

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

7 JUL 18 1978

SENATE  
S. B. No. 1281

RECEIVED BY: [Signature]

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Board of Pardons and Paroles releases prisoners on parole and recommends the grant of presidential pardons. The Parole and Probation Administration supervises the rehabilitation of parolees as well as probationers. Based on the experience of the Department of Justice, the two offices perform complementary or related functions.

This bill seeks to merge the two offices by amending Book 4, Title 3 of Executive Order 292 otherwise known as the Administrative Code of 1987.

This is consistent with the policy to streamline the existing bureaucracy in the Department of Justice, and to promote operational efficiency and economy.\*

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
*[Signature]*

\* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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1 AN ACT  
2 TO AMEND CERTAIN SECTIONS OF TITLE THREE, BOOK FOUR,  
3 OF EXECUTIVE ORDER NUMBERED TWO HUNDRED AND NINETY-TWO,  
4 OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987

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

7 SECTION 1. Section 4, Chapter 1, Title Three Book Four, of Executive Order Numbered  
8 Two Hundred and Ninety-Two, otherwise known as "The Administrative Code of 1987" is  
9 hereby amended to read as follows:

10 "SEC. 4. Organizational Structure. – The Department shall consist of the  
11 following units:

- 12 (1) Department Proper;
- 13 (2) Office of the Government Corporate Counsel;
- 14 (3) National Bureau of Investigation;
- 15 (4) Public Attorney's Office;
- 16 [ (5) Board of Pardons and Parole;]
- 17 (5) [ (6) ] Parole and Probation Administration;
- 18 (6) [ (7).] Bureau of Corrections;
- 19 (7) [ (8) ] Land Registration Authority;
- 20 (8) [ (9) ] Bureau of Immigration; and
- 21 (9) [ (10) ] Commission on the Settlement of Land Problems."

22 "THE BOARD OF PARDONS AND PAROLE CREATED UNDER ACT NO.  
23 4103, AS AMENDED, SHALL BE PLACED UNDER THE PAROLE AND  
24 PROBATION ADMINISTRATION."

1 SECTION 2. Section 18, Chapter 6, Title III, of the same Book of the said Code is hereby  
2 amended to read as follows:

3 "SEC. 18. Board Composition. – The Board shall be composed of the  
4 Secretary OF JUSTICE as THE Chairman, THE ADMINISTRATOR OF THE  
5 PAROLE AND PROBATION ADMINISTRATION AS THE VICE-  
6 CHAIRMAN and six (6) members consisting of the DIRECTOR OF THE  
7 BUREAU OF CORRECTIONS, a sociologists; A PSYCHOLOGIST; a  
8 clergyman; an educator; and a member of the Philippine Bar: Provided, That AT  
9 LEAST one of them is a woman. PROVIDED FURTHER, THAT, AT THE  
10 ABSENCE OF THE CHAIRMAN, THE VICE-CHAIRMAN SHALL PRESIDE.  
11 The members of the board shall be appointed by the President upon the  
12 recommendation of the Secretary and shall hold office for a term of six (6) years,  
13 without prejudice to appointment."

14 "In case of vacancy by reason of death, incapacity, resignation or  
15 removal of any of the Board members, the Secretary shall have the authority to  
16 designate a temporary member possessing the qualifications of his predecessor  
17 and to serve out his unexpired term or until the President shall have appointed a  
18 regular member to fill the vacancy."

19 SECTION 3. Section 19, Chapter 6, Title III, of the same Book of the said Code is hereby  
20 amended to read as follows"

21 "SEC. 19. [ Executive Director and ] Board Secretary; Support Staff [ In the  
22 performance of his duties as Chairman of ] The Board [ of Pardons and Parole, the  
23 Secretary ] shall be assisted by a NEWLY ASSEMBLED SUPPORT STAFF WHO  
24 SHALL PERFORM THE SAME DUTIES AND FUNCTIONS AS THE ONES  
25 ABOLISHED IT WILL BE HEADED BY AN OFFICIAL WITH THE RAMK OF  
26 DIRECTOR I WHO SHALL BE DESIGNATED AS THE BOARD SECRETARY AND  
27 [ The Executive Director ] who shall the appointed by the President upon the  
28 recommendation of the Secretary. [ The Executive Director still receive a monthly salary

1 of Thirteen thousand five hundred pesos (P13,500.00) ]. The Board Secretary shall  
2 prepare and keep the minutes of all the Board Sessions in a book of records kept for the  
3 purpose as well as the resolutions and recommendations of the Board on all actions  
4 involving paroles, pardons, and executive clemency to the President; authenticate and/or  
5 attest all minutes, resolutions and recommendations of the Board; prepare and serve all  
6 notices of Board meetings or sessions to the members of the Board prepare an annual  
7 report of all resolutions and recommendations for parole or executive clemency and other  
8 reports that the Department may require. He shall also perform such other functions as  
9 the Board may from time to time assign to him.”

10 SECTION 4. Section 24, Chapter 27, Title III, of the same Book of the said Code, is hereby  
11 amended to read as follows:

12 “SEC. 24. Structural and Personnel Organization. – [ (1) ] The  
13 Administration shall be headed by an Administrator who shall be immediately  
14 assisted by TWO [an] Deputy Administrators, ONE FOR PROBATION AND  
15 THE OTHER FOR PARDONS AND PAROLE. The Administrator and Deputy  
16 Administrator shall be appointed by the President upon the recommendation of  
17 the Secretary: PROVIDED, THAT THE BOARD SECRETARY UPON THE  
18 EFFECTIVITY OF THIS ACT SHALL BE DESIGNATED BY THE  
19 SECRETARY AS DEPUTY ADMINISTRATOR FOR PARDONS AND  
20 PAROLE.

21 The appointee to the position of Administrator and Deputy Administrators  
22 must be holders of a doctoral/masteral degree in public administration and/or  
23 lawyers at least one (1) year of supervisory experience in probation or parole  
24 work.

25 THE PRESENT STAFF COMPLEMENT OF THE BOARD AND  
26 ITS CORRESPONDING FUNCTIONS, APPROPRIATIONS, RECORDS,  
27 EQUIPMENT, OTHER ASSETS AND LIABILITIES SHALL BE  
28 TRANSFERRED TO THE ADMINISTRATION; PROVIDED THAT SUCH

1 NUMBER OF THE SAID STAFF COMPLEMENT AS MAY BE JOINTLY  
2 DETERMINED BY THE ADMINISTRATOR AND THE BOARD CHAIRMAN  
3 SHALL SERVE PROVIDED FURTHER, THAT, ALL PERSONNEL OF BOTH  
4 THE BOARD OR PARDONS AND PAROLE AND THE PAROLE AND  
5 PROBATION ADMINISTRATION DEEMD TO BE REDUNDANT, WILL  
6 HAVE THEIR POSITIONS ABOLISHED WIHTOUT PREJUDICE TO  
7 PERTINENT CIVIL SERVICE RULES AND REGULATIONS.

8 [ (2) ] The Administration shall have a Technical Service under  
9 the Office of the Administrator which shall serve as the service arm of the Board  
10 of Pardons and Parole in the supervision of parolees and pardonees. ]

11 [ (3) ] The Administration shall likewise continue to operate and  
12 maintain a Regional Office in each of the Administrative or autonomous regions  
13 including the National Capital Region Office in every province and city of the  
14 country.

15 The Regional Provincial and City Offices of the Administration  
16 shall each be headed by a Regional Probation and Parole Officer, Provincial/City  
17 Probation and Parole Officer, respectively, all of whom shall be appointed by the  
18 Secretary upon the recommendation of the Administrator, the Provincial or City  
19 Probation and Parole Officers shall be assisted by such field assistants and  
20 subordinate personnel as may be necessary to enable them to carry out their duties  
21 and functions. For this purpose, the Administrator may appoint citizens of good  
22 repute and probity to act as Probation and Parole Aides who not receive any  
23 regular compensation for their services except reasonable travel allowance.”

24 SECTION 5. *Repealing Clause.* – Any provisions of law inconsistent with the provisions  
25 of this Act are hereby repealed or amended accordingly.

1           SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
2 publication in at least two (2) newspapers of general circulation.

3           Approved,