

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

SENATE
OFFICE OF THE SECRETARY

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SENATE
S. No. 1953

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Introduced by **Senator Richard J. Gordon**

EXPLANATORY NOTE

A person who is committed to prison must lead a productive life and not be a burden to the State while in the process of rehabilitation and reformation into a law-abiding and responsible citizen. Prison work, which is the rehabilitation of a prisoner through work, aims to promote discipline and enhance the prisoner's self-respect, self-confidence, personal dignity and sense of responsibility by allowing the prisoner to pay for his or her own keep while serving time in prison.

With prison work, taxpayers will not be unduly obligated to pay for the maintenance of prisoners. While less public funds will be required to spend for prisoners, more resources will be made available for other productive uses of the government.

Although some form of rehabilitation program is being undertaken to reform prisoners by the Bureau of Corrections and the Bureau of Jail Management and Penology, there is a need to provide a legal framework for prison work to grant incentives and ensure maximum benefits so that it may be effectively utilized as a tool to rehabilitate and reform prisoners, decongest prisons, and allow the prisoners to serve the State in reforestation, infrastructure, and government projects as a way of reparation for the crimes they committed.

The salient provisions of this bill include voluntary prison work, compulsory prison work, secure work program for work outside the prison proper in reforestation, infrastructure, and government projects, the establishment of reforestation camps in cooperation with the Department of Environment and Natural Resources and other national and local agencies concerned, and compensation and time allowance for prison work.



RICHARD J. GORDON
Senator

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**AN ACT TO REHABILITATE AND REFORM PRISONERS THROUGH PRISON WORK
AND ALLOW THE PRODUCTIVE ENGAGEMENT OF QUALIFIED PRISONERS IN
REFORESTATION, INFRASTRUCTURE, AND GOVERNMENT PROJECTS**

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

1 SECTION 1. *Short Title.* – This Act shall be known as the "Prison Work Act."

2 Sec. 2. *Policy.* – It is the policy of the State to promote the rehabilitation of prisoners
3 and their reformation into responsible and law-abiding citizens through prison work and the
4 productive engagement of qualified prisoners in reforestation, infrastructure, and
5 government projects.

6 Sec. 3. *Definitions.* – For purposes of this Act,

7 (1) "Prisoner" refers to any person deprived of liberty and confined or detained in
8 prison.

9 (2) "Detained Prisoner" refers to a prisoner pending preliminary investigation, trial or
10 appeal of a crime, or upon legal process issued by a court other than a final judgment.

11 (3) "Convicted Prisoner" refers to a prisoner sentenced to a term of imprisonment in
12 a final judgment by a court.

13 (4) "Bureau" refers to the Bureau of Corrections under the Department of Justice or
14 the Bureau of Jail Management and Penology under the Department of Interior and Local
15 Government, as the case may be.

16 (5) "Prison" refers to a secured place where prisoners are confined or detained, such
17 as the New Bilibid Prison, the Correctional Institution for Women, the Leyte Regional Prison,
18 and the Davao, San Ramon, Sablayan and Iwahig Prison and Penal Farms under the
19 control of the Bureau of Corrections, and such district, city, and municipal prisons under the
20 control of the Bureau of Jail Management and Penology.

21 (6) "Prison Work" refers to the rehabilitation of prisoners through work.

1 (7) "Qualified prisoner" refers to a prisoner who is fit and eligible to work as
2 determined by the Bureau and qualified to work outside the prison and in reforestation,
3 infrastructure, and government projects based on the Bureau's security classification and
4 standards.

5 Sec. 4. *Voluntary Prison Work.* – Any prisoner, including a detained prisoner, who is
6 fit and eligible to work as determined by the Bureau may volunteer to work in and about the
7 prison, reforestation, infrastructure, and government projects subject to the approval of the
8 Bureau, provided that in the case of a detained prisoner, such work shall in no way impair
9 the detained prisoner's right to be present at every stage of his or her criminal proceedings
10 before a trial court.

11 A prisoner who chooses to work under this Section does so voluntarily and may not
12 receive compensation for work.

13 Sec. 5. *Compulsory Prison Work.* – A convicted prisoner who is fit and eligible to
14 work as determined by the Bureau may be required to work for eight (8) hours a day in and
15 about the prison, reforestation, infrastructure, and government projects with a rest period of
16 not less than twenty-four (24) consecutive hours after every six (6) consecutive normal
17 working days, except if the work is necessary household work or when the work is
18 necessary to maintain the management or discipline of the prison.

19 Sec. 6. *Secure Work Program.* – The Bureau may establish a secure work program
20 for qualified prisoners working outside the prison proper and in reforestation, infrastructure,
21 and government projects while appropriately restrained for security purposes. Qualified
22 prisoners on a work secure program shall be required to wear distinctively colored outer
23 garments and such other devices that would preserve and secure the Bureau's custody
24 over them.

25 Any qualified prisoner on a secure work program who escapes shall be punished
26 with the penalty of *prision correccional* in a special summary procedure to be promulgated
27 by the Supreme Court.

28 Sec. 7. *Reforestation, Infrastructure, and Government Projects.* – Qualified prisoners
29 may be engaged in reforestation, infrastructure, and government projects in coordination
30 with the Bureau, provided that no employee shall be displaced nor employment opportunity
31 supplanted.

1 Reforestation camps may be established, maintained, supervised and controlled by
2 the Bureau in cooperation with the Department of Environment and Natural Resources and
3 other national and local agencies concerned.

4 *Sec. 8. Compensation for Work.* – Prisoners may be reasonably compensated for
5 work performed and any and all compensation earned by a prisoner shall be collected and
6 disbursed by the Bureau only in the order stated as follows:

7 (1) Taxes due to the government from income;

8 (2) Support of the prisoner, including board, food, clothing, and necessary travel
9 expenses to and from work and other incidental expenses, if any;

10 (3) Payment of the civil liability arising from crime, if any;

11 (4) Support of the prisoner's dependents, if any;

12 (5) Payment for legal representation, if any;

13 (6) Payment of the prisoner's obligations acknowledged by the prisoner in writing or
14 reduced to judgment, if any; and

15 (7) The balance, if any, to the prisoner upon the prisoner's final discharge from
16 prison.

17 *Sec. 9. Compensation to Injured Prisoners.* – If any prisoner, in the performance of
18 work, is injured so as to be permanently incapacitated, or to have materially reduced
19 earning power, the prisoner may, upon being released from prison on final discharge, be
20 allowed and paid such compensation as the Bureau may deem necessary, except that the
21 total amount to be paid to any such prisoner shall not exceed fifty thousand pesos
22 (PhP50,000).

23 *Sec. 10. Labor Code.* – The provisions of the Labor Code on labor standards
24 pertaining to occupational health and safety shall be observed as far as practicable by the
25 Bureau in implementing the provisions of this Act.

26 *Sec. 11. Time Allowance for Prison Work.* – In addition to time allowances provided
27 in the Revised Penal Code, a prisoner who works diligently under Sec. 4 of this Act as
28 determined by the Bureau shall be entitled to a deduction of five (5) days from the period of
29 sentence for each month of voluntary prison work rendered, while a prisoner who works
30 diligently under Sec. 5 of this Act as determined by the Bureau shall be entitled to a
31 deduction of three (3) days from the period of the sentence for every month of compulsory
32 prison work rendered.

1 Sec. 12. *Rules and Regulations.* – The Bureau shall promulgate rules and
2 regulations to implement the provisions of this Act within three (3) months from the
3 effectivity of this Act.

4 Sec. 13. *Appropriation.* – The initial funding to carry out the provisions of this Act
5 shall be charged against the current year's appropriation. Thereafter, such sums as may be
6 necessary shall be included in the General Appropriations Act.

7 Sec. 14. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
8 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
9 repealed or modified accordingly.

10 Sec. 15. *Separability Clause.* – If any portion or provision of this Act is declared
11 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
12 remain in force and effect.

13 Sec. 16. *Effectivity.* – This Act shall take effect after fifteen (15) days following the
14 completion of its publication either in the Official Gazette or in a newspaper of general
15 circulation in the Philippines.

16 Approved,