

Office of the Secretary

16 JUN 30 P12:41

**SEVENTEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
First Regular Session }**

RECEIVED BY: 

**SENATE
S.B. No. 4**

Introduced by SENATOR VICENTE C. SOTTO III

**AN ACT
IMPOSING DEATH PENALTY IN THE PHILIPPINES**

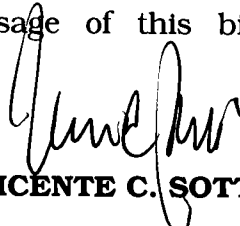
EXPLANATORY NOTE

Section 19, Article III of the Philippine Constitution provides that:

"Excessive fines shall not be imposed nor cruel, degrading or inhuman punishment inflicted. Neither shall death penalty be imposed, unless, for compelling reasons involving heinous crimes, the Congress hereafter provides for it."

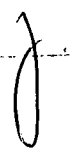
The influx of heinous crimes committed poses an alarming situation in the country nowadays. The indiscriminate and horrendous brutality happening everywhere rightfully and justifiably compels the government to resort to the ultimate criminal penalty provided for by no less than our constitution - the death penalty. The imposition of life imprisonment proves to be a non-deterrent against criminality. This is consistent with the rationale of R.A. 7659 or the Death Penalty Law, which provides that death penalty is appropriately necessary "due to the alarming upsurge of such crimes which has resulted not only in the loss of human lives and wanton destruction of property but also affected the nation's efforts towards sustainable economic development and prosperity while at the same time has undermined the people's faith in the Government and the latter's ability to maintain peace and order in the country."

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


VICENTE C. SOTTO III

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

1 SECTION 1. **Short Title.** - This Act shall be known as the "Death
2 Penalty Act of 2016".

3 SECTION 2. **Declaration of Policy.** - Section 19, Article III of the
4 Philippine Constitution provides that:

5 "Excessive fines shall not be imposed nor cruel, degrading or
6 inhuman punishment inflicted. Neither shall death penalty be
7 imposed, unless, for compelling reasons involving heinous crimes,
8 the Congress hereafter provides for it."

9 Section 5, Article II of the Philippine Constitution provides:

10 "The maintenance of peace and order, the protection of life,
11 liberty, and property, and promotion of the general welfare are
12 essential for the enjoyment by all the people of the blessings of
13 democracy."

14 SECTION 3. **Imposition of the Death Penalty.** - The death penalty is
15 hereby imposed for heinous crimes specified in Republic Act No. 7659,
16 otherwise known as the Death Penalty law and all other laws, executive
17 orders and decrees imposing death penalty. Republic Act No. 7659 is thus
18 hereby revived and activated.

1 SECTION 4. **Death by Lethal Injection.** - The imposed penalty of
2 death shall be carried out through lethal injection. Republic Act No. 8177
3 otherwise known as the Act Designating Death by Lethal Injection is thus
4 hereby revived and activated.

5 SECTION 5. **Implementing Rules and Regulations.** - The Secretary
6 of the Department of Justice shall promulgate the rules and regulations to
7 implement this Act within sixty (60) days from its effectivity.

8 SECTION 6. **Repealing Clause** - Republic Act No. 9346 otherwise
9 known as An Act Prohibiting the Imposition of Death Penalty in the
10 Philippines is hereby repealed and any law, presidential decree or issuance,
11 executive order, letter of instruction, administrative order, rule or regulation
12 contrary to or inconsistent with any provision of this Act is hereby amended
13 or modified accordingly.

14 SECTION 7. **Effectivity Clause.** - This Act shall take fifteen (15) days
15 following its publication in the official Gazette or in at least two (2)
16 newspaper of general circulation.

Approved,