

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



19 JUL -2 P 1:30

SENATE

SINQ 181

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Introduced by **SENATOR LEILA M. DE LIMA**

**AN ACT  
INSTITUTING A UNIFIED CORRECTIONS AND JAIL MANAGEMENT  
SYSTEM, INTEGRATING THE NATIONAL PRISONS AND PENAL  
FARMS, AND THE PROVINCIAL, SUBPROVINCIAL, CITY, DISTRICT  
AND MUNICIPAL JAILS, ESTABLISHING FOR THE PURPOSE THE  
NATIONAL COMMISSION ON CORRECTIONS AND JAIL  
MANAGEMENT, APPROPRIATING FUNDS THEREFOR AND FOR  
OTHER PURPOSES**

**EXPLANATORY NOTE**

We have a highly fragmented corrections and jail management system. Our prisons and penal farms are under the control and supervision of the Bureau of Corrections (BuCor) of the Department of Justice<sup>1</sup>; the provincial jails, under the provincial governments<sup>2</sup>; while the district, city and municipal jails, under the Bureau of Jail Management and Penology (BJMP) of the Department of Interior and Local Government<sup>3</sup>.

The management of these various facilities, the custody and reformation of the prisoners and detainees in these places, and the supervision of personnel manning the facilities and handling the inmates all follow disparate sets of laws, rules and regulations. This is not conducive to efficiency, effective management and an integrative and uniform development of programs on correctional services and jail management.

<sup>1</sup> Executive Order No. 292 (Administrative Code of 1987), Section 26, Chapter 8, Title III, Book IV.

<sup>2</sup> Republic Act No. 7160 (Local Government Code), Section 17, sub-section (3) (vi).

<sup>3</sup> Republic Act No. 1575 (Bureau of Corrections Act of 2013) and Republic Act No. 6975 (Department of Interior and Local Government Act of 1990)

Worse, we have the highest jail congestion rate in the world.<sup>4</sup> In February 2018, the population of inmates in district, city, municipal jails, female dorms, special intensive care areas, and infirmaries under BJMP's jurisdiction is at 145,476.<sup>5</sup> Our 466 jails nationwide have a collective capacity of only 20,399 inmates.<sup>6</sup> The Manila City Jail is the most congested with a 601.91 percent congestion rate. It could ideally accommodate only 800 inmates, but currently, it has a population of about 5,400 to 5,600.<sup>7</sup>

The ill-conceived "war on drugs" of the Duterte administration even makes our jails "burst at the seams." From July 2016 to September 2017 alone, the Philippine National Police (PNP) and the Philippine Drug Enforcement Agency (PDEA) arrested 96,703 suspected drug pushers, users and chemists. A staggering 94 percent of those arrested are in pre-trial detention.<sup>8</sup>

Naturally, overcrowding of prisons and jails produces or reinforces a host of other problems, such as jail disturbances, escapes, substandard living and working conditions, poor sanitation and hygiene-related or even infectious diseases. Severe congestion is also a root cause of prison-based criminality.

Thus, in its Concluding Observations on the Third Periodic Report of the Philippines in 2016, the UN Committee against Torture pointed out that our facilities do not meet minimum international standards, and may qualify as ill-treatment or torture.<sup>9</sup> The conditions in our prisons and jails are a violation of the Philippine Constitution and the United Nations Standard Minimum Rules for the Treatment of Prisoners, or the Nelson Mandela Rules.<sup>10</sup>

Section 19, sub-section (2) of the Bill of Rights in our Constitution explicitly commands that "[t]he employment of physical, psychological, or degrading

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<sup>4</sup> Rocamora, Rick, "*Bursting at the seams: Philippine detention centers.*" 5 March 2018. Rappler.com. Available at <https://www.rappler.com/views/imho/197309-bursting-seams-duterte-drug-war-detention-centers> <last visited on 8 April 2019>

<sup>5</sup> Chavez, Chito, "*Jail congestion at 600%, spread of infectious diseases among inmates up by 40%--BJMP*" 11 March 2018. Manila Bulletin online. Available at <https://news.mb.com.ph/2018/03/11/jail-congestion-at-600-spread-of-infectious-diseases-among-inmates-up-by-40-bjmp/> <last visited on 8 April 2019>

<sup>6</sup> Edson, Guido, "*Philippine Jails: Space Jam*" 11 December 2017. ABS CBN News online. Available at <http://news.abs-cbn.com/focus/12/11/17/philippine-jails-space-jam> <last visited on 8 April 2019>

<sup>7</sup> Chavez, Chito. *Id.*

<sup>8</sup> Morales, Neil Jerome, "*Jails, Justice System At Breaking Point As Philippine Drug War Intensifies*" 1 September 2017. Reuters.com. Available at <https://www.reuters.com/article/us-philippines-justice/jails-justice-system-at-breaking-point-as-philippine-drugs-war-intensifies-idUSKCN1BB39F> <last visited on 8 April 2019>

<sup>9</sup> UN Committee against Torture, "*Concluding Obesrvations on the Third Periodic Report of the Philippines*", 2 June 2016. Available at <http://www.refworld.org/docid/57a99b194.html> <last visited on 8 April 2019>

<sup>10</sup> Rocamora, Rick. *Id.*

punishment against any prisoner or detainee or the use of substandard or inadequate penal facilities under subhuman conditions shall be dealt with by law.”

On top of these problems of maltreatment of inmates, uneven management of the jails and prisons and overcrowding of detention centers, there are reports and recorded instances of official misconduct, corruption, cruelty and plain incompetence of some personnel manning our jails and correctional facilities.<sup>11</sup>

Therefore, apart from the current laudable efforts of modernizing the BuCor and BJMP, and professionalizing their personnel, pursuant to Republic Act Nos. 10575 and 9263, respectively, there is a need to pass a law that would integrate the management of all jails and prisons under one agency to have a common standard of practice, further professionalize management, and centralize accountability.<sup>12</sup>

Given the fragmented set up of our corrections and jail management system, the overcrowding of our facilities, the lack of uniformity of standards in the treatment of persons deprived of liberty, in addition to the challenges of capacitating and professionalizing the personnel, it is imperative to enact a law that integrates prison and jail administration into one government authority, which will result in the efficiency in management, enhancement of standards of treatment of inmates, and upgrade of facilities.

To fill the policy gaps, this bill seeks to introduce the following reforms in our corrections system:

1. Integrate into one corrections and jail management system and centralize to a single government authority the management of all prisons and jails, the safeguarding of detainees, the custody and reformation of prisoners, and the supervision and professionalization of all administrative and technical personnel in our correctional system;
2. To adopt and apply internationally recognized standards and rules in the treatment of persons deprived of liberty in all the prisons and jails in our country; and
3. To establish the National Commission on Corrections and Jail Management in lieu of the BuCor, BJMP and the provincial jail services, as

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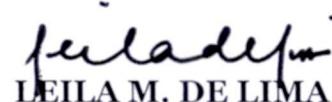
<sup>11</sup> Narag, Raymund, and Jones, Clarke, “*Understanding Prison Management in the Philippines*”. 2017. Available at <https://journals.sagepub.com/doi/pdf/10.1177/0032885516679366> <last visited on 8 April 2019>

<sup>12</sup> Rocamora, Rick, *Id.*

the central authority to implement the unified correctional system, and to plan and carry out integrated services and programs related to its custodial and reformatory mandates, including the upgrading of its facilities and equipment, and enhanced professionalization of its officials and employees.

Not only is the bill pushing for unification of prisons and jails. It is also seeking to regionalize the facilities and correctional services. It is hoped that this will help decongest our detention centers, and will contribute in shaping and implementing better programs for the rehabilitation of the prisoners as they will be transferred to facilities near their domicile or prior habitual residence.

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



LEILA M. DE LIMA

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SYSTEM, INTEGRATING THE NATIONAL PRISONS AND PENAL  
FARMS, AND THE PROVINCIAL, SUB-PROVINCIAL, CITY, DISTRICT  
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NATIONAL COMMISSION ON CORRECTIONS AND JAIL  
MANAGEMENT, APPROPRIATING FUNDS THEREFOR 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 “Unified Corrections and  
2       Jail Management System Act of 2019.”

3       Sec. 2. *Declaration of Policy.* – The State adopts the following policies:

4       a) It shall uphold the welfare and well-being of all persons deprived of liberty  
5            regardless of their places of detention, whether in a national prison or  
6            correctional facility, or in a provincial, sub-provincial, city, district or  
7            municipal jail; and

8       b) It shall strengthen the government capability in the custody of detainees, the  
9            safekeeping and reformation of prisoners, the upgrading and  
10          regionalization of facilities, and the professionalization of its personnel  
11          through a unified corrections and jail management system in the country.

12       To implement these policies, this Act is being promulgated to fulfil the following  
13      objectives:

- 1       a) To adopt internationally recognized standards and rules in the treatment of
- 2            all inmates in the different prisons and jails in the country;
- 3       b) To integrate into one corrections and jail system and centralize to one
- 4            government authority the management of all prisons and jails, the
- 5            safeguarding of detainees, the custody and rehabilitation of prisoners, and
- 6            the control and supervision over all administrative and technical personnel;
- 7            and
- 8       c) To establish the National Commission on Corrections and Jail Management
- 9            as an independent central authority to carry out the unified correctional
- 10          system, and to plan and implement services and programs related to its
- 11          custodial and reformatory mandates, including the upgrading of its facilities
- 12          and equipment, regionalization of its facilities, and the professionalization
- 13          of its officials and employees.

14           Sec. 3. *Definition of Terms.* – For the purposes of this Act, the following terms  
15          are hereby defined:

- 16       a) *Person Deprived of Liberty (PDL)* – refers to any person deprived of
- 17            personal liberty as a result of conviction for an offense. It shall also refer to
- 18            a person arrested or detained by reason of a criminal charge, who is detained
- 19            either in police custody or in jail awaiting trial or has not yet been tried and
- 20            sentenced.
- 21       b) *Prisoner or an imprisoned person* – refers to any individual deprived of
- 22            personal liberty as a result of conviction for an offense.
- 23       c) *Detainee* – refers to any individual deprived of personal liberty who is
- 24            detained either in police custody or in jail awaiting trial or has not been tried
- 25            and sentenced.
- 26       d) *Correctional facility* – refers to an institution where persons convicted of
- 27            crimes serve their sentences. It includes the prisons and penal farms
- 28            currently under the Bureau of Corrections.
- 29       e) *Detention center* –refers to the facility where individuals are held or
- 30            endorsed for temporary deprivation of liberty after arrest.
- 31       f) *Municipal, city or district jail* – refers to the detention center where persons
- 32            deprived of liberty are detained while awaiting or undergoing trial.

- 1                   g) *Provincial or sub-provincial jail* – refers to the correction facility where  
2                   persons deprived of liberty who are convicted of imprisonment for three (3)  
3                   years or below serve their sentences.
- 4                   h) *National prison or regional facility* – refers to the facility where persons  
5                   deprived of liberty are committed after conviction for felonies or crimes with  
6                   sentence for a period exceeding three (3) years.
- 7                   i) *Nelson Mandela Rules* – refers to the rules set out in the 2015 revised United  
8                   Nations (UN) Minimum Rules for the Treatment of Prisoners.

9                  Sec. 4. *Creation of the National Commission on Corrections and Jail  
10 Management.* – There is hereby instituted a unified corrections and jail management  
11 system in the country. The National Commission on Corrections and Jail Management  
12 (Commission) is hereby established to carry out such a system integrating the  
13 correctional and jail services currently provided by relevant government agencies,  
14 such as the Bureau of Corrections (BuCor), the Bureau of Jail Management and  
15 Penology (BJMP), and the provincial governments. It shall be the sole authority with  
16 jurisdiction over all facilities and premises of national prisons and penal farms,  
17 provincial, sub-provincial, city and municipal jails, and such other correctional  
18 facilities that may be established hereafter. It shall also be responsible for the custody  
19 of detainees, and the safekeeping and rehabilitation of prisoners. Likewise, it shall  
20 exercise control and supervision over all its personnel.

21                  The BuCor, BJMP, and the correctional and jail services of provincial  
22 governments are hereby abolished.

23                  The following facilities shall not, however, be part of the Commission: detention  
24 centers and lock-up cells being maintained by the Armed Forces of the Philippines  
25 (AFP), Philippine National Police (PNP), Boys Town, Girls Center, and other existing  
26 youth rehabilitation centers.

27                  Sec. 5. *Powers and functions of the Commission.* – The Commission shall have  
28 the following powers, duties and functions:

- 29                   a) To implement the unified corrections and jail management system, and  
30                   adopt such rules and regulations necessary to carry out the objectives of this  
31                   Act;

- 1                   b) To recommend policies to improve the unified corrections and jail
- 2                   management system in the country;
- 3                   c) To be responsible for the safe and efficient custody of the detainees, and the
- 4                   effective safekeeping and rehabilitation of the prisoners;
- 5                   d) To exercise supervision and control over all facilities, equipment and
- 6                   premises of national prisons and penal farms, provincial, sub-provincial,
- 7                   district, city, and municipal jails;
- 8                   e) To propose the establishment or abolition of prisons, correctional facilities
- 9                   and jails;
- 10                  f) To hire, discipline and manage competent and efficient personnel; and
- 11                  g) To perform such other functions as may be necessary to carry out its
- 12                  mandate.

13                  The Commission shall absorb and assume the functions and responsibilities of  
14                  the Bureau of Corrections, pursuant to Section 26, Chapter 8, Title III, Book IV of  
15                  Executive Order No. 292 (Administrative Code of 1987), and strengthened under  
16                  Republic Act No. 10575 (Bureau of Corrections Act of 2013); the Bureau of Jail  
17                  Management and Penology (BJMP), pursuant to Republic Act No. 6975 (Department  
18                  of Interior and Local Government Act of 1990), and strengthened under Republic Act  
19                  No. 9263 (Bureau of Fire and Bureau of Jail Management and Penology  
20                  Professionalization Act of 2004); and provincial governments, which maintain  
21                  provincial and sub-provincial jail services pursuant to their mandate under Section 17,  
22                  sub-section (3) (vi) of Republic Act No. 7160 (Local Government Code).

23                  *Sec. 6. Status and Nature of the Commission.* – The Commission shall be  
24                  independent and autonomous, which shall be attached to the Department of Justice  
25                  (Department) solely for program and policy coordination only.

26                  *Sec. 7. Structure and Key Positions.* – The Commission shall be headed by a  
27                  Commissioner, with the rank of Undersecretary, who shall be assisted by two (2)  
28                  Deputy Commissioners, with the rank of Assistant Secretaries, all of whom shall be  
29                  appointed by the President upon recommendation by the Department Secretary;  
30                  *Provided*, That the Commissioner and the Deputy Commissioners shall each be  
31                  appointed for a term of seven (7) years; *Provided, further*, That in times of war or  
32                  national emergency declared by Congress, the President may extend such term.

1        The Commissioner shall be the Chief Executive Officer of the Commission and  
2 the presiding officer in its *en banc* sessions and meetings. He/she shall head the  
3 Operations and Legal Affairs Division, which shall be responsible for the custodial and  
4 reformatory services, security and maintenance of the facilities, and legal affairs of the  
5 Commission. One Deputy Commissioner shall be in charge of the Administration and  
6 Finance Division, which shall be responsible for the management of the personnel,  
7 finances and budgetary requirements of the Commission. The other Deputy  
8 Commissioner shall head the Policy, Planning and Development Division, which shall  
9 handle policy recommendation, and the preparation, implementation and monitoring  
10 of commission-wide programs.

Within sixty (60) days from its constitution, in consultation with the Department of Budget and Management (DBM) and the Civil Service Commission (CSC), the Commission shall approve the organizational structure, including the units under each division, staffing pattern, and the corresponding functions and delineation of responsibilities of the different units, officials and employees of the Commission.

In preparing and approving the organizational structure, staffing pattern, and definition of responsibilities of its officials and employees, the Commission shall be governed by applicable civil service rules and regulations, particularly on such matters as non-diminution of rank, salary and benefits of affected employees, and standardization of base pay, retirement and other benefits of absorbed and newly hired officials and employees.

22 Sec. 8. *Qualification Standards of the Commissioner and the Deputy*  
23 *Commissioners.* — No person shall be appointed Commissioner or Deputy  
24 Commissioner, unless one possesses the following minimum qualifications:

- 25           a) A citizen of the Republic of the Philippines;

26           b) A person of good moral character, and mental or psychological fitness;

27           c) At least 40 years old;

28           d) Must possess a degree and relevant training in law, criminology, penology,

29           criminal justice, human rights, jail management, or correctional service;

30           and

31           e) Must have at least five (5) years of prior relevant experience working in such

32           fields as law practice, criminology, criminal justice, penology, human rights,

33           jail management, or correctional service.

1        Sec. 9. *Appointment of Personnel to the Commission.* – All officials and  
2 employees shall be appointed by the Commission, upon recommendation of the  
3 Commissioner or Deputy Commissioner in charge of the Division to which the official  
4 or employee shall be assigned.

5        Sec. 10. *Professionalization and Upgrading of Qualification Standards in the*  
6 *Appointment of Personnel to the Commission.* – In the appointment of personnel, the  
7 Commission shall be governed by the provisions of Section 11 of Republic Act No.  
8 10575, and Section 7 of Republic Act No. 9263.

9        In the training of its personnel, the Commission shall establish the Corrections  
10 Training Institute, which shall be patterned after the BuCor's Corrections Training  
11 School/Institute, and BJMP's National Jail Management and Penology Training  
12 Institute.

13       The Commission shall conduct a study, and make recommendations to  
14 Congress, through the Department Secretary, about the feasible establishment of the  
15 Philippine Corrections Academy for its officers.

16       Sec. 11. *Performance Evaluation System.* – The Commission shall observe the  
17 performance appraisal and rating system mandated by Section 18 of Republic Act No.  
18 10575, and Section 11 of Republic Act No. 9263.

19       Sec. 12. *Promotion System.* – In the matter of personnel movement and  
20 promotion, the Commission shall comply with the provisions of Section 17 of Republic  
21 Act No. 10575, and Section 10 of Republic Act No. 9263.

22       Sec. 13. *Human Rights of Persons Deprived of Liberty.* – Persons deprived of  
23 liberty (PDLs) do not lose their fundamental human rights when they are placed under  
24 detention, or when they are serving sentence. They continue to possess all human  
25 rights for the protection and preservation of life and their inherent dignity as human  
26 persons, which are not incompatible with the objective of reformation through  
27 incarceration or detention. The revised UN Standard Minimum Rules for the  
28 Treatment of Prisoners, or the Nelson Mandela Rules, are hereby adopted to be the  
29 minimum standard of conditions, treatment and rights available to prisoners and  
30 detainees. All other UN guidelines, including those for non-custodial measures, are  
31 likewise adopted and made applicable to all persons deprived of liberty.

1        All other basic rights, consistent with the requirements of detention or  
2 incarceration, which are embodied in, or recognized under the Constitution, the laws,  
3 particularly Republic Act No. 7438, and relevant jurisprudence shall likewise be  
4 enjoyed by all persons deprived of liberty.

5        *Sec. 14. Services and Programs.* – As the central authority responsible for the  
6 management of prisons and jails, and the custody and rehabilitation of prisoners and  
7 detainees, the Commission shall develop and implement programs on safe and  
8 effective custody of detainees and prisoners, and the rehabilitation and reintegration  
9 of prisoners. It shall ensure that its programs and services shall place special  
10 consideration to the following significant areas of concern:

- 11            a) Custody of persons deprived of liberty;
- 12            b) Reformation of prisoners;
- 13            c) Right to adequate food, water, living and work spaces, and other basic  
14 necessities;
- 15            d) Right to adequate legal assistance, access to court, medical and spiritual  
16 support;
- 17            e) Right to engage in productive work or livelihood; and
- 18            f) Right to reasonable contact with the outside world, including visitation,  
19 subject to rules on proper administration and security of the detention  
20 facility.

21        *Sec. 15. Transfer, Merger, and Absorption of Offices and Personnel.* – All  
22 properties, equipment and financial assets of the defunct BuCor and the national jails  
23 and penal farms; of the provincial and sub-provincial jails; and of the defunct BJMP  
24 and the existing district and city or municipal jails, shall be transferred to the  
25 Commission. The transfer, merger, and/or absorption of the affected offices shall  
26 cover the functions, official records, equipment, facilities, choses in action, assets,  
27 liabilities, if any, and the existing personnel thereof. Those personnel whose positions  
28 or functions are not included in the new organizational structure and staffing pattern  
29 approved by the Department Secretary, or who are not reappointed, shall be allowed  
30 to retire under existing laws, rules and regulations. Otherwise, they shall be deemed  
31 separated from the service, and shall be paid a gratuity equivalent to one and one-  
32 fourth (1 1/4) months basic salary for every year of service or a fraction thereof.

1           Sec. 16. *Retirement Age of Uniformed Personnel of the Defunct BuCor and*  
2 *BJMP.* – Any uniformed personnel of the defunct BuCor and BJMP, who shall be  
3 absorbed by the Commission may, upon reaching the age of fifty-six (56) years, retire  
4 in accordance with Republic Act No. 6975 or Republic Act No. 10575. If he/she opts to  
5 remain in the service, he shall be retired in accordance with Government Service  
6 Insurance System (GSIS) Retirement System under Presidential Decree No. 1146, as  
7 amended.

8           Sec. 17. *Retirement Benefits.* – Upon compulsory retirement, any uniformed  
9 officer of the Commission shall be entitled to retirement benefits computed on the  
10 basis of one (1) grade higher than the position last held: *Provided*, That the retirement  
11 pay shall be subject to adjustment based on the prevailing scale of base pay for  
12 uniformed personnel in the active service.

13           Sec. 18. *Establishment and Maintenance of Prisons, Penal Farms and Jails.* –  
14 The existing provincial, sub-provincial, district, city and municipal jails shall continue  
15 to function as such, but under the authority and management of the Commission. The  
16 Commission shall periodically conduct a study of the conditions of these jails, and, if  
17 warranted, shall recommend to Congress the establishment of additional or  
18 appropriate jails. The provincial and sub-provincial jails shall be the detention  
19 facilities for prisoners serving sentences with penalties of imprisonment for three (3)  
20 years and below. The district, city and municipal jails shall be for detainees, who fail  
21 to post bail and are awaiting sentences.

22           The national prisons and correctional facilities shall include the existing  
23 national prisons and penal colonies such as the New Bilibid Prison; Correctional  
24 Institution for Women; Iwahig Prison and Penal Farm; Davao Prison and Penal Farm;  
25 Sablayan Prison and Penal Farm; Leyte Regional Prison; and San Ramon Prison and  
26 Penal Farm. Following periodic studies on the conditions of these facilities, the  
27 Commission may recommend to Congress the establishment of additional or  
28 appropriate prisons or correctional facilities. These facilities shall be the detention  
29 centers of prisoners who are serving sentences with penalties of imprisonment of at  
30 least three (3) years and one (1) day.

31           Sec. 19. *Regional Correctional Facilities.* – The national prisons and penal  
32 farms mentioned in Section 18 are hereby repurposed for use as regional correctional  
33 facilities, without prejudice to the establishment of such additional facilities to be

1 recommended by the Commission and approved by Congress in appropriate  
2 legislation. These regional facilities shall be established to serve all the administrative  
3 regions in the country, including the National Capital Region (NCR), the Cordillera  
4 Administrative Region (CAR), and the Autonomous Region in Muslim Mindanao  
5 (ARMM).

6 Prisoners shall be transferred to the regional facilities nearest their domicile or  
7 prior habitual residence. The rules and guidelines for this disengagement of national  
8 prisons and penal colonies, as well as the transfer of prisoners, shall be issued by the  
9 Commission.

10 *Sec. 20. Power of the Commission to Classify Prisoners, and to Order their*  
11 *Transfer.* – Upon the effectivity of this Act, the Commission shall issue rules and  
12 regulations pertaining to the classification, commitment and transfer of the prisoners  
13 and detainees, taking into account their age, mental health, incorrigibility or  
14 recidivism, nature and gravity of the offense committed, penalty or sentence imposed  
15 on them, and other such circumstances as may assist in determining to which  
16 correctional facility they shall be properly placed, for the purpose of decongesting the  
17 prisons and jails and promoting the welfare and well-being of the persons deprived of  
18 liberty.

19 Following a set of criteria and defined rules, the Commission may order the  
20 transfer of a prisoner or detainee to another facility considering such circumstances as  
21 the behaviour of the prisoner or detainee, and such other relevant factors as the  
22 security and orderly administration of his/her current place of detention.

23 *Sec. 21. Transition Monitoring Panel.* – A Transition Monitoring Panel shall be  
24 created to be composed of the Secretary of Justice as Chair, and as members, the  
25 Secretaries of the Department of Interior and Local Government and the DBM, the  
26 Chair of the CSC, the Commissioner of the Commission, and the Chairs of the  
27 committees of the Senate and House of Representatives on Justice, Human Rights and  
28 Public Order. The Committee shall oversee the expeditious and efficient  
29 implementation of the transfer to, and absorption by the Commission of the personnel,  
30 properties, finances and records of the BuCor, including the national prisons and penal  
31 farms; of the BJMP, including the existing district, city and municipal jails; and of the  
32 provincial governments pertaining to provincial and sub-provincial jails. The report/s

1 of the Transition Panel shall be submitted to the Joint Congressional Oversight  
2 Committee, with copies to be furnished to the Secretary of Justice and the Commission.

3       *Sec. 22. Joint Congressional Oversight Committee.* – There is hereby created a  
4 Joint Congressional Oversight Committee to monitor the implementation of this Act.  
5 The Oversight Committee shall be composed of five (5) Senators and five (5)  
6 Representatives to be appointed by the Senate President and the Speaker of the House  
7 of Representatives, respectively. It shall be co-chaired by a Senator and a  
8 Representative to be designated by the Senate President and the Speaker of the House  
9 of Representatives, respectively. Its funding requirement shall be charged against the  
10 appropriations of Congress.

11       *Sec. 23. Implementation.* – The implementation of this Act shall be carried out  
12 in four (4) stages:

- 13           a) STAGE I – Inventory and absorption by the Commission of all personnel,  
14           properties, equipment, records, appropriations, and finances of the  
15           transferred and absorbed offices, to be completed within six (6) months  
16           from the effectivity of this Act.
- 17           b) STAGE II – Recruitment of additional personnel to cover all prisons and  
18           jails, to be completed within six (6) months from effectivity of this Act. To  
19           accomplish the task of Stage II, special funds therefor shall be appropriated  
20           upon the effectivity of this Act.
- 21           c) STAGE III – Approval by the Commission of its organizational structure,  
22           and the preparation and filling up of staffing pattern, to be completed within  
23           twelve (12) months from the effectivity of this Act.
- 24           d) STAGE IV – Conversion of the rank of the uniformed personnel of the  
25           defunct BJMP and BuCor into its equivalent rank/position in the  
26           Commission, and the rationalization of compensation and retirement  
27           systems, taking into consideration the existing compensation schemes and  
28           retirement and separation benefit systems of the transferred and absorbed  
29           offices, to ensure that no employee of the BuCor and BJMP shall suffer any  
30           diminution in basic longevity and incentive pays, allowances and retirement  
31           benefits due them before the creation of the Commission; to be completed  
32           within (2) years from the effectivity of this Act.

1       Upon the effectivity of this Act, the present BuCor, as well as the BJMP, shall  
2 cease to exist. The incumbent Director-General of the defunct BuCor shall act as the  
3 Commissioner of the Commission until such time as he/she shall have been replaced  
4 by the President.

5       Sec. 24. *Funding*. – For purposes of organizing and constituting the  
6 Commission, and for carrying out the provisions of this Act, the appropriations for the  
7 current fiscal year of the transferred and abolished offices hereof shall be transferred  
8 to the Commission. Thereafter, such amounts as may be necessary to carry out the  
9 provisions of this Act shall be included in the annual General Appropriations Act.

10       Sec. 25. *Implementing Rules and Regulations*. – Within six (6) months from  
11 the effectivity of this Act, the Commission shall promulgate rules and regulations  
12 necessary to ensure the effective implementation of this Act.

13       Sec. 26. *Separability Clause*. – If any portion of this Act is declared  
14 unconstitutional, the same shall not affect the validity and effectivity of the other  
15 provisions not affected thereby.

16       Sec. 27. *Repealing Clause*. – All laws, decrees, executive orders, rules and  
17 regulations and other issuances or parts thereof which are inconsistent with this Act  
18 are hereby repealed, amended or modified accordingly.

19       Sec. 28. *Effectivity*. – This Act shall take effect after fifteen (15) days following  
20 its publication in the Official Gazette or in at least two (2) national newspapers of  
21 general circulation.

*Approved,*