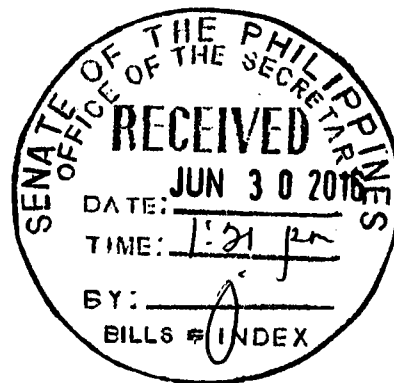


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

S. B. No. 14

Introduced by SENATOR FRANKLIN M. DRILON

AN ACT ADJUSTING THE AMOUNT INVOLVED, VALUE OF PROPERTY OR DAMAGE ON WHICH A PENALTY IS BASED, AND THE FINES UNDER ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

EXPLANATORY NOTE

“In trying to formulate the aims of criminal law, it is important to be aware both of the reasons for making the effort and of the nature of the problem it poses.”¹

The declaration captures the paradigm our policymakers customarily adopt in formulating our country’s penal laws, revealing the diverse socio-political aspirations advocated and considered during the legislative process. Retribution against the offender, deterrence of criminal behavior, protection of the public, rehabilitation of the lawbreaker, and restitution to the victim are among the manifold objectives carefully weighed by Congress in defining criminal acts and determining the corresponding penalties. The formulation of a sound, fair and effective policy against criminality involves a delicate balancing act.

In the 2014 case of *Lito Corpuz versus People of the Philippines*,² the Supreme Court turned the spotlight on the perceived injustice brought about by the range of penalties that the courts continue to impose on crimes committed today, based on the amount of damage measured by the value of money eighty years ago. The discussion called for the “much needed change and updates to archaic laws that were promulgated decades ago when the political, socio-economic, and cultural settings were far different from today’s conditions.” Lest the law run the risk of violating the constitutional prohibition against cruel and excessive punishment, the High Court urged Congress to wield its power in realigning the law with the goals for its passage.

The Revised Penal Code serves as the bedrock of the Philippine justice system, upon which the underlying principles and prevailing precepts on our society’s treatment of criminality rest. Since its enactment in 1930, the law remains virtually unchanged with only piecemeal amendments incorporated through the years. Eighty years had inevitably dulled the edge of a once sharp measure.

¹ Harvard University Professor Henry M. Hart Jr. *The Aims of the Criminal Law*, 23 *Law and Contemporary Problems* 401-441 (Summer 1958). Accessed at <http://scholarship.law.duke.edu/lcp/vol23/iss3/2/>

² G.R. No. 180016, 29 April 2014.

The imminent threat of injustice that this instrument of justice might ironically engender requires an immediate legislative evaluation and modification. Thus, this proposed measure aims to ensure the proportionality of punishment by adjusting the amounts stipulated in various provisions of the Revised Penal Code to their present values. Guided by the latest amendment to the subsidiary penalty provision of the Revised Penal Code; the minimum wage rate prevailing upon the law's passage and that applicable today shall be used in updating the outmoded property values used to determine the penalty as well as the fines imposed on certain offenses.

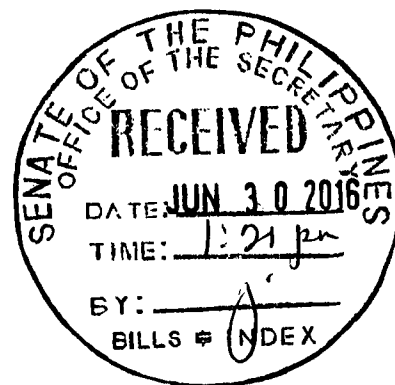
In undertaking these changes to an archaic criminal law, we intend to craft a sound, fair and effective policy against criminality that reflects a proper balance among the established goals of criminal justice.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



FRANKLIN M. DRILON
Senator

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



SENATE

S. B. No. 14

Introduced by SENATOR FRANKLIN M. DRILON

AN ACT ADJUSTING THE AMOUNT INVOLVED, VALUE OF PROPERTY OR DAMAGE ON WHICH A PENALTY IS BASED AND THE FINES UNDER ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

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

SECTION 1. Article 9 of Act No. 3815, otherwise known as the "Revised Penal Code" is hereby amended to read as follows:

ART. 9. Grave felonies, less grave felonies and light felonies. -

Grave felonies are those to which the law attaches the capital punishment or penalties which in any of their periods are afflictive, in accordance with Art. 25 of this Code.

Less grave felonies are those which the law punishes with penalties which in their maximum period are correctional, in accordance with the above-mentioned Art.

Light felonies are those infractions of law for the commission of which a penalty of *arresto menor* or a fine not exceeding [200]

FORTY THOUSAND pesos (P40,000) or both is provided.

SEC. 2. Article 26 of the same Act is hereby amended to read as follows:

ART. 26. When afflictive, correctional, or light penalty. - A fine, whether imposed as a single or as an alternative penalty, shall be considered an afflictive penalty, if it exceeds [6,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos

(P1,200,000); a correctional penalty, if it does not exceed [6,000] ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000) but is not less than [200] FORTY THOUSAND pesos (P40,000); and a light penalty if it is less than [200] FORTY THOUSAND pesos (P40,000).

SEC. 3. Article 59 of same Act is hereby amended to read as follows:

ART. 59. *Penalty to Be Imposed in Case of Failure to Commit the Crime Because the Means Employed or the Aims Sought are Impossible.* - When the person intending to commit an offense has already performed the acts for the execution of the same but nevertheless the crime was not produced by reason of the fact that the act intended was by its nature one of impossible accomplishment or because the means employed by such person are essentially inadequate to produce the result desired by him, the court, having in mind the social danger and the degree of criminality shown by the offender, shall impose upon him the penalty of *arresto mayor* or a fine ranging from [200 to 500] FORTY THOUSAND PESOS (P40,000) TO ONE HUNDRED THOUSAND (P100,000) pesos.

SEC. 4. Article 114 of same Act, as amended by Republic Act No. 7659, is hereby further amended to read as follows:

ART. 114. *Treason.* - Any Filipino citizen who levies war against the Philippines or adheres to her enemies giving them aid or comfort within the Philippines or elsewhere, shall be punished by reclusion perpetua to death and shall pay a fine not to exceed [100,000] FOUR MILLION pesos (P4,000,000).

No person shall be convicted of treason unless on the testimony of two witnesses at least to the same overt act or on confession of the accused in open court.

Likewise, an alien, residing in the Philippines, who commits acts of treason as defined in paragraph 1 of this Article shall be

1 punished by *reclusion temporal* to death and shall pay a fine
2 not to exceed [100,000] **FOUR MILLION** pesos
3 **(P4,000,000)**.

4 **SEC. 5.** Article 115 of same Act is hereby amended to read as follows:

5 ART. 115. *Conspiracy and proposal to commit treason;*
6 *Penalty.* — The conspiracy or proposal to commit the crime of
7 treason shall be punished respectively, by *prision mayor* and a
8 fine not exceeding [P10,000] **TWO MILLION** pesos
9 **(P2,000,000)**, and *prision correccional* and a fine not
10 exceeding [P5,000] **ONE MILLION** pesos **(P1,000,000)**.

11 **SEC. 6.** Article 129 of same Act is hereby amended to read as follows:

12 ART. 129. *Search warrants maliciously obtained and abuse in*
13 *the service of those legally obtained.* — In addition to the
14 liability attaching to the offender for the commission of any
15 other offense, the penalty of *arresto mayor* in its maximum
16 period to *prision correccional* in its minimum period and a fine
17 not exceeding [P1,000] **TWO HUNDRED THOUSAND**
18 pesos **(P200,000)** shall be imposed upon any public officer or
19 employee who shall procure a search warrant without just
20 cause, or, having legally procured the same, shall exceed his
21 authority or use unnecessary severity in executing the same.

22 **SEC. 7.** Article 136 of same Act, as amended by Republic Act No. 6968, is
23 hereby further amended to read as follows:

24 ART. 136. *Conspiracy and proposal to commit coup d'etat,*
25 *rebellion or insurrection.* — The conspiracy and proposal to
26 commit *coup d'etat* shall be punished by *prision mayor* in its
27 minimum period and a fine which shall not exceed [eight
28 thousand pesos (P8,000.00)] **ONE MILLION** pesos
29 **(P1,000,000)**.

30 The conspiracy and proposal to commit rebellion or
31 insurrection shall be punished respectively, by *prision*

1 *correccional* in its maximum period and a fine which shall not
2 exceed [five thousand pesos (P5,000.00)] **ONE MILLION**
3 pesos (**P1,000,000**) and by *prision correccional* in its
4 medium period and a fine not exceeding [two thousand pesos
5 (P2,000.00)] **FOUR HUNDRED THOUSAND** pesos
6 (**P400,000**).

7 **SEC. 8.** Article 140 of same Act is hereby amended to read as follows:

8 ART. 140. *Penalty for sedition.* — The leader of a sedition shall
9 suffer the penalty of *prision mayor* in its minimum period and
10 a fine not exceeding [10,000] **TWO MILLION** pesos
11 (**P2,000,000**).

12 Other persons participating therein shall suffer the penalty of
13 *prision correccional* in its maximum period and a fine not
14 exceeding [5,000] **ONE MILLION** pesos (**P1,000,000**).

15 **SEC. 9.** Article 141 of same Act is hereby amended to read as follows:

16 ART. 141. *Conspiracy to commit sedition.* — Persons conspiring
17 to commit the crime of sedition shall be punished by *prision*
18 *correccional* in its medium period and a fine not exceeding
19 [2,000] **FOUR HUNDRED THOUSAND** pesos
20 (**P400,000**).

21 **SEC. 10.** Article 142 of same Act is hereby amended to read as follows:

22 ART. 142. *Inciting to sedition.* — The penalty of *prision*
23 *correccional* in its maximum period and a fine not exceeding
24 [2,000] **FOUR HUNDRED THOUSAND** pesos
25 (**P400,000**) shall be imposed upon any person who, without
26 taking any direct part in the crime of sedition, should incite
27 others to the accomplishment of any of the acts which constitute
28 sedition, by means of speeches, proclamations, writings,
29 emblems, cartoons, banners, or other representations tending
30 to the same end, or upon any person or persons who shall utter
31 seditious words or speeches, write, publish, or circulate

1 scurrilous libels against the Government [of the United States
2 or the Government of the Commonwealth of the Philippines], or
3 any of the duly constituted authorities thereof, or which tend to
4 disturb or obstruct any lawful officer in executing the functions
5 of his office, or which tend to instigate others to cabal and meet
6 together for unlawful purposes, or which suggest or incite
7 rebellious conspiracies or riots, or which lead or tend to stir up
8 the people against the lawful authorities or to disturb the peace
9 of the community, the safety and order of the Government, or
10 who shall knowingly conceal such evil practices.

11 **SEC. 11.** Article 143 of same Act is hereby amended to read as follows:

12 *ART. 143. Act tending to prevent the meeting of [the Assembly]*
13 **CONGRESS** *and similar bodies. — The penalty of prison*
14 *correccional* *or a fine ranging from [200 to 2,000] FORTY*
15 **THOUSAND PESOS (P40,000) TO FOUR HUNDRED**
16 **THOUSAND pesos (P400,000),** *or both, shall be imposed*
17 *upon any person who, by force or fraud, prevents the meeting of*
18 *[the National Assembly] CONGRESS* *or of any of its*
19 *committees or subcommittees, constitutional commissions or*
20 *committees or divisions thereof, or of any provincial board or*
21 *city or municipal council or board.*

22 **SEC. 12.** Article 144 of same Act is hereby amended to read as follows:

23 *ART. 144. Disturbance of proceedings.— The penalty of arresto*
24 *mayor* *or a fine from [200 to 1,000] FORTY THOUSAND*
25 **PESOS (P40,000) TO TWO HUNDRED THOUSAND**
26 **pesos (P200,000)** *shall be imposed upon any person who*
27 *disturbs the meetings of [the National Assembly] CONGRESS*
28 *or of any of its committees or subcommittees, constitutional*
29 *commissions or committees or divisions thereof, or of any*
30 *provincial board or city or municipal council or board, or in the*
31 *presence of any such bodies should behave in such manner as to*
32 *interrupt its proceedings or to impair the respect due it.*

1 **SEC. 13.** Article 147 of same Act is hereby amended to read as follows:

2 ART. 147. *Illegal associations.* — The penalty of *prision*
3 *correccional* in its minimum and medium periods and a fine not
4 exceeding [1,000] **TWO HUNDRED THOUSAND** pesos
5 **(P200,000)** shall be imposed upon the founders, directors,
6 and presidents of associations totally or partially organized for
7 the purpose of committing any of the crimes punishable under
8 this Code or for some purpose contrary to public morals. Mere
9 members of said associations shall suffer the penalty of *arresto*
10 *mayor*.

11 **SEC. 14.** Article 148 of same Act is hereby amended to read as follows:

12 ART. 148. *Direct assaults.* — Any person or persons who,
13 without a public uprising, shall employ force or intimidation for
14 the attainment of any of the purpose enumerated in defining the
15 crimes of rebellion and sedition, or shall attack, employ force, or
16 seriously intimidate or resist any person in authority or any of
17 his agents, while engaged in the performance of official duties,
18 or on occasion of such performance, shall suffer the penalty of
19 *prision correccional* in its medium and maximum periods and a
20 fine not exceeding [P1,000] **TWO HUNDRED THOUSAND**
21 pesos **(P200,000)**, when the assault is committed with a
22 weapon or when the offender is a public officer or employee, or
23 when the offender lays hands upon a person in authority. If
24 none of these circumstances be present, the penalty of *prision*
25 *correccional* in its minimum period and a fine not exceeding
26 [P500] **ONE HUNDRED THOUSAND** pesos **(P100,000)**
27 shall be imposed.

28 **SEC. 15.** Article 149 of same Act is hereby amended to read as follows:

29 ART. 149. *Indirect assaults.* — The penalty of *prision*
30 *correccional* in its minimum and medium periods and a fine not
31 exceeding [P500] **ONE HUNDRED THOUSAND** pesos
32 **(P100,000)** shall be imposed upon any person who shall make

1 use of force or intimidation upon any person coming to the aid
2 of the authorities or their agents on occasion of the commission
3 of any of the crimes defined in the next preceding article.

4 **SEC. 16.** Article 150 of same Act, as amended by Commonwealth Act No.
5 202, is hereby further amended to read as follows:

6 ART. 150. *Disobedience to summons issued by [the National*
7 *Assembly]* **CONGRESS**, *its committees or subcommittees, by*
8 *the Constitutional Commissions, its committees,*
9 *subcommittees or divisions.—* The penalty of *arresto mayor* or
10 a fine ranging from [two hundred to one thousand] **FORTY**
11 **THOUSAND PESOS (P40,000) TO TWO HUNDRED**
12 **THOUSAND pesos (P200,000)**, or both such fine and
13 imprisonment, shall be imposed upon any person who, having
14 been duly summoned to attend as a witness before [the
15 National Assembly] **CONGRESS**, its special or standing
16 committees and subcommittees, the Constitutional
17 Commissions and its committees, subcommittees, or divisions,
18 or before any commission or committee chairman or member
19 authorized to summon witnesses, refuses, without legal excuse,
20 to obey such summons, or being present before any such
21 legislative or constitutional body or official, refuses to be sworn
22 or placed under affirmation or to answer any legal inquiry or to
23 produce any books, papers, documents, or records in his
24 possession, when required by them to do so in the exercise of
25 their functions. The same penalty shall be imposed upon any
26 person who shall restrain another from attending as a witness,
27 or who shall induce disobedience to summon or refusal to be
28 sworn by any such body or official.

29 **SEC. 17.** Article 151 of same Act is hereby amended to read as follows:

30 ART. 151. *Resistance and disobedience to a person in authority*
31 *or the agents of such person. —* The penalty of *arresto mayor*
32 and a fine not exceeding [500] **ONE HUNDRED**

1 **THOUSAND pesos (P100,000)** shall be imposed upon any
2 person who not being included in the provisions of the
3 preceding articles shall resist or seriously disobey any person in
4 authority, or the agents of such person, while engaged in the
5 performance of official duties.

6 When the disobedience to an agent of a person in authority is
7 not of a serious nature, the penalty of *arresto menor* or a fine
8 ranging from [10 to P100] **TWO THOUSAND PESOS**
9 **(P2,000) TO TWENTY THOUSAND pesos (P20,000)**
10 shall be imposed upon the offender.

11 **SEC. 18.** Article 153 of same Act is hereby amended to read as follows:

12 ART. 153. *Tumults and other disturbances of public order;*
13 *Tumultuous disturbance or interruption liable to cause*
14 *disturbance.* — The penalty of *arresto mayor* in its medium
15 period to *prision correccional* in its minimum period and a fine
16 not exceeding [1,000] **TWO HUNDRED THOUSAND pesos**
17 **(P200,000)** shall be imposed upon any person who shall
18 cause any serious disturbance in a public place, office, or
19 establishment, or shall interrupt or disturb public
20 performances, functions or gatherings, or peaceful meetings, if
21 the act is not included in the provisions of Articles 131 and 132.

22 The penalty next higher in degree shall be imposed upon
23 persons causing any disturbance or interruption of a
24 tumultuous character.

25 The disturbance or interruption shall be deemed to be
26 tumultuous if caused by more than three **(3)** persons who are
27 armed or provided with means of violence.

28 The penalty of *arresto mayor* shall be imposed upon any person
29 who in any meeting, association, or public place, shall make any
30 outcry tending to incite rebellion or sedition or in such place
31 shall display placards or emblems which provoke a disturbance

1 of the public order.

2 The penalty of *arresto menor* and a fine not to exceed [P200]
3 **FORTY THOUSAND pesos (P40,000)** shall be imposed
4 upon these persons who in violation of the provisions contained
5 in the last clause of Article 85, shall bury with pomp the body of
6 a person who has been legally executed.

7 **SEC. 19.** Article 154 of same Act is hereby amended to read as follows:

8 ART. 154. *Unlawful use of means of publication and unlawful*
9 *utterances.* — The penalty of *arresto mayor* and a fine ranging
10 from [P200 to P1,000] **FORTY THOUSAND PESOS**
11 **(P40,000) TO TWO HUNDRED THOUSAND pesos**
12 **(P200,000)** shall be imposed upon:

13 (1) Any person who by means of printing, lithography, or
14 any other means of publication shall publish or cause to
15 be published as news any false news which may endanger
16 the public order, or cause damage to the interest or credit
17 of the State;

18 (2) Any person who by the same means, or by words,
19 utterances or speeches shall encourage disobedience to
20 the law or to the constituted authorities or praise, justify,
21 or extol any act punished by law;

22 (3) Any person who shall maliciously publish or cause to be
23 published any official resolution or document without
24 proper authority, or before they have been published
25 officially; or

26 (4) Any person who shall print, publish, or distribute or
27 cause to be printed, published, or distributed books,
28 pamphlets, periodicals, or leaflets which do not bear the
29 real printer's name, or which are classified as
30 anonymous.

1 **SEC. 20.** Article 155 of same Act is hereby amended to read as follows:

2 ART. 155. *Alarms and scandals.* — The penalty of *arresto*
3 *menor* or a fine not exceeding [P200] **FORTY THOUSAND**
4 pesos (**P40,000**) shall be imposed upon:

- 5 (1) Any person who within any town or public place, shall
6 discharge any firearm, rocket, firecracker, or other
7 explosives calculated to cause alarm or danger;
- 8 (2) Any person who shall instigate or take an active part in any
9 charivari or other disorderly meeting offensive to another
10 or prejudicial to public tranquility;
- 11 (3) Any person who, while wandering about at night or while
12 engaged in any other nocturnal amusements, shall disturb
13 the public peace; or
- 14 (4) Any person who, while intoxicated or otherwise, shall cause
15 any disturbance or scandal in public places, provided that
16 the circumstances of the case shall not make the provisions
17 of Article 153 applicable.

18 **SEC. 21.** Article 163 of same Act, as amended by Republic Act No. 4202, is
19 hereby further amended to read as follows:

20 ART. 163. *Making and importing and uttering false coins.*—
21 Any person who makes, imports, or utters false coins, in
22 connivance with counterfeiters, or importers, shall suffer:

23 [1. *Prision mayor* in its minimum and medium periods and a
24 fine not to exceed P10,000 pesos, if the counterfeited
25 coin be silver coin of the Philippines [or coin of the
26 Central Bank of the Philippines of ten centavo
27 denomination or above.]

28 [2.] (1) *Prision correccional* in its minimum and medium
29 periods and a fine of not to exceed [P2,000] **FOUR**
30 **HUNDRED THOUSAND** pesos (**P400,000**), if the

1 counterfeited coins be any of the [minor] coinage of the
2 Philippines [or of the Central Bank of the Philippines
3 below ten-centavo denomination].

4 [3] (2) *Prision correccional* in its minimum period and a fine
5 not to exceed [P1,000] **TWO HUNDRED**
6 **THOUSAND pesos (P200,000)**, if the counterfeited
7 coin be currency of a foreign country.

8 **SEC. 22.** Article 164 of same Act is hereby amended to read as follows:

9 ART. 164. *Mutilation of coins; Importation and utterance of*
10 *mutilated coins.* — The penalty of *prision correccional* in its
11 minimum period and a fine not to exceed [P2,000] **FOUR**
12 **HUNDRED THOUSAND pesos (P400,000)** shall be
13 imposed upon any person who shall mutilate coins of the legal
14 currency of the [United States or of the Philippine Islands]
15 **PHILIPPINES** or import or utter mutilated current coins, or
16 in connivance with mutilators or importers.

17 **SEC. 23.** Article 166 of same Act is hereby amended to read as follows:

18 ART. 166. *Forging treasury or bank notes on other documents*
19 *payable to bearer; importing, and uttering such false or forged*
20 *notes and documents.*— The forging or falsification of treasury
21 or bank notes or certificates or other obligations and securities
22 payable to bearer and the importation and uttering in
23 connivance with forgers or importers of such false or forged
24 obligations or notes, shall be punished as follows:

25 (1) By *reclusion temporal* in its minimum period and a fine
26 not to exceed [P10,000] **TWO MILLION pesos**
27 **(P2,000,000)**, if the document which has been
28 falsified, counterfeited, or altered, is an obligation or
29 security of the [United States or of the Philippines
30 Islands] **PHILIPPINES**.

31 The word "*obligation or security of the [United States or*

1 of the Philippines Islands] **PHILIPPINES**" shall [be
2 held to] mean all bonds, certificates of indebtedness,
3 national bank notes, fractional notes, certificates of
4 deposit, bills, checks, or drafts for money, drawn by or
5 upon authorized officers of the [United States or of the
6 Philippines Islands] **PHILIPPINES**, and other
7 representatives of value, of whatever denomination,
8 which have been or may be issued under any act of [the]
9 Congress [of the United States or of the Philippine
10 Legislature].

11 (2) By *prision mayor* in its maximum period and a fine not
12 to exceed [P5,000] **ONE MILLION** pesos
13 **(P1,000,000)**, if the falsified or altered document is a
14 circulating note issued by any banking association duly
15 authorized by law to issue the same.

16 (3) By *prision mayor* in its medium period and a fine not to
17 exceed [P5,000] **ONE MILLION** pesos
18 **(P1,000,000)**, if the falsified or counterfeited
19 document was issued by a foreign government.

20 (4) By *prision mayor* in its minimum period and a fine not
21 to exceed [P2,000] **FOUR HUNDRED THOUSAND**
22 pesos **(P400,000)**, when the forged or altered
23 document is a circulating note or bill issued by a foreign
24 bank duly authorized therefor.

25 **SEC. 24.** Article 167 of same Act is hereby amended to read as follows:

26 ART. 167. *Counterfeiting, importing and uttering instruments*
27 *not payable to bearer.* — Any person who shall forge, import or
28 utter, in connivance with the forgers or importers, any
29 instrument payable to order or other document of credit not
30 payable to bearer, shall suffer the penalties of *prision*
31 *correccional* in its medium and maximum periods and a fine not
32 exceeding [P6,000] **ONE MILLION TWO HUNDRED**

1 **THOUSAND pesos (P1,200,000).**

2 **SEC. 25.** Article 170 of same Act is hereby amended to read as follows:

3 ART. 170. *Falsification of legislative documents.* — The penalty
4 of *prision correccional* in its maximum period and a fine not
5 exceeding [P6,000] **ONE MILLION TWO HUNDRED**
6 **THOUSAND pesos (P1,200,000)** shall be imposed upon any
7 person who, without proper authority therefor alters any bill,
8 resolution, or ordinance enacted or approved or pending
9 approval by either House of [the Legislature] **CONGRESS** or
10 any provincial board or municipal council.

11 **SEC. 26.** Article 171 of same Act is hereby amended to read as follows:

12 ART. 171. *Falsification by public officer, employee or notary or*
13 *ecclesiastic minister.* — The penalty of *prision mayor* and a fine
14 not to exceed [P5,000] **ONE MILLION pesos (P1,000,000)**
15 shall be imposed upon any public officer, employee, or notary
16 who, taking advantage of his official position, shall falsify a
17 document by committing any of the following acts:

- 18 (1) Counterfeiting or imitating any handwriting, signature
19 or rubric;
- 20 (2) Causing it to appear that persons have participated in
21 any act or proceeding when they did not in fact so
22 participate;
- 23 (3) Attributing to persons who have participated in an act or
24 proceeding statements other than those in fact made by
25 them;
- 26 (4) Making untruthful statements in a narration of facts;
- 27 (5) Altering true dates;
- 28 (6) Making any alteration or intercalation in a genuine
29 document which changes its meaning;

1 (7) Issuing in an authenticated form a document purporting
2 to be a copy of an original document when no such
3 original exists, or including in such a copy a statement
4 contrary to, or different from, that of the genuine
5 original; or

6 (8) Intercalating any instrument or note relative to the
7 issuance thereof in a protocol, registry, or official book.

8 The same penalty shall be imposed upon any ecclesiastical
9 minister who shall commit any of the offenses enumerated in
10 the preceding paragraphs of this article, with respect to any
11 record or document of such character that its falsification may
12 affect the civil status of persons.

13 **SEC. 27.** Article 172 of same Act is hereby amended to read as follows:

14 *ART. 172. Falsification by private individual and use of falsified*
15 *documents. — The penalty of prision correccional in its medium*
16 *and maximum periods and a fine of not more than [P5,000]*
17 **ONE MILLION pesos (P1,000,000) shall be imposed upon:**

18 (1) Any private individual who shall commit any of the
19 falsifications enumerated in the next preceding article
20 in any public or official document or letter of exchange
21 or any other kind of commercial document; and

22 (2) Any person who, to the damage of a third party, or with
23 the intent to cause such damage, shall in any private
24 document commit any of the acts of falsification
25 enumerated in the next preceding article.

26 (3) Any person who shall knowingly introduce in evidence
27 in any judicial proceeding or to the damage of another
28 or who, with the intent to cause such damage, shall use
29 any of the false documents embraced in the next
30 preceding article, or in any of the foregoing
31 subdivisions of this article, shall be punished by the

1 penalty next lower in degree.

2 **SEC. 28.** Article 174 of same Act is hereby amended to read as follows:

3 ART. 174. *False medical certificates, false certificates of merits*
4 *or service, etc.* — The penalties of *arresto mayor* in its
5 maximum period to *prision correccional* in its minimum period
6 and a fine not to exceed [P1,000] **TWO HUNDRED**
7 **THOUSAND pesos (P200,000)** shall be imposed upon:

8 (1) Any physician or surgeon who, in connection, with the
9 practice of his profession, shall issue a false certificate; and

10 (2) Any public officer who shall issue a false certificate of merit
11 of service, good conduct or similar circumstances.

12 **SEC. 29.** Article 176 of same Act is hereby amended to read as follows:

13 ART. 176. *Manufacturing and possession of instruments or*
14 *implements for falsification.* — The penalty of *prision*
15 *correccional* in its medium and maximum periods and a fine not
16 to exceed [P10,000] **TWO MILLION pesos (P2,000,000)**
17 shall be imposed upon any person who shall make or introduce
18 into the Philippine [Islands] any stamps, dies, marks, or other
19 instruments or implements intended to be used in the
20 commission of the offenses of counterfeiting or falsification
21 mentioned in the preceding sections of this Chapter.

22 Any person who, with the intention of using them, shall have in
23 his possession any of the instruments or implements mentioned
24 in the preceding paragraphs, shall suffer the penalty next lower
25 in degree than that provided therein.

26 **SEC. 30.** Article 178 of same Act is hereby amended to read as follows:

27 ART. 178. *Using fictitious name and concealing true name.—*
28 The penalty of *arresto mayor* and a fine not to exceed [500]
29 **ONE HUNDRED THOUSAND pesos (P100,000)** shall be
30 imposed upon any person who shall publicly use a fictitious

1 name for the purpose of concealing a crime, evading the
2 execution of a judgment or causing damage.

3 Any person who conceals his true name and other personal
4 circumstances shall be punished by *arresto menor* or a fine not
5 to exceed [200] **FORTY THOUSAND pesos (P40,000)**.

6 **SEC. 31.** Article 180 of same Act is hereby amended to read as follows:

7 ART. 180. *False testimony against a defendant.* — Any person
8 who shall give false testimony against the defendant in any
9 criminal case shall suffer:

- 10 (1) The penalty of *reclusion temporal*, if the defendant in
11 said case shall have been sentenced to death;
- 12 (2) The penalty of *prision mayor*, if the defendant shall have
13 been sentenced to *reclusion temporal* or *reclusion*
14 *perpetua*;
- 15 (3) The penalty of *prision correccional*, if the defendant shall
16 have been sentenced to any other afflictive penalty; and
- 17 (4) The penalty of *arresto mayor*, if the defendant shall have
18 been sentenced to a correctional penalty or a fine, or shall
19 have been acquitted.

20 In cases provided in subdivisions 3 and 4 of this article the
21 offender shall further suffer a fine not to exceed [1,000] **TWO**
22 **HUNDRED THOUSAND pesos (P200,000)**.

23 **SEC. 32.** Article 181 of same Act is hereby amended to read as follows:

24 ART. 181. *False testimony favorable to the defendants.*— Any
25 person who shall give false testimony in favor of the defendant
26 in a criminal case, shall suffer the penalties of *arresto mayor* in
27 its maximum period to *prision correccional* in its minimum
28 period a fine not to exceed [1,000] **TWO HUNDRED**
29 **THOUSAND pesos (P200,000)**, if the prosecution is for a

1 felony punishable by an afflictive penalty, and the penalty of
2 *arresto mayor* in any other case.

3 **SEC. 33.** Article 182 of same Act is hereby amended to read as follows:

4 ART. 182. *False testimony in civil cases.* — Any person found
5 guilty of false testimony in a civil case shall suffer the penalty of
6 *prision correccional* in its minimum period and a fine not to
7 exceed [6,000] **ONE MILLION TWO HUNDRED**
8 **THOUSAND** pesos (**P1,200,000**), if the amount in
9 controversy shall exceed [5,000] **ONE MILLION** pesos
10 (**P1,000,000**), and the penalty of *arresto mayor* in its
11 maximum period to *prision correccional* in its minimum period
12 and a fine not to exceed [1,000] **TWO HUNDRED**
13 **THOUSAND** pesos (**P200,000**), if the amount in controversy
14 shall not exceed said amount or cannot be estimated.

15 **SEC. 34.** Article 187 of same Act is hereby amended to read as follows:

16 ART. 187. *Importation and disposition of falsely marked*
17 *articles or merchandise made of gold, silver, or other precious*
18 *metals or their alloys.* — The penalty of *prision correccional* or
19 a fine ranging from [200 to 1,000] **FORTY THOUSAND**
20 **PESOS (P40,000) TO TWO HUNDRED THOUSAND**
21 pesos (**P200,000**), or both, shall be imposed on any person
22 who shall knowingly import or sell or dispose of any article or
23 merchandise made of gold, silver, or other precious metals, or
24 their alloys, with stamps, brands, or marks which fail to indicate
25 the actual fineness or quality of said metals or alloys.

26 Any stamp, brand, label, or mark shall be deemed to fail to
27 indicate the actual fineness of the article on which it is engraved,
28 printed, stamped, labeled or attached, when the rest of the
29 article shows that the quality or fineness thereof is less by more
30 than one-half karat, if made of gold, and less by more than four
31 one-thousandth, if made of silver, than what is shown by said
32 stamp, brand, label or mark. But in case of watch cases and

1 flatware made of gold, the actual fineness of such gold shall not
2 be less by more than three one-thousandth than the fineness
3 indicated by said stamp, brand, label, or mark.

4 **SEC. 35.** Article 201 of same Act, as amended by Presidential Decree Nos.
5 960 and 969, is hereby further amended to read as follows:

6 *ART. 201. Immoral doctrines, obscene publications and*
7 *exhibitions and indecent shows. — The penalty of prison*
8 *mayor* or a fine ranging from [six thousand to twelve
9 thousand] **TWENTY THOUSAND PESOS (P20,000) TO**
10 **TWO HUNDRED THOUSAND pesos (P200,000),** or
11 both such imprisonment and fine, shall be imposed upon:

- 12 (1) Those who shall publicly expound or proclaim doctrines
13 openly contrary to public morals;
- 14 (2) (a) the authors of obscene literature, published with their
15 knowledge in any form; the editors publishing such
16 literature; and the owners/operators of the establishment
17 selling the same; (b) Those who, in theaters, fairs,
18 cinematographs or any other place, exhibit, indecent or
19 immoral plays, scenes, acts or shows, whether live or in
20 film, which are prescribed by virtue hereof, shall include
21 those which (1) glorify criminals or condone crimes; (2)
22 serve no other purpose but to satisfy the market for
23 violence, lust or pornography; (3) offend any race or
24 religion; (4) tend to abet traffic in and use of prohibited
25 drugs; and (5) are contrary to law, public order, morals,
26 and good customs, established policies, lawful orders,
27 decrees and edicts;
- 28 (3) Those who shall sell, give away or exhibit films, prints,
29 engravings, sculpture or literature which are offensive to
30 morals.

31 **SEC. 36.** Article 202 of same Act, as amended, is hereby further amended to

1 read as follows:

2 ART. 202. *Prostitutes; Penalty.* — For the purpose of this
3 article, women who, for money or profit, habitually indulge in
4 sexual intercourse or lascivious conduct, are deemed to be
5 prostitutes.

6 Any person found guilty of any of the offenses covered by this
7 articles shall be punished by *arresto menor* or a fine not
8 exceeding [200] **TWENTY THOUSAND pesos (P20,000)**,
9 and in case of recidivism, by *arresto mayor* in its medium
10 period to *prision correccional* in its minimum period or a fine
11 ranging from [200 to 2,000] **TWENTY THOUSAND PESOS**
12 **(P20,000) TO TWO HUNDRED THOUSAND pesos**
13 **(P200,000)**, or both, in the discretion of the court.

14 SEC. 37. Article 209 of same Act is hereby amended to read as follows:

15 ART. 209. *Betrayal of trust by an attorney or solicitor.* —
16 *Revelation of secrets.* — In addition to the proper administrative
17 action, the penalty of *prision correccional* in its minimum
18 period, or a fine ranging from [200 to 1,000] **TWENTY**
19 **THOUSAND PESOS (P20,000) TO ONE HUNDRED**
20 **THOUSAND pesos (P100,000)**, or both, shall be imposed
21 upon any attorney-at-law or [solicitor (*procurador judicial*)]
22 **ANY PERSON DULY AUTHORIZED TO REPRESENT**
23 **AND/OR ASSIST A PARTY TO A CASE** who, by any
24 malicious breach of professional duty or of inexcusable
25 negligence or ignorance, shall prejudice his client, or reveal any
26 of the secrets of the latter learned by him in his professional
27 capacity.

28 The same penalty shall be imposed upon an attorney-at-law or
29 [solicitor (*procurador judicial*)] **ANY PERSON DULY**
30 **AUTHORIZED TO REPRESENT AND/OR ASSIST A**
31 **PARTY TO A CASE** who, having undertaken the defense of a
32 client or having received confidential information from said

1 client in a case, shall undertake the defense of the opposing
2 party in the same case, without the consent of his first client.

3 **SEC. 38.** Article 213 of same Act is hereby amended to read as follows:

4 *ART. 213. Frauds against the public treasury and similar*
5 *offenses. — The penalty of prision correccional in its medium*
6 *period to prision mayor in its minimum period, or a fine*
7 *ranging from [200 to 10,000] FORTY THOUSAND PESOS*
8 *(P40,000) TO TWO MILLION pesos (P2,000,000), or*
9 *both, shall be imposed upon any public officer who:*

10 (1) In his official capacity, in dealing with any person with
11 regard to furnishing supplies, the making of contracts, or
12 the adjustment or settlement of accounts relating to
13 public property or funds, shall enter into an agreement
14 with any interested party or speculator or make use of
15 any other scheme, to defraud the Government;

16 (2) Being entrusted with the collection of taxes, licenses, fees
17 and other imposts, shall be guilty of any of the following
18 acts or omissions:

19 (a) Demanding, directly, or indirectly, the payment of
20 sums different from or larger than those
21 authorized by law.

22 (b) Failing voluntarily to issue a receipt, as provided
23 by law, for any sum of money collected by him
24 officially.

25 (c) Collecting or receiving, directly or indirectly, by
26 way of payment or otherwise things or objects of a
27 nature different from that provided by law.

28 When the culprit is an officer or employee of the Bureau of
29 Internal Revenue or the Bureau of Customs, the provisions of
30 the Administrative Code shall be applied.

1 **SEC. 39.** Article 215 of same Act is hereby amended to read as follows:

2 ART. 215. *Prohibited transactions.* — The penalty of *prision*
3 *correccional* in its maximum period or a fine ranging from [200
4 to 1,000] **FORTY THOUSAND PESOS (P40,000) TO**
5 **TWO HUNDRED THOUSAND pesos (P200,000)**, or both,
6 shall be imposed upon any appointive public officer who, during
7 his incumbency, shall directly or indirectly become interested in
8 any transaction of exchange or speculation within the territory
9 subject to his jurisdiction.

10 **SEC. 40.** Article 216 of same Act is hereby amended to read as follows:

11 ART. 216. *Possession of prohibited interest by a public officer.*
12 — The penalty of *arresto mayor* in its medium period to *prision*
13 *correccional* in its minimum period, or a fine ranging from [200
14 to 1,000] **FORTY THOUSAND PESOS (P40,000) TO**
15 **TWO HUNDRED THOUSAND pesos (P200,000)**, or both,
16 shall be imposed upon a public officer who directly or indirectly,
17 shall become interested in any contract or business in which it is
18 his official duty to intervene.

19 This provisions is applicable to experts, arbitrators and private
20 accountants who, in like manner, shall take part in any contract
21 or transaction connected with the estate or property in
22 appraisal, distribution or adjudication of which they shall have
23 acted, and to the guardians and executors with respect to the
24 property belonging to their wards or estate.

25 **SEC. 41.** Article 217 of same Act is hereby amended to read as follows:

26 ART. 217. *Malversation of public funds or property;*
27 *Presumption of malversation.* — Any public officer who, by
28 reason of the duties of his office, is accountable for public funds
29 or property, shall appropriate the same or shall take or
30 misappropriate or shall consent, through abandonment or
31 negligence, shall permit any other person to take such public

1 funds, or property, wholly or partially, or shall otherwise be
2 guilty of the misappropriation or malversation of such funds or
3 property, shall suffer:

4 (1) The penalty of *prision correccional* in its medium and
5 maximum periods, if the amount involved in the
6 misappropriation or malversation does not exceed [two
7 hundred] **TWENTY THOUSAND pesos (P20,000)**.

8 (2) The penalty of *prision mayor* in its minimum and
9 medium periods, if the amount involved is more than
10 [two hundred] **TWENTY THOUSAND pesos**
11 **(P20,000)** but does not exceed [six thousand] **SIX**
12 **HUNDRED THOUSAND pesos (P600,000)**.

13 (3) The penalty of *prision mayor* in its maximum period to
14 *reclusion temporal* in its minimum period, if the
15 amount involved is more than [six thousand] **SIX**
16 **HUNDRED THOUSAND pesos (P600,000)** but is
17 less than [twelve thousand] **ONE MILLION TWO**
18 **HUNDRED THOUSAND pesos (P1,200,000)**.

19 (4) The penalty of *reclusion temporal*, in its medium and
20 maximum periods, if the amount involved is more than
21 [twelve thousand] **ONE MILLION TWO**
22 **HUNDRED THOUSAND pesos (P1,200,000)** but
23 is less than [twenty-two thousand] **TWO MILLION**
24 **TWO HUNDRED THOUSAND pesos**
25 **(P2,200,000)**. If the amount exceeds the latter, the
26 penalty shall be *reclusion temporal* in its maximum
27 period to *reclusion perpetua*.

28 In all cases, persons guilty of malversation shall also suffer the
29 penalty of perpetual special disqualification and a fine equal to
30 the amount of the funds malversed or equal to the total value of
31 the property embezzled.

1 The failure of a public officer to have duly forthcoming any
2 public funds or property with which he is chargeable, upon
3 demand by any duly authorized officer, shall be prima facie
4 evidence that he has put such missing funds or property to
5 personal use.

6 **SEC. 42.** Article 218 of same Act is hereby amended to read as follows:

7 *ART. 218. Failure of accountable officer to render accounts. —*

8 Any public officer, whether in the service or separated therefrom
9 by resignation or any other cause, who is required by law or
10 regulation to render account to the [Insular Auditor]
11 **COMMISSION ON AUDIT** , or to a provincial auditor and
12 who fails to do so for a period of two months after such accounts
13 should be rendered, shall be punished by *prision correccional* in
14 its minimum period, or by a fine ranging from [200 to 6,000]
15 **FORTY THOUSAND PESOS (P40,000) TO ONE**
16 **MILLION TWO THOUSAND pesos (P1,200,000)**, or both.

17 **SEC. 43.** Article 219 of same Act is hereby amended to read as follows:

18 *ART. 219. Failure of a responsible public officer to render*
19 *accounts before leaving the country. —* Any public officer who
20 unlawfully leaves or attempts to leave the PhilippineS [Islands]
21 without securing a certificate from the [Insular Auditor]
22 **COMMISSION ON AUDIT** showing that his accounts have
23 been finally settled, shall be punished by *arresto mayor*, or a
24 fine ranging from [200 to 1,000] **FORTY THOUSAND**
25 **PESOS (P40,000) TO TWO HUNDRED THOUSAND**
26 pesos (**P200,000**) or both.

27 **SEC. 44.** Article 221 of same Act is hereby amended to read as follows:

28 *ART. 221. Failure to make delivery of public funds or property.*

29 — Any public officer under obligation to make payment from
30 Government funds in his possession, who shall fail to make such
31 payment, shall be punished by *arresto mayor* and a fine from 5

to 25 per cent of the sum which he failed to pay.

This provision shall apply to any public officer who, being ordered by competent authority to deliver any property in his custody or under his administration, shall refuse to make such delivery.

The fine shall be graduated in such case by the value of the thing, provided that it shall not less than [50] **TEN THOUSAND pesos (P10,000)**.

SEC. 45. Article 226 of same Act is hereby amended to read as follows:

ART. 226. *Removal, concealment or destruction of documents.*

— Any public officer who shall remove, destroy or conceal documents or papers officially entrusted to him, shall suffer:

(1) The penalty of *prision mayor* and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**, whenever serious damage shall have been caused thereby to a third party or to the public interest.

(2) The penalty of *prision correccional* in its minimum and medium period and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**, whenever the damage to a third party or to the public interest shall not have been serious.

In either case, the additional penalty of temporary special disqualification in its maximum period to perpetual disqualification shall be imposed.

SEC. 46. Article 227 of same Act is hereby amended to read as follows:

ART. 227. *Officer breaking seal.* — Any public officer charged with the custody of papers or property sealed by proper authority, who shall break the seals or permit them to be broken, shall suffer the penalties of *prision correccional* in its minimum and medium periods, temporary special

1 disqualification and a fine not exceeding [2,000] **FOUR**
2 **HUNDRED THOUSAND** pesos (**P400,000**).

3 **SEC. 47.** Article 228 of same Act is hereby amended to read as
4 follows:

5 **ART. 228.** *Opening of closed documents.* — Any public officer
6 not included in the provisions of the next preceding article who,
7 without proper authority, shall open or shall permit to be
8 opened any closed papers, documents or objects entrusted to his
9 custody, shall suffer the penalties or *arresto mayor*, temporary
10 special disqualification and a fine of not exceeding [2,000]
11 **FOUR HUNDRED THOUSAND** pesos (**P400,000**).

12 **SEC. 48.** Article 229 of same Act is hereby amended to read as follows:

13 **ART. 229.** *Revelation of secrets by an officer.* — Any public
14 officer who shall reveal any secret known to him by reason of his
15 official capacity, or shall wrongfully deliver papers or copies of
16 papers of which he may have charge and which should not be
17 published, shall suffer the penalties of *prision correccional* in its
18 medium and maximum periods, perpetual special
19 disqualification and a fine not exceeding [2,000] **FOUR**
20 **HUNDRED THOUSAND** pesos (**P400,000**) if the
21 revelation of such secrets or the delivery of such papers shall
22 have caused serious damage to the public interest; otherwise,
23 the penalties of *prision correccional* in its minimum period,
24 temporary special disqualification and a fine not exceeding
25 [500] **ONE HUNDRED THOUSAND** pesos (**P100,000**)
26 shall be imposed.

27 **SEC. 49.** Article 230 of same Act is hereby amended to read as
28 follows:

29 **ART. 230.** *Public officer revealing secrets of private individual.*
30 — Any public officer to whom the secrets of any private
31 individual shall become known by reason of his office who shall

1 reveal such secrets, shall suffer the penalties of *arresto mayor*
2 and a fine not exceeding [1,000] **TWO HUNDRED**
3 **THOUSAND** pesos (**P200,000**).

4 **SEC. 50.** Article 231 of same Act is hereby amended to read as follows:

5 ART. 231. *Open disobedience.* — Any judicial or executive officer
6 who shall openly refuse to execute the judgment, decision or
7 order of any superior authority made within the scope of the
8 jurisdiction of the latter and issued with all the legal formalities,
9 shall suffer the penalties of *arresto mayor* in its medium period
10 to *prision correccional* in its minimum period, temporary
11 special disqualification in its maximum period and a fine not
12 exceeding [1,000] **TWO HUNDRED THOUSAND** pesos
13 (**P200,000**).

14 **SEC. 51.** Article 233 of same Act is hereby amended to read as follows:

15 ART. 233. *Refusal of assistance.* — The penalties of *arresto*
16 *mayor* in its medium period to *prision correccional* in its
17 minimum period, perpetual special disqualification and a fine
18 not exceeding [1,000] **TWO HUNDRED THOUSAND** pesos
19 (**P200,000**), shall be imposed upon a public officer who, upon
20 demand from competent authority, shall fail to lend his
21 cooperation towards the administration of justice or other
22 public service, if such failure shall result in serious damage to
23 the public interest, or to a third party; otherwise, *arresto mayor*
24 in its medium and maximum periods and a fine not exceeding
25 [500] **ONE HUNDRED THOUSAND** pesos (**P100,000**)
26 shall be imposed.

27 **SEC. 52.** Article 234 of same Act is hereby amended to read as follows:

28 ART. 234. *Refusal to discharge elective office.* — The penalty of
29 *arresto mayor* or a fine not exceeding [1,000] **TWO**
30 **HUNDRED THOUSAND** pesos (**P200,000**), or both, shall
31 be imposed upon any person who, having been elected by

1 popular election to a public office, shall refuse without legal
2 motive to be sworn in or to discharge the duties of said office.

3 **SEC. 53.** Article 235 of same Act, as amended by Executive Order No. 62, is
4 hereby further amended to read as follows:

5 **ART. 235. Maltreatment of prisoners.** — The penalty of *prision*
6 *correccional* in its medium period to *prision mayor* in its
7 minimum period, in addition to his liability for the physical
8 injuries or damage caused, shall be imposed upon any public
9 officer or employee who shall overdo himself in the correction or
10 handling of a prisoner or detention prisoner under his charge,
11 by the imposition of punishment not authorized by the
12 regulations, or by inflicting such punishment in a cruel and
13 humiliating manner.

14 If the purpose of the maltreatment is to extort a confession, or to
15 obtain some information from the prisoner, the offender shall
16 be punished by *prision mayor* in its minimum period,
17 temporary special disqualification and a fine not exceeding
18 **[6,000] ONE HUNDRED THOUSAND pesos (P100,000)**,
19 in addition to his liability for the physical injuries or damage
20 caused.

21 **SEC. 54.** Article 236 of same Act is hereby amended to read as follows:

22 **ART. 236. Anticipation of duties of a public office.** — Any
23 person who shall assume the performance of the duties and
24 powers of any public officer or employment without first being
25 sworn in or having given the bond required by law, shall be
26 suspended from such office or employment until he shall have
27 complied with the respective formalities and shall be fined from
28 **[200 to 500] FORTY THOUSAND PESOS (P40,000) TO**
29 **ONE HUNDRED pesos (P100,000).**

30 **SEC. 55.** Article 237 of same Act is hereby amended to read as follows:

31 **ART. 237. Prolonging performance of duties and powers.** —

Any public officer shall continue to exercise the duties and powers of his office, employment or commission, beyond the period provided by law, regulation or special provisions applicable to the case, shall suffer the penalties of *prision correccional* in its minimum period, special temporary disqualification in its minimum period and a fine not exceeding [500] **ONE HUNDRED THOUSAND pesos (P100,000)**.

SEC. 56. Article 239 of same Act is hereby amended to read as follows:

ART. 239. Usurpation of legislative powers. — The penalties of *prision correccional* in its minimum period, temporary special disqualification and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**, shall be imposed upon any public officer who shall encroach upon the powers of the legislative branch of the Government, either by making general rules or regulations beyond the scope of his authority, or by attempting to repeal a law or suspending the execution thereof.

SEC. 57. Article 242 of same Act is hereby amended to read as follows:

ART. 242. Disobeying request for disqualification. — Any public officer who, before the question of jurisdiction is decided, shall continue any proceeding after having been lawfully required to refrain from so doing, shall be punished by *arresto mayor* and a fine not exceeding [500] **ONE HUNDRED THOUSAND pesos (P100,000)**.

SEC. 58. Article 243 of same Act is hereby amended to read as follows:

ART. 243. Orders or requests by executive officers to any judicial authority. — Any executive officer who shall address any order or suggestion to any judicial authority with respect to any case or business coming within the exclusive jurisdiction of the courts of justice shall suffer the penalty of *arresto mayor* and a fine not exceeding [500] **ONE HUNDRED**

1 **THOUSAND pesos (P100,000).**

2 **SEC. 59.** Article 244 of same Act is hereby amended to read as follows:

3 ART. 244. *Unlawful appointments.* — Any public officer who
4 shall knowingly nominate or appoint to any public office any
5 person lacking the legal qualifications therefor, shall suffer the
6 penalty of *arresto mayor* and a fine not exceeding [1,000]
7 **TWO HUNDRED THOUSAND pesos (P200,000).**

8 **SEC. 60.** Article 259 of same Act is hereby amended to read as follows:

9 ART. 259. *Abortion practiced by a physician or midwife and*
10 *dispensing of abortives.* — The penalties provided in Article 256
11 shall be imposed in its maximum period, respectively, upon any
12 physician or midwife who, taking advantage of their scientific
13 knowledge or skill, shall cause an abortion or assist in causing
14 the same.

15 Any pharmacist who, without the proper prescription from a
16 physician, shall dispense any abortive shall suffer the penalty of
17 *arresto mayor* and a fine not exceeding [1,000] **ONE**
18 **HUNDRED THOUSAND pesos (P100,000).**

19 **SEC. 61.** Article 265 of same Act is hereby amended to read as follows:

20 ART. 265. *Less serious physical injuries.* — Any person who
21 shall inflict upon another physical injuries not described in the
22 preceding articles, but which shall incapacitate the offended
23 party for labor for ten days or more, or shall require medical
24 assistance for the same period, shall be guilty of less serious
25 physical injuries and shall suffer the penalty of *arresto mayor*.

26 Whenever less serious physical injuries shall have been inflicted
27 with the manifest intent to kill or offend the injured person, or
28 under circumstances adding ignominy to the offense in addition
29 to the penalty of *arresto mayor*, a fine not exceeding [500]
30 **FIFTY THOUSAND pesos (P50,000)** shall be imposed.

1 Any less serious physical injuries inflicted upon the offender's
2 parents, ascendants, guardians, curators, teachers, or persons of
3 rank, or persons in authority, shall be punished by *prision*
4 *correccional* in its minimum and medium periods, provided
5 that, in the case of persons in authority, the deed does not
6 constitute the crime of assault upon such person.

7 **SEC. 62.** Article 266 of same Act is hereby amended to read as follows:

8 **ART. 266.** *Slight physical injuries and maltreatment.* — The
9 crime of slight physical injuries shall be punished:

10 (1) By *arresto menor* when the offender has inflicted
11 physical injuries which shall incapacitate the offended
12 party for labor from one to nine days, or shall require
13 medical attendance during the same period.

14 (2) By *arresto menor* or a fine not exceeding [200] **FORTY**
15 **THOUSAND** pesos (**P40,000**) and censure when the
16 offender has caused physical injuries which do not
17 prevent the offended party from engaging in his habitual
18 work nor require medical assistance.

19 (3) By *arresto menor* in its minimum period or a fine not
20 exceeding [50] **FIVE THOUSAND** pesos (**P5,000**)
21 when the offender shall ill-treat another by deed without
22 causing any injury.

23 **SEC. 63.** Article 268 of same Act, as amended by Republic Act No. 18, is
24 hereby further amended to read as follows:

25 **ART. 268.** *Slight Illegal Detention.* — The penalty of *reclusion*
26 *temporal* shall be imposed upon any private individual who
27 shall commit the crimes described in the next preceding article
28 without the attendance of any of the circumstances enumerated
29 therein.

30 The same penalty shall be incurred by anyone who shall furnish

1 the place for the perpetration of the crime.

2 If the offender shall voluntarily release the person so locked up
3 or detained within three days from the commencement of the
4 detention, without having attained the purpose intended, and
5 before the institution of criminal proceedings against him, the
6 penalty shall be *prision mayor* in its minimum and medium
7 periods and a fine not exceeding [seven hundred] **ONE**
8 **HUNDRED THOUSAND** pesos (**P100,000**).

9 **SEC. 64.** Article 269 of same Act is hereby amended to read as follows:

10 ART. 269. *Unlawful arrest.* — The penalty of *arresto mayor*
11 and a fine not exceeding [500] **ONE HUNDRED**
12 **THOUSAND** pesos (**P100,000**) shall be imposed upon any
13 person who, in any case other than those authorized by law, or
14 without reasonable ground therefor, shall arrest or detain
15 another for the purpose of delivering him to the proper
16 authorities.

17 **SEC. 65.** Article 271 of same Act, as amended by Republic Act No. 18, is
18 hereby further amended to read as follows:

19 ART. 271. *Inducing a minor to abandon his home.* — The
20 penalty of *prision correccional* and a fine not exceeding [seven
21 hundred] **ONE HUNDRED THOUSAND** pesos (**P100,000**)
22 shall be imposed upon anyone who shall induce a minor to
23 abandon the home of his parents or guardians or the persons
24 entrusted with his custody.

25 If the person committing any of the crimes covered by the two
26 preceding articles shall be the father or the mother of the minor,
27 the penalty shall be *arresto mayor* or a fine not exceeding
28 [three hundred] **FORTY THOUSAND** pesos (**P40,000**), or
29 both.

30 **SEC. 66.** Article 276 of same Act is hereby amended to read as follows:

1 ART. 276. *Abandoning a minor.* — The penalty of *arresto*
2 *mayor* and a fine not exceeding [500] **ONE HUNDRED**
3 **THOUSAND** pesos (**P100,000**) shall be imposed upon any
4 one who shall abandon a child under seven years of age, the
5 custody of which is incumbent upon him.

6 When the death of the minor shall result from such
7 abandonment, the culprit shall be punished *by prision*
8 *correccional* in its medium and maximum periods; but if the life
9 of the minor shall have been in danger only, the penalty shall be
10 *prision correccional* in its minimum and medium periods.

11 The provisions contained in the two preceding paragraphs shall
12 not prevent the imposition of the penalty provided for the act
13 committed, when the same shall constitute a more serious
14 offense.

15 **SEC. 67.** Article 277 of same Act is hereby amended to read as follows:

16 ART. 277. *Abandonment of minor by person entrusted with his*
17 *custody; indifference of parents.*— The penalty of *arresto*
18 *mayor* and a fine not exceeding [500] **ONE HUNDRED**
19 **THOUSAND** pesos (**P100,000**) shall be imposed upon
20 anyone who, having charge of the rearing or education of a
21 minor, shall deliver said minor to a public institution or other
22 persons, without the consent of the one who entrusted such
23 child to his care or in the absence of the latter, without the
24 consent of the proper authorities.

25 The same penalty shall be imposed upon the parents who shall
26 neglect their children by not giving them the education which
27 their station in life require and financial conditions permit.

28 **SEC. 68.** Article 278 of same Act is hereby amended to read as
29 follows:

30 ART. 278. *Exploitation of minors.* — The penalty of *prision*
31 *correccional* in its minimum and medium periods and a fine not

1 exceeding [500] **ONE HUNDRED THOUSAND** pesos
2 **(P100,000)** shall be imposed upon:

3 (1) Any person who shall cause any boy or girl under sixteen
4 years of age to perform any dangerous feat of balancing,
5 physical strength, or contortion.

6 (2) Any person who, being an acrobat, gymnast, rope-walker,
7 diver, wild-animal tamer or circus manager or engaged in
8 a similar calling, shall employ in exhibitions of these
9 kinds children under sixteen years of age who are not his
10 children or descendants.

11 (3) Any person engaged in any of the callings enumerated in
12 the next paragraph preceding who shall employ any
13 descendant of his under twelve years of age in such
14 dangerous exhibitions.

15 (4) Any ascendant, guardian, teacher or person entrusted in
16 any capacity with the care of a child under sixteen years
17 of age, who shall deliver such child gratuitously to any
18 person following any of the callings enumerated in
19 paragraph 2 hereof, or to any habitual vagrant or beggar.

20 If the delivery shall have been made in consideration of
21 any price, compensation, or promise, the penalty shall in
22 every case be imposed in its maximum period.

23 In either case, the guardian or curator convicted shall
24 also be removed from office as guardian or curator; and
25 in the case of the parents of the child, they may be
26 deprived, temporarily or perpetually, in the discretion of
27 the court, of their parental authority.

28 (5) Any person who shall induce any child under sixteen
29 years of age to abandon the home of its ascendants,
30 guardians, curators, or teachers to follow any person
31 engaged in any of the callings mentioned in paragraph 2

hereof, or to accompany any habitual vagrant or beggar.

SEC. 69. Article 280 of same Act is hereby amended to read as follows:

ART. 280. *Qualified trespass to dwelling.* — Any private person who shall enter the dwelling of another against the latter's will shall be punished by *arresto mayor* and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000).**

If the offense be committed by means of violence or intimidation, the penalty shall be *prision correccional* in its medium and maximum periods and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000).**

The provisions of this article shall not be applicable to any person who shall enter another's dwelling for the purpose of preventing some serious harm to himself, the occupants of the dwelling or a third person, nor shall it be applicable to any person who shall enter a dwelling for the purpose of rendering some service to humanity or justice, nor to anyone who shall enter cafes, taverns, inn and other public houses, while the same are open.

SEC. 70. Article 281 of same Act is hereby amended to read as follows:

ART. 281. *Other forms of trespass.* — The penalty of *arresto menor* or a fine not exceeding [200] **FORTY THOUSAND pesos (P40,000)**, or both, shall be imposed upon any person who shall enter the closed premises or the fenced estate of another, while either or both of them are uninhabited, if the prohibition to enter be manifest and the trespasser has not secured the permission of the owner or the caretaker thereof.

SEC. 71. Article 282 of same Act is hereby amended to read as follows:

ART. 282. *Grave threats.* — Any person who shall threaten another with the infliction upon the person, honor or property of the latter or of his family of any wrong amounting to a crime,

1 shall suffer:

- 2 (1) The penalty next lower in degree than that prescribed by
3 law for the crime be threatened to commit, if the offender
4 shall have made the threat demanding money or
5 imposing any other condition, even though not unlawful,
6 and said offender shall have attained his purpose. If the
7 offender shall not have attained his purpose, the penalty
8 lower by two degrees shall be imposed.

9 If the threat be made in writing or through a middleman,
10 the penalty shall be imposed in its maximum period.

- 11 (2) The penalty of *arresto mayor* and a fine not exceeding
12 [500] **ONE HUNDRED THOUSAND** pesos
13 **(P100,000)** if the threat shall not have been made
14 subject to a condition.

15 **SEC. 72.** Article 285 of same Act is hereby amended to read as follows:

16 **ART. 285. Other light threats.** — The penalty of *arresto menor*
17 in its minimum period or a fine not exceeding [200] **FORTY**
18 **THOUSAND** pesos **(P40,000)** shall be imposed upon:

- 19 (1) Any person who, without being included in the provisions
20 of the next preceding article, shall threaten another with
21 a weapon or draw such weapon in a quarrel, unless it be
22 in lawful self-defense.
- 23 (2) Any person who, in the heat of anger, shall orally
24 threaten another with some harm not constituting a
25 crime, and who by subsequent acts show that he did not
26 persist in the idea involved in his threat, provided that
27 the circumstances of the offense shall not bring it within
28 the provisions of Article 282 of this Code.
- 29 (3) Any person who shall orally threaten to do another any
30 harm not constituting a felony.

1 **SEC. 73.** Article 286 of the same Act, as amended by Republic Act No. 7890,
2 is hereby further amended to read as follows:

3 ART. 286. *Grave coercions.* — The penalty of *prision*
4 *correccional* and a fine not exceeding [Six thousand pesos]
5 **ONE HUNDRED THOUSAND pesos (P100,000)** shall be
6 imposed upon any person who, without authority of law, shall,
7 by means of violence, threats or intimidation, prevent another
8 from doing something not prohibited by law, or compel him to
9 do something against his will, whether it be right or wrong.

10 If the coercion be committed in violation of the exercise of the
11 right of suffrage, or for the purpose of compelling another to
12 perform any religious act or to prevent him from exercising such
13 right, or from so doing such act, the penalty next higher in
14 degree shall be imposed.

15 **SEC. 74.** Article 287 of the same Act is hereby amended to read as follows:

16 ART. 287. *Light coercions.* - Any person who, by means of
17 violence, shall seize anything belonging to his debtor for the
18 purpose of applying the same to the payment of the debt, shall
19 suffer the penalty of *arresto mayor* in its minimum period and a
20 fine equivalent to the value of the thing, but in no case less than
21 **[75] FIFTEEN THOUSAND pesos (P15,000).**

22 Any other coercions or unjust vexations shall be punished
23 by *arresto menor* or a fine ranging from [5 to 200] **ONE**
24 **THOUSAND PESOS (P1,000) TO FORTY THOUSAND**
25 **pesos (P40,000), or both.**

26 **SEC. 75.** Article 288 of the same Act is hereby amended to read as follows:

27 ART. 288. *Other similar coercions; (Compulsory purchase of*
28 *merchandise and payment of wages by means of tokens.)* —
29 The penalty of *arresto mayor* or a fine ranging from [200 to
30 500] **FORTY THOUSAND PESOS (P40,000) TO ONE**
31 **HUNDRED THOUSAND pesos (P100,000), or both, shall**

1 be imposed upon any person, agent or officer, of any association
2 or corporation who shall force or compel, directly or indirectly,
3 or shall knowingly permit any laborer or employee employed by
4 him or by such firm or corporation to be forced or compelled, to
5 purchase merchandise or commodities of any kind.

6 The same penalties shall be imposed upon any person who shall
7 pay the wages due a laborer or employee employed by him, by
8 means of tokens or objects other than the legal tender currency
9 of the laborer or employee.

10 **SEC. 76.** Article 289 of the same Act is hereby amended to read as follows:

11 *ART. 289. Formation, maintenance and prohibition of*
12 *combination of capital or labor through violence or threats. —*
13 *The penalty of *arresto mayor* and a fine not exceeding [300]*
14 **SIXTY THOUSAND pesos (P60,000)** shall be imposed upon
15 any person who, for the purpose of organizing, maintaining or
16 preventing coalitions or capital or labor, strike of laborers or
17 lock-out of employees, shall employ violence or threats in such a
18 degree as to compel or force the laborers or employers in the
19 free and legal exercise of their industry or work, if the act shall
20 not constitute a more serious offense in accordance with the
21 provisions of this Code.

22 **SEC. 77.** Article 290 of the same Act is hereby amended to read as follows:

23 *ART. 290. Discovering secrets through seizure of*
24 *correspondence. — The penalty of *prision correccional* in its*
25 *minimum and medium periods and a fine not exceeding [500]*
26 **ONE HUNDRED THOUSAND pesos (P100,000)** shall be
27 imposed upon any private individual who in order to discover
28 the secrets of another, shall seize his papers or letters and reveal
29 the contents thereof.

30 If the offender shall not reveal such secrets, the penalty shall be
31 *arresto mayor* and a fine not exceeding [500] **ONE**

1 **HUNDRED THOUSAND pesos (P100,000).**

2 The provision shall not be applicable to parents, guardians, or
3 persons entrusted with the custody of minors with respect to the
4 papers or letters of the children or minors placed under their
5 care or study, nor to spouses with respect to the papers or letters
6 of either of them.

7 **SEC. 78.** Article 291 of the same Act is hereby amended to read as follows:

8 ART. 291. *Revealing secrets with abuse of office.* — The penalty
9 of *arresto mayor* and a fine not exceeding [500] **ONE**
10 **HUNDRED THOUSAND pesos (P100,000)** shall be
11 imposed upon any manager, employee, or servant who, in such
12 capacity, shall learn the secrets of his principal or master and
13 shall reveal such secrets.

14 **SEC. 79.** Article 292 of the same Act is hereby amended to read as
15 follows:

16 ART. 292. *Revelation of industrial secrets.*— The penalty of
17 *prision correccional* in its minimum and medium periods and a
18 fine not exceeding [500] **ONE HUNDRED THOUSAND**
19 **pesos (P100,000)** shall be imposed upon the person in charge,
20 employee or workman of any manufacturing or industrial
21 establishment who, to the prejudice of the owner thereof, shall
22 reveal the secrets of the industry of the latter.

23 **SEC. 80.** Article 299 of the same Act, as amended by Republic Act No. 18, is
24 hereby further amended to read as follows:

25 ART. 299. *Robbery in an inhabited house or public building or*
26 *edifice devoted to worship.* - Any armed person who shall
27 commit robbery in an inhabited house or public building or
28 edifice devoted to religious worship, shall be punished by
29 *reclusion temporal*, if the value of the property taken shall
30 exceed [two hundred fifty] **FIFTY THOUSAND pesos**
31 **(P50,000)**, and if:

1 (a) The malefactors shall enter the house or building in
2 which the robbery was committed, by any of the following
3 means:

4 (1) Through an opening not intended for entrance or
5 egress.

6 (2) By breaking any wall, roof, or floor or breaking any
7 door or window.

8 (3) By using false keys, picklocks or similar tools.

9 (4) By using any fictitious name or pretending the
10 exercise of public authority.

11 Or if -

12 (b) The robbery be committed under any of the following
13 circumstances:

14 (1) By the breaking of doors, wardrobes, chests, or any
15 other kind of locked or sealed furniture or
16 receptacle;

17 (2) By taking such furniture or objects to be broken or
18 forced open outside the place of the robbery.

19 When the offenders do not carry arms, and the value of the
20 property taken exceeds [250] **FIFTY THOUSAND** pesos
21 **(P50,000)**, the penalty next lower in degree shall be imposed.

22 The same rule shall be applied when the offenders are armed,
23 but the value of the property taken does not exceed [250]
24 **FIFTY THOUSAND** pesos **(P50,000)**.

25 When said offenders do not carry arms and the value of the
26 property taken does not exceed [250] **FIFTY THOUSAND**
27 pesos **(P50,000)**, they shall suffer the penalty prescribed in the
28 two next preceding paragraphs, in its minimum period.

1 If the robbery be committed in one of the dependencies of an
2 inhabited house, public building, or building dedicated to
3 religious worship, the penalties next lower in degree than those
4 prescribed in this article shall be imposed.

5 **SEC. 81.** Article 302 of the same Act, as amended by Commonwealth Act No.
6 417, is hereby further amended to read as follows:

7 **ART. 302. *Robbery in an uninhabited place or in a private***
8 ***building.*** - Any robbery committed in an uninhabited place or in
9 a building other than those mentioned in the first paragraph of
10 Article 299, if the value of the property taken exceeds [250]
11 **FIFTY THOUSAND pesos (P50,000)**, shall be punished by
12 *prision correccional* in its medium and maximum periods
13 provided that any of the following circumstances is present:

- 14 (i) If the entrance has been effected through any opening not
15 intended for entrance or egress.
- 16 (ii) If any wall, roof, floor or outside door or window has
17 been broken.
- 18 (iii) If the entrance has been effected through the use of false
19 keys, picklocks or other similar tools.
- 20 (iv) If any door, wardrobe, chest or by sealed or closed
21 furniture or receptacle has been broken.
- 22 (v) If any closed or sealed receptacle, as mentioned in the
23 preceding paragraph, has been removed even if the same
24 to broken open elsewhere.

25 When the value of the property takes does not exceed [250]
26 **FIFTY THOUSAND pesos (P50,000)**, the penalty next lower
27 in degree shall be imposed.

28 In the cases specified in Articles 294, 295, 297, 299, 300, and
29 302 of this Code, when the property taken is mail matter or

1 large cattle, the offender shall suffer the penalties next higher in
2 degree than those provided in said articles.

3 **SEC. 82.** Article 309 of the same Act is hereby amended to read as follows:

4 **ART. 309. Penalties.** - Any person guilty of theft shall be
5 punished by:

6 (1) The penalty of *prision mayor* in its minimum and
7 medium periods, if the value of the thing stolen is more
8 than [12,000] **ONE MILLION TWO HUNDRED**
9 **THOUSAND pesos (P1,200,000)** but does not exceed
10 [22,000] **TWO MILLION TWO HUNDRED**
11 **THOUSAND pesos (P2,200,000)**, but if the value of
12 the thing stolen exceeds the latter amount the penalty
13 shall be the maximum period of the one prescribed in this
14 paragraph, and one year for each additional [ten
15 thousand] **FIVE HUNDRED THOUSAND pesos**
16 **(P500,000)**, but the total of the penalty which may be
17 imposed shall not exceed twenty years. In such cases, and
18 in connection with the accessory penalties which may be
19 imposed and for the purpose of the other provisions of
20 this Code, the penalty shall be termed *prision mayor* or
21 *reclusion temporal*, as the case may be.

22 (2) The penalty of *prision correccional* in its medium and
23 maximum periods, if the value of the thing stolen is more
24 than [6,000] **SIX HUNDRED THOUSAND pesos**
25 **(P600,000)** but does not exceed [12,000] **ONE**
26 **MILLION TWO HUNDRED THOUSAND pesos**
27 **(P1,200,000).**

28 (3) The penalty of *prision correccional* in its minimum and
29 medium periods, if the value of the property stolen is
30 more than [200] **TWENTY THOUSAND pesos**
31 **(P20,000)** but does not exceed [6,000] **SIX**
32 **HUNDRED THOUSAND pesos (P600,000).**

1 (4) *Arresto mayor* in its medium period to *prision*
2 *correccional* in its minimum period, if the value of the
3 property stolen is over [50] **FIVE THOUSAND** pesos
4 **(P5,000)** but does not exceed [200] **TWENTY**
5 **THOUSAND** pesos **(P20,000)**.

6 (5) *Arresto mayor* to its full extent, if such value is over [5]
7 **FIVE HUNDRED** pesos **(P500)** but does not exceed
8 [50] **FIVE THOUSAND** pesos **(P5,000)**.

9 (6) *Arresto mayor* in its minimum and medium periods, if
10 such value does not exceed [5] **FIVE HUNDRED** pesos
11 **(500)**.

12 (7) *Arresto menor* or a fine not exceeding [200] **TWENTY**
13 **THOUSAND** pesos **(P20,000)**, if the theft is
14 committed under the circumstances enumerated in
15 paragraph 3 of the next preceding article and the value of
16 the thing stolen does not exceed [5] **FIVE HUNDRED**
17 pesos **(500)**. If such value exceeds said amount, the
18 provision of any of the five preceding subdivisions shall
19 be made applicable.

20 (8) *Arresto menor* in its minimum period or a fine not
21 exceeding [50] **FIVE THOUSAND** pesos **(P5,000)**,
22 when the value of the thing stolen is not over [5] **FIVE**
23 **HUNDRED** pesos **(500)**, and the offender shall have
24 acted under the impulse of hunger, poverty, or the
25 difficulty of earning a livelihood for the support of
26 himself or his family.

27 **SEC. 83.** Article 311 of the same Act is hereby amended to read as follows:

28 *ART. 311. Theft of the property of the National Library and*
29 *National Museum.* - If the property stolen be any property of
30 the National Library or the National Museum, the penalty shall
31 be *arresto mayor* or a fine ranging from [200] **FORTY**

1 **THOUSAND PESOS (P40,000) to [500] ONE HUNDRED**
2 **THOUSAND** pesos (**P100,000**), or both, unless a higher
3 penalty should be provided under other provisions of this Code,
4 in which case, the offender shall be punished by such higher
5 penalty.

6 **SEC. 84.** Article 312 of the same Act is hereby amended to read as
7 follows:

8 ART. 312. *Occupation of real property or usurpation of real*
9 *rights in property.* - Any person who, by means of violence
10 against or intimidation of persons, shall take possession of any
11 real property or shall usurp any real rights in property belonging
12 to another, in addition to the penalty incurred for the acts of
13 violence executed by him, shall be punished by a fine from 50 to
14 100 per centum of the gain which he shall have obtained, but
15 not less than [75] **FIFTEEN THOUSAND pesos (P15,000)**.
16 If the value of the gain cannot be ascertained, a fine of from
17 [200] **FORTY THOUSAND PESOS (P40,000) to [500]**
18 **ONE HUNDRED THOUSAND pesos (P100,000)** shall be
19 imposed.

20 **SEC. 85.** Article 313 of the same Act is hereby amended to read as follows:

21 ART. 313. *Altering boundaries or landmarks.* — Any person
22 who shall alter the boundary marks or monuments of towns,
23 provinces, or estates, or any other marks intended to designate
24 the boundaries of the same, shall be punished by *arresto menor*
25 or a fine not exceeding [100] **TWENTY THOUSAND pesos**
26 (**P20,000**), or both.

27 **SEC. 86.** Article 315 of the same Act, as amended by Republic Act No. 4885,
28 Presidential Decree No. 1689, and Presidential Decree No. 818, is hereby further
29 amended to read as follows:

ART. 315. *Swindling (estafa)*. - Any person who shall defraud another by any of the means mentioned herein below shall be punished by:

1st. The penalty of *prision correccional* in its maximum period to *prision mayor* in its minimum period, if the amount of the fraud is over [12,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos (**P1,200,000**) but does not exceed [22,000] **TWO MILLION TWO HUNDRED THOUSAND** pesos (**P2,200,000**), and if such amount exceeds the latter sum, the penalty provided in this paragraph shall be imposed in its maximum period, adding one year for each additional [10,000] **FIVE HUNDRED THOUSAND** pesos (**P500,000**); but the total penalty which may be imposed shall not exceed twenty years. In such cases, and in connection with the accessory penalties which may be imposed under the provisions of this Code, the penalty shall be termed *prision mayor* or *reclusion temporal*, as the case may be.

2nd. The penalty of *prision correccional* in its minimum and medium periods, if the amount of the fraud is over [6,000] **SIX HUNDRED THOUSAND** pesos (**P600,000**) but does not exceed [12,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos (**P1,200,000**);

3rd. The penalty of *arresto mayor* in its maximum period to *prision correccional* in its minimum period if such amount is over [200] **TWENTY THOUSAND** pesos (**P20,000**) but does not exceed [6,000] **SIX HUNDRED THOUSAND** pesos (**P600,000**); and

4th. By *arresto mayor* in its maximum period, if such amount does not exceed [200] **TWENTY THOUSAND** pesos (**P20,000**), provided that in the four cases mentioned, the fraud be committed by any of the following means:

- (1) With unfaithfulness or abuse of confidence, namely:

1 (a) By altering the substance, quantity, or quality of
2 anything of value which the offender shall deliver
3 by virtue of an obligation to do so, even though
4 such obligation be based on an immoral or illegal
5 consideration.

6 (b) By misappropriating or converting, to the
7 prejudice of another, money, goods, or any other
8 personal property received by the offender in trust
9 or on commission, or for administration, or under
10 any other obligation involving the duty to make
11 delivery of or to return the same, even though such
12 obligation be totally or partially guaranteed by a
13 bond; or by denying having received such money,
14 goods, or other property.

15 (c) By taking undue advantage of the signature of the
16 offended party in blank, and by writing any
17 document above such signature in blank, to the
18 prejudice of the offended party or any third
19 person.

20 (2) By means of any of the following false pretenses or
21 fraudulent acts executed prior to or simultaneously with
22 the commission of the fraud:

23 (a) By using fictitious name, or falsely pretending to
24 possess power, influence, qualifications, property,
25 credit, agency, business or imaginary transactions,
26 or by means of other similar deceits.

27 (b) By altering the quality, fineness or weight of
28 anything pertaining to his art or business.

29 (c) By pretending to have bribed any Government
30 employee, without prejudice to the action for
31 calumny which the offended party may deem

proper to bring against the offender. In this case, the offender shall be punished by the maximum period of the penalty.

- (d) By postdating a check, or issuing a check in payment of an obligation when the offender had no funds in the bank, or his funds deposited therein were not sufficient to cover the amount of the check. The failure of the drawer of the check to deposit the amount necessary to cover his check within three (3) days from receipt of notice from the bank and/or the payee or holder that said check has been dishonored for lack or insufficiency of funds shall be prima facie evidence of deceit constituting false pretense or fraudulent act.

Any person who shall defraud another by means of false pretenses or fraudulent acts as defined in paragraph 2(d) hereof [of Article 315 of the Revised Penal Code, as amended by Republic Act No. 4885,] shall be punished by:

1st. The penalty of *reclusion temporal* if the amount of the fraud is over [12,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000)** but not exceeding [22,000] **TWO MILLION TWO HUNDRED THOUSAND pesos (P2,200,000)**, and if such amount exceeds the latter sum, the penalty provided in this paragraph shall be imposed in its maximum period, adding one year for each additional [10,000] **FIVE HUNDRED THOUSAND pesos (P500,000)** but the total penalty which may be imposed shall in no case exceed thirty years. In such cases, and in

1 connection with the accessory penalties which may
2 be imposed under the Revised Penal Code, the
3 penalty shall be termed *reclusion perpetua*;

4 2nd. The penalty of *prision mayor* in its maximum
5 period, if the amount of the fraud is over [6,000]
6 **SIX HUNDRED THOUSAND** pesos
7 **(P600,000)** but does not exceed [12,000] **ONE**
8 **MILLION TWO HUNDRED THOUSAND**
9 pesos **(P1,200,000)**;

10 3rd. The penalty of *prision mayor* in its medium
11 period, if such amount is over [200] **TWENTY**
12 **THOUSAND** pesos **(P20,000)** but does not
13 exceed [6,000] **SIX HUNDRED THOUSAND**
14 pesos **(P600,000)**; and,

15 4th. By *prision mayor* in its maximum period, if
16 such amount does not exceed [200] **TWENTY**
17 **THOUSAND** pesos **(P20,000)**.

18 (3) Through any of the following fraudulent means:

19 (a) By inducing another, by means of deceit, to sign
20 any document.

21 (b) By resorting to some fraudulent practice to insure
22 success in a gambling game.

23 (c) By removing, concealing or destroying, in whole or
24 in part, any court record, office files, document or
25 any other papers.

26 **SEC. 87.** Article 318 of the same Act is hereby amended to read as follows:

27 **ART. 318. Other deceits.** — The penalty of *arresto mayor* and a
28 fine of not less than the amount of the damage caused and not
29 more than twice such amount shall be imposed upon any person
30 who shall defraud or damage another by any other deceit not

1 mentioned in the preceding articles of this chapter.

2 Any person who, for profit or gain, shall interpret dreams, make
3 forecasts, tell fortunes, or take advantage of the credulity of the
4 public in any other similar manner, shall suffer the penalty of
5 *arresto mayor* or a fine not exceeding [200] **FORTY**
6 **THOUSAND pesos (P40,000).**

7 **SEC. 88.** Article 321 of the same Act is hereby amended to read as follows:

8 *ART. 321. Other forms of arson.* - When the arson consists in
9 the burning of other property and under the circumstances
10 given hereunder, the offender shall be punishable:

11 (1) By *reclusion temporal* or *reclusion perpetua*:

12 (a) if the offender shall set fire to any building,
13 farmhouse, warehouse, hut, shelter, or vessel in
14 port, knowing it to be occupied at the time by one
15 or more persons;

16 (b) If the building burned is a public building and
17 value of the damage caused exceeds [6,000] **ONE**
18 **MILLION TWO HUNDRED THOUSAND**
19 **pesos (P1,200,000);**

20 (c) If the building burned is a public building and the
21 purpose is to destroy evidence kept therein to be
22 used in instituting prosecution for the punishment
23 of violators of the law, irrespective of the amount
24 of the damage;

25 (d) If the building burned is a public building and the
26 purpose is to destroy evidence kept therein to be
27 used in legislative, judicial or administrative
28 proceedings, irrespective of the amount of the
29 damage; Provided, however, That if the evidence
30 destroyed is to be used against the defendant for

1 the prosecution of any crime punishable under
2 existing laws, the penalty shall be *reclusion*
3 *perpetua*;

- 4 (e) If the arson shall have been committed with the
5 intention of collecting under an insurance policy
6 against loss or damage by fire.

7 (3) By *reclusion temporal*:

- 8 (a) If an inhabited house or any other building in
9 which people are accustomed to meet is set on fire,
10 and the culprit did not know that such house or
11 building was occupied at the time, or if he shall set
12 fire to a moving freight train or motor vehicle, and
13 the value of the damage caused exceeds [6,000]
14 **ONE MILLION TWO HUNDRED**
15 **THOUSAND pesos (P1,200,000);**

- 16 (b) If the value of the damage caused in paragraph (b)
17 of the preceding subdivision does not exceed
18 [6,000] **ONE MILLION TWO HUNDRED**
19 **THOUSAND pesos (P1,200,000);**

- 20 (c) If a farm, sugar mill, cane mill, mill central,
21 bamboo groves or any similar plantation is set on
22 fire and the damage caused exceeds [6,000] **ONE**
23 **MILLION TWO HUNDRED THOUSAND**
24 **pesos (P1,200,000); and**

- 25 (d) If grain fields, pasture lands, or forests, or
26 plantings are set on fire, and the damage caused
27 exceeds [6,000] **ONE MILLION TWO**
28 **HUNDRED THOUSAND pesos**
29 **(P1,200,000).**

30 (4) By *prision mayor*:

1 (a) If the value of the damage caused in the case
2 mentioned in paragraphs (a), (c), and (d) in the
3 next preceding subdivision does not exceed
4 **[6,000] ONE MILLION TWO HUNDRED**
5 **THOUSAND pesos (P1,200,000);**

6 (b) If a building not used as a dwelling or place of
7 assembly, located in a populated place, is set on
8 fire, and the damage caused exceeds **[6,000] ONE**
9 **MILLION TWO HUNDRED THOUSAND**
10 **pesos (P1,200,000);**

11 (5) By *prision correccional* in its maximum period to *prision*
12 *mayor* in its medium period:

13 (a) If a building used as dwelling located in an
14 uninhabited place is set on fire and the damage
15 caused exceeds **[1,000] TWO HUNDRED**
16 **THOUSAND pesos (P200,000);**

17 (b) If the value or the damage caused in the case
18 mentioned in paragraphs (c) and (d) of
19 subdivision 2 of this article does not exceed **[200]**
20 **FORTY THOUSAND pesos (P40,000).**

21 (6) By *prision correccional* in its medium period to *prision*
22 *mayor* in its minimum period, when the damage caused
23 is over **[200] FORTY THOUSAND pesos (P40,000)**
24 **but does not exceed [1,000] TWO HUNDRED**
25 **THOUSAND pesos (P200,000), and the property**
26 **referred to in paragraph (a) of the preceding subdivision**
27 **is set on fire; but when the value of such property does**
28 **not exceed [200] FORTY THOUSAND pesos**
29 **(P40,000), the penalty next lower in degree than that**
30 **prescribed in this subdivision shall be imposed.**

1 (7) The penalty of *prision correccional* in its medium and
2 maximum periods, if the damage caused in the case
3 mentioned in paragraph (b) of subdivision 3 of this
4 article does not exceed [6,000] **ONE MILLION TWO**
5 **HUNDRED THOUSAND pesos (P1,200,000)** but is
6 over [200] **FORTY THOUSAND pesos (P40,000)**.

7 (8) The penalty of *prision correccional* in its minimum and
8 medium periods, if the damage caused in the case
9 mentioned paragraph (b) subdivision 3 of this article
10 does not exceed [200] **FORTY THOUSAND pesos**
11 **(P40,000)**.

12 (9) The penalty of *arresto mayor* and a fine ranging from
13 fifty to one hundred per centum if the damage caused
14 shall be imposed, when the property burned consists of
15 grain fields, pasture lands, forests, or plantations when
16 the value of such property does not exceed [200]
17 **FORTY THOUSAND pesos (P40,000)**.

18 **SEC. 89.** Article 322 of the same Act is hereby amended to read as follows:

19 ART. 322. *Cases of arson not included in the preceding*
20 *articles.* - Cases of arson not included in the next preceding
21 articles shall be punished:

22 (1) By *arresto mayor* in its medium and maximum periods,
23 when the damage caused does not exceed [50] **TEN**
24 **THOUSAND pesos (P10,000)**;

25 (2) By *arresto mayor* in its maximum period to *prision*
26 *correccional* in its minimum period, when the damage
27 caused is over [50] **TEN THOUSAND pesos**
28 **(P10,000)** but does not exceed [200] **FORTY**
29 **THOUSAND pesos (P40,000)**;

30 (3) By *prision correccional* in its minimum and medium
31 periods, if the damage caused is over [200] **FORTY**

1 **THOUSAND pesos (P40,000)** but does not exceed
2 **[1,000] TWO HUNDRED THOUSAND pesos**
3 **(P200,000); and**

4 (4) By *prision correccional* in its medium and maximum
5 periods, if it is over **[1,000] TWO HUNDRED**
6 **THOUSAND pesos (P200,000).**

7 **SEC. 90.** Article 323 of the same Act is hereby amended to read as
8 follows:

9 ART. 323. *Arson of property of small value.* - The arson of any
10 uninhabited hut, storehouse, barn, shed, or any other property
11 the value of which does not exceed **[25] FIVE THOUSAND**
12 **pesos (P5,000)**, committed at a time or under circumstances
13 which clearly exclude all danger of the fire spreading, shall not
14 be punished by the penalties respectively prescribed in this
15 chapter, but in accordance with the damage caused and under
16 the provisions of the following chapter.

17 **SEC. 91.** Article 328 of the same Act is hereby amended to read as
18 follows:

19 ART. 328. *Special cases of malicious mischief.* - Any person who
20 shall cause damage to obstruct the performance of public
21 functions, or using any poisonous or corrosive substance; or
22 spreading any infection or contagion among cattle; or who cause
23 damage to the property of the National Museum or National
24 Library, or to any archive or registry, waterworks, road,
25 promenade, or any other thing used in common by the public,
26 shall be punished:

27 (1) By *prision correccional* in its minimum and medium
28 periods, if the value of the damage caused exceeds
29 **[1,000] TWO HUNDRED THOUSAND pesos**
30 **(P200,000);**

1 (2) By *arresto mayor*, if such value does not exceed the
2 abovementioned amount but it is over [200] **FORTY**
3 **THOUSAND** pesos (**P40,000**); and

4 (3) By *arresto menor*, in such value does not exceed [200]
5 **FORTY THOUSAND** pesos (**P40,000**).

6 **SEC. 92.** Article 329 of the same Act, as amended by Commonwealth Act No.
7 3999, is hereby further amended to read as follows:

8 ART. 329. *Other mischiefs.* - The mischiefs not included in the
9 next preceding article shall be punished:

10 (1) By *arresto mayor* in its medium and maximum periods,
11 if the value of the damage caused exceeds [1,000] **TWO**
12 **HUNDRED THOUSAND** pesos (**P200,000**);

13 (2) By *arresto mayor* in its minimum and medium periods,
14 if such value is over [200] **FORTY THOUSAND** pesos
15 (**P40,000**) but does not exceed [1,000] **TWO**
16 **HUNDRED THOUSAND** pesos (**P200,000**); and

17 (3) By *arresto menor* or fine of not less than the value of the
18 damage caused and not more than [200] **FORTY**
19 **THOUSAND** pesos (**P40,000**), if the amount involved
20 does not exceed [200] **FORTY THOUSAND** pesos
21 (**P40,000**) or cannot be estimated.

22 **SEC. 93.** Article 331 of the same Act is hereby amended to read as follows:

23 ART. 331. *Destroying or damaging statues, public monuments*
24 *or paintings.*— Any person who shall destroy or damage statues
25 or any other useful or ornamental public monument shall suffer
26 the penalty of *arresto mayor* in its medium period to *prision*
27 *correccional* in its minimum period.

28 Any person who shall destroy or damage any useful or
29 ornamental painting of a public nature shall suffer the penalty of
30 *arresto menor* or a fine not exceeding [200] **FORTY**

1 **THOUSAND** pesos (**P40,000**), or both such fine and
2 imprisonment, in the discretion of the court.

3 **SEC. 94.** Article 347 of the same Act is hereby amended to read as follows:

4 ART. 347. *Simulation of births, substitution of one child for*
5 *another and concealment or abandonment of a legitimate*
6 *child.* — The simulation of births and the substitution of one
7 child for another shall be punished by *prision mayor* and a fine
8 of not exceeding [1,000] **TWO HUNDRED THOUSAND**
9 pesos (**P200,000**).

10 The same penalties shall be imposed upon any person who shall
11 conceal or abandon any legitimate child with intent to cause
12 such child to lose its civil status.

13 Any physician or surgeon or public officer who, in violation of
14 the duties of his profession or office, shall cooperate in the
15 execution of any of the crimes mentioned in the two next
16 preceding paragraphs, shall suffer the penalties therein
17 prescribed and also the penalty of temporary special
18 disqualification.

19 **SEC. 95.** Article 355 of the same Act is hereby amended to read as follows:

20 ART. 355. *Libel means by writings or similar means.*— A libel
21 committed by means of writing, printing, lithography,
22 engraving, radio, phonograph, painting, theatrical exhibition,
23 cinematographic exhibition, or any similar means, shall be
24 punished by *prision correccional* in its minimum and medium
25 periods or a fine ranging from [200 to 6,000] **TWENTY**
26 **THOUSAND PESOS (P20,000) TO SIX HUNDRED**
27 **THOUSAND** pesos (**P600,000**), or both, in addition to the
28 civil action which may be brought by the offended party.

29 **SEC. 96.** Article 356 of the same Act is hereby amended to read as follows:

30 ART. 356. *Threatening to publish and offer to prevent such*

1 *publication for a compensation. — The penalty of *arresto**
2 *mayor* or a fine from [200 to 2,000] **FORTY THOUSAND**
3 **PESOS (P40,000) TO FOUR HUNDRED THOUSAND**
4 pesos (**P400,000**), or both, shall be imposed upon any person
5 who threatens another to publish a libel concerning him or the
6 parents, spouse, child, or other members of the family of the
7 latter or upon anyone who shall offer to prevent the publication
8 of such libel for a compensation or money consideration.

9 **SEC. 97.** Article 357 of the same Act is hereby amended to read as follows:

10 ART. 357. *Prohibited publication of acts referred to in the*
11 *course of official proceedings.— The penalty of *arresto mayor**
12 or a fine of [20 to 2,000] **TWO THOUSAND PESOS**
13 **(P2,000) TO TWO HUNDRED THOUSAND** pesos
14 **(P200,000)**, or both, shall be imposed upon any reporter,
15 editor or manager or a newspaper, daily or magazine, who shall
16 publish facts connected with the private life of another and
17 offensive to the honor, virtue and reputation of said person,
18 even though said publication be made in connection with or
19 under the pretext that it is necessary in the narration of any
20 judicial or administrative proceedings wherein such facts have
21 been mentioned.

22 **SEC. 98.** Article 358 of the same Act is hereby amended to read as follows:

23 ART. 358. *Slander. — Oral defamation shall be punished by*
24 *arresto mayor* in its maximum period to *prision correccional* in
25 its minimum period if it is of a serious and insulting nature;
26 otherwise the penalty shall be *arresto menor* or a fine not
27 exceeding [200] **TWENTY THOUSAND** pesos (**P20,000**).

28 **SEC. 99.** Article 359 of the same Act is hereby amended to read as follows:

29 ART. 359. *Slander by deed. — The penalty of *arresto mayor* in*
30 *its maximum period to *prision correccional* in its minimum*
31 *period or a fine ranging from [200 to 1,000] TWENTY*

1 **THOUSAND PESOS (P20,000) TO ONE HUNDRED**
2 **THOUSAND pesos (P100,000)** shall be imposed upon any
3 person who shall perform any act not included and punished in
4 this title, which shall cast dishonor, discredit or contempt upon
5 another person. If said act is not of a serious nature, the penalty
6 shall be *arresto menor* or a fine not exceeding [200] **TWENTY**
7 **THOUSAND pesos (P20,000).**

8 **SEC. 100.** Article 364 of the same Act is hereby amended to read as follows:

9 ART. 364. *Intriguing against honor.* — The penalty of *arresto*
10 *menor* or fine not exceeding [200] **TWENTY THOUSAND**
11 **pesos (P20,000)** shall be imposed for any intrigue which has
12 for its principal purpose to blemish the honor or reputation of a
13 person.

14 **SEC. 101.** Article 365 of the same Act, as amended by Republic Act No. 1790,
15 is hereby further amended to read as follows:

16 ART. 365. *Imprudence and negligence.* — Any person who, by
17 reckless imprudence, shall commit any act which, had it been
18 intentional, would constitute a grave felony, shall suffer the
19 penalty of *arresto mayor* in its maximum period to *prision*
20 *correccional* in its medium period; if it would have constituted a
21 less grave felony, the penalty of *arresto mayor* in its minimum
22 and medium periods shall be imposed; if it would have
23 constituted a light felony, the penalty of *arresto menor* in its
24 maximum period shall be imposed.

25 Any person who, by simple imprudence or negligence, shall
26 commit an act which would otherwise constitute a grave felony,
27 shall suffer the penalty of *arresto mayor* in its medium and
28 maximum periods; if it would have constituted a less serious
29 felony, the penalty of *arresto mayor* in its minimum period
30 shall be imposed.

31 When the execution of the act covered by this article shall have

1 only resulted in damage to the property of another, the offender
2 shall be punished by a fine ranging from an amount equal to the
3 value of said damages to three times such value, but which shall
4 in no case be less than [twenty-five] **FIVE THOUSAND** pesos
5 **(P5,000)**.

6 A fine not exceeding [two hundred] **FORTY THOUSAND**
7 pesos **(P40,000)** and censure shall be imposed upon any
8 person who, by simple imprudence or negligence, shall cause
9 some wrong which, if done maliciously, would have constituted
10 a light felony.

11 In the imposition of these penalties, the court shall exercise
12 their sound discretion, without regard to the rules prescribed in
13 Article sixty-four.

14 The provisions contained in this article shall not be applicable:

15 (1) When the penalty provided for the offense is equal to or
16 lower than those provided in the first two paragraphs of
17 this article, in which case the court shall impose the
18 penalty next lower in degree than that which should be
19 imposed in the period which they may deem proper to
20 apply.

21 (2) When, by imprudence or negligence and with violation of
22 the Automobile Law, to death of a person shall be caused,
23 in which case the defendant shall be punished by *prision*
24 *correccional* in its medium and maximum periods.

25 Reckless imprudence consists in voluntary, but without malice,
26 doing or failing to do an act from which material damage results
27 by reason of inexcusable lack of precaution on the part of the
28 person performing or failing to perform such act, taking into
29 consideration his employment or occupation, degree of
30 intelligence, physical condition and other circumstances
31 regarding persons, time and place.

1 Simple imprudence consists in the lack of precaution displayed
2 in those cases in which the damage impending to be caused is
3 not immediate nor the danger clearly manifest.

4 The penalty next higher in degree to those provided for in this
5 article shall be imposed upon the offender who fails to lend on
6 the spot to the injured parties such help as may be in this hand
7 to give.

8 **SEC. 102. *Separability Clause.*** – Should any provision of this Act be
9 declared invalid, the remaining provisions shall continue to be valid and subsisting.

10 **SEC. 103. *Repealing Clause.*** – All laws, executive orders, or
11 administrative orders, rules and regulations or parts thereof, which are inconsistent
12 with this Act are hereby amended, repealed or modified accordingly.

13 **SEC. 104. *Retroactive Effect.*** – This Act shall have retroactive effect to
14 the extent that it is favorable to the accused or person serving sentence by final
15 judgment.

16 **SEC. 105. *Transitory Provision; Applicability to Pending Cases.*** –
17 For cases pending before the courts upon the effectivity of this Act where trial has
18 already started, the courts hearing such cases shall not lose jurisdiction over the
19 same by virtue of this Act.

20 **SEC. 106. *Effectivity.*** – This Act shall take effect within fifteen (15) days
21 after its publication in at least two (2) newspapers of general circulation.

Approved,