

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

7 SEP 43

SENATE
S. No. 1510

RECEIVED BY: [Signature]

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

This bill seeks to amend Act No. 3815, otherwise known as the Penal Code, Chapter 3, Article 310, by increasing the penalties for certain instances of qualified theft. The reason for the increase of penalty for certain cases of qualified theft is found in the debased form of criminality met in one who, in the midst of a great calamity, instead of lending aid to the afflicted, adds to their suffering by taking advantage of their misfortune to despoil them.

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


Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
[Signature]

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

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

7 SEP -3 1919

SENATE
S. No. 1510

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1 AN ACT
2 AMENDING ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE PENAL
3 CODE, ARTICLE 310, TO INCREASE THE PENALTIES IN CERTAIN INSTANCES OF
4 QUALIFIED THEFT

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

7 SECTION 1. Article 310, Chapter 3 of Republic Act No. 3815, as amended, otherwise
8 known as the Penal Code, is hereby further amended to read as follows:

9 "ART. 310. Qualified Theft. – The crime of theft shall be punished by the
10 penalties next higher by two degrees than those respectively specified in the next
11 preceding articles, if committed by a domestic servant, or with grave abuse of
12 confidence, or if the property stolen is a motor vehicle, mail matter or large cattle
13 or consists of coconut taken from the premises of the plantation or fish taken from
14 a fishpond or fishery.

15 THE PENALTY OF RECLUSION TEMPORAL IN ITS MAXIMUM
16 PERIOD TO RECLUSION PERPETUA SHALL BE IMPOSED IF THE
17 PROPERTY IS TAKEN ON THE OCCASION OF THE FOLLOWING OR
18 IMMEDIATELY THEREAFTER:

19 A) FIRE, EARTHQUAKE, TYPHOON, VOLCANIC ERUPTION, FLOODS,
20 OR ANY OTHER CALAMITY NATURAL OR MAN-MADE;

21 B) CIVIL DISRUPTION OR DISTURBANCE, PUBLIC WANT OR
22 EMERGENCY; AND

23 C) ACCIDENTS INVOLVING LAND, SEA, AIR AND TRANSPORT. THE
24 PENALTY SHALL ALSO APPLY IF THE PROPERTY IS TAKEN FROM A

1 VICTIM OF A CRIME COMMITTED BY ANOTHER, OR FROM PERSONS
2 IN DISTRESS.

3 THE PENALTY OF RECLUSION PERPETUA SHALL BE IMPOSED IF THE
4 OFFENDER IS A LAW ENFORCEMENT AGENT OR OFFICER; A
5 BARANGAY OFFICIAL, IF SUCH HAPPENS IN HIS JURISDICTION; A
6 FIREMAN OF THE BUREAU OF FIRE PROTECTION AND OF OTHER
7 CIVIL ORGANIZATIONS EXERCISING THE SAME FUNCTIONS AND
8 ANY OTHER GOVERNMENT OFFICIAL OR EMPLOYEE ENTRUSTED
9 WITH A DUTY TO RENDER ASSISTANCE ON THE FOREGOING
10 OCCURRENCES.”

11 SECTION 2. *Repealing Clause.* – Any law, presidential decree or issuance, executive
12 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
13 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

14 SECTION 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
15 publication in at least two (2) newspapers of general circulation.

16 Approved,