

THIRTEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
First Regular Session

'04 JUN 30 10:11

SENATE

S. No. 691

RECEIVED BY: Atb

INTRODUCED BY HON. MANUEL B. VILLAR, JR.

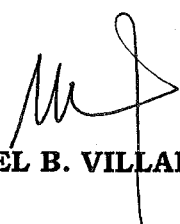
EXPLANATORY NOTE

The Local Government Code authorizes the Lupong Tagapamayapa to amicably settle minor criminal cases where the penalty does not exceed one (1) year imprisonment.

This bill aims to expand the scope of the said policy, through the Department of Justice, involving offenses punishable by a maximum penalty of one (1) year and/or a fine not exceeding Five Thousand Pesos (P5,000.00).

With this proposed measure, it is hoped that the court dockets will be de-clogged, enabling the judiciary to focus on graver offenses and to give the contending parties a final opportunity to settle differences before deciding to bring it to court.

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


MANUEL B. VILLAR, JR.

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**AN ACT
GRANTING THE DEPARTMENT OF JUSTICE THE AUTHORITY TO SETTLE MINOR
CRIMINAL OFFENSES**

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

SECTION 1. The Department of Justice (DOJ) through the Office of the Chief State Prosecutor shall have the authority to bring together the parties before them and settle their cases provided that the subject criminal offenses are minor in character as hereinafter defined.

SECTION 2. Minor criminal offenses shall mean those offenses punishable by imprisonment not exceeding one (1) year and/or a fine not exceeding Five Thousand Pesos (P5,000.00).

SECTION 3. The authority of the DOJ to settle minor criminal offenses shall include those cases not settled by the Lupong Tagapamayapa or the Barangay Court; Provided however, that the authority of the DOJ herein given shall not include any offenses under the Dangerous Drugs Act of 1972 (Republic Act No. 6425, as amended) and the Special Protection of Children Against Abuse, Exploitation and Discrimination Act (Republic Act No. 7610).

Minor cases that have already been filed in court but have not yet been decided by the trial courts are not covered by this Act; however, on-going preliminary investigation of minor offenses shall not be covered under this Act. Moreover, the prescriptive period of minor offenses shall be suspended to enable the parties to settle the matter as herein provided.

SECTION 4. The DOJ shall notify in writing the parties concerned, setting forth the date and time and purpose of the meeting. The parties are not prohibited from bringing their respective counsels if they so desire.

SECTION 5. The settlement shall be in writing, signed under oath by all the parties, with the assistance of counsels, as the case may be.

SECTION 6. The settlement shall be deemed final from the date of signing and shall automatically extinguish the criminal and/or civil liability of the accused upon compliance with the terms of the agreement.

SECTION 7. Failure to reach a settlement within thirty (30) working days from the time the parties met with the DOJ representatives or to comply with the terms of the settlement within the time frame set therein, or within a reasonable time if no such time frame was included in the settlement, shall result in the RESUMPTION of the proceeding of the case.

SECTION 8. The DOJ shall promulgate rules and regulations necessary in the implementation of this Act.

SECTION 9. All laws, decrees, orders inconsistent herewith are hereby repealed or modified accordingly.

SECTION 10. This Act takes effect fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,