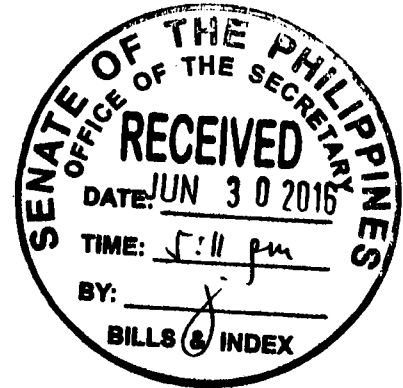


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE

S.B. No. 153



Introduced by **Senator JOSEPH VICTOR G. EJERCITO**

AN ACT
DEFINING THE CRIME OF ROBBERY OF TRAIN IMPLEMENTS,
CLASSIFYING THE ACT AS HEINOUS CRIME AND IMPOSING
PENALTY THEREOF

EXPLANATORY NOTE

Section 5 Article II of the 1987 Philippine Constitution provides, *"The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy."*

Traffic situation in the country has come from bad to worse. Study reveals that the only way to solve this chaos is a high-capacity public transport vehicle, which shows to be one of the major characteristics of a train. With the current administration, the people are starting to hope of a fully modernized and integrated train system all over the country that can bring hundreds or even thousands of commuters from Metro Manila to any part of the country in no time. However, part of modernization is the aspect or issue on public safety that the public must be assured of.

On April 29, 2015, three coaches of Philippine National Railways (PNR) Train 1507 traversing the track from Manila to Alabang derailed. 80 passengers sustained minor injuries, some suffered bruises, while others suffered trauma.¹ In an examination conducted by TÜV Rheinland (TÜV) of Germany it was concluded that the **cause of the derailment was the missing or stolen track components**, i.e. angle bars, and other rail fastenings.² The incident

¹ <http://newsinfo.inquirer.net/688461/80-injured-as-pnr-train-derails-in-taguig-city#ixzz3ebVyKzp2>

² PNR

shows serious danger to the lives of commuters. This bill aims to define the crime of robbery of railway implements and imposing stiffer penalty for violation thereof.

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

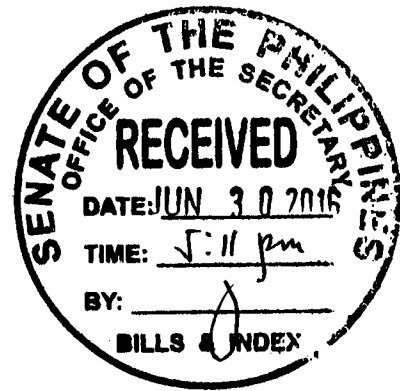
A handwritten signature in black ink, appearing to be 'JOSEPH VICTOR EJERCITO', with a horizontal line extending to the left.

JOSEPH VICTOR EJERCITO

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

1 **SECTION 1. Short Title.** This Act shall be known as "**Train**
2 **Protection Act**".

3
4 **SECTION 2. Declaration of Policy.** It is hereby declared the policy of
5 the State to serve and protect the people and to promote the general
6 welfare, by providing safe, efficient and affordable mode of public
7 transportation.

8
9 **SECTION 3. How Committed.** Robbery of Train Implements – Robbery
10 of Train Implements maybe committed by any person who, with intent
11 to gain, shall unlawfully take train parts, fixtures, railway tracks or
12 any facilities providing safety, and security or any other similar objects
13 thereof.

14
15 **SECTION 4. Who May be Liable.**

16
17 Persons liable as **Principal**

18
19 (a) Any person who take a direct participation in the commission of
20 the crime of robbery of train implements.

21 (b) Those who directly force or induce others to commit the crime of
22 robbery of train implements;

23 (c) Those who knowingly and intentionally cooperate in the
24 commission of the crime of robbery of train implements and
25 without which the crime would not have been committed. Such
26 person need not be a party at the planning stage.

27 (d) Any person who conspire, by prior agreement for the commission
28 of the crime of robbery of train implements.

Participants shall have a community of purpose with the principals and they act collectively and individually, which demonstrate the existence of a common design towards the accomplishment of the same purpose.

Persons liable as **Accomplice**

(a) Any person, who, not being a principal, cooperates in the execution of the offense by previous or simultaneous acts.

He/She should intentionally take part in the commission of the crime but his/her participation is not essential to its perpetration that even without it the crime could have been accomplished.

There shall be unanimity of criminal design but came to know about it after the conspirators have reached the decision and only then do they agree to cooperate in its execution.

(b) Those who, not fully complying with the elements of being a principal, conspire with the commission of the crime of robbery of train implements.

Persons liable as **Accessory**

Accessory is any person who conceals or destroys the effects or instruments of the crime of robbery of train implements in order to prevent discovery.

The following are presumed to be Co-conspirators:

(a) Any person who profits or assists the offender to profit by the effects of the crime; and

(b) Any person found to be in possession of the effects of the crime.

SECTION 5. Penalty. Any person who shall be found guilty of the crime of robbery of train implements shall suffer the following penalties:

(a) *For Principal – Life Imprisonment to Death*, if the commission has endangered the life of any person, regardless of the amount of property taken; and

(b) *For Accomplice* – a penalty, one degree lower to that of the principal.

(c) *For Accessory* – a penalty, two degree lower to that of the principal.

SECTION 6. Separability Clause. If, for any reason or reasons, any part of the provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby

1 shall continue to be in full force and effect.

2 **SECTION 7. *Repealing Clause.*** All laws, decrees, orders, rules, and
3 regulations, or parts thereof, inconsistent with the provisions of this
4 Act are hereby repealed, amended, or modified accordingly.

5 **SECTION 8. *Effectivity Clause.*** This Act shall take effect after fifteen
6 (15) days following its publication in at least two (2) newspapers of
7 general circulation.

8
9 Approved,