



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



Seventeenth Congress
Second Regular Session
6976
HOUSE BILL NO. _____

**Introduced by Representatives Pantaleon D. Alvarez, Rodolfo C. Fariñas,
Danilo E. Suarez and Raul A. Daza**

EXPLANATORY NOTE

This bill seeks to transfer to the Bureau of Jail Management and Penology (BJMP) the authority to exercise supervision and control over provincial jails.

During the Fifteenth and Sixteenth Congresses, bills have been filed to transfer the supervision and control of provincial jails to the BJMP. It has been proposed that the policies and programs of BJMP should be implemented in provincial jails. Further, the professionalization of jail personnel under Republic Act No. 9263, otherwise known as the "*Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of 2004*," should likewise be made applicable to provincial jails. The failure to implement the sound policies and programs of the BJMP is simply because provincial jails are under the supervision and control of provincial governments and not of the BJMP. This problem may easily be resolved by transferring the supervision and control of provincial jails to BJMP.

Public safety and institutional correction through jail supervision and management are best addressed by BJMP for the following reasons, among others:

1. The BJMP is the only government agency mandated to direct, supervise and control the administration and operation of local jails;

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2. The BJMP specializes in the safekeeping, reformation and rehabilitation of inmates; and
3. The BJMP personnel are professionals equipped with proper education and training in the administration and operation of local jails.

The transfer of supervision and control of provincial jails to BJMP will ensure that there will be a uniform and standard policy on the administration and supervision of all local jails in the country. It will also enable the provincial governments to devote their time and resources in addressing more pressing issues and problems instead of supervising provincial jails.

Corollary to the proposed transfer, the bill also proposes the revision of the organizational structure and staffing pattern of the BJMP to include the necessary manpower to operate provincial jails. The incumbent personnel of provincial jails shall continue to perform their duties and responsibilities until such time that qualified personnel are assigned and appointed based on the revised staffing pattern. The incumbent personnel, however, may be absorbed by the BJMP if they possess the necessary qualifications.

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



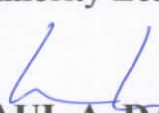
PANTALEON D. ALVAREZ
Speaker



RODOLFO C. FARIÑAS
Majority Leader



DANILO E. SUAREZ
Minority Leader



RAUL A. DAZA
1st District, Northern Samar



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AN ACT
TRANSFERRING TO THE BUREAU OF JAIL MANAGEMENT AND
PENOLOGY THE AUTHORITY TO EXERCISE SUPERVISION AND
CONTROL OVER PROVINCIAL JAILS AND APPROPRIATING
FUNDS THEREFOR

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

SECTION 1. The Bureau of Jail Management and Penology shall exercise supervision and control over provincial jails. For this purpose the current supervision and control of provincial jails by provincial governments are hereby transferred to the Bureau of Jail Management and Penology. Each provincial jail shall be headed by a provincial jail warden with a 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 disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for superintendent position as may be established by the Bureau of Jail Management and Penology.

A provincial jail warden shall be appointed by the Chief of the Jail Bureau and the appointment must be attested to by the Civil Service Commission.

SEC. 2. Within six (6) months from the effectivity of this Act, the Secretary of the Interior and Local Government and the Secretary of Budget and Management shall revise the organizational structure and staffing pattern of the Bureau of Jail Management and Penology to include the necessary manpower to operate provincial jails.

SEC. 3. All the existing provincial jail facilities, equipment, records, rights, liabilities and other assets pertaining to provincial jails of every provincial government are hereby transferred to the Bureau of Jail Management and Penology.

The incumbent personnel of provincial jails shall continue to perform their duties and responsibilities in a holdover capacity until such time that qualified personnel are, based on the staffing pattern, assigned and appointed. The qualified incumbent personnel of provincial jails may be absorbed by the Bureau of Jail Management and Penology without loss of seniority.

Any personnel who are not absorbed by the Bureau of Jail Management and Penology shall be given preference in the filling-up of vacancies in the provincial government or shall be allowed to retire under existing laws, rules and regulations.

SEC. 4. The amount necessary for the initial implementation of this Act shall be sourced from the current appropriations of the Bureau of Jail Management and Penology. Thereafter, such sums as may be necessary for the continued implementation of this Act must be included in the General Appropriations Act.

SEC. 5. Within ninety (90) days from the approval of this Act, the Secretary of the Interior and Local Government, in coordination with the Chief of the Bureau of Jail Management and Penology and the President of League of Provinces, shall promulgate the rules and regulations implementing the provisions of this Act. The implementing rules and regulations issued pursuant to this section shall take effect thirty (30) days after its publication in two (2) newspapers of general circulation.

SEC. 6. Sections 61, 62 and 63 of Republic Act No. 6975, as amended, otherwise known the "*Department of the Interior and Local Government Act of 1990*," and Section 17(b)(3)(vi) of Republic Act No. 7160, as amended, otherwise known as "*The Local Government Code of 1991*," are hereby amended and modified accordingly.

SEC. 7. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or a newspaper of general circulation.

Approved,