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SENATE

S.NO. 353

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

Explanatory Note

The establishment of the Carnap Prevention Program aims to reduce the incidence of carnapping and increase the apprehension of the professional carnappers. Data in Quezon City alone show that there were 370 cases of carnapping incidents in 2004, 312 cases in 2005, and 175 cases in 2006.

Thus, this bill seeks to establish a Carnap Prevention Program with the end in view of implementing nationwide plans, programs, and strategies to combat carnapping, improve the administration of the anti-carnapping laws, and provide a forum for identification of critical problems for those persons dealing with carnapping.

Further, the Carnap Prevention Advisory Board shall be charged to assist in the prevention and deterrence of carnapping and related crimes, including vandalism and theft of property from the vehicles in the country. It shall henceforth seek to improve and support anti-carnap law enforcement, prosecution, prevention, and education and juvenile diversion programs by establishing nationwide planning capabilities and coordination of dedicated funding sources.

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



ANTONIO "SONNY" F. TRILLANES IV

Senator

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AN ACT
CREATING A CARNAP PREVENTION PROGRAM, ESTABLISHING A CARNAP
PREVENTION ADVISORY BOARD, AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Watch Your Car Program of
2 2010".

3

4 **SEC. 2. *Definition of Terms.*** - The terms, as used in this Act, shall be understood to
5 mean —

6 1. "Carnapping" is the taking, with intent to gain, of a motor vehicle belonging to another
7 without the latter's consent, or by means of violence against or intimidation of persons, or by
8 using force upon things.

9 2. "Chief" means the Chief of the Philippine National Police (PNP).

10

11 **SEC. 3. *Carnap Prevention Program.*** - The Chief shall:

12 (1) Develop and sponsor the implementation of nationwide plans, programs, and strategies to
13 combat carnapping, improve the administration of the anti-carnapping laws, and provide a forum
14 for identification of critical problems for those persons dealing with carnapping;

15 (2) Coordinate the development, adoption, and implementation of plans, programs, and strategies
16 relating to interagency and intergovernmental cooperation with respect to anti-carnapping
17 enforcement;

- 1 (3) Annually audit the plans and programs that have been funded in whole or in part to evaluate
2 the effectiveness of the plans and programs and withdraw funding should the Chief determine
3 that a plan or program is ineffective or is no longer in need of further financial support from the
4 fund;
- 5 (4) Develop a plan of operation including:
- 6 (a) an assessment of the scope of the problem of carnapping, including areas in the country
7 where the problem is greatest;
- 8 (b) an analysis of various methods of combating the problem of carnapping;
- 9 (c) a plan for providing financial support to combat carnapping;
- 10 (d) a plan for eliminating car hijacking; and
- 11 (e) an estimate of the funds required to implement the plan.
- 12 (5) Distribute money, in consultation with the Commissioner of the Land Transportation Office
13 (LTO), to account for automobile theft prevention activities, including:
- 14 (a) paying the administrative costs of the program;
- 15 (b) providing financial support to the Philippine National Police (PNP) and local law
16 enforcement agencies for anti-carnapping enforcement teams;
- 17 (c) providing financial support to national or local law enforcement agencies for programs
18 designed to reduce the incidence of carnapping and for improved equipment and techniques for
19 responding to carnapping incidences;
- 20 (d) providing financial support to local prosecutors for programs designed to reduce the
21 incidence of carnapping;
- 22 (e) providing financial support to judicial agencies for programs designed to reduce the
23 incidence of carnapping;
- 24 (f) providing financial support for neighborhood or community organizations or business
25 organizations for programs designed to reduce the incidence of carnapping and to educate people

1 about the common methods of carnapping, the models of automobiles most likely to be stolen,
2 and the times and places carnapping is most likely to occur; and

3 (g) providing financial support for carnapping educational and training programs for national
4 and local law enforcement officials, driver and vehicle services exam and inspections staff, and
5 members of the judiciary.

6

7 **SEC. 4. Annual report.-** By January 15 of each year, the Chief shall report to the House
8 of Representatives and Senate committees having jurisdiction over carnapping activities in the
9 country.

10

11 **SEC. 5. Grant criteria; application.-**

12 (1) A prosecutor's office, law enforcement agency, neighborhood organization, community
13 organization, or business organization may apply for a grant under this section. Multiple offices
14 or agencies within a city or municipality may apply for a grant under this section.

15 (2)The Chief, in consultation with the chairmen of House of Representatives and Senate
16 committees having jurisdiction over carnapping activities , must develop criteria for the fair
17 distribution of grants from the carnapping prevention account that address the following factors:

18 (a) the number of reported carnap per capita in a city, municipality, or region, not merely the
19 total number of carnapping incidences;

20 (b) the population of the jurisdiction of the applicant office or agency;

21 (c) the total funds distributed within every region; and

22 (d) the nationwide interest in carnapping reduction.

23 (3) The Chief may give priority to:

24 (a) offices and agencies engaged in a collaborative effort to reduce carnapping; and

25 (b) regions with the greatest rates of carnapping.

26 (4) The minimum amount of a grant award is Php100,000.00. After considering the carnapping

1 rate and total population of an applicant's jurisdiction, if a grant award, as determined under the
2 criteria and priorities in this Act, would be less than Php100,000.00, it must not be awarded.

3

4 **SEC. 5. *Creation of Advisory Board.***- A Carnap Prevention Advisory Board is
5 established to advise the Chief on the distribution of grants under this Act The Board must
6 consist of seven members appointed by the Chief and must include representatives of law
7 enforcement, prosecuting agencies, automobile insurers, and the public. The Chief must annually
8 select a chair from among its members.

9

10 **SEC. 6. *Funding.***- The amount necessary to carry out the provisions of this Act shall be
11 appropriated from the General Appropriations Act. The Fund shall be used exclusively for the
12 implementation of plans and programs that will prevent acts of carnapping into the mainstream.
13 Funds appropriated for this Act shall remain available until expended.

14

15 **SEC. 7. *Separability Clause.*** - If any provision, part or portion of this Act shall be held
16 invalid, the remaining provisions, parts or portions of the Act not otherwise affected thereby shall
17 remain valid and effective.

18

19 **SEC. 8. *Repealing Clause.*** - All laws, executive issuances, orders and rules and regulations
20 contrary to or inconsistent with this Act, or any part thereof, are hereby repealed, amended and/or
21 modified accordingly.

22

23 **SEC. 9. *Effectivity.*** - This Act shall take effect upon its publication in the *Official Gazette* or
24 in at least two (2) national newspapers of general circulation.

Approved,