

Republic of the Philippines
SENATE OF THE PHILIPPINES
Pasay City

RECEIVED
MAY 18 8 39

FIFTEENTH CONGRESS
Second Regular Session

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Senate Bill No. **3211**

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Justice delayed is justice denied. However, this principle is not without exception as the law and the Rules of Court recognize circumstances where delay of administrative or judicial proceedings is justified, the more often used of which is the necessity for immediate medical attendance. To be excused in this regard, a party need only present a medical certificate.

Like every exception to any rule, the excuse offered by medical necessity has been subject to abuse and misuse. Cunning parties who wish to buy time for purposes known only to himself will just look for a willing practitioner with little or no concern for professional medical ethics and ask that he be issued a medical certificate attesting an imagined disability that may not permit the party to attend the proceeding, resulting to an unnecessary delay.

This unscrupulous practice should not go unchecked. Though there are existing laws that may help address this wrongdoing, the same seem to lack the ability to stop this abuse. This illegal conduct is a serious challenge that will spell much on the integrity of every administrative and judicial proceeding. This bill seeks to prevent these unnecessary delays to ensure that the speedy delivery of justice may not be denied.

Early passage of this bill is earnestly sought.


MANUEL "LITO" M. LAPID

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12 MAY 28 1999

FIFTEENTH CONGRESS
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Senate Bill No. **3211**

Introduced by Senator Manuel "Lito" M. Lapid

AN ACT

**INCREASING THE PENALTY FOR FALSIFICATION OF MEDICAL
CERTIFICATES, CERTIFICATE OF MERITS OR SERVICES AND THE LIKE,
AMENDING FOR THAT PURPOSE ARTICLES 174 AND 175 OF SECTION 5,
CHAPTER 1, TITLE IV OF ACT NO. 3815 OTHERWISE KNOWN AS THE REVISED
PENAL CODE AND FOR OTHER PURPOSES**

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

Section 1. Article 174 of Section 5, Chapter 1, Title IV of Act No. 3815 otherwise
known as The Revised Penal Code *is hereby amended to read as follows:*

"Art. 174. False medical certificates, false certificates of merits or service,
etc. - The penalties of [*arresto mayor*] **PRISION CORRECCIONAL** in its
maximum period to [*prision correccional*] **PRISION MAYOR** in its
minimum period and a fine not to exceed [1,000] **TWO HUNDRED
THOUSAND PESOS (P200,000.00) WITH SUBSIDIARY
IMPRISONMENT** shall be imposed upon:

1. Any physician or surgeon who, in connection, with the
practice of his profession, shall issue a false certificate; and
2. Any public officer who shall issue a false certificate of
merit or service, good conduct or similar circumstances.

The penalty of [*arresto mayor*] **PRISION CORRECCIONAL** shall be
imposed upon any private person who shall falsify a certificate falling
within the classes mentioned in the two preceding subdivisions."

Section 2. Article 175 of Section 5, Chapter 1, Title IV of Act No. 3815 otherwise
known as The Revised Penal Code *is hereby amended to read as follows:*

1 "Art. 175. Using false certificates. - The penalty of [*arresto menor*] PRISION
2 CORRECCIONAL IN ITS MAXIMUM PERIOD AND A FINE NOT
3 EXCEEDING TWO HUNDRED THOUSAND PESOS (P200,000.00)
4 WITH SUBSIDIARY IMPRISONMENT shall be imposed upon any one
5 who shall knowingly use any of the false certificates mentioned in the next
6 preceding article.

7 THE PENALTIES PRESCRIBED UNDER THIS SECTION
8 SHALL BE INCREASED BY ONE DEGREE IF THE CERTIFICATES
9 WERE USED AND INTRODUCED IN A JUDICIAL OR
10 ADMINISTRATIVE PROCEEDING."

11
12 **Section 3. Separability Clause.** - If any provision of this Act is declared
13 unconstitutional or invalid, the other provisions not affected by such declaration shall
14 remain in full force and effect.

15
16 **Section 4. Repealing Clause.** - Any law, decree, ordinance or administrative
17 circular not consistent with any provision of this Act is hereby amended, repealed or
18 modified accordingly.

19
20 **Section 5. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
21 complete publication in the Official Gazette or in two (2) newspapers of general
22 circulation.

23
24 Approved,
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