

14th Congress of the Republic)
of the Philippines)
1st Regular Session)

7 JUN 30 P2:00

SENATE
S.B. No. 114

RECEIVED BY: 

Introduced by Senator Aquilino Q. Pimentel, Jr.

EXPLANATORY NOTE

Studies show that former prisoners have a slimmer chance of being employed after their release. Most, if not all employers, are reluctant to hire former prisoners, because of their criminal past. This makes it difficult for former prisoners to reform and reintegrate into the society.

This bill seeks to provide incentives to private establishments hiring inmates. It proposes an additional deduction from the gross income, equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to former prisoners, to be given to business establishments employing former prisoners.

It also seeks to create a Committee on Employment Opportunities for Former Prisoners under the Department of Justice, which is tasked to draft the implementing rules and regulations for the training and employment of former prisoners.

The immediate passage of this bill is earnestly requested.


AQUILINO Q. PIMENTEL, JR.

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AN ACT
INSTITUTING THE FORMER PRISONERS' EMPLOYMENT PROGRAM, AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Title. — This Act shall be known as the "Former Prisoners' Employment Act of 2007."

SECTION 2. Declaration of Policy. It is the policy of the State to aid former prisoners continue their reformation, and help them reintegrate into society after they have been released from prison.

SECTION 3. Definition of Terms. For purposes of this Act, the following terms shall have the meaning as indicated hereunder:

1. Business establishments refer to private companies that employ former prisoners.
2. Committee refers to the Committee on Employment Opportunities for Former Prisoners, under the Department of Justice.
3. Former prisoners refer to those convicted by final judgment and who have been released on probation, parole, pardon, or after having served their sentences.

SECTION 4. Committee on Employment Opportunities for Former Prisoners. The Committee on Employment Opportunities for Former Prisoners under the Department of Justice, hereinafter referred to as the Committee, is hereby created with the task of drafting provisions for the training and employment of former prisoners.

SECTION 5. Structural and Personnel Organization. The Committee shall be headed by a Chairman and assisted by a Vice Chairman, who shall both be appointed by the President, upon the recommendation of the Secretary of the Department of Justice.

Appointees to the positions of Chairman and Vice Chairman must be holders of a doctoral / masteral degree in business or public administration and / or lawyers with at least one year experience in penology management.

The Committee shall have a Technical Service Arm to assist it to carry out its duties and functions.

SECTION 6. Tax Credit. Business establishments that will employ former prisoners upon the effectivity of this Act, shall be entitled to an additional deduction from their gross income, equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to former prisoners, subject to Section 4 of the National Internal Revenue Code.

SECTION 7. The Secretary of Department of Justice and the Secretary of Department of Labor and Employment shall, within thirty (30) days from effectivity of this Act, issue such rules and regulations necessary for the proper implementation of the provisions of this law.

SECTION 8. Appropriations. The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter. An initial amount of one hundred million pesos (P100,000,000), shall be allocated for the first year of its implementation.

SECTION 9. Repealing Clause. - Any law, presidential decree, issuance, executive order, letter of instruction, administrative order, rule and regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 10. Separability Clause. - If any provision of this Act is held invalid or unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

SECTION 11. Effectivity Clause. - This Act shall take effect fifteen (15) days following its complete publication in any national newspaper of general circulation or in the Official Gazette.

Approved,