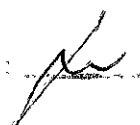


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE CLERK OF THE SENATE

10 JUL 13 P4:15

SENATE
S.B. No. 1426

RECEIVED BY: 

Introduced by Senator Loren Legarda

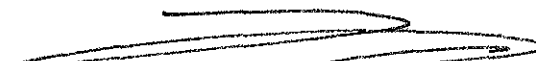
EXPLANATORY NOTE

This bill seeks to qualify the killing of members of broadcast and print media in the performance of their duties as a crime of murder to protect them while in the lawful exercise of their functions.

According to a study made by the Center for Media Freedom and Responsibility, there have been 28 journalists and media practitioners killed in the line of duty since 2001. In the course of the recently concluded 2010 elections, there have likewise been numerous killings of media persons. These reported killings have brought undue attention on the country's state of press freedom, supposedly one of the freest in the world. We cannot have that in a republican democratic state where democracy is primarily anchored on the freedom of speech and of expression, and where media is considered the Fourth Estate.

There is a need to stop these killings and protect members of the media in the discharge of their functions. This bill addresses such need by classifying the killing of a member of the media while in the lawful exercise of his or her duties as a crime of murder under Article 248 of the Revised Penal Code.

In view of the foregoing, immediate passage of this bill is earnestly requested.

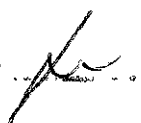

LOREN LEGARDA
Senator

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

OFFICE OF THE SECRETARY

10 JUL 13 11:15

SENATE
S.B. No. 1426

RECEIVED BY 

Introduced by Senator Loren Legarda

AN ACT
QUALIFYING THE KILLING OF MEMBERS OF BROADCAST AND PRINT
MEDIA IN THE LAWFUL EXERCISE OF THEIR FUNCTIONS AS SUCH,
AS A CRIME OF MURDER PUNISHABLE UNDER ARTICLE 248 OF THE
REVISED PENAL CODE, AS AMENDED

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

1 **SECTION 1.** Article 248 of Republic Act No. 3815, as amended, otherwise
2 known as the Revised Penal Code, is hereby further amended to read as follows

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"ART. 248. Murder. -- Any person who, not falling within the
provisions of Article 246 shall kill another, shall be guilty of murder
and shall be punished by reclusion perpetua to death, if committed
with any of the following attendant circumstances:

- 1) With treachery, taking advantage of superior strength, with the aid
of armed men, or employing means to weaken the defense or of means
or persons to insure or afford impunity;
- 2) In consideration of a price, reward or promise;
- 3) By means of inundation, fire poison, explosion, shipwreck,
standing of a vessel, derailment or assault upon a street car or
locomotive, fall of an airship by means of motor vehicle, or with the
use of any other means involving great waste and ruin;
- 4) On occasion of any of the calamities enumerated in the preceding
paragraphs or, any other public calamity;

1 5) With evident premeditation;
2 6) With cruelty, by deliberately and inhumanly augmenting the
3 suffering of the victim, or outraging or scoffing at his person or
4 corpse[.]; AND

5
6 **7) WHEN THE PERSON KILLED IS A MEMBER OF THE**
7 **BROADCAST AND PRINT MEDIA, ON OCCASION, IN THE**
8 **COURSE OR BY REASON OF HIS OR HER LAWFUL EXERCISE**
9 **OF DUTIES OR FUNCTIONS AS SUCH MEMBER."**

10

11 **SEC. 2. *Repealing Clause.*** - All laws decrees, executive orders, rules and
12 regulations or parts thereof, inconsistent the provisions of this Act are hereby
13 amended, modified or repealed accordingly.

14

15 **SEC. 3. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
16 publication in two (2) newspapers of general circulation.

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18 Approved,