

TAIWANESE FISHING VESSELS/CREWMEMBERS

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/39358a23829e/>

Quoted hereunder is the pertinent portion of the Memorandum of the President to the undersigned dated August 2, 1991 relative to the above-captioned subject, which reads:

"In the event of arrest or detention of Taiwanese crewmembers of Taiwanese fishing vessels due to violations of the laws of the Philippines, the Department of Justice shall take such measures as may be necessary to ensure expeditious proceedings against such persons and vessels, including, if warranted and subject to the approval of courts, the release of such vessels and their crewmembers upon the posting of a sufficient bond or security in the case of the vessels and/or bail in the case of the crew, without prejudice to the continuation of the cases."

In this connection, you are further directed to observe strictly the procedures prescribed under Circular No. 5, series of 1989 on inquest cases. Should there be a need to conduct preliminary investigation, you are enjoined to finish the same in fifteen (15) days from the time the "waiver" of the provisions of Article 125 of the Revised Penal Code as amended is made by the respondent. If the case has already been filed in court pursuant to Section 7 of Rule 112 of the Rules of Court without a preliminary investigation having been conducted and if so directed by the court for the accused to be given a chance to present his evidence in a preliminary investigation, such proceedings shall be finished also within a period of fifteen (15) days from receipt of the court order.

For strict compliance.

Adopted: 8 Aug. 1991

(Sgd.) SILVESTRE H. BELLO III
Acting Secretary

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