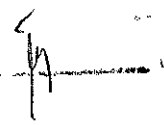


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 JUL -2 1992

RECEIVED BY: 

SENATE

S. B. No. 538

Introduced by **Senator JINGGOY EJERCITO ESTRADA**

EXPLANATORY NOTE

While the Constitution affirms the freedom of speech, of expression and of the press, a report conducted by a New York-based Committee to protect Journalists in 1996 yielded that members of the media in the Philippines have been continually subjected to harassment by the military, influential families who maintain feudal-like control of some areas, large corporations and even the government itself, to the point that even murder is committed against them.

It is in the rural areas outside Metro Manila, where radio is the dominant medium because of an under-developed infrastructure and high illiteracy, where such serious abuses are pervasive. Since press people are faced with the dangers which go along their line of duty, while exposing the truth, especially those which are sensitive, controversial and emotional, it is the duty of the government to ensure their protection and welfare.

This bill seeks to amend the Revised Penal Code thus making the killing of members of the broadcast and print media qualified as murder punishable under Article 248 of the same Code.


Immediate passage of this bill is earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

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

7 JUL -2 P5 59

SENATE

RECEIVED BY: 

Senate Bill No. 538

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
QUALIFYING THE KILLING OF MEMBERS OF BROADCAST AND PRINT
MEDIA ON THE OCCASION OF THE EXERCISE OF THEIR FUNCTIONS AS
SUCH, AS A CRIME OF MURDER PUNISHABLE UNDER ARTICLE 248 OF
THE REVISED PENAL CODE, AS AMENDED

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

SECTION 1. Article two hundred forty-eight of the Revised Penal Code as amended by Republic Act No. 7659 is hereby further amended to read as follows:

"ART. 248. Murder. Any person who, not falling within the provisions of Article 246 shall kill another, shall be guilty of murder and shall be punished attendant circumstances:

- 1) While treachery, taking advantage of superior strength, with the aid of armed men, or employing means to weaken the defense or of means or persons to insure or afford impunity;
- 2) In consideration of a price, reward or promise;
- 3) By means of inundation, fire poison, explosion, shipwreck, standing of a vessel, derailment or assault upon a street car or locomotive, fall of an airship, by means of motor vehicle, or with the use of any other means involving great waste and run;
- 4) On occasion of any of the calamities enumerated in the preceding paragraph, or an earthquake, eruption of a volcano, destructive cyclone, epidemic, or any other public calamity;
- 5) With evident premeditation;
- 6) With cruelty, by deliberately and inhumanly augmenting the suffering of the victim, or outraging or scoffing at his person or corpse;

7) WHEN THE PERSON KILLED IS A MEMBER OF THE BROADCAST AND PRINT MEDIA, ON OCCASION OF THE LAWFUL EXERCISE OF HIS DUTIES OR FUNCTIONS AS SUCH MEMBER.”

SEC. 2. Repealing Clause. - All laws, decrees, orders or regulations or part thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 3 . Effectivity.- This Act shall take effect fifteen (15) days following the completion of its publication in the *Official Gazette* or in two (2) newspaper of general circulation in the Philippines.

Approved,