

THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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S E N A T E

S. No. 352

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

Missing persons have always been a problem in our country. From all over the archipelago, individuals are reported missing almost daily.

Unfortunately, there is no one agency that focuses on the needs of relatives of missing persons.

This measure aims to create a Commission on Missing Persons which intends to promote and ensure public safety of the community.

Some functions of the Commission are as follows:

- 1) To conduct investigation of missing persons whose whereabouts are unknown, upon its initiative or upon the request of an interested party.
- 2) To call upon different agencies, government and non-government, for assistance and service as it may require in the discharge of its responsibilities.
- 3) To advise a system of raising the consciousness with regards to missing persons.

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

S. Osmeña III

SERGIO OSMEÑA III
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
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SENATE

S. No. 352

Introduced by Senator S. R. Osmeña III

**AN ACT
CREATING A COMMISSION ON MISSING PERSONS**

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

1 SECTION 1. In order to promote and ensure public safety of the
2 community, there is hereby created a Commission to be known as the
3 Commission on Missing Persons, hereinafter referred to as the Commission.
4 The Commission shall be composed of the Director General of the Philippine
5 National Police as Chairman, the Director of the National Bureau of Investigation,
6 Chairman of National Police Commission and the Secretary of Social Welfare
7 and Development as members, each of whom shall hold office for a term of two
8 year.

9 For actual attendance at regular meetings, the Chairman and each
10 member of the Commission shall receive a per diem of One thousand pesos
11 (P1,000.00) for every meeting actually attended, but the total amount of per diem
12 that the Chairman and a member may receive in a month shall in no case exceed
13 Three thousand pesos (P3,000.00). The Commission shall, for administrative
14 purposes, be under the office of the Secretary of National Defense.

15 SEC. 2. The Commission shall have the following functions:

16 (1) To conduct investigation of missing persons whose whereabouts are
17 unknown, upon its initiative or upon the request of an interested
18 party;

- 1 (2) To evaluate and render corresponding reports on each of the cases
2 and make recommendations to the party requesting the search or to
3 the DSWD for temporary shelter and assistance;
- 4 (3) Conduct research, before submitting the corresponding report or
5 investigation, to support or back up the commendations;
- 6 (4) To monitor and supervise the investigation conducted by members of
7 the Police Forces;
- 8 (5) To coordinate the activities of investigation teams with social workers
9 of the DSWD in the case of abandoned or maltreated/abused
10 children and dependents;
- 11 (6) To continuously review and evaluate Detective Operations to
12 achieve specification of detective assignments as a measure of the
13 accomplishment of investigation teams;
- 14 (7) To call upon different agencies, government and non-governmental,
15 for assistance and service as it may require in the discharge of its
16 responsibilities;
- 17 (8) To initiate policies and programs towards an effective communication
18 system to aid the search of missing person; and
- 19 (9) To devise a system of raising the consciousness of the people and
20 for them to inform the Commission of persons who are found
21 loitering about public places, tramping or wandering about aimlessly.

22 SEC. 3. There shall be a Secretariat for the Commission headed by an
23 Executive Director, to be appointed by the Chairman and approved by a majority
24 of the members of the Commission. The compensation and allowances of the
25 Secretariat shall be fixed by the Commission.

26 SEC. 4. The Commission shall have the power to make arrests,
27 searches and seizures in accordance with existing laws and rules and shall
28 likewise have the power to issue subpoena or subpoena duces tecum for the
29 appearance of any persons for investigation.

1 SEC. 5. The Secretary of National Defense shall promulgate the
2 necessary rules and regulations for the effective implementation of this Act.

3 SEC. 6. All laws, decrees, executive orders, rules and regulations or
4 parts thereof which are inconsistent with the provisions of this Act are hereby
5 repealed or modified accordingly.

6 SEC. 7. The amount needed for the implementation of this Act shall be
7 charged to the appropriations of the Department of National Defense under the
8 current annual General Appropriations Act. Thereafter, such sum shall be
9 included in the annual General Appropriations Act.

10 SEC. 8. This Act shall take effect fifteen (15) days after its publication in
11 the Official Gazette or in at least two (2) newspapers of general circulation
12 whichever comes earlier.

Approved,