

10 JUL -5 P 1:35

SENATE

Senate Bill No. 116

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Introduced by Senator GREGORIO B. HONASAN II

EXPLANATORY NOTE

Article 99 of Republic Act No. 3815, otherwise known as the Revised Penal Code, as amended, solely authorizes the "Director of Prisons" to grant allowances for good conduct time allowance (GCTA) to prisoners in accordance with Article 97 of the same Act.

Since the approval of the Revised Penal Code in December 8, 1930, Article 99 thereof, which is the subject of this bill, has not been amended. Currently, jails and prisons in the country are under the supervision and control of three (3) government agencies, namely:

1) the Bureau of Corrections, which has supervision and control over National Penal Farms that house insular prisoners or those serving prison terms of more than three (3) years;

2) the provincial governments, which has supervision and control over provincial and sub-provincial jails that house provincial prisoners or those serving prison terms of more than six (6) months up to three (3) years; and ...

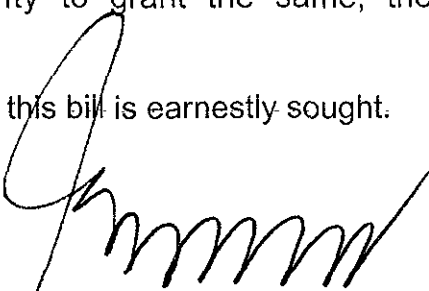
3) the Bureau of Jail Management and Penology (BJMP) under the DILG, which has jurisdiction over all district, city, and municipal jails that house municipal prisoners or those serving prison terms of one (1) day to not more than six (6) months in municipal jails and not more than three (3) years in city jails.

At present, however, only the Director, Bureau of Corrections can grant time allowance for good conduct. The Chief of the Bureau of Jail Management and Penology has no such authority.

While insular prisoners are able to enjoy the GCTA with ease, city and municipal prisoners, on the other hand, find difficulty in availing the same, considering that they are not under the jurisdiction of the Director, Bureau of Corrections. It should be noted that prisoners are of the same footing wherever they may be confined so that the GCTA should likewise be within the easy reach of city and municipal prisoners.

This proposed legislative measure intends to fast-track the application and grant of good conduct time allowance which could only be attained if the Chief of the BJMP will be given the authority to grant the same, thereby decongesting our overly congested jails.

It is on this note that the urgent approval of this bill is earnestly sought.



GREGORIO B. HONASAN II
Senator

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

OFFICE OF THE SECRETARY

10 JUL -5 P1 35

SENATE

s. No. 116

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Introduced by SENATOR GREGORIO B. HONASAN II

**AN ACT AMENDING ARTICLE NINETY-NINE OF
ACT NUMBERED THIRTY-EIGHT HUNDRED FIFTEEN,
AS AMENDED, OTHERWISE KNOWN AS
THE REVISED PENAL CODE**

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

**CHAPTER I
INTRODUCTORY PROVISIONS**

SECTION 1. Article 99 of Act Numbered 3815, as amended, otherwise known as the Revised Penal Code, which provides,

“Article 99. Who grants time allowances – Whenever lawfully justified, the Director of Prisons shall grant allowances for good conduct. Such allowance once granted shall not be revoked.”

Is hereby amended to read as follows:

“Article 99. Who grants time allowances – Whenever lawfully justified, **THE DIRECTOR OF THE BUREAU OF CORRECTIONS AND/OR THE CHIEF OF THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY** shall grant allowances for good conduct. Such allowance once granted shall not be revoked.”

SECTION 2. All laws, orders, decrees and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 3. This act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation in the Philippines.

APPROVED,