

[Acts No. 4103, December 05, 1933]

AN ACT TO PROVIDE FOR AN INDETERMINATE SENTENCE AND PAROLE FOR ALL PERSONS CONVICTED OF CERTAIN CRIMES BY THE COURTS OF THE PHILIPPINE ISLANDS; TO CREATE A BOARD OF INDETERMINATE SENTENCE AND TO PROVIDE FUNDS THEREFOR; AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Hereafter, in imposing a prison sentence for an offense punished by acts of the Philippine Legislature, otherwise than by the Revised Penal Code, the court shall order the accused to be imprisoned for a minimum term, which shall not be less than the minimum term of imprisonment provided by law for the offense, and for a maximum term which shall not exceed the maximum fixed by law; and where the offense is punished by the Revised Penal Code, or amendments thereto, the court shall sentence the accused to such maximum as may, in view of attending circumstances, be properly imposed under the present rules of the said Code, and to a minimum which shall not be less than the minimum imprisonment period of the penalty next lower to that prescribed by said Code for the offense. Except as provided in section two hereof, any person who shall have been so convicted and sentenced and shall have served the minimum sentence imposed hereunder, may be released on parole in accordance with the provisions of this Act.

SEC. 2. This Act shall not apply to persons convicted of offenses punished with death penalty or life imprisonment; to those convicted of treason, conspiracy or proposal to commit treason; to those convicted of misprision of treason, sedition or espionage; to those convicted of piracy; to those who are habitual delinquents; to those who shall have escaped from confinement or evaded sentence; to those who having been granted conditional pardon by the Chief Executive shall have violated the terms thereof; to those whose maximum term of imprisonment does not exceed one year; nor to those already sentenced by final judgment at the time of approval of this Act except as provided in section five hereof.

SEC. 3. There is hereby created a Board of Indeterminate Sentence to be composed of the Secretary of Justice, who shall be its chairman, and four members to be appointed by the Governor-General, with the advice and consent of the Philippine Senate, upon this Act taking effect, and thereafter at the beginning of each Legislature: *Provided*, That one member of the Board shall be a trained sociologist, one a clergyman or educator, one psychiatrist unless a trained psychiatrist be employed by the Board, and the other members shall be persons qualified for such work by training or experience. At least one member of the Board shall be a woman. The members of the Board shall be subject to removal at the will of the Governor-General, and in case of any vacancy in the membership of the Board, a successor may be appointed to serve only for the unexpired portion of the term of the respective member.

SEC. 4. The Board shall adopt rules and regulations for its meetings and procedure. Each member shall be entitled to receive as compensation ten pesos for each meeting, not exceeding one thousand pesos annually, notwithstanding the