Nations Standard Minimum Rules for the Treatment of Prisoners, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights and shall provide for more humane conditions of confinement consistent with mandate of Section 19 of Article III of the 1987 Constitution.

Section 7. *Submission of the BuCor Modernization Program* - Within ninety (90) days from the effectivity of this Act, the BuCor Chief shall make a proposal or program on the modernization projects that needs to be undertaken to the Secretary of Justice and the Secretary of Budget and Management stating the modernization projects under it such as the major infrastructure construction or renovation, property acquisition, equipment and technology acquisition proposals, as well as the schedules and estimated cost of each modernization project or reconstruction project divided in annual phases.

The Secretary of Justice and the Secretary of Budget and Management shall within thirty (30) days from receipt of such proposal from the BuCor Chief, submit to the President his recommendation on the BuCor Modernization program as provided for in this Act.

Section 8. *Appropriations for the BuCor Modernization Program* - The amount necessary to carry out the initial implementation of this Act shall be charged against the current year's appropriations of the Department of Justice (DOJ). Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the succeeding General Appropriations Act.

The said annual appropriations for the BuCor modernization program shall include the amounts necessary to support the funding requirements for all modernization projects approved by the President under the preceding section.

The funds to be appropriated by Congress under this Act shall be treated as a distinct and separate budget item from the regular appropriation for the DOJ and shall be administered by the Secretary of Justice.

Congress shall allocate for the implementation of the proposed BuCor modernization program the sum of Ten billion pesos (P10,000,000,000) which shall be released in accordance with the proposed annual implementation schedule as approved by the President acting upon the joint recommendation from the Secretary of Justice and Secretary of Budget and Management.

Section 9. *Annual Report* – The Secretary of Justice and the Secretary of Budget and Management shall submit to the Senate President and the Speaker of the House of Representatives, not later than the end of the first quarter of the succeeding year following the commencement of the implementation of the BuCor modernization program as provided in this Act, an annual report on the status of the implementation of the said program.

Section 10. *Separability Clause* - If any portion or provision of this Act shall be declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other provisions in this Act not otherwise affected which shall remain in full force and effect.

Section 11. *Repealing Clause* - All laws, decrees, orders, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act, are hereby deemed repealed, amended or modified accordingly.

Section 12. *Effectivity Clause* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,

FIFTEENTH CONGRESS)
 REPUBLIC OF THE PHILIPPINES)
 First Regular Session)

HOUSE OF REPRESENTATIVES

House Bill No. 712

*Introduced by Representative Rufus B. Rodriguez and
 Representative Maximo B. Rodriguez, Jr.*

EXPLANATORY NOTE

This bill seeks to create the Bureau of Corrections Technical Institute (BCTI) within the premises of the New Bilibid Prison (NBP) in Muntinlupa and Correctional Institution for Women (CIW) in Mandaluyong City.

The proposed BCTI shall provide relevant and high-quality programs in skills development and technical and vocational training to all prisoners serving their sentences in the NBP and CIW.

Under this measure, the BCTI shall offer hard trade courses, which include metal craft, automotive welding, building wiring and electrical, refrigeration and air-conditioning, and computer technician services, which shall run from six (6) to twenty-four (24) months.

Soft trade courses include audio-video technician, cosmetology, consumer electronics, dressmaking, food trades, industrial sewing, machine operation, and novelty accessories, paper craft and stuffed toy making, and shall be taught for only three (3) months.

Modular trade courses, on the other hand, include reflexology, candle making, beads assembly, fossilized flower making, fresh flower arrangement, and soap making, and involve only three (3) to four (4) weeks of training.

This proposed law likewise mandates BCTI to give utmost priority to repair training courses and projects involving government equipment and facilities, including vehicular plates for all registered vehicles which shall be manufactured by prisoners serving their prison sentence in the New Bilibid Prison.

This bill provides that from the total sales of the vehicular plates and other government amenities manufactured by the inmates as well as repair of government equipment and vehicles, twenty percent (20%) of which shall be allotted for the

rehabilitation of the New Bilibid Prisons and Correctional Institution for Women, while the eighty percent (80%) shall be remitted to the National Treasury.

There is an imperative need to focus on rehabilitation of prisoners, and at the same time, cultivate their technical education and skills development.

Hence, the immediate passage of this bill is earnestly requested.



RUFUS B. RODRIGUEZ



MAXIMO B. RODRIGUEZ, JR.

FIFTEENTH CONGRESS)
 REPUBLIC OF THE PHILIPPINES)
 First Regular Session)

HOUSE OF REPRESENTATIVES

House Bill No. 712

*Introduced by Representative Rufus B. Rodriguez and
 Representative Maximo B. Rodriguez, Jr.*

AN ACT

CREATING A BUREAU OF CORRECTIONS TECHNICAL INSTITUTE (BCTI)
 WITHIN THE NEW BILIBID PRISONS (NBP) RESERVATION AND THE
 CORRECTIONAL INSTITUTION FOR WOMEN (CIW), AND APPROPRIATING
 FUNDS THEREFOR

*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 "Bureau of Corrections
 Technical Institute Act of 2010."

SECTION 2. Declaration of Policy. It shall be the policy of the State to
 promote and support technological capabilities and its application to the country's
 productive system, to attain national development and progress.

The State shall encourage the active participation of various concerned
 sectors of the society in trained and skilled work force, in order to strengthen
 technical knowledge and opportunities as well as skills development.

SECTION 3. Statement of Goals and Objectives. It is the goal and objective
 of this Act to:

1. Promote and strengthen the quality of technical education and skills
 development programs now prevailing at the Bureau of Corrections,
 particularly at the New Bilibid Prison (NBP) in Muntinlupa and
 Correctional Institution for Women (CIW) in Mandaluyong City;
2. Focus on rehabilitation model of corrections, particularly technical
 education and skills development to restore national prisoners as
 fully functioning members of society;

3. Recognize and encourage the complementary roles of various concerned sectors in technical education and skills development and training systems to be implemented at the Bureau of Corrections and Correctional Institute for Women; and
4. Inculcate desirable values through the development of positive social behavior with emphasis on work ethics, self-discipline, self-reliance and self-sufficiency.

SECTION 4. Creation of Technical Institute. To implement the policy declared in this Act, there is hereby created a Bureau of Corrections Technical Institute (BCTI) within the premises of the New Bilibid Prison (NBP) Reservation in Muntinlupa City and Correctional Institution for Women (CIW) in Mandaluyong City.

The BCTI shall provide relevant and high-quality programs in skills development and technical and vocational training to all prisoners serving their sentences in the NBP and CIW. It shall also develop projects where these technical skills would be put into service.

SECTION 5. Composition of the Bureau of Corrections Technical Institute Board. There shall be a Bureau of Corrections Technical Institute Board, herein referred to as the "Board." The said Board shall be composed of the following:

1. Secretary of the Department of Justice as Chairperson;
2. Secretary of Department of Labor and Employment as Co-Chairperson
3. Secretary of the Department of Trade and Industry as Member;
4. Secretary of the Department of Transportation and Communications as Member; and
5. Director of the Bureau of Corrections as Ex-Officio Member.

The Board shall meet at least twice a year, or as frequently as may be deemed necessary by its Chairperson. In the absence of the Chairperson, the Co-Chairperson shall preside. In case any member of the Board cannot attend the meeting, he or she shall be regularly represented by an undersecretary or deputy-director general, as the case may be, to be designated by such member for the purpose.

SECTION 6. Powers and Functions of the Board. The Board shall primarily be responsible for formulating, continuing, coordinating and fully integrating technical education and skills development policies, plans, programs and projects taking into consideration the following:

1. the State policy declared herein of giving new direction and thrusts to efforts in developing new paths of social behavior to restore

- national prisoners as fully-functioning members of society through technical education and skills development;
- 2. the implementation of the above-mentioned policy requires the coordination and cooperation of policies, plans, and programs of different concerned sectors of the society;
- 3. equal participation of representatives of industry groups, employers, workers and government shall be made the rule in order to ensure that urgent needs and recommendations are readily addressed; and
- 4. improved linkages between industry, labor and government shall be given priority in the formulation of any program and project.

The Board shall have the following powers:

- a) promulgate, after due consultation with industry groups, employers, workers, policies, plans, programs and guidelines as may be necessary for the effective implementation of this Act;
- b) organize and constitute various standing committees, subsidiary groups, or technical working groups for efficient integration, coordination and monitoring technical education and skills development programs;
- c) enter into, make, execute, perform and carry-out contracts subject to existing laws, rules and regulations;
- d) restructure the present technical institution and programs enforced and implemented by the Bureau of Corrections in the promotion and development of national prisoners through upgrading, merger and/or phase-out;
- e) approve trade skills standards and trade tests as established and conducted by private industries;
- f) establish and administer a system of accreditation of both public and private institutions;
- g) establish, develop and support institutions' trainers' training and/or programs;
- h) allocate resources, based on the Secretariat's recommendations, for the programs and projects it shall undertake; and
- i) perform such other duties and functions necessary to carry out the provisions of this Act.

SECTION 7. The Bureau of Corrections Technical Institute Secretariat.

There is hereby created a BCTI Secretariat which shall have the following functions and responsibilities:

1. to establish and maintain a planning process and formulate a technical education and skills development plan in which the member-departments and other concerned entities of the Board at various levels participate;
2. to recommend measures, and implement the same upon approval by the Board, for the effective and efficient implementation of the technical education and skills development plan;
3. to submit to the Board periodic reports on the progress and accomplishment of work programs of implementation of plans and policies for technical education and skills development;
4. to prepare for approval by the Board an annual report to the President on technical education and skills development;
5. to prepare and implement upon approval by the Board a program for the consultants, trainers, supervisors, and planners as provided for in Section 8 of this Act;
6. to enter into agreement to implement approved plans, programs and projects and perform activities as shall implement the declared policy of this Act; and
7. to perform such other functions and duties as may be assigned by the Board.

SECTION 8. Director-General. The Bureau of Corrections Technical Institute Secretariat shall be headed by a Director-General, who shall likewise be a member of the Board. As Chief Executive Officer of the Secretariat, the Director-General shall exercise general supervision and control over the technical and administrative personnel.

SECTION 9. Consultant and Technical Assistance. In pursuing its objectives, the Board is hereby authorized to set aside a portion of its appropriation for the hiring of services of qualified consultants, trainers, supervisors, and planners in the field of technical education and skills development. It shall avail itself of the services of other agencies of the Government as may be required.

SECTION 10. Programs in Skills Development and Technical and Vocational Training. To strengthen manpower education and training, the BCTI shall offer hard and soft or modular trade courses.

The so-called hard trade courses, which include metal craft, automotive welding, building wiring and electrical, refrigeration and air-conditioning, and computer technician services, shall run from six (6) to twenty-four (24) months.

Soft trade courses include audio-video technician, cosmetology, consumer electronics, dressmaking, food trades, industrial sewing, machine operation, and

novelty accessories, paper craft and stuffed toy making, and shall be taught for only three (3) months.

And modular trade courses include reflexology, candle making, beads assembly, fossilized flower making, fresh flower arrangement, and soap making, and involve only three (3) to four (4) weeks of training.

However, the BCTI shall give utmost priority to repair training courses and projects involving government equipment and facilities, which shall include, but not limited to:

1. government motor vehicles;
2. computer units;
3. business license in tin plate;
4. mail boxes, street signs, garbage cans and other similar government amenities

Likewise, vehicular plates for all registered vehicles shall be manufactured by prisoners serving their prison sentence in the New Bilibid Prison. To accomplish this purpose, the molding vehicular plate machines shall be acquired and kept in the New Bilibid Prison to be used by inmates in manufacturing the vehicular plates.

The BCTI shall be under the supervision of the Department of Justice.

SECTION 11. Compensation of Prisoners. Prisoner under this Act may receive commission for every government equipment assembled or repaired in accordance with the quality standards set forth by the government.

SECTION 12. Rehabilitation of the New Bilibid Prisons. From the total sales of the vehicular plates and other government amenities manufactured by the inmates as well as repair of government equipment and vehicles, twenty percent (20%) of which shall be allotted for the rehabilitation of the New Bilibid Prisons and Correctional Institution for Women, while the eighty percent (80%) shall be remitted to the National Treasury.

SECTION 13. Rules and Regulations. The Department of Justice, Department of Trade and Industry, Department of Transportation and Communications, Department of Labor and Employment, and Bureau of Corrections shall within thirty (30) days from effectivity of this Act, issue such rules and regulations necessary for the proper implementation of the provisions of this law.

SECTION 14. Appropriations. The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter. An initial amount of One Hundred

Million Pesos (₱100,000,000.00), shall be allocated for the first year of its implementation.

SECTION 15. Repealing Clause. Any law, presidential decree, issuance, executive order, letter of instruction, administrative order, rule and regulation contrary to or inconsistent with the provisions of this Act is hereby repealed.

SECTION 16. Separability Clause. If any provision of this Act is held invalid or unconstitutional, the other provision not affected hereby shall remain valid and subsisting.

SECTION 17. Effectivity Clause. This Act shall take effect fifteen (15) days following its complete publication in any national newspaper of general circulation or in the Official Gazette.

Approved.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasang Pambansa, Quezon City

FIFTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 2880

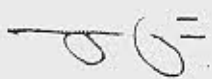
INTRODUCED BY REP. JOSEPH VICTOR G. EJERCITO

EXPLANATORY NOTE

This bill seeks to rectify a rather discriminatory situation wherein the custodial force of the Bureau of Correction in the Department of Justice receives far less remuneration for their services than the jail guards of the Bureau of Jail Management and Penology under the Department of Interior and Local Government even as they perform relatively similar functions.

In the interest of justice and fairness, it is imperative to even the pay scale of the aforementioned employees. Moreover, our aspirations for a more efficient and effective corrections system in the country could be more easily attained by streamlining the Bureau of Corrections bureaucracy. This goal could be achieved early by promoting employee welfare and professionalizing the staff thru education and skills development.

The passage of this bill is earnestly sought.


JOSEPH VICTOR G. EJERCITO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasang Pambansa, Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2880

INTRODUCED BY REP. JOSEPH VICTOR G. EJERCITO

AN ACT
STREAMLINING THE BUREAU OF CORRECTIONS
BUREAUCRACY AND APPROPRIATING FUNDS
THEREFOR

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

SECTION 1. Short Title. – This Act shall be known as “***The Bureau of Corrections Streamlining Act of 2010***”.

SEC 2. Declaration of Policy. – It is hereby declared policy of the State to promote the welfare of its citizens. Toward this end, and to attain greater efficiency in the service, the bureaucracy in the Bureau of Corrections, Department of Justice, shall be streamlined by professionalizing the staff in education and skills development and upgrading employee benefits.

SEC 3. Upgrading. – In consonance with the aforestated policy, the salaries of the officials and custodial force in the Bureau of Corrections, hereinafter referred to as the Bureau, shall be upgraded, with appropriate amendments in the nomenclature of certain positions, as follows:

POSITION	SALARY GRADE	
1. Director V	29	30
2. Assistant Director IV	28	29
3. [Penal] Superintendent IV	26	27
4. [Penal] Superintendent III	24	25

5. [Penal] Superintendent II	22	24
6. [Penal] Superintendent I	20	23
7. [Penal] CORRECTIONS Institution Supervisor	18	22
8. [Prison Security Officer III] CORRECTIONS INSTITUTION SUPERVISOR	18	22
9. [Prison Security Officer II] CORRECTIONS SUPERVISING OFFICER III	15	20
10. [Prison Security Officer I] CORRECTIONS SUPERVISING OFFICER II	11	18
11. [Prison Guard III] CORRECTIONS SUPERVISING OFFICER I	10	15
12. [Prison Guard II] CORRECTIONS OFFICER II	7	13
13. [Prison Guard I] CORRECTIONS OFFICER I	5	10
14. [Wardress II - Correctional Institution for Women] CORRECTIONS OFFICER II	7	13
15. [Wardress I - Correctional Institution for Women] CORRECTIONS OFFICER I	5	10

SEC 4. Education and Skills Development. - The Bureau shall draw up and implement an educational program to upgrade the professional knowledge and skills of its employees.

Without prejudice to efficiency in the service, members of the custodial force and other staff of the Bureau may avail of grants, scholarships and privileges, local and foreign, to increase their professional knowledge and hone their expertise and skills.

SEC 5. Insurance Coverage. - Members of the custodial force shall be covered by life and accident insurance while in the performance of their official duties and functions.

SEC 6. Health Care Services. - Employees of the Bureau shall be provided with health care services thru a health maintenance organization (HMO) until such time that a hospital or health clinics can be established by the Bureau for that purpose.

SEC 7. Retirement Benefits. - Upon compulsory retirement, any custodial officer from the rank of Superintendent IV and below shall be entitled to retirement benefits computed on the basis of one grade higher than the position he last held.

SEC 8. Other Benefits. - Subject to the availability of funds, the Bureau Director may grant employees such benefits as may be required by the exigencies of the service.

SEC 9. Rules and Regulations. - Within sixty (60) days from the approval of this Act, the Secretary of Justice shall promulgate such rules and regulations as may be necessary for the implementation of this Act.

SEC 10. Appropriations. - The amounts required for the upgrading of salaries, education and skills development, insurance coverage, health care services, retirement and other benefits of employees shall be taken from the budget of the Bureau of Corrections for the current fiscal year. Thereafter, such amounts as may be necessary to implement this Act shall be included in the Annual General Appropriations Act.

SEC 11. Repealing Clause. - All laws, decrees, orders, rules and regulations or parts thereof which are contrary to or are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC 12. Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation. The publication shall be done within thirty (30) days from the approval of this Act.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular Session

House Bill No. ____ **4619**

Introduced by Hon. Rodolfo G. Biazon

EXPLANATORY NOTE

This Bill seeks to resolve the age-old plight of the Bureau of Corrections in terms of outdated law, inequitable personnel remuneration, obsolete facilities and equipment, and an antediluvian organizational structure.

The Bureau of Corrections (BuCor), which was created by virtue of the Reorganization Act 1407 of 1905, has seen not much major legislative updating except for a change in its name from formerly Bureau of Prisons through the Revised Administrative Code of 1987. Its operations are still based on the Prison Law of 1917 thereby making it difficult for the organization to cope up with the modern demands in penology and other functional considerations in accordance with the United Nations standards which has already shifted from punitive to reformatory treatment of prisoners.

In 1989, the population of its inmates was 12,900 and its employees numbered around 2,362 where 1,461 of which were Custodial Personnel and 901 Civilian Employees, with a prison guard-to-inmate ratio of 1:27. After 20 years, the inmate population rose to 35,400 but the number of employees in the BuCor remained stagnant at 2,362 employees, where 1,328 are Custodial Personnel and 1,034 civilian employees with a prison guard-to-inmate ratio of 1:81. The population of inmates is continuously increasing at an average rate of five percent (5%) annually. As of December 2010, the BuCor has a total of 35,937 inmates with the same 2,362 plantilla positions.

The BuCor's local government counterpart, the Bureau of Jail Management and Penology (BJMP), which is in charge of local inmates (under trial and convicted of 3 years and below), has around 8,976 employees manning 61,000 inmates at an approximate ratio of 1:18. It also has an ongoing yearly recruitment of additional 500 Jail Officers as new plantilla positions since 2007 until they reach the 1:7 ratio. The international standard of guard inmate ratio is 1:6. The Bureau of Corrections has no yearly recruitment of its Prison Guards despite its present 1:81 ratio.

Likewise, the BuCor miserably lags behind BJMP in terms of personnel remuneration. The entry level for a Jail Officer-1 at BJMP is SG-10 while a Prison Guard 1 of BuCor has a measly pay grade of five (5); the lowest commissioned officer of BJMP is at salary grade 22 while its BuCor counterpart is at salary grade 11. Furthermore, unlike BJMP, BuCor custodial personnel are not considered Uniformed Personnel, thereby not entitled to salary increases/bonus and other benefits pertaining to uniformed personnel enjoyed by such agencies like Bureau of Fire and Protection, National Mapping and Resource Information Authority, and Bureau of Immigration, whose jobs are not closely exposed to high-risk criminals as compared to BuCor. Promotion system in this agency has also been subjective. There are Prison Guards who are retiring after 40 years or more in service without having a taste of promotion.

The security facilities of the BuCor, despite having vast land areas under its control and supervision, are antiquated and inadequate as its present capacity has been overloaded to reach high congestion rates (141% for NBP, where 60% of national inmates are confined). Likewise, BuCor lacks modern security equipment such as surveillance cameras, handheld radios, firearms and other security-related equipment.

The BuCor's vast lands are "small worlds" of national inmates (especially those serving life sentences) though they may appear large areas of land to the free society. Its trees and vegetation were planted and taken cared of by inmates for almost 100 years and the BuCor managed to preserve large forested land within its reservation area from illegal loggers and from large influx of squatters for several decades now. Furthermore, these vast lands serve as security buffer in the event of hot pursuit against escapees. However, in the past, large portions of BuCor lands had been appropriated in favor of certain local government units and other government agencies through Presidential Proclamations and other laws to the detriment of its operations. There is therefore a need to rationalize utilization of BuCor's real estate holdings.

In view of the foregoing, the immediate passage of this bill is fervently requested.


RODOLFO G. SIAZON
Representative
Lone District, Muntinlupa City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular Session

House Bill No. 4619

Introduced by Hon. Rodolfo G. Biazon

AN ACT
TO MODERNIZE THE BUREAU OF CORRECTIONS, PROVIDING FUNDS
THEREFOR AND FOR OTHER PURPOSES.

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

SECTION ONE. *Title.* – This Act shall be known as the “*Bureau Of Corrections Act Of 2011*”.

Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote the general welfare and safeguard the basic rights of every prisoner incarcerated in each penitentiary system. It also recognizes the responsibility of the state to strengthen government capability to ensure the reformation of a prisoner towards becoming a productive member and asset of the society.

Towards this end, the State shall endeavor to modernize, professionalize and restructure the corrections system to enable it to perform its mandate.

Sec. 3. *Definition of Terms.* – As used in this Act, the following terms shall refer to:

- (a) *Reformation* – the act that ensures the public, including families of inmates and their victims, that released national inmates are no longer harmful to the community by becoming reformed individuals prepared to live a normal and productive life upon reintegration to the mainstream society; and
- (b) *Safekeeping* – the act that ensures the public, including families of inmates and their victims, that national inmates are provided with their basic needs, completely incapacitated from continuously committing criminal acts, and have been totally cut-off from their criminal networks or contacts in the free society, while serving sentence inside the premises of the national penitentiary. This act also includes

protection against illegal organized armed groups who have the capacity of launching attack on any prison camp of the national penitentiary to rescue their convicted comrade or to forcibly amass firearms issued to prison guards.

Sec. 4. Bureau of Corrections. – The Bureau of Corrections, hereinafter referred to as the BuCor, shall be the agency of the government charged in the safekeeping, rehabilitation and reformation of national inmates sentenced to more than three (3) years.

Sec. 5. Functions of the Bureau of Corrections. – The BuCor shall have the following functions:

(a) *Safekeeping of National Inmates* – The safekeeping of inmates shall include decent provision of quarters, food, water, and clothing in compliance with established United Nations standards. The security of the inmates shall be undertaken by the Custodial Force consisting of Corrections Officers with a ranking system and salary grades similar to its counterpart in the Bureau of Jail Management and Penology.

(b) *Reformation of National Inmates* – The Reformation Programs which will be instituted by the BuCor for the inmates shall be the following:

b.1. Moral & Spiritual Program;

b.2. Education & Training Program;

b.3. Work & Livelihood Program;

b.4 Sports & Recreation Program;

b.5. Health & Welfare Program; and

b.6. Behavior Modification Program to include Therapeutic Community.

(c) The Reformation Programs shall be undertaken by Professional Reformation Personnel consisting of Corrections Technical Officers (CTOs) with ranking system and salary grades similar to Corrections Officers (COs). CTOs and other personnel whose nature of work requires proximate or direct contact with inmates, shall be tasked in the implementation of reformation programs. CTOs shall include priests, evangelists, pastors, teachers, instructors, professors, vocational placement officers, librarians, guidance counselors, physicians, nurses, medical technologists, pharmacists, dentists, therapists, psychologists, psychiatrists, sociologists, social workers, engineers, electricians, agriculturist, veterinarians, lawyers and similar professional skills relevant to the implementation of inmate reformation programs.

Sec. 5. Structure. – The BuCor shall operate with a directorial structure which shall be composed of the following: (1) Directorate for Reception and Diagnostics (DRD); (2) Directorate for Security and Operations (DSO); (3) Directorate for Reformation (DR); (4) Directorate for External Relations (DER); and (5) Directorate Administration of Penal Colonies (DAP).

Sec. 6. Functions of the Directorates. – The Directorates shall have the following functions:

- (a) *Directorate for Reception and Diagnostics.* – The Directorate for Reception and Diagnostics, hereinafter referred to as the DRD, shall be responsible for reception and classification of inmates admitted to the BuCor in accordance with national and international practices.
- (b) *Directorate for Security and Operations.* – The Directorate for Security and Operations, hereinafter referred to as the DSO, shall provide for the basic needs, security, management and administration of the BuCor.
- (c) *Directorate for Rehabilitation and Reformation.* – The Directorate for Rehabilitation and Reformation, hereinafter referred to as the DRR, shall administer the rehabilitation and reformation of the inmates admitted to the BuCor.
- (d) *Directorate for External Relations.* – The Directorate for External Relations, hereinafter referred to as the DER, shall prepare the inmates due for release for reintegration into mainstream society.
- (e) *Directorate for Administration.* – The Directorate for Administration, hereinafter referred to as the DA, shall be responsible for the management, administration and internal control and audit systems of the BuCor.

Sec. 7. Computerization. – The BuCor shall employ full computerization in the build-up, maintenance and transmittal of necessary inmate records to all its Prison and Penal Farms and other recipient agencies.

Sec. 8. Real Estate of the Bureau of Corrections. – All BuCor real estate shall be used for inmate security, reformation programs and as a means to promote the sustainability of its mandate. It shall have the authority to design, formulate and implement land-use development plans and policies in order to maximize the value of its assets. All the real estate properties of the BuCor shall be registered under its name through the issuance of appropriate Certificates of Title.

Sec. 9. Facilities of the Bureau of Corrections. – The BuCor shall operate with a standard and uniform design of Prison Facilities, Reformation Facilities, and Administrative Facilities.

Sec. 10. Supervision of the Bureau of Corrections. – The Department of Justice (DOJ) shall have administrative control and supervision over the BuCor and the power to review, reverse, revise or modify its decisions.

Sec. 11. Organization and Key Positions of the BuCor. – The BuCor shall be headed by a Director who shall be appointed by the President. He shall be assisted by two (2) Deputy Directors, one (1) for administration and one (1) for security and operations who shall be appointed by the Secretary of Justice.

The Head of the BuCor with the rank of Director V shall have the position title of Director of Corrections. The Deputy Directors of the BuCor shall have the rank of Director IV.

Sec. 12. *Increase of Personnel.* – The BuCor shall maintain the custodial personnel-to-inmate ratio of 1:7 and reformation personnel-to-inmate ratio of 1:24, and therefore is authorized to increase its manpower to meet such ratio and must continue to increase personnel per percentage rate increase of committed inmates annually.

Sec. 13. *Appointment and Qualification Standards of BuCor Personnel.* – No person shall be appointed as personnel of the BuCor unless he/she possesses the following minimum qualifications:

- (a) A citizen of the Republic of the Philippines;
- (b) A person of good moral character;
- (c) Must be physically and mentally fit;
- (d) Must possess a baccalaureate degree from a recognized institution of learning; and
- (e) Must possess the appropriate civil service eligibility.

Provided, That new applicants must not be less than twenty one (21) nor more than forty (40) years of age; *Provided, further,* That those who are already in the service upon the effectivity of this Act shall be given five (5) years to obtain the minimum educational qualification and eligibility; *Provided, finally,* That after the lapse of the time of period for the satisfaction of a specific requirement, current personnel of the BuCor who will fail to satisfy any of the requirements enumerated herein shall be separated from the service if they are below fifty (50) years of age and have served in the government for not less than twenty (20) years; or retired if they are age fifty (50) and above and have served in the government for at least twenty (20) years without prejudice in either case to the payment of benefits they may be entitled to under existing laws.

Sec. 14. *Professionalization and Upgrading of Bucor Personnel.* – For sustained professionalism in the service, the BuCor shall continue training its personnel through its Personnel Training School, which shall be renamed as Corrections Training Institute.

Sec. 15. *Appointing Authorities.* – The appointment of the BuCor shall be effected in the following manners:

- (a) Corrections Officer I to Corrections Senior Officer IV shall be appointed by the BuCor Director; and
- (b) Corrections Inspector to Deputy Directors of Corrections shall be appointed by the Secretary of Justice upon the recommendation of the Director of the BuCor.

Sec. 16. *Lateral Entry of Officer into the BuCor.* – In general, all original appointments of officers in the Bureau of Corrections shall commence with the rank of

Corrections Inspector wherein applicants for lateral entry into the BuCor shall include all those with highly specialized and technical qualifications such as, but not limited to, civil engineers, mechanical engineers, electrical engineers, chemical engineers, chemist, architects, criminologists, certified public accountants, nurses, physical therapists, dentists, social workers, psychologists, sociologists, guidance counselors, and teachers. Doctors of Medicine, members of the Philippine Bar and chaplains shall be appointed to the rank of corrections senior inspector in their particular technical service.

Sec. 17. Key Positions and Its Qualification Standards in the BuCor. – No person shall be designated to the following key positions of the BuCor unless he/she has met the qualifications provided therein:

- (a) Sub-Colony Supervisor – Should have the rank of senior inspector, who have finished at least second year Bachelor of Laws or earned at least twelve (12) units in a master's degree program in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies, or other related disciplines from a recognized institution of learning, and must have satisfactory passed the necessary training or career courses for such position as may be established by BuCor;
- (b) Colony Assistant Superintendent. – Should have the rank of chief inspector, who must have finished at least second year Bachelor of Laws or earned at least twenty four (24) units in master's degree program in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or related disciplines from a recognized institution of learning and must satisfactory passed the necessary training or career courses for such position as may be established by the BuCor;
- (c) Colony Superintendent. – Should have the rank of superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must satisfactory passed the necessary training or career courses for such position as may be established by the BuCor; Provided, That in prison and penal farms with an inmate population of two thousand (2,000) but below three thousand (3,000) the Colony Superintendent shall have the rank and qualification of a Colony Senior Superintendent;
- (d) Regional Superintendent – Should have the rank of senior superintendent or chief superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must satisfactory passed the necessary training or career courses for such position as may be established by the BuCor; Provided, That in prison and penal farms with an inmate population of three thousand (3,000) but below five thousand (5,000), the Regional Superintendent shall have the rank and qualification of a Colony Senior Superintendent; Provided further that in prison and penal farms with an inmate population of over five thousand (5,000), the Regional Superintendent shall have the rank and qualification of a Chief Superintendent;

Any personnel of the BuCor who is currently occupying such position but lacks any of the qualifications mentioned therein shall be given five (5) years to comply with the requirements; otherwise said personnel shall be relieved from the position.

Sec. 18. Attrition System for the Personnel of the BuCor. – There shall be established a system of attrition for the personnel of the BuCor within five (5) years from the effectivity of this Act to be submitted by the BuCor to the DOJ for its approval.

Sec. 19. Promotions in the BuCor. – Promotions in the BuCor shall be based on merit, efficiency, vacancy and in accordance with pertinent civil service laws, rules and regulations.

Sec. 20. Performance Evaluation System. – There shall be established a performance evaluation system which shall be administered with accordance with the rules, regulations and standards, and a code of conduct for the personnel of the BuCor to be promulgated by the BuCor upon approval by the Secretary of Justice. Such performance evaluation system shall be administered in such a way as to foster the improvement of the individual efficiency and behavioral discipline as well as the promotion of organizational effectiveness and commitment to public service.

Sec. 21. Standardization of the Base Pay, Retirement and other Benefits of the Personnel of the BuCor. – In order to enhance the general welfare, commitment to service and professionalism of the uniformed personnel of the BuCor, they shall receive the minimum starting salary equivalent to the salary grade level of the corresponding rank classification of their counterparts in the B/M/P as provided under Republic Act No. 9263.

The rate of the base pay of the personnel of the BuCor shall be adjusted in accordance with the following salary grade schedule:

CUSTODIAL RANK	REFORMATION RANK	Salary Grade	STATUS
Director of Corrections		30	Civilian
Deputy Director of Corrections		29	Uniformed/Civilian
Corrections Chief Superintendent		27	Uniformed
Corrections Senior Superintendent	Corrections Technical Senior Superintendent	26	Uniformed
Corrections Superintendent	Corrections Technical Superintendent	25	Uniformed
Corrections Chief Inspector	Corrections Technical Chief Inspector	24	Uniformed
Corrections Senior Inspector	Corrections Technical Senior Inspector	23	Uniformed
Corrections Inspector	Corrections Technical Inspector	22	Uniformed
Corrections Senior Officer IV	Corrections Technical Senior Officer IV	19	Uniformed
Corrections Senior Officer III	Corrections Technical Senior Officer III	18	Uniformed

Corrections Senior Officer II	Corrections Technical Senior Officer II	17	Uniformed
Corrections Senior Officer I	Corrections Technical Senior Officer I	16	Uniformed
Corrections Officer III	Corrections Technical Officer III	14	Uniformed
Corrections Officer II	Corrections Technical Officer II	12	Uniformed
Corrections Officer I	Corrections Technical Officer I	10	Uniformed

Provided: That all benefits currently being received by the personnel of the BuCor under existing laws shall continue to be received by them.

Sec. 22. Retirement Benefits. – Upon compulsory retirement, any custodial officer from the rank of Corrections Chief Superintendent and below shall be entitled to retirement benefits computed on the basis of one (1) grade higher than the position last held: *Provided:* That such retirement pay shall be subject to adjustment on the prevailing scale of base pay of uniformed corrections personnel in the active service. The retirement benefits of non-uniformed personnel shall be governed by civil service laws, rules and regulations.

Sec. 23. Implementing Rules and Regulations. – Within 90 days upon the approval of this Act, the DOJ shall promulgate the rules and regulation to implement the provisions of this Act: *Provided,* That the implementation of this Act shall be undertaken in staggered basis within a period of five (5) years.

Sec. 24. Annual Report. – The BuCor, through the DOJ, and the DBM shall jointly submit to the President of the Senate and the Speaker of the House of Representatives an annual report on the implementation of this Act. This report shall include information on the application of the budget for the salary and other benefits provided under this Act. The DBM, in consultation with the BuCor through the DOJ, shall periodically review and adjust every five (5) years the rates of base pay, taking into consideration labor productivity, consumer price index, oil price and other similar economic indicators as may be determined by the National Economic and Development authority (NEDA).

Sec. 25. Separability Clause. – If any portion or provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

Sec. 26. Repealing Clause. – All laws, decrees, orders, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act, are hereby deemed repealed, amended or modified accordingly.

Sec. 27. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4783

Introduced by Honorable DANILO E. SUAREZ

EXPLANATORY NOTE

Article II, Section 11 of the 1987 Constitution states that:

"The State values the dignity of every human person and guarantees full respect for human rights."

Also, Article 5 of the Universal Declaration of Human Rights provides that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

According to the Balay Foundation, extreme overcrowding is the most punishing aspect of doing time in Philippine jails. At the Manila City Jail and other prisons in the National Capital Region, inmates have to take turns sleeping on the floor. Herding individuals in cramped spaces is cruel, inhuman, ill, degrading, and unjust punishment. Overcrowding is dangerous to health and to human life. It breeds diseases, breaks down discipline and exacerbates tensions. Add dirty tap water, dingy toilets, substandard meals, gang war, poorly trained guards and prison administrators, favoritism, and you have a system built for punishment, not for rehabilitation.¹

The present situation of our Penal facilities "is a throwback to the 18th century that treated prisoners as animals unfit to renew themselves and rejoin society."² It is also a contravention of our treaty obligations such as the International Covenant on Civil and Political Rights (UN ICCPR) and the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

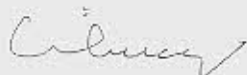
This bill aims to put a reformative instead of a punitive policy as regards our Prison facilities. The New Bilibid Prison in Muntinlupa City shall be sold and from the proceeds thereof the government shall acquire 4 new prison locations, one each for Luzon, Visayas, and Mindanao plus one located in the National Capital Region. These new prison locations must be

¹ <http://www.opcatph.org/prison%20conditions.htm>

² *Id.*

capable of agricultural activities such that prisoners will be trained in farming and animal husbandry.

Considering the foregoing reasons, the passage of this bill is earnestly requested



DANILO E. SUAREZ
Representative
3rd District, Quezon Province

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4766

Introduced by Honorable DANILO E. SUAREZ

AN ACT MANDATING THE DEPARTMENT OF JUSTICE TO SELL THE NEW BILIBID PRISONS AND FROM THE PROCEEDS THEREOF TO ACQUIRE FOUR NEW PRISON FACILITIES TO BE LOCATED IN LUZON, VISAYAS, MINDANAO, AND THE NATIONAL CAPITAL REGION

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

SECTION 1. *Policy Statement.* - It is the policy of the State to enact a policy of Reformation in all prison facilities in the country.

SECTION 2. *Short Title.* - This Act shall be known as the "Reform of Penal Centers Act of 2011."

SECTION 3. *Mandate.* - The Department of Justice, through the Bureau of Corrections, is hereby mandated to sell the facilities and properties of the New Bilibid Prison, located in Muntinlupa City, to the highest possible bidder.

SECTION 4. *Use of Proceeds.* - The proceeds from the sale of the New Bilibid Prison shall be exclusively used for the purchase of new Penal colony facilities to be located in Luzon, Visayas, Mindanao, and the National Capital Region, respectively.

SECTION 5. *Specification of Property.* - The properties to be purchased from the proceeds of the sale of the New Bilibid Prisons must be capable of handling agriculture-based activities.

SECTION 6. *Separability Clause.* - 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.

SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved



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

Fifteenth Congress
Second Regular Session

HOUSE BILL NO. 5546

Introduced by Honorable Ranulfo P. "Dodong" Canonigo

EXPLANATORY NOTE

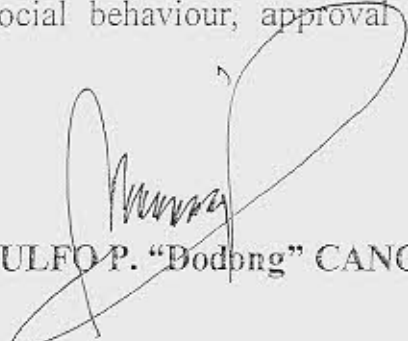
This bill seeks establish three additional penal institutions in the Philippines, one for Luzon, one for Visayas and one for Mindanao.

It is a sad fact that most inmates in the country's national penitentiary, the New Bilibid Prison (NBP), who are from far-flung areas of the country cannot be visited by their relatives and friends due to distance and financial constraints. While it is true that a visit from relatives or friends is a big factor that can greatly enhance the rehabilitation of a prisoner, records and experience abound showing countless broken homes and marriages caused by the lack of visitation and communication between an inmate and his family. It is also common occurrence, no matter how deplorable and hapless, that dead inmates who are unclaimed by their families are simply buried in the vicinity of the NBP compound.

Another big problem in the NBP is congestion. In June 2011, during committee hearings on the bills concerning the modernization of the Bureau of Corrections and at the height of the furor over the sleep-over privilege of convicted former Batangas governor Jose Antonio Leviste, the sorry state of the country's national penitentiary was brought to fore. Several information were exposed — that the population growth rate for inmates nationwide stood at 5%. As of June 2011, the number of inmates jumped from 13,000 to about 36,000 for the last 20 years. Moreover, both medium security and maximum security camps of the NBP had exceeded its occupancy rate by more than 200%. The number of employees did not change — it was 2,362 twenty years ago and 2,362 today — which leaves a disparate 1:81 ratio of custodians to inmates.

While the primal part of the prisoner's punishment is the deprivation of liberty, the present state of NBP is in sub-human condition, and, rather than being reformatory, it has become more punitive, thereby running counter to the provisions of the United Nations' agreements like Standard Minimum Rules for the Treatment of Prisoners, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Covenant on Civil and Political Rights, that our country is a signatory.

To effectively pursue the government's responsibilities to provide humane treatment of prisoners, supply the inmates' basic needs and implement a variety of responsive rehabilitation programs designed to wean them from the pattern of their criminal or anti-social behaviour, approval of this bill is earnestly recommended.



RANULFO P. "Dodong" CANONIGO



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

Fifteenth Congress
Second Regular Session

HOUSE BILL NO. 5546

Introduced by Honorable Ranulfo P. "Dodong" Canonigo

AN ACT
ESTABLISHING THREE ADDITIONAL PENAL INSTITUTIONS IN
LUZON, VISAYAS AND MINDANAO, AND APPROPRIATING FUNDS
THEREFOR

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

SECTION 1. Three additional penal institutions are hereby established in

Luzon, Visayas and Mindanao.

SEC. 2. Each of the penal institutions shall be provided with a building for prisoners, equipment, tools, implements, devices and apparatus, and manned by expert personnel necessary for it to carry out the programs and functions similar to the national penitentiary.

SEC. 3. Within sixty (60) days from the approval of this Act, the Secretary of Justice shall issue rules and regulations necessary for the effective implementation of this Act.

SEC. 4. The amount necessary for the initial implementation of this Act shall be charged to the appropriations of the Department of Justice under the

current General Appropriations Act. Thereafter, such amount as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 5. All laws, decrees, orders, rules and regulations, and other issuances, or parts thereof, inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 6. 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,

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5741

Introduced by: Rep. Christopher S. Co and Rep. Rodel M. Batocabe

EXPLANATORY NOTE

This bill seeks to establish a separate detention facility for the detention prisoners who are involved in high-profile cases by reason of their relative position in the society, because their case is imbued with public interest, or otherwise involved in national security, and safety of the general public.

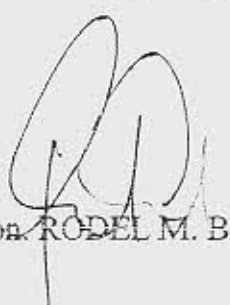
The objective of the proposed legislation is to address the problems of the special treatment in correctional facilities in favor of the rich and influential prisoners. However, it should also be considered that some prisoners may have legitimate and genuine concerns about their health, safety, and security. The facility that is sought to be established resolves both concerns such that the urgency of medical attendance may be addressed without having to resort to hospital arrests since the detention center will be adequately equipped with medical and health facilities.

Persons who are charged and/or convicted of delinquent acts or crimes must be segregated from society but there are also rights of an accused enshrined not only in the statutes but also in the Constitution. It is the government's having a dominant role control and supervise prisons, penitentiaries, jails, and detention centers, to promote public order and safety, and to provide offenders opportunities for correction, rehabilitation, and reformation. The government is therefore duty-bound to provide a balance between the rights of society, on the one hand, and rights of the accused, on the other.

In light of these circumstances, the swift passage of this bill is earnestly sought.



Hon. CHRISTOPHER S. CO



Hon. RODEL M. BATOCABE

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

5741
House Bill No. _____

Introduced by Rep. Christopher S. Co and Rep. Rodel M. Batocabe

AN ACT PROVIDING FOR THE ESTABLISHMENT OF A HIGH-PROFILE CRIME
DETENTION CENTER UNDER THE BUREAU OF CORRECTIONS, PROVIDING FUNDS
THEREOF AND FOR OTHER PURPOSES

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 "High Profile Detention Center Act of 2012".

Section 2. Definition of Terms. -

- (1) "High Profile Cases" shall include cases which have attracted attention and publicity by reason of the relative position of the parties in society, cases imbued with public interest, or cases which involve national security and safety;
- (2) "Safekeeping" refers to the act of providing inmates with basic necessities, ensuring that the inmates are completely incapacitated from communicating with their outside networks;
- (3) detention prisoner are persons accused of non-bailable offenses and detained while awaiting investigation or trial

Section 3. Establishment of the High-Profile Crimes Detention Center. - There shall be established and maintained a secured, clean, and adequately-equipped detention center for the custody and safekeeping of detainees. The following shall be detained in the Center:

- (1) An accused in non-bailable offenses except those accused under the Comprehensive Dangerous Drugs Act of 2002;
- (2) An incumbent or former public officials or appointees accused of non-bailable offenses or high-profile case; or
- (3) An accused in high-profile cases as defined in Section 2 of this Act.

Sec. 4. Facilities of the Center - The High-Profile Center shall operate with standard and uniform design of Prison Facilities, Reformation Facilities, and Administrative Facilities, through all the operating Prison and Penal farms such as the following:

- (1) Dormitory;
- (2) Administrative Building;
- (3) Perimeter/Security Fences;
- (4) Hospital/Infirmary;
- (5) Recreation/Multipurpose Hall;
- (6) Training/Lecture Center;
- (7) Workshop Facility;
- (8) Mess Hall/Kitchen;
- (9) Visiting Area;
- (10) Water Tank and Pump;
- (11) Reception and Diagnostic Center;
- (12) Service Personnel Facilities;
- (13) Other facilities which may be required by the inmates' health and security.

Section 5. Supervision of the Center. - The Bureau of Correction and the Department of Justice shall exercise supervision and control over the Center, whose expenses shall be subsidized by the National Government for not more than three (3) years after the effectivity of this Act.

Section. 6. Organization and Key Positions of the Center. - The Center shall be headed by a Chief Penal Superintendent with the rank of Superintendent. The organization shall adhere to the organizational framework currently in place in other Penal and Prison Farms under the Bureau of Corrections.

Section 7. Appropriation. - The funds required for the implementation of this Act shall be taken from the budget of the Bureau of Corrections for the current fiscal year.

Section 8. Implementing Rules and Regulations. - The Department of Justice, Bureau of Corrections, Civil Service Commission, and the Department of Budget and Management, within ninety (90) days from the effectivity of the Act, shall promulgate the rules and regulations necessary to implement the provisions of the Act.

Section 9. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

Section 10. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved:

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

FIFTH REGULAR SESSION
Second Regular Session

House Bill No. 7026

Introduced by REPRESENTATIVE BERNADETTE HERRERA-DY

EXPLANATORY NOTE

This bill seeks to resolve the age-old plight of the Bureau of Corrections in terms of outdated law, inequitable personnel remuneration, obsolete facilities and equipment, organizational structure, which are all deemed vital in the efficient and effective implementation of its mandates in its day-to-day operations.

The Bureau of Corrections (BuCor), which was created by virtue of the Reorganization Act 1407 of 1905, has seen not much major legislative updating except for a change in its name from formerly Bureau of Prisons pursuant to the Revised Administrative Code of 1987. Its operations are still based on the Prison Law of 1917 thereby making it difficult for the organization to cope with the modern demands in penology and other functional considerations in accordance with the United Nations standards which has already shifted from punitive to reformatory treatment of prisoners.

The population of its inmates in 1989 was 12,900 manned by 2,362 employees, where 1,461 of which were Custodial Personnel and 901 Civilian Employees, with a prison guard-to-inmate ratio of 1:27. In 2009 or after 20 years, the inmate population rose to 35,400 manned by the same 2,362 employees, where 1,328 are Custodial Personnel and 1,034 civilian employees with a prison guard-to-inmate ratio of 1:81, and is continuously increasing at an average rate of five percent (5%) annually. As of December 2010, BuCor has a total of 35,937 inmates with the same 2,362 plantilla positions.

Its local government counterpart, the Bureau of Jail Management and Penology (BJMP), which is in charge of local inmates (under trial and convicted of 3 years and below), has about 8,976 employees manning 61,000 inmates at an approximate ratio of 1:18 and has an ongoing yearly recruitment of additional 500 Jail Officers as new plantilla positions since 2007 until they reach the 1:7 ratio. The international standard of

guard inmate ratio is 1:6. The Bureau of Corrections has no yearly recruitment of its Prison Guards despite its present 1:81 ratio.

BuCor likewise, miserably lags behind BJMP in terms of personnel remuneration. The entry level for a Jail Officer 1 at BJMP is SG-10 while a Prison Guard 1 of BuCor has a measly pay grade of five (5); the lowest commissioned officer of BJMP is at salary grade 22 while its BuCor counterpart is at salary grade 11. Furthermore, unlike BJMP, BuCor custodial personnel are not considered Uniformed Personnel, or not entitled to salary increases/bonus and other benefits pertaining to uniformed personnel enjoyed by such agencies like Bureau of Fire and Protection, National Mapping and Resource Information Authority, and Bureau of Immigration, whose jobs are not closely exposed to high-risk criminals as compared to BuCor. Promotion system in this agency has also been subjective. There are Prison Guards who are retiring after 40 years or more in service without having a taste of promotion.

The security facilities of BuCor, despite having vast land areas under its control and supervision, are antiquated and inadequate as its present capacity has been overloaded to reach high congestion rates (141 % for NBP, where 60% of national inmates are confined). Likewise, BuCor lacks modern security equipment such as surveillance cameras, handheld radios, firearms and other security-related equipment. BuCor's vast lands are "small worlds" of national inmates (especially those serving life sentences) though they may appear large areas of land to the free society. Its trees and vegetation were planted and taken care of by inmates for almost 100 years and BuCor managed to preserve large forested lands within its reservation area from illegal loggers and from large influx of squatters for several decades now. Furthermore, these vast lands serve as security buffer in the event of hot pursuit against escapees.

However, in the past, large portions of BuCor lands had been appropriated in favor of certain local government units and other government agencies through Presidential Proclamations and other laws to the detriment of its operations.

In view of the foregoing, the immediate passage of this bill is fervently requested.



BERNADETTE HERRERA-DY

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

FIFTH REGULAR SESSION
Second Regular Session

House Bill No. 7526

Introduced by REPRESENTATIVE BERNADETTE HERRERA-DY

AN ACT
STRENGTHENING THE BUREAU OF CORRECTIONS (BUCOR)
AND PROVIDING FUNDS THEREFOR

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

SECTION 1. Title. - This Act shall be known as "The BUREAU OF CORRECTIONS ACT OF 2011".

Sec. 2. Declaration of Policy. - It is the policy of the state to promote the general welfare and safeguard the basic rights of every prisoner incarcerated in our national penitentiary. It also recognizes the duty and responsibility of the state to strengthen government capability aimed towards the institutionalization of highly efficient and competent correctional services:

Towards this end, the State shall provide for the modernization, professionalization and restructuring of the BuCor by upgrading its facilities, increasing the number of its personnel, upgrading the level of qualifications of their personnel and standardizing their base pay, retirement and other benefits, making it at par with that of the BJMP.

Sec. 3. Definition of Terms - (1) "safekeeping," which is the custodial component of BuCor's present corrections system, shall refer to the act that ensures the public (including families of inmates and their victims) that national inmates are provided with their basic needs, completely incapacitated from continuously committing criminal acts, and have been totally cut-off from their criminal networks (or contacts in the free society) while serving sentence inside the premises of the national penitentiary. This act also includes protection against illegal organized armed groups who have the capacity of launching attack on any prison camp of the national penitentiary to rescue their convicted comrade or to forcibly amass firearms issued to prison guards.

(2) "reformation," which is the rehabilitation component of BuCor's present corrections system, shall refer to the act that ensures the public (including families of inmates and their victims) that released national inmates are no longer harmful to the community by becoming reformed individuals prepared to live a normal and productive life upon reintegration to the mainstream society.

Sec. 4. The Mandates of the Bureau of Corrections- The BuCor shall be in charge of safekeeping and instituting reformation programs to national inmates sentenced to more than three (3) years.

(1) Safekeeping of National Inmates - The safekeeping of inmates shall include decent provision of quarters, food, water, and clothing in compliance with established United Nations standards. The security of the inmates shall be undertaken by the Custodial Force consisting of Corrections Officers with a ranking system and salary grades similar to its counterpart in the Bureau of Jail Management and Penology.

(2) Reformation of National Inmates - The Reformation Programs which will be instituted by the BuCor for the Inmates shall be the following:

- a) Moral & Spiritual Program;
- b) Education & Training Program;
- c) Work & Livelihood Program;
- d) Sports & Recreation Program;
- e) Health & Welfare Program; and
- f) Behavior Modification Program to include Therapeutic Community.

(3) The Reformation Programs shall be undertaken by Professional Reformation Personnel consisting of Corrections Technical Officers with ranking system and salary grades similar to Corrections Officers.

a) Correctional Technical Officers (CTO) are personnel employed in the implementation of reformation programs and those personnel whose nature of work requires proximate or direct contact with inmates;

b) Correctional Technical Officers includes priests, evangelists, pastors, teachers, instructors, professors, vocational placement officers, librarians, guidance counselors, physicians, nurses, medical technologists, pharmacists, dentists, therapists, psychologists, psychiatrists, sociologists, social workers, engineers, electricians, agriculturist, veterinarians, lawyers and similar professional skills relevant to the implementation of inmate reformation programs;

Sec. 5. Operations of the Bureau of Corrections- (1) The BuCor shall operate with a directorial structure. It shall undertake reception of inmates through its Directorate for Reception and Diagnostics (DRD), presently Reception and Diagnostic Center (RDC),

provide basic needs and security through its Security and Operations Directorates, administer reformation programs through its Reformation Directorates, and prepare inmate for reintegration to mainstream society through its Directorate for External Relations (DER), presently External Relations Division (ERD).

(2) The DRD shall be responsible for the conduct of classification of each and every inmate admitted to the Bureau of Corrections. Inmates shall be classified according to security risk and sentence. Included in the classification is determining inmate's certain skills or talents, physical, spiritual, social, mental and psychological evaluation and other behavioral assessments, as reference of DRD in the preparation of individual Inmate Reformation Programs.

(3) Aside from those borne of the provisions under Rule 8, Part 1. Rules of General Application of the United Nations Standard Minimum Rules for the Treatment of Prisoners and that of the existing regulation of the Bureau on security classification (i.e. Maximum, Medium and Minimum Security Risk), inmates shall also be internally classified by DRD and segregated according to crimes committed based on the related penal codes such as Crimes Against Persons, Crimes Against Properties, Crimes Against Chastity, so on and so forth, as well as by other related Special Laws, Custom and Immigration Laws.

(4) From DRD, the Custodial Force and Reformation Personnel of respective security institutions/camps shall be in charge for the security and the implementation of the recommended Inmate Reformation Program of each and every inmate while serving sentence, respectively.

(5) The Directorate for External Relations (DER) shall be responsible for pre-release and post-release programs of inmates due for release. The DER shall also classify inmates according to skills acquired for referral and endorsement to appropriate companies or corporations participating in BuCor On-The-Job Training 20 Programs for newly reformed inmates. ERD shall also evaluate, classify, and apply 21 necessary programs to inmates for readiness to join the mainstream society upon release.

(6) Apart from handling inmates, BuCor shall administratively operate like a standard government agency through its Administrative Directorates with internal control and internal audit units.

(7) BuCor shall employ full computerization in the build-up, maintenance and transmittal of necessary inmate records to all its Prison and Penal Farms and other recipient agencies (i.e. Board of Pardons and Parole).

Sec. 6. Lands of the Bureau of Corrections- (1) Aside from administrative purposes, all BuCor Lands shall be used for inmate security, reformation programs, and as a means to promote sustainability, both for income and non-income generating programs, with or without partnership among NGO's, civic organizations or other government entities.

(2) As a way to maximize its assets' value for the effective and extensive reformation (corrections) programs for national inmates, BuCor shall have the absolute authority to design, formulate and implement land-use development plans and policies

(3) BuCor may propose additional Penal Farms as may be necessary as possible, aside from its existing seven (7) Prison and Penal Farms to decongest existing penal institutions and accommodate the increasing number of inmates committed to the agency.

(4) All BuCor Lands shall have a Certificate of Title registered under its name.

Sec. 7. Facilities of the Bureau of Corrections- BuCor shall operate with standard and uniform design of Prison Facilities, Reformation Facilities, and Administrative Facilities, through all the operating Prison and Penal Farms such as the following:

- a. Dormitory;
- b. Administration Building;
- c. Perimeter/Security Fences;
- d. Hospital/Infirmary;
- e. Recreation/Multipurpose Hall;
- f. Training/Lecture Center;
- g. Workshop Facility;
- h. Mess Hall/Kitchen;
- i. Visiting Area;
- j. Water tank and Pump;
- k. Reception and Diagnostic Center
- l. Service Personnel Facilities

Sec. 8. Supervision of the Bureau of Corrections- The DOJ, having the BuCor as a line bureau and a constituent unit, shall maintain a relationship of administrative supervision with the latter as defined under Section 38 (2), Chapter 7, Book IV of E.O. No. 292 (Administrative Code of 1987), except for the power to review, reverse, revise, or modify the decisions of the executive head of the BuCor in the exercise of latter's regulatory or quasi-judicial functions, of which the DOJ shall retain authority over.

Sec. 9. Organization and Key Positions of the BuCor. - (1) The BuCor shall be headed by a Director who shall be assisted by three (3) Deputy Directors, one (1) for administration, one (1) for security and operations and one (1) for reformation, all of whom shall be appointed by the President upon recommendation of the Secretary of the DOJ. Provided, that the Director and Deputy Directors of BuCor shall serve a tour of duty not to exceed six (6) years: Provided further, however, that in times of war or other national emergency declared by Congress, the President may extend such tour of duty.

(2) The Head of the BuCor with the rank of Director V shall have the position title of Director General of Corrections. The second officers in command of the BuCor with the rank

of Director IV shall have the position title of Deputy Director of Corrections. The third officer in command of the BuCor with the rank of chief superintendent shall have the position title of Corrections Chief Superintendent. The fourth officer in command of the BuCor the rank of senior superintendent shall have the position title of Corrections Senior Superintendent. The fifth officer in command of the BuCor with the rank of Superintendent shall have position title of Corrections Senior Superintendent.

Sec. 10. Increase of Personnel. - Bucor shall maintain the custodial personnel-to-inmate ratio of 1:7 and reformation personnel-to-inmate ratio of 1:24, and therefore is authorized to increase its manpower to meet such ratio and must continue to increase personnel per percentage rate increase of committed inmates annually.

Sec. 11. Professionalization and Upgrading of Qualification Standards in the Appointment of BuCor Personnel. - (1) No person shall be appointed as personnel of the BuCor unless he/ she possesses the following minimum qualifications:

- a) A citizen of the Republic of the Philippines;
- b) A person of good moral character;
- c) Must have passed the psychiatric/psychological, drug and physical test for the purpose of determining his/her physical and mental health;
- d) Must possess a baccalaureate degree from recognized institution of learning;
- e) Must possess the appropriate civil service eligibility;
- f) Must not have been dishonorably discharged of dismissal for cause from previous employment;
- g) Must not have been convicted by final judgment of an offense or crime involving moral turpitude;
- h) Must be at least one meter and sixty-two centimeters (1.62 m.) in height for male, and one meter and fifty-seven centimeters (1.57 m.) for female: Provided, That a waiver for height and age requirement/s shall be automatically granted to applicants belonging to the cultural communities; and;
- i) Must weight not more or less than five kilograms (5 kgs.) from the standard weight corresponding to his/her height, age and sex.

(2) Provided, That a new applicants must not be less than twenty one (21) nor more than forty (40) years of age: except for this particular provision, the above-enumerated qualifications shall be continuing in character and an absence of anyone of them at any given time shall be ground for separation or retirement from the service: Provided, further, That those who are already in the service upon the effectivity of this Act shall be given five (5) years to obtain the minimum educational qualification and eligibility with subsidiary assistance.

(3) After the lapse of the time of period for the satisfaction of a specific requirement, current personnel of the BuCor who will fail to satisfy any of the requirements enumerated under this Section shall be separated from the service if they are below fifty (50) years of age

and have served in the government for less than twenty (20) years, or retired if they are age fifty (50) and above and have served in the government for at least twenty (20) years without prejudice in either case to the payment of benefits they may be entitled to under existing laws.

(4) For sustained professionalism in the service, BuCor is directed to conduct study for the feasible establishment of the Philippine Corrections Academy, patterned to the Philippine National Police Academy (PNPA) of PNP and the Philippine Military Academy (PMA) of the AFP for its commissioned officers.

(5) BuCor shall continue training its personnel through its Personnel Training School, which shall be renamed as Corrections Training School/Institute patterned after BJMP's Jail National Training Institute (JNTI) and the BOFs' Fire National Training Institute (FNTI) and the PNP's National Training Institute (PNTI).

Sec. 12. Appointment of Personnel to the BuCor. - The appointment of the BuCor shall be effected in the following manners:

a) "Corrections Officer I to Corrections Chief Superintendent". - Appointed by the Director General of Corrections, and attested by the Civil Service Commission (CSC); and

b) "Director General of Corrections and Deputy Director of Corrections.- Appointed by the President upon recommendation of the Secretary of the DOJ, with the proper endorsement by the Chairman of the CSC.

Sec. 13. Lateral Entry of Officer into the BuCor. - In general, all original appointments of officers in the Bureau of Corrections shall commence the rank of Corrections Inspector wherein applicants for lateral entry into the BuCor shall include all those with highly specialized and technical qualifications such as, but not limited to, civil engineers, technical engineers, electrical engineers, chemical engineers, chemist, architects, criminologists, certified public accountants, nurses, physical therapists, dentists, social workers, psychologists, sociologists, guidance counselors, and teachers. Doctor of Medicine, members of the Philippine Bar and chaplains shall be appointed to the rank of corrections senior inspector in their particular technical service.

Sec. 14. Professionalization and Upgrading of Qualification Standards in the Designation of Personnel of the BuCor to Key Positions. -

a) No person shall be designated to the following key positions of the BuCor unless he/she has met the qualifications provided therein:

Sub-Colony Supervisor - Should have the rank of senior inspector, who have finished at least second year Bachelor of Laws or earned at least twelve (12) units in a

master' degree program in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies, or other related disciplines from a recognized institution of learning, and must have satisfactory passed the necessary training or career courses for such position as may be established by BuCor;

2) Colony Assistant Superintendent. - Should have the rank of chief inspector, who must have finished at least second year Bachelor of Laws or earned at least twenty four (24) units in master's degree program in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or related disciplines from a recognized institution of learning and must satisfactory passed the necessary training or career courses for such position as may be established by the BuCor;

3) Colony Superintendent. - Should have the rank of superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must satisfactory passed the necessary training or career courses for such position as may be established by the BuCor. Provided, That in prison and penal farms with an inmate population of two thousand (2,000) but below three thousand (3,000) the Colony Superintendent shall have the rank and qualification of a Colony Senior Superintendent;

4) Regional Superintendent - Should have the rank of senior superintendent or chief superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must satisfactory passed the necessary training or career courses for such position as may be established by the BuCor; Provided, That in prison and penal farms with an inmate population of three thousand (3,000) but below five thousand (5,000), the Regional Superintendent shall have the rank and qualification of a Colony Senior Superintendent; Provided further that in prison and penal farms with an inmate population of over five thousand (5,000), the Regional Superintendent shall have the rank and qualification of a Chief Superintendent;

Any personnel of the BuCor who is currently occupying such position but lacks any of the qualifications mentioned therein shall be given five (5) years to comply with the requirements; otherwise he/ she shall be relieved from the position.

Sec. 15. Professionalization and Qualifications Upgrading Program. - The DOJ shall design and establish a professionalization and qualifications upgrading program for personnel of the BuCor in coordination with the CSC and the Commission on Higher

Education (CHED) through an off-campus education program or other similar programs within ninety (90) days from the effectivity of this Act.

Sec. 16. Attrition System for the Personnel of the BuCor. - There shall be established a system of attrition for the personnel of the BuCor within five (5) years from the effectivity of this Act to be submitted by said bureau to the DOJ for approval. Such attrition system shall include, but is not limited to, the provision of the following principles:

a) Attrition by Demotion in Position or Rank. - Any personnel of the BuCor who is relieved and assigned to a position lower than that is established for his/her grade in the respective staffing pattern, and who shall not be assigned to a position commensurate to his/her grade within two (2) years after such demotion in position shall be separated or retired from the service;

b) Attrition by Non-Promotion. - Any personnel of the BuCor who has not been promoted for a continuous period of ten (10) years shall be separated or retired from the service, except for those who are occupying a third-level position;

c) Attrition by Other Means. - Any personnel of the BuCor with at least five (5) years of accumulated active service shall be separated from the service based on any of the following factors:

1) Inefficiency based on poor performance during the last two (2) successive semestral ratings period;

2) Inefficiency based on poor performance for three (3) cumulative semestral rating period;

3) Physical and/ or mental incapacity to perform his/her duties and functions; or

4) Failure to complete the required career courses and/ or appropriate civil service eligibility for his/her position except for justifiable cause or reason; and

d) Separation or Retirement from the BuCor under this Section. - Any personnel who is dismissed from the BuCor pursuant to the above-enumerated principles in this Section shall be separated if he/ she has rendered less than twenty (20) years of service, and be retired if he/ she has rendered at least twenty (20) years of service unless the concerned personnel is disqualified by law to receive such benefits.

Sec. 17. Promotion System for the Personnel of the BuCor. - Within six (6) months after the effectivity of this Act, the BuCor shall establish a system of promotion for the personnel of the BuCor through the following principles:

a) Rationalized Promotion System. - The system of promotion shall be based on merits and on the availability of vacant ranks in the BuCor staffing pattern. Such system shall be gender-fair so as to ensure that women personnel of the BuCor shall enjoy equal opportunity for promotion as to men;

b) Requirements for Promotion. -

1) Any personnel of the BuCor shall not be eligible for promotion to a higher rank unless he/she has met the minimum qualification standards or the appropriate civil service eligibility set by the CSC, and has satisfactorily passed the required psychiatric/ psychological, drug and physical test;

2) Any personnel of the BuCor who has exhibited act of conspicuous courage and gallantry at the risk his/her life above and beyond the call of duty, or selected as such in a nationwide search conducted by any accredited civic organization, shall be promoted to the next higher rank, Provided, That these shall be validated by the DOJ and the CSC based on established criteria.

Sec. 18. Performance Evaluation System. - (1) There shall be established a performance evaluation system which shall be administered with accordance with the rules, regulations and standards, and a code of conduct for the personnel of the BuCor to be promulgated by the BuCor through the DOJ. Such performance evaluation system shall be administered in such a way as to foster the improvement of the individual efficiency and behavioral discipline as well as the promotion of organizational effectiveness and commitment to public service.

(2) The rating system as contemplated herein shall be based on standard prescribed by the BuCor through the DOJ and shall be considered the result of the annual psychiatric/psychological and physical test conducted on the personnel of the BuCor.

Sec. 19. Standardization of the Base Pay, Retirement and other Benefits of the Personnel of the BuCor. - In order to enhance the *general welfare*, commitment to service and professionalism of the uniformed personnel of the BuCor, they shall receive the minimum starting salary equivalent to the salary grade level of the corresponding rank classification of their counterparts in the BJMP as provided under Republic Act No. 9263, in the PNP, as provided under Section 36 of Republic Act No. 8551, and in the AFP, as provided under Section 2 of Republic Act No. 9166.

The rate of the base pay of the personnel of the BuCor shall be adjusted in accordance with the following salary grade schedule:

CUSTODIAL RANK	REFORMATION RANK	Salary Grade	STATUS
Director General of Corrections		30	Civilian
Deputy Director of Corrections		29	Unif. Civilian
Corrections Chief Superintendent		27	Uniformed
Corrections Senior Superintendent	Corr. Technical Sr. Superintendent	26	Uniformed
Corrections Sup't	Corr. Technical Supt.	25	Uniformed
Corrections Chief Insp	Corr. Technical Chief Insp.	24	Uniformed
Corrections Senior Insp	Corr. Tech Sr. Insp	23	Uniformed
Corrections Inspector Inspector	Corr. Technical	22	Uniformed
Corr. Senior Officer IV	Corr. Technical Sr. Officer IV	19	Uniformed
Corr. Senior Officer III	Corr. Technical Sr. Officer III	18	Uniformed
Corr. Senior Officer II	Corr. Technical Sr. Officer II	17	Uniformed
Corr. Senior Officer I	Corr. Technical Sr. Officer I	16	Uniformed
Corr. Officer III	Corr. Technical Officer III	14	Uniformed
Corrections Officer II	Corr. Technical Officer II	12	Uniformed

Provided, that all benefits currently receive by the personnel of the BuCor under existing laws shall continue to be received by them: Provided further, that their retirement pay shall be subject to adjustment/ s based on the prevailing scale of base pay of the uniformed personnel in the active service.

Sec. 20. Retirement Benefits. - Upon compulsory retirement, any custodial officer from the rank of Corrections Chief Superintendent and below shall be entitled to retirement benefits computed on the basis of one grade higher than the position he last held.

Sec. 21. Funding Source. -- The funds required for the implementation of this Act including personnel benefits shall be taken from the budget of the Bureau of Corrections for the current fiscal year and also from the following:

1. Collections from clearances and certification fees;
2. Service incomes from trainings and the like;
3. Income from institutional projects subject to MOAs, contracts or Joint Venture Agreements; and
4. Other miscellaneous incomes.

Thereafter, such amounts as may be necessary to implement this Act shall be included in the Annual General Appropriations Act.

Sec. 22. Implementation. - The implementation of this Act shall be undertaken in staggered phases, but not to exceed five (5) years, taking into consideration the financial position of the national government: Provided, that any partial implementation shall be uniform and proportionate for all ranks.

Sec. 23. Implementing Rules and Regulations. - The DOJ in coordination with the Bueor, the eSc, the Department of Budget and Management (DBM), and the Department of Finance (DOF) shall, within ninety (90) days from the effectivity of this Act, promulgate the rules and regulations necessary to implement the provisions of this Act.

Sec. 24. Annual Report. - The BuCor through the DOJ and the DBM shall jointly submit to the President of the Senate and the Speaker of the House of Representatives an annual report on the implementation of this Act. This report shall include information on the application of the budget for the salary and other benefits provided under this Act. The DBM, in consultation with the BuCor through the DOJ, shall periodically review and adjust every five (5) years the rates of base pay, taking into consideration labor productivity, consumer price index, oil price and other similar economic indicators as may be determined by the National Economic and Development authority (NEDA).

Sec. 25. Separability Clause.- If any portion or provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

Sec. 26. Repealing Clause. - All laws, decrees, orders, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act, are hereby deemed repealed, amended or modified accordingly.

Sec. 27. Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15th Congress

Second Regular Session

COMMITTEE REPORT NO. 1319

Submitted by the Committee on Rules on 22 AUG 2011

Re: House Resolution No. 1327, recommending its adoption without amendments;

Sponsors: Reps. Gonzales II, Bataoil, Lagman, Macapagal-Arroyo (G.), Suarez, Albano, Alcover, Aquino II, Arroyo (D.), Arroyo (I.), Macapagal-Arroyo (J.), Aumentado, Bagasina, Romualdez, Cagas, Datumanong, Dimaporo (F.), Fua, Gonzales (A.), Lazatin, Magsaysay (M.), Obillo, Ortega (V.), Padilla, Pangandaman (M.H.), Pangandaman (S.), Pichay, Revilla, Panotes, Radaza, Syjuco and Villarosa

Mr. Speaker:

The Committee on Rules has considered House Resolution No. 1327, introduced by Reps. Bataoil, et al, entitled:

"RESOLUTION DIRECTING THE COMMITTEE ON JUSTICE TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON ANOMALIES AND IRREGULARITIES COMMITTED WITHIN THE NEW BILIBID PRISON COMPOUND UNDER THE MANAGEMENT OF THE BUREAU OF CORRECTIONS"

and recommends that the same be adopted by the House of Representatives without amendments.

Respectfully Submitted:


NEPTALI M. GONZALES II

Chairperson
Committee on Rules

The Honorable Speaker
House of Representatives

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

FIFTEENTH CONGRESS
First Regular Session

HOUSE RESOLUTION NO. **1327**

Introduced by

HONORABLES LEOPOLDO N. BATAOIL, EDCCEL C. LAGMAN, GLORIA MACAPAGAL ARROYO, DANILO E. SUAREZ, RODOLFO B. ALBANO, PASTOR M. ALCOVER JR., JOSE S. AQUINO II, DIOSDADO M. ARROYO, IGNACIO T. ARROYO, JUAN MIGUEL M. ARROYO, ERICO B. AUMENTADO, CATALINA C. BAGASINA, FERDINAND MARTIN G. ROMUALDEZ, MARC DOUGLAS C. CAGAS-IV, SIMEON A. DATUMANONG, FATIMA ALIAH Q. DIMAPORO, IMELDA Q. DIMAPORO, ORLANDO B. FUA, AURELIO D. GONZALES, JR., CARMELO F. LAZATIN, MA. MILAGROS H. MAGSAYSAY, REENA CONCEPCION G. OBILLO, VICTOR FRANCISCO C. ORTEGA, CARLOS M. PADILLA, MUHAMMED HUSSEIN P. PANGANDAMAN, SOLAIMAN C. PANAGANDAMAN, PHILIP A. PICHAY, LANI M. REVILLA, ELMER E. PANOTES, ARTURO O. RADAZA, AUGUSTO L. SYJUCO and MA. AMELITA C. VILLAROSA

RESOLUTION

DIRECTING THE COMMITTEE ON JUSTICE TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON ANOMALIES AND IRREGULARITIES COMMITTED WITHIN THE NEW BILIBID PRISON COMPOUND UNDER THE MANAGEMENT OF THE BUREAU OF CORRECTIONS

WHEREAS, the New Bilibid Prison (NBP) is one of the seven major facilities under the Bureau of Corrections of the Department of Justice charged with the custody and rehabilitation of national prisoners;

WHEREAS, it is the duty of the Bureau of Corrections to keep prisoners from committing crimes while in custody and to implement a variety of rehabilitation programs designed to change the prisoner's pattern of criminal behavior;

WHEREAS, some moneyed and influential NBP inmates, in connivance with jail guards and officials, are given "sleeping-out" privileges which allow them to sleep outside their cells while staying inside the prison compound;

WHEREAS, the grant of sleeping-out privilege is irregular and prone to abuse as shown in the case of former Batangas Governor Antonio Leviste, a convicted inmate for the crime of homicide, who was found to have left the NBP premises without a pass;

WHEREAS, there are also allegations that rampant illegal drug trade continues within the national penitentiary which also reportedly resulted in the killing of a Bureau of Corrections official who ordered the transfer to penal colonies of 40 prisoners suspected to be involved in the drug trade;

WHEREAS, there is therefore a need to investigate the veracity of such anomalies and irregularities to correct the shortcomings in the prison system and recommend the prosecution of officials remiss in their duties and responsibilities: Now, therefore, be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES, To direct the Committee on Justice to conduct an investigation, in aid of legislation, on anomalies and irregularities committed within the New Bilibid Prison compound under the management of the Bureau of Corrections.

Adopted,



HON. LEOPOLDO N. BATAOIL
Second District, Pangasinan



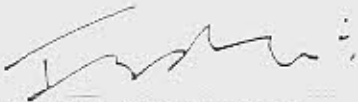
EDCEL C. LAGMAN
First District, Albay

GLORIA MACAPAGAL ARROYO
Second District, Pampanga

DANILO E. SUAREZ
Third District, Quezon

RODOLFO B. ALBANO
First District, Isabela

PASTOR M. ALCOVER, JR.
PL, Anad



JOSE S. AQUINO II
First District, Agusan del Norte

DIOSDADO M. ARROYO
Second District, Camarines Sur

GNACIO T. ARROYO
Fifth District, Negros Occidental

JUAN MIGUEL M. ARROYO
PL, Ang Galing Pinoy



ERICO B. AUMENTADO
Second District, Bohol

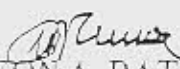


CATALINA C. BAGASINA
PL, ALE

ERDINAND MARTIN G. ROMUALDEZ
First District, Leyte



MARC DOUGLAS C. CAGAS IV
First District, Davao del Sur



MEON A. DATUMANONG
Second District, Maguindanao

FATIMA ALLAH Q. DIMAPORO
Second District, Lanao del Norte

IELDA Q. DIMAPORO
First District, Lanao del Norte

ORLANDO B. FUA
Lone District, Siquijor

AURELIO D. GONZALES, JR.
Third District, Pampanga



MA. MILAGROS H. MAGSAYSAY
First District, Zambales

CARMELO F. LAZATIN
First District, Pampanga



REENA CONCEPCION G. OBILLO
PL, Una ang Pamilya

VICTOR FRANCISCO C. ORTEGA
First District, La Union



CARLOS M. PADILLA
Lone District, Nueva Vizcaya



HAMMED HUSSEIN P. PANGANDAMAN
1st District, Lanao del Sur

SOLAIMAN C. PANGANDAMAN
PL, Kasosyo



PHILIP A. PICHAY
First District, Surigao del Sur

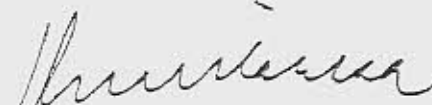
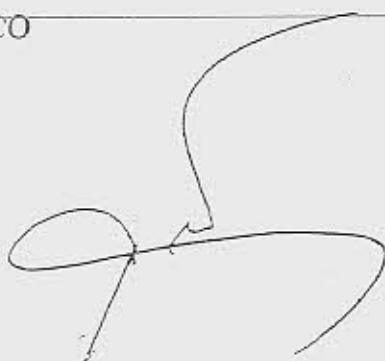
LANI M. REVILLA
Second District, Cavite



ELMER E. PANOTES
Second District, Camarines Norte

ARTURO O. RADAZA
Lone District, Lapu-Lapu City

AUGUSTO L. SYJUCO
Second District, Iloilo



MA. AMELITA C. VILLAROSA
Lone District, Occidental Mindoro

FACT SHEET

HOUSE BILL NO. **6887**

(House Bill Nos. 197, 712, 2880, 4619, 4766, 5546, 5741, 5926,
and House Resolution No. 1327)

Approved by the Committee on 29 January 2013

"The Bureau of Corrections Act of 2013"

Introduced by: **ROILO S. GOLEZ, BERNADETTE HERRERA-DY, RUFUS B. RODRIGUEZ, RODOLFO G. BIAZON, JOSEPH VICTOR G. EJERCITO, DANILO E. SUAREZ, RANULFO P. "DODONG" CANONIGO, RODEL M. BATOCABE, AND LEOPOLDO N. BATAOIL**

Committee Referral: **COMMITTEE ON JUSTICE (PRIMARY)**

Committee Chairperson: **REP. NIEL C. TUPAS, JR**

Committee Referral: **COMMITTEE ON APPROPRIATIONS (SECONDARY)**

Committee Chairperson: **REP. JOCELYN S. LIMKAICHONG**

OBJECTIVES:

- To modernize, professionalize and restructure the Bureau of Corrections (BuCor) by upgrading its facilities, increasing the number of its personnel, upgrading the level of qualifications of its personnel and standardizing their base pay, retirement and other benefits to make it at par with that of the Bureau of Jail Management and Penology (BJMP).
- To strengthen government capability aimed towards the institutionalization of highly efficient and competent correctional services in order to improve the criminal justice system.

KEY PROVISIONS:

- Provides that the BuCor shall be in charge of safekeeping and instituting reformation programs to national inmates sentenced to more than three (3) years. The Reformation programs to be instituted by BuCor shall be the following: moral and spiritual programs; education and training programs; work and livelihood programs; sports and recreation programs; health and welfare programs and behavior modification program to include therapeutic community.
- Provides that the BuCor shall operate under a directorial structure, namely the Directorate for Reception and Diagnostics (DRD) which shall undertake reception of inmates; Security and Operations Directorates which shall provide basic needs and security; Reformation Directorates which shall administer reformation programs; and Directorate for External Relations (DER) which shall prepare inmate for reintegration to mainstream society.

- Mandates that the proposed law, the BuCor shall be headed by a Director who shall be assisted by 3 Deputy Directors, one each for Administration, Security and Operations and Reformation. Said key officers, who shall serve a tour of duty not to exceed six (6) years from date of appointment, shall be appointed by the President upon the recommendation of the Secretary of the Department of Justice (DOJ). In times of war or other national emergency declared by Congress, the President may extend such tour of duty.
- Provides that the DOJ shall maintain a relationship of administrative supervision with BuCor being its line bureau and a constituent unit, except that the DOJ shall retain authority over the power to review, reverse, revise or modify the decision of the bureau in the exercise of its regulatory or quasi-judicial functions.
- Provides for the following: professionalization and upgrading of qualification standards in the appointment of BuCor personnel and professionalization and upgrading of qualification standards in the designation of BuCor personnel to key positions. For this purpose, the DOJ is mandated to design and establish a professionalization and qualifications upgrading program for BuCor personnel in coordination with the Civil Service Commission (CSC) and the Commission on Higher Education (CHED), through an off-campus program or other similar programs.

Mandates the BuCor to conduct studies for the feasible establishment of the Philippine Corrections Academy, patterned after the Philippine National Police Academy (PNPA) of PNP and the Philippine Military Academy (PMA) of the Armed Forces of Philippines (AFP) for its commissioned officers.

- Seeks to establish the following: a system of attrition for BuCor employees; a promotion system and a performance evaluation system.
- Provides for the standardization of the base pay, retirement and other benefits of the BuCor personnel.
- Provides that the incumbent BuCor Director and two (2) incumbent assistant directors shall serve under the terms for which they have been appointed without need of new appointments upon the enactment of the proposed law.
- Provides that the BuCor, through the DOJ and the Department of Budget and Management (DBM), shall jointly submit to the President of the Senate and the Speaker of the House of Representatives an annual report on the implementation of this Act. This report shall include information on the application of the budget for the salary and other benefits provided under this Act. Moreover, the DBM, in consultation with the BuCor through the DOJ, shall periodically review and adjust every five (5) years the rates of base pay, taking into consideration labor productivity, consumer price index, oil price and other similar economic indicators as may be determined by the National Economic and Development Authority (NEDA).
- Provides that aside from administrative purposes, all BuCor Lands shall be used for inmate security, reformation programs, and as a means to promote sustainability, both for income and non-income generating programs, with or without partnership among NGO's, civic organizations or other government entities.

Furthermore, BuCor may propose additional Penal Farms as may be necessary as possible, aside from its existing seven (7) Prison and Penal Farms to decongest existing penal institutions and accommodate the increasing number of inmates committed to the agency.

- Provides that the funds required for the implementation of this Act including personnel benefits shall be taken from the budget of the Bureau of Corrections for the current fiscal year and also from the following: (1) Collections from clearances and certification fees; (2) Income from institutional projects subject to MOAs, contracts or Joint Venture Agreements; and (3) Other miscellaneous incomes (outside MOAs and contracts), such as (a) Penal Farm Agro-Production; and (b) Inmate Handicraft Industry.

RELATED LAW:

- Executive Order No. 292 (Administrative Code of 1987)

Factsheet.BuCor.doc;02/04/2013



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
15th Congress
3rd Regular Session

COMMITTEE ON JUSTICE

FOR : THE HONORABLE SPEAKER
THRU : THE DEPUTY SECRETARY GENERAL FOR COMMITTEE AFFAIRS *[Signature]*
RE : SPOT REPORT OF THE MEETING OF THE COMMITTEE ON JUSTICE HELD ON 29 JANUARY 2013, TUESDAY, 9:30 A.M. AT CONFERENCE ROOMS 9 & 10, MITRA BUILDING, HOUSE OF REPRESENTATIVES
DATE : 29 January 2013

I. Deliberation on House Bill No. 6553 authored by Rep. Mark A. Villar, granting Philippine Citizenship to Peter Leslie Wallace

a. Major issues/positions and views aired:

- Members of the Committee present interposed no objection to HB No. 6553, noting the contributions of Mr. Wallace, an Australian citizen, to the environment, education, and the development of our country.
- The Bureau of Immigration noted that in more than 30 years Mr. Wallace has been in the country, he has no derogatory record with the Bureau.

b. Agreement reached/Decision made:

- Rep. Aglipay moved to approve HB No. 6553, duly seconded by Rep. Bataoil. There being no objection, the Committee approved the same, subject to style.

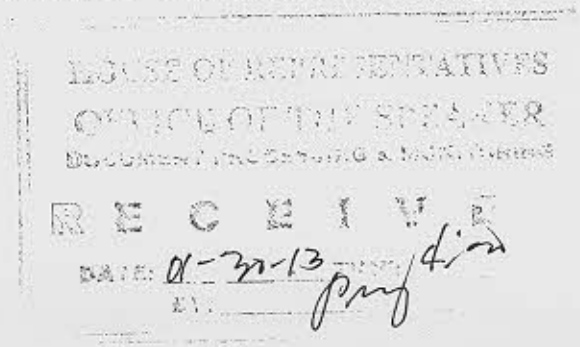
II. Deliberation on House Bill No. 6743 authored by Rep. Pedro B. Acharon, Jr., creating two (2) additional Regional Trial Court branches in Polomoloc, South Cotabato.

a. Major issues/positions and views aired:

- The Office of the Court Administrator (OCA) of the Supreme Court welcomed the creation of additional salas in South Cotabato. The representative of the OCA also noted that HB No. 6743 already has a counterpart bill in the Senate.

b. Agreement reached/Decision made:

- Rep. Aglipay moved to approve HB No. 6553, duly seconded by Rep. Bataoil. There being no objection, the Committee approved the same.



III. Deliberation on the Bureau of Corrections Modernization Act of 2011 (consolidated measure of House Bill Nos. 197, 712, 2880, 4619, 4766, 5546, 5741, 5926 and House Resolution No. 1327)

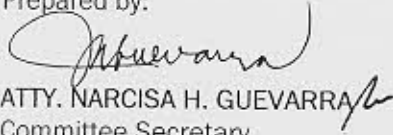
a. Major issues/positions and views aired:

- Members of the Committee asked for an update on the various issues and concerns raised during the ocular inspections conducted by the Committee in the National Bilibid Prison (NBP) in Muntinlupa, Women's Correctional Facility in Mandaluyong, and Iwahig Penal Colony in Palawan. Bureau of Corrections (BuCor) Officer-in-charge (OIC) Rafael Ragos and NBP Chief Guillermo Ayala reported that there is no more "brigada" system and no more sleeping-out privileges. The "kubol" system was also abolished, and the existing "kubols" and structures are now being utilized by at least six (6) inmates, instead of just a favored few. There is also a stricter frisking procedure, such that drugs can no longer go in or out of the NBP. Chairman Tupas promised to go back to the NBP after the passage of the bill in order to check the veracity of the statements made by OIC Ragos and NBP Chief Ayala.
- Members of the Committee also asked about the steps the BuCor has taken to improve the quality of BuCor personnel in its prisons and colonies. OIC Ragos explained that the new recruits take classes in the Pamantasan ng Lunsod ng Mandaluyong as part of their training, and that this is one of the steps the BuCor is undertaking pending the creation of the Philippine Correctional Academy.
- Rep. Arnaiz noted that HB 5926 is more comprehensive, and is substantially the same as Senate Bill No. 3335. He also noted the letters of the President addressed to the Speaker of the House and the Senate President certifying the necessity of the immediate enactment of SB No. 3335.

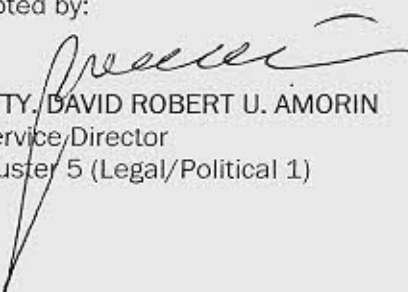
b. Agreement reached / Decision made:

- After yielding the chair to Rep. Arnaiz, Rep. Tupas moved to approve the substitute bill with the Committee Report on the BuCor Modernization Act. The motion was duly seconded by Reps. Bataoil and Kho. Vice-Chair Arnaiz instructed the Secretariat to include all the members present as principal authors of the bill.

Prepared by:


ATTY. NARCISA H. GUEVARRA
Committee Secretary

Noted by:


ATTY. DAVID ROBERT U. AMORIN
Service Director
Cluster 5 (Legal/Political 1)

cc: The Deputy Speaker
The Honorable Chairman, Committee on Rules
The Secretary General
The Executive Director, Committee Affairs Department
The Deputy Executive Director, Committee Affairs Department
The Service Director, Committee Affairs Support Service