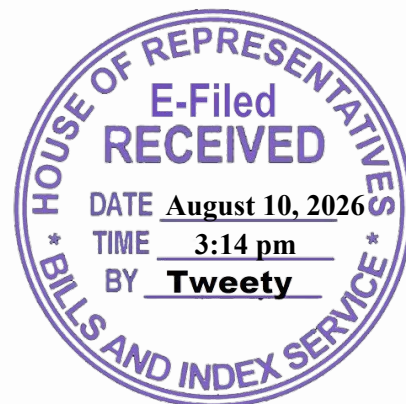


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session



HOUSE BILL NO. 10681

Introduced by **REPRESENTATIVE AUDREY KAY T. ZUBIRI**

**AN ACT TRANSFERRING THE CONTROL AND SUPERVISION OF THE
PROVINCIAL AND SUB-PROVINCIAL JAILS TO THE BUREAU OF JAIL
MANAGEMENT AND PENOLOGY, APPROPRIATING FUNDS THEREFOR AND
FOR OTHER PURPOSES**

EXPLANATORY NOTE

¹Ranking among the countries with the most overcrowded correctional facilities in the world, the Philippines continues to face a persistent and critical challenge in its penal system. A significant factor contributing to this problem is the fragmented administration of local jails, wherein provincial and sub-provincial jails are managed by local government units (LGUs), while city and municipal jails are supervised by the Bureau of Jail Management and Penology (BJMP).

² According to 2019 BJMP records, 13 of the country's 74 provincial jails had already been placed under BJMP supervision through Memoranda of Agreement with the concerned LGUs and provincial governments, while seven provinces had no provincial jails. This fragmented system has produced uneven standards of jail administration, disparities in personnel training and operational capacity, chronic congestion arising from inadequate facilities and resources, and increased security risks, including prisoner escapes. These conditions underscore the need for a unified and professionalized jail management system under the BJMP.

¹ <https://www.unodc.org/roseap/en/philippines/2023/12/jails-prisons-overcrowding/story.html>

² <https://dilg.gov.ph/news/DILG-supports-proposal-to-integrate-provincial-jails-to-BJMP/NC-2019-1235>

The current state of provincial and sub-provincial jails undermines the principles enshrined in the 1987 Philippine Constitution, particularly Article II, Section 9, which mandates the State to promote a just and humane social order, and Article III (Bill of Rights), which prohibits cruel, degrading, and inhumane punishment. These conditions highlight the need for a unified and professional jail management system under the Bureau of Jail Management and Penology.

To address these longstanding institutional deficiencies, the proposed measure seeks to centralize the control, supervision, and administration of all provincial and sub-provincial jails under the BJMP. By establishing a single national authority, the State can:

- Enforce uniform standards in jail management
- Ensure professionalized and well-trained personnel by transferring control and authority over provincial and sub-provincial jail to BJMP
- Improve accountability and monitoring systems
- Safeguard the rights and welfare of PDLs

The Act also provides a structured transition period, ensuring that services are not disrupted, and guarantees the security of tenure and upskilling of affected personnel, in line with civil service laws and the Republic Act No. 9263.

Ultimately, this measure responds to a pressing governance gap: the lack of a unified and competent jail system. By consolidating authority under the BJMP, the State moves toward a more efficient, humane, and constitutionally compliant correctional system, addressing long-standing deficiencies that have affected both detainees and the justice system as a whole.

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



AUDREY KAY T. ZUBIRI
Representative, 3rd District of Bukidnon

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

1 **SECTION 1. Short Title.** - This Act shall be known as the "Jail Integration Act."

2
3 **SEC. 2. Declaration of Policy.** - It is the policy of the State to promote the general
4 welfare and safeguard the basic rights of persons deprived of liberty. Further, the State
5 recognizes its responsibility to strengthen government capability aimed towards the
6 strengthening of the delivery of basic services to the citizenry through the institutionalization
7 of highly efficient and competent jail services. Toward this end, the State shall provide uniform
8 standards and policies in the administration of jails and the safekeeping of persons deprived of
9 liberty by placing the administration of local jails to a single authority.

10
11 **SEC. 3. Transfer of Provincial and Sub-Provincial Jail.** - The control and supervision
12 over provincial and sub-provincial jail is hereby transferred to the Bureau of Jail Management
13 and Penology (BJMP). For this purpose, the management, control and supervision of existing
14 provincial and sub-provincial jails, including all its property, equipment, and finances, shall be
15 transferred to the BJMP, subject to existing laws.
16

1 **SEC. 4. *Transition Period.*** - For orderly transfer of management and operation of
2 provincial and sub-provincial jails, a three (3) year transition period is hereby established, to
3 commence from the date of the effectivity of this Act: *Provided, That during the transition*
4 *period, the concerned Provincial Government shall continue funding the subsistence allowance*
5 *of inmates and the maintenance of jail facility including, but not limited to, electric and water*
6 *expenses and necessary repairs until such time that the total and full control and supervision of*
7 *the facility has been transferred to the BJMP.*

8
9 **SEC. 5. *Provincial and Sub-Provincial Jail Employees.*** -The existing employees and
10 personnel of provincial and sub-provincial jails shall enjoy security of tenure and shall be
11 absorbed by the BJMP subject to the qualification standards as provided for in Republic Act
12 No. 9263, otherwise known as the "Bureau of Fire Protection and Bureau of Jail Management
13 and Penology Professionalization Act of 2004," as amended, and other applicable laws,
14 pertinent rules and regulations of the Civil Service Commission (CSC): *Provided, That the*
15 *BJMP shall take proactive measures in training and enhancing the capacity of employees and*
16 *personnel of provincial and sub-provincial jails to obtain the necessary qualifications:*
17 *Provided, further. That those who will fail to comply with the qualification standards at the*
18 *time of transfer shall be given five (5) years from the lapse of the transition period as provided*
19 *in this Act to complete the necessary requirements for the concerned position: Provided,*
20 *furthermore. That for purposes of computation of retirement and pension benefits, the term*
21 *"active service" shall include services rendered by employees affected in the provincial and*
22 *sub-provincial jail prior to the enactment of this Act: Provided, finality. That the Provincial*
23 *Government is hereby encouraged to absorb those employees who have already reached the*
24 *mandatory retirement age in BJMP at the time of effectivity.*

25
26 Employees opting to be separated from the service as a result of the transfer under the
27 provisions of this Act shall receive separation benefits in accordance with existing laws. In
28 addition, those who are qualified to retire shall be allowed to do so and be entitled to all benefits
29 provided for under existing retirement laws.

30
31 The BJMP, in coordination with the Technical Education and Skills Development Authority
32 (TESDA) and other government agencies, shall also provide training programs
33 for the upskilling and reskilling of the affected personnel and employees.
34

1 **SEC. 6. Appropriations.** - The initial amount necessary for the implementation of this
2 Act shall be charged against the current fiscal year's appropriations of the BJMP and concerned
3 provincial government. Thereafter, such sums as may be necessary for the continued
4 implementation of this Act shall be included in the annual General
5 Appropriations Act.

6
7 **SEC. 7. Implementing Rules and Regulations.** - The Department of the Interior and
8 Local Government and BJMP, in coordination with the Provincial Governments, CSC, and
9 other stakeholders, shall, within sixty (60) days from the effectivity of this Act, promulgate the
10 rules and regulations to effectively implement the provisions of this Act.

11
12 **SEC. 8. Separability Clause.** - If any portion or provision of this Act is declared
13 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
14 remain in full force or effect.

15
16 **SEC. 9. Repealing Clause.** - Sections 61, 62 and 63 of Republic Act No. 6975,
17 otherwise known as the "Department of the Interior and Local Government Act of
18 1990," as amended, are hereby amended or modified accordingly.

19
20 Any law, presidential decree or issuance, executive order, letter of instruction, rule or
21 regulation inconsistent with the provisions of this Act is hereby repealed or
22 modified accordingly.

23
24 **SEC. 10. Effectivity.** - This Act shall take effect fifteen (15) days following its complete
25 publication in the Official Gazette or in a newspaper of general circulation.

26
27 *Approved,*