

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

SENATE  
OFFICE OF THE SECRETARY

'04 JUN 30 P10:16

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SENATE  
S.B. No. 990

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Introduced by Senator Jinggoy Ejercito Estrada

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### EXPLANATORY NOTE

Article 178, paragraph one of the Revised Penal Code (Act No. 3815, as amended) punishes any person who uses a fictitious name or a name other than his real name-publicly in order to:

- a) conceal a crime;
- b) evade the execution of a judgment; or
- c) cause damage to public interest.

Presently, the penalty imposable to aforementioned crime is only *arresto mayor*. This means that any person found to be using a fictitious name for the abovementioned purposes may suffer only a possible imprisonment of ONE MONTH AND ONE DAY to SIX MONTHS and a fine not to exceed FIVE HUNDRED PESOS. Logic dictates that one who would use a fictitious name to conceal a crime, or evade an execution of a judgment would involve grave offenses (*i.e.* rape or murder). The author submits that the penalty imposable is not commensurate to the nature of the offense committed, especially, if the perpetrator is guilty of a heinous crime

This bill seeks to amend Article 178 of the Revised Penal Code (Act No. 3815, as amended) by increasing the penalty provided therefor to *prision mayor* in its medium and maximum periods or a fine not to exceed One Hundred Thousand Pesos (P 100,000.00).

In the light of the foregoing considerations, passage of this bill is earnestly sought.

  
JINGGOY EJERCITO ESTRADA  
Senator

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AN ACT  
AMENDING ARTICLE 178 OF THE REVISED PENAL CODE (ACT NO. 3815, AS  
AMENDED) BY INCREASING THE PENALTY PROVIDED THEREFOR  
AND FOR OTHER PURPOSES

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

Section 1, Article 178 of the Revised Penal Code (Act No. 3815, as amended) is hereby amended to read as follows:

ART 178. **Using fictitious and concealing true name.** -The penalty of [arresto mayor] PRISION MAYOR IN ITS MEDIUM AND MAXIMUM PERIODS and a fine not to exceed [500] ONE HUNDRED THOUSAND 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.

Sec. 2. **Repealing Clause.** -All laws, decrees, ordinances, rules and regulations, executive or administrative orders, and other presidential issuance inconsistent with this Act, are hereby repealed, amended or modified accordingly.

Sec. 3. **Effectivity.** -This Act shall take effect after (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,