

[PRESIDENTIAL DECREE NO. 1731, October 08, 1980]

PROVIDING FOR REWARDS AND INCENTIVES TO GOVERNMENT WITNESSES AND INFORMANTS AND OTHER PURPOSES.

WHEREAS, reports from law enforcement agencies reveal that crimes against National Security or Public Order and organized/syndicated crime in the country are becoming sophisticated, diversified, and widespread;

WHEREAS, such criminal activities have resulted not only in the wanton destruction of lives and properties but have likewise weakened the Nation's economic stability, threatened its security and underlined the general welfare of its citizens;

WHEREAS, said criminal activities continue to grow because of the inadequate evidence-gathering process of the law and the seeming, apathy of the citizens in testifying against entrenched and feared malefactors;

WHEREAS, there is an imperative need to neutralize crimes against National Security or Public Order or organized/syndicated crime in this country before they grow to unmanageable proportions by providing rewards, incentives, protection and, in certain cases, immunity from criminal prosecution to government witnesses, so that the total commitment of our people on the side of law enforcement may be encouraged.

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

SECTION I. *Definition of Terms.* – The following terms shall mean and be 'understood/ construed as follows:

- a. *Government* – means the Republic of the Philippines, any political subdivision, or any department, agency, or instrumentality thereof.
- b. *Organized/Syndicated Crime* – means any crime committed by an organized/syndicated crime group, including, but not limited to, arson, robbery (hold-up), kidnapping for ransom, prostitution, illegal recruitment, carnapping, smuggling and piracy, cattle rustling, illicit drug trafficking labor rackets, land title rackets, manufacture and/or circulation of fake documents, license, stamps, currencies, and other government forms, counterfeiting and bank frauds, consumer frauds and other illegal activities of such groups.
- c. *Organized/Syndicated Crime Group* – means a group of two (2) or more persons collaborating, confederating or mutually helping one another in the commission of any organized/ syndicated crime.
- d. *Witness* – shall refer to any person who, having organs of sense, can perceive and, perceiving, can make known his perception to others.
- e. *Vital Informations* – shall mean any information, document, book, writing, or any other evidence necessary to build up the people's case and/or secure the conviction of criminals.

SEC. 2. Whenever in the Judgement of the Minister of National Defense testimony from, or a willingness to testify by a witness, would place in danger the witness life or person, or the life or person of a member of his family or household, the Minister

of National Defense, upon the recommendation of the Chief of the Philippine Constabulary or the chief of any law enforcement agency, is hereby authorized to:

- a. Provide for the security of such witness who testified/ is willing to testify, or who provided/is willing to provide vital information leading to the arrest and/or prosecution of any member of an organized/syndicated crime group or person who participated in any organized/syndicated criminal activity, or in crimes against national security and public order.
- b. Purchase, rent or remodel protected housing, facilities and to otherwise offer to provide measures for the health, safety, and welfare of such witnesses and potential witnesses and their families. Any person availing himself of an offer by the Minister of National Defense to use such facilities may continue to use such facilities for as long, as the Minister of National Defense determines that there is danger to his life or his person.
- c. Upon application of such witnesses, relocate and/or Provide new identities to them and their immediate members of their families. For all legal purposes, such grant of new domiciles and new identities as duly certified by the Minister of National Defense, shall be valid and binding on all courts, ministries, agencies and instrumentalities of the government as acquired under the provisions of existing law.
- d. Grant monetary reward to any such witnesses in the amounts hereinbelow provided:

(1) If the penalty imposable for the crime committed is life imprisonment to death, the amount of the reward shall be 50,000 pesos;

(2) If the penalty imposable for the crime committed is imprisonment of from twelve years and one day to twenty years, the amount of the reward shall be 40,000 pesos;

(3) If penalty imposable for the crime committed is imprisonment of from six years and one day to twelve years, the amount of the reward shall be 30,000 pesos;

(4) If the penalty imposable for the crime committed is imprisonment below six years shall be 25,000 pesos.

SEC. 3. Whenever in the judgment of the prosecutor or fiscal the testimony of any witness, who is provided security by the Minister of National Defense pursuant to Section 2 above, is necessary proper application for his production and appearance shall be filled with the Ministry of National Defense.

SEC. 4. Any such informant or witness who shall testify or provide vital information, regarding the existence or activity of a group involved in the commission of crimes against national security or public order, or of an organized/ syndicated crime or crime group, and/or the culpability of individual members thereof in accordance with this Decree shall, upon recommendation of the state prosecutor, fiscal or military lawyer, as approved by the Minister of National Defense or the Minister of Justice, as the case may be, be immune from criminal prosecution for his participation or involvement in any such criminal activity which is the subject of the investigation or prosecution, in addition to the benefits under Sec. 2 hereof: Provided, that, immunity from criminal prosecution shall, in the case of the witness offering to testify, attach only upon his actually testifying in court in accordance with his