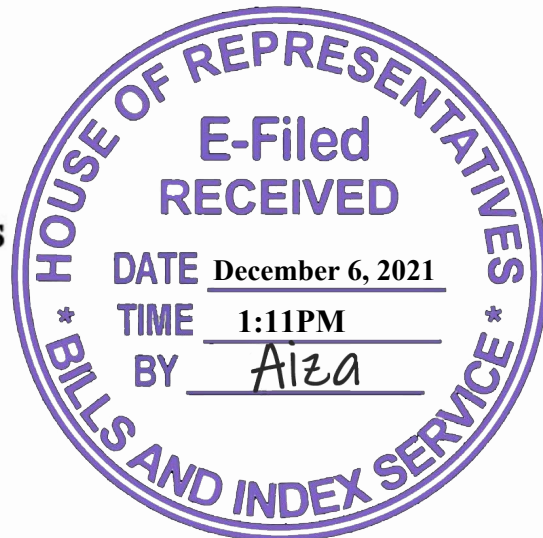


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. 10574



Introduced by **HON. ROZZANO RUFINO B. BIAZON**

EXPLANATORY NOTE

This bill seeks to amend certain provisions of Republic Act No. 10575 (R.A. 10575), otherwise known as "The Bureau of Corrections Act of 2013".

The said law sought to modernize and resolve the age-old plight of the Bureau of Corrections (BuCor) in terms of outdated law, inequitable personnel remuneration, obsolete facilities and equipment and an antediluvian organizational structure. Recent developments in the New Bilibid Prisons (NBP) in Muntinlupa City, particularly in the exercise of certain powers and authorities by the BuCor, have precipitated the filing of this proposed measure to clarify the relationship of R.A. 10575 with existing laws.

In proposing amendments to R.A. 10575, this bill deems it proper to put into proper perspective the exercise of authority of the BuCor over its lands *vis a vis* the requirement of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991, for all national agencies and offices to conduct periodic consultations with appropriate local government units, non-governmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions. Moreover, there is also a need to clarify that such authority of the BuCor shall not diminish the power of local government units to protect, uphold and promote the general welfare of its constituents.

Lastly, this bill also proposes to vest the Department of Justice power of supervision and control, not just administrative supervision, over the BuCor as defined under the Administrative Code of 1987. This is borne out of the belief that the check and balance principle under this provision of the Administrative Code is needed to ensure that the exercise of extensive and encompassing powers and authorities granted to the BuCor under R.A. 10575 will not be abused.

The urgency and necessity of this bill is based on the experience of Muntinlupa City where actions taken by the Bureau of Corrections resulted in the disruption of the way of life of citizens of the city.

On March 20, 2021, without proper consultation, coordination or notice by the Bureau of Corrections, Insular Road which leads to and from Southville 3, a national government housing project for families displaced by the rehabilitation of the Philippine National Railways

tracks in Muntinlupa City, was obstructed by the BuCor by erecting a wall across the said road which serves as the direct access between the community and the center of Muntinlupa City.

Residents and city officials decried the closure of the road which resulted in the denial of direct access to basic services to the residents of Southville 3, who are now forced to travel an additional ten (10) kilometers traversing the neighboring cities of San Pedro, Laguna or Las Piñas just to get to their barangay hall in the City Hall of Muntinlupa. In addition, there is no public transportation line in the said route, forcing commuters to patronize the *colorum* transport operators despite the high fares. Emergency services are likewise hindered by the closure of access, as well as other services from the city and the barangay.

On November 26, 2021, the BuCor once again erected a wall across another road which leads to Katarungan Village 1 & 2, both government housing projects, and two educational institutions, Pamantasan ng Lungsod ng Muntinlupa and Muntinlupa National High School. Similar to the previous road closure, no consultation, coordination or proper notice was given by the BuCor to local authorities. In fact, the erection of the road was done in the middle of the night, betraying the sinister intention to covertly accomplish their objective.

In both instances, officials from national government agencies such as the NHA, the DPWH and the DOJ, as well as local officials from the barangay, the City Council, the City Mayor and the Representative to the House of Representatives expressed their criticism and objection to the actions of the BuCor.

Two Committees of the House of Representatives, the Committee on Justice and the Committee on Housing and Urban Development have conducted hearings on the actions of the BuCor. Agencies of the national government concurred in the position of the Representative of the District of Muntinlupa City in pointing out the faults and flaws of the BuCor's construction of walls on public roads. The distinguished and honorable chair of the Committee on Justice, himself a former Justice of the Court of Appeals, expressed his opinion that the BuCor violated existing laws.

To all of this, the BuCor's Director General has brazenly set aside the views and comments of officials of the government and insisted that RA 10575, empowers and authorizes them to do whatever they please, in disregard of other laws and issuances that were clearly not repealed by the BuCor Modernization Law.

While bringing the matter to court is definitely an option to address the issue, it is deemed necessary to amend R.A. 10575 which is apparently subject to abusive interpretation by those who are appointed to head the Bureau of Corrections. Such unbridled power must never be tolerated.

Considering the premises above, immediate approval of this bill is earnestly requested.


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

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HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
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House Bill No. 10574

Introduced by **HON. ROZZANO RUFINO B. BIAZON**

AN ACT
AMENDING SECTION 6(B) AND SECTION 8 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 the House of Representative of the Philippines in Congress assembled:

SECTION 1. Section 6(b) of Republic Act No. 10575 is hereby amended as follows:

“Section 6. *Lands of the Bureau of Corrections.* – (a) xxx

(b) As a way to maximize its assets’ value for the effective and extensive reformation (corrections) programs for national inmates, the BuCor shall have the [absolute] authority to design, formulate and implement land-use development plans and policies[.] **SUBJECT TO THE APPROVAL OF THE SECRETARY OF JUSTICE: PROVIDED, THAT CONSISTENT WITH SECTION 2(C) OF THE LOCAL GOVERNMENT CODE, HEREINAFTER REFERRED TO AS THE CODE, THE DESIGN, FORMULATION AND IMPLEMENTATION OF LAND-USE DEVELOPMENT PLANS AND POLICIES SHALL BE UNDERTAKEN IN CONSULTATION WITH LOCAL GOVERNMENT UNITS WHERE SUCH BUCOR LANDS ARE LOCATED: PROVIDED, FURTHER, THAT THE EXERCISE OF AUTHORITY OF THE BUCOR OVER ITS LANDS SHALL, BE CONSISTENT WITH, AND IN NO MANNER DIMINISH, THE POWER OF LOCAL GOVERNMENT UNITS TO PROTECT, UPHOLD AND PROMOTE THE GENERAL WELFARE OF ITS CONSTITUENTS AS PROVIDED UNDER SECTION 16 OF THE CODE.**

(c) xxx

(d) xxx”

Section. 2. Section 8 of Republic Act No. 10575 is hereby amended as follows:

“Section 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] **SHALL HAVE SUPERVISION AND CONTROL** over said agency as defined under Section 38[(2)]1, 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].”

Section. 3. *Implementing Rules and Regulations.* – The Department of Justice shall amend such rules and regulations as are necessary to implement the provisions of this Act.

Section. 4. *Repealing Clause.* – Any provision of law, presidential decree, executive orders, rules and regulations contrary to the provisions of this Act is hereby repealed or modified accordingly.

Section. 5. *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.