

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

Office of the Secretary

15 JAN -5 P3:55

SENATE
S. No. 2551

[Handwritten signature]

Introduced by Senator Miriam Defensor Santiago

AN ACT
TO AMEND CERTAIN SECTIONS OF TITLE THREE, BOOK FOUR, OF
EXECUTIVE ORDER NUMBERED TWO HUNDRED AND NINETY-TWO,
OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987

EXPLANATORY NOTE

The Board of Pardons and Paroles releases prisoners on parole and recommends the grant of presidential pardons. The Parole and Probation Administration supervises the rehabilitation of parolees as well as probationers. Based on the experience of the Department of Justice, the two offices perform complementary or related functions.

This bill seeks to merge the two offices by amending Book 4, Title 3 of Executive Order 292 otherwise how as the Administrative Code of 1987. This is consistent with the policy to streamline the existing bureaucracy in the Department of Justice, and to promote operational efficiency and economy.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Thirteenth Congress, First Regular Session

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3 EXECUTIVE ORDER NUMBERED TWO HUNDRED AND NINETY-TWO,
4 OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987

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

5 SECTION 1. Section 4, Chapter 1, Title Three Book Four, of Executive
6 Order Numbered Two Hundred and Ninety-Two, otherwise known as "The
7 Administrative Code of 1987" is hereby amended to read as follows:

8 "SEC. 4. Organizational Structure. - The Department shall
9 consist of the following units:

- 10 (1) Department Proper;
- 11 (2) Office of the Government Corporate Counsel;
- 12 (3) National Bureau of Investigation;
- 13 (4) Public Attorney's Office;
- 14 [(5) Board of Pardons and Parole;]
- 15 (5) [(6)] Parole and Probation Administration;
- 16 (6) [(7) .] Bureau of Corrections;
- 17 (7) [(8)] Land Registration Authority;

1 (8) [(9)] Bureau of Immigration; and

2 (9) [(10)] Commission on the Settlement of Land Problems.”

3 “THE BOARD OF PARDONS AND PAROLE CREATED
4 UNDER ACT NO.4103, AS AMENDED, SHALL BE PLACED
5 UNDER THE PAROLE AND PROBATION ADMINISTRATION.”

6 SECTION 2. Section 18, Chapter 6, Title 111, of the same Book of the said
7 Code is hereby amended to read as follows:

8 “SEC. 18. Board Composition. - The Board shall be composed
9 of the Secretary OF JUSTICE as THE Chairman, THE
10 ADMINISTRATOR OF THE PAROLE AND PROBATION
11 ADMINISTRATION AS THE VICE CHAIRMAN and six (6)
12 members consisting of the DRECTOR OF THE BUREAU OF
13 CORRECTIONS, a sociologists; A PSYCHOLOGIST; a clergyman;
14 an educator; and a member of the Philippine Bar: Provided, That AT
15 LEAST one of them is a woman. PROVIDED FURTHER, THAT,
16 AT THE ABSENCE OF THE CHAIRMAN, THE VICE-
17 CHATRMAN SHALL PRESIDE. The members of the board shall be
18 appointed by the President upon the recommendation of the Secretary
19 and shall hold office for a term of six (6) years, without prejudice to
20 appointment.”

21 “In case of vacancy by reason of death, incapacity, resignation
22 or removal of any of the Board members, the Secretary shall have the
23 authority to designate a temporary member possessing the
24 qualifications of his predecessor and to *serve* out his unexpired term

1 or until the President shall have appointed a regular member to fill the
2 vacancy.”

3 SECTION 3. Section 19, Chapter 6, Title 111, of the same Book of the said
4 Code is hereby amended to read as follows:

5 “SEC. 19. [Executive Director and] Board Secretary; Support
6 Staff [In the performance of his duties as Chairman of] The Board [
7 of Pardons and Parole, the Secretary] shall be assisted by a NEWLY
8 ASSEMBLED SUPPORT STAFF WHO SHALL PERFORM THE
9 SAME DUTIES AND FUNCTIONS AS THE ONES ABOLISHED.
10 IT WILL BE HEADED BY AN OFFICIAL WITH THE RANK OF
11 DIRECTOR I WHO SHALL BE DESIGNATED AS THE BOARD
12 SECRETARY AND [The Executive Director] who shall be
13 appointed by the President upon the recommendation of the Secretary.
14 [The Executive Director still receive a monthly salary of Thirteen
15 thousand five hundred pesos (P13,500.00) 1. The Board Secretary
16 shall prepare and keep the minutes of all the Board Sessions in a book
17 of records kept for the purpose as well as the resolutions and
18 recommendations of the Board on all actions involving paroles,
19 pardons, and executive clemency to the President; authenticate and/or
20 attest all minutes, resolutions and recommendations of the Board;
21 prepare and serve all notices of Board meetings or sessions to the
22 members of the Board prepare an annual report of all resolutions and
23 recommendations for parole or executive clemency and other reports

1 that the Department may require. He shall also perform such other
2 functions as the Board may from time to time assign to him.”

3 SECTION 4. Section 24, Chapter 27, Title 111, of the same Book of the said
4 Code, is hereby amended to read as follows:

5 “SEC. 24. Structural and Personnel Organization. - [(1)] The
6 Administration shall be headed by an Administrator who shall be
7 immediately assisted by TWO [an] Deputy Administrators, ONE FOR
8 PROBATION AND THE OTHER FOR PARDONS AND PAROLE.

9 The Administrator and Deputy Administrator shall be appointed by
10 the President upon the recommendation of the Secretary:
11 PROVIDED, THAT THE BOARD SECRETARY UPON THE
12 EFFECTIVITY OF THIS ACT SHALL BE DESIGNATED BY THE
13 SECRETARY AS DEPUTY ADMINISTRATOR FOR PARDONS
14 AND PAROLE.

15 The appointee to the position of Administrator and Deputy
16 Administrators must be holders of a doctoral/masteral degree in public
17 administration and/or lawyers at least one (1) year of supervisory
18 experience in probation or parole work. THE PRESENT STAFF
19 COMPLEMENT OF THE BOARD AND ITS CORRESPONDING
20 FUNCTIONS, APPROPRIATIONS, RECORDS, EQUIPMENT,
21 OTHER ASSETS AND LIABILITIES SHALL BE TRANSFERRED
22 TO THE ADMINISTRATION; PROVIDED THAT SUCH
23 NUMBER OF THE SAID STAFF COMPLEMENT AS MAY BE

1 JOINTLY DETERMINED BY THE ADMINISTRATOR AND THE
2 BOARD CHAIRMAN SHALL SERVE PROVIDED FURTHER,
3 THAT, ALL PERSONNEL OF BOTH THE BOARD OR PARDONS
4 AND PAROLE AND THE PAROLE AND PROBATION
5 ADMINISTRATION DEEMD TO BE REDUNDANT, WILL HAVE
6 THEIR POSITIONS ABOLISHED WIHTOUT PREJUDICE TO
7 PERTINENT CIVIL SERVICE RULES AND REGULATIONS.

8 [(2)] The Administration shall have a Technical Service under
9 the Office of the Administrator which shall serve as the service arm or
10 the Board of Pardons and Parole in the supervision of parolees and
11 pardonees.]

12 [(3)] The Administration shall likewise continue to operate
13 and maintain a Regional Office in each of the Administrative or
14 autonomous regions including the National Capital Region Office in
15 every province and city of the country.

16 The Regional Provincial and City Offices of the Administration
17 shall each be headed by a Regional Probation and Parole Officer,
18 Provincial/City Probation and Parole Officer, respectively, all of
19 whom shall be appointed by the Secretary upon the recommendation
20 of the Administrator, the Provincial or City Probation and Parole
21 Officers shall be assisted by such field assistants and subordinate
22 personnel as may be necessary to enable them to carry out their duties
23 and functions. For this purpose, the Administrator may appoint
24 citizens of good repute and probity to act as Probation and Parole

1 Aides who not receive any regular compensation for their services
2 except reasonable travel allowance.”

3 SECTION 5. *Repealing Clause.* - Any provisions of law inconsistent with
4 the provisions
5 of this Act are hereby repealed or amended accordingly.

6 SECTION 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days
7 after its publication in at least two (2) newspapers of general circulation.

Approved,

/apm12152014