



Introduced by Honorable Samuel D. Pagdilao, Jr.

HOUSE BILL NO. **3507**

EXPLANATORY NOTE

Although not always reported by the media, the use of information supplied by community members as informants is everywhere in our criminal justice system. From all sections of our country to all sectors in our society, information through these concerned citizens has solved and/or prevented the occurrences of crimes. Our law enforcement officers see the importance in partnering with the local community. A healthy and active partnership with the local community is an effective and viable tool to any successful anti-crime and terrorism campaign.

Presently, there are only two (2) laws that provide a reward system for information helpful to the solution of crimes and both are very limited in scope.

First, Republic Act 6981 otherwise known as the "*Witness Protection and Security Program*" is applicable only to two kinds of prospective witnesses: (i) those that witnessed¹ or has knowledge of the commission of any crime and (ii) those that participated² in the commission of the crime and desires to be a State Witness, provided he qualifies under the conditions set forth under the Rules of Court. Hence, only the foregoing individuals are entitled to the benefits provided under R.A. 6981.

Second, Presidential Decree 1731 "*Providing for Rewards and Incentives to Government Witnesses and Informants and other purposes*" is another law that provides for rewards and incentives to government witnesses and informants. However, P.D. 1731 only covers crimes against National Security or Public Order or organized/syndicated crime. It does not cover other crimes punishable by *reclusion perpetua* or higher or those classified under special laws as capital offense or punishable by life imprisonment or higher.

This bill entitled "The Community Informant Incentive Act" seeks to address situations not contemplated by the above-mentioned laws. Similar to R.A. 6981 and P.D. 1731, the "Community Informant Incentive Act," is designed to encourage the public to assist law enforcement agencies by sharing vital information for the prevention and solution or suppression of crimes. The Community Informant and Incentive Act seeks to create an effective and comprehensive reward and incentive system for providing information leading to arrest and conviction of these criminals. It is in line with the advocacy of enabling community support in the fight against crime and terrorism.

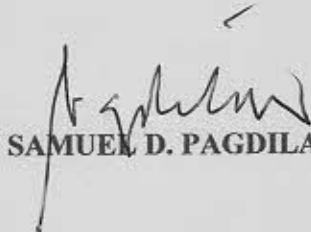
¹ Sec. 3, R.A. 6981

² Section 10, Ibid.

Under the Community Informant Incentive Act, not only those that will provide information on the commission of crimes³ shall be protected, but also those that provide information that will lead to the prevention of the commission of crimes, such as conspiracy to commit terrorism. The only requirement is that the information supplied should be such information that will lead either to the arrest or conviction of criminals. Accordingly, our proposed bill will strengthen the reward system under R.A. 6981.

Furthermore, the Community Informant and Incentive Act, unlike P.D. 1731, covers, among others, crimes punishable by *reclusion perpetua* or higher or those classified under special laws as capital offense or punishable by life imprisonment or higher. Hence, it will address those crimes not covered by P.D. 1731.

In view of the foregoing and in accordance with the plenary power of Congress to pass laws, immediate approval of this bill is urgently recommended in order to provide for a more comprehensive and effective rewards system.



SAMUEL D. PAGDILAO, JR.

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

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 3507

Introduced by Honorable Samuel D. Pagdilao, Jr.

**AN ACT ESTABLISHING THE COMMUNITY INFORMANT REWARD ACT
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 “*Community
Informant Incentive Act.*”

SEC. 2. **Community Informant Reward Program.** – The Community
Informant Incentive Program, herein after referred to as the Program, shall be
established for the purpose of paying rewards, incentives, and other benefits
to informants of certain crimes committed under the Revised Penal Code and
other special laws. It is designed to encourage the public to assist law
enforcement agencies by sharing vital information necessary for the
prevention and resolution of crimes.

SEC. 3. ***Informant Rewards.*** – The Secretary of Justice may pay a reward, or give benefits, or other incentives to any person who furnishes information leading to:

a) The arrest or conviction of any person for the commission of an act of terrorism against the Republic of the Philippines as defined under Section 3 of Republic Act No. 9372, otherwise known as the “*Human Security Act of 2007*;”

b) The arrest or conviction of any person committing any of the unlawful acts enumerated in Section 4, Article II of Republic Act No. 9165, otherwise known as the “*Comprehensive Dangerous Drugs Act of 2002*;”

c) The arrest or conviction of persons conspiring to commit an act of terrorism as stated in Section 3(a) of the “*Human Security Act of 2007*,” and Section 4, Article II of the “*Comprehensive Dangerous Drugs Act of 2002*;”

d) The identification or location of any person who holds a key leadership position in any terrorist organization or narcotic syndicate, and the disruption of their financial transactions, including the use by such organization or syndicate of any means to launder money:

i. To finance terrorist activities or narcotics production or distribution;

ii. To finance acts of international terrorism or transnational narcotic trafficking; and

iii. To sustain or support any terrorist organization or transnational narcotic syndicate;

e) The arrest or conviction of any person for the commission of any crime punishable by *reclusion perpetua* or higher or those classified under special laws as capital offense or punishable by life imprisonment or higher.

SEC. 4. ***Coordination With Law Enforcement Agencies.*** – The Secretary of Justice shall coordinate with the heads of the different law enforcement agencies and promulgate the necessary procedures to ensure that there shall be no duplication in obtaining information or evidence from informants and in the payment of rewards.

The Secretary of Justice shall promulgate procedures on the following:

a) Identifying persons, organizations, and offenses with respect to which rewards will be offered;

b) Publication of rewards;

c) Offering of joint rewards with a foreign government;

d) Receipt and analysis of data; and

e) Approval of payment and payment of rewards.

SEC. 5. ***Limitations and Certification.*** –The reward paid under this Act may not exceed Ten Million Pesos (Php10,000,000.00), except as authorized by the President, upon the recommendation of the Secretary of Justice that the offer or payment of a reward of a larger amount is necessary to combat terrorism or defend the nation against terrorist acts.

Any reward granted under this Act shall be approved and certified for payment by the Secretary of Justice.

SEC. 6. ***Protection Measures.*** – Upon determination by the Secretary of Justice that the identity of the recipient of the reward under this Act or of the members of the immediate family of the recipient must be protected, the Secretary of Justice shall take such measures necessary to effect such protection.

SEC. 7. ***Forms of Rewards.*** – The Secretary of Justice may pay a reward or give benefits under this Act in the form of money, education and livelihood assistance, or other incentives including immunity from criminal prosecution.

SEC. 8. ***Ineligibility.*** – An officer or employee of the government or of a foreign government who, while in the performance of official duties, furnishes information described in Section 3 of this Act shall not be eligible to receive a reward under this Act.

SEC. 9. ***Reports on Payment of Rewards.*** – Within thirty (30) days after the payment of any reward under this Act, the Secretary of Justice shall submit a report to the appropriate congressional committees with respect to the payment of such reward. The report, which may be submitted in classified form if necessary, shall specify the amount of the reward, the recipient thereof, and the acts for which the reward was paid. The report shall also discuss the significance of the information for which the reward was paid.

SEC. 10. ***Annual Reports.*** – Within sixty (60) days after the end of each fiscal year, the Secretary of Justice shall submit a report to the appropriate congressional committees with respect to the operation of the Program. The report shall provide information on the total amount expended during the fiscal year to carry out and achieve the purpose of this Act, including amounts expended to publicize the availability of rewards.

SEC. 11. ***Appropriations.*** – The amount necessary for the implementation of this Act shall be taken from the appropriations for the Office of the President under the current General Appropriations Act. Thereafter, such sums as may be necessary for the continued implementation of the Program shall be included in the annual General Appropriations Act.

SEC. 12. ***Implementing Rules and Regulations.*** – The Secretary of Justice shall, in consultation with the Director General of the Philippine

National Police, Director of the National Bureau of Investigation, Director of the Philippine Drug Enforcement Administration, Commissioner of Immigration, and the Anti-Money Laundering Council, promulgate the appropriate rules and regulations for the effective implementation of this Act.

SEC. 13. ***Repealing Clause.*** – All laws, decrees, ordinances, rules and regulations and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 14. ***Separability Clause.*** – If any part or provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall remain in force and effect.

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

Approved,