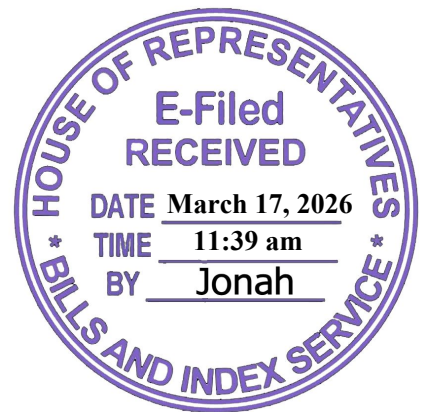


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8600



Introduced by:

HON. CHRISTOPHERSON "COCO" M. YAP

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," BY PROVIDING ENHANCED COMPENSATION FOR PERSONS WRONGFULLY CONVICTED AND IMPRISONED, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The State recognizes that no person should suffer imprisonment for a crime they did not commit. The **Republic Act No. 7309** created the Department of Justice Board of Claims to provide compensation to victims of unjust imprisonment and violent crimes through a simple and affordable administrative process. However, recent rulings of the **Supreme Court of the Philippines**, including **Mohammad v. Office of the Secretary**, clarified that the law must be applied strictly according to its wording. Because of this, some individuals who were wrongfully convicted and imprisoned but later cleared by final court action may not clearly fall within the law's existing coverage.

This bill seeks to address that gap by expressly recognizing a new category of claimants: persons who were wrongfully convicted and imprisoned and were later fully cleared or exonerated by final judicial action. It also establishes clear safeguards to ensure that compensation is granted only to those who can show, through strong evidence, that they did not commit the crime and did not cause their own wrongful conviction. In addition, the measure updates the compensation amounts under the law, which have remained largely unchanged since 1992 and no longer reflect the

serious personal, economic, and social harm caused by years of wrongful imprisonment.

Finally, the bill improves access to justice by giving qualified claimants a clearer and fairer period for filing claims and by ensuring that compensation corresponds only to the period of imprisonment caused by the wrongful conviction. By strengthening the existing system under **Republic Act No. 7309** while keeping the administrative process simple and accessible, the proposed “Wrongful Conviction Compensation Act” affirms the State’s commitment to fairness, accountability, and justice for those who have suffered the grave injustice of wrongful imprisonment.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON “COCO” M. YAP
Representative, Second District of Southern Leyte

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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 “*Wrongful Conviction Compensation Act*.”

SECTION 2. Declaration of Policy. — It is the policy of the State to provide a swift, fair, and accessible compensation mechanism for persons who were wrongfully convicted and imprisoned, in recognition of the severe and lifelong harm caused by the loss of liberty, stigma, and economic displacement, without prejudice to their right to pursue other remedies under existing laws.

SECTION 3. Amendment to Section 3 of Republic Act No. 7309 (Who may File Claims). — Section 3 of Republic Act No. 7309 is hereby amended to include an additional paragraph to read as follows:

“(e) Any person who was convicted by final judgment and imprisoned, and who was subsequently released or exonerated by virtue of a judgment of acquittal on appeal, or by a final judgment declaring that the conviction is void or erroneous, or by other final judicial action establishing that the claimant did not commit the crime for which he or she was convicted.”

For purposes of this paragraph, the claimant must establish by **clear and convincing evidence** that:

- (1) the claimant was convicted and served all or part of a sentence of imprisonment;
- (2) the claimant **did not commit** the crime for which he or she was convicted; and
- (3) the claimant did not, by his or her own voluntary conduct, **knowingly and intentionally** cause or bring about the conviction.

SECTION 4. Amendment to Section 4 of Republic Act No. 7309 (Award Ceiling) for Wrongful Conviction Claims. — A new subsection is inserted in Section 4 to read as follows:

“For claims under Section 3(e), the Board may grant compensation not exceeding either:

- (a) One hundred thousand pesos (₱100,000.00) for each year of imprisonment, and a proportionate amount for a fraction thereof; or**
- (b) Twice the claimant’s annual gross income in the year immediately preceding incarceration, whichever is higher: Provided, That the Board may also award reimbursement for reasonable and necessary expenses directly related to the injury, including medical or psychological treatment, and documented loss of wage or loss of support, subject to documentary requirements.”****

SECTION 5. Filing Period (Amending Section 5 of RA 7309). — Section 5 of RA 7309 is amended to add:

“For claims under Section 3(e), the claim shall be filed within two (2) years from the date of release from imprisonment, or from finality of the

judgment or final judicial action establishing exoneration, whichever is later.”

This clarifies accrual and prevents forfeiture where release precedes final exoneration.

SECTION 6. Exclusions. — A new section is inserted providing that:

- (a) A claimant shall not be eligible under Section 3(e) if, during the period of imprisonment for the mistaken conviction, the claimant was also serving a sentence for another conviction **that is not reversed or set aside**, and the imprisonment periods were fully concurrent;
- (b) Partial concurrency shall not bar compensation, but the Board shall compute compensation only for the portion of imprisonment attributable to the reversed conviction.

SECTION 7. Procedure; Nature of Proceedings. — Claims under this Act shall be filed with the **DOJ Board of Claims**, which shall conduct an independent administrative hearing and resolve claims under an expeditious and inexpensive procedure, consistent with RA 7309.

SECTION 8. Funding; Victim Compensation Fund. — The amounts necessary to implement the enhanced compensation for wrongful conviction claims shall be sourced from the **Victim Compensation Fund** and other funding mechanisms provided under RA 7309, and such additional appropriations as may be provided in the General Appropriations Act.

SECTION 9. Implementing Rules and Regulations. — Within sixty (60) days from effectivity, the DOJ, through the Board of Claims, shall promulgate the necessary rules and regulations to implement this Act.

SECTION 10. Separability Clause. — If any provision of this Act is held invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SECTION 11. Repealing Clause. — All laws, rules, and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 12. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,