

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. **2434**



Introduced by HON. LINABELLE RUTH R. VILLARICA
4th District, Bulacan

AN ACT
TO PROVIDE FREE LEGAL ASSISTANCE TO ALL INDIGENT FILIPINOS,
AMENDING FOR THE PURPOSE CHAPTER 5, TITLE III, BOOK IV OF EXECUTIVE
ORDER No. 292, OTHERWISE KNOWN AS THE "ADMINISTRATIVE CODE OF 1987"
AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Free access to the courts and quasi-judicial bodies should be provided for all Filipino citizens. Adequate legal assistance should be granted to all those in need. Based on these constitutional principles the Public Attorney's Office was established to represent all indigent persons in civil, administrative and criminal cases.

To enable the PAO to function pursuant to its mandate, it qualified "indigent" using the following parameters: 1.) residents of Metro Manila whose family income does not exceed P14,000.00 a month; 2.) residents of other cities whose family income does not exceed P13,000.00 a month; and, 3.) residents of all other places whose family income does not exceed P12,000 a month.

Considering that these parameters are no longer realistic and practicable under the present circumstances as these were based on poverty threshold data culled years ago, this bill seeks to re-define "indigent" persons for purposes of the PAO.

This bill was filed during the 17th, 18th and 19th Congresses, but due to time constraints no further action was taken on it. This is re-filed for the consideration of the 20th Congress.

Support for the enactment of this proposed measure is earnestly requested.


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

SECTION 1. *Short Title.* – This Act shall be known as the “Hustisya para sa Lahat
Act”.

SEC. 2. A new section 14-B is hereby inserted in Chapter 5, Title III, Book IV of
Executive Order No. 292, otherwise known as the “Administrative Code of 1987” which shall
read as follows:

“SEC. 14-B. *INDIGENT DEFINED.* – FOR THE PURPOSE
OF THIS ACT, “INDIGENT” SHALL REFER TO ANY
INDIVIDUAL WHO FALLS INTO ANY OF THE FOLLOWING
CATEGORIES:

- A.) THOSE WHOSE NET INCOME FALLS BELOW THE
MOST RECENT OFFICIAL CITY, MUNICIPAL OR
PROVINCIAL POVERTY THRESHOLD PUBLISHED
BY THE PHILIPPINE STATISTICS AUTHORITY
(PSA);
- B.) THOSE IDENTIFIED AS POOR AND NEAR POOR
BASED ON THE NATIONAL HOUSEHOLD
TARGETING SYSTEM (NHTS) OF THE
DEPARTMENT OF SOCIAL WELFARE AND
DEVELOPMENT (DSWD); OR

C.) THOSE VULNERABLE HOUSEHOLDS WHO ARE LIVING UNDER PRECARIOUS CIRCUMSTANCES, SUCH AS THOSE WHO ARE MEMBERS OF THE INFORMAL ECONOMY, INFORMAL SECTORS, INDIGENOUS PEOPLES, AND THOSE LIVING IN GEOGRAPHICALLY ISOLATED AND DISADVANTAGED AREAS.

OWNERSHIP OF LAND SHALL NOT CONSTITUTE A GROUND FOR DISQUALIFICATION OF AN APPLICANT FOR FREE LEGAL ASSISTANCE.

SEC. 3. A new Section 14-C is inserted in Chapter 5, Title III, Book IV of Executive Order No. 292, otherwise known as the “Administrative Code of 1987” which shall read as follows:

“SEC. 14-C. *DOCUMENTARY REQUIREMENTS.* – TO ENSURE THAT ONLY QUALIFIED BENEFICIARIES SHALL BENEFIT FROM THIS ACT, THE APPLICANT SHALL BE REQUIRED TO PROVIDE ANY OF THE FOLLOWING DOCUMENTS:

A.) CERTIFICATION OF INDIGENCY FROM THE DSWD, ITS LOCAL DISTRICT OFFICE OR THE MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE HAVING JURISDICTION OVER THE RESIDENCE OF THE APPLICANT; OR

B.) CERTIFICATE OF INDIGENCY FROM THE BARANGAY CHAIRMAN HAVING JURISDICTION OVER THE RESIDENCE OF THE APPLICANT.”

SEC. 4. *Appropriations.* – The amounts necessary for the effective implementation of this Act shall be included under the appropriations of the Public Attorney’s Office (PAO) under the annual General Appropriations Act.

SEC. 5. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the PAO in coordination with the DSWD and the PSA shall promulgate the implementing rules and regulations necessary to implement this Act.

SEC. 6. *Repealing Clause.* – All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions

of this Act, including Section 3, Article II of PAO Memorandum Circular No. 18, s. 2002, as amended, are hereby repealed, amended or modified accordingly.

SEC. 7. *Separability Clause.* – If for any reason, any section or provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions thereof which are not affected thereby shall continue to be in full force and effect.

SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or a newspaper of national circulation.

Approved,