

10 AUG 11 2018

SENATE  
S. No. 2383

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Introduced by Senator JUAN MIGUEL F. ZUBIRI

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**EXPLANATORY NOTE**

The removal of the death penalty in our law books in 2006 was warmly welcomed by several sectors of our society, including other countries and international organizations. However, it was also greeted with jubilation by criminal syndicates and hardened criminals.

Recent events would prove the fear of the silent majority of our society to be true, that is, the repeal of the death penalty sets us back on our peace and order efforts and that it emboldens criminals to wantonly disregard the rule of law and the dignity of human life.

In May of 2008, the country has become witness to the gruesome and bloody killings of 10 officials and employees of the Rizal Commercial Banking Corporation (RCBC) Branch in Cabuyao, Laguna. This dastardly act which was executed by the perpetrators of this heinous crime was done on May 16, 2008 in broad daylight and just before the bank opened for its customers. Others even described the killings as the "work of the devil."

A few days after this horrible incident, another indiscriminate killing of two families of farmers in Calamba, Laguna happened. The list goes on and on and the families of these innocent victims cry out for proportionate justice. But without the death penalty for these heinous crimes, justice would always become elusive for the families of these victims.

On November 23, 2009, a combined group of police and para-military aides of the Ampatuan political clan had massacred more than 50 unarmed civilians of which 30 were journalists. It is ironic that the witnesses felt more threatened and feared for their lives more than the suspects who hope to one day go free.

Meanwhile, the Philippines continues to be known as a transshipment point of illegal drugs as proven by the 1.9 tons of high-grade cocaine off-loaded by a foreign vessel along the coast of Samar in December 2009. Reports say the cocaine came from South America.

In an island barangay in Zamboanga City, five fishermen were shot and stabbed dead by pirates August 6, 2010. Reports said pirates frequently killed fishermen to steal the vessels' engines in the Sibugay area.

Likewise in Puerto Princesa City on August 9, 2010, assailants stabbed dead a retired Lieutenant Commodore of the Philippine Navy and four relatives including his wife, a Navy nurse in active duty.

The reimposition of the death penalty will make these criminal syndicates and hardened criminals think twice before they perpetrate their heinous crimes. It is in this light that this bill is being introduced. Unlike RA 7659, the law imposing the death penalty on certain heinous crimes which was repealed by RA 9346, the proposed measure seeks to reimpose the death penalty only for multiple murders and certain atrocious criminal acts under RA 9165 or the Comprehensive Dangerous Drugs Act of 2002.


Hence, approval of this bill is earnestly sought.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right, positioned above the printed name.

**JUAN MIGUEL F. ZUBIRI**

10 AUG 11 2018

SENATE

RECEIVED BY 

S. No. 2383

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Introduced by Senator JUAN MIGUEL F. ZUBIRI

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AN ACT  
REIMPOSING THE PENALTY OF DEATH ON CERTAIN HEINOUS CRIMES,  
AMENDING FOR THE PURPOSE CERTAIN SECTIONS OF THE REVISED PENAL  
CODE, AS AMENDED, AND OTHER RELATED LAWS,  
AND FOR OTHER PURPOSES

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

1 **Section. 1.** *Declaration of Policy.* - It is hereby declared the policy of the State to foster  
2 and ensure not only obedience to its authority, but also to adopt such measures as  
3 would effectively promote the maintenance of peace and order, the protection of life,  
4 liberty and property, and the promotion of the general welfare which are essential for the  
5 enjoyment by all the people of the blessings of democracy in a just and humane society;

6 **Sec. 2.** Article 248 of the Revised Penal Code is hereby amended to read as follows:  
7

8 "Art. 248. **Murder.** - Any person who, not falling within the provisions of Article  
9 246 shall kill another, shall be guilty of murder and shall be punished by *reclusion*  
10 *perpetua*, TO DEATH if committed with any of the following attendant  
11 circumstances:  
12

13 "1. With treachery, taking advantage of superior strength, with the aid of armed  
14 men, or employing means to weaken the defense or of means or persons to  
15 insure or afford impunity.  
16

17 "2. In consideration of a price, reward or promise.  
18

19 "3. By means of inundation, fire, poison, explosion, shipwreck, stranding of a  
20 vessel, derailment or assault upon a railroad, fall of an airship, or by means of

1 motor vehicles, or with the use of any other means involving great waste and  
2 ruin.

3  
4 "4. On occasion of any of the calamities enumerated in the preceding  
5 paragraph, or of an earthquake, eruption of a volcano, destructive cyclone,  
6 epidemic or other public calamity.

7  
8 "5. With evident premeditation.

9  
10 "6. With cruelty, by deliberately and inhumanly augmenting the suffering of the  
11 victim, or outraging or scoffing at his person or corpse."

12  
13 **Sec. 3.** Sections 4, 5, 6, 8, 11, 16, 19 and 27 of Article II of Republic Act No. 9165, as  
14 amended, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, are  
15 hereby amended to read as follows:

16 Section 4. *Importation of Dangerous Drugs and/or Controlled Precursors*  
17 *and Essential Chemicals.*- The penalty of life imprisonment TO DEATH and a  
18 fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million  
19 pesos (P10,000,000.00) shall be imposed upon any person, who, unless  
20 authorized by law, shall import or bring into the Philippines any dangerous drug,  
21 regardless of the quantity and purity involved, including any and all species of  
22 opium poppy or any part thereof or substances derived therefrom even for floral,  
23 decorative and culinary purposes.

24 The penalty of imprisonment ranging from twelve (12) years and one (1)  
25 day to twenty (20) years and a fine ranging from One hundred thousand pesos  
26 (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed  
27 upon any person, who, unless authorized by law, shall import any controlled  
28 precursor and essential chemical.

29 The maximum penalty provided for under this Section shall be imposed  
30 upon any person, who, unless authorized under this Act, shall import or bring into  
31 the Philippines any dangerous drug and/or controlled precursor and essential  
32 chemical through the use of a diplomatic passport, diplomatic facilities or any  
33 other means involving his/her official status intended to facilitate the unlawful  
34 entry of the same. In addition, the diplomatic passport shall be confiscated and  
35 canceled.

1           The maximum penalty provided for under this Section shall be imposed  
2 upon any person, who organizes, manages or acts as a "financier" of any of the  
3 illegal activities prescribed in this Section.

4           The penalty of twelve (12) years and one (1) day to twenty (20) years of  
5 imprisonment and a fine ranging from One hundred thousand pesos  
6 (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed  
7 upon any person, who acts as a "protector/coddler" of any violator of the  
8 provisions under this Section.

9           Section 5. *Sale, Trading, Administration, Dispensation, Delivery,*  
10 *Distribution and Transportation of Dangerous Drugs and/or Controlled Precursors*  
11 *and Essential Chemicals.* - The penalty of life imprisonment TO DEATH and a  
12 fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million  
13 pesos (P10,000,000.00) shall be imposed upon any person, who, unless  
14 authorized by law, shall sell, trade, administer, dispense, deliver, give away to  
15 another, distribute dispatch in transit or transport any dangerous drug, including  
16 any and all species of opium poppy regardless of the quantity and purity  
17 involved, or shall act as a broker in any of such transactions.

18           The penalty of imprisonment ranging from twelve (12) years and one (1)  
19 day to twenty (20) years and a fine ranging from One hundred thousand pesos  
20 (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed  
21 upon any person, who, unless authorized by law, shall sell, trade, administer,  
22 dispense, deliver, give away to another, distribute, dispatch in transit or transport  
23 any controlled precursor and essential chemical, or shall act as a broker in such  
24 transactions.

25           If the sale, trading, administration, dispensation, delivery, distribution or  
26 transportation of any dangerous drug and/or controlled precursor and essential  
27 chemical transpires within one hundred (100) meters from the school, the  
28 maximum penalty shall be imposed in every case.

29           For drug pushers who use minors or mentally incapacitated individuals as  
30 runners, couriers and messengers, or in any other capacity directly connected to  
31 the dangerous drugs and/or controlled precursors and essential chemical trade,  
32 the maximum penalty shall be imposed in every case.

33           If the victim of the offense is a minor or a mentally incapacitated individual,  
34 or should a dangerous drug and/or a controlled precursor and essential chemical

1 involved in any offense herein provided be the proximate cause of death of a  
2 victim thereof, the maximum penalty provided for under this Section shall be  
3 imposed.

4 The maximum penalty provided for under this Section shall be imposed  
5 upon any person who organizes, manages or acts as a "financier" of any of the  
6 illegal activities prescribed in this Section.

7 The penalty of twelve (12) years and one (1) day to twenty (20) years of  
8 imprisonment and a fine ranging from One hundred thousand pesos  
9 (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed  
10 upon any person, who acts as a "protector/coddler" of any violator of the  
11 provisions under this Section. \*

12 Section 6. *Maintenance of a Den, Dive or Resort.* - The penalty of life  
13 imprisonment TO DEATH and a fine ranging from Five hundred thousand pesos  
14 (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any  
15 person or group of persons who shall maintain a den, dive or resort where any  
16 dangerous drug is used or sold in any form.

17 The penalty of imprisonment ranging from twelve (12) years and one (1)  
18 day to twenty (20) years and a fine ranging from One hundred thousand pesos  
19 (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed  
20 upon any person or group of persons who shall maintain a den, dive, or resort  
21 where any controlled precursor and essential chemical is used or sold in any  
22 form.

23 The maximum penalty provided for under this Section shall be imposed in  
24 every case where any dangerous drug is administered, delivered or sold to a  
25 minor who is allowed to use the same in such a place.

26 Should any dangerous drug be the proximate cause of the death of a  
27 person using the same in such den, dive or resort, the PENALTY OF DEATH and  
28 a fine ranging from One million (P1,000,000.00) to Fifteen million pesos  
29 (P15,000,000.00) shall be imposed on the maintainer, owner and/or operator.

30 If such den, dive or resort is owned by a third person, the same shall be  
31 confiscated and escheated in favor of the government: *Provided*, That the  
32 criminal complaint shall specifically allege that such place is intentionally used in  
33 the furtherance of the crime: *Provided, further*, That the prosecution shall prove

1 such intent on the part of the owner to use the property for such purpose:  
2 *Provided, finally,* That the owner shall be included as an accused in the criminal  
3 complaint.

4 The maximum penalty provided for under this Section shall be imposed  
5 upon any person who organizes, manages or acts as a "financier" of any of the  
6 illegal activities prescribed in this Section.

7 The penalty twelve (12) years and one (1) day to twenty (20) years of  
8 imprisonment and a fine ranging from One hundred thousand pesos  
9 (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed  
10 upon any person, who acts as a "protector/coddler" of any violator of the  
11 provisions under this Section.

12 "xxx"

13 Section 8. *Manufacture of Dangerous Drugs and/or Controlled Precursors*  
14 *and Essential Chemicals.* - The penalty of life imprisonment TO DEATH and a  
15 fine ranging Five hundred thousand pesos (P500,000.00) to Ten million pesos  
16 (P10,000,000.00) shall be imposed upon any person, who, unless authorized by  
17 law, shall engage in the manufacture of any dangerous drug.

18 The penalty of imprisonment ranging from twelve (12) years and one (1)  
19 day to twenty (20) years and a fine ranging from One hundred thousand pesos  
20 (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed  
21 upon any person, who, unless authorized by law, shall manufacture any  
22 controlled precursor and essential chemical.

23 The presence of any controlled precursor and essential chemical or  
24 laboratory equipment in the clandestine laboratory is a *prima facie* proof of  
25 manufacture of any dangerous drug. It shall be considered an aggravating  
26 circumstance if the clandestine laboratory is undertaken or established under the  
27 following circumstances:

28 (a) Any phase of the manufacturing process was conducted in the presence or  
29 with the help of minor/s:

30 (b) Any phase or manufacturing process was established or undertaken within  
31 one hundred (100) meters of a residential, business, church or school premises;

32 (c) Any clandestine laboratory was secured or protected with booby traps;

1 (d) Any clandestine laboratory was concealed with legitimate business  
2 operations; or

3 (e) Any employment of a practitioner, chemical engineer, public official or  
4 foreigner.

5 The maximum penalty provided for under this Section shall be imposed  
6 upon any person, who organizes, manages or acts as a "financier" of any of the  
7 illegal activities prescribed in this Section.

8 The penalty of twelve (12) years and one (1) day to twenty (20) years of  
9 imprisonment and a fine ranging from One hundred thousand pesos  
10 (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed  
11 upon any person, who acts as a "protector/coddler" of any violator of the  
12 provisions under this Section.

13 "xxx"

14 Section 11. *Possession of Dangerous Drugs.* - The penalty of life  
15 imprisonment TO DEATH and a fine ranging from Five hundred thousand pesos  
16 (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any  
17 person, who, unless authorized by law, shall possess any dangerous drug in the  
18 following quantities, regardless of the degree of purity thereof:

19 (1) 10 grams or more of opium;

20 (2) 10 grams or more of morphine;

21 (3) 10 grams or more of heroin;

22 (4) 10 grams or more of cocaine or cocaine hydrochloride;

23 (5) 50 grams or more of methamphetamine hydrochloride or "shabu";

24 (6) 10 grams or more of marijuana resin or marijuana resin oil;

25 (7) 500 grams or more of marijuana; and

26 (8) 10 grams or more of other dangerous drugs such as, but not limited to,  
27 methylenedioxymethamphetamine (MDA) or "ecstasy",  
28 paramethoxyamphetamine (PMA), trimethoxyamphetamine (TMA), lysergic acid  
29 diethylamine (LSD), gamma hydroxyamphetamine (GHB), and those similarly



1 designed or newly introduced drugs and their derivatives, without having any  
2 therapeutic value or if the quantity possessed is far beyond therapeutic  
3 requirements, as determined and promulgated by the Board in accordance to  
4 Section 93, Article XI of this Act.

5 Otherwise, if the quantity involved is less than the foregoing quantities, the  
6 penalties shall be graduated as follows:

7 (1) Life imprisonment and a fine ranging from Four hundred thousand pesos  
8 (P400,000.00) to Five hundred thousand pesos (P500,000.00), if the quantity of  
9 methamphetamine hydrochloride or "shabu" is ten (10) grams or more but less  
10 than fifty (50) grams;

11 (2) Imprisonment of twenty (20) years and one (1) day to life imprisonment and a  
12 fine ranging from Four hundred thousand pesos (P400,000.00) to Five hundred  
13 thousand pesos (P500,000.00), if the quantities of dangerous drugs are five (5)  
14 grams or more but less than ten (10) grams of opium, morphine, heroin, cocaine  
15 or cocaine hydrochloride, marijuana resin or marijuana resin oil,  
16 methamphetamine hydrochloride or "shabu", or other dangerous drugs such as,  
17 but not limited to, MDMA or "ecstasy", PMA, TMA, LSD, GHB, and those similarly  
18 designed or newly introduced drugs and their derivatives, without having any  
19 therapeutic value or if the quantity possessed is far beyond therapeutic  
20 requirements; or three hundred (300) grams or more but less than five (hundred)  
21 500) grams of marijuana; and

22 (3) Imprisonment of twelve (12) years and one (1) day to twenty (20) years and a  
23 fine ranging from Three hundred thousand pesos (P300,000.00) to Four hundred  
24 thousand pesos (P400,000.00), if the quantities of dangerous drugs are less than  
25 five (5) grams of opium, morphine, heroin, cocaine or cocaine hydrochloride,  
26 marijuana resin or marijuana resin oil, methamphetamine hydrochloride or  
27 "shabu", or other dangerous drugs such as, but not limited to, MDMA or  
28 "ecstasy", PMA, TMA, LSD, GHB, and those similarly designed or newly  
29 introduced drugs and their derivatives, without having any therapeutic value or if  
30 the quantity possessed is far beyond therapeutic requirements; or less than three  
31 hundred (300) grams of marijuana.

32 "xxx"

33 Section 16. *Cultivation or Culture of Plants Classified as Dangerous Drugs*  
34 *or are Sources Thereof.* - The penalty of life imprisonment TO DEATH and a fine

1 ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos  
2 (P10,000,000.00) shall be imposed upon any person, who shall plant, cultivate or  
3 culture marijuana, opium poppy or any other plant regardless of quantity, which is  
4 or may hereafter be classified as a dangerous drug or as a source from which  
5 any dangerous drug may be manufactured or derived: *Provided*, That in the case  
6 of medical laboratories and medical research centers which cultivate or culture  
7 marijuana, opium poppy and other plants, or materials of such dangerous drugs  
8 for medical experiments and research purposes, or for the creation of new types  
9 of medicine, the Board shall prescribe the necessary implementing guidelines for  
10 the proper cultivation, culture, handling, experimentation and disposal of such  
11 plants and materials.

12 The land or portions thereof and/or greenhouses on which any of said  
13 plants is cultivated or cultured shall be confiscated and escheated in favor of the  
14 State, unless the owner thereof can prove lack of knowledge of such cultivation  
15 or culture despite the exercise of due diligence on his/her part. If the land  
16 involved is part of the public domain, the maximum penalty provided for under  
17 this Section shall be imposed upon the offender.

18 The maximum penalty provided for under this Section shall be imposed  
19 upon any person, who organizes, manages or acts as a "financier" of any of the  
20 illegal activities prescribed in this Section.

21 The penalty of twelve (12) years and one (1) day to twenty (20) years of  
22 imprisonment and a fine ranging from One hundred thousand pesos  
23 (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed  
24 upon any person, who acts as a "protector/coddler" of any violator of the  
25 provisions under this Section.

26 "xxx"

27 Section 19. *Unlawful Prescription of Dangerous Drugs.* The penalty of life  
28 imprisonment TO DEATH and a fine ranging from Five hundred thousand pesos  
29 (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any  
30 person, who, unless authorized by law, shall make or issue a prescription or any  
31 other writing purporting to be a prescription for any dangerous drug.

32 "xxx"

1           Section 27. *Criminal Liability of a Public Officer or Employee for*  
2 *Misappropriation, Misapplication or Failure to Account for the Confiscated,*  
3 *Seized and/or Surrendered Dangerous Drugs, Plant Sources of Dangerous*  
4 *Drugs, Controlled Precursors and Essential Chemicals,*  
5 *Instruments/Paraphernalia and/or Laboratory Equipment Including the Proceeds*  
6 *or Properties Obtained from the Unlawful Act Committed.* The penalty of life  
7 imprisonment TO DEATH and a fine ranging from Five hundred thousand pesos  
8 (P500,000.00) to Ten million pesos (P10,000,000.00), in addition to absolute  
9 perpetual disqualification from any public office, shall be imposed upon any  
10 public officer or employee who misappropriates, misapplies or fails to account for  
11 confiscated, seized or surrendered dangerous drugs, plant sources of dangerous  
12 drugs, controlled precursors and essential chemicals, instruments/paraphernalia  
13 and/or laboratory equipment including the proceeds or properties obtained from  
14 the unlawful acts as provided for in this Act.

15           Any elective local or national official found to have benefited from the  
16 proceeds of the trafficking of dangerous drugs as prescribed in this Act, or have  
17 received any financial or material contributions or donations from natural or  
18 juridical persons found guilty of trafficking dangerous drugs as prescribed in this  
19 Act, shall be removed from office and perpetually disqualified from holding any  
20 elective or appointive positions in the government, its divisions, subdivisions, and  
21 intermediaries, including government-owned or controlled corporations.

22 **Sec. 4.** Article 47 of the same Code is hereby reinstated to read as follows:  
23

24 ART. 47. IN WHAT CASES THE DEATH PENALTY SHALL NOT BE  
25 IMPOSED; AUTOMATIC REVIEW OF THE DEATH PENALTY CASES. - THE  
26 DEATH PENALTY SHALL BE IMPOSED IN ALL CASES IN WHICH IT MUST  
27 BE IMPOSED UNDER EXISTING LAWS, EXCEPT WHEN THE GUILTY  
28 PERSON IS BELOW EIGHTEEN (18) YEARS OF AGE AT THE TIME OF THE  
29 COMMISSION OF THE CRIME OR IS MORE THAN SEVENTY YEARS OF  
30 AGE OR WHEN UPON APPEAL OR AUTOMATIC REVIEW OF THE CASE  
31 BY THE SUPREME COURT, THE REQUIRED MAJORITY VOTE IS NOT  
32 OBTAINED FOR THE IMPOSITION OF THE DEATH PENALTY, IN WHICH  
33 CASES THE PENALTY SHALL BE RECLUSION PERPETUA; SUBJECT TO  
34 THE PROVISIONS OF REPUBLIC ACT NO. 9344 OTHERWISE KNOWN AS  
35 THE JUVENILE AND DELINQUENCY ACT OF 2006.

36  
37 IN ALL CASES WHERE THE DEATH PENALTY IS IMPOSED BY THE TRIAL

1 COURT, THE RECORDS SHALL BE FORWARDED TO THE SUPREME  
2 COURT FOR AUTOMATIC REVIEW AND JUDGMENT BY THE COURT EN  
3 BANC, WITHIN TWENTY (20) DAYS BUT NOT EARLIER THAN FIFTEEN (15)  
4 DAYS AFTER PROMULGATION OF THE JUDGMENT OR NOTICE OF  
5 DENIAL OF ANY MOTION FOR NEW TRIAL OR RECONSIDERATION. THE  
6 TRANSCRIPT SHALL ALSO BE FORWARDED WITHIN TEN (10) DAYS  
7 FROM THE FILING THEREOF BY THE STENOGRAPHIC REPORTER.  
8

9 **Sec. 5.** Article 81 of the same Code, as amended, is hereby reinstated to read as  
10 follows:  
11

12 *ART. 81. WHEN AND HOW THE DEATH PENALTY IS TO BE EXECUTED. -*  
13 THE DEATH SENTENCE SHALL BE EXECUTED WITH PREFERENCE TO  
14 ANY OTHER AND SHALL CONSIST IN PUTTING THE PERSON UNDER  
15 SENTENCE TO DEATH BY LETHAL INJECTION. THE DEATH SENTENCE  
16 SHALL BE EXECUTED UNDER THE AUTHORITY OF THE DIRECTOR OF  
17 PRISONS, ENDEAVORING SO FAR AS POSSIBLE TO MITIGATE THE  
18 SUFFERINGS OF THE PERSON UNDER THE SENTENCE DURING  
19 ELECTROCUTION AS WELL AS DURING THE PROCEEDINGS PRIOR TO  
20 THE EXECUTION.  
21

22 IF THE PERSON UNDER SENTENCE SO DESIRES, HE SHALL BE  
23 ANAESTHESIZED AT THE MOMENT OF THE EXECUTION.  
24

25 AS SOON AS FACILITIES ARE PROVIDED BY THE BUREAU OF PRISONS,  
26 THE METHOD OF CARRYING OUT THE SENTENCE SHALL BE CHANGED  
27 TO GAS POISONING.  
28

29 THE DEATH SENTENCE SHALL BE CARRIED OUT NOT LATER THAN ONE  
30 (1) YEAR AFTER THE JUDGMENT HAS BECOME FINAL.  
31

32 **Sec. 6.** Article 83 of the same Code is hereby reinstated to read as follows:  
33

34 *ART. 83. SUSPENSION OF THE EXECUTION OF THE DEATH SENTENCE. -*  
35 THE DEATH SENTENCE SHALL NOT BE INFLICTED UPON A WOMAN  
36 WHILE SHE IS PREGNANT OR WITHIN ONE (1) YEAR AFTER DELIVERY,  
37 NOR UPON ANY PERSON OVER SEVENTY YEARS OF AGE. IN THIS LAST  
38 CASE, THE DEATH SENTENCE SHALL BE COMMUTED TO THE PENALTY

1 OF RECLUSION PERPETUA WITH THE ACCESSORY PENALTIES  
2 PROVIDED IN ARTICLE 40.

3 "IN ALL CASES WHERE THE DEATH SENTENCE HAS BECOME FINAL,  
4 THE RECORDS OF THE CASE SHALL BE FORWARDED IMMEDIATELY  
5 BY THE SUPREME COURT TO THE OFFICE OF THE PRESIDENT FOR  
6 POSSIBLE EXERCISE OF THE PARDONING POWER.

7  
8 **Sec. 7. Repealing Clause.** – All laws, presidential decrees and issuances, executive  
9 orders, rules and regulations or parts thereof inconsistent with the provisions of this Act  
10 are hereby repealed or modified accordingly.

11 **Sec. 8. Separability Clause.** – If, for any reason or reasons, any part of the provision of  
12 this Act shall be held unconstitutional or invalid, other parts or provisions hereof which  
13 are not affected thereby shall continue to be in full force and effect.

14 **Sec. 9. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in two  
15 (2) national newspapers of general circulation. The publication shall not be later than  
16 seven (7) days after the approval hereof.

17 Approved,