

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

SENATE
OFFICE OF THE SECRETARY

10 JUL 22 A9:23

SENATE
S. No. 1863

RECEIVED BY: *RS*

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.*

ack. *Miriam Defensor Santiago*
MIRIAM DEFENSOR SANTIAGO

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

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

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

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

16 (2) Any person who, to the damage of a third party, or with the intent to
17 cause such damage, shall in any private document commit any of the acts of
18 falsification enumerated in the next preceding article. Any person who shall
19 knowingly introduce any evidence in any judicial proceeding or to the damage of
20 another who, with the intent to cause such damage, shall use any of the false
21 documents embraced in the next preceding article, or in any of the foregoing
22 subdivision of this article, shall be punished by the penalty next lower in degree."

23 SECTION 3. *Repealing Clause.* - Any law, presidential decree or issuance, executive
24 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
25 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

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

Approved,