

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

OFFICE OF THE SECRETARY
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SENATE

S. B. No. 2117

Introduced by Senator FRANCIS G. ESCUDERO

EXPLANATORY NOTE

To date, there are no means with which to protect public officials from individuals bringing malicious accusations at them, yet the Revised Penal Code provides aggravated criminal liability for any public officer found taking advantage of his position. There should be a counter-balance to this law, otherwise anyone can just falsely accuse a public official of a crime without fear of prosecution except for a counter-suit. Moreover and in such cases, the defendant, being a public officer, will have to suffer loss of integrity (which he may never regain regardless of the outcome of the case). More importantly, the public official may be hindered from doing his duties competently.

In the end it is the public who ultimately suffers. It is a waste of the government's time and money to investigate these false accusations only to dismiss them later on. This bill punishes false accusers of government officials so that it may serve as a deterrent to the former, who may use the complaint to disparage and embarrass the later.

Hence, the passage of this bill is immediately sought.



FRANCIS G. ESCUDERO

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AN ACT AMENDING ARTICLE 359 OF ACT NO. 3815, AS AMENDED,
OTHERWISE KNOWN AS THE REVISED PENAL CODE

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

1 SECTION 1. Article 359 of Act No. 3815, as amended, is further amended
2 to read as follows:

3 "Art. 359. Slander by deed. - The penalty of [arresto mayor in its
4 maximum] PRISION MAYOR IN ITS MINIMUM period to
5 [prision correccional in its minimum] ITS MAXIMUM period or a
6 fine [ranging from 200 to 1,000 pesos] OF 100,000 PESOS, OR
7 BOTH, shall be imposed upon any person who shall perform any
8 act not included and punished in this title, which shall cast
9 dishonor, discredit, or contempt upon another person, SUCH AS,
10 BUT NOT LIMITED TO, THE INTENTIONAL FILING OF A
11 FALSE COMPLAINT IN COURT OR IN ANY OTHER
12 AGENCIES OF GOVERNMENT EXERCISING QUASI-
13 JUDICIAL OR ADMINISTRATIVE POWERS. If said act is not of
14 a serious nature, the penalty shall be [arresto menor] PRISION
15 MAYOR IN ITS MINIMUM TO ITS MEDIUM PERIOD or a fine
16 [not exceeding 200 pesos] OF 50,000 PESOS.

17 IF DURING THE COURSE OF THE INVESTIGATION
18 OR TRIAL IT IS PROVEN THAT THE ABOVE FALSE
19 COMPLAINT HAS BEEN OR IS BEING USED BY THE
20 COMPLAINANT AS A LEVERAGE AGAINST ANY PERSON
21 IN ORDER TO GAIN ADVANTAGE OR TO RECEIVE A
22 FAVORABLE DECISION, ACTION OR RESOLUTION ON ANY
23 MATTER, THE MAXIMUM PENALTY PROVIDED HEREIN
24 SHALL BE IMPOSED."

25 SEC. 4. Separability Clause. - If any provision of this Act is declared
26 invalid by a competent court, the remainder of this Act or any provision not
27 affected by such declaration of invalidity shall remain in force and effect.

1 **SEC. 5. Repealing Clause.** - All laws, presidential decrees, executive
2 orders, other executive issuances, rules and regulations or parts thereof are
3 hereby repealed amended or modified accordingly.

4 **SEC 6. Effectivity** - This act shall take effect fifteen (15) days after its
5 publication in the Official Gazette or at least two (2) newspapers of general
6 circulation.

7 **Approved,**