

10 JUL -6 15:00

SENATE

Senate Bill No. 456

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

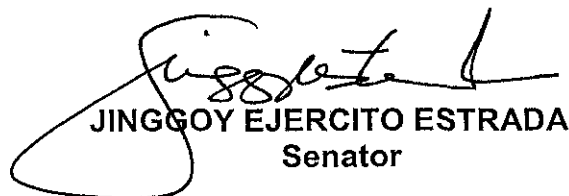
Article 178, paragraph one of the Revised Penal Code (Act No. 3815, as amended) punishes any person who uses a fictitious name or a name other than his real name publicly in order to publicly in order to:

- a) conceal a crime;
- b) evade the execution of judgment; or
- c) cause damage to public interest.

Presently the penalty imposable to aforementioned crime is only, *arresto mayor*. This means that any person found to be using a fictitious name for the above mentioned purposes may suffer only a possible imprisonment of ONE MONTH AND ONE DAY to SIX MONTHS and a fine not to exceed FIVE HUNDRED PESOS. Logic dictates that one who would use a fictitious name to conceal a crime, or evade an execution of judgment would involve grave offenses (i.e. rape murder). The author submits that the penalty imposable is not commensurate to the nature of the offense committed, especially, if the perpetrator is guilty of heinous crime.

This bill seeks to amend Article 178 of the Revised Penal Code (Act No. 3815, as amended) by increasing the penalty provided therefore to *prision mayor* in its medium and maximum periods of a fine not to exceed One Hundred Thousand Pesos (P100,000.00).

In the light of the foregoing considerations, passage of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA
Senator

19 JUL -6 25 00

SENATE

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
AMENDING ARTICLE 178 OF THE REVISED PENAL CODE (ACT NO. 3815,
AN AMENDED) BY INCREASING THE PENALTY PROVIDED THEREFOR AND
FOR OTHER PURPOSES.

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

SECTION 1. Article 178 of the Revised Penal Code (Act No.3815, as amended) is hereby amended to read as follows:

ART 178. Using fictitious and concealing true name. The penalty of [arresto mayor] PRISION MAYOR IN ITS MEDIUM AND MAXIMUM PERIODS and a fine not to exceed [500] ONE HUNDRED THOUSAND PESOS shall be imposed upon any person who shall publicity use, a fictitious name for the, purpose of concealing a crime, evading the execution of a judgment or causing damage.

Any person who conceals his true name and other personal circumstances shall be punished by *arresto mayor* or a fine not exceeds 200 pesos.

SEC. 2. *Repealing Clause.* All laws, decrees, ordinances, rules and regulations, executive or administrative orders, and other presidential issuance inconsistent with this Act, are hereby repealed, amended or modified accordingly.

SEC. 3. *Effectivity.* This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,