

SENATE

S. NO. 387

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Public buildings and facilities are the usual prey of vandals. Private properties, however, are not immune to such reprehensible act, either. This defacement and destruction of properties say a lot about public discipline, or the lack of it. Consequently, the government spends a significant amount of taxpayers' money for the repair and restoration of these structures, instead of earmarking the same for more productive endeavors. Although there are government attempts to cover these eyesores through artworks, such moves do not sufficiently address the root of the problem.

Local ordinances have been enacted to prohibit the acts of vandalism. Nonetheless, a national law is yet to be passed to address the same. It is in this light that this bill seeks to prohibit acts of vandalism, by defining the same and imposing penalties for violations thereof. It is hoped that the passage of this measure will finally put a halt to this alarming anarchy of the streets.

In view of the foregoing, immediate approval of this measure is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

SENATE

S. NO. 387

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
PROHIBITING ACTS OF VANDALISM, IMPOSING PENALTIES FOR VIOLATIONS
THEREOF, AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the "*Anti- Vandalism Act of*
2 *2010*".

3
4 **SEC. 2. *Definition of Terms.*** – For the purposes of this Act –

5 1. "Act of vandalism" means — the act of doing any of the following without the written
6 authority of an authorized officer or representative of the Government or of the
7 government of any Commonwealth or foreign country or any statutory body or authority
8 or of the armed force or the national police lawfully present in the Philippines in the case
9 of public property, or without the written consent of the owner or occupant in the case of
10 private property, namely —

11 (i) writing, drawing, painting, marking or inscribing on any public property or
12 private property any word, slogan, caricature, drawing, mark, symbol or other
13 thing; or

14 (ii) affixing, posting up or displaying on any public property or private property any
15 poster, placard, advertisement, bill, notice, paper or other document; or

16 (iii) hanging, suspending, hoisting, affixing or displaying on or from any public
17 property or private property any flag, bunting, standard, banner or the like with
18 , any word, slogan, caricature, drawing, mark, symbol or other thing.

19 2. "Private property" means movable or immovable property other than public property;

1 3. "Public property" means movable or immovable property belonging to the Government
2 or to the government of any Commonwealth or foreign country or to any statutory body
3 or authority or to the armed forces or the national police lawfully present in the
4 Philippines.

5
6 **SEC. 3. Penal Provision.** -- Any person who shall commit any of the aforementioned acts
7 of vandalism shall, in addition to payment of the expenses for restoration of the property
8 vandalized, suffer the following penalties:

- 9 a. For the First Offense, the payment of a fine in the amount of PhP5,000;
10 b. For the Second Offense, the payment of a fine in the amount of PhP8,000; and
11 c. For the Third Offense, the payment of a fine in the amount of PhP10,000, plus
12 imprisonment of not less than 30 days but not more than one (1) year depending on
13 the gravity of the infraction. In determining the gravity of the infraction, the court
14 shall consider the extent and the amount of the damage caused to the property in
15 question.

16
17 **SEC. 4. Separability Clause.** If any provision or part hereof is held invalid or
18 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
19 valid and subsisting.

20
21 **SEC. 5. Repealing Clause.** -- All laws, rules, regulations, orders, circulars, and
22 memoranda inconsistent with any provisions of this Act are hereby repealed or modified
23 accordingly.

24
25 **SEC. 6. Effectivity Clause.** This Act shall take effect fifteen (15) days after its
26 complete publication in the *Official Gazette* or in at least two (2) newspapers of general
27 circulation.

Approved,