

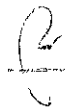
FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

13 AUG 10 11 51 AM

SENATE

S. No. 2363

RECEIVED BY 

Introduced by Senator FRANCIS G. ESCUDERO

EXPLANATORY NOTE

This bill advances a dynamic implementation of the good conduct allowance under Article 97, Chapter II of the Revised Penal Code. It unequivocally recognizes as "good conduct" the demonstrated courage, willingness and the ability of a prisoner to increase his knowledge, develop his skills and strengthen his moral values while under detention.

It is also unfortunate that under our present laws, prisoners are not entitled to good conduct allowance while their cases are on appeal. This rule either discourages prisoners from complying with prison rules or withdraw their appeals to qualify for good conduct allowance.

This bill thus seeks to remedy the situation by amending Article 97 of the Revised Penal Code and allows inmates, even with appealed cases, to qualify for good conduct allowances.

The potential benefits from this bill are as follows:

1. Increasing literacy and skills standards and strengthening moral values of prisoners will facilitate their reintegration into mainstream society as reformed and productive citizens.
2. The grant to prisoners of good conduct time allowance for participating in literacy, skills and values development programs will result in the reduction of their incarceration period. This translates to a decrease in the over-all cost of correction thru jail decongestion.
3. With increasing literacy among prisoners, a jail management system responsive to current needs and problems can be implemented to forestall, jailbreaks, riots and other destabilizing activities.
4. The duty of the State to provide elementary and high school education to its citizens, for free, is fulfilled. It is a fact that many prisoners are unschooled or are illiterates which may be contributory to their transgression of the law.

As an incentive to parallel the rigors and the bliss of increasing knowledge, developing skills and strengthening moral values while under detention, the grant of good conduct time allowance for prisoners who participate in the literacy, skills and moral development programs is made mandatory. A prisoner's "good conduct" deserves recompense under the law.

The early passage of this legislative measure is earnestly requested.



FRANCIS G. ESCUDERO

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

SENATE
OFFICE OF THE SECRETARY

10 AUG 10 P5:20

SENATE

S. No. 2363

RECEIVED BY

Introduced by Senator FRANCIS G. ESCUDERO

AN ACT
PROVIDING FOR GOOD CONDUCT TIME ALLOWANCES (GCTA) TO
DETENTION PRISONERS AND THOSE SERVING SENTENCE BY VIRTUE
OF FINAL JUDGMENT, APPROPRIATING FUNDS THEREFOR AND FOR
OTHER PURPOSES

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

SECTION 1. Declaration of Policy. - It is the policy of the State to promote the correction and rehabilitation of detention prisoners and those serving sentence by virtue of final judgment and provide an opportunity for their reformation by giving them free education in order to develop their skills, strengthen their moral values, facilitate integration into the mainstream of society and to uplift and redeem valuable human material so as to prevent unnecessary and excessive deprivation of personal liberty and economic usefulness. Towards this end, for their good behavior, there is a need to grant good conduct time allowances (GCTA) to detention prisoners (while being detained and awaiting trial) and those prisoners serving sentence by virtue of final judgment.

SEC. 2. Allowance for Good Conduct. - For their good behavior, detention prisoners and those serving sentence by virtue of final judgment shall be allowed a deduction of fifteen (15) days for every month of good conduct.

SEC. 3. Allowance for Study Time. - In addition to the good conduct time allowances (GCTA) provided in the preceding section, detention prisoners and those serving sentence by virtue of final judgment who shall earn or make satisfactory progress towards earning a post graduate or a college degree or a certificate of completion of a vocational or skills or values development course or a high school diploma or an elementary grades certificate shall also be allowed a deduction of fifteen (15) days for every month of study time or mentoring service rendered to fellow prisoners.

The additional privilege under this Act shall likewise apply to prisoners who are rendering teaching services to their fellow inmates.

SEC. 4. Prison Officials Authorized to Qualify Prisoners to the Grant of Additional Allowance Under this Act. - The Director of the National Bureau of Prisons, Chief of the Bureau of Jail and Management Penology (BJMP), Wardens of various provincial, cities and municipalities, shall be authorized to assess, evaluate and grant good conduct time allowances for detention prisoners and those serving sentence by virtue of final judgment.

1 **SECTION 5. Additional Allowance to Detention Prisoners and those**
2 **Serving Sentence by Virtue of a Final Judgment.** The time allowances provided
3 for under this Act shall be those in addition to those that are already being
4 granted under existing rules and regulations.

5
6 **SEC. 6. Grant of Allowance Pending Appeal.** - An appeal by the accused
7 shall not deprive him of entitlements to the above allowances for good conduct.

8
9 **SECTION 7. Implementing Rules and Regulations.** - The Secretary of the
10 Department of Justice (DOJ) and the Secretary of the Department of Interior and
11 Local Government (DILG) shall, within sixty (60) days from the approval of this
12 Act, promulgate rules and regulations on the classification system for good
13 conduct time allowances as may be necessary to implement 26 the provision of
14 this Act.

15
16 **SECTION 8. Separability Clause.** In case any provision hereof is declared
17 unconstitutional the other provisions not so declared and affected shall remain in
18 force and effect.

19
20 **SECTION. 9. Repealing Clause.** All laws, rules and regulations, or parts
21 thereof, which are contrary to or are inconsistent with this Act are hereby
22 repealed or amended accordingly.

23
24 **SECTION 10. Effectivity.** - This Act shall take effect after fifteen (15) days
25 from its publication in three national newspaper of general circulation.

26
27 *Approved,*
28