

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17TH) CONGRESS
First Regular Session

HOUSE BILL NO. 3524

HOUSE OF REPRESENTATIVE

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Introduced by Representative Manuel Monsour T. Del Rosario III

EXPLANATORY NOTE

The Constitution, specifically Article III, Section 19 paragraph (1) thereof, states: "Excessive fines shall not be imposed nor cruel, degrading or inhuman punishment inflicted..."

The fines prescribed by the Revised Penal Code for the crimes of less serious physical injuries and slight physical injuries and maltreatment have not been amended since the Code's enactment on December 8, 1930.

The economic and inflation factors that underpinned the amount of fines imposed by the Code Commission in the late 1920s no longer exist today. A fine of Php20.00 to Php200.00 for the aforementioned crimes, while prohibitive and reasonable in the 1930s to the 1950s, are paltry in today's pecuniary standards. The meager fines, unchanged for decades, are now lopsidedly disproportionate to the crimes of less serious and slight physical injuries.

There has been an alarming increase in said crimes, which has left victims aghast at the measly fines levied by the courts, and which has led offenders to merrily walk away, pleased at their good fortune. It has likewise left judges scrabbling their heads at the futility of such fines. This situation has helped undermine the people's faith in the Government and its ability to administer justice fairly and equitably.

Hence, in the interest of justice, public order and the rule of law, and the need to rationalize and harmonize the fines for less serious physical injuries and slight physical injuries and maltreatment, approval of this bill is fervently sought.


MANUEL MONSOUR T. DEL ROSARIO III

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SEVENTEENTH (17TH) CONGRESS
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**AN ACT INCREASING THE FINES FOR LESS SERIOUS PHYSICAL INJURIES AND
SLIGHT PHYSICAL INJURIES AND MALTREATMENT, AMENDING FOR THE
PURPOSE ARTICLES 265 AND 266 OF ACT NO. 3815, 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. Short Title. – This Act shall be known as the “Amended Fines for Physical Injuries Act”.

Section 2. Declaration of Policy. – It is hereby declared the policy of the State to foster and ensure not only obedience to its authority, but also to adopt such measures as would effectively promote the maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare which are essential for the enjoyment by all the people of the blessings of democracy in a just and humane society.

Section 3. Article 265 of the Revised Penal Code is hereby amended to read as follows:

“Art. 265. Less serious physical injuries. — Any person who shall inflict upon another physical injuries not described in the preceding articles, but which shall incapacitate the offended party for labor for ten days or more, or shall require medical assistance for the same period, shall be guilty of less serious physical injuries and shall suffer the penalty of *arresto mayor*.

“Whenever less serious physical injuries shall have been inflicted with the manifest intent to kill or offend the injured person, or under circumstances adding ignominy to the offense in addition to the penalty of *arresto mayor*, **a fine not less than Ten Thousand Pesos (Php10,000.00) but not exceeding Fifty Thousand Pesos (Php50,000.00)** shall be imposed.

“Any less serious physical injuries inflicted upon the offender’s parents, ascendants, guardians, curators, teachers, or persons of rank, or persons in authority, shall be punished by *prision correccional* in its minimum and medium periods, provided that, in the case of persons in authority, the deed does not constitute the crime of assault upon such person.”

Section 3. Article 266 of the Revised Penal Code is hereby amended to read as follows:

“Article 266. Slight physical injuries and maltreatment. – The crime of slight physical injuries shall be punished:

1. By *arresto menor* when the offender has inflicted physical injuries which shall incapacitate the offended party for labor from one to nine days, or shall require medical attendance during the same period.
2. By *arresto menor* or a fine **not exceeding Five Thousand Pesos (Php5,000.00)** and censure when the offender has caused physical injuries which do not prevent the offended party from engaging in his habitual work nor require medical assistance.
3. By *arresto menor* in its minimum period or a **fine not less than Five Thousand Pesos (Php5,000.00) but not exceeding Ten Thousand Pesos (Php10,000.00)** when the offender shall ill-treat another by deed without causing any injury.”

Section 4. *Separability Clause.* – If any provision or part of this Act, or the application thereof to any person or circumstances, is held invalid or unconstitutional, the remaining sections of this Act or the application of such provision or part hereof to other persons or circumstance shall remain in full force and effect.

Section 5. *Repealing Clause.* – All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 6. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* and/or in two (2) newspapers of general circulation.

Approved.