


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

7 JUL 18 1906

SENATE

RECEIVED BY: 

Senate Bill No. 1244

Introduced by Senator FRANCIS N. PANGILINAN

EXPLANATORY NOTE

The 1987 Constitution is explicit in its guarantee that no person shall be deprived of life, liberty or property without due process of law. Nonetheless, a number of people still fall victim to false accusations and subjected to imprisonment for crimes they did not commit, only to be subsequently acquitted. The said consequence is people unjustly imprisoned suffer indignities, humiliation and degrading or inhuman treatment in the hands of the agents of the government. Further, they endure the stigma put by society against those imprisoned regardless of the cause of imprisonment or lack of it.

Likewise, the unfortunate victims of our criminal justice system, including their families, suffer loss of livelihood for those times spent in prison. Moreover, due to the social banishment put against person unjustly imprisoned, his reemployment is rendered improbable.

While the foregoing regrettable consequences cannot be fully compensated, this bill aims to reasonably compensate, at least financially, the loss suffered by the victims of unjust imprisonment by increasing the compensation of victims of unjust imprisonment or detention and victims of violent crimes authorized under Republic Act No. 7309, from a maximum of P1,000 to P3,000 per month for victims of unjust imprisonment or detention and from a maximum amount of P10,000 to P20,000 in all other cases.


Thus, passage of this is urged.


FRANCIS N. PANGILINAN

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SENATE BILL No. 1244

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AN ACT
AMENDING SECTIONS 4 AND 9 OF REPUBLIC ACT NO. 7309,
ENTITLED "AN ACT CREATING A BOARD OF CLAIMS UNDER THE
DEPARTMENT OF JUSTICE FOR VICTIMS OF UNJUST
IMPRISONMENT OR DETENTION AND VICTIMS OF VIOLENT CRIMES
AND FOR OTHER PURPOSES"

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

1 **SECTION 1.** Section 4 of Republic Act No. 7309, entitled "An Act Creating A
2 Board of Claims Under the Department of Justice for Victims of Unjust Imprisonment or
3 Detention and Victims of Violent Crimes and for Other Purposes" is hereby amended to
4 read as follows:

5 "Sec. 4. Award Ceiling. – For victims of unjust imprisonment or detention,
6 the compensation shall be based on the number of months of imprisonment or
7 detention and every fraction thereof shall be considered one month: *Provided,*
8 *however,* That in no case shall such compensation exceed [one] THREE
9 thousand pesos [(P1,000.00)] (P3,000.00) per month.

10 "In all other cases, the maximum amount for which the Board may
11 approve a claim shall not exceed [Ten] TWENTY thousand pesos [(P 10,000.00)]
12 P 20,000.00 or the amount necessary to reimburse the claimant the expenses
13 incurred for hospitalization, medical treatment, loss of wage, loss of support or
14 other expenses directly related to the injury, whichever is lower. This is without
15 prejudice to the right of the claimant to seek other remedies under existing laws".

1 **SEC. 2.** Sec. 9 of the same Republic Act No. 7309 is hereby amended to read
2 as follows:

3 “Sec. 9. Funding. – For purposes of this Act, the initial amount of
4 Ten million pesos (₱ 10,000,000.00) is hereby authorized to be
5 appropriated from the funds of the National Treasury not otherwise
6 appropriated.

7 The subsequent annual funding shall also partly come from one
8 **AND ONE HALF PERCENT** [(1%)] (1½%) of the net income of the
9 Philippine Amusement and Gaming Corporation and one **AND ONE**
10 **HALF** percent [1%]] (1½%) of the proceeds and sales and other
11 disposition of military camps in Metro Manila by the Base Conversion and
12 Development Authority.

13 The proceeds from any contract relating to the depiction of a crime
14 in a movie, book, newspaper, magazine, radio or television production, or
15 live entertainment, of any kind, or any other form of commercial
16 exploitation of a story, recollection, opinions and emotions with regard to
17 the offense committed shall not be released to a convict in a criminal case
18 or his heirs, agents, assignees or successors in interest until full
19 compensation for damages suffered by or awarded to, the victim, his
20 heirs or successors in interest if paid or arranged for, and the state is able
21 to collect/assess fines and cost and any other amount due in case of a
22 conviction by final judgment. Such damages shall include but shall not be
23 limited to, judicial awards, funeral expenses, medical expenses, lost
24 earnings and the like.

25 To ensure the continuity of the funding requirements under this
26 Act, the amount of [Five] **TEN** pesos [(₱ 5.00)] (₱ 10.00) shall be set
27 aside from each filing fee in every civil case filed with the court, the total
28 proceeds of which shall constitute the Victim Compensation Fund to be
29 administered by the Department of Justice.”

1 **SEC. 3. *Repealing Clause.*** All decrees, executive orders, rules and regulations,
2 or parts thereof, inconsistent with the provisions of this Act are hereby repealed or
3 modified accordingly.

4 **SEC. 4. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete
5 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,