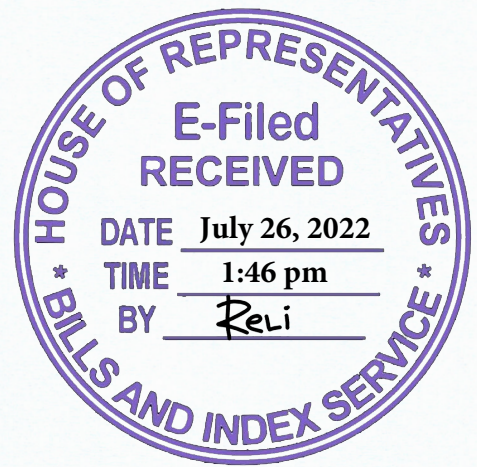


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 2350



Introduced by

HON. YEDDA MARIE K. ROMUALDEZ
and
HON. JUDE A. ACIDRE

AN ACT
AMENDING REPUBLIC ACT NO. 6975 INTEGRATING ALL THE PROVINCIAL
AND SUB-PROVINCIAL JAILS WITHIN THE JURISDICTION OF THE BUREAU OF
JAIL MANAGEMENT AND PENOLOGY

EXPLANATORY NOTE

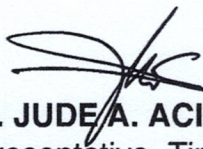
Under our existing law, Republic Act No. 6975, otherwise known as the "Department of the Interior and Local Government Act of 1990," local jails are under the jurisdiction of two (2) different authorities – city, municipal, and district jails are under the BJMP while provincial and sub-provincial jails are under its respective provincial governments. With this arrangement, no standardized or uniform policy regarding the administration and supervision of all local jails can be established, thus creating a disparity among the local jails.

This bill seeks to integrate all the provincial and sub-provincial jails within the jurisdiction of the Bureau of Jail Management and Penology (BJMP) to establish a national standard in the operation management of all local jails in the country. With this bill, such transfer of management will enable the BJMP to establish, administer, and supervise uniform standards, policies, and guidelines for all the local jails and will also advance the welfare of inmates and detainees.

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



Rep. YEDDA MARIE K. ROMUALDEZ
Representative, Tingog Sinirangan



Rep. JUDE A. ACIDRE
Representative, Tingog Sinirangan

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

Section 1. Section 61 of Republic Act No. 6975, otherwise known as the Department of the Interior and Local Government Act of 1990, is hereby amended to read as follows:

Sec. 61. **POWERS AND FUNCTIONS.** - The Jail Bureau shall exercise supervision and control over all **PROVINCIAL, SUB-PROVINCIAL**, city and municipal jails.

Section 2. Section 62 of the same Act is hereby amended to read as follows:

Sec. 62. **ORGANIZATION.** -

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The Jail Bureau shall be composed of **PROVINCIAL, SUB-PROVINCIAL**, city or municipal jails, each headed by a **PROVINCIAL, SUB-PROVINCIAL**, city or municipal jail warden: *Provided, That, in the*

case of large cities and municipalities, a district jail warden may be established as necessary.

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Section 3. Section 63 of the same act is hereby amended to read as follows:

Sec. 63. ESTABLISHMENT OF **PROVINCIAL, SUB-PROVINCIAL, DISTRICT, CITY OR MUNICIPAL JAIL.** - There shall be established and maintained in every **PROVINCE**, district, city and municipality a secured, clean adequately equipped and sanitary jail for the custody and safekeeping of **PROVINCIAL**, city and municipal prisoners, any fugitive from justice, or person detained awaiting investigation or trial and/or transfer to the national penitentiary, and/or violent mentally-ill person who endangers himself or the safety of others, duly certified as such by the proper medical or health officer, pending the transfer to a medical Institution.

Section 4. *Role of Bureau of Jail Management and Penology (BJMP).* The management, supervision and control of provincial and sub-provincial jails, including all its property, equipment, and finances, are hereby transferred to the Bureau of Jail Management and Penology (BJMP).

Provided, however, that the three (3) year transition period is hereby established, to commence from the date of effectivity of this Act. During the transition period, the Provincial Government shall subsidize the subsistence allowance of inmates and the maintenance of the jail facility, including, but not limited to electric and water expenses and necessary repairs.

The transfer, and/or absorption of the functions, appropriations, funds, records, equipment, facilities, chooses in action, rights, and other assets of Provincial and Sub- Provincial Jails to/by the BJMP shall be without prejudice to the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended, that are not otherwise inconsistent with this Act.

All personnel of provincial and sub-provincial jails, unless removed for cause, may be absorbed by the BJMP, provided, that such guidelines must be consistent with the provisions of Republic Act No. 9263, otherwise known as the Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of 2004, as amended, and its Implementing Rules and Regulations.

The Chief of the BJMP shall, within six (6) months from the effectivity of this Act, recommend the organizational structure and staffing pattern of the assumed provincial and sub-provincial jails.

Section 5. The local government of the province shall be a partner of the BJMP in the rehabilitation of the inmates in the provincial jails. For this purpose, the Sangguniang Panlalawigan of each province shall provide for the maintenance and improvement of jails and detention centers and shall appropriate funds to supplement subsistence of detainees and convicted prisoners in the province.

Section 6. The Provincial and Sub-Provincial Jail Warden shall have the rank of Superintendent; Provided that if the jail population is one thousand (1,000) or more inmates, the Warden shall 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 discipline from a recognized institution of learning, and must satisfactorily pass the necessary training and career courses for such position as may be established by law.

Section 7. *Special Oversight Committee.* A Special Oversight Committee, composed of the Secretary of the Interior and Local Government as Chairman, the Secretary of the Department of Budget and Management as Co-Chairman, and the Chairman of the Civil Service Commission, President of the League of Provinces, and the Chief of the Bureau of Jail Management and Penology, as members, is hereby created to oversee the expeditious transfer

and absorption into the Bureau of Jail Management and Penology of all personnel, property, appropriations and installations of the provincial and sub-provincial jails.

Section 8. *Implementing Rules and Regulations.* Within ninety (90) days from the effectivity of this Act, the Oversight Committee shall promulgate the rules and regulations necessary to ensure the effective implementation of this Act.

Section 9. *Separability Clause.* If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 10. *Repealing Clause.* Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 11. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,