

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

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SENATE

S. No. 356

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

The prevention of crime rests on the availability of effective deterrents in the legal system which are enforced by local governments and other enforcement agencies, and the judiciary, with the Department of Justice acting as prosecutors. The problem often is, who will watch the watchdogs, who could themselves become vulnerable to occasions for graft and corruption.

We have existing laws imposing penalties and sanctions as deterrents against graft and corruption among the members of the judiciary. These laws however have neglected to include certain members of the executive branch, who are likely to be just as vulnerable to temptations of graft and corruption, such as those who serve as the prosecution arms of the government, or administrative bodies clothed with quasi-judicial functions in the disposition of administrative cases.

This bill seeks to correct this flaw by expanding the coverage of the penalties and sanctions as described above.

In view of the foregoing, early passage of this bill is earnestly requested.

S. Osmeña III
SERGIO OSMEÑA III
Senator

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AN ACT
AMENDING ARTICLES 204, 205, 206, AND 207 OF THE REVISED PENAL
CODE TO INCLUDE INVESTIGATING OFFICERS OR OTHER OFFICERS
EXERCISING QUASI-JUDICIAL FUNCTIONS AS PERSONS LIABLE FOR
FELONIES UNDER SAID ARTICLES, AND FOR OTHER PURPOSES

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

1 SECTION 1. Articles 204, 205, 206, and 207 of the Revised Penal Code
2 are hereby amended to read as follows:

3 "ART. 204. Knowingly Rendering Unjust Judgment, ORDER OF
4 RESOLUTION. – Any judge, INVESTIGATING OFFICER, OR OTHER
5 OFFICER EXERCISING QUASI-JUDICIAL FUNCTIONS who shall
6 knowingly render an unjust judgment, ORDER OR RESOLUTION in any
7 case OR MATTER submitted to him for decision OR RESOLUTION IN
8 FINAL DISPOSITION THEREOF, shall be punished by prison mayor and
9 perpetual absolute disqualification."

10 "ART. 205, Judgement, ORDER OF RESOLUTION – Render
11 Through Negligence. – Any judge INVESTIGATING OFFICER, OR
12 OTHER OFFICER EXERCISING QUASI-JUDICIAL FUNCTIONS who, by
13 a reason of inexcusable negligence or ignorance, shall render a manifestly
14 unjust judgement, ORDER OR RESOLUTION, in any case or matter
15 submitted to him for decision OR RESOLUTION IN FINAL DISPOSITION

1 THEREOF, shall be punished by *arresto* mayor and temporary special
2 disqualification.”

3 “ART. 206. Unjust Interlocutory Order. – Any judge,
4 INVESTIGATING OFFICER, OR OTHER OFFICER EXERCISING
5 QUASI-JUDICIAL FUNCTIONS who shall knowingly render an unjust
6 interlocutory order or decree shall suffer the penalty of *arresto* mayor in its
7 minimum period and suspension; but if he shall have acted by reason of
8 inexcusable negligence or ignorance and the interlocutory order or decree
9 be manifestly unjust, the penalty shall be suspension.

10 “ART. 207. – Malicious Delay in the Administration of Justice. –
11 The penalty of *prision correccional* in its minimum period shall be imposed
12 upon any judge, INVESTIGATING OFFICER, OR OTHER OFFICER
13 EXERCISING QUASI-JUDICIAL FUNCTIONS guilty of malicious delay in
14 the administration of justice.”

15 SEC. 2. Effectivity. – This Act shall take effect fifteen (15) days after its
16 publication in the Official Gazette.

 Approved,