

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

State of the Republic of the Philippines

*22 JUL 26 A11 :34

SENATE

RECEIVED BY

S. No. 884

Introduced by Senator FRANCIS G. ESCUDERO

AN ACT
AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 7309, ENTITLED,
"AN ACT CREATING A BOARD OF CLAIMS UNDER THE DEPARTMENT OF
JUSTICE FOR VICTIMS OF UNJUST IMPRISONMENT OR DETENTION AND
VICTIMS OF VIOLENT CRIMES AND FOR OTHER PURPOSES".

EXPLANATORY NOTE

The Board of Claims is created to resolve applications for claims for compensation by victims of unjust imprisonment, detention and victims of violent crimes. However, the compensation provided as well as the funds allocated since its creation in 1992 have remained the same and thus proved insufficient as proper compensation at present times.

This bill aims to reasonably compensate, at least financially, the loss suffered by the victims of unjust imprisonment by increasing the compensation of victims of unjust imprisonment or detention and victims of violent crimes authorized under Republic Act No. 7309.

This bill also proposes to increase the annual funding and allocation for the Victims Compensation Fund.

Respectfully submitted.


FRANCIS G. ESCUDERO

'22 JUL 26 A11 :34

SENATE

S. No. 884

RECEIVED BY



Introduced by Senator FRANCIS G. ESCUDERO

AN ACT
AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 7309, ENTITLED,
"AN ACT CREATING A BOARD OF CLAIMS UNDER THE DEPARTMENT OF
JUSTICE FOR VICTIMS OF UNJUST IMPRISONMENT OR DETENTION AND
VICTIMS OF VIOLENT CRIMES 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 4 of Republic Act No. 7309, otherwise known as "An Act
2 Creating a Board of Claims Under the Department of Justice for Victims of Unjust
3 Imprisonment or Detention and Victims of Violent Crimes and For Other Purposes",
4 is hereby amended to read as follows:

5
6 "Sec. 4. *Award Ceiling.* – For victims of unjust imprisonment
7 or detention, the compensation shall be based on the number of
8 months of imprisonment or detention and every fraction thereof shall
9 be considered one month; *Provided, however,* That in no case shall
10 such compensation exceed [One Thousand Pesos (P1,000.00)] **TEN**
11 **THOUSAND PESOS (P10,000.00)** per month.

12
13 In all other cases, the maximum amount for which the Board
14 may approve a claim shall not exceed [Ten Thousand Pesos
15 (P10,000.00)] **FIFTY THOUSAND PESOS (P50,000.00)** or the
16 amount necessary to reimburse the claimant the expenses incurred
17 for hospitalization, medical treatment, loss of wage, loss of support
18 or other expenses directly related to injury, whichever is [lower]
19 **HIGHER.** This is without prejudice to the right of the claimant to
20 seek other remedies under existing laws."

21
22 Sec. 2. Section 9 of Republic Act No. 7309 is hereby amended to read as
23 follows:
24

1 "Sec. 9. *Funding.* – For purposes of this Act, the initial amount
2 of Ten Million Pesos (P10,000,000.00) is hereby authorized to be
3 appropriated from the funds of the National Treasury not otherwise
4 appropriated.
5

6 The subsequent annual funding shall also partly come from
7 [one percent (1%)] **THREE PERCENT (3%)** of the net income of
8 the Philippine Amusement and Gaming Corporation and [one percent
9 (1%)] **THREE PERCENT (3%)** of the proceeds and sales and other
10 disposition and military camps in Metro Manila by the Bases
11 Conversion and Development Authority.
12

13 The proceeds from any contract relating to the depiction of a
14 crime in a movie, book, newspaper, magazine, radio or television
15 production, or live entertainment, of any kind, or in any other form of
16 commercial exploitation of any convict's story, recollection, opinion
17 and emotions with regard to the offense committed shall not be
18 released to convict in a criminal case or his heirs, agents, assignees or
19 successors in interest until full compensation for damages suffered by
20 or awarded to the victim, his heirs or successors in interest is paid or
21 arranged for, and the state is able to collect/assess fines and costs
22 and any other amounts due it in case of a conviction by final
23 judgment. Such damages shall include, but shall not be limited to,
24 judicial awards, funeral expenses, medical expenses, lost earning and
25 the like.
26

27 To ensure the continuity of the funding requirements under this
28 Act, the amount of [Five Pesos (P5.00)] **THIRTY PESOS (P30.00)**
29 shall be set aside from each filing fee in every civil case filed with the
30 court, the total proceeds of which shall constitute the Victim's
31 Compensation Fund to be administered by the Department of Justice."
32

33 Sec. 4. *Repealing Clause.* – All decrees, executive orders, rules and
34 regulations, or parts thereof, inconsistent with the provisions of this Act are hereby
35 deemed repealed, or modified accordingly.
36

37 Sec. 5. *Effectivity Clause* - This Act shall take effect fifteen (15) days after its
38 publication in the Official Gazette or at least two (2) newspapers of general
39 circulation.
40

41 *Approved,*