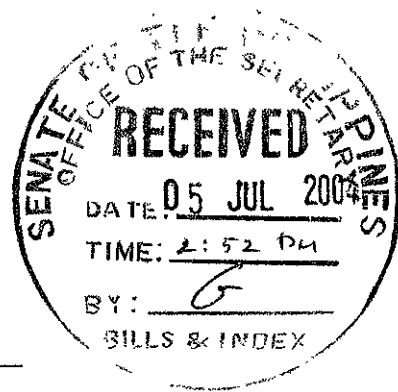


THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



S.B. BILL NO. 1316

Introduced by Senator ALFREDO S. LIM

EXPLANATORY NOTE

Perjury is one of the many crimes punishable under the penal code that has been taken too lightly by everyone.

You see and hear every now and then of persons who retract their previous testimonies or sworn statements as effortlessly and conveniently without fear nor conscience that such turnaround not only destroys the sacrosanct nature of the oath he had taken but is creating much confusion and puzzle to those affected by his verbal orbit.

For as long as we do not provide heavier penalties for those who unscrupulously change their sworn statements as easily as they change clothes, our justice system will definitely fail.

Under the law, perjury is punishable by *arresto mayor* maximum to *prision correccional* minimum, that is, imprisonment from six (6) month to two (2) years and two (2) months. With that low penalty, a would-be perjurer does not worry that even if convicted for such lies, the most that he could get in jail term is two (2) years. And, he surely could avail of the benefit of a probation.


So, he would not think twice of making a sworn charge against another, even if baseless, for money or other consideration as well as to change his prior sworn statements conveniently for similar considerations.

It is high time, therefore, that we increase the penalty for perjury by two (2) degrees, that is, *prision mayor* in its minimum and medium periods or an imprisonment of from six (6) years to ten (10) years.

Likewise, under the bill, an act of inducing one to commit perjury or the so called subornation of perjury shall be criminalized and punished in the same manner as a perjurer.

More often than not, the inducer of a perjurer plays a great role in convincing or encouraging him to retract a previous statement or to fabricate a charge against another even if factually untrue.

It is urged that to institute an effective justice system, people must be made to recognize the sanctity and solemnity of an oath and make them feel that honesty is precious than material wealth.


ALFREDO S. LIM
Senator

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

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SENATE
S. No. 1316

Introduced by Senator ALFREDO S. LIM

S. No. _____
H. No. _____

REPUBLIC ACT NO. _____

AN ACT
INCREASING THE PENALTY FOR THE CRIME OF
PERJURY PUNISHABLE UNDER ARTICLE 183 OF
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. This Act shall be known as the Anti-Perjury Act of 2004.

Section 2. The penalty for perjury in solemn affirmation punishable under
Art. 182 of the Revised Penal Code with *arresto mayor* in its maximum period to
prision correccional in its minimum period is hereby increased by two (2)
degrees.

Section 3. Art. 182 is thus amended to read as follows:

Art. 182. False testimony in other cases and perjury in solemn
affirmation. – The penalty of *prision mayor* in its minimum period to
prision mayor in its medium period shall be imposed upon any
person who, knowingly making untruthful statements and not being
included in the provisions of the next preceding articles, shall testify
under oath, or make an affidavit, upon any material matter before a
competent person authorized to administer an oath in cases in
which the law so requires.

Any person who, in case of solemn affirmation made in lieu of an oath, shall commit any of the falsehoods mentioned in this and the three preceding articles of this section, shall suffer the respective penalties provided therein.

Section 4. *Subornation of Perjury.* – Any person who procures or induces another to swear falsely or execute a statement under oath for the purpose of charging or accusing another person with a crime or offense and the person suborned testifies under the circumstances rendering him guilty of perjury shall be liable for subornation of perjury punishable with *prision mayor* in its minimum period to *prision mayor* in its medium period.

Section 5. This Act shall take effect upon its approval.

Approved, _____.


ALFREDO S. LIM
Senator