

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

SENATE
OFFICE OF THE SECRETARY

10 JUL 12 18 51

SENATE

RECEIVED BY: _____

Senate Bill No. 1137

INTRODUCED BY HON. MANNY VILLAR

EXPLANATORY NOTE

Numerous cases of missing persons in the country have been recorded and this has become a major problem in the country. To date, a large percentage of these cases were not resolved.

In order to expedite the resolution of the cases on missing persons and to protect the rights of the Filipino people, it is strongly recommended that a Missing Persons Council be created.

The Missing Persons Council shall, among others, formulate and adopt plans, programs and measures to prevent and combat the cases of missing persons in the country, investigate such cases and direct the speedy prosecution of all persons liable for persons missing and monitor the progress of their cases

In view of the foregoing considerations and in order to ensure public safety, approval of this bill is sincerely sought.


MANNY VILLAR

10 JUL 12 10:51

SENATE

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Senate Bill No. 1137

INTRODUCED BY HON. MANNY VILLAR

**AN ACT CREATING THE MISSING PERSONS COUNCIL, PRESCRIBING
ITS POWERS, FUNCTIONS AND DUTIES AND PROVIDING FUNDS
THEREFOR**

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

Section 1. This Act shall be known as the "Missing Persons Council Act of
2010."

Section 2. Creation. Missing Persons Council, hereinafter referred to, for
brevity, as the "Council," is hereby created which shall be under the control and
supervision of the Department of Justice.

Section 3. Composition. The Council shall be composed of the following:

- (1) the Secretary of Justice, who shall be its chairperson;
- (2) the Chairman of the Commission on Human Rights, who shall be its
Vice Chairperson;
- (3) the Chief of the Philippine National Police;
- (4) the Director of the National Bureau of Investigation;
- (5) Secretary of the Social welfare and Development, as its other
members.

Section 4. Functions of the Council. – In pursuit of its mandate in the
previous Section, the Council shall have the following functions with due regard
for the rights of the people as mandated by the Constitution and pertinent laws:

1. Formulate and adopt plans, programs and measures to prevent and
combat the cases of missing persons in the country;
2. Coordinate all national efforts to suppress and eradicate cases of
missing persons in the country and mobilize the entire nation against
such incidents;
3. Direct the speedy investigation and prosecution of all persons accused
or responsible for persons missing and monitor the progress of their
cases;

4. To conduct its own investigation of missing persons motu proprio or upon the petition of interested parties;
5. To monitor the investigations conducted by the PNP and NBI;
6. Establish and maintain comprehensive data-base information systems on the cases of missing persons including their identities and other interested parties;
7. Grant monetary rewards and other incentives to informers who give vital information leading to the apprehension, arrest, prosecution, and conviction of person or persons who are liable;
8. Request the Supreme Court to designate specific divisions of the Court of Appeals and regional trial courts in Manila, Cebu City and Cagayan de Oro City, as the case maybe, to handle all cases involving missing persons;

In the performance of its functions and discharge of its duties, the Council is authorized to issue subpoena and subpoena duces tecum for the appearance of witnesses and the production of records, books and documents before it. It may call upon any agency, office, agency or instrumentality of the National Government and local government units for assistance. This authority is likewise conferred upon the provincial offices as may be established.

Section 5. Organizational Support. The Council shall have a technical staff which shall be headed by an Executive Director who shall be assisted by a Deputy Executive Director. The Technical staff shall be composed of such personnel as may be necessary to enable the Council to effectively perform its powers and functions.

Section 6. Provincial Offices. When the conditions in any province so warrant, the Council may establish provincial offices which shall exercise such powers and perform such functions as may be delegated to it by the Council.

Section 7. Appropriations. – The amount necessary to initially implement this Act shall be charged against the current year's appropriations of the Department of Justice. Thereafter, such sums as may be necessary for the continued implementation shall be included in the annual General Appropriations Act.

Section 8. Separability Clause. If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 9. Repealing Clause. – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Section 10. Effectivity. . This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,