

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

'04 JUL 14 P3:18

SENATE
S. B. NO. 1430

RECEIVED BY _____

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Republic Act No. 6539, a.k.a. the Anti-Carnapping Act of 1972, was enacted to curb theft of motor vehicles. Apparently, this law has considerably failed to address this problem as carnapping has become even more rampant over the past years.

This bill amends the present law as it eliminates the defense of good faith on the part of a person who may have purchased a stolen or carnapped motor vehicle. Thus, a carnapped motor vehicle, even if found in the possession of a purchaser in good faith, may still be rightfully recovered by the registered owner thereof.

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

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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**AN ACT
REQUIRING THE IMMEDIATE RETURN OF CARNAPPED VEHICLES TO
THE LAWFUL OWNERS THEREOF, AMENDING FOR THE PURPOSE R.A.
NO. 6539, OTHERWISE KNOWN AS THE 'ANTI-CARNAPPING ACT OF 1972'
AND FOR OTHER PURPOSES**

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

SECTION 1. A new Section is hereby inserted between Sections 6 and 7 of Republic Act No. 6539, otherwise denominated as Section 6-A, which shall read as follows:

SEC. 6-A WHERE A MOTOR VEHICLE HAS BEEN FOUND TO BE INCLUDED IN THE PHILIPPINE NATIONAL POLICE LIST OF CARNAPPED MOTOR VEHICLES AND SAID VEHICLE IS IN THE POSSESSION OF A PURCHASER, THE LATTER, REGARDLESS OF WHETHER HE IS A BUYER IN GOOD FAITH, UPON DEMAND BY THE REGISTERED OWNER OR HIS DULY AUTHORIZED REPRESENTATIVE SHALL RETURN THE STOLEN MOTOR VEHICLE TO SAID OWNER OR HIS REPRESENTATIVE WITHIN SEVENTY TWO (72) HOURS FROM DEMAND. ANY REFUSAL ON THE PART OF THE SAID PURCHASER SHALL BE PRIMA FACIE EVIDENCE OF HIS KNOWLEDGE OF THE ILLEGAL SOURCE OF THE MOTOR VEHICLE HE BOUGHT AND SHALL RENDER HIM CRIMINALLY LIABLE UNDER SECTION 13 OF THIS ACT; *PROVIDED*, THAT NO RESTRAINING ORDER OR WRIT OF PRELIMINARY INJUNCTION SHALL BE ISSUED BY ANY COURT TO PREVENT THE RECOVERY BY THE OWNER; *PROVIDED FURTHER*, THAT IN THE EVENT

THAT THE STOLEN MOTOR VEHICLE HAS BEEN SUCCESSFULLY REGISTERED IN THE NAME OF SUCH PURCHASER, THE SAME SHALL BE DISREGARDED BY THE LAND TRANSPORTATION OFFICE.”

SECTION 2. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.

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