

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Second Regular Session )

6 AUG -9 P4 9

RECEIVED BY: 

SENATE

S. No. 2438

*(In substitution of S. No. 1984  
taking into consideration the Privilege Speech of Senator Villar,  
together with the manifestation of Senator Gordon, delivered on March 15, 2005  
re: the failed jailbreak of Abu Sayyaf detainees  
at Camp Bagong Diwa in Bicutan, Taguig City last March 14, 2005  
and Proposed Senate Resolution Nos. 113 and 214)*

---

Prepared jointly by the Committees on Public Order and Illegal Drugs; and Justice  
and Human Rights with Senators Villar, Gordon and Arroyo as authors

---

AN ACT

**AMENDING SECTION 63 OF REPUBLIC ACT NO. 6975 OTHERWISE  
KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL  
GOVERNMENT ACT OF 1990" BY PROVIDING FOR THE ESTABLISHMENT  
OF AN INTEGRATED JAIL FACILITY IN METROPOLITAN MANILA AND IN  
OTHER HIGHLY URBANIZED CENTERS IN THE COUNTRY, 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 63 of Republic Act No. 6975 is hereby amended to read as

2 follows:

3 "SEC. 63. *Establishment of District, City or Municipal Jail.*—

4 There shall be established and maintained in every district, city and

5 municipality a secured, clean, adequately equipped and sanitary jail for the

6 custody and safekeeping of INMATES, WHICH REFER TO THE city

7 and municipal prisoners, any fugitive from justice, or person detained

8 awaiting investigation or trial and/or transfer to the national penitentiary,

9 and/or violent mentally ill person who endangers himself or the safety of

10 others, duly certified as such by the proper medical or health officer,

11 pending the transfer to a mental institution: *PROVIDED, THAT AN*

12 *INTEGRATED JAIL FACILITY SHALL BE ESTABLISHED IN*

1 METROPOLITAN MANILA, WHICH SHALL CONSIST OF ALL  
2 DISTRICT, CITY AND MUNICIPAL JAILS TO BE CO-LOCATED IN  
3 ONE PLACE OR AREA: *PROVIDED, FURTHER*, THAT AN  
4 INTEGRATED JAIL FACILITY MAY BE ESTABLISHED IN OTHER  
5 HIGHLY URBANIZED CENTERS OF THE COUNTRY, AS  
6 RECOMMENDED BY THE JAIL BUREAU AND APPROVED BY  
7 THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR AND  
8 LOCAL GOVERNMENT: *PROVIDED, FURTHERMORE*, THAT SAID  
9 INTEGRATED JAIL FACILITY MAY INCLUDE JAILS OF CITIES  
10 AND MUNICIPALITIES ADJACENT TO IT.

11 "INMATES IN THE EXISTING JAILS AFFECTED BY THE  
12 INTEGRATION SHALL BE TRANSFERRED TO THE INTEGRATED  
13 JAIL FACILITY, WHEREBY A SEPARATE AND DISTINCT JAIL  
14 FOR EACH CITY AND MUNICIPALITY WITH ITS RESPECTIVE  
15 JAIL WARDEN AND PERSONNEL COMPLEMENT SHALL BE  
16 MAINTAINED THEREIN.

17 "THE ESTABLISHMENT OF AN INTEGRATED JAIL  
18 FACILITY SHALL BE JOINTLY UNDERTAKEN BY THE  
19 CONCERNED LOCAL GOVERNMENT UNITS IN ACCORDANCE  
20 WITH REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE  
21 "LOCAL GOVERNMENT CODE OF 1991" AND ITS  
22 IMPLEMENTING RULES AND REGULATIONS: *PROVIDED*, THAT  
23 THE REQUIREMENT FOR THE ESTABLISHMENT OF AN  
24 INTEGRATED JAIL FACILITY MAY BE SOURCED FROM THE  
25 FOLLOWING:

26 A. COST-SHARE OF LOCAL GOVERNMENT UNITS  
27 CONCERNED;

1           B. ANNUAL APPROPRIATION FOR THE RENTAL OF THE  
2 JAIL BUREAU'S OFFICES TO BE TRANSFERRED TO THE  
3 INTEGRATED JAIL FACILITY;

4           C. PRIVATE SECTOR FUNDING PARTICIPATION  
5 SCHEMES; AND

6           D. DONATIONS, CONTRIBUTIONS OR GRANTS FROM  
7 DOMESTIC OR FOREIGN SOURCES INTENDED FOR THIS  
8 PURPOSE.

9           "THE SUPREME COURT SHALL ESTABLISH  
10 COURTROOMS IN THE INTEGRATED JAIL FACILITY TO SERVE  
11 AS VENUES FOR JUDGES TO HEAR CASES OF INMATES  
12 DETAINED UPON LEGAL PROCESSES FOR THE COMMISSION OF  
13 ANY OFFENSE PUNISHABLE BY DEATH, *RECLUSION PERPETUA*  
14 OR LIFE IMPRISONMENT, EXCEPT WHEN THE SUPREME COURT  
15 AUTHORIZES THE JUDGE, UPON PROPER APPLICATION, TO  
16 EFFECT THE TRANSFER OF THE SAID INMATE TO ANOTHER  
17 VENUE."

18           "[The municipal or city jail service shall preferably be headed by a  
19 graduate of a four (4)-year course in psychology, psychiatry, sociology,  
20 nursing, social work or criminology who shall assist in the immediate  
21 rehabilitation of individuals or detention of prisoners.] Great care must be  
22 exercised so that the human rights of [these prisoners] THE INMATES are  
23 respected and protected, and their spiritual and physical well-being are  
24 properly and promptly attended to."

25           SEC. 2. *Implementing Rules and Regulations.*—Within sixty (60) days from the  
26 approval of this Act, the Department of the Interior and Local Government, in  
27 coordination with the Bureau of Jail Management and Penology and the concerned local

1 government units, shall formulate and promulgate the implementing rules and regulations  
2 necessary to carry out the provisions of this Act.

3         SEC. 3. *Repealing Clause.*—All laws, decrees, orders, and rules and regulations  
4 inconsistent with the provisions of this Act are hereby repealed, amended or modified  
5 accordingly.

6         SEC. 4. *Separability Clause.*—If any provision of this Act is declared  
7 unconstitutional, the same shall not affect the validity and effectivity of the other  
8 provisions not affected thereby.

9         SEC. 5. *Effectivity Clause.*—This Act shall take effect fifteen (15) days after its  
10 complete publication in the Official Gazette or in at least two (2) newspapers of general  
11 circulation.

12         *Approved,*