



HOUSE OF REPRESENTATIVES

H. No. 600

BY REPRESENTATIVES RODRIGUEZ (R.), RODRIGUEZ (M.), DE JESUS,
ANGARA, PAEZ, AGGABAO, ORTEGA (F.), GULLAS, ONG AND
PRIMICIAS-AGABAS

AN ACT ADJUSTING THE RATE OF SUBSIDIARY IMPRISONMENT
TO ONE DAY FOR AN AMOUNT EQUIVALENT TO THE DAILY
MINIMUM WAGE OF A LABORER IN THE NATIONAL CAPITAL
REGION, AMENDING FOR THE PURPOSE ARTICLE 39 OF THE
REVISED PENAL CODE OF THE PHILIPPINES

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

1 SECTION 1. The first paragraph of Article 39 of the Revised Penal
2 Code, as amended, is hereby further amended to read as followed:

3 "ART. 39. *Subsidiary penalty.* – If the convict has no
4 property with which to meet the fine mentioned in [the] paragraph
5 3 of the next preceding article, he shall be subject to a subsidiary
6 personal liability at the rate of one day for [each eight pesos] AN
7 AMOUNT EQUIVALENT TO THE DAILY MINIMUM WAGE OF A
8 LABORER IN THE NATIONAL CAPITAL REGION AS COMPUTED BY
9 THE NATIONAL WAGES AND PRODUCTIVITY COMMISSION,
10 subject to the following rules:

11 "1. If the principal penalty imposed be *prison*
12 *correccional* or *arresto* and fine, he shall remain under

1 confinement until his fine referred to in the preceding paragraph is
2 satisfied, but his subsidiary imprisonment shall not exceed one-
3 third of the term of the sentence, and in no case shall it continue for
4 more than one year, and no fraction or part of a day shall be
5 counted against the prisoner.

6 "2. When the principal penalty imposed be only a fine, the
7 subsidiary imprisonment shall not exceed six months, if the culprit
8 shall have been prosecuted for a grave or less grave felony, and
9 shall not exceed fifteen days, if for a light felony.

10 "3. When the principal penalty imposed is higher than
11 *prision correccional*, no subsidiary imprisonment shall be imposed
12 upon the culprit.

13 "4. If the principal penalty imposed is not to be executed
14 by confinement in a penal institution, but such penalty is of fixed
15 duration, the convict, during the period of time established in the
16 preceding rules, shall continue to suffer the same deprivations as
17 those of which the principal penalty consists.

18 "5. The subsidiary personal liability which the convict
19 may have suffered by reason of his insolvency shall not relieve
20 him, from the fine in case his financial circumstances should
21 improve."

22 SEC. 2. This Act shall take effect fifteen (15) days following its
23 publication in two (2) newspapers of general circulation.

Approved,