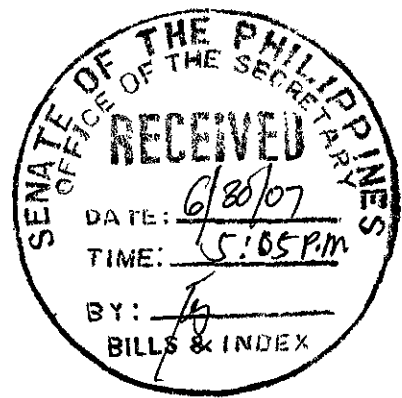


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 282



Introduced by **Senator Richard J. Gordon**

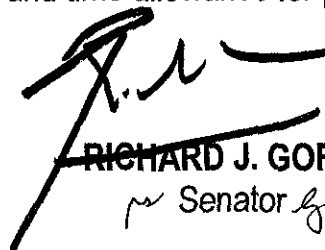
EXPLANATORY NOTE

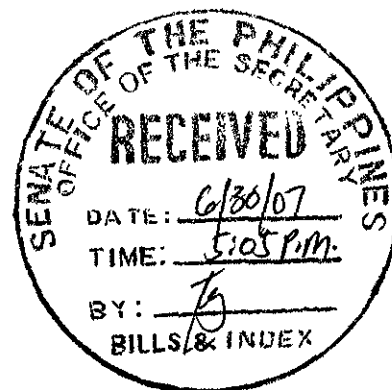
A person who is committed to prison must lead a productive life and not be a burden to the State while in the process of rehabilitation and reformation into a law-abiding and responsible citizen. Prison work, which is the rehabilitation of a prisoner through work, aims to promote discipline and enhance the prisoner's self-respect, self-confidence, personal dignity and sense of responsibility by allowing the prisoner to pay for his or her own keep while serving time in prison.

With prison work, taxpayers will not be unduly obligated to pay for the maintenance of prisoners. While less public funds will be required to spend for prisoners, more resources will be made available for other productive uses of the government.

Although the Bureau of Corrections and the Bureau of Jail Management and Penology conduct some form of rehabilitation program to reform prisoners, there is a need to provide a legal framework for prison work to grant incentives and ensure maximum benefits so that it may be effectively utilized as a tool to rehabilitate and reform prisoners, decongest prisons, and allow prisoners to serve the State in reforestation, infrastructure, and government projects as a way of reparation for the crimes they committed.

The salient provisions of this bill include voluntary prison work, compulsory prison work, secure work program for work outside the prison proper in reforestation, infrastructure, and government projects, the establishment of reforestation camps in cooperation with the Department of Environment and Natural Resources and other national and local agencies concerned, and compensation and time allowance for prison work.


RICHARD J. GORDON
per Senator *by*



Introduced by **Senator Richard J. Gordon**

**AN ACT TO REHABILITATE AND REFORM PRISONERS
THROUGH PRISON WORK
AND ALLOW THE PRODUCTIVE ENGAGEMENT OF QUALIFIED PRISONERS IN
REFORESTATION, INFRASTRUCTURE, AND GOVERNMENT PROJECTS**

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 "Prison Work Act of 2007."

2 **Sec. 2. Policy.** - It is the policy of the State to promote the rehabilitation of prisoners and
3 their reformation into responsible and law-abiding citizens through prison work and the
4 productive engagement of qualified prisoners in reforestation, infrastructure, and government
5 projects.

6 **Sec. 3. Definitions.** - For purposes of this Act,

7 (1) "Prisoner" refers to any person deprived of liberty and confined or detained in prison.

8 (2) "Detained Prisoner" refers to a prisoner pending preliminary investigation, trial or
9 appeal of a crime, or upon legal process issued by a court other than a final judgment.

10 (3) "Convicted Prisoner" refers to a prisoner sentenced to a term of imprisonment in a
11 final judgment by a court.

12 (4) "Bureau" refers to the Bureau of Corrections under the Department of Justice or the
13 Bureau of Jail Management and Penology under the Department of Interior and Local
14 Government, as the case may be.

15 (5) "Prison" refers to a secured place where prisoners are confined or detained, such as
16 the New Bilibid Prison, the Correctional Institute for Women, the Leyte Regional Prison,
17 and the Davao, San Ramon, Sablayan and Iwahig Prison and Penal Farms under the
18 control of the Bureau of Corrections, and such district, city, and municipal prisons under
19 the control of the Bureau of Jail Management and Penology.

20 (6) "Prison Work" refers to the rehabilitation of prisoners through work.

21 (7) "Qualified prisoner" refers to a prisoner who is fit and eligible to work as determined

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1 by the Bureau and qualified to work outside the prison and in reforestation,
2 infrastructure, and government projects based on the Bureau's security classification
3 and standards.

4 **Sec. 4. Voluntary Prison Work.** - Any prisoner, including a detained prisoner, who is fit
5 and eligible to work as determined by the Bureau may volunteer to work in and about the
6 prison, reforestation, infrastructure, and government projects subject to the approval of the
7 Bureau, provided that in case of a detained prisoner, such work shall in no way impair the
8 detained prisoner's right to be present at every stage of his or her criminal proceedings before
9 a trial court.

10 A prisoner who chooses to work under this Section does so voluntarily and may not
11 receive compensation for work.

12 **Sec. 5. Compulsory Prison Work.** - A convicted prisoner who is fit and eligible to work
13 as determined by the Bureau may be required to work for eight (8) hours a day in and about the
14 prison, reforestation, infrastructure, and government projects with a rest period of not less than
15 twenty-four (24) consecutive hours after every six (6) consecutive normal working days, except
16 if the work is necessary household work or when the work is necessary to maintain the
17 management or discipline of the prison.

18 **Sec. 6. Secure Work Program.** - The Bureau may establish a secure work program for
19 qualified prisoners working outside the prison proper and in reforestation, infrastructure, and
20 government projects while appropriately restrained for security purposes. Qualified prisoners on
21 a work secure program shall be required to wear distinctively colored outer garments and such
22 other devices that would preserve and secure the Bureau's custody over them.

23 Any qualified prisoner on a secure work program who escapes shall be punished with
24 the penalty of *prision correccional* under the Revised Penal Code in a special summary
25 procedure to be promulgated by the Supreme Court.

26 **Sec. 7. Reforestation, Infrastructure, and Government Projects.** - Qualified
27 prisoners may be engaged in reforestation, infrastructure, and government projects in
28 coordination with the Bureau, provided that no employee shall be displaced nor employment
29 opportunity supplanted.

30 *Reforestation camps may be established, maintained, supervised and controlled by the*
31 Bureau in cooperation with the Department of Environment and Natural Resources and other
32 national and local agencies concerned.

33 **Sec. 8. Compensation for Work.** - Prisoners may be reasonably compensated for work
34 performed and any and all compensation earned by a prisoner shall be collected and disbursed

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1 by the Bureau only in the order stated as follows:

2 (1) Taxes due to the government from income;

3 (2) Support of the prisoner, including board, food, clothing, and necessary travel
4 expenses to and from work and other incidental expenses, if any;

5 (3) Payment of the civil liability arising from crime, if any;

6 (4) Support of the prisoner's dependents, if any;

7 (5) Payment for legal representation, if any;

8 (6) Payment of the prisoner's obligations acknowledged by the prisoner in writing or
9 reduced to judgment, if any; and

10 (7) The balance, if any, to the prisoner upon the prisoner's final discharge from prison.

11 **Sec. 9. Compensation to Injured Prisoners.** - If any prisoner, in the performance of
12 work, is injured as to be permanently or materially incapacitated, the prisoner may, upon being
13 released from prison on final discharge, be allowed and paid such compensation as the Bureau
14 may deem necessary, except that the total amount to be paid to such prisoner shall not exceed
15 fifty thousand pesos (PhP50,000).

16 **Sec. 10. Labor Code.** - The provisions of the Labor Code on labor standards pertaining
17 to occupational health and safety shall be observed as far as practicable by the Bureau in
18 implementing the provisions of this Act.

19 **Sec. 11. Time Allowance for Prison Work.** - In addition to time allowances provided in
20 the Revised Penal Code, a prisoner who works diligently under Sec. 4 of this Act as determined
21 by the Bureau shall be entitled to a deduction of five (5) days from the period of sentence for
22 each month of voluntary prison work rendered, while a prisoner who works diligently under Sec.
23 5 of this Act as determined by the Bureau shall be entitled to a deduction of three (3) days from
24 the period of the sentence for every month of compulsory prison work rendered.

25 **Sec. 12. Rules and Regulations.** - The Bureau shall promulgate rules and regulations
26 to implement the provisions of this Act within three (3) months from the effectivity of this Act.

27 **Sec. 13. Appropriation.** - The initial funding to carry out the provisions of this Act shall
28 be charged against the current year's appropriation. Thereafter, such sums as may be
29 necessary shall be included in the General Appropriations Act.

30 **Sec. 14. Repealing Clause.** - All laws, decrees, orders, rules and regulations or other
31 issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or
32 modified accordingly.

33 **Sec. 15. Separability Clause.** - If any portion or provision of this Act is declared
34 unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in

1 force and effect.

2 **Sec. 16. Effectivity.** - This Act shall take effect after fifteen (15) days following the
3 completion of its publication in the Official Gazette or in a newspaper of general circulation in
4 the Philippines.

5 Approved,