

AMENDING CERTAIN PROVISIONS OF CHAPTER THREE, TITLE EIGHT OF PRESIDENTIAL DECREE NUMBERED SIX HUNDRED AND THREE AS AMENDED OTHERWISE KNOWN AS THE CHILD AND YOUTH WELFARE CODE AN...

PRESIDENTIAL DECREE NO. 1210, October 11, 1977

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WHEREAS, some of the provisions of Presidential Decree No. 603 as amended, which deal with youthful offenders are still deficient or ambiguous;

WHEREAS, it is necessary that said provisions be clarified and strengthened so as to promote their effectiveness in dealing with juvenile delinquency more in particular with youthful offenders involved in offenses triable by the Military Tribunals.

NOW, THEREFORE, I FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order as follows:

SECTION 1. ARTICLE 191 of Presidential Decree No. 603 is hereby amended to read as follows:

"ARTICLE 101. Care of Youthful Offender Held for Examination or Trial.—A youthful offender held for physical and mental examination or trial or pending appeal, if unable to furnish bail, shall from the time of his arrest be committed to the care of the Dept. of Social Services and Development or the local rehabilitation center or a detention home in the province or city which shall be responsible for his appearance in court whenever required: Provided, that in the absence of any such center or agency within a reasonable distance from the venue of the trial, the provincial, city and municipal jail shall provide quarters for youthful offenders separate from other detainees. The court may, in its discretion upon recommendation of the Department of Social Services & Development or other agency or agencies authorized by the Court, release a youthful offender on recognizance, to the custody of his parents or other suitable person who shall be responsible for his appearance whenever required. However, in the case of those whose cases fall under the exclusive jurisdiction of (be Military Tribunals, they may be committed at any military detention or rehabilitation center.

SEC. 2. ARTICLE 192 of Presidential Decree No. 603 as amended is further amended to read as follows:

"ARTICLE 192. Suspension of sentence and Commitment of Youthful Offender.—If after hearing the evidence in the proper proceedings, the court should find that the youthful offender has committed the acts charged against him, the court, shall determine the imposable penalty, including any civil liability chargeable against him. However, instead of pronouncing judgment of conviction, the court upon application of the youthful offender and if it finds that the best interest of the public as well as that of the offender will be served thereby, may suspend all further proceedings and commit such minor to the custody or care of the Department of Social Services, and Development or to any training institution operated by the government or any other responsible person until he shall have reached twenty one years of age, or for a shorter period as the court may deem proper, after considering the reports and recommendations of the Department of Social Services and Development or the government training institution or responsible person under whose care he has been committed. Upon receipt of the application of the youthful offender for suspension of his sentence, the court may require the Department of Social Services and Development to prepare and submit to the court a social

case study report over the offender and his family.

The Youthful offender shall be subject to visitation and supervision by a representative of the Department of Social Services & Development or government training institution as the court may designate subject to such conditions as it may prescribe.

The benefits of this article shall not apply to a youthful offender who has once enjoyed suspension of sentence under its provisions or to one who is convicted of an offense punishable by death or life imprisonment or to one who is convicted for an offense by the Military Tribunals.

DONE in the City of Manila, this 11th day of October in the year of Our Lord, nineteen hundred and seventy-seven.

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