

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

Seventeenth Congress  
Second Regular Session

HOUSE BILL NO. **7107**



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Introduced by **REPRESENTATIVE DOY C. LEACHON**

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**EXPLANATORY NOTE**

The Five Pillars of the Criminal Justice System (CJS) are as follows: (1) Law Enforcement; (2) Prosecution; (3) Judiciary; (4) Corrections; *and*, (5) Community.

The Bureau of Corrections occupy a position of great importance in the CJS as it administers the incarceration and rehabilitation of convicted felons. Absent this role, transgressions of the law would be unchecked and the entire CJS would otherwise be inutile.

On May 24, 2013, Republic Act No. 10575, otherwise known as the Bureau of Corrections Act of 2013, was approved by the President. Laudable as the intentions of the law was, one grievous oversight in its enactment was that the Department of Justice lost control of the Bureau of Corrections, with the administrative relationship of mere supervision over the latter. Retained under the said law was the control or the power to review, reverse, revise, or modify the decisions of the Bureau in its regulatory or quasi-judicial functions only.

Thus, the Secretary of Justice has been emasculated of his powers as the chief law enforcer of the country. For certain, E.O. No. 292, otherwise known as the Revised Administrative Code of 1987, mandates that the Department of Justice shall have the power to investigate the commission of crimes, prosecute offenders and administer the probation and correction system.<sup>1</sup> The intention was clear then that the administration of the CJS in the aspects of investigation, prosecution, and correction shall be lodged in the Department.

Having withdrawn the said power to control and supervise the correctional aspect of the CJS from the Department of Justice, the Bureau of Corrections has languished in the fulfillment of its mandate. Particularly, the allegations of drug trading within its walls bear grave concern to the general public.

It is in the spirit of capacitating the Department of Justice to act accordingly on matters that are rightfully within its jurisdiction that this bill is introduced.

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<sup>1</sup>Section 3 (2) of Chapter 1 of Title III of Book IV of E.O. No. 292.

Returning control and supervision over the Bureau of Correction to the Department is envisioned as a curative measure to address the above-discussed oversight in the present law and tune the same to a more efficient and effective administration of the CJS.

For these reasons, the passage of this bill is most urgently sought.



**ATTY. PAULINO SALVADOR LEACHON**

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**AN ACT AMENDING SECTIONS 8 AND 12 OF REPUBLIC ACT NO. 10575,  
OTHERWISE KNOWN AS THE BUREAU OF CORRECTIONS ACT OF 2013,  
AND FOR OTHER PURPOSES**

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

SECTION 1. Section 8 of R.A. No. 10575 is hereby amended to read as  
follows:

~~"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  
Executive Order 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.~~ **Control and Supervision over the Bureau  
of Corrections.** — the Bureau of Corrections shall be a  
line bureau of the Department of Justice.

The Secretary of Justice shall have the power of  
control and supervision over the Bureau of Corrections,  
pursuant to Section 38 of Chapter 7 of Book IV of  
Executive Order No. 292, otherwise known as the  
Revised Administrative Code of 1987."

Sec. 2. Section 12 of the abovementioned law is hereby amended to read as follows:

"SEC. 12. ***Appointment of Personnel to the BuCor.*** – The appointment of the BuCor shall be effected in the following manner:

(a) Corrections Officer I to Corrections Chief Superintendent – Appointed by the Secretary of Justice upon recommendation of 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 the recommendation of the Secretary of the DOJ, with the proper endorsement by the Chairman of the CSC."

Sec. 3. ***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. 4. ***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. 5. ***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,