

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **4137**



Introduced by **HON. GUS S. TAMBUNTING**

EXPLANATORY NOTE

Destruction of public property such as but not limited to street names, traffic signals and signages, steel railings, waiting sheds has become so rampant nowadays and it is the hope that through this piece of legislation, people would be deterred from committing such acts in the future.

This Measure defines public property and provides penalties for commission of punishable acts constituting destruction, theft, robbery and arson of public property.

The rampant destruction of public property is not only inimical to the resources of the national coffer but also if remain unabated, will remain a constant or recurring affair much to detriment of the community.

It is the light that immediate passage of this bill is earnestly sought.


GUS. S. TAMBUNTING

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AN ACT
PROVIDING STIFFER PENALTIES FOR ROBBERY, THEFT AND
DESTRUCTION OF PUBLIC PROPERTY

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 "Public Property Security Act of 2016."

SECTION 2. *Definition.* – For purposes of this Act, the following term shall mean:

- (a) Public Property - Any property that is not owned by a private individual or a company. It belongs to the public at large and not to any one person. It covers premises and facilities that are owned by the government or a community.

SECTION 3. *Theft of Robbery of Public Property; Penalty.* – Any person convicted of the crime of the theft of robbery of any public property shall be punished by the penalty next higher in degree than those imposable for such offenses under Chapters One and Three of Title Ten of the Revised Penal Code: Provided, That the penalty specified herein shall no longer be made applicable if the imposable penalty is in its maximum period.

SECTION 4. *Destruction of Public Property; Penalty.* – A public property shall be considered a building of public ownership devoted to the use of the public in general under Article 320 of the Revised Penal Code. Any person who shall burn a public building shall be convicted of the crime of destructive arson as defined in Article 320 of the Revised Penal Code.

SECTION 5. *Special Case of Malicious Mischief; Penalty.* – Destruction to public property not covered by the immediately preceding sections shall be considered a special case of malicious mischief under Chapter Nine of Title Ten of the Revised Penal Code. Any person who shall cause damage to public property shall

be punished with the penalty next higher in degree than those imposable under Articles 328 and 329 of the Revised Penal Code.

SECTION 6. *Penalty of Public Officials.* – If the person convicted of the crimes referred to in this Act is a public official as defined in Republic Act NO. 6713 of the Code of Conduct and Ethical Standards for public office shall be imposed. Conviction of a public officer under this Act is without prejudice to criminal prosecution and/or administrative proceedings under applicable or the Anti-Graft and Corrupt Practices Act.

SECTION 7. *Implementing Rules and Regulations.* – The Department of the Interior and Local Government (DILG) and other appropriate government agencies shall promulgate the revised implementing rules and regulations necessary for the effective implementation of this Act.

SECTION 8. *Repealing Clause.* – All other laws, decrees, orders, issuances and rules and regulations or parts thereof inconsistent with this Act are hereby amended or repealed accordingly.

SECTION 9. *Separability Clause.* – The provisions of this Act are hereby declared to be separable and, in the event any of such provisions is declared unconstitutional, the order provision, which is not affected thereby, shall remain in full force and effect.

SECTION 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,