

H. No. 6887
S. No. 3335

Republic of the Philippines
Congress of the Philippines
Metro Manila
Fifteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand twelve.

[REPUBLIC ACT NO. **10575**]

AN ACT STRENGTHENING THE BUREAU OF CORRECTIONS
(BUCOR) AND PROVIDING FUNDS THEREFOR.

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

SECTION 1. *Short Title.* - This Act shall be known as "The Bureau of Corrections Act of 2013".

SEC. 2. *Declaration of Policy.* - It is the policy of the State to promote the general welfare and safeguard the basic rights of every prisoner incarcerated in our national penitentiary. It also recognizes the responsibility of the State to strengthen government capability aimed towards the institutionalization of highly efficient and competent correctional services.

Towards this end, the State shall provide for the modernization, professionalization and restructuring of the Bureau of Corrections (BuCor) by upgrading its facilities, increasing the number of its personnel, upgrading the level of qualifications of their personnel and standardizing their base pay, retirement and other benefits, making it at par with that of the Bureau of Jail Management and Penology (BJMP).

SEC. 3. *Definition of Terms.* -

(a) *Safekeeping*, which is the custodial component of the BuCor's present corrections system, shall refer to the act that ensures the public (including families of inmates and their victims) that national inmates are provided with their basic needs, completely incapacitated from further committing criminal acts, and have been totally cut off from their criminal networks (or contacts in the free society) while serving sentence inside the premises of the national penitentiary. This act also includes protection against illegal organized armed groups which have the capacity of launching an attack on any prison camp of the national penitentiary to rescue their convicted comrade or to forcibly amass firearms issued to prison guards.

(b) *Reformation*, which is the rehabilitation component of the BuCor's present corrections system, shall refer to the acts which ensure the public (including families of inmates and their victims) that released national inmates are no longer harmful to the community by becoming reformed individuals prepared to live a normal and productive life upon reintegration to the mainstream society.

SEC. 4. *The Mandates of the Bureau of Corrections.* - The BuCor shall be in charge of safekeeping and instituting reformation programs to national inmates sentenced to more than three (3) years.

(a) *Safekeeping of National Inmates* - The safekeeping of inmates shall include decent provision of quarters, food, water and clothing in compliance with established United Nations standards. The security of the inmates shall be undertaken by the Custodial Force consisting of Corrections Officers with a ranking system and salary grades similar to its counterpart in the BJMP.

(b) *Reformation of National Inmates* - The reformation programs, which will be instituted by the BuCor for the inmates, shall be the following:

- (1) Moral and Spiritual Program;
- (2) Education and Training Program;
- (3) Work and Livelihood Program;
- (4) Sports and Recreation Program;

(5) Health and Welfare Program; and

(6) Behavior Modification Program, to include Therapeutic Community.

(c) The reformation programs shall be undertaken by Professional Reformation Personnel consisting of Corrections Technical Officers with ranking system and salary grades similar to Corrections Officers.

(1) Corrections Technical Officers are personnel employed in the implementation of reformation programs and those personnel whose nature of work requires proximate or direct contact with inmates.

(2) Corrections Technical Officers include priests, evangelists, pastors, teachers, instructors, professors, vocational placement officers, librarians, guidance counselors, physicians, nurses, medical technologists, pharmacists, dentists, therapists, psychologists, psychiatrists, sociologists, social workers, engineers, electricians, agriculturists, veterinarians, lawyers and similar professional skills relevant to the implementation of inmate reformation programs.

SEC. 5. *Operations of the Bureau of Corrections.* - (a) The BuCor shall operate with a directorial structure. It shall undertake reception of inmates through its Directorate for Reception and Diagnostics (DRD), formerly Reception and Diagnostic Center (RDC), provide basic needs and security through its Security and Operations Directorates, administer reformation programs through its Reformation Directorates, and prepare inmates for reintegration to mainstream society through its Directorate for External Relations (DER), formerly External Relations Division (ERD).

(b) The DRD shall be responsible for the conduct of classification of each and every inmate admitted to the BuCor. Inmates shall be classified according to security risk and sentence. Included in the classification is determining inmate's certain skills or talents, physical, spiritual, social, mental and psychological evaluation and other behavioral assessments, as reference of the DRD in the preparation of individual inmate reformation programs.

(c) Aside from those borne of the provisions under Rule 8, Part I, Rules of General Application of the United Nations Standard Minimum Rules for the Treatment of Prisoners and that of the

existing regulation of the BuCor on security classification (i.e. maximum, medium and minimum security risk), inmates shall also be internally classified by the DRD and segregated according to crimes committed based on the related penal codes such as Crimes Against Persons, Crimes Against Properties, Crimes Against Chastity, so on and so forth, as well as by other related Special Laws, Custom and Immigration Laws.

(d) From the DRD, the Custodial Force and Reformation Personnel of respective security institutions/camps shall be in charge for the security and the implementation of the recommended inmate reformation program of each and every inmate while serving sentence, respectively.

(e) The Directorate for External Relations (DER) shall be responsible for pre-release and post-release programs of inmates due for release. The DER shall also classify inmates according to skills acquired for referral and endorsement to appropriate companies or corporations participating in the BuCor On-The-Job Training Programs for newly reformed inmates. The DER shall also evaluate, classify and apply necessary programs to inmates for readiness to join the mainstream society upon release.

(f) Apart from handling inmates, the BuCor shall administratively operate like a standard government agency through its Administrative Directorates with internal control and internal audit units.

(g) The BuCor shall employ full computerization in the build-up, maintenance and transmittal of necessary inmate records to all its Prison and Penal Farms and other recipient agencies (i.e. Board of Pardons and Parole).

SEC. 6. *Lands of the Bureau of Corrections.* – (a) Aside from administrative purposes, all BuCor lands shall be used for inmate security, reformation programs and as a means to promote sustainability, both for income and non-income generating programs, with or without partnership among nongovernment organizations, civic organizations or other government entities.

(b) As a way to maximize its assets' value for the effective and extensive reformation (corrections) programs for national inmates, the BuCor shall have the absolute authority to design, formulate and implement land-use development plans and policies.

(c) The BuCor may propose additional penal farms as may be necessary as possible, aside from its existing seven (7) prison and penal farms to decongest existing penal institutions and accommodate the increasing number of inmates committed to the agency.

(d) All BuCor lands shall have a Certificate of Title registered under its name.

SEC. 7. *Facilities of the Bureau of Corrections.* – The BuCor shall operate with standard and uniform design of prison facilities, reformation facilities and administrative facilities, through all the operating prison and penal farms, such as the following:

- (a) Dormitory;
- (b) Administration building;
- (c) Perimeter/Security fences;
- (d) Hospital/Infirmary;
- (e) Recreation/Multipurpose hall;
- (f) Training/Lecture center;
- (g) Workshop facility;
- (h) Mess hall/kitchen;
- (i) Visiting area;
- (j) Water tank and pump;
- (k) Reception and diagnostic center; and
- (l) Service personnel facilities.

SEC. 8. *Supervision of the Bureau of Corrections.* – The Department of Justice (DOJ), having the BuCor as a line bureau and a constituent unit, shall maintain a relationship of administrative supervision with the latter as defined under Section 38(2), Chapter 7, Book IV of Executive Order No. 292 (Administrative Code of 1987), except that the DOJ shall retain authority over the power to review,

reverse, revise or modify the decisions of the BuCor in the exercise of its regulatory or quasi-judicial functions.

SEC. 9. *Organization and Key Positions of the Bureau of Corrections.* — (a) The BuCor shall be headed by a Director who shall be assisted by three (3) Deputy Directors: one (1) for administration, one (1) for security and operations and one (1) for reformation, all of whom shall be appointed by the President upon the recommendation of the Secretary of the DOJ: *Provided*, That the Director and the Deputy Directors of the BuCor shall serve a tour of duty not to exceed six (6) years from the date of appointment: *Provided, further*, That in times of war or other national emergency declared by Congress, the President may extend such tour of duty.

(b) The Head of the BuCor, with the rank of Undersecretary, shall have the position and title of Director General of Corrections. The second officers in command of the BuCor, with the rank of Assistant Secretary, shall have the position and title of Deputy Directors of Corrections. The third officer in command of the BuCor, with the rank of Chief Superintendent, shall have the position and title of Corrections Chief Superintendent. The fourth officer in command of the BuCor, with the rank of Senior Superintendent, shall have the position and title of Corrections Senior Superintendent. The fifth officer in command of the BuCor, with the rank of Superintendent, shall have the position and title of Corrections Superintendent.

(c) The Department of Budget and Management (DBM) shall rationalize the existing organizational structure and staffing pattern of the BuCor in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

SEC. 10. *Increase of Personnel.* — The BuCor shall maintain the custodial personnel-to-inmate ratio of 1:7 and reformation personnel-to-inmate ratio of 1:24. Hence, it is authorized to increase its manpower to meet such ratio and may continue to increase personnel per percentage rate increase of committed inmates annually or as the need arises.

SEC. 11. *Professionalization and Upgrading of Qualification Standards in the Appointment of the BuCor Personnel.* — (a) No person shall be appointed as personnel of the BuCor unless one possesses the following minimum qualifications:

- (1) A citizen of the Republic of the Philippines;
- (2) A person of good moral character;
- (3) Must have passed the psychiatric/psychological, drug and physical test for the purpose of determining his/her physical and mental health;
- (4) Must possess a baccalaureate degree from a recognized learning institution;
- (5) Must possess the appropriate civil service eligibility;
- (6) Must not have been dishonorably discharged or dismissed for cause from previous employment;
- (7) Must not have been convicted by final judgment of an offense or crime involving moral turpitude; and
- (8) Must be at least one meter and sixty-two centimeters (1.62 m.) in height for male, and one meter and fifty-seven centimeters (1.57 m.) for female: *Provided*, That a waiver for height and age requirement/s may be granted to applicants belonging to the cultural communities: *Provided, further*, That a new applicant must not be less than twenty-one (21) or more than forty (40) years of age. Except for this particular provision, the above-enumerated qualifications shall be continuing in character and an absence of any one of them at any given time shall be ground for separation or retirement from the service: *Provided, furthermore*, That those who are already in the service upon the effectivity of this Act shall be given five (5) years from the date of such effectivity to obtain the minimum educational qualification and eligibility with subsidiary assistance as provided for in this Act.

(b) After the lapse of the period for the satisfaction of a specific requirement, incumbent personnel of the BuCor who fail to satisfy any of the requirements enumerated under this section shall be separated from the service if they are below fifty (50) years of age and have served in the government for less than twenty (20) years, or retired if they are fifty (50) years and above and have served in the government for at least twenty (20) years without prejudice in either case to the payment of benefits they may be entitled to under existing laws.

(c) For sustained professionalism in the service, the BuCor is directed to conduct study for the feasible establishment of the Philippine Corrections Academy, patterned after the Philippine National Police Academy (PNPA) of the Philippine National Police (PNP) and the Philippine Military Academy (PMA) of the Armed Forces of Philippines (AFP) for its commissioned officers.

(d) The BuCor shall continue training its personnel through its Personnel Training School, which shall be renamed as Corrections Training School/Institute patterned after the BJMP's Jail National Training Institute (JNTI), the Bureau of Fire's Fire National Training Institute (FNTI) and the PNP's National Training Institute (PNTI).

SEC. 12. *Appointment of Personnel to the BuCor.* – The appointment of the BuCor shall be effected in the following manner:

(a) Corrections Officer I to Corrections Chief Superintendent – Appointed by the Director General of Corrections, and attested by the Civil Service Commission (CSC); and

(b) Director General of Corrections and Deputy Director of Corrections – Appointed by the President upon the recommendation of the Secretary of the DOJ, with the proper endorsement by the Chairman of the CSC.

SEC. 13. *Lateral Entry of Officer into the BuCor.* – In general, all original appointments of officers in the BuCor shall commence with the rank of Corrections Inspector wherein applicants for lateral entry into the BuCor shall include all those with highly specialized and technical qualifications such as, but not limited to, civil engineers, mechanical engineers, electrical engineers, chemical engineers, chemists, architects, criminologists, certified public accountants, nurses, physical therapists, dentists, social workers, psychologists, sociologists, guidance counselors and teachers. Doctors of Medicine, members of the Philippine Bar and chaplains shall be appointed to the rank of Corrections Senior Inspector in their particular technical service.

SEC. 14. *Professionalization and Upgrading of Qualification Standards in the Designation of Personnel of the BuCor to Key Positions.* –

(a) No person shall be designated to the following key positions of the BuCor unless one has met the qualifications provided therein:

(1) Sub-Colony Supervisor – Should have the rank of Senior Inspector, who must have finished at least second year Bachelor of Laws or earned at least twelve (12) units in a master's degree program in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the BuCor;

(2) Colony Assistant Superintendent – Should have the rank of Chief Inspector, who must have finished at least second year Bachelor of Laws or earned at least twenty-four (24) units in a master's degree program in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the BuCor;

(3) Colony Superintendent – Should have the rank of Superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the BuCor: *Provided*, That in prison and penal farms with an inmate population of two thousand (2,000) but below three thousand (3,000), the Colony Superintendent shall have the rank and qualification of a Colony Senior Superintendent; and

(4) Regional Superintendent – Should have the rank of Senior Superintendent or Chief Superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the BuCor: *Provided*, That in prison and penal farms with an inmate population of three thousand (3,000) but below five thousand (5,000), the Regional Superintendent shall have the rank and qualification of a Colony Senior Superintendent:

Provided, further, That in prison and penal farms with an inmate population of over five thousand (5,000), the Regional Superintendent shall have the rank and qualification of a Chief Superintendent.

Any personnel of the BuCor who is currently occupying such position but lacks any of the qualifications mentioned therein shall be given five (5) years to comply with the requirements; otherwise, the personnel shall be relieved from the position.

SEC. 15. *Professionalization and Qualifications Upgrading Program.* – The DOJ shall design and establish a professionalization and qualifications upgrading program for personnel of the BuCor, in coordination with the CSC and the Commission on Higher Education (CHED), through an off-campus education program or other similar programs within ninety (90) days from the effectivity of this Act.

SEC. 16. *Attrition System for the Personnel of the BuCor.* – There shall be established a system of attrition for the personnel of the BuCor within five (5) years from the effectivity of this Act, to be submitted by the said bureau to the DOJ for approval. Such attrition system shall include, but is not limited to, the provision of the following principles:

(a) *Attrition by Demotion in Position or Rank* – Any personnel of the BuCor who is relieved and assigned to a position lower than what is established for the grade in the respective staffing pattern, and who shall not be assigned to a position commensurate to one's grade within two (2) years after such demotion in position shall be separated or retired from the service;

(b) *Attrition by Non-Promotion* – Any personnel of the BuCor who has not been promoted for a continuous period of ten (10) years shall be separated or retired from the service, except for those who are occupying a third level position;

(c) *Attrition by Other Means* – Any personnel of the BuCor with at least five (5) years of accumulated active service shall be separated from the service based on any of the following factors:

(1) Inefficiency based on poor performance during the last two (2) successive semestral rating periods;

(2) Inefficiency based on poor performance for three (3) cumulative semestral rating periods;

(3) Physical and/or mental incapacity to perform one's duties and functions; or

(4) Failure to complete the required career courses and/or appropriate civil service eligibility for his/her position except for justifiable cause or reason; and

(d) Separation or Retirement from the BuCor under this Section – Any personnel who is dismissed from the BuCor pursuant to the above-enumerated principles in this section shall be separated if one has rendered less than twenty (20) years of service, and be retired if one has rendered at least twenty (20) years of service unless the concerned personnel is disqualified by law to receive such benefits.

SEC. 17. *Promotion System for the Personnel of the BuCor.* – Within six (6) months after the effectivity of this Act, the BuCor shall establish a system of promotion for the personnel of the BuCor through the following principles:

(a) Rationalized Promotion System – The system of promotion shall be based on merit and on the availability of vacant ranks in the BuCor staffing pattern. Such system shall be gender-fair so as to ensure that women personnel of the BuCor shall enjoy equal opportunity for promotion as to men;

(b) Requirements for Promotion –

(1) Any personnel of the BuCor shall not be eligible for promotion to a higher rank unless one has met the minimum qualification standards or the appropriate civil service eligibility set by the CSC, and has satisfactorily passed the required psychiatric/psychological, drug and physical test; and

(2) Any personnel of the BuCor who has exhibited acts of conspicuous courage and gallantry at the risk of one's life above and beyond the call of duty, or selected as such in a nationwide search conducted by any accredited civic organization, shall be promoted to the next higher rank: *Provided*, That these shall be validated by the DOJ and the CSC based on established criteria.

SEC. 18. *Performance Evaluation System.* – (a) There shall be established a performance evaluation system which shall be administered in accordance with the rules, regulations and standards, and a code of conduct for the personnel of the BuCor to

be promulgated by the BuCor through the DOJ. Such performance evaluation system shall be administered in such a way as to foster the improvement of the individual efficiency and behavioral discipline, as well as the promotion of organizational effectiveness and commitment to public service.

(b) The rating system as contemplated herein shall be based on standards prescribed by the BuCor through the DOJ and shall be considered the result of the annual psychiatric/psychological and physical test conducted on the personnel of the BuCor.

SEC. 19. *Standardization of the Base Pay and Other Benefits of the Uniformed Personnel of the BuCor.* — In order to enhance the general welfare, commitment to service and professionalism, the following are considered uniformed personnel of the BuCor:

CUSTODIAL RANK	REFORMATION RANK
Corrections Chief Superintendent	
Corrections Senior Superintendent	Corrections Technical Senior Superintendent
Corrections Superintendent	Corrections Technical Superintendent
Corrections Chief Inspector	Corrections Technical Chief Inspector
Corrections Senior Inspector	Corrections Technical Senior Inspector
Corrections Inspector	Corrections Technical Inspector
Corrections Senior Officer IV	Corrections Technical Senior Officer IV
Corrections Senior Officer III	Corrections Technical Senior Officer III
Corrections Senior Officer II	Corrections Technical Senior Officer II
Corrections Senior Officer I	Corrections Technical Senior Officer I
Corrections Officer III	Corrections Technical Officer III
Corrections Officer II	Corrections Technical Officer II
Corrections Officer I	Corrections Technical Officer I

The DBM shall determine the equivalent rank of the uniformed personnel of the BuCor patterned after the existing ranks of the military and uniformed personnel of other departments.

The base pay, allowances and other benefits of the abovementioned personnel shall be in accordance with the existing compensation and position classification laws and regulations.

SEC. 20. *Retirement Benefits.* – Upon compulsory retirement, any custodial officer from the rank of Corrections Chief Superintendent and below shall be entitled to retirement benefits computed on the basis of one grade higher than the position last held: *Provided*, That the retirement pay shall be subject to adjustment/s based on the prevailing scale of base pay of the uniformed personnel in the active service.

SEC. 21. *Funding Source.* – The funds required for the implementation of this Act including personnel benefits shall be taken from the budget of the BuCor for the current fiscal year and also from the following:

- (a) Collections from clearances and certification fees;
- (b) Income from institutional projects subject to memoranda of agreements (MOAs), contracts or joint venture agreements; and
- (c) Other miscellaneous incomes (outside MOAs and contracts), such as:
 - (1) Penal farm agro-production; and
 - (2) Inmate handicraft industry.

Thereafter, such amounts as may be necessary to implement this Act shall be included in the annual General Appropriations Act.

SEC. 22. *Implementation.* – The implementation of this Act shall be undertaken in staggered phases, but not to exceed five (5) years, taking into consideration the financial position of the national government: *Provided*, That any partial implementation shall be uniform and proportionate for all ranks.

SEC. 23. *Implementing Rules and Regulations.* – The DOJ, in coordination with the BuCor, the CSC, the DBM and the Department of Finance (DOF), shall, within ninety (90) days from the effectivity of this Act, promulgate the rules and regulations necessary to implement the provisions of this Act.

SEC. 24. *Transitory Provisions.* – (a) The incumbent Director and two (2) incumbent Assistant Directors shall serve under the terms for which they have been appointed without need of new appointments upon the enactment of this Act.

(b) All incumbent personnel who, upon the effectivity of this Act, shall opt to early or optionally retire from the service will be entitled to the retirement benefits computed as follows:

Age	Age Basis for Computing Benefits
57	62
58	63
59	64
60	65

(c) All incumbent personnel, upon the effectivity of this Act, may continue to render services until one reaches the compulsory age of retirement for public officers of sixty-five (65). Those who shall be newly hired will have a compulsory age retirement of fifty-six (56) years pursuant to the prevailing provisions on retirement age of those who are in the uniformed services.

SEC. 25. *Annual Report.* – The BuCor, through the DOJ and the DBM, shall jointly submit to the President of the Senate and the Speaker of the House of Representatives an annual report on the implementation of this Act. This report shall include information on the application of the budget for the salary and other benefits provided under this Act. The DBM, in consultation with the BuCor through the DOJ, shall periodically review and adjust every five (5) years the rates of base pay, taking into consideration labor productivity, consumer price index, oil price and other similar economic indicators as may be determined by the National Economic and Development Authority (NEDA).

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

SEC. 27. *Repealing Clause.* – All laws, decrees, orders, rules and regulations and other issuances, or parts thereof, which are inconsistent with the provisions of this Act are hereby deemed repealed, amended or modified accordingly.


SEC. 28. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,



 JUAN PONCE ENRILE FELICIANO BELMONTE JR.
President of the Senate *Speaker of the House of Representatives*

This Act which is a consolidation of House Bill No. 6887 and Senate Bill No. 3335 was finally passed by the House of Representatives and the Senate on February 5, 2013 and February 6, 2013, respectively.


 EDWIN B. BELLEN
Acting Senate Secretary


 MARILYN B. BARUA YAP
Secretary General House of Representatives

Approved: **MAY 24 2013**


 BENIGNO S. AQUINO III
President of the Philippines

