



S E N A T E

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COMMITTEE REPORT NO. 49

FEB 17 2020

Submitted by the Committee on Justice and Human Rights on

Re: Senate No. 1354 Prepared by the Committee

Recommending its approval in substitution of Senate Nos. 8, 28, 373 and 1330.

Sponsor: Senator Gordon

MR. PRESIDENT:

The Committee on Justice and Human Rights to which was referred Senate Bill No. 8, introduced by Senator Vicente C. Sotto III, entitled:

"AN ACT INCREASING THE PENALTY FOR THE CRIME OF PERJURY, AMENDING FOR THE PURPOSE ARTICLE 183 OF THE REVISED PENAL CODE, AND FOR OTHER PURPOSES"

Senate Bill No. 28, introduced by Senator Panfilo M. Lacson, entitled:

"AN ACT TO AMEND ARTICLES 180, 183 AND 184 OF SECTION TWO, CHAPTER TWO, TITLE FOUR OF ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AS AMENDED"

Senate Bill No. 373, introduced by Senator Leila M. De Lima, entitled:

"AN ACT AMENDING ARTICLES 180, 183, AND 184 OF ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AS AMENDED, INCREASING THE PENALTIES THEREOF, CRIMINALIZING SUBORNATION OF PERJURY, AND FOR OTHER PURPOSES"

and

Senate Bill No. 1330, introduced by Senator Richard J. Gordon, entitled:

"AN ACT AMENDING ARTICLE 183 ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE"

has considered the same and has the honor to report it back to the Senate with the recommendation that the attached **Senate No. 1354** prepared by the Committee, entitled:

"AN ACT AMENDING ARTICLES 183 AND 184 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE"

be approved in substitution of Senate Nos. 8, 28, 373 and 1330 with Senators Vicente C. Sotto III, Panfilo M. Lacson, Leila M. De Lima and Richard J. Gordon as authors thereof.

Respectfully submitted:

Chairperson



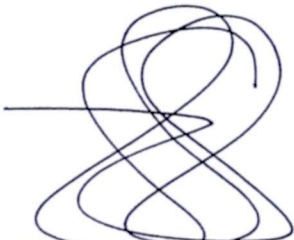
RICHARD J. GORDON

Vice Chairperson:



PANFILO M. LACSON

Members:



EMMANUEL "MANNY" D. PACQUIAO



WIN GATCHALIAN



MANUEL "LITO" M. LAPID

SONNY ANGARA



AQUILINO "KOKO" PIMENTEL III

FRANCIS "KIKO" PANGILINAN

LEILA M. DE LIMA

For the substitute bill amending the Revised Penal Code Provisions on Perjury


LEILA M. DE LIMA

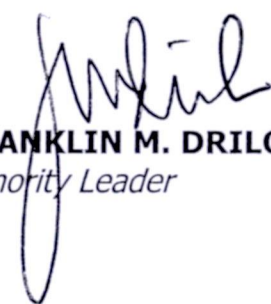
Committee on Justice and Human Rights

Ex Officio Members

RALPH G. RECTO
President Pro Tempore



JUAN MIGUEL F. ZUBIRI
Majority Leader



FRANKLIN M. DRILON
Minority Leader

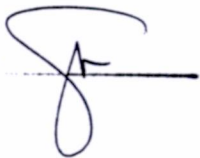
will interpellate

VICENTE C. SOTTO III
Senate President

SENATE

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S.B. No. 1354

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(In substitution of Senate Bill Nos. 8, 28, 373 and 1330)

Prepared by the Committee on Justice and Human Rights with Senators Sotto III
Lacson, De Lima and Gordon as authors

AN ACT
AMENDING ARTICLES 183 AND 184 OF ACT NO. 3815, AS
AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

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

1 **SECTION 1.** Article 183 of Act No. 3815, as amended, otherwise known as the
2 Revised Penal Code, is hereby amended to read as follows:

3 "Article 183. False testimony in other cases and perjury in solemn
4 affirmation. - The penalty of [~~arresto mayor in its maximum~~
5 ~~period to prision correccional in its minimum period]~~

6 **PRISION MAYOR IN ITS MINIMUM PERIOD TO PRISION**

7 **MAYOR IN ITS MEDIUM PERIOD** shall be imposed upon any

8 person who, knowingly make untruthful statements and not being

9 included in the provisions of the next preceding articles, shall testify

10 under oath, or make an affidavit, upon any material matter before

1 a competent person authorized to administer an oath in cases in
2 which the law so requires.

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

7 **ANY PERSON WHO SHALL INCRIMINATE OR IMPUTE,**
8 **THROUGH FALSE TESTIMONY OR UNTRUTHFUL**
9 **STATEMENTS UNDER OATH OR THROUGH AN AFFIDAVIT,**
10 **ANY PERSON THE COMMISSION OF A CRIME SHALL**
11 **SUFFER THE SAME PENALTY AS THAT BEING IMPUTED.**

12 ***PROVIDED, FURTHER,* THAT, IF WHAT IS BEING**
13 **INCRIMINATED OR IMPUTED TO A PERSON PROVIDES FOR**
14 **A LESSER PENALTY THAN WHAT IS PROVIDED FOR IN THE**
15 **FIRST PARAGRAPH OF THIS ARTICLE, THAT PERSON SHALL**
16 **SUFFER THE SAME PENALTY AS PROVIDED THEREOF.**

17 ***PROVIDED, FURTHER,* THAT, IF THE PERSON RESPONSIBLE**
18 **FOR THE COMMISSION OF THIS FELONY IS A PUBLIC**
19 **OFFICER OR EMPLOYEE, THE PENALTY SHALL BE IMPOSED**
20 **IN ITS MAXIMUM PERIOD. *PROVIDED, FINALLY,* THAT, THE**
21 **OFFENDER SHALL ALSO SUFFER A FINE NOT TO EXCEED**
22 **ONE MILLION (Php 1,000,000.00) AND PERPETUAL**

1 **ABSOLUTE DISQUALIFICATION FROM HOLDING ANY**
2 **APPOINTIVE OR ELECTIVE POSITION IN THE**
3 **GOVERNMENT OR IN ANY AGENCY, ENTITY OR**
4 **INSTRUMENTALITY THEREOF."**

5 **Sec. 2.** Section 184 of the same Act, as amended, is hereby further amended
6 to read as follows:

7 Art. 184. Offering false testimony in evidence. — Any person who
8 shall **WILLFULLY AND** knowingly offer in evidence a false witness
9 or testimony in any judicial or official proceeding, shall be punished
10 as guilty of false testimony and shall suffer the respective penalties
11 provided in this section.

12 **Sec. 3. Separability Clause.** If any provision of this Act is declared
13 unconstitutional, the same shall not affect the validity and effectivity of the other
14 provisions thereof.

15 **Sec. 4. Repealing Clause.** All laws, rules and regulations that may be
16 inconsistent with the provisions of this Act are hereby repealed or amended
17 accordingly.

18 **Sec. 5. Effectivity.** This Act shall take effect after fifteen (15) days following
19 the completion of its publication either in the Official Gazette or in a newspaper of
20 general circulation in the Philippines.

21 *Approved,*