

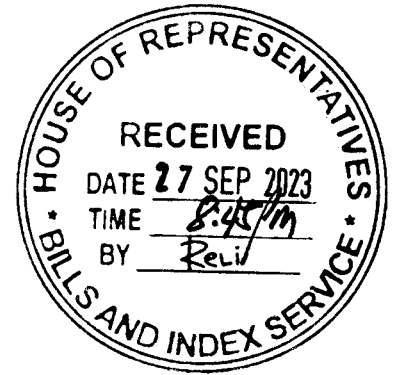


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress

Second Regular Session

House Bill No. **9351**



Introduced by:
HON. MARISSA "DEL MAR" MAGSINO
OFW PARTYLIST

EXPLANATORY NOTE

Republic Act No. 10867, also known as the 'National Bureau of Investigation Reorganization and Modernization Act', declares the policy of the State to promote and maintain an effective, competent and highly trained investigative body with expanded capability and responsive to the demands of the times.

The National Bureau of Investigation (NBI) is the premier agency of the Philippine government under the Department of Justice, responsible for handling and solving major high-profile cases that are in the interest of the nation. It is essentially modelled after the United States' Federal Bureau of Investigation (FBI).

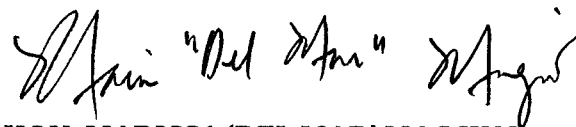
This bill seeks to strengthen the NBI by expanding its primary investigative jurisdiction over certain types of cases that require its expertise, including cases involving rebellion, insurrection or terrorism, illegal recruitment, violations of environmental laws, and cases involving falsification of documents.

'Investigative jurisdiction' refers to the power of a law enforcement agency to investigate a matter and enforce certain actions against the subject of the investigation, without exercising adjudicative jurisdiction. On the other hand, 'primary investigative jurisdiction' pertains to the doctrine allowing an agency the initial opportunity to investigate a case, particularly that which requires specialized knowledge and expertise possessed by the agency, with the other concerned law enforcement agencies on a subordinate role.

Today, the realities of investigative work present the multiple challenges of sophisticated and controversial crimes, some involving paramount national interests that require quintessential knowledge and specialized skills to resolve. The type and nature of evidence required to take these cases through the criminal justice chain, and

the way in which this evidence can be gathered, have also become more complex. As a result, investigative work is becoming increasingly specialized. It is for this reason that the NBI was established and needs to be strengthened.

For this reason, the immediate consideration and approval of the proposed measure is earnestly urged.

A handwritten signature in black ink, appearing to read "Marissa 'Del Mar' Magsino". The signature is fluid and cursive, with the name "Marissa" on the left, the nickname "'Del Mar'" in the middle, and the surname "Magsino" on the right.

HON. MARISSA 'DEL MAR' MAGSINO



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AN ACT
EXPANDING THE PRIMARY JURISDICTION OF THE NATIONAL BUREAU OF
INVESTIGATION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10867,
OTHERWISE KNOWN AS THE 'NATIONAL BUREAU OF INVESTIGATION
REORGANIZATION AND MODERNIZATION ACT'

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

Section 1. Section 5 of Republic Act No. 10867, otherwise known as the 'National Bureau of Investigation Reorganization and Modernization Act', is hereby amended to read as follows:

Section 5. The NBI shall have primary jurisdiction to undertake investigations in the following cases:

- a) Human trafficking **AND ILLEGAL RECRUITMENT** cases [~~in all airports in the Philippines~~];
- b) Extrajudicial/Extra-legal killings **OR THREATS TO THE SECURITY OR ASSAULTS AGAINST THE PERSON OF MEDIA PRACTITIONERS AND ACTIVISTS** committed by the state's security forces [~~against media practitioners and activists~~];
- c) Killings **OR THREATS TO THE SECURITY OR ASSAULTS AGAINST THE PERSON** of justices and judges;
- d) xxxxx

e) xxxxx

f) xxxxx

g) Cases involving **THE KILLING**, threats to security or assaults against the person of the President, Vice-President, Senate President, Speaker of the House of Representatives, [~~Chief Justice of the Supreme Court~~] **THE OMBUDSMAN, AND CHAIRPERSONS AND MEMBERS OF THE CONSTITUTIONAL COMMISSIONS;**

h) xxxx

i) Identification of the dead/victims in case of mass fatality incidents caused by natural **OR HUMAN-INSTIGATED** disasters; [~~and~~]

j) xxxx

K) CASES INVOLVING REBELLION, INSURRECTION OR TERRORISM;

L) CASES INVOLVING VIOLATIONS OF ENVIRONMENTAL LAWS; AND

M) CASES INVOLVING FALSIFICATION OF DOCUMENTS.

Section 2. All republic acts, executive orders, rules and regulations, and other issuances, or parts thereof, that are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 3. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved.