

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

Alfonse
Secretary of the Secretary

15 JAN 20 P1:58

SENATE

Senate Bill No. 2573

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
AMENDING ARTICLE 180 OF THE REVISED PENAL CODE (ACT NO. 3815),
AS AMENDED) BY INCREASING THE PENALTY PROVIDED THEREFOR
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Article 180 of the Revised Penal Code (Act No. 3815, as amended) provides for the penalty against any person who shall give false testimony against the defendant in any criminal case. It may be noted that the present penalty for false testimony against the defendant in criminal case depends upon the sentence imposed on the person against the false testimony was given. For instance, if a witness testifies falsely against the accused charged with homicide, and such accused is convicted and sentenced to reclusion temporal and the witness was later found to be lying and was in turn prosecuted and convicted, the penalty imposable to such "false" or lying witness is only *prision mayor*.

This is grossly unfair to the accused falsely convicted as a result of a witness false testimony.

The author submits that such witness should suffer also the same penalty suffered or imposed upon the dependant provided that if the defendant has been sentenced to death, the penalty or *reclusion perpetua* shall be imposed upon such lying witness. If the defendant is acquitted, he should suffer the penalty imposable upon the defendant if the latter is convicted. This bill seeks to amend Article 180 of the Revised Penal Code (Act No. 3815, as amended) by specifically providing for aforementioned increase in penalty.

In the light of the foregoing considerations, passage of this bill is earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

1 **SEC. 2. *Repealing Clause.*** All laws, decrees, ordinances, rules and
2 regulations, executive, or administrative orders, and other presidential issuance
3 inconsistent with this Act, are hereby repealed, amended or modified accordingly.
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6 **SEC. 3. *Effectivity.*** This Act shall take effect after (15) days following its
7 publication in at least (2) newspapers of general circulation.
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13 *Approved,*