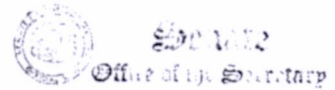


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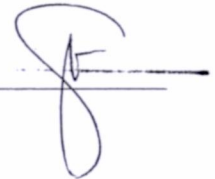


**SENATE**

S. No. 1207

19 NOV 27 P3:35

RECEIVED



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**Introduced by SENATOR RAMON BONG REVILLA, JR.**

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**AN ACT  
AMENDING REPUBLIC ACT NO. 6975 AND REPUBLIC ACT NO. 9263  
INTEGRATING ALL THE PROVINCIAL AND SUB-PROVINCIAL JAILS WITHIN  
THE JURISDICTION OF THE BUREAU OF JAIL MANAGEMENT AND  
PENOLOGY**

**EXPLANATORY NOTE**

The advancement of a national standard in the operational management of all local jails, sub-provincial jails, and district, city and municipal jails, is of paramount importance to better uphold the basic and constitutional rights of inmates who are detained / serving their sentence in such jail facilities. With such standard firmly established and faithfully observed, there will be uniformity and boosted efficiency in the implementation of the plans and programs that are geared toward the more effective rehabilitation of inmates.

At present, Republic Act No. 6975 provides that "provincial jails shall be supervised and controlled by the provincial management within its jurisdiction." Hence, under the said law, the Bureau of Jail Management and Penology is not tasked with the operational management, supervision and control of all the existing provincial jails.

Toward the vision of establishing a national standard in the operational management of all local jails, RA 6975 and RA 9263 are herein proposed to be

amended such that the Bureau of Jail Management and Penology shall now be tasked with the supervision and control of all local jail facilities.

Furthermore, this proposal offers the following advantages:

1. There will be established a uniform and standardized policy on the administration and supervision of all local jails;
2. The administration and operation of all local jails will be entrusted to the BJMP, which is a specialized agency, which has the mission of safekeeping, reformation and rehabilitation of inmates. Thus, the objectives of public safety and institutional correction through jail supervision and management could be better attained through the enactment of this proposal;
3. The provincial government will be unburdened with the task of supervising and maintaining a jail facility resulting to its being able to devote its focus to its more pressing responsibilities;
4. This will promote the professionalization of all jail personnel, which will now include the provincial jail guards.

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

  
**RAMON BONG REVILLA, JR.**



**SENATE**

19 NOV 27 P3:35

S. No. 1207

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**Introduced by SENATOR RAMON BONG REVILLA, JR.**

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**AN ACT**  
**AMENDING REPUBLIC ACT NO. 6975 AND REPUBLIC ACT NO. 9263**  
**INTEGRATING ALL THE PROVINCIAL AND SUB-PROVINCIAL JAILS WITHIN**  
**THE JURISDICTION OF THE BUREAU OF JAIL MANAGEMENT AND**  
**PENOLOGY**

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

1           Section 1. Section 61 of Republic Act No. 6975, otherwise known as the  
2 Department of the Interior and Local Government Act of 1990, is hereby amended to  
3 read as follows:

4  
5           Sec. 61. POWERS AND FUNCTIONS. – The Jail Bureau shall  
6 exercise supervision and control over all **PROVINCIAL, SUB-**  
7 **PROVINCIAL**, city and municipal jails.

8  
9           Sec. 2. Section 62 of the same Act is hereby amended to read as follows:

10  
11           Sec. 62. ORGANIZATION. –

12  
13           X X X

14  
15           The Jail Bureau shall be composed of **PROVINCIAL, SUB-**  
16 **PROVINCIAL**, city or municipal jails, each headed by a

1           **PROVINCIAL, SUB-PROVINCIAL**, city or municipal jail warden:  
2           Provided, That, in the case of large cities and municipalities, a  
3           district jail warden may be established as necessary.

4  
5           X X X

6  
7           Sec. 3. Section 63 of the same act is hereby amended to read as follows:

8  
9           Sec. 63. ESTABLISHMENT OF **PROVINCIAL, SUB-**  
10          **PROVINCIAL**, DISTRICT, CITY OR MUNICIPAL JAIL. – There shall  
11          be established and maintained in every **PROVINCE**, district, city  
12          and municipality a secured, clean adequately equipped and sanitary  
13          jail for the custody and safekeeping of **PROVINCIAL**, city and  
14          municipal prisoners, any fugitive from justice, or person detained  
15          awaiting investigation or trial and/or transfer to the national  
16          penitentiary, and/or violent mentally-ill person who endangers  
17          himself or the safety of others, duly certified as such by the proper  
18          medical or health officer, pending the transfer to a medical  
19          institution.

20  
21          X X X

22  
23          Sec. 4. The management, supervision and control of provincial and sub-  
24          provincial jails, including all its property, equipment, and finances, are hereby  
25          transferred to the Bureau of Jail Management and Penology (BJMP).

26  
27          Provided, however, that the three (3) year transition period is hereby  
28          established, to commence from the date of effectivity of this Act. During the transition  
29          period, the Provincial Government shall subsidize the subsistence allowance of inmates  
30          and the maintenance of the jail facility, including, but not limited to electric and water  
31          expenses and necessary repairs.

1           The transfer, and/or absorption of the functions, appropriations, funds, records,  
2 equipment, facilities, chooses in action, rights, and other assets of Provincial and Sub-  
3 Provincial Jails to/by the BJMP shall be without prejudice to the provisions of RA 7160  
4 that are not otherwise inconsistent with this Act.

5  
6           All personnel of Provincial and Sub-Provincial Jails, unless removed for cause,  
7 may be absorbed by the BJMP, provided, that such guidelines must be consistent with  
8 the provisions of Republic Act No. 9263 and its Implementing Rules and Regulations.

9  
10           The Chief of the BJMP shall, within six (6) months from the effectivity of this  
11 Act, recommend the organizational structure and staffing pattern of the assumed  
12 provincial and sub-provincial jails.

13  
14           Sec. 5. The local government of the province shall be a partner of the BJMP in  
15 the rehabilitation of the inmates in the provincial jails. For this purpose, the  
16 *Sanguniang Panlalawigan* of each province shall provide for the maintenance and  
17 improvement of jails and detention centers and shall appropriate funds to supplement  
18 subsistence of detainees and convicted prisoners in the province.

19  
20           Sec. 6. The Provincial and Sub-Provincial Jail Warden shall have the rank of  
21 Superintendent; Provided that if the jail population is one thousand (1,000) or more  
22 inmates, the Warden shall be a graduate of Bachelor of Laws or a holder of a master's  
23 degree in management, public administration, public safety, criminology, penology,  
24 sociology, national security administration, defense studies or other related discipline  
25 from a recognized institution of learning, and must satisfactorily pass the necessary  
26 training and career courses for such position as may be established by law.

27  
28           Sec. 7. A Special Oversight Committee, composed of the Secretary of the  
29 Interior and Local Government as Chairman, the Secretary of the Department of  
30 Budget and Management as Co-Chairman, and the Chairman of the Civil Service  
31 Commission, President of the League of Provinces, and the Chief of the Bureau of Jail  
32 Management and Penology, as members, is hereby created to oversee the expeditious

1 transfer and absorption into the Bureau of Jail Management and Penology of all  
2 personnel, property, appropriations and installations of the provincial and sub-  
3 provincial jails.

4  
5 Sec. 8. Within ninety (90) days from the effectivity of this Act, the Oversight  
6 Committee shall promulgate the rules and regulations necessary to ensure the  
7 effective implementation of this Act.

8  
9 Sec. 9. *Separability Clause.* If any provision or part hereof, is held invalid or  
10 unconstitutional, the remainder of the law or the provision not otherwise affected shall  
11 remain valid and subsisting.

12  
13 Sec. 10. *Repealing Clause.* Any law, presidential decree or issuance, executive  
14 order, letter of instruction, administrative order, rule or regulation contrary to, or  
15 inconsistent with the provisions of this Act is hereby repealed, modified or amended  
16 accordingly.

17  
18 Sec. 11. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its  
19 publication in at least two (2) newspapers of general circulation.

*Approved.*