

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



SENATE  
Office of the Secretary

'16 JUL 21 A11:40

SENATE

S. B. No. 789

RECEIVED

BY: 

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Introduced by Senator FRANCIS G. ESCUDERO

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**AN ACT  
MANDATING THE IMPOSITION OF PENALTY LOWER THAN THAT  
PRESCRIBED BY LAW IN CRIMINAL CASES THE CIVIL CASE OF WHICH IS  
SETTLED THROUGH OR BY ALTERNATIVE DISPUTE RESOLUTION  
AMENDING FOR THAT PURPOSE REPUBLIC ACT NO. 9285**

**EXPLANATORY NOTE**

Alternative dispute resolution or ADR has become an effective legal mechanism in settling controversies or disputes in court.

As a way of encouraging ADR and promoting its use, this bill seeks to provide the benefit, favorable to the accused, of lowering the penalty in case of conviction in criminal cases where the civil aspect of which is settled with finality through or by ADR.

It is submitted that with this proposal, criminal cases will be resolved with dispatch especially in determining and satisfying civil liability at the least which is impliedly instituted in the filing of such cases in court.

An immediate deliberation of this bill is thus requested.



FRANCIS G. ESCUDERO

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

1        **SECTION 1.** A new section is hereby added under Chapter 8 of Republic Act  
2        No. 9285 to be numbered and read as follows:

3  
4        "SEC. 54.        EFFECTS OF ADR ON CRIMINAL CASES. - IN  
5        CRIMINAL CASES WHERE THE CIVIL ASPECT OF WHICH IS  
6        SETTLED WITH FINALITY BY ADR THE PENALTY TO BE  
7        IMPOSED SHALL BE AT LEAST TWO (2) DEGREES LOWER THAN  
8        THAT PRESCRIBED BY LAW. IF THE SUBJECT OFFENSE CANNOT  
9        BE LOWERED BY TWO (2) DEGREES PURSUANT TO ARTICLE 61  
10       OF THE REVISED PENAL CODE (RPC) THEN THE PENALTY TO BE  
11       IMPOSED SHALL BE FROM THE MINIMUM TO THE NEXT  
12       LOWER PENALTY PRESCRIBED BY LAW."

13  
14       **SEC. 2.**        The sections subsequent to the provisions in Section 1 hereof are  
15       hereby renumbered as SECTIONS 55 to 57 accordingly.

16  
17       **SEC. 3.**        All laws, decrees, executive orders and rules and regulations  
18       inconsistent with the provisions of this Act are hereby repealed and modified  
19       accordingly.

20  
21       **SEC. 4.**        This Act shall take effect 15 days following its complete publication  
22       in at least two (2) newspapers of general circulation.

23  
24       *Approved,*