


'19 JUL -2 P1 :29

SENATE

S. NO. 180

RECEIVED BY: 

Introduced by **SENATOR LEILA M. DE LIMA**

AN ACT
INSTITUTIONALIZING PRISON REFORM AND RESTORATIVE JUSTICE
IN THE PHILIPPINE CORRECTIONAL SYSTEM AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

The Philippines is a State Party to United Nations treaties and instruments concerning persons deprived of liberty. It is obligated to implement the treaty commitments, primarily through the passage of domestic laws based on internationally recognized standards that set benchmarks and indicators of success.

For persons deprived of liberty, the United Nations Minimum Standards for the Treatment of Prisoners is a comprehensive tool to help policy makers and implementers ensure that detention provide opportunities for correction and reform. In addition, there are other guidelines for specific sectors such as women and persons with disability.

Apart from those international standards, Article III, Section 19 of the 1987 Constitution mandates that “[t]he use of substandard or inadequate penal facilities under subhuman conditions shall be dealt with by law”.

Therefore, there are enough bases in the Constitution and in our internationally binding commitments to pursue changes in our corrections and jail system. But more than these legal imperatives, realities on the ground should compel our policymakers to push for the much needed reforms.

Just take the case of overcrowding. Our jails have topped the World Prison Brief's list of the most overcrowded incarceration systems in the world, as reported in

16
the New York Times¹. It is truly worrisome: how in only two years, as President Duterte's "war on drugs" rages on, our jail population increased to 64 percent with a total of 160,000 Persons Deprived with Liberty (PDLs). The burden is shared even by our prison facilities, with the problem of congestion getting worse by the hour as shown by its population increase of 30 percent for the past 2 years.

It is vitally important therefore to enact a law instituting wide ranging reforms in our jails and correction system, a legislation that shall mandate the upgrade of our facilities, enhance professionalization of our jail and correction officers and employees, and legislate the standards of humane treatment of the inmates.

In Senate Bill No. 1879, or the Unified Corrections and Jail Management System Act of 2018, which I filed during the 17th Congress, and for refiling this Congress, I sought to introduce institutional reforms through the integration of our jails and correctional facilities into one system to be run by a central authority, which shall largely merge the functions, responsibilities and resources of the present Bureau of Corrections and Bureau of Jail Management and Penology.

In this bill, the policy direction is towards helping convicted and/or detained individuals develop appreciation and respect for the law and in turn, reduce their tendencies to recidivate, and prepare them for reintegration in society. This also takes into consideration the importance of strengthening capacities of those who work in correctional institutions and helping them appreciate their contribution to the full cycle of bringing to justice the perpetrators and ensuring that their victims are afforded the justice that they deserve.

The purpose of punishment under our Penal Laws is not confined to retribution and deterrence. It is also for correction and reformation. The purpose of this bill is to help persons deprived of liberty (PDLs) – the detainees and prisoners – prepare for their eventual return to their families and to the mainstream of our society. To reintegrate them efficiently and peacefully into the community where they once belonged, a system of rehabilitation is vital. Putting them under the hands of the law after all, is not the end of their lives but a step towards the rebuilding of a better one, where they can be useful members thereof.

¹ Almendral, A. "Where 518 Inmates Sleep in Space for 170, and Gangs Hold It Together." 7 January 2019. New York Times. Available at: <https://www.nytimes.com/2019/01/07/world/asia/philippines-manila-jail-overcrowding.html> <last visited on 06 June 2019>

the law after all, is not the end of their lives but a step towards the rebuilding of a better one, where they can be useful members thereof.

As a first step towards the State's compliance with International Law obligations on respecting the human rights of PDLs, organizational reforms shall be institutionalized, including the training of officials and personnel in whose hands and at whose mercy their rehabilitation and restoration would ultimately depend.

A new system of classification shall be implemented as a substitute of the present sentence-based classification. This new system will take into consideration not only the imposed penalties, but also other important factors that play a vital role in rehabilitating persons.

Finally, this bill recognizes that imprisonment is not a lifetime chain that would eternally bind prisoners in the dark. The State shall take steps towards reforming them, by affording them assistance in seeking for jobs and housing once they are released back into society.


In view of the foregoing, approval of this measure is earnestly sought.


LEILA M. DE LIMA

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PURPOSES**

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

Chapter I

Title, State Policy and Definition of Terms

Section 1. *Short Title.* – This Act shall be known as the “*Prison Reform Act of 2019.*”

Sec. 2. *Declaration of Policy.* – The State recognizes that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy. The State likewise values the dignity of every human person and guarantees full respect for human rights. To ensure adherence to these avowed policies, the State, through this Act, undertakes to establish a just, proportionate, effective, and human correctional system, with the following objectives:

1. Prioritize the rehabilitation of persons deprived of liberty as domestic translation of the obligation to treat with humanity and with respect for inherent dignity, all persons deprived of liberty, as found in United Nations human rights conventions to which the Philippines is State Party and in fulfilment of the constitutional guarantee of full respect for human rights; and

- 1 2. Institutionalize transformational policy direction in the Philippines’
2 corrections system founded on the principle of restorative justice in order
3 to reduce the risk of recidivism and other vulnerabilities to crime
4 commission, violence, and diseases.

5 Sec. 3. *Definition of Terms.* – As used in this Act, the following terms have the
6 corresponding meanings, as follows:

- 7 1. *Criminogenic needs* - refers to characteristics, traits, problems, or issues of
8 an individual that directly relate to the individual’s likelihood to re-offend
9 and commit another crime. This includes static factors such as age at the
10 time of first arrest, criminal history, socio-economic background and
11 dynamic factors such as lack of respect for authority, anti-social behaviour,
12 lack of literacy or job skills, or other expressed non-conformist behaviors,
13 values, and attitudes that are correlated with criminal activity;
- 14 2. *Recidivism Risk Level* - refers to the degree of probability of reoffending or
15 committing another crime;
- 16 3. *Risk Assessment* - refers to the process of evaluating the recidivism risk
17 level of an offender, and provides an empirical estimate of whether an
18 offender has a sufficiently high likelihood of again committing crime to
19 justify incapacitation;
- 20 4. *Custodial duty* - refers to the duty to ensure that persons deprived of
21 liberty remain within the premises of prisons and jails while serving
22 sentence or undergoing trial. It encompasses the duty to protect them from
23 violence that may occur from individual- or group-initiated operations
24 within the facilities. It also compasses the duty to protect the rights of
25 persons deprived of liberty as provided in this Act;
- 26 5. *Jail* - refers to facilities that receive custody of individuals who are
27 undergoing trial and those who have been sentenced to serve
28 imprisonment not exceeding three years;
- 29 6. *Persons deprived of liberty* (PDLs) - refer to any person deprived of
30 personal liberty as a result of conviction for an offense. It shall also refer to
31 a person arrested or detained by reason of a criminal charge, who is
32 detained either in police custody or in jail awaiting trial or final conviction;

1 7. *Prison* - refers to a government establishment where national
2 inmates/prisoners serve their sentence. Prison shall include penal colonies
3 and Prison and Penal Farms; and

4 8. *Reformation* - refers to the rehabilitation component of the corrections
5 system and shall ensure that upon release from detention facilities, former
6 PDLs shall not recidivate but are instead mainstreamed into society and
7 able to live productive lives.

8 **Chapter II**

9 **Coverage and Guiding Human Rights Principles in the Reformation of** 10 **Persons Deprived of Liberty**

11 Sec. 4. *Coverage*. – The programs and services established under this Act shall
12 apply to all persons deprived of liberty, including pre-trial detention prisoners, and
13 individuals serving sentences, without discrimination regardless of age, sexual
14 orientation, gender identity, ethnicity, religion, and other statuses under the custody
15 of the Bureau of Jail Management and Penology (BJMP) and Bureau of Corrections
16 (BuCor), and shall exclude those in other detention and custodial centers not under
17 BJMP and BuCor.

18 Sec. 5. *Program Context*. – While giving primacy to the principles of
19 restorative justice, programs shall be designed and carried out to acknowledge the
20 injury or damage committed against victims and their families, and the need for
21 reparation or indemnity, and the necessity to understand the different that lead to
22 the commission of crimes.

23 Sec. 6. *Access to Legal Aid*. – Access to competent and free legal aid shall be
24 made available to persons deprived of liberty at all stages of litigation up to appeal,
25 and the lawyers, representatives of organizations, or students from law schools
26 providing this service should be free and safe from harassment.

27 Sec. 7. *Rights of Persons Deprived of Liberty*. – Every person deprived of
28 liberty shall be accorded the following minimum rights:

- 29 1. The right not to be subjected to torture and other cruel, inhuman or
30 degrading treatment or punishment, including solitary confinement;
- 31 2. The right to competent counsel in all stages of litigation, including appeal
32 and other post-conviction remedies, and the provision of free legal aid for
33 indigent PDLs;

- 1 3. The right to basic and necessary healthcare;
- 2 4. The right to clean and adequate food and water;
- 3 5. The right to decent and compensated work, whenever available and
- 4 applicable; and
- 5 6. The right not to be discriminated against, and to be treated with respect
- 6 due to their inherent dignity and value as human beings.

7 **Chapter III**

8 **Institutional Reforms**

9 **A. Judicial Reforms**

10 Sec. 8. *Protection of the Right of PDLs to Speedy Trial.* – The Department of
11 Justice (DOJ), in coordination with the Judiciary and the Integrated Bar of the
12 Philippines (IBP), shall adopt appropriate measures to ensure that the right of PDLs
13 to speedy trial is protected.

14 Sec. 9. *Decongestion through a System of Automatic Release.* – All detention
15 and correctional facilities are hereby mandated to automatically release PDLs upon
16 the concurrence of the following conditions:

- 17 1. The PDL has been in custody or has served time for a period equal to or
- 18 more than the maximum period prescribed for the offense charged.
- 19 2. A report has been filed at least ninety (90) days prior to the date of release
- 20 with the proper court and legal authorities on all matters relating to the
- 21 charge and the penalty provided therefor, the maximum period imposed
- 22 for the crime charged and/or committed provided under the law violated,
- 23 and the present period of incarceration.
- 24 3. Transmittal of approval by the proper court and legal authorities.

25 Sec. 10. *Continuation of Trial or Proceedings on Appeal.* – Nothing in this Act
26 shall mean a cessation of trial and proceedings already pending. The release as
27 ordered in the preceding section shall be without prejudice to the continuation of the
28 trial or proceedings on appeal, if any.

29 **B. Facility Reforms**

30 Sec. 11. *Infrastructure Plans.* – The Bureau of Correction (BuCor) and the
31 Bureau of Jail Management and Penology (BJMP) shall make an audit of existing
32 penal facilities and conduct studies with the end in view of creating an Infrastructure

1 Plan. The implementation of the plan shall not begin later than five (5) years from
2 the effectivity of this Act, to be completed within a period of ten (10) years from the
3 effectivity of this Act.

4 The Infrastructure Plan of the BuCor shall, as much as practicable, include the
5 construction of at least one (1) penal facility per region. The said plan shall then be
6 submitted to the DOJ for the inclusion thereof in the latter's budget.

7 The Infrastructure Plan of the BJMP shall be submitted to the Department of
8 Interior and Local Government (DILG) for the inclusion thereof in the latter's budget.

9 *Sec. 12. Facilities and Living Conditions.* – Prisons and jails shall be built and
10 improved to comply with standards of prison planning, including the dimension of
11 cell and other guidelines for accommodations, as set forth in the United Nations
12 Minimum Standards for Treatment of Prisoners. Such facilities shall include but not
13 limited to:

- 14 1. Dormitories or cells;
- 15 2. Hospital or infirmary;
- 16 3. Multipurpose or recreation hall;
- 17 4. Common areas for reception and visitors, kitchen and mess hall, place of
18 worship, wash or laundry area; and
- 19 5. Clean and adequate water source.

20 *Sec. 13. Offender Tracking Information System (OTIS).* – There shall be
21 created an Offender Tracking Information System (OTIS), a program that stores and
22 organizes data of all persons admitted into jails and prisons.

23 The OTIS shall automate the existing manual records management separately
24 maintained by the BuCor and BJMP.

25 The program shall be the central database of the following information:

- 26 a) PDL's personal profile;
- 27 b) PDL's case information;
- 28 c) PDL's jail location history and the status of their respective cases;
- 29 d) Status of the offender's case; and
- 30 e) Inmates' records including the Good Conduct Time Allowance
31 (GCTA).

1 which shall serve as the premier school for prospective custodial and rehabilitation
2 officers, to be designed to teach expertise on custodial, reformation and
3 rehabilitation work, with programs focusing on the context of detention, its causes
4 and objectives.

5 Sec. 23. *Continuing Training Programs.* – The PCATI shall provide
6 continuing capacity building for all officers and staff focusing on courses pertaining
7 to prison management and operations, paralegal work, human rights, culture and
8 gender sensitivity, and other relevant subject matters, including pertinent rules and
9 regulations of the BuCor and the facilities.

10 Sec. 24. *Board of Directors.* – The PCATI shall be under the management and
11 supervision of the Board of Directors (Board) composed of the following officials:

- 12 1. The Secretary of Justice as *ex-officio* Chairperson to be assisted by the
13 Chief of the Bureau of Corrections and as Permanent Representative;
- 14 2. *Ex-officio* Members:
 - 15 a. Chairperson, Commission on Higher Education;
 - 16 b. Secretary, Department of Education;
 - 17 c. Chairperson, Commission on Human Rights;
 - 18 d. Secretary, Department of Health;
 - 19 e. Dean, National Defense College of the Armed Forces of the
20 Philippines.
- 21 3. The Board shall be assisted by a Secretariat headed by and Executive
22 Director with the rank of Assistant Secretary.

23 Sec. 25. *Functions of the Board.* – The Board shall develop and lay down
24 policies to provide education and training in prison administration and PDL
25 reformation. This shall also cover regular and continuing capacity building for staff
26 and technical vocational skills for PDLs, in cooperation with relevant government
27 agencies and the private sector.

28 Sec. 26. *Recruitment of Custodial Officers.* – Custodial officers shall be
29 recruited for study and training in the PCATI. After completion of a minimum of
30 two-year course in the PCATI, they shall be considered as commissioned officers. The
31 PCATI shall likewise develop an on-the-job training program for prison employees
32 who are recruited or hired without having completed the required courses.

- 1 1. Risk Principle which suggests that the amount of supervision and control
2 accorded to inmates must be based on their criminogenic needs and
3 tendency to commit crimes within the penal facility;
- 4 2. Need Principle which suggests that the factors that led inmates to criminal
5 behavior must be properly and fully diagnosed, and that physical, mental
6 and psychosocial health of inmates must be fully taken into consideration
7 in their housing and segregation; and
- 8 3. Responsivity Principle which suggests that inmates respond differently to
9 programs, and that programs must be specifically tailored to their
10 individual potential for rehabilitation, reformation and reintegration into
11 society, and their capacity to respond thereto.

12 The RDC shall be the point of entry of all inmates in penal facilities. Except
13 during periods of national emergency or on account of natural disaster/calamity, in
14 no case shall an inmate stay within the RDC for a period longer than sixty (60) days.

15 *Sec. 29. Housing Assignment.* – The RDC shall be the principal office tasked
16 with the mandate of determining the housing assignment of inmates based on the
17 abovementioned principles.

18 There shall be three (3) housing security levels which will have varying levels
19 of control, inmate movement, programs and privileges. Inmates with special physical,
20 mental and psychosocial health needs shall be segregated accordingly so as not to
21 exacerbate their health condition. Inmates with communicable diseases shall also be
22 housed separately in order to prevent an outbreak within the penal facility/

23 The following are the levels of housing security:

- 24 1. Level I Housing which is designed for inmates with low levels of risk and
25 needs based on the principles mentioned in Section 28 hereof. Inmates
26 who are nearing the completion of their sentences can also be transferred
27 within this level. The programs which will be offered in this level shall be
28 geared towards reintegration of inmates upon release;
- 29 2. Level II Housing which is designed for inmates with moderate levels of risk
30 and needs based on the principles mentioned in Section 28 hereof. Inmate
31 programs offered in this level shall be geared towards social equipping like
32 livelihood, education, and prison industries; and

- 1 3. Level III Housing which is designed for inmates with higher levels of risk
2 and needs based on the principles mentioned in Section 28 hereof. Inmate
3 programs offered in this level shall be geared towards cognitive change like
4 psychotherapy, counselling, and substance detoxification.

5 Sec. 30. *Penal Facility Assignment.* – As much as practicable, PDLs shall be
6 detained or serve their sentence in the region where they reside at the time of
7 incarceration.

8 Sec. 31. *Disciplinary Committee.* – There shall be created a Disciplinary
9 Committee within each penal facility:

- 10 1. The Committee shall be composed of the following:
11 a. One (1) Chairman who is also the head of the penal facility;
12 b. Three (3) Disciplinary Officers who are also appointed officers of the
13 Bureau of Corrections;
14 c. One (1) representative from the Commission on Human Rights; and
15 d. One (1) member each from the private sector and the Integrated Bar of
16 the Philippines.

17 The Committee shall be responsible for investigating the violation of rules
18 committed by PDLs and recommending appropriate and proportionate sanctions
19 therefor.

20 Sec. 32. *Allowable In-prison Disciplinary Penalties.* – Upon the finding of
21 guilt, the following penalties may be imposed by the Disciplinary Committee:

- 22 1. Recommendation for the prosecution for additional offenses;
23 2. Rendering of prison-support services such as, but not limited to cooking,
24 cleaning, doing clerical work, running the laundry, or performing
25 maintenance chores, subject to their physical and mental fitness as
26 determined by the medical officer;
27 3. Time credit deductions in the computation of Good Conduct Time
28 Allowance;
29 4. Restriction of visiting privileges;
30 5. Housing reassignment;
31 6. Prison reassignment; and

1 7. Other similar penalties as may be determined by the disciplinary
2 committee.

3 No penalty shall be imposed that is more than necessary for the rehabilitation
4 and reformation of the inmate. In no case shall the disciplinary committee impose
5 any punishment that is contrary to law.

6 Sec. 33. *Intervention Programs Office.* – There shall be created within each
7 penal facility an Intervention Office. The Intervention Office shall be responsible for
8 creating and implementing intervention programs.

9 Sec. 34. *Intervention Programs.* – The intervention programs shall be
10 designed and targeted for PDLs within the same recidivism risk levels. They may be
11 any of the following:

- 12 1. *Education and training* – programs designed to give basic and advance
13 education to PDLs, or provide them with technical skills. BuCor shall
14 coordinate with the Department of Education, Commission on Higher
15 Education, and Technical Education and Skills Development Authority for
16 the design and implementation of these programs.
- 17 2. *Work and productivity* – programs designed to utilize the existing skills
18 and capabilities of PDLs towards administration of the penal facility or
19 community service.
- 20 3. *Counselling and self-improvement* – programs designed to provide
21 continuous counselling services to PDLs to encourage reformation and
22 self-improvement.

23 Sec. 35. *Intervention Program Credits.* – Participation in intervention
24 programs shall earn PDLs with Intervention Program Credits equivalent to the hours
25 spent during such participation. For every six-month period in which the PDL is not
26 subjected to any disciplinary action or recommended for prosecution for crimes
27 committed during the service of sentence, the Intervention Programs Office shall
28 recommend to the Parole and Probation Administration (DOJ-PPA) a reduction in
29 sentence equivalent to the Intervention Program Credits earned during such period.

30 However, PDLs who are convicted of crimes involving moral turpitude may
31 not be recommended for sentence reduction until after they have served half of the
32 minimum period of their prison sentence. Upon completion of the said period, the

1 Intervention Programs Office may recommend a reduction in sentence equivalent to
2 half of the Intervention Programs Credits earned, provided that the PDL was not
3 subjected to more than one disciplinary action per year, or recommended for
4 prosecution for crimes committed during the service of sentence, during the said
5 period.

6 The Intervention Program Credit system shall be without prejudice to the
7 existing system granting allowance for good behavior.

8 *Sec. 36. Risk Reassessments and Level Adjustment.* – PDLs who successfully
9 participate in intervention programs or productive activities shall receive periodic
10 risk reassessments not less than annually, and PDLs determined to be at high
11 recidivism risk level and who have less than five (5) years until their projected release
12 date shall receive more frequent risk reassessments. The Intervention Program
13 Office shall adjust the intervention programs for PDLs with high recidivism risk
14 levels.

15 *Sec. 37. Provision of Adequate and Holistic Healthcare for PDLs.* – Health
16 programs for physical and mental health shall be established by the BuCor and the
17 BJMP.

18 There shall be created in every penal institution a Medical Support Office
19 (MSO). This Office shall be in charge of ensuring that medical service, the
20 psychosocial support and other counselling services shall be made available to the
21 PDLs.

22 The MSO shall, in partnership with the Department of Health (DOH) and the
23 National Center for Mental Health (NCMH), provide free mental health counselling,
24 education and evaluation to any prisoner. These services shall be made available to
25 them upon the entry of the prisoner in the penal institution and until after the lapse
26 of one (1) year from the time he or she departs from the penal institution when he or
27 she has secured release through an acquittal, service and expiration of sentence,
28 grant of parole, commutations, reprieves and other forms of executive clemency, or
29 through the order of competent authority.

30 The MSO shall provide them with family-centered programs that focus on
31 family strengthening activities and nurturing of family relationships, during
32 incarceration and following release. Services that will help prisoners cultivate

1 insights to prevent recidivism shall also be made available to them. Within six (6)
2 months prior to the date of his or her release, the MSO shall craft a program that will
3 prepare the prisoner for his or her release and eventual reintegration into his or her
4 family, into his or her community, and into society.

5 The spouse and children of the prisoners shall likewise be entitled to the
6 psychosocial support and counselling services benefits granted under this Section.
7 They shall also be provided with free psychosocial support and other counselling
8 services that will assist them in coping with the changes brought about by the
9 incarceration. The MSO shall, within six (6) months prior to the date of the
10 prisoner's release, help them prepare for the return of the prisoner to their family.
11 These services may be continuously availed of until after the lapse of one (1) year
12 from the time of the prisoner's release.

13 Sec. 38. *In-facility Employment.* – There shall be created in every penal
14 institution a Prison Revenue Office (PRO) which shall be in charge of
15 institutionalizing revenue generating programs. The PRO shall encourage interested
16 prisoners to participate in the Prisoner Employment Program (PEP). Through the
17 PEP, qualified prisoners will be provided with opportunities to engage in meaningful
18 and sustainable paid employment, work experience and vocational training inside
19 the penal institution. The PRO shall also encourage interested employers to become
20 involved in the PEP, upon compliance with requirements to be determined by the
21 PRO.

22 The PRO shall, in coordination with TESDA, formulate and establish income
23 generating programs that will allow qualified prisoners (a) to receive reasonable
24 compensation for the work thus performed, and (b) to gain an employment
25 certification that will reflect their employment record.

26 The PRO shall establish a savings program with government accredited
27 banking institutions which may be availed of by qualified PDLs.

28 Sec. 39. *Post-Prison Employment.* – There shall be created in every penal
29 institution a Job Assistance Office (JAO). Without prejudice to other existing
30 government employment programs, the JAO shall, together with the Department of
31 Labor and Employment (DOLE), establish and maintain a Post-Prison Employment
32 Program (PPEP) that will raise awareness regarding available job opportunities

1 which a prisoner may avail upon release. The JAO shall encourage private sector
2 participation by proposing incentives and privileges to private business
3 establishments that will open job opportunities to former prisoners. The JAO shall
4 ensure that the job opportunities, both in the public and private sectors, shall not
5 create undue and unlawful discrimination against former prisoners seeking
6 employment.

7 Sec. 40. *PPEP Tax Credit.* – Employers who shall participate in the Post-
8 Prison Employment Program (PPEP) upon the effectivity of this Act, shall be entitled
9 to an additional deduction from their gross income, equivalent to fifteen percent
10 (15%) of the total amount paid as salaries and wages to former prisoners, subject to
11 Section 4 of the National Internal Revenue Code for a period of five (5) years from
12 the time of employment or until such employment is terminated, whichever is
13 shorter.

14 Any company or individual who has hired a former prisoner within five (5)
15 years from his or her release, is entitled to avail of tax credit granted under this Act.
16 The said tax credit should be collected immediately on the next tax period.

17 Sec. 41. *Housing Assistance Office.* – There shall be created in every penal
18 institution a Housing Assistance Office (HAO). The HAO shall be in charge of
19 providing assistance in the finding of affordable and stable housing or temporary
20 housing facility, to a former prisoner who is seeking re-entry into the society after
21 having secured an acquittal on appeal, or having served the full term of his or her
22 sentence, or having been granted commutations and reprieves, without prejudice to
23 other existing government housing programs.

24 Without prejudice to other existing government housing programs, the HAO
25 together with the National Housing Authority (NHA) and the Department of Social
26 Welfare and Development (DSWD), shall provide assistance in the finding of
27 affordable and stable housing or temporary housing facility to a prisoner within six
28 (6) months prior to the date of his or her release, and after the lapse of one (1) year
29 from the time he or she departs from the penal institution.

30 The HAO shall (1) assess the prisoner's housing needs or requirements, (2)
31 provide accurate information about housing resources available in his or her area, (3)

1 Sec. 46. *Separability Clause.* – If, for any reason, any section or provision of
2 this Act is declared unconstitutional or invalid, the other sections or provisions which
3 are not affected shall continue to be in full force and effect.

4 Sec. 47. *Repealing Clause.* – All laws, decrees, executive orders, proclamations,
5 rules and regulations or parts thereof which are inconsistent herewith are repealed,
6 amended, or modified accordingly.

7 Sec. 48. *Effectivity.* – This Act shall take effect fifteen (15) days after its
8 publication in the Official Gazette or in a newspaper of general circulation.

Approved,