

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

'04 SEP -1 P2:57

SENATE
S. No. 1746

RECEIVED BY: _____

Introduced by **Senator Richard J. Gordon**

EXPLANATORY NOTE

Many crimes committed today are perpetrated through the use of unlicensed firearms and carnapped motor vehicles or motor vehicles with false number plates. To help in the successful apprehension and prosecution of criminals, this bill proposes that Presidential Decree No. 1829 Penalizing Obstruction of Apprehension and Prosecution of Criminal Offenders be amended to include failing to report stolen or lost firearms to the proper authorities and failing to report carnapped motor vehicles or lost number plates of motor vehicles to the proper authorities as punishable acts in the obstruction of justice.

To elicit a positive duty from every individual to actively participate in the promotion of peace and order in our society and to punish public indifference and apathy, this bill also proposes to penalize having knowledge of or witnessed the actual commission of a crime, concealing and not making known the crime to the proper authorities or failing to give needed testimony in court on the crime.

To obstruct justice is to deny justice and commit a crime against the law. For this and the foregoing reasons, the passage of this bill is earnestly sought.



RICHARD J. GORDON
Senator

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AN ACT AMENDING SECTION 1 OF PRESIDENTIAL DECREE NO. 1829 PENALIZING OBSTRUCTION OF APPREHENSION AND PROSECUTION OF CRIMINAL OFFENDERS

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

1 SECTION 1. Section 1 of Presidential Decree No. 1829 Penalizing
2 Obstruction of Apprehension and Prosecution of Criminal Offenders is hereby
3 amended to read as follows:

4 "Section 1. The penalty of prision correccional in its maximum
5 period, or a fine ranging from 1,000 to 6,000 pesos, or both, shall be
6 imposed upon any person who knowingly or willfully obstructs,
7 impedes, frustrates or delays the apprehension of suspects and the
8 investigation and prosecution of criminal cases by committing any of
9 the following acts:

10 XXX

11 (i) Giving of false or fabricated information to mislead or prevent
12 the law enforcement agencies from apprehending the offender or from
13 protecting the life or property of the victim; or fabricating information
14 from the data gathered in confidence by investigating authorities for
15 purposes of background information and not for publication and

1 publishing or disseminating the same to mislead the investigator or the
2 court[.];

3 (J) FAILING TO REPORT STOLEN OR LOST FIREARMS TO
4 THE PROPER AUTHORITIES;

5 (K) FAILING TO REPORT CARNAPPED MOTOR VEHICLES
6 OR LOST NUMBER PLATES OF MOTOR VEHICLES TO THE
7 PROPER AUTHORITIES; AND

8 ~~---~~ (L) ~~---~~HAVING KNOWLEDGE OF AND WITNESSED THE
9 ACTUAL COMMISSION OF A CRIME, CONCEALING AND NOT
10 MAKING KNOWN THE CRIME TO THE PROPER AUTHORITIES OR
11 FAILING TO GIVE NEEDED TESTIMONY IN COURT ON THE
12 CRIME.

13 X X X"

14 Sec. 2. *Repealing Clause.* – Any law, presidential decree or issuance,
15 executive order, letter of instruction, rule or regulation inconsistent with Sec. 1 of this
16 Act is hereby repealed or modified accordingly.

17 Sec. 3. *Separability Clause.* – If any portion of Sec. 1 of this Act is declared
18 unconstitutional, the remainder not affected thereby shall remain in force and effect.

19 Sec. 4. *Effectivity Clause.* – This Act shall take effect fifteen (15) days from
20 the date of its publication in at least one (1) newspaper of general circulation.

21 Approved,