

10 AUG 12 AM 11:17

SENATE

Senate Bill No. 2388

1. PREPARED BY 

---

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

---

EXPLANATORY NOTE

This bill seeks to amend Article 177 of the Revised Penal Code, as amended by increasing the penalty for falsities, misrepresentations and/or usurpation of authority to *prision mayor* in its minimum and medium periods. If the offender is a public official, the penalty to be imposed shall be *prision mayor* in its maximum period. At present, the penalty is *prision correccional* in its maximum and medium periods which is equivalent to imprisonment of six months and one day to two years and four months up to four years and two months.

Article 177 may be violated thru (a) by knowingly and falsely representing oneself to be an officer, agent or representative of any department or agency of the Philippine Government or of any foreign government; (b) by performing any act pertaining to any person in authority or public officer of the Philippine Government or of foreign government or any agency thereof, under pretense of official position and without being lawfully entitled to do so.

This measure is a consolidated/substituted bill drafted by the Committee on Justice and Human Rights during the 14<sup>th</sup> Congress.

In view of the foregoing, approval of this bill is earnestly sought.

  
JINGGOY EJERCITO ESTRADA  
Senator

10 AUG 12 AM 11:17

SENATE

Senate Bill No. 2388

RECEIVED BY

*[Signature]*

---

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

---

AN ACT  
AMENDING ARTICLE 177 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:*

**SECTION 1.** Article 177 of Act No. 3815, as amended, is hereby further amended to read as follows:

*"ART. 177. Usurpation of authority of official functions.*  
Any persons who shall knowingly and falsely represent himself to be an officer, agent or representative of any department or agency of the Philippine Government or of any foreign government, or who under pretence of official position, shall perform any act pertaining to any person in authority or public officer of the Philippine Government or of any foreign government, or any agency thereof, without being lawful entitled to do so, shall suffer the penalty of [prision correctional] **PRISION MAYOR** in its minimum and medium periods: PROVIDED, THAT IF THE OFFENDER IS A PUBLIC OFFICIAL, THE PENALTY TO BE IMPOSED SHALL BE IN ITS MAXIMUM PERIOD."

**SEC. 2. Repealing Clause.** – All laws, decrees, ordinances, rules and regulations, executive or administrative orders, and other presidential issuances inconsistent with this Act, are hereby repealed, amended or modified accordingly.

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

*Approved,*