



16 JUL 19 P4 54

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

RECEIVED BY: 

SENATE

S. No. 573

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
CREATING A CARNAP PREVENTION PROGRAM, ESTABLISHING A CARNAP
PREVENTION ADVISORY BOARD, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

In the recent years, carnapping has become a serious concern in the Philippines. In fact, it is attributed as one of the reasons for the rising incidents of crime rate in the country. Carnapping is characterized by the boldness of the suspects to commit the act which are sometimes constituted with violence. Thus, a comprehensive anti-carnapping program is needed in order to reduce the incidence of carnapping and to increase the apprehension of professional carnappers.

This bill seeks to establish a Carnap Prevention Program with the end in view of implementing nationwide plans, programs, and strategies to combat carnapping, improve the administration of the anti-carnapping laws, and provide a forum for identification of critical problems for those persons dealing with carnapping.

Further, the Carnap Prevention Advisory Board shall be charged to assist in the prevention and deterrence of carnapping and related crimes, including vandalism and theft of property from the vehicles in the country. It shall henceforth seek to improve and support anti-carnap law enforcement, prosecution, prevention, and education and juvenile diversion programs by establishing nationwide planning capabilities and coordination of dedicated funding sources.

In view of the foregoing, the early passage of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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

1 **SECTION 1. Short Title.** This Act shall be known as the "*Watch Your Car Program*
2 *of 2016.*"

3
4 **SEC.2. Definition of Terms.** - The terms, as used in this Act, shall be understood to
5 mean –

6
7 (1) "Carnapping" is the taking, with intent to gain, of a motor vehicle belonging to
8 another without the latter's consent, or by means of violence against or
9 intimidation of persons, or by using force upon things.

10
11 (2) "Chief" means the Chief of the Philippine National Police (PNP).

12
13 **SEC. 3. Carnap Prevention Program.** - The Chief shall:

14
15 (1) Develop and sponsor the implementation of nationwide plans, programs, and
16 strategies to combat carnapping, improve the administration of the anti-
17 carnapping laws, and provide a forum for identification of critical problems
18 for those persons dealing with carnapping;

19
20 (2) Coordinate the development, adoption, and implementation of plans,
21 programs, and strategies relating to interagency and intergovernmental
22 cooperation with respect to anti-carnapping enforcement;

23
24 (3) Annually audit the plans and programs that have been funded in whole or in
25 part to evaluate effectiveness of the plans and programs and withdraw funding
26 should the Chief determine that a plan or program is ineffective or is no longer
27 in need of further financial support from the fund;

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29 (4) Develop a plan of operation including:

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31 a) An assessment of the scope of the problem of carnapping, including areas
32 in the country where the problem is greatest;

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- b) An analysis of various methods' of contributing the problem of carnapping;
 - c) A plan for providing financial support to combat carnapping;
 - d) A plan for eliminating car hijacking; and
 - e) An estimated amount of funds required to implement the plan.
- (5) Distribute money, in consultation with the Commissioner of the Land Transportation Office (LTO), to account for automobile theft prevention activities, including:
- a) Paying the administrative costs of the program;
 - b) Providing financial support to the Philippine National Police (PNP) and local law enforcement agencies for anti-carnapping enforcement teams;
 - c) Providing financial support to national or local law enforcement agencies for programs designed to reduce the incidence of carnapping and for improved equipment and techniques for responding to carnapping incidences;
 - d) Providing financial support to local prosecutors for programs designed to reduce the incidence of carnapping;
 - e) providing financial support to judicial agencies for programs designed to reduce the incidence of carnapping;
 - f) providing financial support for neighborhood or community organizations or business organizations for programs designed to reduce the incidence of carnapping and to educate people about the common methods of carnapping, the models of automobiles most likely to be stolen, and the times and places carnapping is most likely to occur; and
 - g) Providing financial support for carnapping educational and training programs for national and local law enforcement officials, driver and vehicle services exam and inspections staff, and members of the judiciary.

SEC. 4. *Annual report.* - By January 15 of each year, the Chief shall report to the House of Representatives and Senate committees having jurisdiction over carnapping activities in the country.

SEC. 5. *Grant criteria; application.* -

- (1) A prosecutor's office, law enforcement agency, neighborhood organization, community organization, or business organization may apply for a grant under this section. Multiple offices or agencies within a city or municipality may apply for a grant under this section.

1 (2) The Chief, in consultation with the chairmen of House of Representatives and
2 Senate committees having jurisdiction over carnapping activities, must
3 develop criteria for the fair distribution of grants from the carnapping
4 prevention account that address the following factors:
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6 a) The number of reported carnap per capita city, municipality, or region, not
7 merely the total number of carnapping incidences;
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9 b) The population of the jurisdiction of the applicant office or agency;
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11 c) The total funds distributed within every region; and
12

13 d) The nationwide interest in carnapping reduction.
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15 (3) The Chief may give priority to:
16

17 a) Offices and agencies engaged in a collaborative effort to reduce
18 carnapping; and
19

20 b) Regions with the greatest rates of carnapping.
21

22 (4) The minimum amount of a grant award is One Hundred Thousand Pesos
23 (P100,000.00). After considering the carnapping rate and total population of
24 an applicant's jurisdiction, if a grant award, as determined under the criteria
25 and priorities in this Act, would be less than One Hundred Thousand Pesos
26 (P100,000.00), it must not be awarded.
27

28 **SEC. 6. *Creation of Advisory Board.*** - A Carnap Prevention Advisory Board is
29 established to advise the Chief on the distribution of grants under this Act. The Board must
30 consist of seven members appointed by the Chief and must include representatives of law
31 enforcement, prosecuting agencies, automobile insurers, and the public. The Chief must
32 annually select a chair from among its members.
33

34 **SEC. 7. *Funding.*** - The amount necessary to carry out the provisions of this Act shall
35 be appropriated from the General Appropriations Act. The Fund shall be used exclusively for
36 the implementation of plans and programs that will prevent acts of carnapping into the
37 mainstream. Funds appropriated for this Act shall remain available until expended.
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39 **SEC. 8. *Separability Clause.*** - If any provision, part or portion of this Act shall be
40 held invalid, the remaining provisions, parts or portions of the Act not otherwise affected
41 thereby shall remain valid and effective.
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43 **SEC. 9. *Repealing Clause.*** - All laws, executive issuances, orders and rules and
44 regulations contrary to or inconsistent with this Act, or any part thereof, are hereby repealed,
45 amended and/or modified accordingly.
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47 **SEC. 10. *Effectivity.*** - This Act shall take effect upon its publication in the *Official*
48 *Gazette* or in at least two (2) national newspapers of general circulation.

Approved,