

14th CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUL -3 AM 11:30

RECEIVED BY: 

SENATE

S.B.No. 732

Introduced by Senator Ramon Bong Revilla, Jr.

EXPLANATORY NOTE

Falsification is a felony penalized under Article 172 of the Revised Penal Code. Among other things, Article 171 provides that an act of falsification is committed by "making untruthful statement in a narration of facts" in a document. The elements, therefore, of such felony are:

(a.) the document is false; and

(b.) there is damage or intent to cause such damage. Such falsification affects the truth and integrity of the document. The act need not cause any actual prejudice—intent to prejudice is enough.

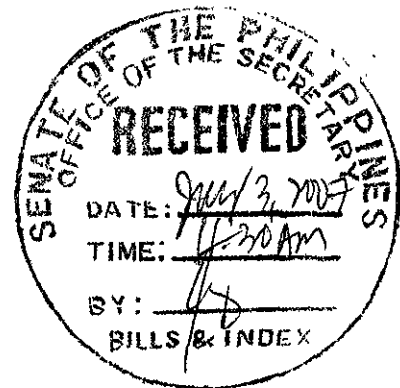
As settled, the act of falsification is committed by the signing of the document. Whether or not the falsified document was thereafter put to the illegal use for which it was intended is in no wise a material or essential element of the crime of falsification of a public document.

This bill seeks to impose stiff penalties to anyone who will falsify such documents.

Hence, the passage of this bill is highly recommended.


RAMON BONG REVILLA, JR.

14th CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



SENATE

S.B.No. 732

Introduced by Senator Ramon Bong Revilla, Jr.

AN ACT

TO IMPOSE STIFFER PENALTY FOR THE FALSIFICATION OF TORRENS CERTIFICATES OF TITLE, AMENDING FOR THE PURPOSE ARTICLES 171 AND 172 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS, THE REVISED PENAL CODE AND FOR OTHER PURPOSES

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

SECTION 1. Section 171 of Act No. 3815, as amended, otherwise known as, the Revised Penal Code, is hereby amended to read as follows:

“ Article 71. *Falsification by public, employee or notary or ecclesiastic minister* – The penalty of prison mayor and a fine not to exceed 5, 000.00 pesos shall be imposed upon the public officer, employee, or notary who, taking advantage of his official position, shall falsify a document by committing any of the following acts:

X X X

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

THE PENALTY OF RECLUSION TEMPORAL AND A FINE OF P50, 000.00 SHALL BE IMPOSED IF THE DOCUMENT FALSIFIED IS A TORRENS CERTIFICATE OF TITLE.

SECTION 2. Article 172 of Act No. 3815, as amended, otherwise known as, the Revised Penal Code, is hereby amended to read as follows:

“Article 172. *Falsification by private individual and use of falsified documents.* - The penalty of prison correccional in its medium and maximum periods and a fine of not more than that 5, 000.00 pesos shall be imposed upon:

(1) Any private individual who shall commit any of the falsifications enumerated in the nest preceding of article in any public or official document or letter of exchange or any other kind of commercial document; PROVIDED, THAT, THE PENALTY OF PRISION MAYOR AND A FINE OF P5, 000 SHALL BE IMPOSED IF THE

DOCUMENT FALSIFIED IS A TORRENS CERTIFICATE OF TITLE; and

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

Any person who shall knowingly introduce in evidence in any proceeding or to the damage of another or who, with the intent to cause such damage, shall use of any false documents embraced in the next preceding article, or in any of the foregoing subdivision of this Article, shall be punished by the penalty next lower in degree.

SECTION 3. If any provision of this Act shall be declared invalid or unconstitutional, the remaining part or provisions not otherwise affected shall remain in force.

SECTION 4. Any law, decree, ordinance, administrative circulars not consistent with any provision of this Act is hereby amended, repealed or modified accordingly.

SECTION 5. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,