

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

23 MAR 15 P4:17

RECEIVED BY: 

SENATE

S. No. 2014

INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

AN ACT

TRANSFERRING THE CONTROL AND SUPERVISION OF THE PROVINCIAL AND SUB-PROVINCIAL JAILS TO THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990" AS AMENDED, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Bureau of Jail Management and Penology (BJMP) envisioned to be "a world-class agency highly capable of providing humane safekeeping and developmental opportunities for Persons Deprived of Liberty (PDL)."¹ Pursuant to this vision and Republic Act (R. A.) No. 6975, the BJMP sets a high standard in maintaining all municipal and city jails under their control and supervision.

On the other hand, by virtue of R. A. No. 7160, otherwise known as the "Local Government Code of 1991" the provincial jail is subject to the standards set forth by the provincial government.

With this, we have two authorities in charge of managing our local jails which resulted in fragmented jail services. This leads to difficulty in establishing a national standard in the operational management of all local jails in the country to the detriment of the inmates and persons deprived of liberty (PDLs).

To address the fragmentation in jail services as well as to set a uniform standard in the management of our local jails, the bill at hand seeks to transfer the control and

¹ Retrieved from: <https://bjmp.gov.ph/index.php/about-us/mission-and-vision>, retrieved on 14 March 2023.

supervision of all provincial and sub-provincial jails from their respective provincial governments to the BJMP.

By integrating the control and supervision of our jails all under the BJMP, we can look forward to more jails that provide humane safekeeping and opportunities for development for all our PDLs.

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



RONALD "BATO" DELA ROSA



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

23 MAR 15 P4:17

RECEIVED BY: _____

SENATE

S. No. 2014

INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

AN ACT

TRANSFERRING THE CONTROL AND SUPERVISION OF THE PROVINCIAL AND SUB-PROVINCIAL JAILS TO THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990" AS AMENDED, 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 61 of Republic Act No. 6975, otherwise known as the
2 "Department of Interior and Local Government Act of 1990" is hereby amended to read
3 as follows:

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

10 Sec. 2. Section 62 of Republic Act No. 6975 is hereby amended to read as follows:

11 "Section 62. *Organization.* -

12 The jail Bureau shall be composed of **PROVINCIAL, SUB-PROVINCIAL**,
13 city and municipal jails, each headed by a [~~city or municipal~~] jail warden: Provided,

1 That, in the case of large **PROVINCES**, cities and municipalities, a district jail with
2 subordinate jails headed by a district jail warden may be established as necessary.

3 XXX XXX"

4 Sec 3. Section 63 of Republic Act No. 6975 is hereby amended to read as follows:

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

13 Sec. 4. The management, supervision and control of provincial and sub-provincial
14 jails, including all its property, equipment, and finances, are hereby transferred to the
15 Bureau of Jail Management and Penology (BJMP): *Provided*, That the concerned
16 Provincial Government shall continue funding the subsistence allowance of inmates and
17 the maintenance of jail facility including but not limited to electric and water expenses
18 and necessary repairs until such time that the total control and supervision of the facility
19 has been transferred to the BJMP.

20 Sec. 5. The existing employees and personnel of Provincial and Sub-Provincial Jails
21 shall enjoy security of tenure and shall be absorbed by the BJMP subject to the
22 qualification standards as provided for in Republic Act No. 9263 and other laws, rules and
23 regulation of the Civil Service Commission: *Provided*, That those who will fail to comply
24 with the qualification standards at the time of transfer shall be given a reasonable period
25 from the enactment of this Act to complete the necessary requirements for the concerned
26 position.

27 Employees opting to be separated from the service as a result of the transfer under
28 the provisions of this Act shall receive separation benefits in accordance with existing
29 laws. In addition, those who are qualified to retire shall be allowed to do so and be
30 entitled to all benefits provided for under existing retirement laws.

31 Sec. 6. *Separability Clause.* – If any portion or provision of this Act is declared
32 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
33 remain in force and effect.

34 Sec. 7. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations and
35 executive orders contrary to or inconsistent with this Act are hereby repealed or modified
36 accordingly.

1 Sec. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication
2 in at least two (2) national newspapers of general circulation.

Approved,