

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

7 JUL -4 11:41

RECEIVED BY: 

SENATE
S.B. No. 928

Introduced by Senator Loren Legarda

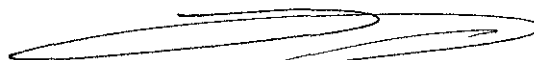
EXPLANATORY NOTE

This bill seeks to qualify the killing of members of broadcast and print media in the performance of their duties as a crime of murder to protect them on the occasion of the lawful exercise of their functions.

According to a study made by the Center for Media Freedom and Responsibility, there have been 28 journalists and media practitioners killed in the line of duty since 2001. These reported killings have brought undue attention on the country's state of press freedom, supposedly one of the freest in the world. We cannot have that in a republican democratic state where democracy is primarily infringed on the freedom of speech and of expression, and where media is considered the Fourth Estate.

There is a need to stop these useless killings and protect members of the media in the discharge of their functions. This bill addresses such need by classifying the killing of a member of the media while in the lawful exercise of his or her duties as a crime of murder under Article 248 of the Revised Penal Code.

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



LOREN LEGARDA
Senator

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

7 JUL -4 11:41

SENATE
S.B. No. 928

RECEIVED BY: [Signature]

Introduced by Senator Loren Legarda

AN ACT
QUALIFYING THE KILLING OF MEMBERS OF BROADCAST AND PRINT
MEDIA IN THE LAWFUL 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 the House of Representatives of the Republic 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 by reclusion perpetua to death, if committed with any of the
following attendant circumstances:

- 1) With 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 ruin;
- 4) On occasion of any of the calamities enumerated in the preceding
paragraphs 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, executive orders, rules and regulations or parts thereof, inconsistent the provisions of this Act are hereby modified or repealed accordingly.

SEC. 3. Effectivity - This Act shall take effect after the lapse of fifteen (15)days following its complete publication in the official Gazette or in two (2) newspapers of general circulation, whichever is earlier.

Approved,