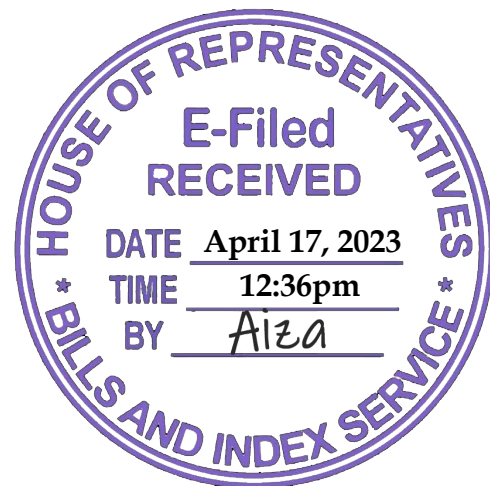


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
1st Regular Session

House Bill No. 7867



**Introduced by Representatives PAOLO Z. DUTERTE, ERIC G. YAP,
and EDVIC G. YAP**

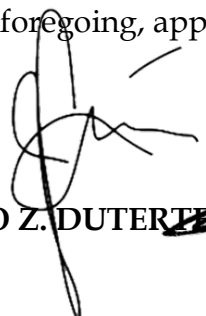
EXPLANATORY NOTE

The Bill of Rights guarantees the right to an independent and competent legal counsel of any person undergoing an investigation for a commission of an offense. The same provision also enunciates the mandate of the state to provide a legal counsel for the said person if he/she cannot afford one.

A significant number of the country's Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) are Filipinos living below the poverty line. Thus, once investigated or held as accused, these ICCs/IPs rights to counsel becomes prejudicial, given that no legal counsels are immediately available on their behalf. It is in this regard that this bill seeks to amend Republic Act No. 8371 or *The Indigenous Peoples' Rights Act of 1997*, in order to institutionalize the provision of *pro bono* legal services to the indigent ICCs/IPs.

Moreover, in giving due credence to the country's selfless and committed legal counsels who tirelessly give *pro bono* services to the underprivileged and marginalized, particularly indigent ICCs/IPs, the said legal counsels are then entitled to tax credits which shall be deducted from their gross income.

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



PAOLO Z. DUTERTE



ERIC G. YAP



EDVIC G. YAP

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
1st Regular Session

House Bill No. **7867**

**Introduced by Representatives PAOLO Z. DUTERTE, ERIC G. YAP,
and EDVIC G. YAP**

AN ACT
PROVIDING FOR INCENTIVES TO MEMBERS OF THE LEGAL PROFESSION
ENGAGED IN THE DEFENSE OF THE RIGHTS OF INDIGENT INDIGENOUS
PEOPLES

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

SECTION 1. Section 78-A is hereby inserted into Republic Act No. 8371 or The Indigenous Peoples' Rights Act of 1997:

"SECTION 17-A. PRO BONO LEGAL SERVICES FOR INDIGENT ICCS/IPS. - THE NCIP IS HEREBY EMPOWERED TO APPOINT COUNSELS DE OFICIO FOR INDIGENT ICCS/IPS WITH PENDING CASES BEFORE IT. APPOINTED COUNSELS DE OFICIO SHALL BE ENTITLED TO TAX FREE HONORARIA OR PER DIEMS AS THE NCIP MAY PROVIDE UNDER ITS RULES.

ANY MEMBER OF THE PHILIPPINE BAR WHO HAS RENDERED FREE LEGAL SERVICES TO INDIGENT ICCS OF AT LEAST ONE HUNDRED (100) HOURS WITHIN ONE YEAR SHALL BE ENTITLED TO DIRECT DEDUCTION FROM HIS INCOME TAX DUE IN THE AMOUNT OF ONE HUNDRED THOUSAND PESOS (P100,000.00). FOR THE AVOIDANCE OF DOUBT, THIS PROVISION SHALL APPLY TO LAWYERS RENDERING DIRECT LEGAL SERVICES TO THE ICCS/IPS OR LEGAL SERVICES RENDERED OUTSIDE OF THE NCIP SUCH AS BUT NOT LIMITED TO LEGAL ADVICE ON CONTRACTS, OR PROVIDING LEGAL ADVICE.

THE BUREAU OF INTERNAL REVENUE IN CONSULTATION WITH THE INTEGRATED BAR OF THE PHILIPPINES SHALL FORMULATE THE APPROPRIATE RULES AND REGULATIONS

TO ENSURE THAT THE OBJECTIVE UNDER PARAGRAPH 2 OF THIS SECTION IS FULLY IMPLEMENTED. THE NCIP SHALL FORMULATE THE DEFINITION OF "INDIGENT ICCS/IPS," AND IS HEREBY AUTHORIZED TO ADJUST IT FROM TIME TO TIME BASED ON REASONABLE STANDARDS."

SEC. 2. *Repealing Clause.* - All laws, presidential decrees, executive orders, rules and regulations or parts thereof inconsistent with provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 3. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or two (2) newspapers of general circulation.

Approved,