

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH (17th) CONGRESS
First Regular Session

HOUSE OF REPRESENTATIVES

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House Bill No. 02

Introduced by
Capiz Second District Representative
Fredenil H. Castro

Co-sponsored by
Davao del Norte First District Representative
Pantaleon D. Alvarez

EXPLANATORY NOTE

This bill seeks to amend Republic Act No. 9344, the "Juvenile Justice and Welfare Act of 2006", more popularly known as the Pangilinan Law, as amended by Republic Act No. 10630, "An Act Establishing a Comprehensive Juvenile Justice and Welfare System, Creating the Juvenile Justice and Welfare Council under the Department of Social Welfare and Development, Appropriating Funds Therefor, and for Other Purposes".

R.A. 9344, more specifically Section 6 thereof, raised the minimum age of criminal responsibility from nine (9) years old to fifteen (15) years old. While the intent of protection of the Filipino youth may be highly laudable, its effects have had the opposite effects - the pampering of youthful offenders who commit crimes knowing they can get

away with it. Worse, adult criminals – individually and/or in organized cabal – knowingly and purposely make use of youth below 15 years of age to commit crimes, such as drug trafficking, aware that they cannot be held criminally liable.

The choice of nine (9) years as the minimum age of criminal responsibility under the Revised Penal Code was infused with wisdom. Most children above this age, especially in these times when all forms and manner of knowledge are available through the internet and digital media, are already fully informed and should be taught that they are responsible for what they say and do.

Hence, the need to revert the minimum age of criminal liability back to that set forth in the Revised Penal Code.

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



FREDENIL H. CASTRO

Representative
Second District
Capiz



PANTALEON D. ALVAREZ

Representative
First District
Davao del Norte

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AN ACT AMENDING REPUBLIC ACT NO. 9344, AS
AMENDED BY REPUBLIC ACT NO. 10630, AND REVERTING
THE MINIMUM AGE OF CRIMINAL RESPONSIBILITY FROM
FIFTEEN (15) YEARS OLD TO NINE (9) YEARS OLD

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

SECTION 1. *Short Title.* – This Act shall be known as
the “Minimum Age of Criminal Responsibility Act.”

SECTION 2. *Declaration of Policy.* – It is the policy of
the State to ensure that the Filipino youth shall be taught to
accept responsibility for their words and deeds as early as
possible, and not to unduly pamper them with impunity from

criminal responsibility upon reaching the age of nine (9) years.

SECTION 3. *Amendment of Republic Act No. 9334, as amended by R.A. No. 10630.* – Section 6 of Republic Act No. 9334, as amended by R.A. No. 1030, is hereby amended to read:

“Section 6. *Minimum age of criminal responsibility.* – A child under nine (9) years of age at the time of the commission of an offense shall be exempt from criminal liability. However, such child shall be subjected to an intervention program under Section 20 of this Act.

“A child shall be deemed to be nine (9) years of age on the day of the ninth anniversary of his/her birthdate.

“A child nine (9) years of age and above but below eighteen (18) years of age shall likewise be exempt from criminal liability and subjected to an intervention program, unless he/she is determined to have acted with discernment, in which case he/she shall be subjected to appropriate proceedings in accordance with this Act.

“The exemption from criminal liability herein established does not include exemption from civil liability, which shall be enforced in accordance with existing laws.”

SECTION 4. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision hereof not affected thereby shall remain in full force and effect.

SECTION 5. *Repealing Clause.* – All laws, decrees, executive orders, implementing rules and regulations, issuances, or any part thereof inconsistent with the provisions of this Act, including Section 6 of Republic Act

No. 9334, as amended by R.A. No. 10630, are deemed repealed and/or amended or modified accordingly.

SECTION 6. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,