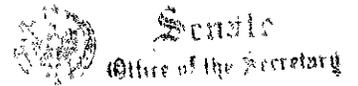


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



15 JUN -8 P4:36

SENATE
S. No. 2824

RECEIVED BY: J.

Introduced by Senator Miriam Defensor Santiago

AN ACT
AMENDING ARTICLES 204, 205, 206, AND 207 OF ACT NO. 3815
OR THE PENAL CODE OF THE PHILIPPINES

EXPLANATORY NOTE

The Constitution, Article 2, Section 27 states: "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption."

The proposed measure seeks to amend Articles 204, 205, 206, and 207 of the Penal Code in order to ensure the efficient and judicious administration of justice. Under the existing law, only judges are criminally held liable for knowingly rendering unjust decisions, orders, or resolutions.

The inclusion of public officers exercising quasi-judicial functions as among those covered in the articles will therefore ensure that due process is afforded to every person undergoing criminal, civil, or administrative investigation.

This bill is a consolidation of related bills submitted during the Eleventh Congress before the Committee on Constitutional Amendments, Revision of Codes and Laws, of which the undersigned chaired.¹


MIRIAM DEFENSOR SANTIAGO
††

¹ This bill was originally filed in the Thirteenth Congress, First Regular Session.

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

1 SECTION 1. Act No. 3815 or the Penal Code, Articles 204, 205, 206, and 207 are
2 amended as follows:

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

9 Article 205. *Judgment OR ORDER Rendered Through Negligence.*
10 - Any judge **OR OFFICER EXERCISING QUASI-JUDICIAL**
11 **FUNCTIONS** who, by reason of inexcusable negligence or ignorance,
12 shall render a manifestly unjust judgment **OR ORDER** in any case or
13 matter submitted to him for decision **OR RESOLUTION IN FINAL**
14 **DISPOSITION THEREOF**, shall be punished by *arresto mayor* and
15 temporary special disqualification.

16 Article 206. *Unjust Interlocutory Order.* - Any judge **OR OFFICER**
17 **EXERCISING QUASI-JUDICIAL FUNCTIONS** who shall knowingly
18 render an unjust interlocutory order or decree shall suffer the penalty of
19 *arresto mayor* in its minimum period and suspension, but if he shall have
20 acted by reason of inexcusable negligence or ignorance and the
21 interlocutory order of decree be manifestly unjust, the penalty shall be
22 suspension.

23 Article 207. *Malicious Delay in the Administration of Justice.* - The
24 penalty of *prision correccional* in its minimum period shall be imposed
25 upon any judge **OR OFFICER EXERCISING QUASI-JUDICIAL**
26 **FUNCTIONS** guilty of malicious delay in the administration of justice.

1 SECTION 2. *Separability Clause.* – If any provision of this Act is held invalid or
2 unconstitutional, the same shall not affect the validity and effectivity of the other
3 provisions hereof.

4 SECTION 3. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
5 portions thereof, which are inconsistent with the provisions of this Act, are hereby
6 repealed, amended or modified accordingly.

7 SECTION 4. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
8 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/mat3June2015