



## HOUSE OF REPRESENTATIVES

H. No. 6943

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BY REPRESENTATIVES ANGARA, GONZALEZ, AGGABAO, ALMARIO, GONZALES  
(N.) AND DE GUZMAN, PER COMMITTEE REPORT NO. 2461

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AN ACT GIVING OFFENDERS THE FULLEST BENEFIT OF  
PREVENTIVE IMPRISONMENT, AMENDING FOR THE  
PURPOSE ARTICLE 29 OF ACT NO. 3815, AS AMENDED,  
OTHERWISE KNOWN AS THE REVISED PENAL CODE

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

1 SECTION 1. Article 29, Chapter Three, Title 3, Book 1 of Act  
2 No. 3815, as amended, otherwise known as the Revised Penal Code of the  
3 Philippines, is hereby further amended to read as follows:

4 "Art. 29. *Period of preventive imprisonment deducted*  
5 *from term of imprisonment.* – Offenders or accused who have  
6 undergone preventive imprisonment shall be credited in the  
7 service of their sentence consisting of deprivation of liberty, with  
8 the full time during which they have undergone preventive  
9 imprisonment if the detention prisoner agrees voluntarily [in  
10 writing] to abide by the same disciplinary rules imposed upon  
11 convicted prisoners, except in the following cases:

1           “1. When they are recidivists, or have been convicted  
2 previously twice or more times of any crime; and

3           “2. When upon being summoned for the execution of  
4 their sentence they have failed to surrender voluntarily.

5           “If the detention prisoner does not agree to abide by the  
6 same disciplinary rules imposed upon convicted prisoners, he  
7 shall **DO SO IN WRITING AND SHALL** be credited in the service of  
8 his sentence with four-fifths of the time during which he has  
9 undergone preventive imprisonment.

10           “*Whenever an accused has undergone preventive*  
11 *imprisonment for a period equal to [or more than] the possible*  
12 *[maximum] MINIMUM imprisonment of the offense charged to*  
13 *which he may be sentenced and his case is not yet terminated, he*  
14 *shall be released immediately without prejudice to the*  
15 *continuation of the trial thereof or the proceeding on appeal, if*  
16 *the same is under review. COMPUTATION OF PREVENTIVE*  
17 *IMPRISONMENT FOR PURPOSES OF IMMEDIATE RELEASE*  
18 *UNDER THIS PARAGRAPH SHALL BE THE ACTUAL PERIODS OF*  
19 *DETENTION WITH GOOD CONDUCT TIME ALLOWANCE:*  
20 *PROVIDED, HOWEVER, THAT IF THE ACCUSED IS ABSENT*  
21 *WITHOUT JUSTIFIABLE CAUSE AT ANY STAGE OF THE TRIAL,*  
22 *THE COURT MAY MOTU PROPIO ORDER THE RE-ARREST OF THE*  
23 *ACCUSED: PROVIDED, FINALLY, THAT RECIDIVISTS, HABITUAL*  
24 *DELINQUENTS, ESCAPEES AND PERSONS CHARGED WITH*  
25 *HEINOUS CRIMES ARE EXCLUDED FROM THE COVERAGE OF*  
26 *THIS ACT. In case the maximum penalty to which the accused*  
27 *may be sentenced is *destierro*, he shall be released after thirty*  
28 *(30) days of preventive imprisonment.*

1                   **“CREDIT FOR PREVENTIVE IMPRISONMENT FOR THE**  
2                   **PENALTY OF RECLUSION PERPETUA SHALL BE DEDUCTED**  
3                   **FROM THIRTY (30) YEARS.”**

4                   SEC. 2. *Repealing Clause.* – All laws, presidential decrees, letters of  
5 instruction, executive orders, rules and regulations, insofar as they are  
6 inconsistent with this Act, are hereby repealed or amended accordingly.

7                   SEC. 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days  
8 after its publication in two (2) newspapers of general circulation.

Approved,

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