

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



'13 SEP 26 P4 :04

SENATE  
S. No. 1743

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Penal Code, Articles 171 and 172 severely punish any person who falsifies a document. Despite these provisions, falsification of land titles remains unabated. These prohibited acts make a mockery of the stability and reliability of the certificates of title under the Torrens System.

This bill seeks to curb the practice of falsification of Torrens Title by imposing stiffer penalties upon any person who falsifies these documents.

This bill is a product of the public hearings conducted by the Committee on Constitutional Amendments, Revision of Codes and Laws during the 10th Congress.\*

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
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\* This bill was re-filed during the Thirteenth Congress, First Regular Session.

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AN ACT

AMENDING ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE PENAL  
CODE, ARTICLES 171 AND 172, IMPOSING STIFFER PENALTIES FOR THE  
FALSIFICATION OF TORRENS CERTIFICATES OF TITLE

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

SECTION 1. Article 171 of Act No. 3815, as amended, otherwise known as the Penal  
Code, is hereby amended to read as follows:

“Art. 171. *Falsification by public officer, employee or notary or  
ecclesiastic minister.* - The penalty of *prision mayor* and a fine not to exceed Five  
Thousand Pesos (P5,000.00) shall be imposed upon any public officer, employee,  
or notary who, taking advantage of his official position, shall falsify a document  
by committing any of the following acts:

1. Counterfeiting or imitating any handwriting, signature or rubric;
2. Causing it to appear that persons have participated in any act or proceeding when they did not in fact so participate;
3. Attributing to persons who have participated in an act or proceeding statements other than those in fact made by them;
4. Making untruthful statements in a narration of facts;
5. Altering true dates;
6. Making any alteration or intercalation in a genuine document which changes its meaning;
7. Issuing in an authenticated form a document purporting to be a copy of an original document when no such original exists, or including in such a copy a statement contrary to, or different from, that of the genuine original; or

1           8. Intercalating any instrument or note relative to the issuance thereof in a  
2 protocol, registry, or official book.

3           The same penalty shall be imposed upon any ecclesiastical minister who  
4 shall commit any of the offenses enumerated in the preceding paragraphs or this  
5 article, with respect to any record or document of such character that its  
6 falsification may affect the civil status of persons.

7           **THE PENALTY OF RECLUSION TEMPORAL IN ITS MAXIMUM**  
8 **PERIOD AND A FINE OF FIFTY THOUSAND PESOS (P50,000.00)**  
9 **SHALL BE IMPOSED UPON ANY PUBLIC OFFICER WHO SHALL**  
10 **FALSIFY A TORRENS CERTIFICATE OF TITLE BY COMMITTING**  
11 **ANY OF THE ACTS ENUMERATED ABOVE OR BY CAUSING THE**  
12 **SPURIOUS MANUFACTURE OF THE SAME.”**

13           SECTION 2. Article 172 of Act No. 3815 as amended, otherwise known as the Penal  
14 Code, is hereby amended to read as follows:

15           “Art. 172. *Falsification by private individual and use of falsified*  
16 *documents.* - The penalty of *prision correccional* and its medium and maximum  
17 periods and a fine of not more than Five Thousand Pesos (P5,000.00) shall be  
18 imposed upon:

19           1. Any private individual who shall commit any of the falsifications  
20 enumerated in the next preceding article in any public or official document or  
21 letter of exchange or any other kind of commercial document; **PROVIDED,**  
22 **THAT, THE PENALTY OF PRISION MAYOR AND A FINE OF**  
23 **TWENTY FIVE THOUSAND PESOS (P25,000.00) SHALL BE IMPOSED**  
24 **IF SAID PRIVATE INDIVIDUAL FALSIFIES A TORRENS**  
25 **CERTIFICATE OF TITLE OR CONSPIRES WITH THE PUBLIC**  
26 **OFFICER MENTIONED IN THE IMMEDIATELY PRECEDING**  
27 **ARTICLE IN THE FALSIFICATION OF THE SAME; and**

1           2. Any person who, to the damage of a third party, or with the intent to  
2 cause such damage, shall in any private document commit any of the acts of  
3 falsification enumerated in the next preceding article. Any person who shall  
4 knowingly introduce any evidence in any judicial proceeding or to the damage of  
5 another who, with the intent to cause such damage, shall use any of the false  
6 documents embraced in the next preceding article, or in any of the foregoing  
7 subdivision of this article, shall be punished by the penalty next lower in degree.”

8           SECTION 3. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
9 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent  
10 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

11           SECTION 4. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
12 publication in at least two (2) newspapers of general circulation.

Approved,