



17th CONGRESS OF THE REPUBLIC OF THE PHILIPPINES
FIRST REGULAR SESSION

House of Representatives
HOUSE BILL NO. 3074

HOUSE OF REPRESENTATIVES	
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17 AUG 2016	
DATE:	
TIME:	4:28 PM
BY:	pel:
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Introduced by Honorable Teodoro G. Montoro

EXPLANATORY NOTE

This bill seeks to penalize any person who shall be found guilty of the crime of robbery of train implements.

If found guilty, shall suffer the following penalties:

- (a) *For Principal – Life Imprisonment to Death*, if the commission has endangered the life of any person, regardless of the amount of property taken; and
- (b) *For Accomplice* – a penalty, one degree lower to that of the principal.
- (c) *For Accessory* – a penalty, two degree lower to that of the principal.

The problem of mass transportation is deplorable as it is. The existing train implements must be protected to avoid further degradation of our train system.

More so, Section 5 Article II of the 1987 Philippine Constitution provides, “The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.”

Hence, passage of this legislation is earnestly sought.

TEODORO G. MONTORO



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AN ACT
DEFINING THE CRIME OF ROBBERY OF TRAIN IMPLEMENTS, CLASSIFYING
THE ACT AS HEINOUS CRIME AND IMPOSING PENALTY THEREOF

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 “**Train Protection Act**”.

SECTION 2. Declaration of Policy. It is hereby declared the policy of the State to serve and protect the people and to promote the general welfare, by providing safe, efficient and affordable mode of public transportation.

SECTION 3. How Committed. Robbery of Train Implements – Robbery of Train Implements maybe committed by any person who, with intent to gain, shall unlawfully take train parts, fixtures, railway tracks or any facilities providing safety, and security or any other similar objects thereof.

SECTION 4. Who May be Liable.

Persons liable as **Principal**

- (a) Any person who take a direct participation in the commission of the crime of robbery of train implements.
- (b) Those who directly force or induce others to commit the crime of robbery of train implements;
- (c) Those who knowingly and intentionally cooperate in the commission of the crime of robbery of train implements and without which the crime would not have been committed. Such person need not be a party at the planning stage.
- (d) Any person who conspire, by prior agreement for the commission of the crime of robbery of train implements.

Participants shall have a community of purpose with the principals and they act collectively and individually, which demonstrate the existence of a common design towards the accomplishment of the same purpose.

Persons liable as **Accomplice**

- (a) Any person, who, not being a principal, cooperates in the execution of the offense by previous or simultaneous acts.
He/She should intentionally take part in the commission of the crime but his/her participation is not essential to its perpetration that even without it the crime could have been accomplished.
There shall be unanimity of criminal design but came to know about it after the conspirators have reached the decision and only then do they agree to cooperate in its execution.
- (b) Those who, not fully complying with the elements of being a principal, conspire with the commission of the crime of robbery of train implements.

Persons liable as **Accessory**

Accessory is any person who conceals or destroys the effects or instruments of the crime of robbery of train implements in order to prevent discovery.

The following are presumed to be Co-conspirators:

- (a) Any person who profits or assists the offender to profit by the effects of the crime; and
- (b) Any person found to be in possession of the effects of the crime.

SECTION 5. *Penalty.* Any person who shall be found guilty of the crime of robbery of train implements shall suffer the following penalties:

- (d) *For Principal – Life Imprisonment to Death*, if the commission has endangered the life of any person, regardless of the amount of property taken; and
- (e) *For Accomplice* – a penalty, one degree lower to that of the principal.
- (f) *For Accessory* – a penalty, two degree lower to that of the principal.

SECTION 6. *Separability Clause.* If, for any reason or reasons, any part of the provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. *Repealing Clause.* All laws, decrees, orders, rules, and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 8. *Effectivity Clause.* This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,