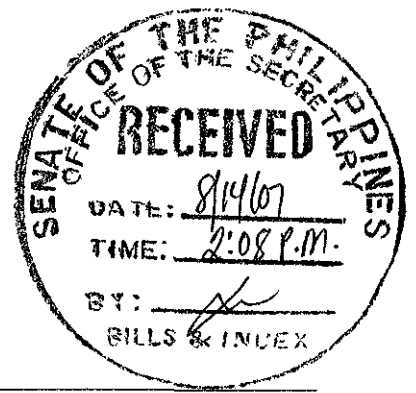


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 1454



Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Penal Code, Articles 171 and 172 severely punish any person who falsifies a document. Despite these provisions, falsification of titles of land remains unabated. These prohibited acts make a mockery of the stability and reliability of the certificates of title under the Torrens System.

This bill seeks to curb the practice of fabrication of Torrens Title by imposing stiffer penalties upon any person who shall falsify these documents.

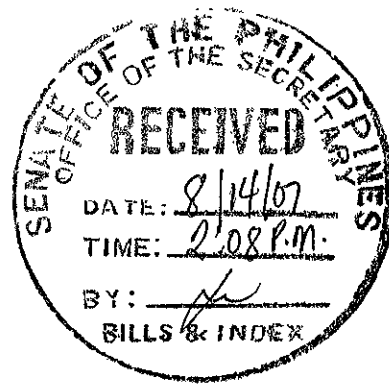
This bill is a product of the public hearings conducted by the Committee on Constitutional Amendments, Revision of Codes and Laws during the 10th Congress.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
eds

* This bill was re-filed during the Thirteenth Congress, First Regular Session.

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

SENATE
S. No. 1454



Introduced by Senator Miriam Defensor Santiago

AN ACT
AMENDING ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE PENAL
CODE, ARTICLES 171 AND 172, IMPOSING STIFFER PENALTIES FOR THE
FALSIFICATION OF TORRENS CERTIFICATES OF TITLE

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

SECTION 1. Section 171 of Act No. 3815, as amended, otherwise known as the Penal Code, is hereby amended to read as follows:

“Art. 171. Falsification by public officer, employee or notary or ecclesiastic minister. The penalty of *prision mayor* and a fine not to exceed Five Thousand Pesos (P5,000.00) shall be imposed upon any public officer, employee, or notary who, taking advantage of his official position, shall falsify a document by committing any of the following acts:

xxx xxx xxx

The same penalty shall be imposed upon any ecclesiastical minister who shall commit any of the offenses enumerated in the preceding paragraphs of this article, with respect to any record or document of such character that its falsification may affect the civil status of persons.

THE PENALTY OF RECLUSION TEMPORAL IN ITS MAXIMUM PERIOD AND A FINE OF FIFTY THOUSAND PESOS (P50,000.00) SHALL BE IMPOSED UPON ANY PUBLIC OFFICER WHO SHALL FALSIFY A TORRENS CERTIFICATE OF TITLE BY COMMITTING ANY OF THE ACTS ENUMERATED ABOVE OR BY CAUSING THE SPURIOUS MANUFACTURE OF THE SAME.

SECTION 2. Article 172 of Act No. 3815 as amended, otherwise known as the Revised Penal Code, is hereby amended to read as follows:

“Art. 172. Falsification by Private Individuals and Use of Falsified Documents. – The penalty of *prision correccional* and its medium and maximum periods and a fine of not more than Five Thousand Pesos (P5,000.00) shall be imposed upon:

(1) Any private individual who shall commit any of the falsifications enumerated in the next preceding article in any public or official document or letter of exchange or any other kind of commercial document. PROVIDED, THAT, THE PENALTY OF PRISION MAYOR AND A FINE OF TWENTY FIVE THOUSAND PESOS (P25,000.00) SHALL BE IMPOSED IF SAID PRIVATE INDIVIDUAL FALSIFIES A TORRENS CERTIFICATE OF TITLE OR CONSPIRES WITH THE PUBLIC OFFICER MENTIONED IN THE IMMEDIATELY PRECEDING ARTICLE IN THE FALSIFICATION OF THE SAME; and

(2) Any person who, to the damage of a third party, or with the intent to cause such damage, shall in any private document commit any of the acts of falsification enumerated in the next preceding article.

Any person who shall knowingly introduce any evidence in any judicial proceeding or to the damage of another who, with the intent to cause such damage, shall use any of the false documents embraced in the next preceding article, or in any of the foregoing subdivision of this article, shall be punished by the penalty next lower in degree.

SECTION 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 provisions of this Act is hereby repealed, modified or amended accordingly.

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

Approved,