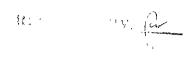
FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

12 FEB 13 11 151

SENATE S. No. **3119**



Introduced by Sen. Aquilino "Koko" L. Pimentel III

EXPLANATORY NOTE

Section 288 of Act 3815, as amended, otherwise known as the "Revised Penal Code," provides for other similar coercions. Coercion is defined as a form of compulsion, force, duress, where a man is forced to do an act against his will or constrain him from doing an act he so wills¹.

There have been cases where government-issued IDs were confiscated by certain individuals for purposes of payment, compliance, regulation, or punishment. A number of our Overseas Filipino Workers had their passports or travel documents retained, confiscated, or withheld by some recruitment agencies or employers to coerce them to pay the latter sums of money.

It is thus, imperative to criminalize the illegal retention, confiscation, and/or withholding of government-issued identification cards, passports or travel documents not only to protect our Overseas Filipino Workers but all other possible victims of this form of coercion.

It is, thus, prayed that the bill would meet the expeditious approval of this Chamber.

AQUILINO "KOKO L. PIMENTEL III

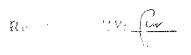
¹ Bryan A. Garner, editor, Black's Law Dictionary 9th ed. (West Group, 2009) ISBN 0-314-19949-7

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

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SENATE S. No. **3115**



Introduced by Sen. Aquilino "Koko" L. Pimentel III

AN ACT CRIMINALIZING ILLEGAL RETENTION OF GOVERNMENT-ISSUED IDENTIFICATION DOCUMENTS AND IMPOSING APPROPRIATE PENALTIES THEREFOR, INCORPORATING FOR THIS PURPOSE AN ADDITIONAL SUB-PARAGRAPH INTO ARTICLE 288 OF ACT 3815 AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE
Be it enacted in the Senate and House of Representatives of the Philippines in Congress assembled:
SECTION 1. There shall be incorporated after the second paragraph of Article 288 of Act 3815, as amended, otherwise known as the "Revised Penal Code" an additional subparagraph which shall read as follows:
ART. 288. Other Similar Coercions
xxxx

XXXX

ILLEGAL RETENTION OF GOVERNMENT-ISSUED IDENTIFICATION. - THE PENALTY OF PRISION CORRECIONAL IN ITS MINIMUM PERIOD AND A FINE OF TWENTY THOUSAND PESOS (P20,000) SHALL BE IMPOSED UPON ANY PERSON, AGENT, OR OFFICER OF ANY ASSOCIATION, CORPORATION, OR

GOVERNMENT OFFICE WHO SHALL CONFISCATE, 1 RETAIN, OR WITHHOLD ANY GOVERNMENT-ISSUED 2 IDENTIFICATION SUCH AS BUT NOT LIMITED TO 3 DRIVER'S LICENSES, PROFESSIONAL REGULATION 4 COMMISSION (PRC) CARDS, EMPLOYMENT IDS, 5 PASSPORTS, AND THE LIKE, FOR THE PURPOSE OR 6 THE **INTENTION OF FORCING** WITH 7 COMPELLING THE OWNERS THEREOF, DIRECTLY OR 8 INDIRECTLY, TO PAY THE FORMER CERTAIN SUMS 9 OF MONEY UNDER ANY CIRCUMSTANCE. 10

- SECTION 2. Repealing Clause. All laws, presidential decrees,
- 12 executive orders, letters of instruction, rules and regulations
- which are inconsistent with any of the provisions of this Act are
- 14 hereby repealed or modified accordingly;
- 15 SECTION 3. Effectivity Clause. This Act shall take effect fifteen
- 16 (15) days after the completion of its publication in the Official
- Gazette or in any newspaper of general circulation.
- 18 Approved,