

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

7 JUL -5 P.M. '76

SENATE
S. B. No. 1198

RECEIVED BY: [Signature]

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Republic Act No. 6539, a.k.a. the Anti-Carnapping Act of 1972, was enacted to curb theft of motor vehicles. Apparently, this law has considerably failed to address this problem as carnapping has become even more rampant over the past years.

This bill amends the present law as it eliminates the defense of good faith on the part of a person who may have purchased a stolen or carnapped motor vehicle. Thus, a carnapped motor vehicle, even if found in the possession of a purchaser in good faith, may still be rightfully recovered by the registered owner thereof.

This bill is a consolidation of related bills submitted during the Tenth Congress before the Committee on Constitutional Amendments, Revision of Codes and Laws, which the undersigned chaired.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
Chair

* This bill was re-filed during the Thirteenth Congress, First Regular Session.

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1 AN ACT
2 REQUIRING THE IMMEDIATE RETURN OF CARNAPPED VEHICLES TO
3 THE LAWFUL OWNERS THEREOF, AMENDING FOR THE PURPOSE R.A.
4 NO. 6539, OTHERWISE KNOWN AS THE ANTI-CARNAPPING ACT OF 1972

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

7 SECTION 1. A new Section is hereby inserted between Sections 6 and 7 of Republic Act
8 No. 6539, otherwise denominated as Section 6-A, which shall read as follows:

9 SEC. 6-A WHERE A MOTOR VEHICLE HAS BEEN FOUND TO BE
10 INCLUDED IN THE PHILIPPINE NATIONAL POLICE LIST OF
11 CARNAPPED MOTOR VEHICLES AND SAID VEHICLE IS IN THE
12 POSSESSION OF A PURCHASER, THE LATTER, REGARDLESS OF
13 WHETHER HE IS A BUYER IN GOOD FAITH, UPON DEMAND BY THE
14 REGISTERED OWNER OR HIS DULY AUTHORIZED REPRESENTATIVE
15 SHALL RETURN THE STOLEN MOTOR VEHICLE TO SAID OWNER OR
16 HIS REPRESENTATIVE WITHIN SEVENTY TWO (72) HOURS FROM
17 DEMAND. ANY REFUSAL ON THE PART OF THE SAID PURCHASER
18 SHALL BE PRIMA FACIE EVIDENCE OF HIS KNOWLEDGE OF THE
19 ILLEGAL SOURCE OF THE MOTOR VEHICLE HE BOUGHT AND SHALL
20 RENDER HIM CRIMINALLY LIABLE UNDER SECTION 13 OF THIS ACT;
21 *PROVIDED*, THAT NO RESTRAINING ORDER OR WRIT OF
22 PRELIMINARY INJUNCTION SHALL BE ISSUED BY ANY COURT TO
23 PREVENT THE RECOVERY BY THE OWNER; *PROVIDED FURTHER*,
24 THAT IN THE EVENT THAT THE STOLEN MOTOR VEHICLE HAS BEEN

1 SUCCESSFULLY REGISTERED IN THE NAME OF SUCH PURCHASER,
2 THE SAME SHALL BE DISREGARDED BY THE LAND
3 TRANSPORTATION OFFICE.”

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

6 Approved,