

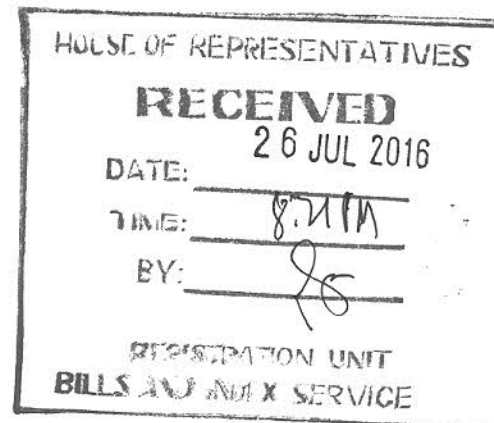
Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**SEVENTEENTH CONGRESS**

First Regular Session

**1980**

House Bill No. \_\_\_\_\_



---

**Introduced by Representatives**  
**Estrellita B. Suansing and Horacio P. Suansing, Jr.**

---

**EXPLANATORY NOTE**

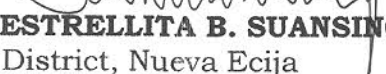
This bill seeks to amend Presidential Decree No. 1612, otherwise known as the Anti-Fencing Law of 1979, by imposing penalties on person or persons who buy, receive, possess, keep, acquire, conceal, sell or dispose of, or shall buy and sell, or in any manner deal with properties owned by the government of the Philippines such as, but not limited to, railings, manhole covers, signage, sign posts, slabs, and the like, which are known to have been derived from the proceeds of the crime of robbery or theft.


Over the years, theft of government properties, especially items deemed valuable and profitable, have become rampant. Railings found on sidewalks and railroad tracks, as well as manhole covers, among others, are being stolen and sold to junk yards and the like. Some cases, such as theft of railroad railings, can endanger the life of our fellow countrymen.

These properties are placed in their respective locations because the government trusts that the public will not steal and sell them. The rampant act of theft and robbery of government properties can be effectively curtailed by imposing penalties on persons who profit from these crimes. As they say, when there is no demand, then there shall be no supply.

This bill, therefore, focuses on the receivers of stolen property as the central figures in theft activities and in the distribution of stolen goods. The penalties provided herein are higher when the crime committed is against the government.

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

  
**HON. ESTRELLITA B. SUANSING**  
1<sup>st</sup> District, Nueva Ecija

  
**HON. HORACIO P. SUANSING**  
2<sup>nd</sup> District, Sultan Kudarat

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**SEVENTEENTH CONGRESS**  
First Regular Session

House Bill No. 1980

---

Introduced by Representatives  
Estrellita B. Suansing and Horacio P. Suansing, Jr.

---

**AN ACT**

**IMPOSING PENALTIES ON PERSON OR PERSONS GUILTY OF FENCING PROPERTIES OWNED BY THE PHILLIPINE GOVERNMENT SUCH AS, BUT NOT LIMITED TO, RAILINGS, MANHOLE COVERS, SIGNAGE, SIGN POSTS, AND SLABS, AMENDING FOR THE PURPOSE SECTIONS 3 AND 6 OF PRESIDENTIAL DECREE NO. 1612, OTHERWISE KNOWN AS THE ANTI-FENCING LAW OF 1972**

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

1       **SECTION 1.** Section 3 of Presidential Decree No. 1612, otherwise known as  
2 the Anti-Fencing Law of 1972, is hereby amended to read as follows:

3       “Section 3. *Penalties.* - Any person guilty of fencing shall be  
4 punished as hereunder indicated:

5       (a) xxx

6       (b) xxx

7       (c) xxx

8       (d) xxx

9       (e) xxx

10       (f) xxx

11       **(G) IF THE PROPERTY OR OBJECT OF FENCING IS OWNED BY**  
12 **THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES**  
13 **SUCH AS, BUT NOT LIMITED TO, RAILINGS, MANHOLE**  
14 **COVERS, SIGNAGE, SIGN POSTS, AND SLABS, THE**  
15 **FOLLOWING PENALTY SHALL BE IMPOSED:**

- 1 (1) THE PENALTY OF RECUSION PERPETUA IF THE  
2 VALUE OF THE PROPERTY STOLEN IS MORE THAN  
3 ONE HUNDRED THOUSAN PESOS (P100,000.00)  
4 (2) THE PENALTY OF RECLUSION TEMPORAL, IN ITS  
5 MINIMUM AND MAXIMUM PERIODS, IF THE VALUE OF  
6 THE PROPERTY STOLEN IS MORE THAT FIFTY  
7 THOUSAND PESOS (P50,000.00) BUT NOT EXCEEDING  
8 ONE HUNDRED THOUSAND PESOS (P100,000.00);  
9 (3) THE PENALTY OF PRISION MAYOR, IN ITS MINIMUM  
10 AND MAXIMUM PERIODS, IF THE VALUE OF THE  
11 PROPERTY IS LESS THAN FIFTY THOUSAND PESOS  
12 (P50,000.00)

13  
14 THE ACCESORY PENALTY PERTAINING THERETO AS  
15 PROVIDED IN THE REVISED PENAL CODE SHALL ALSO  
16 BE IMPOSED.”  
17

18 **SECTION 2.** Section 6 of Presidential Decree No. 1612, otherwise known as  
19 the Anti-Fencing Law of 1972, is hereby amended to read as follows:

20 “Section 6. *Clearance/Permit to Sell/Used Second Hand Articles.* –  
21 For the purposes of this Act, all stores, establishments or entities  
22 dealing in the buy and sell of **ANY ITEM OR PROPERTY OWNED**  
23 **BY THE GOVERNMENT OF THE PHILIPPINES OR** any good,  
24 article, item, object of anything of value obtained from an  
25 unlicensed dealer or supplier thereof, shall before offering the  
26 same for sale to the public, secure the necessary clearance or  
27 permit from the [station commander of the Integrated National  
28 Police] **CHIEF OF THE PHILIPPINE NATIONAL POLICE (PNP)** in  
29 the town or city where such store, establishment or entity **OR**  
30 **GOVERNMENT PROPERTY** is located. The Chief of  
31 [Constabulary/Director General, Integrated National Police] **THE**  
32 **PHILIPPINE NATIONAL POLICE** shall promulgate such rules and  
33 regulations to carry out the provisions of this Section. Any person  
34 who fails to secure the clearance or permit required by this section  
35 shall upon conviction be punished as a fence.”

36 **SECTION 3. Repealing Clause.** Any law, presidential decree or issuance,  
37 executive order, letter of instruction, administrative order, rule or regulation  
38 contrary to or inconsistent with the provisions of this Act is hereby repealed,  
39 modified, or amended accordingly.

40 **SECTION 4. Effectivity Clause.** This Act shall take effect fifteen (15) days  
41 after its publication in the Official Gazette or at least two (2) newspapers of general  
42 circulation.

43 Approved,