

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

Office of the Secretary

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SENATE
S. No. 3119

11/1/51

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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12 FEB 13 1951

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

1 **AN ACT CRIMINALIZING ILLEGAL RETENTION OF**
2 **GOVERNMENT-ISSUED IDENTIFICATION DOCUMENTS**
3 **AND IMPOSING APPROPRIATE PENALTIES THEREFOR,**
4 **INCORPORATING FOR THIS PURPOSE AN ADDITIONAL**
5 **SUB-PARAGRAPH INTO ARTICLE 288 OF ACT 3815 AS**
6 **AMENDED, OTHERWISE KNOWN AS THE REVISED**
7 **PENAL CODE**

8
9 *Be it enacted in the Senate and House of Representatives of the*
10 *Philippines in Congress assembled:*

11
12 SECTION 1. There shall be incorporated after the second
13 paragraph of Article 288 of Act 3815, as amended, otherwise
14 known as the "Revised Penal Code" an additional subparagraph
15 which shall read as follows:

16
17 ART. 288. Other Similar Coercions

18
19 XXXX

20
21 XXXX

22
23 **ILLEGAL RETENTION OF GOVERNMENT-ISSUED**
24 **IDENTIFICATION. - THE PENALTY OF PRISION**
25 **CORRECIONAL IN ITS MINIMUM PERIOD AND A**
26 **FINE OF TWENTY THOUSAND PESOS (P20,000) SHALL**
27 **BE IMPOSED UPON ANY PERSON, AGENT, OR**
28 **OFFICER OF ANY ASSOCIATION, CORPORATION, OR**

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

11 SECTION 2. Repealing Clause. - All laws, presidential decrees,
12 executive orders, letters of instruction, rules and regulations
13 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
17 Gazette or in any newspaper of general circulation.

18 Approved,