

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

10 JUL -8 AM:36

SENATE

S. NO. 187

10 JUL 1988
A.

Introduced by Senator Antonio "Sonny" F. Trillanes IV

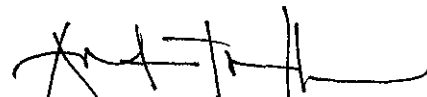
Explanatory Note

The admittance of some witnesses in the Kuratong Baleleng incident, among others, into the Witness Protection Program as enunciated under Republic Act No. 6981 has given rise to some problems in implementation arising from circumstances not provided for by law.

The bill proposes to amend RA 6981 by entitling: 1) witnesses admitted into the program hospitalization benefits while in the safehouse; 2) minor or dependent children free public education, from primary to college. Presently, free hospitalization is provided only for injuries or illnesses incurred or suffered by him because of witness duty. Also, minors or dependent children of witnesses cannot avail such free education provision in the law because of the condition that the same can only be availed of in case of death or permanent incapacity. In making free education to minors or dependents available, we limit such grant in the public educational system due primarily to the very limited funds the State has to afford assuming expenditures from private schools.

The bill also seeks to provide for the perpetuation of testimonies of witnesses in consonance with Rule 134 of the Revised Rules of Court. Some experts though say that this can readily be done administratively. We would like to clearly and explicitly provide for such in law.

Passage of this measure is earnestly requested.


ANTONIO "SONNY" F. TRILLANES
Senator


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SENATE
OFFICE OF THE CLERK

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S. NO. 187

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

**AN ACT
AMENDING REPUBLIC ACT NO. 6981 OTHERWISE KNOWN AS THE "WITNESS
PROTECTION, SECURITY AND BENEFIT ACT"**

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

1 **SECTION. 1.** This Act shall be known as the "Witness Protection, Security and Benefit
2 Act of 2010."

3
4 **SEC. 2.** Section 4 of Republic Act. No. 6981 is hereby amended to read as follows:
5 "Section 4. *Witness in Legislative Investigations.* – In case of legislative investigations in
6 aid of legislation, [a witness] **THE SENATE OF THE PHILIPPINES OR THE**
7 **HOUSE OF REPRESENTATIVES, AS THE CASE MAY BE, SHALL PROVIDE**
8 **FOR A SEPARATE "WITNESS PROTECTION, SECURITY AND BENEFIT**
9 **PROGRAM" FOR THE RESOURCE PERSONS AND/ OR WITNESSES. THE**
10 **WITNESS AND/ OR RESOURCE PERSON,** with his express consent, may be
11 admitted into the Program upon the recommendation of the legislative committee where
12 his/ her testimony is needed when in its judgment there is pressing necessity therefor:
13 Provided, That such recommendation is approved by the President of the Senate or
14 Speaker of the House of Representatives, as the case may be.

15 **THE SENATE OF THE PHILIPPINES OR THE HOUSE OF**
16 **REPRESENTATIVES, AS THE CASE MAY BE, SHALL HAVE PRIMARY**

1 JURISDICTION IN THE ADMINISTRATION AND IMPLEMENTATION OF
2 THE PROGRAM. CONGRESS MAY REQUEST THE NECESSARY
3 ASSISTANCE FROM ANY DEPARTMENT, BUREAU, OFFICE OR ANY
4 OTHER EXECUTIVE AGENCY TO ASSIST WITH THE IMPLEMENTATION
5 OF THE PROGRAM.

6 HOWEVER, THE PROGRAM SHALL BE IMPLEMENTED BY THE
7 SENATE OR THE HOUSE OF REPRESENTATIVES INDEPENDENT FROM
8 ANY OTHER DEPARTMENT, BUREAU, OFFICE OR ANY OTHER
9 EXECUTIVE AGENCY WHEN IT IS APPARENT THAT THE
10 INVESTIGATION MIGHT BE PREJUDICED AND/ OR WHEN THE SAFETY
11 OF THE WITNESS MIGHT BE JEOPARDIZED ESPECIALLY WHEN THE
12 PUBLIC OFFICIALS ARE INVOLVED.

13 CONGRESS MAY PROMULGATE ITS OWN RULES AND
14 REGULATIONS FOR THE IMPLEMENTATION OF THIS PROVISION."
15

16 SEC. 3. Section 8 (e) and (g) of the same Act are hereby amended to read as
17 follows:

18 "SEC. 8. *Rights and Benefits.* – The witness shall have the following rights and benefits:

19 X X X

20 (e). To be provided with free medical treatment, hospitalization and medicines for any
21 injury or illness incurred or suffered by him because of witness duty **OR WHILE IN**
22 **THE SAFEHOUSE** in any private or public hospital, clinic, or such institution at the
23 expense of the Program.

24 X X X

25 (g.)[In case of death or permanent incapacity, his] **THE WITNESS'** minor or
26 dependent children shall be entitled to free education, from primary to college level in
27 any state, or private school, college or university [as may be determined by the
28 Department,] as long as they shall have qualified thereto."

1 **SEC. 4.** A new section, Section 12-A, shall be inserted under Section 12 of the
2 same Act, which shall read as follows:

3 **SEC. 12-A. PERPETUATION OF TESTIMONY. – ONCE ADMITTED INTO**
4 **THE PROGRAM, A WITNESS MAY PERPETUATE HIS TESTIMONY**
5 **PURSUANT TO RULE 134 OF THE REVISED RULES OF THE COURT.**

6
7 **SEC. 5.** The Department of Justice shall promulgate the necessary rules and
8 regulation to implement this Act.

9
10 **SEC. 6.** If any provision or part hereof is held invalid or unconstitutional, the
11 remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

12
13 **SEC. 7.** All laws, executive orders, decrees, rules, regulations, ordinances, or parts
14 thereof which are inconsistent with the provision of this Act are hereby repealed or modified
15 accordingly.

16
17 **SEC. 8.** This Act shall take effect fifteen (15) days upon its complete publication
18 in the Official Gazette or in at least two (2) general newspapers of national circulation.

Approved,