

**[ Republic Act No. 10707, November 26, 2015 ]**

**AN ACT AMENDING PRESIDENTIAL DECREE NO. 968,  
OTHERWISE KNOWN AS THE "PROBATION LAW OF 1976", AS  
AMENDED**

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

SECTION 1. Section 4 of Presidential Decree No. 968, as amended, is hereby further amended to read as follows:

"SEC. 4. *Grant of Probation.* — Subject to the provisions of this Decree, the trial court may, after it shall have convicted and sentenced a defendant for a probationable penalty and upon application by said defendant within the period for perfecting an appeal, suspend the execution of the sentence and place the defendant on probation for such period and upon such terms and conditions as it may deem best. No application for probation shall be entertained or granted if the defendant has perfected the appeal from the judgment of conviction: *Provided, That* when a judgment of conviction imposing a non-probationable penalty is appealed or reviewed, and such judgment is modified through the imposition of a probationable penalty, the defendant shall be allowed to apply for probation based on the modified decision before such decision becomes final. The application for probation based on the modified decision shall be filed in the trial court where the judgment of conviction imposing a non-probationable penalty was rendered, or in the trial court where such case has since been re-raffled. In a case involving several defendants where some have taken further appeal, the other defendants may apply for probation by submitting a written application and attaching thereto a certified true copy of the judgment of conviction.

"The trial court shall, upon receipt of the application filed, suspend the execution of the sentence imposed in the judgment.

"This notwithstanding, the accused shall lose the benefit of probation should he seek a review of the modified decision which already imposes a probationable penalty.

"Probation may be granted whether the sentence imposes a term of imprisonment or a fine only. The filing of the application shall be deemed a waiver of the right to appeal.

"An order granting or denying probation shall not be appealable."

SEC. 2. Section 9 of the same Decree, as amended, is hereby further amended to read as follows:

"SEC. 9. *Disqualified Offenders.* — The benefits of this Decree shall not be extended to those:

"a. sentenced to serve a maximum term of imprisonment of more than six (6) years;

"b. convicted of any crime against the national security;

"c. who have previously been convicted by final judgment of an offense punished by imprisonment of more than six (6) months and one (1) day and/or a fine of more than one thousand pesos (P1,000.00);

"d. who have been once on probation under the provisions of this Decree; and

"e. who are already serving sentence at the time the substantive provisions of this Decree became applicable pursuant to Section 33 hereof."

SEC. 3. Section 16 of the same Decree, as amended, is hereby further amended to read as follows:

"SEC. 16. *Termination of Probation.* — After the period of probation and upon consideration of the report and recommendation of the probation officer, the court may order the final discharge of the probationer upon finding that he has fulfilled the terms and conditions of his probation and thereupon the case is deemed terminated.

"The final discharge of the probationer shall operate to restore to him all civil rights lost or suspended as a result of his conviction and to totally extinguish his criminal liability as to the offense for which probation was granted.

"The probationer and the probation officer shall each be furnished with a copy of such order."

SEC. 4. Section 24 of the same Decree is hereby amended to read as follows:

"SEC. 24. *Miscellaneous Powers of Regional, Provincial and City Probation Officers.* — Regional, Provincial or City Probation Officers shall have the authority within their territorial jurisdiction to administer oaths and acknowledgments and to take depositions in connection with their duties and functions under this Decree. They shall also have, with respect to probationers under their care, the powers of a police officer. They shall be considered as persons in authority."

SEC. 5. Section 27 of the same Decree is hereby amended to read as follows:

"SEC. 27. *Field Assistants, Subordinate Personnel.* — Regional, Provincial or City Probation Officers shall be assisted by such field assistants and subordinate personnel as may be necessary to enable them to carry out their duties effectively."

SEC. 6. Section 28 of the same Decree is hereby amended to read as follows:

"SEC. 28. *Volunteer Probation Assistants (VPAs).* — To assist the Chief Probation and Parole Officers in the supervised treatment program of the probationers, the Probation Administrator may appoint citizens of good repute and probity, who have the willingness, aptitude, and capability to act as VPAs.

"VPAs shall not receive any regular compensation except for reasonable transportation and meal allowances, as may be determined by the Probation Administrator, for services rendered as VPAs.