

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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HOUSE OF REPRESENTATIVE

H.B. No. 6378

Introduced by **Representative TEODORICO T. HARESCO, JR.**

EXPLANATORY NOTE

Perjury is committed by any person who, knowingly makes untruthful statements and not being included in the provisions of the crimes of false testimony, shall testify under oath, or make an affidavit, upon any material matter before a competent person authorized to administer an oath in cases in which the law so requires. Perjury in layman's term is the act of lying under oath - either verbally in a proceeding or written, through an affidavit executed before a person authorized to administer an oath.

Perjury does not only damage the victim of the crime but also damage the administration of justice. The law of perjury was created not only because the man lies or somebody lies, but because he practically impugns the time of the tribunals. It damages the time and efforts of our people.

This bill seeks to increase the penalty of perjury and false testimonies for the deterrent of these crimes in the Philippines and to ensure that justice will be served.


TEODORICO T. HARESCO, JR.

HOUSE OF REPRESENTATIVES
H.B. No. 6378

Introduced by Representative TEODORICO T. HARESCO, JR.

AN ACT
AMENDING ARTICLES 183 AND 184 OF ACT NO. 3815, AS AMENDED,
OTHERWISE KNOWN AS THE REVISED PENAL CODE

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

SECTION 1. Article 183 of Act No. 3815, as amended, otherwise known as the Revised Penal Code, is hereby amended to read as follows:

“Article 183. False testimony in other cases and perjury in solemn affirmation. - The penalty of ~~[arresto mayor in its maximum period to prision correccional in its minimum period]~~ **PRISION MAYOR IN ITS MINIMUM PERIOD TO PRISION MAYOR IN ITS MEDIUM PERIOD** shall be imposed upon any person, who knowingly makes untruthful statements and not being included in the provisions of the next preceding articles, shall testify under oath, or make an affidavit, upon any material matter before a competent person authorized to administer an oath in cases in which the law so requires.

Any person who, in case of a solemn affirmation made in lieu of an oath, shall commit any of the falsehoods mentioned in this and the three preceding articles of this section, shall suffer the respective penalties provided therein.

ANY PERSON WHO SHALL INCRIMINATE OR IMPUTE, THROUGH FALSE TESTIMONY OR UNTRUTHFUL STATEMENTS UNDER OATH OR THROUGH AN AFFIDAVIT, ANY PERSON THE COMMISSION OF A CRIME SHALL SUFFER THE SAME PENALTY AS THAT BEING IMPUTED.

PROVIDED, FURTHER, THAT, IF WHAT IS BEING INCRIMINATED OR IMPUTED TO A PERSON PROVIDES FOR A LESSER PENALTY THAN WHAT IS PROVIDED FOR IN THE FIRST PARAGRAPH OF THIS ARTICLE, THAT PERSON SHALL SUFFER THE SAME PENALTY AS PROVIDED THEREOF.

PROVIDED, FURTHER, THAT, IF THE PERSON RESPONSIBLE FOR THE COMMISSION OF THIS FELONY IS A PUBLIC OFFICER OR EMPLOYEE, THE PENALTY SHALL BE IMPOSED IN ITS MAXIMUM PERIOD. PROVIDED, FINALLY, THAT, THE OFFENDER SHALL ALSO SUFFER A FINE NOT TO EXCEED ONE MILLION (Php 1,000,000.00) AND

PERPETUAL ABSOLUTE DISQUALIFICATION FROM HOLDING ANY APPOINTIVE OR ELECTIVE POSITION IN THE GOVERNMENT OR IN ANY AGENCY, ENTITY OR INSTRUMENTALITY THEREOF."

Sec. 2. Section 184 of the same Act, as amended, is hereby further amended to read as follows:

Art. 184. Offering false testimony in evidence. — Any person who shall **WILLFULLY AND** knowingly offer in evidence a false witness or testimony in any judicial or official proceeding, shall be punished as guilty of false testimony and shall suffer the respective penalties provided in this section.

Sec. 3. Separability Clause. If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions thereof.

Sec. 4. Repealing Clause. All laws, rules and regulations that may be inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Sec. 5. Effectivity. This Act shall take effect after fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,