

INTRODUCED BY HONORABLE GUSTAVO S. TAMBUNTING

~~GUSTAVO S. TAMBUNTING~~

16th CONGRESS OF THE Republic of the Philippines
FIRST REGULAR SESSION

House of Representatives
HOUSE BILL NO. 3919

INTRODUCED BY HONORABLE GUSTAVO S. TAMBUNTING

AN ACT
AMENDING SECTION 6 OF RA NO. 10630 AN ESTABLISHING A
COMPREHENSIVE JUVENILE JUSTICE AND WELFARE SYSTEM, CREATING
THE JUVENILE JUSTICE AND WELFARE COUNCIL UNDER THE DEPARTMENT
OF SOCIAL WELFARE AND DEVELOPMENT, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES.

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

Section 1. Section 3 of RA 10630 is hereby amended to read as follows:

“SEC. 3. Minimum Age of Criminal Responsibility. – A child [fifteen (15)] *NINE (9)* years of age or under at the time of the commission of the offense shall be exempt from criminal liability. However, the child shall be subjected to an intervention program pursuant to Section 20 of this Act.

“A child is deemed [fifteen (15)] *NINE (9)* years of age on the day of the [fifteenth] *NINETH* anniversary of his/her birthdate.

“A child above [fifteen (15)] *NINE (9)* years but below eighteen (18) years of age shall likewise be exempt from criminal liability and be subjected to an intervention program, unless he/she has acted with discernment, in which case, such child shall be subjected to the appropriate proceedings in accordance with this Act.

“The exemption from criminal liability herein established does not include exemption from civil liability, which shall be enforced in accordance with existing laws.”

Sec. 2 Sec. 6 of RA 10630 is hereby amended to read as follows:

Sec. 20. Children Below the age of Criminal Responsibility. – If it has been determined that the child taken into custody is [fifteen (15)] **NINE (9)** years old or below, the authority which will have an initial contact with the child, in consultation with the local social welfare and development officer, has the duty to immediately release the child to the custody of his/her parents or guardian, or in the absence thereof, the child's nearest relative. The child shall be subjected to a community-based intervention program supervised by the local social welfare and development officer, unless the best interest of the child requires the referral of the child to a youth care facility or "Bahay Pag asa" managed by LGUs or licensed and/or accredited NGOs monitored by the DSWD.

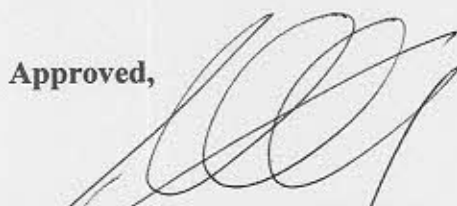
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Sec. 3. Separability Clause. - If any provision of this Act is declared invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

Sec. 4. Repealing Clause. - All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Sec. 5. Effectivity. - This Act shall take effect immediately upon its approval.

Approved,



GUSTAVO S. TAMBUNTING