

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**SEVENTEENTH CONGRESS**  
**FIRST REGULAR SESSION**  
**HOUSE BILL NO. 464**



---

Introduced by CIBAC Party List Representative  
Sherwin N. Tugna

---

**AN ACT**  
**STRENGTHENING THE WITNESS PROTECTION, SECURITY AND BENEFIT**  
**PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6981,**  
**OTHERWISE KNOWN AS THE "WITNESS PROTECTION, SECURITY AND**  
**BENEFIT ACT", AND PROVIDING ADDITIONAL FUNDS THEREFORE**

**EXPLANATORY NOTE**

The role of witnesses in an administrative, criminal or legislative investigation is very important in ensuring the success of any case that may be filed in relation to the said investigation. The witnesses' lives, property, reputation, safety as well as those of their family are at stake. People whom they testify against may hurt or kill them or any member of their family. Therefore, it is necessary that witnesses are protected and accorded protection and benefits. The Congress has already addressed these concerns by enacting Republic Act No. 6981, otherwise known as the "Witness Protection, Security and Benefit Act". As much as the said law has benefitted many witnesses who have become part of the witness protection program, it is timely that it is amended to strengthen the witness protection, security and benefit program by giving more benefits to the witnesses and their specified family members in consideration of the possible outcome of the witnesses decision to come out and pursue cases against those who they know have committed crimes. Also, this bill seeks to provide benefits to the children of the witnesses which will compensate for the prolonged absence of the witnesses in the lives of their family due to admission in the program. Moreover, the author deems it just that in case the witnesses are killed by reason of their admission in the program, their family will be compensated in the amount of Five Hundred Thousand Pesos (500,000.00).

Provisions on a separate and distinct witness protection program for witnesses during legislative investigations, aid of legislation are also included. These witnesses' testimonies are vital in the process of enacting bills that will address loopholes in current laws or rules and regulations and possible filing of necessary criminal complaints by the authorized agencies of the government.

In view of the foregoing, the approval of the bill is immediately sought.



Sherwin Tugna

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**SEVENTEENTH CONGRESS**  
**FIRST REGULAR SESSION**

**HOUSE BILL NO. 464**

---

Introduced by CIBAC Party List Representative  
Sherwin N. Tugna

---

**AN ACT**  
**STRENGTHENING THE WITNESS PROTECTION, SECURITY AND BENEFIT**  
**PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6981,**  
**OTHERWISE KNOWN AS THE "WITNESS PROTECTION, SECURITY AND**  
**BENEFIT ACT", AND PROVIDING ADDITIONAL FUNDS THEREFORE**

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

**SECTION 1.** Sections 3, 4, 5, 6, 7 and 8 of Republic Act No. 6981, otherwise known as the "Witness Protection, Security and Benefit Act", are hereby amended to read as follows:

**SEC. 3. Admission into the Program.** - Any person who has witnessed or has knowledge or information on the commission of a crime and has testified or is testifying or about to testify before any judicial or quasi-judicial body, or before any investigating authority, may be admitted into the Program: Provided, That:

a) The offense ~~[in]~~ FOR which ~~[his]~~ THE testimony will be used is a grave felony as defined under the Revised Penal Code, or its equivalent under special laws;

b) ~~[His]~~ THE testimony can be substantially corroborated in its material points;

c) ~~[He]~~ THE WITNESS or any member of ~~[his]~~ THE WITNESS' family within the second civil degree of consanguinity or affinity is subjected to threats to ~~[his]~~ life or bodily injury or there is a likelihood that ~~[he]~~ THE WITNESS will be killed, forced, intimidated, harassed or corrupted ~~[to prevent him]~~ SO AS TO BE PREVENTED from testifying, or to testify falsely or evasively, because or on account of ~~[his]~~ THE testimony GIVEN; and

d) ~~[He]~~ THE WITNESS is not a law enforcement officer, ~~[even if he would be testifying]~~ UNLESS THE TESTIMONY TO BE GIVEN WILL BE against other law enforcement officer(s). ~~[In such a case, only the~~

1 immediate members of his family may avail themselves of the protection  
2 provided for under this Act.]

3 "If the Department, after examination of said applicant and  
4 other relevant facts, is convinced that the requirements of this Act and  
5 its implementing rules and regulations have been complied with, it  
6 shall admit said applicant to the Program, require said with to execute a  
7 sworn statement detailing THE WITNESS' knowledge or information  
8 on the commission of the crime, and thereafter issue the proper  
9 certification. For purposes of this Act, any such person admitted to the  
10 Program shall be known as the Witness."

11 SEC.4. *Witness in Legislative Investigations.* - In case of legislative  
12 investigations in aid of legislation, ~~[a witness.]~~ THE SENATE OF THE  
13 PHILIPPINES OR THE HOUSE OF REPRESENTATIVES, AS THE CASE  
14 MAY BE, MAY PROVIDE A SEPARATE AND DISTINCT 'WITNESS  
15 PROTECTION, SECURITY AND BENEFIT PROGRAM' FOR ITS  
16 RESOURCE PERSONS AND/OR WITNESSES. THE WITNESS  
17 AND/OR RESOURCE PERSON, ~~[with his express consent,]~~ may be  
18 admitted into the Program upon THE WRITTEN APPLICATION AND  
19 the recommendation of the legislative committee where ~~[his]~~ THE  
20 testimony is needed when in its judgment there is a pressing  
21 necessity ~~[therefor]~~ FOR THE WITNESS' TESTIMONY OR THE  
22 PRODUCTION OF DOCUMENTS OR EVIDENCE IN POSSESSION OR  
23 CUSTODY OF THE WITNESS: *Provided,* That such recommendation is  
24 approved by the President of the Senate or the Speaker of the House of  
25 Representatives, as the case may be.

26 "THE SENATE OF THE PHILIPPINES OR THE HOUSE OF  
27 REPRESENTATIVES, AS THE CASE MAY BE, SHALL HAVE  
28 PRIMARY JURISDICTION IN THE ADMINISTRATION AND  
29 IMPLEMENTATION OF THE LEGISLATIVE WITNESS PROTECTION,  
30 SECURITY AND BENEFIT PROGRAM. CONGRESS MAY REQUEST  
31 THE NECESSARY ASSISTANCE FROM ANY DEPARTMENT,  
32 BUREAU, OFFICE OR ANY OTHER EXECUTIVE AGENCY TO ASSIST  
33 IN THE IMPLEMENTATION OF THE PROGRAM: *PROVIDED,*  
34 HOWEVER, THAT IN THE EVENT THAT A CRIMINAL CASE HAS  
35 BEEN INSTITUTED, FOR PRELIMINARY INVESTIGATION OR TRIAL  
36 IN THE COURT, IN RELATION TO THE SUBJECT OF THE  
37 LEGISLATIVE INQUIRY, ANY WITNESS TO THE CRIMINAL CASE  
38 COVERED BY THE LEGISLATIVE WITNESS PROTECTION, SECURITY  
39 AND BENEFIT PROGRAM SHALL UPON THE RECOMMENDATION OF  
40 THE LEGISLATIVE COMMITTEE CONCERNED, BE TURNED OVER TO  
41 THE WITNESS PROTECTION, SECURITY AND BENEFIT PROGRAM  
42 ADMINISTERED BY THE DEPARTMENT OF JUSTICE: *PROVIDED,*  
43 *FURTHER,* THAT ANY WITNESS TO A CRIMINAL CASE WHO IS  
44 COVERED BY THE PROGRAM ADMINISTERED BY THE  
45 DEPARTMENT OF JUSTICE SHALL CONTINUE TO BE COVERED  
46 AND SHALL REMAIN UNDER SUCH PROGRAM NOTWITHSTANDING

1 ANY LEGISLATIVE INQUIRY THAT MAY BE INITIATED THEREAFTER  
2 WHERE SUCH WITNESS MAY BE CALLED UPON TO TESTIFY AS A  
3 RESOURCE PERSON.

4 "ANY WITNESS COVERED BY THE LEGISLATIVE WITNESS  
5 PROTECTION, SECURITY AND BENEFIT PROGRAM SHALL ENJOY  
6 THE SAME RIGHTS AND BENEFITS, BEAR THE SAME  
7 RESPONSIBILITIES AND SHALL BE SUBJECT TO THE SAME  
8 CONDITIONS AS PROVIDED FOR IN THIS ACT.

9 "TO EFFECTIVELY CARRY OUT THIS PROVISION, CONGRESS  
10 SHALL PROVIDE FUNDING FOR THE IMPLEMENTATION OF ITS OWN  
11 WITNESS PROTECTION, SECURITY AND BENEFIT PROGRAM AND  
12 PROMULGATE ITS OWN RULES AND REGULATIONS."

13 SEC. 5. *Memorandum of Agreement (MOA) with the Person to be*  
14 *Protected.* - ~~[Before a person is provided]~~ BEFORE A WITNESS  
15 CAN AVAIL OF THE protection under this Act, he/SHE ~~[shall first~~  
16 ~~execute]~~ SHALL ENTER INTO a memorandum of agreement WITH THE  
17 DEPARTMENT, which shall set forth his/HER SPECIFIC responsibilities  
18 including:

19 a) To testify before and provide information to all appropriate law  
20 enforcement officials concerning all appropriate proceedings in connection  
21 with or arising from the activities involved in the offense charged;

22 b) To avoid the commission of a crime;

23 c) To take all necessary precautions to avoid detection by others of  
24 the facts concerning the protection provided ~~[him]~~ under this Act;

25 d) To comply with legal obligations and civil judgments against ~~[him]~~  
26 ONE'S PERSON;

27 e) To cooperate with respect to all reasonable requests of officers and  
28 employees of the Government who are providing protection under this Act;  
29 ~~[and]~~

30 f) To regularly inform the appropriate program official of ~~[his]~~ current  
31 activities and address~~[-]~~;

32 G) NOT TO COMMUNICATE WITH ANY ADVERSE PARTY OR  
33 NEGOTIATE FOR OR ENTER INTO, AN AMICABLE SETTLEMENT  
34 ON THE CIVIL OR CRIMINAL ASPECT OF THE OFFENSE  
35 SUBJECT OF THE CASE OR INVESTIGATION; AND

36 H) TO COMPLY WITH SUCH OTHER CONDITIONS AS THE  
37 SECRETARY OF JUSTICE MAY DEEM PROPER TO IMPOSE FOR THE  
38 SUCCESSFUL INVESTIGATION OR PROSECUTION OF THE CASE OR  
39 TO PRESERVE THE INTEGRITY OF THE PROGRAM."

40 SEC. 6. *Breach of the Memorandum of Agreement.* - Substantial breach  
41 of the memorandum of agreement shall be a ground for the IMMEDIATE  
42 termination of the BENEFITS AND protection provided under this Act~~[-~~  
43 ~~Provided, however, That before terminating such protection.].~~ ~~[t]~~The  
44 Secretary of Justice shall send WRITTEN notice to the person involved  
45 of the termination of the BENEFITS AND protection provided under  
46 this Act, stating therein the reason for such termination."



1 SEC. 7. Confidentiality.~~[of Proceedings]~~ All ~~[proceedings]~~ MATTERS  
2 involving ~~[application for]~~ admission AND COVERAGE ~~[into]~~ UNDER the  
3 Program ~~[and the action taken thereon]~~ shall be confidential in nature~~[.]~~  
4 AND ~~[N]~~No information or documents ~~[given or submitted in support~~  
5 ~~thereof]~~ RELATIVE THERETO shall be released except upon written order  
6 of the Department or the proper court.

7 "Any person who violates the confidentiality of said proceedings shall upon  
8 conviction be punished with imprisonment of not less than ~~[one (1) year]~~  
9 FOUR (4) YEARS but not more than six (6) years and deprivation of the  
10 right to hold a public office or employment for a period of five (5) years.

11 "NO INJUNCTION OR TEMPORARY RESTRAINING ORDER SHALL BE  
12 ISSUED BY ANY COURT ENJOINING THE ADMISSION OF THE  
13 WITNESS IN THE PROGRAM BY THE DEPARTMENT."

14 **SECTION 8. Rights and Benefits.** - The Witness shall have the RIGHT  
15 TO SECURITY AND PROTECTION AS WELL AS THE following ~~[rights~~  
16 ~~and]~~ benefits:

17 "a) To have a secure housing facility until THE WITNESS has testified or  
18 until the threat, intimidation or harassment disappears or is reduced to a  
19 manageable or tolerable level. When the circumstances warrant, the  
20 Witness shall be entitled to relocation and/or change of personal identity  
21 at the expense of the Program. This right TO A SECURE HOUSING  
22 FACILITY AND RELOCATION may be extended to any member of the  
23 family of the Witness within the second ~~[civil]~~ degree of consanguinity or  
24 affinity UPON SATISFACTION OF THE REASONABLE CONDITIONS  
25 THE DEPARTMENT SHALL HEREAFTER CLEARLY SET FORTH.

26 "A CHANGE OF PERSONAL IDENTITY MAY INCLUDE A CHANGE IN  
27 PHYSIOLOGICAL APPEARANCE OR CHANGE OF NAME. THE  
28 SECRETARY OF JUSTICE, UPON APPLICATION OF THE WITNESS  
29 COVERED UNDER THE PROGRAM AND IN ACCORDANCE WITH THE  
30 RULES WHICH THE DEPARTMENT SHALL HEREAFTER  
31 PROMULGATE, MAY ORDER A CHANGE OF THE FIRST NAME,  
32 MIDDLE NAME AND/OR FAMILY NAME OF THE WITNESS  
33 COVERED, WITHOUT NEED OF A SEPARATE JUDICIAL ORDER OR  
34 ADMINISTRATIVE PROCEEDINGS. PURSUANT TO SUCH ORDER,  
35 THE SECRETARY OF JUSTICE MAY DIRECT ALL CONCERNED  
36 AGENCIES OF THE GOVERNMENT TO MAKE THE NECESSARY  
37 ENTRIES IN THEIR RESPECTIVE REGISTRIES IN SUCH A MANNER  
38 THAT ENSURES THE CONFIDENTIALITY OF THE PROCEEDINGS  
39 AND AVOID A DISCLOSURE OF THE IDENTITY OF THE WITNESS.

40 "b) The Department shall, whenever practicable, assist the Witness in  
41 obtaining a means of livelihood. The Witness relocated pursuant to this  
42 Act shall be entitled to a financial assistance from the Program ~~[for his~~  
43 ~~support and that of his family]~~ in such amount and for such duration as the  
44 Department shall determine.

45 "c) In no case shall the Witness be removed from or demoted in work  
46 because or on account of ~~[his]~~ ONE'S absences due to ~~[his]~~ attendance

1 before any judicial or quasi-judicial body or investigating authority,  
2 including legislative investigations in aid of legislation, in going thereto  
3 and in coming therefrom: Provided, That his employer notified through a  
4 certification issued by the Department, within a period of thirty (30) days  
5 from the date when the Witness last reported for work: Provided, further,  
6 That in the case of prolonged transfer or permanent relocation, the  
7 employer shall have the option to remove the Witness from  
8 employment after securing clearance from the Department, upon the  
9 recommendation of the Department of Labor and Employment.

10 "Any Witness who failed to report for work because of witness duty shall  
11 be paid ~~[his]~~ BY ONE'S EMPLOYER THE equivalent salaries or wages  
12 corresponding to the number of days of absence occasioned by the  
13 Program. For purposes of this Act, any fraction of a day shall constitute a  
14 full day salary or wage. This provision shall be applicable to both  
15 government and private employees.

16 "d) To be provided with reasonable travelling expenses and subsistence  
17 allowance by the Program in such amount as the Department may  
18 determine for his attendance in the court, body or authority where THE  
19 WITNESS' testimony is required, as well as conferences and interviews  
20 with prosecutors or investigating officers.

21 "e) To be provided with NECESSARY free medical ATTENTION,  
22 treatment, hospitalization and medicines PARTICULARLY for any injury,  
23 ~~[or]~~ illness OR ANYOTHER MEDICAL CONDITION incurred or suffered  
24 by ~~[him because of]~~ THE WITNESS OR BY THE SPOUSE AND MINOR  
25 OR DEPENDENT CHILDREN WHILE ON witness duty OR WHILE IN  
26 THE TEMPORARY SHELTER PROVIDED BY THE PROGRAM in any  
27 ~~[private—or]~~ public hospital, clinic, or at any such institution at the  
28 expense of the Program.

29 "WITNESS DUTY SHALL INCLUDE THE ATTENDANCE OF THE  
30 WITNESS IN THE COURT, BODY OR AUTHORITY WHERE THE  
31 TESTIMONY IS REQUIRED AS WELL AS CONFERENCES,  
32 INTERVIEWS, AND/OR INVESTIGATIONS WITH PROSECUTORS OR  
33 INVESTIGATING OFFICERS. A WITNESS WHO IS RELOCATED TO  
34 AN ACCREDITED WITNESS PROTECTION, SECURITY AND  
35 BENEFIT PROGRAM TEMPORARY SHELTER SHALL BE  
36 CONSIDERED TO BE UNDER WITNESS DUTY FOR THE DURATION  
37 OF STAY IN SAID TEMPORARY SHELTER."

38 "f) If a Witness is killed, because of ~~[his]~~ participation in the Program,  
39 ~~[his]~~ THE WITNESS' heirs shall be entitled to a burial benefit of not less  
40 than FIVE HUNDRED THOUSAND PESOS (P500,000.00)~~[Ten thousand~~  
41 ~~pesos (P10,000.00)]~~ from the Program exclusive of any other similar  
42 benefits ~~[he]~~ THE WITNESS may be entitled to under other existing laws.

43 "g) ~~[In case of death or permanent incapacity, his]~~ THE  
44 WITNESS' minor or dependent children shall be entitled to free education  
45 AND/OR EDUCATIONAL ASSISTANCE, from primary to college level in  
46 any state~~[, or private]~~ school, college or university ~~[as may be determined]~~

1 by the Department,] as long as they shall have qualified thereto. THE  
2 EDUCATIONAL BENEFITS HEREIN PROVIDED CAN BE AVAILED BY  
3 THE WITNESS' MINOR OR DEPENDENT CHILDREN FOR PRIMARY,  
4 SECONDARY AND TERTIARY EDUCATION, BUT IN THE LATTER  
5 CASE, NOT TO EXCEED FIVE (5) YEARS."

6 **SECTION 2.** Sections 10 and 12 of the same Act are hereby amended to read as  
7 follows:

8 SEC. 10. ~~[State Witness]~~ **ADMISSION OF OFFENDERS.** - Any person  
9 who has participated in the commission of a crime and desires to be  
10 a witness for the ~~[State]~~ GOVERNMENT, can apply and, if qualified  
11 as determined in this Act and by the Department, shall be admitted  
12 into the Program whenever the following circumstances are present:

13 a) The offense in which ~~[his]~~ THE testimony will be used is a grave  
14 felony as defined under the Revised Penal Code or its equivalent under  
15 special laws;

16 b) There is absolute necessity for ~~[his]~~ THE testimony;

17 c) There is no other direct evidence available for the proper  
18 prosecution of the offense committed;

19 d) ~~[His]~~ THE testimony can be substantially corroborated on its material  
20 points;

21 e) ~~[He]~~ THE PERSON does not appear to be most guilty; and

22 f) ~~[He]~~ THE PERSON has not at any time been convicted of any crime  
23 involving moral turpitude.

24 "THE ADMISSION OF A PERSON TO THE PROGRAM IS DISTINCT  
25 AND SEPARATE FROM A DISCHARGE OF AN ACCUSED FROM  
26 AN INFORMATION OR CRIMINAL COMPLAINT BY THE COURT IN  
27 ORDER THAT SAID ACCUSED MAY BE A STATE WITNESS  
28 PURSUANT TO SECTION 17 OF RULE 119 OF THE REVISED RULES  
29 OF COURT.

30 "An accused discharged from an information or criminal complaint by  
31 the court in order that ~~[he]~~ THE ACCUSED may be a State Witness  
32 pursuant to ~~[Sections 9 and 10]~~ SECTION 17 of Rule 119 of the  
33 Revised Rules of Court may, upon ~~[his]~~ petition, be admitted to the  
34 Program ~~[if he complies]~~ UPON COMPLIANCE with the other  
35 requirements of this Act. Nothing in this Act shall prevent the  
36 discharge of an accused~~[is so that he can be used]~~ WHO QUALIFIED  
37 as ~~[a]~~ State Witness under SECTION 17, Rule 119 of the Revised Rules  
38 of Court."

39 SEC. 12. *Effect of Admission of a ~~[State]~~ Witness into the Program.* -  
40 The certification of admission into the Program by the Department shall  
41 be given full faith and credit by the provincial or city prosecutor who is  
42 required not to include the Witness in the criminal complaint or  
43 information and if included therein, to petition the court for ~~[his]~~ THE  
44 discharge PURSUANT TO THIS ACT in order that ~~[he]~~ ONE can be



1 utilized as a [State] Witness FOR THE PROSECUTION. ~~[The court shall~~  
2 ~~order the discharge and exclusion of the said accused from the~~  
3 ~~information.]~~

4 "Admission into the Program shall AUTOMATICALLY entitle such  
5 [State] COVERED Witness to immunity from criminal prosecution for  
6 the offense or offenses in which [his] THE testimony will be given or  
7 used and ~~[all the rights and benefits provided under Section 8~~  
8 ~~hereof]~~ THE COURT SHALL ORDER THE DISCHARGE AND  
9 EXCLUSION OF THE SAID WITNESS FROM THE INFORMATION."

10 **SECTION 3.** A new section (Section 12-A) shall be inserted between Section 12 and  
11 Section 13 of the same Act, which shall read as follows:

12  
13 **SEC. 12-A. PERPETUATION OF TESTIMONY.** – A WITNESS ONCE  
14 ADMITTED INTO THE PROGRAM SHALL PERPETUATE THE  
15 TESTIMONY PURSUANT TO RULE 134 OF THE REVISED RULES OF  
16 COURT."

17 **SECTION 4.** Sections 13, 14, 15 and 17 of the same Act are hereby amended  
18 to read as follows:

19 **SEC. 13. Failure or Refusal of the Witness to COOPERATE OR**  
20 **Testify.** - ~~[Any Witness registered in the Program who fails or refuses~~  
21 ~~to testify or to continue to testify without just cause when lawfully~~  
22 ~~obliged to do so, shall be prosecuted for contempt. If he testifies~~  
23 ~~falsely or evasively, he shall be liable to prosecution for perjury. If~~  
24 ~~a State Witness fails or refuses to testify, or testifies falsely or evasively,~~  
25 ~~or violates any condition accompanying such immunity without just cause~~  
26 ~~as determined in a hearing by the proper court, his immunity shall be~~  
27 ~~removed and he shall be subject to contempt or criminal prosecution.~~  
28 ~~Moreover, the enjoyment of all rights and benefits under this Act~~  
29 ~~shall be deemed terminated.]~~

30 ~~["The Witness may, however, purge himself of the contumacious acts by~~  
31 ~~testifying at any appropriate stage of the proceedings.]~~

32 "A WITNESS COVERED UNDER THE PROGRAM WHO UNJUSTLY  
33 FAILS OR REFUSES TO COOPERATE OR TESTIFY IN  
34 THE INVESTIGATION OR PROSECUTION OF A CASE OR WHO  
35 GIVES FALSE OR MISLEADING TESTIMONY SHALL BE  
36 CRIMINALLY PROSECUTED AND SHALL, UPON CONVICTION,  
37 SUFFER THE PENALTY OF IMPRISONMENT OF NOT LESS THAN  
38 FOUR (4) YEARS BUT NOT EXCEEDING SIX (6) YEARS. THE  
39 WITNESS SHALL ALSO BE REQUIRED TO RESTITUTE ALL  
40 THE PROGRAM'S EXPENSES RELATIVE TO HIS COVERAGE  
41 WITHOUT PREJUDICE TO PROSECUTION FOR CONTEMPT  
42 UNDER OTHER EXISTING LAWS."

1 SEC. 14. *Compelled Testimony.* - Any Witness admitted into the  
2 Program to Sections 3 and 10 of this Act cannot refuse to testify or  
3 give evidence or produce books, documents, records or writings  
4 necessary for the prosecution of the offense or offenses for which  
5 ~~[he]~~ ONE has been admitted into the Program on the ground of the  
6 constitutional right against self-incrimination. ~~[but—he]~~ THE WITNESS  
7 shall enjoy immunity from criminal prosecution and ~~[cannot]~~ SHALL  
8 NOT be subjected to any penalty or forfeiture for any transaction, matter  
9 or thing concerning his compelled testimony or books, documents,  
10 records or writings produced.

11 "In case of refusal of THE Witness to testify or give evidence or produce  
12 books, documents, records, or writings, on the ground of the right against  
13 self-incrimination, and the PUBLIC prosecutor or investigator believes  
14 that such evidence is absolutely necessary for a successful prosecution  
15 of the offense or offenses charged or under investigation, he, with the  
16 prior approval of the Department, shall file a petition with the appropriate  
17 court for the issuance of an order requiring said Witness to testify, give  
18 evidence or produce the books, documents, records, and writings  
19 described, and the court shall issue the proper order.

20 "The court, upon motion of the PUBLIC prosecutor or investigator, shall  
21 order the arrest and detention of the Witness in any jail contiguous to the  
22 place of trial or investigation until such time that the Witness is willing  
23 to give such testimony or produce such documentary evidence."

24 SEC. 15. ~~[Perjury or]~~ *Contempt.* - No Witness shall be exempt from  
25 prosecution for ~~[perjury or]~~ contempt committed while giving testimony  
26 or producing evidence under compulsion pursuant to this Act. ~~[The~~  
27 ~~penalty next higher in degree shall be imposed in case of conviction~~  
28 ~~for perjury.]~~ The procedure prescribed under Rule 71 of the Rules of  
29 Court shall be followed in contempt proceedings but the penalty to be  
30 imposed shall not be less than one (1) month but not more than one (1)  
31 year imprisonment."

32 SEC. 17. *Penalty for Harassment of Witness.* - Any person who  
33 harasses a Witness ~~[and thereby hinders, delays, prevents or dissuades~~  
34 ~~a Witness]~~ BY REASON OF THE SWORN STATEMENT OR  
35 TESTIMONY GIVEN BY THE LATTER, OR WHO ATTEMPTS TO  
36 HINDER, DELAY, PREVENT OR DISSUADE THE WITNESS from:

- 37 a) Attending or testifying before any judicial or quasi-judicial body or  
38 investigating authority;  
39 b) Reporting to a law enforcement officer or judge the commission  
40 or possible commission of an offense, or a violation of conditions or  
41 probation, parole, or release pending judicial proceedings;  
42 c) Seeking the arrest of another person in connection with the offense;  
43 d) Causing a criminal prosecution, or a proceeding for the revocation of  
44 a parole or probation; or  
45 e) Performing and enjoying the rights and benefits under this Act ~~[or~~  
46 ~~attempts to do so,]~~ shall be fined not more than ~~[Three thousand~~

pesos ~~(P3,000.00)~~ TWENTY THOUSAND PESOS (P20,000.00) or  
suffer Imprisonment of not less than ~~[six (6) months]~~ TWO (2)  
YEARS but not more than ~~[one (1) year.]~~ FOUR (4) YEARS, OR BOTH.  
~~[or both. He shall also suffer the penalty of perpetual disqualification  
from holding public office in case of a public officer.]~~

"IN ADDITION, THE PENALTY OF PERPETUAL  
DISQUALIFICATION FROM HOLDING PUBLIC OFFICE SHALL BE  
IMPOSED UPON THE OFFENDER WHO IS A PUBLIC OFFICER."

**SECTION 5.** A new section (Section 17-A) is hereby inserted in Republic Act  
No. 6981, which shall read as follows:

SEC. 17-A. *CONSTRUCTION OF PROVISIONS* - IN CASE OF DOUBT,  
PROVISIONS OF THIS ACT SHALL BE CONSTRUED IN FAVOR OF THE  
ADMISSION OF THE WITNESS."

**SECTION 6. Appropriations.** - The amount necessary to carry out the provisions of this  
Act shall be included in the annual General Appropriations Act.

**SECTION 7. Rules and Regulations.** - The Department of Justice shall promulgate  
the necessary rules and regulations to implement this Act.

**SECTION 8. Separability Clause.** - If any section or provision of this Act shall be  
declared unconstitutional or invalid, such shall not invalidate any other section of this  
Act.

**SECTION 9. Repealing Clause.** - All laws, decrees, orders, rules, regulations,  
ordinances or parts thereof which are inconsistent with this Act are hereby repealed or  
modified accordingly.

**SECTION 10. Effectivity Clause.** - This Act shall take effect fifteen (15) days after  
its complete publication in at least two (2) general newspapers of national circulation.