

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

18th CONGRESS
First Regular Session

HOUSE BILL NO. 2351




Introduced by **REP. EVELINA G. ESCUDERO**

EXPLANATORY NOTE

This bill seeks to lower the penalty in case of conviction in criminal cases where the civil aspect of which is settled with finality through or by alternative dispute resolution.

With the passage of this bill, criminal cases will be resolved with dispatch especially in determining and satisfying civil liability at the least which is impliedly instituted in the filing of such cases in court.

I submit.


EVELINA G. ESCUDERO

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AN ACT

MANDATING THE IMPOSITION OF PENALTY LOWER THAN THAT PRESCRIBED BY LAW IN CRIMINAL CASES, WHERE THE CIVIL CASE IS SETTLED THROUGH OR BY ALTERNATIVE DISPUTE RESOLUTION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9285

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

SECTION 1. A new section under Section 6, Chapter 1 of Republic Act No. 9285 is hereby inserted to read as follows:

“SEC. 6-A. EFFECTS OF ALTERNATIVE DISPUTE RESOLUTION ON CRIMINAL CASES. – IN CRIMINAL CASES WHERE THE CIVIL ASPECT IS SETTLED WITH FINALITY BY ADR, THE PENALTY TO BE IMPOSED SHALL BE AT LEAST TWO (2) DEGREES LOWER THAN THAT PRESCRIBED BY LAW. IF THE SUBJECT PENALTY CANNOT BE LOWERED BY TWO (2) DEGREES PURSUANT TO ARTICLE 61 OF THE REVISED PENAL CODE (RPC), THEN THE PENALTY TO BE IMPOSED SHALL BE FROM THE MINIMUM TO THE NEXT LOWER PENALTY PRESCRIBED BY LAW.”

SEC. 2. All laws, decrees, executive orders and rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 3. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,