

SENATE
S. B. No. 1257

1917

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

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 any 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 previous congress before the Committee on Constitutional Amendments, Revision of Codes and Laws, of which the undersigned chaired.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

Introduced by Senator Miriam Defensor Santiago

AN ACT
AMENDING REPUBLIC ACT NO. 3019, ALSO KNOWN AS THE ANTI GRAFT AND
CORRUPT PRACTICES ACTS, SECTION 13

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

SECTION 1. The Penal Code, Articles 204, 205, 206 and 207 are amended as
follows:

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

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

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

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

Sec. 2. Separability Clause.- If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Sec. 3. Repealing Clause.- Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.

Sec. 4. Effectivity Clause.- This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.