


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

OFFICE

10 JUL 22 P4:19

SENATE
S. No. 1906

RECEIVED BY 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Board of Pardons and Paroles releases prisoners on parole and recommends the grant of presidential pardons. The Parole and Probation Administration supervises the rehabilitation of parolees as well as probationers. Based on the experience of the Department of Justice, the two offices perform complementary or related functions.


This bill seeks to merge the two offices by amending Book 4, Title 3 of Executive Order 292 otherwise how as the Administrative Code of 1987. This is consistent with the policy to streamline the existing bureaucracy in the Department of Justice, and to promote operational efficiency and economy.¹


MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Thirteenth Congress, First Regular Session

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1 AN ACT
2 TO AMEND CERTAIN SECTIONS OF TITLE THREE, BOOK FOUR, OF EXECUTIVE
3 ORDER NUMBERED TWO HUNDRED AND NINETY-TWO, OTHERWISE KNOWN
4 AS THE ADMINISTRATIVE CODE OF 1987

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

5 SECTION 1. Section 4, Chapter 1, Title Three Book Four, of Executive Order Numbered
6 Two Hundred and Ninety-Two, otherwise known as "The Administrative Code of 1987" is
7 hereby amended to read as follows:

8 "SEC. 4. Organizational Structure. - The Department shall consist of the
9 following units:

- 10 (1) Department Proper;
- 11 (2) Office of the Government Corporate Counsel;
- 12 (3) National Bureau of Investigation;
- 13 (4) Public Attorney's Office;
- 14 [(5) Board of Pardons and Parole;]
- 15 (5) [(6)] Parole and Probation Administration;
- 16 (6) [(7) .] Bureau of Corrections;
- 17 (7) [(8)] Land Registration Authority;
- 18 (8) [(9)] Bureau of Immigration; and
- 19 (9) [(10)] Commission on the Settlement of Land Problems."

20 "THE BOARD OF PARDONS AND PAROLE CREATED UNDER ACT
21 NO.4103, AS AMENDED, SHALL BE PLACED UNDER THE PAROLE AND
22 PROBATION ADMINISTRATION."

1 SECTION 2. Section 18, Chapter 6, Title 111, of the same Book of the said Code is
2 hereby amended to read as follows:

3 "SEC. 18. Board Composition. - The Board shall be composed of the
4 Secretary OF JUSTICE as THE Chairman, THE ADMINISTRATOR OF THE
5 PAROLE AND PROBATION ADMINISTRATION AS THE VICECHAIRMAN
6 and six (6) members consisting of the DRECTOR OF THE BUREAU OF
7 CORRECTIONS, a sociologists; A PSYCHOLOGIST; a clergyman; an educator;
8 and a member of the Philippine Bar: Provided, That AT LEAST one of them is a
9 woman. PROVIDED FURTHER, THAT, AT THE ABSENCE OF THE
10 CHAIRMAN, THE VICE-CHATRMAN SHALL PRESIDE. The members of the
11 board shall be appointed by the President upon the recommendation of the
12 Secretary and shall hold office for a term of six (6) years, without prejudice to
13 appointment."

14 "In case of vacancy by reason of death, incapacity, resignation or removal
15 of any of the Board members, the Secretary shall have the authority to designate a
16 temporary member possessing the qualifications of his predecessor and to *serve*
17 out his unexpired term or until the President shall have appointed a regular
18 member to fill the vacancy."

19 SECTION 3. Section 19, Chapter 6, Title 111, of the same Book of the said Code is
20 hereby amended to read as follows:

21 "SEC. 19. [Executive Director and] Board Secretary; Support Staff [In
22 the performance of his duties as Chairman of] The Board [of Pardons and Parole,
23 the Secretary] shall be assisted by a NEWLY ASSEMBLED SUPPORT STAFF
24 WHO SHALL PERFORM THE SAME DUTIES AND FUNCTIONS AS THE
25 ONES ABOLISHED IT WILL BE HEADED BY AN OFFICIAL WITH THE
26 RANK OF DIRECTOR I WHO SHALL BE DESIGNATED AS THE BOARD
27 SECRETARY AND [The Executive Director] who shall the appointed by the

1 President upon the recommendation of the Secretary. [The Executive Director
2 still receive a monthly salary 1 of Thirteen thousand five hundred pesos
3 (P13,500.00) 1. The Board Secretary shall prepare and keep the minutes of all the
4 Board Sessions in a book of records kept for the purpose as well as the resolutions
5 and recommendations of the Board on all actions involving paroles, pardons, and
6 executive clemency to the President; authenticate and/or attest all minutes,
7 resolutions and recommendations of the Board; prepare and serve all notices of
8 Board meetings or sessions to the members of the Board prepare an annual report
9 of all resolutions and recommendations for parole or executive clemency and
10 other reports that the Department may require. He shall also perform such other
11 functions as the Board may from time to time assign to him.”

12 SECTION 4. Section 24, Chapter 27, Title 111, of the same Book of the said Code, is
13 hereby amended to read as follows:

14 “SEC. 24. Structural and Personnel Organization. - [(1)] The
15 Administration shall be headed by an Administrator who shall be immediately
16 assisted by TWO [an] Deputy Administrators, ONE FOR PROBATION AND
17 THE OTHER FOR PARDONS AND PAROLE. The Administrator and Deputy
18 Administrator shall be appointed by the President upon the recommendation of
19 the Secretary: PROVIDED, THAT THE BOARD SECRETARY UPON THE
20 EFFECTIVITY OF THIS ACT SHALL BE DESIGNATED BY THE
21 SECRETARY AS DEPUTY ADMINISTRATOR FOR PARDONS AND
22 PAROLE.

23 The appointee to the position of Administrator and Deputy Administrators
24 must be holders of a doctoral/masteral degree in public administration and/or
25 lawyers at least one (1) year of supervisory experience in probation or parole
26 work. THE PRESENT STAFF COMPLEMENT OF THE BOARD AND ITS
27 CORRESPONDING FUNCTIONS, APPROPRIATIONS, RECORDS,

1 EQUIPMENT, OTHER ASSETS AND LIABILITIES SHALL BE
2 TRANSFERRED TO THE ADMINISTRATION; PROVIDED THAT SUCH
3 NUMBER OF THE SAID STAFF COMPLEMENT AS MAY BE JOINTLY
4 DETERMINED BY THE ADMINISTRATOR AND THE BOARD CHAIRMAN
5 SHALL SERVE PROVIDED FURTHER, THAT, ALL PERSONNEL OF BOTH
6 THE BOARD OR PARDONS AND PAROLE AND THE PAROLE AND
7 PROBATION ADMINISTRATION DEEMD TO BE REDUNDANT, WILL
8 HAVE THEIR POSITIONS ABOLISHED WIHTOUT PREJUDICE TO
9 PERTINENT CIVIL SERVICE RULES AND REGULATIONS.

10 [(2)] The Administration shall have a Technical Service under the Office
11 of the Administrator which shall serve as the service arm or the Board of Pardons
12 and Parole in the supervision of parolees and pardonees.]

13 [(3)] The Administration shall likewise continue to operate and maintain
14 a Regional Office in each of the Administrative or autonomous regions including
15 the National Capital Region Office in every province and city of the country.

16 The Regional Provincial and City Offices of the Administration shall each
17 be headed by a Regional Probation and Parole Officer, Provincial/City Probation
18 and Parole Officer, respectively, all of whom shall be appointed by the Secretary
19 upon the recommendation of the Administrator, the Provincial or City Probation
20 and Parole Officers shall be assisted by such field assistants and subordinate
21 personnel as may be necessary to enable them to carry out their duties and
22 functions. For this purpose, the Administrator may appoint citizens of good repute
23 and probity to act as Probation and Parole Aides who not receive any regular
24 compensation for their services except reasonable travel allowance.”

25 SECTION 5. *Repealing Clause.* - Any provisions of law inconsistent with the provisions
26 of this Act are hereby repealed or amended accordingly.

1 SECTION 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
2 publication in at least two (2) newspapers of general circulation.

Approved,