

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

'04 JUN 30 P10:14

SENATE

RECEIVED BY: Ray

S. No. 1098

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Introduced by Senator Franklin M. Drilon

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### EXPLANATORY NOTE

The problem of fake or fabricated titles of lands has been around for so long and the seeming inability of the government to prevent it makes a mockery of the stability of the certificates of the title under the Torrens System of Registration in our country.

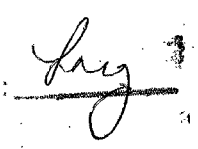
To give teeth to the Torrens System, the practice of tinkering with torrens titles needs to be abated by imposing stiff penalties on anyone who falsifies such document. Such imposition of stiff penalties is the purpose of this bill and the immediate passage of which will greatly help the government in dealing with the problem.

Hence, the passage of this measure is earnestly urged.

  
FRANKLIN M. DRILON

THIRTEENTH CONGRESS OF THE REPUBLIC )  
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S. No. 1098

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**AN ACT  
TO IMPOSE STIFFER PENALTY FOR THE FALSIFICATION OF  
TORRENS CERTIFICATES OF TITLE, AMENDING FOR THE  
PURPOSE ARTICLES 171 AND 172 OF ACT NO. 3815, AS  
AMENDED, OTHERWISE KNOWN AS, THE REVISED PENAL  
CODE AND FOR OTHER PURPOSES**

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

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

*"Art. 171. Falsification by public, employee or notary or  
ecclesiastic minister. – The penalty of prison mayor and a fine not  
to exceed 5,000 pesos 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:*

X X X

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

THE PENALTY OF *RECLUSION TEMPORAL* AND A FINE OF  
P50,000 SHALL BE IMPOSED IF THE DOCUMENT FALSIFIED IS A  
TORRENS CERTIFICATE OF TITLE.

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

*"Art. 172. Falsification by private individual and use of  
falsified documents. – The penalty of prison correccional in its  
medium and maximum periods and a fine of not more that 5,000  
pesos shall be imposed upon:*

(1) Any private individual who shall commit any of the falsifications enumerated in the next preceding article in any public or official document or letter of exchange or any other kind of commercial document; PROVIDED, THAT, THE PENALTY OF *PRISION MAYOR* AND A FINE OF P25,000 SHALL BE IMPOSED IF THE DOCUMENT FALSIFIED IS A TORRENS CERTIFICATE OF TITLE; and

(2) Any person who, to the damage of a third party, or with the intent to cause such damage, shall in any private document commit any of the acts of falsification enumerated in the next preceding article.

Any person who shall knowingly introduce in evidence in any judicial proceeding or to the damage of another or who, with the intent to cause such damage, shall use any of the false documents embraced in the next preceding article, or in any of the foregoing subdivision of this article, shall be punished by the penalty next lower in degree.

**SECTION 3.** If any provision of this Act shall be declared invalid or unconstitutional, the remaining part or provisions not otherwise affected shall remain in force.

**SECTION 4.** Any law, decree, ordinance, administrative circulars not consistent with any provision of this Act is hereby amended, repealed or modified accordingly.

**SECTION 5.** This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.