



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



House Bill No. 4159

Introduced by CIBAC Party-List Representative
EDUARDO “BRO. EDDIE” C. VILLANUEVA

EXPLANATORY NOTE

The very first provision of the Bill of Rights in our Constitution states that “No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.” Yet, despite this fundamental guarantee, there continue to be cases where individuals are wrongfully accused and imprisoned for crimes they did not commit.

Republic Act No. 7309 creating the Board of Claims, which was passed into law over 30 years ago, is the enabling law that provides for a system of compensation to those who were unjustly detained or imprisoned, and those who were victims of violent crimes.

Through the Board of Claims, the State provides reparations and support to individuals whose lives have been unjustly disrupted. While no amount of money can undo the trauma and grief they endured, financial assistance can play an important role in helping them recover and start anew.

Under the law, victims are entitled to P1,000 for each month of unjust detention or imprisonment, but in no case higher than P10,000. While the minimum compensation of P1,000 per month may be adequate in 1992, such amount is not enough considering the rise in prices over the 30 years since the law’s enactment. The goods that could be bought with such amount will now cost around P4,700.¹

The United Nations Office on Drugs and Crime (UNODC), in its *Handbook on Justice for Victims*, emphasized that compensation schemes should reflect not just symbolic restitution but real, meaningful support to enable the victim’s rehabilitation and recovery.²

¹ According to the Inflation Calculator available at <https://filgit.com/philippine-inflation-calculator/> (Accessed on 18 May 2025). Exact equivalent is P4,684.96 (equivalent to an increase of 368.50%).

² United Nations Office for Drug Control and Crime Prevention. *Handbook on Justice for Victims (1999)*. Available at https://www.unodc.org/pdf/criminal_justice/UNODC_Handbook_on_Justice_for_victims.pdf (Accessed on 18 May 2025).

The proposed measure seeks to enhance victim compensation by increasing the amount of financial assistance, extending the period for filing claims, and introducing a provision for the remote filing of claims. These amendments aim to strengthen the capacity of the Board of Claims to more effectively carry out its mandate.

Thus, the immediate passage of this bill is earnestly sought.


EDUARDO "BRO. EDDIE" C. VILLANUEVA



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AN ACT
AMENDING REPUBLIC ACT NO. 7309, OTHERWISE KNOWN AS “AN ACT
CREATING A BOARD OF CLAIMS UNDER THE DEPARTMENT OF JUSTICE FOR
VICTIMS OF UNJUST IMPRISONMENT OR DETENTION, AND VICTIMS OF
VIOLENT CRIMES, AND FOR OTHER PURPOSES”

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

1 **SECTION 1.** Section 1 of Republic Act No. 7309 is hereby amended to read as
2 follows:

3 “Section 1. *Creation and Composition of the Board.* – There is hereby
4 created a Board of Claims under the Department of Justice (DOJ), hereinafter
5 referred to as the Board, to be composed of one (1) chairman and two (2)
6 members to be designated by the Secretary of the said department. **THE**
7 **BOARD SHALL HEREBY ADMINISTER THE VICTIMS’ COMPENSATION**
8 **PROGRAM, AS PROVIDED UNDER THIS ACT.”**
9

10 **SEC. 2.** Section 2 of Republic Act No. 7309 is hereby amended to read as follows:

11 “Section 2. *Powers and Functions of the Board.* – The Board shall have
12 the following powers and functions:

- 13
14 a) to receive, evaluate, process, and investigate application for claims
15 under this Act;
16 b) to conduct an independent administrative hearing and resolve
17 application for claims, grant or deny the same;
18 c) to **COORDINATE WITH AND** deputize appropriate government
19 agencies in order to effectively implement its functions; ~~and~~
20 d) to promulgate rules and regulations in order to carry out the objectives
21 of this Act[-];
22 e) **TO UNDERTAKE PROJECTS AND MEASURES TO PROMOTE THE**
23 **VICTIMS’ COMPENSATION PROGRAM;**
24 f) **TO MONITOR AND ASSESS THE IMPLEMENTATION OF THIS ACT;**
25 **AND**

1 g) **TO EXERCISE ALL THE POWERS NECESSARY TO CARRY OUT**
2 **THE PROVISIONS AND/OR OBJECTIVES OF THIS ACT.”**
3

4 **SEC. 3.** Section 3 of Republic Act No. 7309 is hereby amended to read as follows:
5

6 “Section 3. *Who may File Claims.* – The following may file claims for
7 compensation:
8

- 9 a) any person who was unjustly accused, convicted, and imprisoned, but
10 subsequently released by virtue of a judgement of acquittal **BY THE**
11 **COURT BASED ON HIS INNOCENCE AND NOT ON A FINDING OF**
12 **REASONABLE DOUBT;**
13 b) any person who was unjustly detained and released without being
14 charged;
15 c) any victim of arbitrary or illegal detention by the authorities as defined
16 in the Revised Penal Code **AND AS DECIDED IN** ~~[under]~~ a judgment
17 of the trial court; ~~[and]~~
18 d) any person who is a victim of violent crime. For purposes of this Act,
19 violent crimes shall include, **BUT NOT BE LIMITED TO**, rape,
20 **HOMICIDE, MURDER, SERIOUS PHYSICAL INJURIES, HUMAN**
21 **TRAFFICKING, ONLINE SEXUAL ABUSE OR EXPLOITATION OF**
22 **CHILDREN (OSAEC), KIDNAPPING OR SERIOUS ILLEGAL**
23 **DETENTION**, and shall likewise refer to offenses committed with malice
24 which resulted in death or serious physical and/or psychological injuries,
25 permanent incapacity or disability, insanity, abortion, serious trauma, or
26 committed with torture, cruelty or barbarity~~[-]~~;
27 e) **ANY CHILD WHO IS A VICTIM OF SEXUAL ABUSE UNDER**
28 **SECTION 5(B) OF REPUBLIC ACT NO. 7610, AS AMENDED,**
29 **OTHERWISE KNOWN AS THE ‘SPECIAL PROTECTION OF**
30 **CHILDREN AGAINST ABUSE, EXPLOITATION AND**
31 **DISCRIMINATION ACT’; AND**
32 f) **ANY PERSON WHO IS A VICTIM OF AN OFFENSE WHERE THE**
33 **LAW ALLOWS COMPENSATION.”**
34

35 **SEC. 4.** Section 4 of Republic Act No. 7309 is hereby amended to read as follows:
36

37 “Section 4. *Award Ceiling.* – For victims of unjust imprisonment or
38 detention, the compensation shall be based on the number of months of
39 imprisonment or detention and every fraction thereof shall be considered one
40 month: *Provided, however,* That in no case shall such compensation exceed
41 ~~[One Thousand Pesos (P1,000.00)]~~ **TEN THOUSAND PESOS (P10,000.00)**
42 per month, **NOT EXCEEDING THREE HUNDRED THOUSAND PESOS**
43 **(P300,000.00).**
44

45 In all other cases, the maximum amount for which the Board may
46 approve a claim shall not exceed ~~[Ten Thousand Pesos (P10,000.00)]~~ **FIFTY**
47 **THOUSAND PESOS (P50,000.00)** or the amount necessary to reimburse the
48 claimant the expenses incurred for hospitalization, medical treatment, loss of
49 wage, loss of support, or other expenses directly related to the injury,
50 whichever is lower.

1
2 This is without prejudice to the right of the claimant to seek other
3 remedies under existing laws. **THE AMOUNTS HEREIN PROVIDED SHALL**
4 **BE ADJUSTED EVERY FIVE (5) YEARS TO ACCOUNT CONSIDERING**
5 **THE PREVAILING COST OF MONEY BASED ON THE CURRENT**
6 **CONSUMER PRICE INDEX.”**
7

8 **SEC. 5.** Section 5 Republic Act No. 7309 is hereby amended to read as follows:
9

10 “Section 5. *When to File Claims.* – Any person entitled to compensation
11 under this Act must ~~[within six (6) months after being released from~~
12 ~~imprisonment or detention, or from the date the victim suffered damage or~~
13 ~~injury;]~~ file his/**HER** claim with the ~~[Department;]~~ **BOARD OF CLAIMS OR**
14 **ANY OF THE PROSECUTION OFFICES WITHIN ONE (1) YEAR** otherwise,
15 he/**SHE** is deemed to have waived the same:

- 16 a) **AFTER THE CLAIMANT IS RELEASED FROM PRISON OR**
17 **DETENTION;**
18 b) **FROM THE DATE THE TRIAL COURT HAS RENDERED ITS**
19 **JUDGEMENT IN CASES OF ARBITRARY DETENTION;**
20 c) **FROM THE DATE THE VICTIM SUFFERED DAMAGE OR INJURY;**
21 d) **FROM THE DATE OF DISCOVERY OR REPORTING OF THE**
22 **INCIDENT OF RAPE; OR**
23 e) **FROM THE DATE OF RELEASE OR RESCUE IN CASES OF HUMAN**
24 **TRAFFICKING, ONLINE SEXUAL ABUSE OR EXPLOITATION OF**
25 **CHILDREN (OSAEC), KIDNAPPING OR SERIOUS ILLEGAL**
26 **DETENTION.**
27

28 **IN CASES OF ENFORCED OR INVOLUNTARY DISAPPEARANCE,**
29 **THE PROVISIONS OF REPUBLIC ACT NO. 10353, OTHERWISE KNOWN**
30 **AS THE ‘ANTI-ENFORCED OR VOLUNTARY DISAPPEARANCE ACT OF**
31 **2012’ SHALL APPLY.** Except as provided for in this Act, no waiver of claim
32 whatsoever is valid.”
33

34 **SEC. 6.** A new Section 5-A is hereby inserted after Section 5 of Republic Act No.
35 7309, to read as follows:
36

37 **“SEC. 5-A. REMOTE FILING OF CLAIMS. – ANY PERSON ENTITLED**
38 **TO COMPENSATION UNDER THIS ACT MAY FILE HIS/HER CLAIM**
39 **REMOTELY, SUBJECT TO RULES AND REGULATIONS WHICH SHALL**
40 **BE PROMULGATED BY THE BOARD WITH THE GOAL OF**
41 **STREAMLINING REQUIREMENTS TO ENHANCE ACCESSIBILITY AND**
42 **EFFICIENCY.”**
43

44 **SEC. 7.** Section 6 Republic Act No. 7309 is hereby amended to read as follows:
45

46 “Section 6. *Filing of Claims by Heirs.* – In case of death or incapacity of
47 any person entitled to any award under this Act, the claim may be filed by
48 his/**HER** heirs, in the following order: by his/**HER** surviving spouse, children,
49 natural parents, brother and/or sister, **GRANDPARENT WHO HAS**
50 **CUSTODY OF THE MINOR, OR LEGAL GUARDIAN.”**

1
2 **SEC. 8.** Section 9 of Republic Act No. 7309 is hereby amended to read as follows:
3

4 “Section 9. *Funding.* – For purposes of this Act, ~~[the initial amount of~~
5 ~~Ten Million Pesos (P10,000,000.00) is hereby authorized to be appropriated~~
6 ~~from the funds of the National Treasury not otherwise appropriated]~~ **THE**
7 **INITIAL AMOUNT NECESSARY TO IMPLEMENT THE PROVISIONS OF**
8 **THIS ACT SHALL BE CHARGED AGAINST THE CURRENT YEAR’S**
9 **APPROPRIATIONS OF THE BOARD OF CLAIMS UNDER THE BUDGET**
10 **OF THE DEPARTMENT OF JUSTICE. THEREAFTER, SUCH AMOUNT AS**
11 **MAY BE NECESSARY FOR THE CONTINUED IMPLEMENTATION OF**
12 **THIS ACT SHALL BE INCLUDED IN THE ANNUAL GENERAL**
13 **APPROPRIATIONS ACT.**
14

15 The subsequent annual funding shall also partly come from ~~[one~~
16 ~~percent (1%)]~~ **THREE PERCENT (3%)** of the net income of the Philippine
17 Amusement and Gaming Corporation (PAGCOR) and ~~[one percent (1%)]~~
18 **THREE PERCENT (3%)** of the proceeds and sales and other disposition of
19 military camps in Metro Manila by the Bases Conversion and Development
20 Authority (BCDA).
21

22 To ensure the continuity of the funding requirements under this Act, the
23 amount of ~~[Five Pesos (P5.00)]~~ **FIFTY PESOS (P50.00)** shall be set aside
24 from each filing fee in every civil case filed with the court, the total proceeds
25 of which shall constitute the Victims’ Compensation Fund to be administered
26 by the ~~[Department of Justice]~~ **BOARD OF CLAIMS.**
27

28 **SEC. 9.** A new Section 9-A is hereby inserted to read as follows:
29

30 **“SECTION 9-A. SECRETARIAT. – THE BOARD SHALL ESTABLISH**
31 **A SECRETARIAT AND DETERMINE THE ORGANIZATIONAL**
32 **STRUCTURE AND THE STAFFING PATTERN OF THE BOARD WITH THE**
33 **CORRESPONDING HONORARIA, SUBJECT TO THE APPROVAL OF**
34 **THE DEPARTMENT OF BUDGET AND MANAGEMENT IN ACCORDANCE**
35 **WITH RELEVANT CIVIL SERVICE RULES AND REGULATIONS.”**
36

37 **SEC. 10.** A new Section 10-A is hereby inserted to read as follows:
38

39 **“SECTION 10-A. TRUST FUND. – THE FUNDS REMITTED FROM**
40 **THE PAGCOR AND THE VICTIMS’ COMPENSATION FUND UNDER**
41 **SECTION 10 OF THIS ACT SHALL ACCRUE TO A TRUST FUND TO BE**
42 **ADMINISTERED AND MANAGED BY THE BOARD, WHICH SHALL BE**
43 **USED EXCLUSIVELY FOR THE FOLLOWING PROGRAMS, INCLUDING**
44 **BUT NOT BUT NOT LIMITED TO:**

- 45 a) **FOR THE PURPOSE OF PAYMENT COMPENSATION FOR THE**
46 **COVERED VICTIMS;**
47 b) **PROVISION FOR THE NECESSARY TECHNICAL AND**
48 **ADMINISTRATIVE SUPPORT SERVICES TO THE BOARD;**
49 c) **FOR OPERATING EXPENSES OF THE BOARD, SUCH AS**
50 **PAYMENT OF HONORARIA TO THE PERSONNEL AND**

1 **PROCUREMENT OF THE NECESSARY EQUIPMENT FOR THE USE**
2 **OF THE PERSONNEL IN THE DELIVERY OF THEIR SERVICES;**
3 d) **PROMOTION OF INFORMATION AND DISSEMINATION CAMPAIGN**
4 **ON VICTIM COMPENSATION PROGRAM.**

5
6 **SEC. 11. *Implementing Rules and Regulations.*** – Within thirty (30) days from the
7 approval of this Act, the Board of Claims, upon consultation with relevant stakeholders,
8 shall promulgate the necessary rules and regulations for the effective implementation of
9 this Act.

10
11 **SEC. 12. *Separability Clause.*** – If any portion or provision of this Act is declared
12 unconstitutional, the remainder hereof or any provisions not affected thereby shall remain
13 in force and effect.

14
15 **SEC. 13. *Repealing Clause.*** – Any law, presidential decree or issuance, executive
16 order, letter of instruction, rule, or regulation inconsistent with the provisions of this Act is
17 hereby repealed or modified accordingly.

18
19 **SEC. 14. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete
20 publication in the Official Gazette or in a newspaper of general circulation.

21
22 *Approved,*