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SENATE

S. No. **2920**

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(In substitution of Senate Bill Nos. 884, 1607, and 2547)

Prepared and submitted jointly by the Committees on Justice and Human Rights;
Social Justice, Welfare and Rural Development; and Finance with Senators Escudero,
Villanueva, Padilla, and Pimentel III as authors thereof

AN ACT

**AMENDING REPUBLIC ACT NO. 7309, ENTITLED, "AN ACT CREATING A
BOARD OF CLAIMS UNDER THE DEPARTMENT OF JUSTICE FOR VICTIMS
OF UNJUST IMPRISONMENT OR DETENTION AND VICTIMS OF VIOLENT
CRIMES AND FOR OTHER PURPOSES"**

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

1 Section 1. Section 4 of Republic Act No. 7309, otherwise known as "An Act
2 Creating a Board of Claims Under the Department of Justice for Victims of Unjust
3 Imprisonment or Detention and Victims of Violent Crimes and For Other Purposes",
4 is hereby amended to read as follows:

5 "Sec. 4. *Award Ceiling.* – For victims of unjust imprisonment or
6 detention, the compensation shall be based on the number of months
7 of imprisonment or detention and every fraction thereof shall be
8 considered one month; *Provided, however,* That in no case shall such
9 compensation exceed [~~One thousand pesos (P1,000.00)~~] **TEN**
10 **THOUSAND PESOS (P10,000.00)** per month.

11 In all other cases, the maximum amount for which the Board
12 may approve a claim shall not exceed [~~Ten thousand pesos~~
13 ~~(P10,000.00)~~] **FIFTY THOUSAND PESOS (P50,000.00)** or the
14 amount necessary to reimburse the claimant the expenses incurred for
15 hospitalization, medical treatment, loss of wage, loss of support or

1 other expenses directly related to injury, whichever is [lower]
2 **HIGHER.** This is without prejudice to the right of the claimant to
3 seek other remedies under existing laws.”

4 Section 2. Section 5 of Republic Act No. 7309 is hereby amended to read as
5 follows:

6 “Sec. 5. *When to File Claims.* – Any person entitled to
7 compensation under this Act must, within [~~six (6) months~~] **ONE YEAR**
8 after being released from imprisonment or detention, or from the date
9 the victim suffered damage or injury, file his/**HER** claim with the
10 [~~Department~~] **BOARD OF CLAIMS**, otherwise, he is deemed to have
11 waived the same. Except as provided for in this Act, no waiver of
12 claim whatsoever is valid.”

13 Sec. 3. Insert a new Section 5-A which shall read:

14 **“SEC. 5-A. REMOTE FILING OF CLAIMS. – ANY PERSON**
15 **ENTITLED TO COMPENSATION UNDER THIS ACT MAY FILE**
16 **HIS/HER CLAIM REMOTELY, SUBJECT TO RULES AND**
17 **REGULATIONS WHICH SHALL BE PROMULGATED BY THE**
18 **BOARD.”**

19 Sec. 4. Repealing Clause. – All laws, decrees, executive orders, proclamations,
20 rules and regulations, and other issuances or parts thereof which are inconsistent
21 with this Act are hereby repealed, amended, or modified accordingly.

22 SEC. 5. Effectivity Clause. – This Act shall take effect after fifteen (15) days
23 following the completion of its publication either in the Official Gazette, or in a
24 newspaper of general circulation.

Approved,