

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19TH CONGRESS
First Regular Session

HOUSE BILL NO. 5411



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

The **BUREAU OF CORRECTIONS** is an agency under the Department of Justice that is charged with custody and rehabilitation of national offenders, that is, those sentenced to serve a term of imprisonment of more than three (3) years.

To carry out its mandate, the Bureau undertakes the following:

- Confine persons convicted by the courts to serve a sentence in national prisons.
- Keep prisoners from committing crimes while in custody.
- Provide humane treatment by supplying the inmates' basic needs and implementing a variety of rehabilitation programs designed to change their pattern of criminal or anti-social behavior.
- Engage in agro-industrial projects for the purpose of developing prison lands and resources into productive bases or profit centers, developing and employing inmate manpower skills and labor, providing prisoners with a source of income and augmenting the Bureau's yearly appropriations.

This House Bill seeks to provide **Modernization Funding** to the **Bureau of Corrections (BuCor)**, to ensure that the country fulfills its commitments to improve national prisons conducive to the reformation and rehabilitation of inmates that will bring them back into the mainstream of society as useful citizens of the country.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal stroke extending to the right.

MICHAEL L. ROMERO

Republic of the Philippines
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AN ACT

PROVIDING FOR MODERNIZATION FUNDINGFOR THE BUREAU
OF CORRECTIONS (**BUCOR**), INCREASING AND REORGANIZING
ITS ADMINISTRATION, AND FOR OTHER PURPOSES

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

SECTION 1. DECLARATION OF POLICY – It shall hereby be a declared policy of the State to promote the general welfare and safeguard the basic rights of every prisoner incarcerated in our national penitentiary. It also recognizes the responsibility of the State to strengthen government capability aimed towards the institutionalization of highly efficient and competent correctional services.

Moreso, the State shall provide for the modernization, professionalization and restructuring of the **Bureau of Corrections (BuCor)** by upgrading its facilities, increasing the number of its personnel, upgrading the level of qualifications of their personnel, and standardizing their base pay, retirement and other benefits, making it at par with that of the Bureau of Jail Management and Penology (**BJMP**).

The state shall formulate policies for the efficient and effective administration and management of all manpower, skills and competencies to ensure compliance.

SECTION 2. MODERNIZATION FUNDING. – The amount of Five Hundred Million Pesos (**Php 500,000,000.00**) for the operation and administration of the **(BuCor)** shall be chargeable against funds for the purpose and other sources recommended by the **Department of Budget and Management (DBM)**. Thereafter, appropriations for the **(BuCor)** shall be included in the budget proposals under the Department of Justice (**DOJ**).

The Department of Budget and Management (**DBM**) shall rationalize the existing organizational structure and staffing pattern of the **(BuCor)** in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act (**GAA**).

SECTION 3. (BuCor) MODERNIZATION FUND – There is hereby created the **(BuCor) Modernization Fund** to be used exclusively for the **(BuCor) Modernization Program**.

The **(BuCor) Modernization Fund** shall be administered by the Secretary of the **DOJ** in accordance with existing government budgeting, accounting and auditing rules and regulations.

SECTION 4. PROGRESS REPORT –The Secretary of **DOJ** shall prepare an annual report on the status of the implementation of the **(BuCor) Modernization Programs** which shall be submitted, to the Office of the President

and to the Chairpersons of the Committee on Justice of the Senate and the House of Representatives.

SECTION 5. PERIOD OF IMPLEMENTATION – The modernization program under this Act shall be implemented for an initial period of two **(2)** years:

Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

Provided, further, That the **(BuCor)** shall continue to develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 6. POWERS AND FUNCTIONS. – The **(BuCor)** shall continue to exercise and uphold the following powers and functions; but not limited to:

The **BuCor** shall be in charge of safekeeping and instituting reformation programs to national inmates sentenced to more than three (3) years.

(a) Safekeeping of National Inmates – The safekeeping of inmates shall include decent provision of quarters, food, water and clothing in compliance with established United Nations standards. The security of the inmates shall be undertaken by the Custodial Force consisting of Corrections Officers with a ranking system and salary grades similar to its counterpart in the BJMP.

(b) Reformation of National Inmates – The reformation programs, which will be instituted by the BuCor for the inmates, shall be the following:

(1) Moral and Spiritual Program;

(2) Education and Training Program;

(3) Work and Livelihood Program;

(4) Sports and Recreation Program;

(5) Health and Welfare Program; and

(6) Behavior Modification Program, to include Therapeutic Community.

(c) The reformation programs shall be undertaken by Professional Reformation Personnel consisting of Corrections Technical Officers with ranking system and salary grades similar to Corrections Officers.

(1) Corrections Technical Officers are personnel employed in the implementation of reformation programs and those personnel whose nature of work requires proximate or direct contact with inmates.

(2) Corrections Technical Officers include priests, evangelists, pastors, teachers, instructors, professors, vocational placement officers, librarians, guidance counselors, physicians, nurses, medical technologists, pharmacists, dentists, therapists, psychologists, psychiatrists, sociologists, social workers, engineers, electricians, agriculturists, veterinarians, lawyers and similar professional skills relevant to the implementation of inmate reformation programs.

SECTION 7. INCREASE OF PERSONNEL. – The **BuCor** shall maintain the custodial personnel-to-inmate ratio and reformation personnel-to-inmate ratio. Hence, it is authorized to increase its manpower to meet such ratio required and may continue to increase personnel per percentage rate increase of committed inmates annually or as the need arises.

SECTION 8. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 9. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 10. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 11. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 12. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,