

SIXTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session



Senate
Office of the Secretary

'13 AUG 15 P1:19

SENATE

SENATE BILL NO. 1305

REC'D

BY: *ju*

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

EXPLANATORY NOTE

Because of the failure to report actual crimes as well as other important incidents that may otherwise lead to the successful apprehension and prosecution of criminals to the proper authorities many crimes remains unpunished.

This bill proposes to amend Presidential Decree No. 1829, Penalizing Obstruction of Apprehension and Prosecution of Criminal Offenders, to elicit a positive duty from every individual to actively participate in promoting peace and order by including the following acts as obstruction of justice:

- Failing to report stolen or lost firearms to the proper authorities;
- Failing to report carnapped motor vehicles or lost number plates of motor vehicles to the proper authorities;
- Having knowledge of or witnessed a crime, concealing and not making known such crime to the proper authorities; and
- Failing to give needed testimony in court on a crime.

To obstruct justice is to deny justice and commit a crime against the law. For this and the foregoing reasons, the passage of this bill is earnestly sought.

JOSEPH VICTOR G. EJERCITO

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RECEIVED BY: *[Signature]*

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

AN ACT
AMENDING PRESIDENTIAL DECREE NO. 1829, PENALIZING
OBSTRUCTION OF APPREHENSION AND PROSECUTION
OF CRIMINAL OFFENDERS

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

SECTION 1. Section 1 of Presidential Decree No. 1829, Penalizing Obstruction of Apprehension and Prosecution of Criminal Offenders, is hereby amended to read as follows:

"Section 1. The penalty of *prision correccional* in its maximum period UNDER THE REVISED PENAL CODE, or a fine ranging from 1,000 to 6,000 pesos, or both, shall be imposed upon any person who knowingly or willfully obstructs, impedes, frustrates or delays the apprehension of suspects and the investigation and prosecution of criminal cases by committing any of the following acts:

(i) Giving of false or fabricated information to mislead or prevent the law enforcement agencies from apprehending the offender or from protecting the life or property of the victim; or fabricating information from the data gathered in confidence by investigating authorities for purposes of background information and not for publication and publishing or disseminating the same to mislead the investigator or the court[.];

(J) FAILING TO REPORT STOLEN OR LOST FIREARMS TO THE PROPER AUTHORITIES;

(K) FAILING TO REPORT CARNAPPED MOTOR VEHICLES OR LOST NUMBER PLATES OF MOTOR VEHICLES TO THE PROPER AUTHORITIES;

(L) HAVING KNOWLEDGE OF OR WITNESSED A CRIME, CONCEALING AND NOT MAKING KNOWN SUCH CRIME TO THE PROPER AUTHORITIES; AND

(M) FAILING TO GIVE NEEDED TESTIMONY IN COURT ON A CRIME.

Sec. 2. Repealing Clause. - All laws, decrees, orders, rules and regulations or other issuances or parts thereof inconsistent with Sec. 1 of this Act are hereby repealed or modified accordingly.

Sec. 3. Separability Clause. - If any portion of Sec. 1 of this Act is declared unconstitutional, the remainder not affected thereby shall remain in force and effect.

Sec. 4. Effectivity. - This Act shall take effect after fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,