



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Seventeenth Congress
First Regular Session

HOUSE BILL NO. **4194**

Introduced By:
REP. FRANCISCO JOSE F. MATUGAS II
1ST District, Surigao del Norte (*Siargao Island*)

EXPLANATORY NOTE

This bill, which was filed in the 15th and 16th Congress and re-filed in the present Congress, seeks to transfer the supervision and control over all provincial jails from the provincial government to the Bureau of Jail Management and Penology (BJMP).


Peace and order has always been a perennial issue plaguing the national government as well as the local government units. As one of the pillars of our law enforcement system, the Bureau of Jail Management and Penology plays a very crucial role in the rehabilitation of persons who have violated our laws. It helps in transforming criminals into becoming more productive members of our society.

Under Section 61 of Republic Act No. 6975, otherwise known as the "Department of the Interior and Local Government Act 1990," all provincial jails are under the supervision and control of the provincial government while the city and municipal jails are supervised and controlled by the BJMP. With this set up, it is difficult to establish an integrated approach to jail management because you need overall coordination between the national leadership of the BJMP and the provincial government vis-à-vis jail management.

At present, the BJMP has four (4) major areas of rehabilitation: (a) Livelihood Projects; (b) Educational and Vocational Training; (c) Recreation and Sports; and (d) Religious Spiritual Activities. These programs, which are continuously implemented to reform offenders and transform them into law-abiding citizens, will certainly benefit the inmates of provincial jails.

Since one of the BJMP's main functions is to formulate policies and guidelines in the administration of all district, city, and municipal jails nationwide, the BJMP must also be allowed to implement its policies and programs in provincial jails. This will lead to uniformity in the training of jail personnel, security measures for the control of inmates, jail facilities and even programs that will promote the general welfare of inmates and personnel.

In view of the foregoing, immediate approval of this bill is earnestly sought.


FRANCISCO JOSE F. MATUGAS II



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HOUSE BILL NO. **4194**

INTRODUCED BY REPRESENTATIVE FRANCISCO JOSE F. MATUGAS II

AN ACT

TRANSFERRING THE SUPERVISION AND CONTROL OVER PROVINCIAL
JAILS FROM THE PROVINCIAL GOVERNMENT TO THE BUREAU OF JAIL
MANAGEMENT AND PENOLOGY, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE "DEPARTMENT OF
THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990"

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

1 **SECTION 1.** Section 61, Chapter V of Republic Act No. 6975 is hereby
2 amended to read as follows:

3 "SEC. 61. *Powers and Functions* - The Jail Bureau shall exercise
4 supervision and control over all **PROVINCIAL**, city and municipal jails.
5 **[The provincial jails shall be supervised and controlled by the**
6 **provincial government within its jurisdiction, whose expenses shall be**
7 **subsidized by the National Government for not more than three (3)**
8 **years after the affectivity of this Act]."**

9 **SEC. 2.** Section 62, Chapter V of Republic Act No. 6975 is hereby amended to
10 read as follows:

"SEC 62. *Organization.* - The Jail Bureau shall be headed by a Chief who shall be assisted by a deputy chief.

The jail Bureau shall composed of, **PROVINCIAL**, city and municipal jails, each headed by a [city or municipal] jail warden: Provided, That, in the case of large cities and municipalities, a district jail with subordinate jails headed by a district jail warden may be established as necessary.

The Chief of the Jail Bureau shall recommend to the Secretary the organizational structure and staffing pattern of the Bureau as well as the disciplinary machinery for officers and men of the Bureau in accordance with the guidelines set forth herein and as prescribed in Section 85 of this Act."

SEC. 3. The first paragraph of Section 63 Chapter V of Republic Act No. 6975 is hereby amended to read as follows:

"Section 63. Establishment of **PROVINCIAL**, District, City or Municipal Jail. - There shall be established and maintained in every **PROVINCE**, district, city and municipality a secured, clean adequately equipped and sanitary jail for the custody and safekeeping of **PROVINCIAL**, city and municipal prisoners, any fugitive from justice, or person detained awaiting investigation or trial and/or transfer to the national penitentiary, and/or violent mentally ill person who endangers himself or the safety of others, duly certified as such by the proper medical or health officer, pending the transfer to a medical institution.

XXX XXX XXX"

SEC. 4. *Repealing Clause.* All laws, presidential decrees, executive orders presidential proclamations, issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 4. Effectivity Clause. This act shall take effect fifteen (15) days from its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,