

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'13 OCT -3 P6:01

SENATE
S. No. 1820

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Penal Code, Articles 178 and 348, penalize only those persons who use fictitious name and conceal their true identity, or usurp the civil status of another. These penal provisions do not apply to persons who, for any reason of their own, induce or cause one to do these prohibited acts.

The bill seeks to penalize not only those who directly commit the prohibited acts under Articles 178 and 348, but also those without inducement, the crime would not have been committed.*

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Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed during the Thirteenth Congress, First Regular Session.



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SENATE
S. No. 1820

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AN ACT

PENALIZING ANY PERSON WHO INDUCES OR CAUSES ANOTHER TO USE A
FICTITIOUS NAME, TO CONCEAL HIS TRUE NAME, OR TO USURP THE CIVIL
STATUS OF ANOTHER PERSON, AMENDING FOR THE PURPOSE ARTICLES 178 AND
348 OF THE PENAL CODE

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

SECTION 1. Article 178 of the Penal Code is hereby amended to read as follows:

"Art. 178. *Using fictitious name and concealing true name.* - The
penalty of *arresto mayor* and a fine not to exceed 500 pesos shall be imposed
upon any person who shall publicly use a fictitious name for the purpose of
concealing a crime, evading the execution of a judgment or causing damage.

Any person who conceals his true name and other personal circumstances
shall be punished by *arresto menor* or a fine not to exceed 200 pesos.

**THE PENALTY OF *PRISION MAYOR* AND A FINE NOT TO
EXCEED 1,000 PESOS SHALL BE IMPOSED UPON ANY PERSON
WHO, FOR ANY PURPOSE WHATSOEVER, KNOWINGLY INDUCES
ANOTHER TO USE A FICTITIOUS NAME OR CONCEAL HIS TRUE
NAME AND OTHER PERSONAL CIRCUMSTANCES."**

SECTION 2. Article 348 of the Penal Code is hereby amended to read as follows:

"Art. 348. *Usurpation of civil status.* - The penalty of *prision mayor*
shall be imposed upon any person who shall usurp the civil status of another,
should he do so for the purpose of defrauding the offended party or his heirs;

1 otherwise, the penalty of *prision correccional* in its medium and maximum
2 periods shall be imposed.

3 **THE PENALTY OF *PRISION MAYOR* IN ITS MAXIMUM PERIOD**
4 **SHALL BE IMPOSED UPON ANY PERSON WHO, FOR ANY PURPOSE**
5 **WHATSOEVER, KNOWINGLY INDUCES OR CAUSES ANOTHER TO**
6 **USURP THE CIVIL STATUS OF ANOTHER.”**

7 SECTION 3. *Separability Clause.* – If any provision or part hereof is held invalid or
8 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
9 valid and subsisting.

10 SECTION 4. *Repealing Clause.* – Any law, presidential decree or issuance, executive
11 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
12 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

13 SECTION 5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
14 publication in at least two (2) newspapers of general circulation.

Approved,