



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

'22 NOV -3 P5 39

SENATE

S. No. 1451

RECEIVED BY: _____

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
AMENDING REPUBLIC ACT NO. 6975 AND REPUBLIC ACT NO. 9263
INTEGRATING ALL THE PROVINCIAL AND SUB-PROVINCIAL JAILS WITHIN
THE JURISDICTION OF THE BUREAU OF JAIL MANAGEMENT AND
PENOLOGY**

EXPLANATORY NOTE

The advancement of a national standard in the operational management of all local jails, sub-provincial jails, and district, city and municipal jails, is of paramount importance to better uphold the basic and constitutional rights of inmates who are detained / serving their sentence in such jail facilities. With such a standard firmly established and faithfully observed, there will be uniformity and boosted efficiency in the implementation of the plans and programs that are geared toward the more effective rehabilitation of inmates.

At present, Republic Act (RA) No. 6975 provides that "provincial jails shall be supervised and controlled by the provincial management within its jurisdiction." Hence, under the said law, the Bureau of Jail Management and Penology is not tasked with the operational management, supervision and control of all the existing provincial jails.

Toward the vision of establishing a national standard in the operational management of all local jails, RA 6975 and RA 9263 are herein proposed to be amended such that the Bureau of Jail Management and Penology shall now be tasked with the supervision and control of all local jail facilities.

Furthermore, this proposal offers the following advantages:

1. There will be established a uniform and standardized policy on the administration and supervision of all local jails;
2. The administration and operation of all local jails will be entrusted to the BJMP, which is a specialized agency, which has the mission of safekeeping, reformation and rehabilitation of inmates. Thus, the objectives of public safety and institutional correction through jail supervision and management could be better attained through the enactment of this proposal;
3. The provincial government will be unburdened with the task of supervising and maintaining a jail facility resulting to its being able to devote its focus to its more pressing responsibilities;
4. This will promote the professionalization of all jail personnel, which will now include the provincial jail guards.

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



RAMON BONG REVILLA, JR.

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

1 Section 1. Section 61 of Republic Act No. 6975, otherwise known as the
2 "*Department of the Interior and Local Government Act of 1990*", is hereby amended
3 to read as follows:

4 Sec. 61. POWERS AND FUNCTIONS. – The Jail Bureau shall
5 exercise supervision and control over all **PROVINCIAL, SUB-**
6 **PROVINCIAL**, city and municipal jails.

7 Sec. 2. Section 62 of the same Act is hereby amended to read as follows:

8 Sec. 62. ORGANIZATION. –

9 X X X

10 The Jail Bureau shall be composed of **PROVINCIAL, SUB-**
11 **PROVINCIAL**, city or municipal jails, each headed by a
12 **PROVINCIAL, SUB-PROVINCIAL**, city or municipal jail warden:
13 *Provided, That, in the case of large cities and municipalities, a*
14 *district jail warden may be established as necessary.*

15 X X X

16 Sec. 3. Section 63 of the same act is hereby amended to read as follows:

17 Sec. 63. ESTABLISHMENT OF **PROVINCIAL, SUB-**
18 **PROVINCIAL**, DISTRICT, CITY OR MUNICIPAL JAIL. – There shall

1 be established and maintained in every **PROVINCE**, district, city
2 and municipality a secured, clean adequately equipped and sanitary
3 jail for the custody and safekeeping of **PROVINCIAL**, city and
4 municipal prisoners, any fugitive from justice, or person detained
5 awaiting investigation or trial and/or transfer to the national
6 penitentiary, and/or violent mentally-ill person who endangers
7 himself or the safety of others, duly certified as such by the proper
8 medical or health officer, pending the transfer to a medical
9 institution.

10 X X X

11 Sec. 4. The management, supervision and control of provincial and sub-
12 provincial jails, including all its properties, equipment, and finances, are hereby
13 transferred to the Bureau of Jail Management and Penology (BJMP).

14 *Provided, however,* That the three (3) year transition period is hereby
15 established, to commence from the date of effectivity of this Act. During the transition
16 period, the Provincial Government shall subsidize the subsistence allowance of inmates
17 and the maintenance of the jail facility, including, but not limited to, electric and water
18 expenses and necessary repairs.

19 The transfer, and/or absorption of the functions, appropriations, funds, records,
20 equipment, facilities, choses in action, rights, and other assets of Provincial and Sub-
21 Provincial Jails to/by the BJMP shall be without prejudice to the provisions of RA 7160
22 that are not otherwise inconsistent with this Act.

23 All personnel of Provincial and Sub-Provincial Jails, unless removed for cause,
24 may be absorbed by the BJMP: *Provided,* That such guidelines must be consistent with
25 the provisions of RA 9263 and its Implementing Rules and Regulations.

26 The Chief of the BJMP shall, within six (6) months from the effectivity of this
27 Act, recommend the organizational structure and staffing pattern of the assumed
28 provincial and sub-provincial jails.

29 Sec. 5. The local government of the province shall be a partner of the BJMP in
30 the rehabilitation of the inmates in the provincial jails. For this purpose, the
31 *Sanguniang Panlalawigan* of each province shall provide for the maintenance and

1 improvement of jails and detention centers and shall appropriate funds to supplement
2 subsistence of detainees and convicted prisoners in the province.

3 Sec. 6. The Provincial and Sub-Provincial Jail Warden shall have the rank of
4 Superintendent: *Provided*, That if the jail population is one thousand (1,000) or more
5 inmates, the Warden shall be a graduate of Bachelor of Laws or a holder of a Master's
6 degree in management, public administration, public safety, criminology, penology,
7 sociology, national security administration, defense studies or other related discipline
8 from a recognized institution of learning, and must satisfactorily pass the necessary
9 training and career courses for such position as may be established by law.

10 Sec. 7. A Special Oversight Committee, composed of the Secretary of Interior
11 and Local Government as Chair, the Secretary of Budget and Management as Co-
12 Chair, and the Chair of the Civil Service Commission, President of the League of
13 Provinces, and the Chief of the Bureau of Jail Management and Penology, as members,
14 is hereby created to oversee the expeditious transfer and absorption into the Bureau
15 of Jail Management and Penology of all personnel, property, appropriations and
16 installations of the provincial and sub-provincial jails.

17 Sec. 8. *Implementing Rules and Regulations*. - Within ninety (90) days from
18 the effectivity of this Act, the Oversight Committee shall promulgate the rules and
19 regulations necessary to ensure the effective implementation of this Act.

20 Sec. 9. *Separability Clause*. - If any provision or part hereof, is held invalid or
21 unconstitutional, the remainder of the law or the provision not otherwise affected shall
22 remain in full force and effect.

23 Sec. 10. *Repealing Clause*. - Any law, presidential decree or issuance, executive
24 order, letter of instruction, administrative order, rule or regulation contrary to, or
25 inconsistent with the provisions of this Act is hereby repealed, modified or amended
26 accordingly.

27 Sec. 11. *Effectivity Clause*. - This Act shall take effect fifteen (15) days after its
28 complete publication in the *Official Gazette* or at least two (2) newspapers of general
29 circulation in the Philippines.

Approved,