

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'11 JAN 27 AIO :25

SENATE

S. NO. 2658

RECEIVED BY: 

Introduced by Senator Antonio "Sonny" F. Trillanes IV

Explanatory Note

Almost eighty (80) years after the Revised Penal Code was initially enacted, there is now a pressing need to review and revise the Code to become more reflective and responsive to the changes of the times. In fact, in the 14th Congress, the Philippine Senate recorded seventy-seven (77) bills proposing amendments while in the 15th Congress, seventy-one (71) bills were filed proposing the same to the Code.

This Act aims to promote the rule of law as an instrument for the advancement of peace and order, national security, and sustained development. Toward this end, the State shall ensure that criminal laws are clear and coherent; criminal offenses precisely defined; and the entire body of the nation's criminal laws easily accessible to all.

It is therefore imperative for Congress to create a special committee to thoroughly and comprehensively review the Revised Penal Code. Recodification is necessary as, over time, the legislative process of amending statutes and the legal process of construing statutes by nature over time results in a code that contains archaic terms, superseded text, and redundant or conflicting statutes.

In view of the foregoing, the immediate passage of this Act is earnestly sought.

ANTONIO "SONNY" F. TRILLANES IV

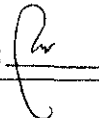
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**AN ACT
CREATING A CODE COMMISSION TO REVIEW AND RECODIFY THE REVISED
PENAL CODE AND OTHER RELATED SPECIAL CRIMINAL LAWS AND
APPROPRIATING FUNDS THEREFOR**

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

1 **SECTION 1. Code Commission.** – There is hereby created a Code Commission,
2 hereinafter referred to as the "Commission," which shall review and recodify the Revised Penal
3 Code including other related special criminal or penal laws.

4
5 **SEC. 2. Composition.** – The Commission shall be composed of a Chairman and not more
6 than ten (10) members to be appointed by the President of the Philippines with the consent of the
7 Commission on Appointments, as follows:

8 (a) Representative, Philippine Judicial Academy, as Chairman;

9 (b) Representative, Department of Justice, as Vice Chairman;

10 (c) Representative, Integrated Bar of the Philippines;

11 (d) Representative, University of the Philippines Law Center;

12 (e) Two (2) representatives, Association of Law Deans of the Philippines; and

13 (f) Five (5) reputable practicing lawyers or professors with extensive knowledge,

14 training or expertise in criminal laws; as members.

1 **SEC. 3. *Mandate.*** – It shall be the mandate of the Commission to review and revise all
2 existing substantive and procedural laws, including jurisprudence relative or pertinent to penal
3 laws of the Philippines and to codify the same in conformity with the idiosyncrasies of the
4 Filipino people.

5
6 **SEC. 4. *Term of Office.*** – The Commission shall complete its work not later than two (2)
7 years from the date of approval of this Act, and shall submit to the President of the Philippines a
8 report of the work undertaken by it together with the corresponding drafts of the code for
9 submission to the Congress of the Philippines.

10
11 **SEC. 5. *Office.*** - The Commission shall have its office in Metro Manila or such other
12 place as may be designated by the Commission, and may hold meetings at such time and place
13 within the Philippines, as it may provide by order in writing.

14
15 **SEC. 6. *Compensation.*** - The Chairman shall receive compensation equal to that of a
16 Department Secretary while the members shall receive compensation equal to that of official
17 next in rank to that of a Department Secretary.

18 The Chairman and the members of the Commission may receive per *diem* for every
19 meeting actually attended at such amount to be fixed by the Commission but not to exceed Two
20 Thousand (P2,000) Pesos per hour.

21
22 **SEC. 7. *Appointment of Officials, Employees, etc.*** - The Chairman shall appoint
23 personnel as it may deem necessary in the exercise and performance of its mandate and fix their
24 salaries or compensation, and to employ the services, by contract or otherwise, of consultants or
25 any local expert or technical personnel, to provide technical and necessary assistance, conduct

1 seminar and trainings relative to codification of criminal laws, and pay reasonable emoluments
2 for their services.

3 All other officers or employees, contractual or casual, shall be appointed by the
4 Chairman. Appointment shall be made only upon merit and fitness and shall be governed by
5 relevant civil service rules and regulations.

6
7 **SEC. 8. *Other Bureaus, Offices or Agencies.*** – The Commission is empowered to call
8 on any official or employee of any bureau, office, and agency or instrumentally of the
9 government to assist or otherwise extend its cooperation to the Commission in connection with
10 the performance of its functions to carry out the provisions of this Act.

11
12 **SEC. 9. *Termination.*** – Upon completion of its work and the submission of its report not
13 later than two (2) years from the date of approval of this Act, the Commission shall cease to exist
14 and the services of the Chairman and the members of the same and all of the employees working
15 under it shall terminate.

16
17 **SEC. 10. *Records and Documents.*** – All records and documents and proceedings of the
18 Commission shall be delivered to the National Library for preservation or disposition by the
19 latter. The other properties of the Commission shall be disposed of in accordance with existing
20 auditing and accounting rules and regulations.

21
22 **SEC. 11. *Appropriation.*** – The sum of Five Million (P5, 000,000.00) Pesos is hereby
23 appropriated for the initial organization and operation of the Commission. Thereafter, such
24 amount as may be necessary for its continued operation shall be included in the annual General
25 Appropriations Act.

26

1 **SEC. 12. *Effectivity.*** – This Act shall take effect fifteen (15) days following its
2 publication in at least two (2) national newspapers of general circulation.

Approved,