


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

7 JUL -2 PGM

RECEIVED BY: 

SENATE

S. B. No. 577

Introduced by Sen. Jinggoy Ejercito Estrada

EXPLANATORY NOTE

It has been observed that the Prosecutors of the Prosecution Offices have been used as collecting agents by parties through the filing of complaints for violation of the Bouncing Check Law (Batas Pambansa Bilang 22).

This practice, therefore, has unnecessarily drained the time, resources and efforts of the Prosecutors which could have been utilized in the preliminary investigation and prosecution of more important criminal cases.

This proposed measure seeks to discourage the practice of indiscriminate filing of B.P. 22 cases to coerce payment from debtors and using the Prosecutors of the Prosecution Offices as collecting agents. As such, this measure authorizes the Secretary of the Department of Justice (DOJ) to fix, impose and collect filing fees for every complaint filed for violation of B.P. 22 to address this concern.

The fees to be collected shall be placed under a Special Account to be named as "National Prosecution Service Program Fund", and shall be disbursed for the numerous programs that would improve the quality of prosecutorial services and expedite the trial process for B.P. 22 related cases.

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


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT
REQUIRING THE PAYMENT OF FILING FEES FOR
COMPLAINTS CHARGING VIOLATIONS OF BATAS
PAMBANSA BLG. 22, AS AMENDED, FILED WITH THE
PROSECUTION OFFICES AND FOR OTHER PURPOSES

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

SECTION 1. *Filing Fees.* – Before the Office of the Chief State Prosecutor or the Provincial and City Prosecution Offices of the National Prosecution Service shall take cognizance of any criminal complaint for the violation of the provisions of Batas Pambansa Blg. 22, as amended, the party who has filed the complaint shall pay to the Office concerned filing fees in such amount as the Secretary of Justice may fix. The amount of such filing fees may be increased or decreased by the Secretary of Justice from time to time through the appropriate administrative issuance.

SEC. 2. *Indigent Complainants.* – No filing fees shall be assessed on any indigent complainant who files with the Office of the Chief State Prosecutor or the Provincial and City

Prosecution Offices any criminal complaint for the violation of the provisions of Batas Pambansa Blg. 22, as amended.

SEC. 3. *National Prosecution Service Program Fund.* – The filing fees paid under the provisions of the Act shall constitute the National Prosecution Service Program Fund to be administered by the Department of Justice (DOJ). Up to eighty percent (80%) of the fund may be used for employee benefits while the remainder shall be used for continuing legal education and human resource development.

SEC. 4. *Implementing Rules and Regulations (IRR).* – The Secretary of Justice shall promulgate the implementing rules and regulations necessary to implement the provisions of this Act.

SEC. 5. *Repealing Clause.* – All laws, presidential decrees, executive orders, proclamations, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 6. *Separability Clause.* – If, for any reason, any section or provision of this Act shall be held unconstitutional or invalid, the other section or provision not otherwise affected shall remain valid.

SEC. 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,