



SEVENTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*

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) 17 JAN 24 P 3:55

SENATE

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COMMITTEE REPORT NO. 30

Submitted jointly by the Committees on Constitutional Amendments and Revision of Codes and Justice and Human Rights on JAN 24 2017.

Re: Senate Bill No. 14

Recommending its approval without amendment.

Sponsors: Senators Drilon and Gordon

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**MR. PRESIDENT:**

The Committees on Constitutional Amendments and Revision of Codes and Justice and Human Rights, to which was referred Senate Bill No. 14, introduced by Senator Franklin M. Drilon, entitled:

**"AN ACT  
ADJUSTING THE AMOUNT INVOLVED, VALUE OF PROPERTY OR DAMAGE  
ON WHICH A PENALTY IS BASED, AND THE FINES UNDER ACT NO. 3815, AS  
AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE"**

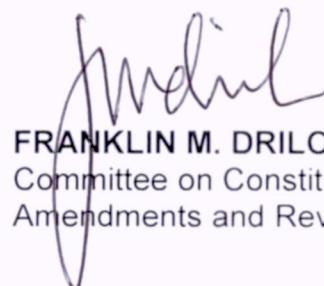
have considered the same and have the honor to report it back to the Senate with the recommendation that it be approved without amendment.

Respectfully submitted:

Chairpersons:

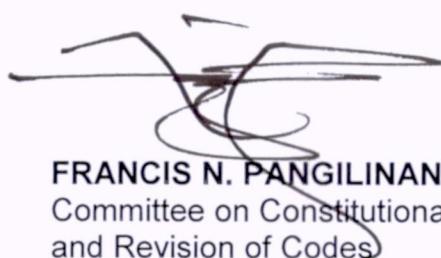


RICHARD J. GORDON  
Committee on Justice and Human Rights



FRANKLIN M. DRILON  
Committee on Constitutional  
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Vice-Chairpersons:



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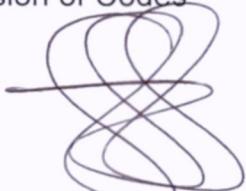
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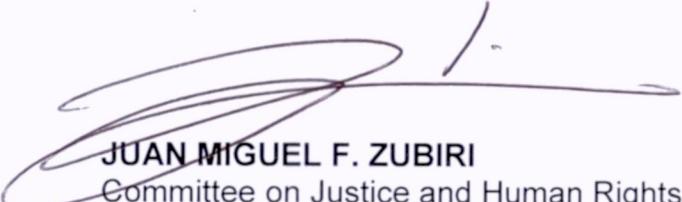


**EMMANUEL "MANNY" D. PACQUIAO**  
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Committee on Justice and Human Rights



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CAYETANO**  
Committee on Justice and Human Rights



**FRANCIS N. PANGILINAN**  
Committee on Justice and Human Rights

Ex-Officio Members:



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*President Pro-Tempore*



**VICENTE C. SOTTO III**  
*Majority Leader*



**RALPH G. RECTO**  
*Minority Leader*

**Hon. AQUILINO "KOKO" L. PIMENTEL III**  
*President*  
*Senate of the Philippines*  
*Pasay City*

SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



SENATE  
S. B. No. 14

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Introduced by SENATOR FRANKLIN M. DRILON

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**AN ACT ADJUSTING THE AMOUNT INVOLVED, VALUE OF PROPERTY OR DAMAGE ON WHICH A PENALTY IS BASED, AND THE FINES UNDER ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE**

**EXPLANATORY NOTE**

"In trying to formulate the aims of criminal law, it is important to be aware both of the reasons for making the effort and of the nature of the problem it poses."<sup>1</sup>

The declaration captures the paradigm our policymakers customarily adopt in formulating our country's penal laws, revealing the diverse socio-political aspirations advocated and considered during the legislative process. Retribution against the offender, deterrence of criminal behavior, protection of the public, rehabilitation of the lawbreaker, and restitution to the victim are among the manifold objectives carefully weighed by Congress in defining criminal acts and determining the corresponding penalties. The formulation of a sound, fair and effective policy against criminality involves a delicate balancing act.

In the 2014 case of *Lito Corpuz versus People of the Philippines*,<sup>2</sup> the Supreme Court turned the spotlight on the perceived injustice brought about by the range of penalties that the courts continue to impose on crimes committed today, based on the amount of damage measured by the value of money eighty years ago. The discussion called for the "much needed change and updates to archaic laws that were promulgated decades ago when the political, socio-economic, and cultural settings were far different from today's conditions." Lest the law run the risk of violating the constitutional prohibition against cruel and excessive punishment, the High Court urged Congress to wield its power in realigning the law with the goals for its passage.

The Revised Penal Code serves as the bedrock of the Philippine justice system, upon which the underlying principles and prevailing precepts on our society's treatment of criminality rest. Since its enactment in 1930, the law remains virtually unchanged with only piecemeal amendments incorporated through the years. Eighty years had inevitably dulled the edge of a once sharp measure.

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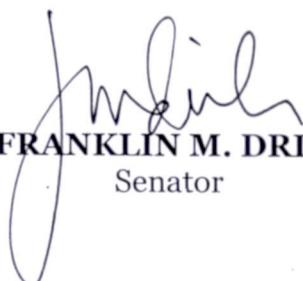
<sup>1</sup> Harvard University Professor Henry M. Hart Jr. The Aims of the Criminal Law, 23 Law and Contemporary Problems 401-441 (Summer 1958). Accessed at <http://scholarship.law.duke.edu/lcp/vol23/iss3/2/>

<sup>2</sup> G.R. No. 180016, 29 April 2014.

The imminent threat of injustice that this instrument of justice might ironically engender requires an immediate legislative evaluation and modification. Thus, this proposed measure aims to ensure the proportionality of punishment by adjusting the amounts stipulated in various provisions of the Revised Penal Code to their present values. Guided by the latest amendment to the subsidiary penalty provision of the Revised Penal Code; the minimum wage rate prevailing upon the law's passage and that applicable today shall be used in updating the outmoded property values used to determine the penalty as well as the fines imposed on certain offenses.

In undertaking these changes to an archaic criminal law, we intend to craft a sound, fair and effective policy against criminality that reflects a proper balance among the established goals of criminal justice.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



**FRANKLIN M. DRILON**  
Senator

SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

SENATE  
S. B. No. 14



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Introduced by SENATOR FRANKLIN M. DRILON

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**AN ACT ADJUSTING THE AMOUNT INVOLVED, VALUE OF PROPERTY OR DAMAGE ON WHICH A PENALTY IS BASED AND THE FINES UNDER ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE**

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

1       **SECTION 1.** Article 9 of Act No. 3815, otherwise known as the "Revised  
2 Penal Code" is hereby amended to read as follows:

3       ART. 9. *Grave felonies, less grave felonies and light felonies.* -

4       Grave felonies are those to which the law attaches the capital  
5       punishment or penalties which in any of their periods are  
6       afflictive, in accordance with Art. 25 of this Code.

7       Less grave felonies are those which the law punishes with  
8       penalties which in their maximum period are correctional, in  
9       accordance with the above-mentioned Art.

10      Light felonies are those infractions of law for the commission of  
11     which a penalty of *arresto menor* or a fine not exceeding [200]  
12     **FORTY THOUSAND pesos (P40,000)** or both is provided.

13      **SEC. 2.** Article 26 of the same Act is hereby amended to read as follows:

14      ART. 26. *When afflictive, correctional, or light penalty.* - A fine,  
15     whether imposed as a single or as an alternative penalty, shall  
16     be considered an afflictive penalty, if it exceeds [6,000] **ONE**  
17     **MILLION TWO HUNDRED THOUSAND** pesos

(P1,200,000); a correctional penalty, if it does not exceed [6,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos (P1,200,000) but is not less than [200] **FORTY THOUSAND** pesos (P40,000); and a light penalty if it is less than [200] **FORTY THOUSAND** pesos (P40,000).

**SEC. 3.** Article 59 of same Act is hereby amended to read as follows:

**ART. 59. Penalty to Be Imposed in Case of Failure to Commit the Crime Because the Means Employed or the Aims Sought are Impossible.** - When the person intending to commit an offense has already performed the acts for the execution of the same but nevertheless the crime was not produced by reason of the fact that the act intended was by its nature one of impossible accomplishment or because the means employed by such person are essentially inadequate to produce the result desired by him, the court, having in mind the social danger and the degree of criminality shown by the offender, shall impose upon him the penalty of *arresto mayor* or a fine ranging from [200 to 500] **FORTY THOUSAND PESOS (P40,000) TO ONE HUNDRED THOUSAND (P100,000) pesos.**

**SEC. 4.** Article 114 of same Act, as amended by Republic Act No. 7659, is hereby further amended to read as follows:

**ART. 114. Treason.** - Any Filipino citizen who levies war against the Philippines or adheres to her enemies giving them aid or comfort within the Philippines or elsewhere, shall be punished by reclusion perpetua to death and shall pay a fine not to exceed [100,000] **FOUR MILLION** pesos (P4,000,000).

No person shall be convicted of treason unless on the testimony of two witnesses at least to the same overt act or on confession of the accused in open court.

Likewise, an alien, residing in the Philippines, who commits acts of treason as defined in paragraph 1 of this Article shall be

punished by *reclusion temporal* to death and shall pay a fine not to exceed [100,000] **FOUR MILLION** pesos (**P4,000,000**).

**SEC. 5.** Article 115 of same Act is hereby amended to read as follows:

ART. 115. *Conspiracy and proposal to commit treason; Penalty.* — The conspiracy or proposal to commit the crime of treason shall be punished respectively, by *prisión mayor* and a fine not exceeding [P10,000] **TWO MILLION** pesos (**P2,000,000**), and *prisión correccional* and a fine not exceeding [P5,000] **ONE MILLION** pesos (**P1,000,000**).

**SEC. 6.** Article 129 of same Act is hereby amended to read as follows:

**ART. 129. Search warrants maliciously obtained and abuse in the service of those legally obtained.** — In addition to the liability attaching to the offender for the commission of any other offense, the penalty of *arresto mayor* in its maximum period to *prision correccional* in its minimum period and a fine not exceeding [P1,000] **TWO HUNDRED THOUSAND pesos (P200,000)** shall be imposed upon any public officer or employee who shall procure a search warrant without just cause, or, having legally procured the same, shall exceed his authority or use unnecessary severity in executing the same.

**SEC. 7.** Article 136 of same Act, as amended by Republic Act No. 6968, is hereby further amended to read as follows:

**ART. 136. Conspiracy and proposal to commit coup d'etat, rebellion or insurrection.** — The conspiracy and proposal to commit *coup d'etat* shall be punished by *prision mayor* in its minimum period and a fine which shall not exceed [eight thousand pesos (P8,000.00)] **ONE MILLION** pesos (**P1,000,000**).

The conspiracy and proposal to commit rebellion or insurrection shall be punished respectively by *prision*.

1                   *correccional* in its maximum period and a fine which shall not  
2                   exceed [five thousand pesos (P5,000.00)] **ONE MILLION**  
3                   pesos (**P1,000,000**) and by *prision correccional* in its  
4                   medium period and a fine not exceeding [two thousand pesos  
5                   (P2,000.00)] **FOUR HUNDRED THOUSAND** pesos  
6                   (**P400,000**).

7                   **SEC. 8.** Article 140 of same Act is hereby amended to read as follows:

8                   ART. 140. *Penalty for sedition.* — The leader of a sedition shall  
9                   suffer the penalty of *prision mayor* in its minimum period and  
10                  a fine not exceeding [10,000] **TWO MILLION** pesos  
11                  (**P2,000,000**).

12                  Other persons participating therein shall suffer the penalty of  
13                  *prision correccional* in its maximum period and a fine not  
14                  exceeding [5,000] **ONE MILLION** pesos (**P1,000,000**).

15                  **SEC. 9.** Article 141 of same Act is hereby amended to read as follows:

16                  ART. 141. *Conspiracy to commit sedition.*— Persons conspiring  
17                  to commit the crime of sedition shall be punished by *prision*  
18                  *correccional* in its medium period and a fine not exceeding  
19                  [2,000] **FOUR HUNDRED THOUSAND** pesos  
20                  (**P400,000**).

21                  **SEC. 10.** Article 142 of same Act is hereby amended to read as follows:

22                  ART. 142. *Inciting to sedition.* — The penalty of *prision*  
23                  *correccional* in its maximum period and a fine not exceeding  
24                  [2,000] **FOUR HUNDRED THOUSAND** pesos  
25                  (**P400,000**) shall be imposed upon any person who, without  
26                  taking any direct part in the crime of sedition, should incite  
27                  others to the accomplishment of any of the acts which constitute  
28                  sedition, by means of speeches, proclamations, writings,  
29                  emblems, cartoons, banners, or other representations tending  
30                  to the same end, or upon any person or persons who shall utter  
31                  seditious words or speeches, write, publish, or circulate

1 scurrilous libels against the Government [of the United States  
2 or the Government of the Commonwealth of the Philippines], or  
3 any of the duly constituted authorities thereof, or which tend to  
4 disturb or obstruct any lawful officer in executing the functions  
5 of his office, or which tend to instigate others to cabal and meet  
6 together for unlawful purposes, or which suggest or incite  
7 rebellious conspiracies or riots, or which lead or tend to stir up  
8 the people against the lawful authorities or to disturb the peace  
9 of the community, the safety and order of the Government, or  
10 who shall knowingly conceal such evil practices.

11 **SEC. 11.** Article 143 of same Act is hereby amended to read as follows:

12 ART. 143. *Act tending to prevent the meeting of [the Assembly]*  
13 **CONGRESS** *and similar bodies.* — The penalty of *prision*  
14 *correccional* or a fine ranging from [200 to 2,000] **FORTY**  
15 **THOUSAND PESOS (P40,000) TO FOUR HUNDRED**  
16 **THOUSAND** pesos (**P400,000**), or both, shall be imposed  
17 upon any person who, by force or fraud, prevents the meeting of  
18 [the National Assembly] **CONGRESS** or of any of its  
19 committees or subcommittees, constitutional commissions or  
20 committees or divisions thereof, or of any provincial board or  
21 city or municipal council or board.

22 **SEC. 12.** Article 144 of same Act is hereby amended to read as follows:

23 ART. 144. *Disturbance of proceedings.*— The penalty of *arresto*  
24 *mayor* or a fine from [200 to 1,000] **FORTY THOUSAND**  
25 **PESOS (P40,000) TO TWO HUNDRED THOUSAND**  
26 pesos (**P200,000**) shall be imposed upon any person who  
27 disturbs the meetings of [the National Assembly] **CONGRESS**  
28 or of any of its committees or subcommittees, constitutional  
29 commissions or committees or divisions thereof, or of any  
30 provincial board or city or municipal council or board, or in the  
31 presence of any such bodies should behave in such manner as to  
32 interrupt its proceedings or to impair the respect due it.

1           **SEC. 13.** Article 147 of same Act is hereby amended to read as follows:

2           ART. 147. *Illegal associations.* — The penalty of *prision*  
3           *correccional* in its minimum and medium periods and a fine not  
4           exceeding [1,000] **TWO HUNDRED THOUSAND** pesos  
5           (**P200,000**) shall be imposed upon the founders, directors,  
6           and presidents of associations totally or partially organized for  
7           the purpose of committing any of the crimes punishable under  
8           this Code or for some purpose contrary to public morals. Mere  
9           members of said associations shall suffer the penalty of *arresto*  
10           *mayor*.

11           **SEC. 14.** Article 148 of same Act is hereby amended to read as follows:

12           ART. 148. *Direct assaults.* — Any person or persons who,  
13           without a public uprising, shall employ force or intimidation for  
14           the attainment of any of the purpose enumerated in defining the  
15           crimes of rebellion and sedition, or shall attack, employ force, or  
16           seriously intimidate or resist any person in authority or any of  
17           his agents, while engaged in the performance of official duties,  
18           or on occasion of such performance, shall suffer the penalty of  
19           *prision correccional* in its medium and maximum periods and a  
20           fine not exceeding [P1,000] **TWO HUNDRED THOUSAND**  
21           pesos (**P200,000**), when the assault is committed with a  
22           weapon or when the offender is a public officer or employee, or  
23           when the offender lays hands upon a person in authority. If  
24           none of these circumstances be present, the penalty of *prision*  
25           *correccional* in its minimum period and a fine not exceeding  
26           [P500] **ONE HUNDRED THOUSAND** pesos (**P100,000**)  
27           shall be imposed.

28           **SEC. 15.** Article 149 of same Act is hereby amended to read as follows:

29           ART. 149. *Indirect assaults.* — The penalty of *prision*  
30           *correccional* in its minimum and medium periods and a fine not  
31           exceeding [P500] **ONE HUNDRED THOUSAND** pesos  
32           (**P100,000**) shall be imposed upon any person who shall make

1 use of force or intimidation upon any person coming to the aid  
2 of the authorities or their agents on occasion of the commission  
3 of any of the crimes defined in the next preceding article.

4 **SEC. 16.** Article 150 of same Act, as amended by Commonwealth Act No.  
5 202, is hereby further amended to read as follows:

6 ART. 150. *Disobedience to summons issued by [the National*  
7 *Assembly] CONGRESS, its committees or subcommittees, by*  
8 *the Constitutional Commissions, its committees,*  
9 *subcommittees or divisions.— The penalty of arresto mayor or*  
10 **a fine ranging from [two hundred to one thousand] FORTY**  
11 **THOUSAND PESOS (P40,000) TO TWO HUNDRED**  
12 **THOUSAND pesos (P200,000), or both such fine and**  
13 **imprisonment, shall be imposed upon any person who, having**  
14 **been duly summoned to attend as a witness before [the**  
15 **National Assembly] CONGRESS, its special or standing**  
16 **committees and subcommittees, the Constitutional**  
17 **Commissions and its committees, subcommittees, or divisions,**  
18 **or before any commission or committee chairman or member**  
19 **authorized to summon witnesses, refuses, without legal excuse,**  
20 **to obey such summons, or being present before any such**  
21 **legislative or constitutional body or official, refuses to be sworn**  
22 **or placed under affirmation or to answer any legal inquiry or to**  
23 **produce any books, papers, documents, or records in his**  
24 **possession, when required by them to do so in the exercise of**  
25 **their functions. The same penalty shall be imposed upon any**  
26 **person who shall restrain another from attending as a witness,**  
27 **or who shall induce disobedience to summon or refusal to be**  
28 **sworn by any such body or official.**

29 **SEC. 17.** Article 151 of same Act is hereby amended to read as follows:

30 ART. 151. *Resistance and disobedience to a person in authority*  
31 *or the agents of such person. — The penalty of arresto mayor*  
32 *and a fine not exceeding [500] ONE HUNDRED*

1           **THOUSAND** pesos (**P100,000**) shall be imposed upon any  
2           person who not being included in the provisions of the  
3           preceding articles shall resist or seriously disobey any person in  
4           authority, or the agents of such person, while engaged in the  
5           performance of official duties.

6           When the disobedience to an agent of a person in authority is  
7           not of a serious nature, the penalty of *arresto menor* or a fine  
8           ranging from [10 to P100] **TWO THOUSAND PESOS**  
9           (**P2,000**) **TO TWENTY THOUSAND** pesos (**P20,000**)  
10          shall be imposed upon the offender.

11         **SEC. 18.** Article 153 of same Act is hereby amended to read as follows:

12         ART. 153. *Tumults and other disturbances of public order;*  
13         *Tumultuous disturbance or interruption liable to cause*  
14         *disturbance.* — The penalty of *arresto mayor* in its medium  
15         period to *prision correccional* in its minimum period and a fine  
16         not exceeding [1,000] **TWO HUNDRED THOUSAND** pesos  
17         (**P200,000**) shall be imposed upon any person who shall  
18         cause any serious disturbance in a public place, office, or  
19         establishment, or shall interrupt or disturb public  
20         performances, functions or gatherings, or peaceful meetings, if  
21         the act is not included in the provisions of Articles 131 and 132.

22         The penalty next higher in degree shall be imposed upon  
23         persons causing any disturbance or interruption of a  
24         tumultuous character.

25         The disturbance or interruption shall be deemed to be  
26         tumultuous if caused by more than three (**3**) persons who are  
27         armed or provided with means of violence.

28         The penalty of *arresto mayor* shall be imposed upon any person  
29         who in any meeting, association, or public place, shall make any  
30         outray tending to incite rebellion or sedition or in such place  
31         shall display placards or emblems which provoke a disturbance

1 of the public order.

2 The penalty of *arresto menor* and a fine not to exceed [P200]  
3 **FORTY THOUSAND pesos (P40,000)** shall be imposed  
4 upon these persons who in violation of the provisions contained  
5 in the last clause of Article 85, shall bury with pomp the body of  
6 a person who has been legally executed.

7 **SEC. 19.** Article 154 of same Act is hereby amended to read as follows:

8 ART. 154. *Unlawful use of means of publication and unlawful*  
9 *utterances.* — The penalty of *arresto mayor* and a fine ranging  
10 from [P200 to P1,000] **FORTY THOUSAND PESOS**  
11 **(P40,000) TO TWO HUNDRED THOUSAND pesos**  
12 **(P200,000)** shall be imposed upon:

- 13 (1) Any person who by means of printing, lithography, or  
14 any other means of publication shall publish or cause to  
15 be published as news any false news which may endanger  
16 the public order, or cause damage to the interest or credit  
17 of the State;
- 18 (2) Any person who by the same means, or by words,  
19 utterances or speeches shall encourage disobedience to  
20 the law or to the constituted authorities or praise, justify,  
21 or extol any act punished by law;
- 22 (3) Any person who shall maliciously publish or cause to be  
23 published any official resolution or document without  
24 proper authority, or before they have been published  
25 officially; or
- 26 (4) Any person who shall print, publish, or distribute or  
27 cause to be printed, published, or distributed books,  
28 pamphlets, periodicals, or leaflets which do not bear the  
29 real printer's name, or which are classified as  
30 anonymous.

1           **SEC. 20.** Article 155 of same Act is hereby amended to read as follows:

2           ART. 155. *Alarms and scandals.* — The penalty of *arresto*  
3           *menor* or a fine not exceeding [P200] **FORTY THOUSAND**  
4           pesos (**P40,000**) shall be imposed upon:

- 5           (1) Any person who within any town or public place, shall  
6           discharge any firearm, rocket, firecracker, or other  
7           explosives calculated to cause alarm or danger;
- 8           (2) Any person who shall instigate or take an active part in any  
9           charivari or other disorderly meeting offensive to another  
10           or prejudicial to public tranquility;
- 11           (3) Any person who, while wandering about at night or while  
12           engaged in any other nocturnal amusements, shall disturb  
13           the public peace; or
- 14           (4) Any person who, while intoxicated or otherwise, shall cause  
15           any disturbance or scandal in public places, provided that  
16           the circumstances of the case shall not make the provisions  
17           of Article 153 applicable.

18           **SEC. 21.** Article 163 of same Act, as amended by Republic Act No. 4202, is

19           hereby further amended to read as follows:

20           ART. 163. *Making and importing and uttering false coins.*—

21           Any person who makes, imports, or utters false coins, in  
22           connivance with counterfeiters, or importers, shall suffer:

23           [1. *Prision mayor* in its minimum and medium periods and a  
24           fine not to exceed P10,000 pesos, if the counterfeited  
25           coin be silver coin of the Philippines [or coin of the  
26           Central Bank of the Philippines of ten centavo  
27           denomination or above.]]

28           [2.] (1) *Prision correccional* in its minimum and medium  
29           periods and a fine of not to exceed [P2,000] **FOUR**  
30           **HUNDRED THOUSAND** pesos (**P400,000**), if the

1 counterfeited coins be any of the [minor] coinage of the  
2 Philippines [or of the Central Bank of the Philippines  
3 below ten-centavo denomination].

4 [3] (2) *Prision correccional* in its minimum period and a fine  
5 not to exceed [P1,000] **TWO HUNDRED**  
6 **THOUSAND** pesos (**P200,000**), if the counterfeited  
7 coin be currency of a foreign country.

8 **SEC. 22.** Article 164 of same Act is hereby amended to read as follows:

9 ART. 164. *Mutilation of coins; Importation and utterance of*  
10 *mutilated coins.* — The penalty of *prision correccional* in its  
11 minimum period and a fine not to exceed [P2,000] **FOUR**  
12 **HUNDRED THOUSAND** pesos (**P400,000**) shall be  
13 imposed upon any person who shall mutilate coins of the legal  
14 currency of the [United States or of the Philippine Islands]  
15 **PHILIPPINES** or import or utter mutilated current coins, or  
16 in connivance with mutilators or importers.

17 **SEC. 23.** Article 166 of same Act is hereby amended to read as follows:

18 ART. 166. *Forging treasury or bank notes on other documents*  
19 *payable to bearer; importing, and uttering such false or forged*  
20 *notes and documents.* — The forging or falsification of treasury  
21 or bank notes or certificates or other obligations and securities  
22 payable to bearer and the importation and uttering in  
23 connivance with forgers or importers of such false or forged  
24 obligations or notes, shall be punished as follows:

25 (1) By *reclusion temporal* in its minimum period and a fine  
26 not to exceed [P10,000] **TWO MILLION** pesos  
27 (**P2,000,000**), if the document which has been  
28 falsified, counterfeited, or altered, is an obligation or  
29 security of the [United States or of the Philippines  
30 Islands] **PHILIPPINES**.

31 The word "obligation or security of the [United States or

1                   *of the Philippines Islands]* **PHILIPPINES**" shall [be  
2 held to] mean all bonds, certificates of indebtedness,  
3 national bank notes, fractional notes, certificates of  
4 deposit, bills, checks, or drafts for money, drawn by or  
5 upon authorized officers of the [United States or of the  
6 Philippines Islands] **PHILIPPINES**, and other  
7 representatives of value, of whatever denomination,  
8 which have been or may be issued under any act of [the]  
9 Congress [of the United States or of the Philippine  
10 Legislature].

- 11                   (2) By *prision mayor* in its maximum period and a fine not  
12 to exceed [P5,000] **ONE MILLION** pesos  
13 (**P1,000,000**), if the falsified or altered document is a  
14 circulating note issued by any banking association duly  
15 authorized by law to issue the same.
- 16                   (3) By *prision mayor* in its medium period and a fine not to  
17 exceed [P5,000] **ONE MILLION** pesos  
18 (**P1,000,000**), if the falsified or counterfeited  
19 document was issued by a foreign government.
- 20                   (4) By *prision mayor* in its minimum period and a fine not  
21 to exceed [P2,000] **FOUR HUNDRED THOUSAND**  
22 pesos (**P400,000**), when the forged or altered  
23 document is a circulating note or bill issued by a foreign  
24 bank duly authorized therefor.

25                   **SEC. 24.** Article 167 of same Act is hereby amended to read as follows:

26                   ART. 167. *Counterfeiting, importing and uttering instruments*  
27 *not payable to bearer.* — Any person who shall forge, import or  
28 utter, in connivance with the forgers or importers, any  
29 instrument payable to order or other document of credit not  
30 payable to bearer, shall suffer the penalties of *prision*  
31 *correccional* in its medium and maximum periods and a fine not  
32 exceeding [P6,000] **ONE MILLION TWO HUNDRED**

1                   **THOUSAND pesos (P1,200,000).**

2                   **SEC. 25.** Article 170 of same Act is hereby amended to read as follows:

3                   ART. 170. *Falsification of legislative documents.* — The penalty  
4                   of *prision correccional* in its maximum period and a fine not  
5                   exceeding [P6,000] **ONE MILLION TWO HUNDRED**  
6                   **THOUSAND pesos (P1,200,000)** shall be imposed upon any  
7                   person who, without proper authority therefor alters any bill,  
8                   resolution, or ordinance enacted or approved or pending  
9                   approval by either House of [the Legislature] **CONGRESS** or  
10                  any provincial board or municipal council.

11                  **SEC. 26.** Article 171 of same Act is hereby amended to read as follows:

12                  ART. 171. *Falsification by public officer, employee or notary or*  
13                  *ecclesiastic minister.* — The penalty of *prision mayor* and a fine  
14                  not to exceed [P5,000] **ONE MILLION pesos (P1,000,000)**  
15                  shall be imposed upon any public officer, employee, or notary  
16                  who, taking advantage of his official position, shall falsify a  
17                  document by committing any of the following acts:

- 18                  (1) Counterfeiting or imitating any handwriting, signature  
19                  or rubric;
- 20                  (2) Causing it to appear that persons have participated in  
21                  any act or proceeding when they did not in fact so  
22                  participate;
- 23                  (3) Attributing to persons who have participated in an act or  
24                  proceeding statements other than those in fact made by  
25                  them;
- 26                  (4) Making untruthful statements in a narration of facts;
- 27                  (5) Altering true dates;
- 28                  (6) Making any alteration or intercalation in a genuine  
29                  document which changes its meaning;

- (7) Issuing in an authenticated form a document purporting to be a copy of an original document when no such original exists, or including in such a copy a statement contrary to, or different from, that of the genuine original; or
  - (8) Intercalating any instrument or note relative to the issuance thereof in a protocol, registry, or official book.

The same penalty shall be imposed upon any ecclesiastical minister who shall commit any of the offenses enumerated in the preceding paragraphs of this article, with respect to any record or document of such character that its falsification may affect the civil status of persons.

**SEC. 27.** Article 172 of same Act is hereby amended to read as follows:

**ART. 172. Falsification by private individual and use of falsified documents.** — The penalty of *prisión correccional* in its medium and maximum periods and a fine of not more than [P5,000] **ONE MILLION pesos (P1,000,000)** shall be imposed upon:

- (1) Any private individual who shall commit any of the falsifications enumerated in the next preceding article in any public or official document or letter of exchange or any other kind of commercial document; and
  - (2) Any person who, to the damage of a third party, or with the intent to cause such damage, shall in any private document commit any of the acts of falsification enumerated in the next preceding article.
  - (3) Any person who shall knowingly introduce in evidence in any judicial proceeding or to the damage of another or who, with the intent to cause such damage, shall use any of the false documents embraced in the next preceding article, or in any of the foregoing subdivisions of this article, shall be punished by the

penalty next lower in degree.

**SEC. 28.** Article 174 of same Act is hereby amended to read as follows:

ART. 174. *False medical certificates, false certificates of merits or service, etc.* — The penalties of *arresto mayor* in its maximum period to *prisión correccional* in its minimum period and a fine not to exceed [P1,000] **TWO HUNDRED THOUSAND pesos (P200,000)** shall be imposed upon:

- (1) Any physician or surgeon who, in connection, with the practice of his profession, shall issue a false certificate; and
  - (2) Any public officer who shall issue a false certificate of merit of service, good conduct or similar circumstances.

**SEC. 29.** Article 176 of same Act is hereby amended to read as follows:

ART. 176. *Manufacturing and possession of instruments or implements for falsification.* — The penalty of prision correccional in its medium and maximum periods and a fine not to exceed [P10,000] **TWO MILLION** pesos (**P2,000,000**) shall be imposed upon any person who shall make or introduce into the Philippine [Islands] any stamps, dies, marks, or other instruments or implements intended to be used in the commission of the offenses of counterfeiting or falsification mentioned in the preceding sections of this Chapter.

Any person who, with the intention of using them, shall have in his possession any of the instruments or implements mentioned in the preceding paragraphs, shall suffer the penalty next lower in degree than that provided therein.

**SEC. 30.** Article 178 of same Act is hereby amended to read as follows:

ART. 178. *Using fictitious name and concealing true name*.—The penalty of *arresto mayor* and a fine not to exceed [500] **ONE HUNDRED THOUSAND** pesos (**P100,000**) shall be imposed upon any person who shall publicly use a fictitious

1 name for the purpose of concealing a crime, evading the  
2 execution of a judgment or causing damage.

3 Any person who conceals his true name and other personal  
4 circumstances shall be punished by *arresto menor* or a fine not  
5 to exceed [200] **FORTY THOUSAND pesos (P40,000)**.

6 **SEC. 31.** Article 180 of same Act is hereby amended to read as follows:

7 ART. 180. *False testimony against a defendant.* — Any person  
8 who shall give false testimony against the defendant in any  
9 criminal case shall suffer:

- 10 (1) The penalty of *reclusion temporal*, if the defendant in  
11 said case shall have been sentenced to death;
- 12 (2) The penalty of *prision mayor*, if the defendant shall have  
13 been sentenced to *reclusion temporal* or *reclusion  
perpetua*;
- 15 (3) The penalty of *prision correccional*, if the defendant shall  
16 have been sentenced to any other afflictive penalty; and
- 17 (4) The penalty of *arresto mayor*, if the defendant shall have  
18 been sentenced to a correctional penalty or a fine, or shall  
19 have been acquitted.

20 In cases provided in subdivisions 3 and 4 of this article the  
21 offender shall further suffer a fine not to exceed [1,000] **TWO  
22 HUNDRED THOUSAND pesos (P200,000)**.

23 **SEC. 32.** Article 181 of same Act is hereby amended to read as follows:

24 ART. 181. *False testimony favorable to the defendants.*— Any  
25 person who shall give false testimony in favor of the defendant  
26 in a criminal case, shall suffer the penalties of *arresto mayor* in  
27 its maximum period to *prision correccional* in its minimum  
28 period a fine not to exceed [1,000] **TWO HUNDRED  
29 THOUSAND pesos (P200,000)**, if the prosecution is for a

1                   felony punishable by an afflictive penalty, and the penalty of  
2                   *arresto mayor* in any other case.

3                   **SEC. 33.** Article 182 of same Act is hereby amended to read as follows:

4                   ART. 182. *False testimony in civil cases.* — Any person found  
5                   guilty of false testimony in a civil case shall suffer the penalty of  
6                   *prision correccional* in its minimum period and a fine not to  
7                   exceed [6,000] **ONE MILLION TWO HUNDRED**  
8                   **THOUSAND** pesos (**P1,200,000**), if the amount in  
9                   controversy shall exceed [5,000] **ONE MILLION** pesos  
10                   (**P1,000,000**), and the penalty of *arresto mayor* in its  
11                   maximum period to *prision correccional* in its minimum period  
12                   and a fine not to exceed [1,000] **TWO HUNDRED**  
13                   **THOUSAND** pesos (**P200,000**), if the amount in controversy  
14                   shall not exceed said amount or cannot be estimated.

15                   **SEC. 34.** Article 187 of same Act is hereby amended to read as follows:

16                   ART. 187. *Importation and disposition of falsely marked*  
17                   *articles or merchandise made of gold, silver, or other precious*  
18                   *metals or their alloys.* — The penalty of *prision correccional* or  
19                   a fine ranging from [200 to 1,000] **FORTY THOUSAND**  
20                   **PESOS (P40,000) TO TWO HUNDRED THOUSAND**  
21                   pesos (**P200,000**), or both, shall be imposed on any person  
22                   who shall knowingly import or sell or dispose of any article or  
23                   merchandise made of gold, silver, or other precious metals, or  
24                   their alloys, with stamps, brands, or marks which fail to indicate  
25                   the actual fineness or quality of said metals or alloys.

26                   Any stamp, brand, label, or mark shall be deemed to fail to  
27                   indicate the actual fineness of the article on which it is engraved,  
28                   printed, stamped, labeled or attached, when the rest of the  
29                   article shows that the quality or fineness thereof is less by more  
30                   than one-half karat, if made of gold, and less by more than four  
31                   one-thousandth, if made of silver, than what is shown by said  
32                   stamp, brand, label or mark. But in case of watch cases and

1 flatware made of gold, the actual fineness of such gold shall not  
2 be less by more than three one-thousandth than the fineness  
3 indicated by said stamp, brand, label, or mark.

4 **SEC. 35.** Article 201 of same Act, as amended by Presidential Decree Nos.  
5 960 and 969, is hereby further amended to read as follows:

6 ART. 201. *Immoral doctrines, obscene publications and*  
7 *exhibitions and indecent shows.* — The penalty of *prision*  
8 *mayor* or a fine ranging from [six thousand to twelve  
9 thousand] **TWENTY THOUSAND PESOS (P20,000) TO**  
10 **TWO HUNDRED THOUSAND pesos (P200,000)**, or  
11 both such imprisonment and fine, shall be imposed upon:

- 12 (1) Those who shall publicly expound or proclaim doctrines  
13 openly contrary to public morals;
- 14 (2) (a) the authors of obscene literature, published with their  
15 knowledge in any form; the editors publishing such  
16 literature; and the owners/operators of the establishment  
17 selling the same; (b) Those who, in theaters, fairs,  
18 cinematographs or any other place, exhibit, indecent or  
19 immoral plays, scenes, acts or shows, whether live or in  
20 film, which are prescribed by virtue hereof, shall include  
21 those which (1) glorify criminals or condone crimes; (2)  
22 serve no other purpose but to satisfy the market for  
23 violence, lust or pornography; (3) offend any race or  
24 religion; (4) tend to abet traffic in and use of prohibited  
25 drugs; and (5) are contrary to law, public order, morals,  
26 and good customs, established policies, lawful orders,  
27 decrees and edicts;
- 28 (3) Those who shall sell, give away or exhibit films, prints,  
29 engravings, sculpture or literature which are offensive to  
30 morals.

31 **SEC. 36.** Article 202 of same Act, as amended, is hereby further amended to

1 read as follows:

2           ART. 202. *Prostitutes; Penalty.* — For the purpose of this  
3 article, women who, for money or profit, habitually indulge in  
4 sexual intercourse or lascivious conduct, are deemed to be  
5 prostitutes.

6 Any person found guilty of any of the offenses covered by this  
7 articles shall be punished by *arresto menor* or a fine not  
8 exceeding [200] **TWENTY THOUSAND pesos (P20,000)**, and in case of recidivism, by *arresto mayor* in its medium  
9 period to *prision correccional* in its minimum period or a fine  
10 ranging from [200 to 2,000] **TWENTY THOUSAND PESOS**  
11 **(P20,000) TO TWO HUNDRED THOUSAND pesos**  
12 **(P200,000)**, or both, in the discretion of the court.

14 **SEC. 37.** Article 209 of same Act is hereby amended to read as follows:

15           ART. 209. *Betrayal of trust by an attorney or solicitor. —*  
16 *Revelation of secrets.* — In addition to the proper administrative  
17 action, the penalty of *prision correccional* in its minimum  
18 period, or a fine ranging from [200 to 1,000] **TWENTY**  
19 **THOUSAND PESOS (P20,000) TO ONE HUNDRED**  
20 **THOUSAND pesos (P100,000)**, or both, shall be imposed  
21 upon any attorney-at-law or [solicitor (*procurador judicial*)]  
22 **ANY PERSON DULY AUTHORIZED TO REPRESENT**  
23 **AND/OR ASSIST A PARTY TO A CASE** who, by any  
24 malicious breach of professional duty or of inexcusable  
25 negligence or ignorance, shall prejudice his client, or reveal any  
26 of the secrets of the latter learned by him in his professional  
27 capacity.

28 The same penalty shall be imposed upon an attorney-at-law or  
29 [solicitor (*procurador judicial*)] **ANY PERSON DULY**  
30 **AUTHORIZED TO REPRESENT AND/OR ASSIST A**  
31 **PARTY TO A CASE** who, having undertaken the defense of a  
32 client or having received confidential information from said

1 client in a case, shall undertake the defense of the opposing  
2 party in the same case, without the consent of his first client.

3 **SEC. 38.** Article 213 of same Act is hereby amended to read as follows:

4 ART. 213. *Frauds against the public treasury and similar*  
5 *offenses.* — The penalty of *prision correccional* in its medium  
6 period to *prision mayor* in its minimum period, or a fine  
7 ranging from [200 to 10,000] **FORTY THOUSAND PESOS**  
8 **(P40,000) TO TWO MILLION** pesos **(P2,000,000)**, or  
9 both, shall be imposed upon any public officer who:

- 10 (1) In his official capacity, in dealing with any person with  
11 regard to furnishing supplies, the making of contracts, or  
12 the adjustment or settlement of accounts relating to  
13 public property or funds, shall enter into an agreement  
14 with any interested party or speculator or make use of  
15 any other scheme, to defraud the Government;
- 16 (2) Being entrusted with the collection of taxes, licenses, fees  
17 and other imposts, shall be guilty of any of the following  
18 acts or omissions:
- 19 (a) Demanding, directly, or indirectly, the payment of  
20 sums different from or larger than those  
21 authorized by law.
- 22 (b) Failing voluntarily to issue a receipt, as provided  
23 by law, for any sum of money collected by him  
24 officially.
- 25 (c) Collecting or receiving, directly or indirectly, by  
26 way of payment or otherwise things or objects of a  
27 nature different from that provided by law.

28 When the culprit is an officer or employee of the Bureau of  
29 Internal Revenue or the Bureau of Customs, the provisions of  
30 the Administrative Code shall be applied.

1           **SEC. 39.** Article 215 of same Act is hereby amended to read as follows:

2           ART. 215. *Prohibited transactions.* — The penalty of *prision correccional* in its maximum period or a fine ranging from [200  
3           to 1,000] **FORTY THOUSAND PESOS (P40,000) TO**  
4           **TWO HUNDRED THOUSAND pesos (P200,000)**, or both,  
5           shall be imposed upon any appointive public officer who, during  
6           his incumbency, shall directly or indirectly become interested in  
7           any transaction of exchange or speculation within the territory  
8           subject to his jurisdiction.

9  
10          **SEC. 40.** Article 216 of same Act is hereby amended to read as follows:

11          ART. 216. *Possession of prohibited interest by a public officer.*  
12          — The penalty of *arresto mayor* in its medium period to *prision correccional* in its minimum period, or a fine ranging from [200  
13           to 1,000] **FORTY THOUSAND PESOS (P40,000) TO**  
14           **TWO HUNDRED THOUSAND pesos (P200,000)**, or both,  
15           shall be imposed upon a public officer who directly or indirectly,  
16           shall become interested in any contract or business in which it is  
17           his official duty to intervene.

18  
19          This provisions is applicable to experts, arbitrators and private  
20          accountants who, in like manner, shall take part in any contract  
21          or transaction connected with the estate or property in  
22          appraisal, distribution or adjudication of which they shall have  
23          acted, and to the guardians and executors with respect to the  
24          property belonging to their wards or estate.

25          **SEC. 41.** Article 217 of same Act is hereby amended to read as follows:

26          ART. 217. *Malversation of public funds or property;*  
27          *Presumption of malversation.* — Any public officer who, by  
28          reason of the duties of his office, is accountable for public funds  
29          or property, shall appropriate the same or shall take or  
30          misappropriate or shall consent, through abandonment or  
31          negligence, shall permit any other person to take such public

1 funds, or property, wholly or partially, or shall otherwise be  
2 guilty of the misappropriation or malversation of such funds or  
3 property, shall suffer:

- 4 (1) The penalty of *prision correccional* in its medium and  
5 maximum periods, if the amount involved in the  
6 misappropriation or malversation does not exceed [two  
7 hundred] **TWENTY THOUSAND pesos (P20,000)**.
- 8 (2) The penalty of *prision mayor* in its minimum and  
9 medium periods, if the amount involved is more than  
10 [two hundred] **TWENTY THOUSAND pesos (P20,000)** but does not exceed [six thousand] **SIX**  
11 **HUNDRED THOUSAND pesos (P600,000)**.
- 12 (3) The penalty of *prision mayor* in its maximum period to  
13 *reclusion temporal* in its minimum period, if the  
14 amount involved is more than [six thousand] **SIX**  
15 **HUNDRED THOUSAND pesos (P600,000)** but is  
16 less than [twelve thousand] **ONE MILLION TWO**  
17 **HUNDRED THOUSAND pesos (P1,200,000)**.
- 18 (4) The penalty of *reclusion temporal*, in its medium and  
19 maximum periods, if the amount involved is more than  
20 [twelve thousand] **ONE MILLION TWO**  
21 **HUNDRED THOUSAND pesos (P1,200,000)** but  
22 is less than [twenty-two thousand] **TWO MILLION**  
23 **TWO HUNDRED THOUSAND pesos (P2,200,000)**. If the amount exceeds the latter, the  
24 penalty shall be *reclusion temporal* in its maximum  
25 period to *reclusion perpetua*.

26 In all cases, persons guilty of malversation shall also suffer the  
27 penalty of perpetual special disqualification and a fine equal to  
the amount of the funds malversed or equal to the total value of  
the property embezzled.

1           The failure of a public officer to have duly forthcoming any  
2           public funds or property with which he is chargeable, upon  
3           demand by any duly authorized officer, shall be *prima facie*  
4           evidence that he has put such missing funds or property to  
5           personal use.

6           **SEC. 42.** Article 218 of same Act is hereby amended to read as follows:

7           ART. 218. *Failure of accountable officer to render accounts.* —  
8           Any public officer, whether in the service or separated therefrom  
9           by resignation or any other cause, who is required by law or  
10          regulation to render account to the [Insular Auditor]  
11          **COMMISSION ON AUDIT**, or to a provincial auditor and  
12          who fails to do so for a period of two months after such accounts  
13          should be rendered, shall be punished by *prision correccional* in  
14          its minimum period, or by a fine ranging from [200 to 6,000]  
15          **FORTY THOUSAND PESOS (P40,000) TO ONE**  
16          **MILLION TWO THOUSAND pesos (P1,200,000)**, or both.

17           **SEC. 43.** Article 219 of same Act is hereby amended to read as follows:

18           ART. 219. *Failure of a responsible public officer to render*  
19          *accounts before leaving the country.* — Any public officer who  
20          unlawfully leaves or attempts to leave the Philippines [Islands]  
21          without securing a certificate from the [Insular Auditor]  
22          **COMMISSION ON AUDIT** showing that his accounts have  
23          been finally settled, shall be punished by *arresto mayor*, or a  
24          fine ranging from [200 to 1,000] **FORTY THOUSAND**  
25          **PESOS (P40,000) TO TWO HUNDRED THOUSAND**  
26          **pesos (P200,000)** or both.

27           **SEC. 44.** Article 221 of same Act is hereby amended to read as follows:

28           ART. 221. *Failure to make delivery of public funds or property.*  
29          — Any public officer under obligation to make payment from  
30          Government funds in his possession, who shall fail to make such  
31          payment, shall be punished by *arresto mayor* and a fine from 5

1 to 25 per cent of the sum which he failed to pay.

2 This provision shall apply to any public officer who, being  
3 ordered by competent authority to deliver any property in his  
4 custody or under his administration, shall refuse to make such  
5 delivery.

6 The fine shall be graduated in such case by the value of the  
7 thing, provided that it shall not less than [50] **TEN**  
8 **THOUSAND** pesos (**P10,000**).

9 **SEC. 45.** Article 226 of same Act is hereby amended to read as follows:

10 ART. 226. *Removal, concealment or destruction of documents.*

11 — Any public officer who shall remove, destroy or conceal  
12 documents or papers officially entrusted to him, shall suffer:

13 (1) The penalty of *prision mayor* and a fine not exceeding  
14 [1,000] **TWO HUNDRED THOUSAND** pesos  
15 (**P200,000**), whenever serious damage shall have been  
16 caused thereby to a third party or to the public interest.

17 (2) The penalty of *prision correccional* in its minimum and  
18 medium period and a fine not exceeding [1,000] **TWO**  
19 **HUNDRED THOUSAND** pesos (**P200,000**), whenever  
20 the damage to a third party or to the public interest shall  
21 not have been serious.

22 In either case, the additional penalty of temporary special  
23 disqualification in its maximum period to perpetual  
24 disqualification shall be imposed.

25 **SEC. 46.** Article 227 of same Act is hereby amended to read as follows:

26 ART. 227. *Officer breaking seal.* — Any public officer charged  
27 with the custody of papers or property sealed by proper  
28 authority, who shall break the seals or permit them to be  
29 broken, shall suffer the penalties of *prision correccional* in its  
30 minimum and medium periods, temporary special

1 disqualification and a fine not exceeding [2,000] **FOUR**  
2 **HUNDRED THOUSAND pesos (P400,000).**

3 **SEC. 47.** Article 228 of same Act is hereby amended to read as  
4 follows:

5 ART. 228. *Opening of closed documents.* — Any public officer  
6 not included in the provisions of the next preceding article who,  
7 without proper authority, shall open or shall permit to be  
8 opened any closed papers, documents or objects entrusted to his  
9 custody, shall suffer the penalties or *arresto mayor*, temporary  
10 special disqualification and a fine of not exceeding [2,000]  
11 **FOUR HUNDRED THOUSAND pesos (P400,000).**

12 **SEC. 48.** Article 229 of same Act is hereby amended to read as follows:

13 ART. 229. *Revelation of secrets by an officer.* — Any public  
14 officer who shall reveal any secret known to him by reason of his  
15 official capacity, or shall wrongfully deliver papers or copies of  
16 papers of which he may have charge and which should not be  
17 published, shall suffer the penalties of *prision correccional* in its  
18 medium and maximum periods, perpetual special  
19 disqualification and a fine not exceeding [2,000] **FOUR**  
20 **HUNDRED THOUSAND pesos (P400,000)** if the  
21 revelation of such secrets or the delivery of such papers shall  
22 have caused serious damage to the public interest; otherwise,  
23 the penalties of *prision correccional* in its minimum period,  
24 temporary special disqualification and a fine not exceeding  
25 **[500] ONE HUNDRED THOUSAND pesos (P100,000)**  
26 shall be imposed.

27 **SEC. 49.** Article 230 of same Act is hereby amended to read as  
28 follows:

29 ART. 230. *Public officer revealing secrets of private individual.*  
30 — Any public officer to whom the secrets of any private  
31 individual shall become known by reason of his office who shall

1 reveal such secrets, shall suffer the penalties of *arresto mayor*  
2 and a fine not exceeding [1,000] **TWO HUNDRED**  
3 **THOUSAND** pesos (**P200,000**).

4 **SEC. 50.** Article 231 of same Act is hereby amended to read as follows:

5 ART. 231. *Open disobedience.* — Any judicial or executive officer  
6 who shall openly refuse to execute the judgment, decision or  
7 order of any superior authority made within the scope of the  
8 jurisdiction of the latter and issued with all the legal formalities,  
9 shall suffer the penalties of *arresto mayor* in its medium period  
10 to *prision correccional* in its minimum period, temporary  
11 special disqualification in its maximum period and a fine not  
12 exceeding [1,000] **TWO HUNDRED THOUSAND** pesos  
13 (**P200,000**).

14 **SEC. 51.** Article 233 of same Act is hereby amended to read as follows:

15 ART. 233. *Refusal of assistance.* — The penalties of *arresto*  
16 *mayor* in its medium period to *prision correccional* in its  
17 minimum period, perpetual special disqualification and a fine  
18 not exceeding [1,000] **TWO HUNDRED THOUSAND** pesos  
19 (**P200,000**), shall be imposed upon a public officer who, upon  
20 demand from competent authority, shall fail to lend his  
21 cooperation towards the administration of justice or other  
22 public service, if such failure shall result in serious damage to  
23 the public interest, or to a third party; otherwise, *arresto mayor*  
24 in its medium and maximum periods and a fine not exceeding  
25 [500] **ONE HUNDRED THOUSAND** pesos (**P100,000**)  
26 shall be imposed.

27 **SEC. 52.** Article 234 of same Act is hereby amended to read as follows:

28 ART. 234. *Refusal to discharge elective office.* — The penalty of  
29 *arresto mayor* or a fine not exceeding [1,000] **TWO**  
30 **HUNDRED THOUSAND** pesos (**P200,000**), or both, shall  
31 be imposed upon any person who, having been elected by

1 popular election to a public office, shall refuse without legal  
2 motive to be sworn in or to discharge the duties of said office.

3 **SEC. 53.** Article 235 of same Act, as amended by Executive Order No. 62, is  
4 hereby further amended to read as follows:

5 ART. 235. *Maltreatment of prisoners.* — The penalty of *prision*  
6 *correccional* in its medium period to *prision mayor* in its  
7 minimum period, in addition to his liability for the physical  
8 injuries or damage caused, shall be imposed upon any public  
9 officer or employee who shall overdo himself in the correction or  
10 handling of a prisoner or detention prisoner under his charge,  
11 by the imposition of punishment not authorized by the  
12 regulations, or by inflicting such punishment in a cruel and  
13 humiliating manner.

14 If the purpose of the maltreatment is to extort a confession, or to  
15 obtain some information from the prisoner, the offender shall  
16 be punished by *prision mayor* in its minimum period,  
17 temporary special disqualification and a fine not exceeding  
18 [6,000] **ONE HUNDRED THOUSAND pesos (P100,000)**,  
19 in addition to his liability for the physical injuries or damage  
20 caused.

21 **SEC. 54.** Article 236 of same Act is hereby amended to read as follows:

22 ART. 236. *Anticipation of duties of a public office.* — Any  
23 person who shall assume the performance of the duties and  
24 powers of any public officer or employment without first being  
25 sworn in or having given the bond required by law, shall be  
26 suspended from such office or employment until he shall have  
27 complied with the respective formalities and shall be fined from  
28 [200 to 500] **FORTY THOUSAND PESOS (P40,000) TO**  
29 **ONE HUNDRED pesos (P100,000).**

30 **SEC. 55.** Article 237 of same Act is hereby amended to read as follows:

31 ART. 237. *Prolonging performance of duties and powers.* —

1 Any public officer shall continue to exercise the duties and  
2 powers of his office, employment or commission, beyond the  
3 period provided by law, regulation or special provisions  
4 applicable to the case, shall suffer the penalties of *prision*  
5 *correccional* in its minimum period, special temporary  
6 disqualification in its minimum period and a fine not exceeding  
7 [500] **ONE HUNDRED THOUSAND pesos (P100,000).**

8 **SEC. 56.** Article 239 of same Act is hereby amended to read as follows:

9 ART. 239. *Usurpation of legislative powers.* — The penalties of  
10 *prision correccional* in its minimum period, temporary special  
11 disqualification and a fine not exceeding [1,000] **TWO**  
12 **HUNDRED THOUSAND pesos (P200,000),** shall be  
13 imposed upon any public officer who shall encroach upon the  
14 powers of the legislative branch of the Government, either by  
15 making general rules or regulations beyond the scope of his  
16 authority, or by attempting to repeal a law or suspending the  
17 execution thereof.

18 **SEC. 57.** Article 242 of same Act is hereby amended to read as follows:

19 ART. 242. *Disobeying request for disqualification.* — Any  
20 public officer who, before the question of jurisdiction is decided,  
21 shall continue any proceeding after having been lawfully  
22 required to refrain from so doing, shall be punished by *arresto*  
23 *mayor* and a fine not exceeding [500] **ONE HUNDRED**  
24 **THOUSAND pesos (P100,000).**

25 **SEC. 58.** Article 243 of same Act is hereby amended to read as follows:

26 ART. 243. *Orders or requests by executive officers to any*  
27 *judicial authority.* — Any executive officer who shall address  
28 any order or suggestion to any judicial authority with respect to  
29 any case or business coming within the exclusive jurisdiction of  
30 the courts of justice shall suffer the penalty of *arresto mayor*  
31 and a fine not exceeding [500] **ONE HUNDRED**

1                   **THOUSAND pesos (P100,000).**

2                   **SEC. 59.** Article 244 of same Act is hereby amended to read as follows:

3                   ART. 244. *Unlawful appointments.* — Any public officer who  
4                   shall knowingly nominate or appoint to any public office any  
5                   person lacking the legal qualifications therefor, shall suffer the  
6                   penalty of *arresto mayor* and a fine not exceeding [1,000]  
7                   **TWO HUNDRED THOUSAND pesos (P200,000).**

8                   **SEC. 60.** Article 259 of same Act is hereby amended to read as follows:

9                   ART. 259. *Abortion practiced by a physician or midwife and*  
10                  *dispensing of abortives.* — The penalties provided in Article 256  
11                  shall be imposed in its maximum period, respectively, upon any  
12                  physician or midwife who, taking advantage of their scientific  
13                  knowledge or skill, shall cause an abortion or assist in causing  
14                  the same.

15                  Any pharmacist who, without the proper prescription from a  
16                  physician, shall dispense any abortive shall suffer the penalty of  
17                  *arresto mayor* and a fine not exceeding [1,000] **ONE**  
18                  **HUNDRED THOUSAND pesos (P100,000).**

19                  **SEC. 61.** Article 265 of same Act is hereby amended to read as follows:

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

26                  Whenever less serious physical injuries shall have been inflicted  
27                  with the manifest intent to kill or offend the injured person, or  
28                  under circumstances adding ignominy to the offense in addition  
29                  to the penalty of *arresto mayor*, a fine not exceeding [500]  
30                  **FIFTY THOUSAND pesos (P50,000)** shall be imposed.

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

7 **SEC. 62.** Article 266 of same Act is hereby amended to read as follows:

8 ART. 266. *Slight physical injuries and maltreatment.* — The  
9 crime of slight physical injuries shall be punished:

- 10 (1) By *arresto menor* when the offender has inflicted  
11 physical injuries which shall incapacitate the offended  
12 party for labor from one to nine days, or shall require  
13 medical attendance during the same period.
- 14 (2) By *arresto menor* or a fine not exceeding [200] **FORTY**  
15 **THOUSAND** pesos (**P40,000**) and censure when the  
16 offender has caused physical injuries which do not  
17 prevent the offended party from engaging in his habitual  
18 work nor require medical assistance.
- 19 (3) By *arresto menor* in its minimum period or a fine not  
20 exceeding [50] **FIVE THOUSAND** pesos (**P5,000**)  
21 when the offender shall ill-treat another by deed without  
22 causing any injury.

23 **SEC. 63.** Article 268 of same Act, as amended by Republic Act No. 18, is  
24 hereby further amended to read as follows:

25 ART. 268. *Slight Illegal Detention.* — The penalty of *reclusion*  
26 *temporal* shall be imposed upon any private individual who  
27 shall commit the crimes described in the next preceding article  
28 without the attendance of any of the circumstances enumerated  
29 therein.

30 The same penalty shall be incurred by anyone who shall furnish

1 the place for the perpetration of the crime.

2 If the offender shall voluntarily release the person so locked up  
3 or detained within three days from the commencement of the  
4 detention, without having attained the purpose intended, and  
5 before the institution of criminal proceedings against him, the  
6 penalty shall be *prision mayor* in its minimum and medium  
7 periods and a fine not exceeding [seven hundred] **ONE**  
**HUNDRED THOUSAND** pesos (**P100,000**).

9 **SEC. 64.** Article 269 of same Act is hereby amended to read as follows:

10 ART. 269. *Unlawful arrest.* — The penalty of *arresto mayor*  
11 and a fine not exceeding [500] **ONE HUNDRED**  
**THOUSAND** pesos (**P100,000**) shall be imposed upon any  
12 person who, in any case other than those authorized by law, or  
13 without reasonable ground therefor, shall arrest or detain  
14 another for the purpose of delivering him to the proper  
15 authorities.

17 **SEC. 65.** Article 271 of same Act, as amended by Republic Act No. 18, is  
18 hereby further amended to read as follows:

19 ART. 271. *Inducing a minor to abandon his home.* — The  
20 penalty of *prision correccional* and a fine not exceeding [seven  
21 hundred] **ONE HUNDRED THOUSAND** pesos (**P100,000**)  
22 shall be imposed upon anyone who shall induce a minor to  
23 abandon the home of his parents or guardians or the persons  
24 entrusted with his custody.

25 If the person committing any of the crimes covered by the two  
26 preceding articles shall be the father or the mother of the minor,  
27 the penalty shall be *arresto mayor* or a fine not exceeding  
28 [three hundred] **FORTY THOUSAND** pesos (**P40,000**), or  
29 both.

30 **SEC. 66.** Article 276 of same Act is hereby amended to read as follows:

1           ART. 276. *Abandoning a minor.* — The penalty of *arresto*  
2           *mayor* and a fine not exceeding [500] **ONE HUNDRED**  
3           **THOUSAND** pesos (**P100,000**) shall be imposed upon any  
4           one who shall abandon a child under seven years of age, the  
5           custody of which is incumbent upon him.

6           When the death of the minor shall result from such  
7           abandonment, the culprit shall be punished by *prision*  
8           *correccional* in its medium and maximum periods; but if the life  
9           of the minor shall have been in danger only, the penalty shall be  
10          *prision correccional* in its minimum and medium periods.

11          The provisions contained in the two preceding paragraphs shall  
12          not prevent the imposition of the penalty provided for the act  
13          committed, when the same shall constitute a more serious  
14          offense.

15          **SEC. 67.** Article 277 of same Act is hereby amended to read as follows:

16          ART. 277. *Abandonment of minor by person entrusted with his*  
17          *custody; indifference of parents.*— The penalty of *arresto*  
18          *mayor* and a fine not exceeding [500] **ONE HUNDRED**  
19          **THOUSAND** pesos (**P100,000**) shall be imposed upon  
20          anyone who, having charge of the rearing or education of a  
21          minor, shall deliver said minor to a public institution or other  
22          persons, without the consent of the one who entrusted such  
23          child to his care or in the absence of the latter, without the  
24          consent of the proper authorities.

25          The same penalty shall be imposed upon the parents who shall  
26          neglect their children by not giving them the education which  
27          their station in life require and financial conditions permit.

28          **SEC. 68.** Article 278 of same Act is hereby amended to read as  
29          follows:

30          ART. 278. *Exploitation of minors.* — The penalty of *prision*  
31          *correccional* in its minimum and medium periods and a fine not

1 exceeding [500] **ONE HUNDRED THOUSAND** pesos  
2 (**P100,000**) shall be imposed upon:

- 3 (1) Any person who shall cause any boy or girl under sixteen  
4 years of age to perform any dangerous feat of balancing,  
5 physical strength, or contortion.
- 6 (2) Any person who, being an acrobat, gymnast, rope-walker,  
7 diver, wild-animal tamer or circus manager or engaged in  
8 a similar calling, shall employ in exhibitions of these  
9 kinds children under sixteen years of age who are not his  
10 children or descendants.
- 11 (3) Any person engaged in any of the callings enumerated in  
12 the next paragraph preceding who shall employ any  
13 descendant of his under twelve years of age in such  
14 dangerous exhibitions.
- 15 (4) Any ascendant, guardian, teacher or person entrusted in  
16 any capacity with the care of a child under sixteen years  
17 of age, who shall deliver such child gratuitously to any  
18 person following any of the callings enumerated in  
19 paragraph 2 hereof, or to any habitual vagrant or beggar.

20 If the delivery shall have been made in consideration of  
21 any price, compensation, or promise, the penalty shall in  
22 every case be imposed in its maximum period.

23 In either case, the guardian or curator convicted shall  
24 also be removed from office as guardian or curator; and  
25 in the case of the parents of the child, they may be  
26 deprived, temporarily or perpetually, in the discretion of  
27 the court, of their parental authority.

- 28 (5) Any person who shall induce any child under sixteen  
29 years of age to abandon the home of its ascendants,  
30 guardians, curators, or teachers to follow any person  
31 engaged in any of the callings mentioned in paragraph 2

hereof, or to accompany any habitual vagrant or beggar.

**SEC. 69.** Article 280 of same Act is hereby amended to read as follows:

ART. 280. *Qualified trespass to dwelling.* — Any private person who shall enter the dwelling of another against the latter's will shall be punished by *arresto mayor* and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000).**

If the offense be committed by means of violence or intimidation, the penalty shall be *prisión correccional* in its medium and maximum periods and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000).**

The provisions of this article shall not be applicable to any person who shall enter another's dwelling for the purpose of preventing some serious harm to himself, the occupants of the dwelling or a third person, nor shall it be applicable to any person who shall enter a dwelling for the purpose of rendering some service to humanity or justice, nor to anyone who shall enter cafes, taverns, inn and other public houses, while the same are open.

**SEC. 70.** Article 281 of same Act is hereby amended to read as follows:

**ART. 281. Other forms of trespass.** — The penalty of *arresto menor* or a fine not exceeding [200] **FORTY THOUSAND** pesos (**P40,000**), or both, shall be imposed upon any person who shall enter the closed premises or the fenced estate of another, while either or both of them are uninhabited, if the prohibition to enter be manifest and the trespasser has not secured the permission of the owner or the caretaker thereof.

**SEC. 71.** Article 282 of same Act is hereby amended to read as follows:

ART. 282. *Grave threats.* — Any person who shall threaten another with the infliction upon the person, honor or property of the latter or of his family of any wrong amounting to a crime.

1 shall suffer:

- 2 (1) The penalty next lower in degree than that prescribed by  
3 law for the crime be threatened to commit, if the offender  
4 shall have made the threat demanding money or  
5 imposing any other condition, even though not unlawful,  
6 and said offender shall have attained his purpose. If the  
7 offender shall not have attained his purpose, the penalty  
8 lower by two degrees shall be imposed.

9 If the threat be made in writing or through a middleman,  
10 the penalty shall be imposed in its maximum period.

- 11 (2) The penalty of *arresto mayor* and a fine not exceeding  
12 [500] **ONE HUNDRED THOUSAND** pesos  
13 (**P100,000**) if the threat shall not have been made  
14 subject to a condition.

15 **SEC. 72.** Article 285 of same Act is hereby amended to read as follows:

16 ART. 285. *Other light threats.* — The penalty of *arresto menor*  
17 in its minimum period or a fine not exceeding [200] **FORTY**  
18 **THOUSAND** pesos (**P40,000**) shall be imposed upon:

- 19 (1) Any person who, without being included in the provisions  
20 of the next preceding article, shall threaten another with  
21 a weapon or draw such weapon in a quarrel, unless it be  
22 in lawful self-defense.
- 23 (2) Any person who, in the heat of anger, shall orally  
24 threaten another with some harm not constituting a  
25 crime, and who by subsequent acts show that he did not  
26 persist in the idea involved in his threat, provided that  
27 the circumstances of the offense shall not bring it within  
28 the provisions of Article 282 of this Code.
- 29 (3) Any person who shall orally threaten to do another any  
30 harm not constituting a felony.

1           **SEC. 73.** Article 286 of the same Act, as amended by Republic Act No. 7890,  
2 is hereby further amended to read as follows:

3           ART. 286. *Grave coercions.* — The penalty of *prision correccional* and a fine not exceeding [Six thousand pesos]  
4           **ONE HUNDRED THOUSAND** pesos (**P100,000**) shall be  
5 imposed upon any person who, without authority of law, shall,  
6 by means of violence, threats or intimidation, prevent another  
7 from doing something not prohibited by law, or compel him to  
8 do something against his will, whether it be right or wrong.  
9

10          If the coercion be committed in violation of the exercise of the right of suffrage, or for the purpose of compelling another to perform any religious act or to prevent him from exercising such right, or from so doing such act, the penalty next higher in degree shall be imposed.

15          **SEC. 74.** Article 287 of the same Act is hereby amended to read as follows:

16          ART. 287. *Light coercions.* - Any person who, by means of violence, shall seize anything belonging to his debtor for the purpose of applying the same to the payment of the debt, shall suffer the penalty of *arresto mayor* in its minimum period and a fine equivalent to the value of the thing, but in no case less than [75] **FIFTEEN THOUSAND** pesos (**P15,000**).

22          Any other coercions or unjust vexations shall be punished by *arresto menor* or a fine ranging from [5 to 200] **ONE THOUSAND PESOS (P1,000) TO FORTY THOUSAND** pesos (**P40,000**), or both.

26          **SEC. 75.** Article 288 of the same Act is hereby amended to read as follows:

27          ART. 288. *Other similar coercions; (Compulsory purchase of merchandise and payment of wages by means of tokens.)* —  
28          The penalty of *arresto mayor* or a fine ranging from [200 to 500] **FORTY THOUSAND PESOS (P40,000) TO ONE HUNDRED THOUSAND** pesos (**P100,000**), or both, shall

1           be imposed upon any person, agent or officer, of any association  
2           or corporation who shall force or compel, directly or indirectly,  
3           or shall knowingly permit any laborer or employee employed by  
4           him or by such firm or corporation to be forced or compelled, to  
5           purchase merchandise or commodities of any kind.

6           The same penalties shall be imposed upon any person who shall  
7           pay the wages due a laborer or employee employed by him, by  
8           means of tokens or objects other than the legal tender currency  
9           of the laborer or employee.

10          **SEC. 76.** Article 289 of the same Act is hereby amended to read as follows:

11          ART. 289. *Formation, maintenance and prohibition of*  
12          *combination of capital or labor through violence or threats.* —  
13          The penalty of *arresto mayor* and a fine not exceeding [300]  
14          **SIXTY THOUSAND pesos (P60,000)** shall be imposed upon  
15          any person who, for the purpose of organizing, maintaining or  
16          preventing coalitions or capital or labor, strike of laborers or  
17          lock-out of employees, shall employ violence or threats in such a  
18          degree as to compel or force the laborers or employers in the  
19          free and legal exercise of their industry or work, if the act shall  
20          not constitute a more serious offense in accordance with the  
21          provisions of this Code.

22          **SEC. 77.** Article 290 of the same Act is hereby amended to read as follows:

23          ART. 290. *Discovering secrets through seizure of*  
24          *correspondence.* — The penalty of *prision correccional* in its  
25          minimum and medium periods and a fine not exceeding [500]  
26          **ONE HUNDRED THOUSAND pesos (P100,000)** shall be  
27          imposed upon any private individual who in order to discover  
28          the secrets of another, shall seize his papers or letters and reveal  
29          the contents thereof.

30          If the offender shall not reveal such secrets, the penalty shall be  
31          *arresto mayor* and a fine not exceeding [500] **ONE**

1                   **HUNDRED THOUSAND pesos (P100,000).**

2                   The provision shall not be applicable to parents, guardians, or  
3                   persons entrusted with the custody of minors with respect to the  
4                   papers or letters of the children or minors placed under their  
5                   care or study, nor to spouses with respect to the papers or letters  
6                   of either of them.

7                   **SEC. 78.** Article 291 of the same Act is hereby amended to read as follows:

8                   ART. 291. *Revealing secrets with abuse of office.* — The penalty  
9                   of *arresto mayor* and a fine not exceeding [500] **ONE**  
10                  **HUNDRED THOUSAND** pesos (**P100,000**) shall be  
11                  imposed upon any manager, employee, or servant who, in such  
12                  capacity, shall learn the secrets of his principal or master and  
13                  shall reveal such secrets.

14                  **SEC. 79.** Article 292 of the same Act is hereby amended to read as

15                  follows:

16                  ART. 292. *Revelation of industrial secrets.*— The penalty of  
17                  *prision correccional* in its minimum and medium periods and a  
18                  fine not exceeding [500] **ONE HUNDRED THOUSAND**  
19                  pesos (**P100,000**) shall be imposed upon the person in charge,  
20                  employee or workman of any manufacturing or industrial  
21                  establishment who, to the prejudice of the owner thereof, shall  
22                  reveal the secrets of the industry of the latter.

23                  **SEC. 80.** Article 299 of the same Act, as amended by Republic Act No. 18, is

24                  hereby further amended to read as follows:

25                  ART. 299. *Robbery in an inhabited house or public building or*  
26                  *edifice devoted to worship.* - Any armed person who shall  
27                  commit robbery in an inhabited house or public building or  
28                  edifice devoted to religious worship, shall be punished by  
29                  *reclusion temporal*, if the value of the property taken shall  
30                  exceed [two hundred fifty] **FIFTY THOUSAND** pesos  
31                  (**P50,000**), and if:

1                             (a) The malefactors shall enter the house or building in  
2                             which the robbery was committed, by any of the following  
3                             means:

4                             (1) Through an opening not intended for entrance or  
5                             egress.

6                             (2) By breaking any wall, roof, or floor or breaking any  
7                             door or window.

8                             (3) By using false keys, picklocks or similar tools.

9                             (4) By using any fictitious name or pretending the  
10                            exercise of public authority.

11                           Or if -

12                             (b) The robbery be committed under any of the following  
13                            circumstances:

14                             (1) By the breaking of doors, wardrobes, chests, or any  
15                             other kind of locked or sealed furniture or  
16                             receptacle;

17                             (2) By taking such furniture or objects to be broken or  
18                             forced open outside the place of the robbery.

19                           When the offenders do not carry arms, and the value of the  
20                           property taken exceeds [250] **FIFTY THOUSAND** pesos  
21                           (**P50,000**), the penalty next lower in degree shall be imposed.

22                           The same rule shall be applied when the offenders are armed,  
23                           but the value of the property taken does not exceed [250]  
24                           **FIFTY THOUSAND** pesos (**P50,000**).

25                           When said offenders do not carry arms and the value of the  
26                           property taken does not exceed [250] **FIFTY THOUSAND**  
27                           pesos (**P50,000**), they shall suffer the penalty prescribed in the  
28                           two next preceding paragraphs, in its minimum period.

1 If the robbery be committed in one of the dependencies of an  
2 inhabited house, public building, or building dedicated to  
3 religious worship, the penalties next lower in degree than those  
4 prescribed in this article shall be imposed.

5 **SEC. 81.** Article 302 of the same Act, as amended by Commonwealth Act No.  
6 417, is hereby further amended to read as follows:

7 ART. 302. *Robbery in an uninhabited place or in a private*  
8 *building.* - Any robbery committed in an uninhabited place or in  
9 a building other than those mentioned in the first paragraph of  
10 Article 299, if the value of the property taken exceeds [250]  
11 **FIFTY THOUSAND pesos (P50,000),** shall be punished by  
12 *prision correccional* in its medium and maximum periods  
13 provided that any of the following circumstances is present:

- 14 (i) If the entrance has been effected through any opening not  
15 intended for entrance or egress.
- 16 (ii) If any wall, roof, floor or outside door or window has  
17 been broken.
- 18 (iii) If the entrance has been effected through the use of false  
19 keys, picklocks or other similar tools.
- 20 (iv) If any door, wardrobe, chest or by sealed or closed  
21 furniture or receptacle has been broken.
- 22 (v) If any closed or sealed receptacle, as mentioned in the  
23 preceding paragraph, has been removed even if the same  
24 to broken open elsewhere.

25 When the value of the property takes does not exceed [250]  
26 **FIFTY THOUSAND pesos (P50,000),** the penalty next lower  
27 in degree shall be imposed.

28 In the cases specified in Articles 294, 295, 297, 299, 300, and  
29 302 of this Code, when the property taken is mail matter or

1 large cattle, the offender shall suffer the penalties next higher in  
2 degree than those provided in said articles.

3 **SEC. 82.** Article 309 of the same Act is hereby amended to read as follows:

4 ART. 309. *Penalties.* - Any person guilty of theft shall be  
5 punished by:

- 6 (1) The penalty of *prision mayor* in its minimum and  
7 medium periods, if the value of the thing stolen is more  
8 than [12,000] **ONE MILLION TWO HUNDRED**  
9 **THOUSAND** pesos (**P1,200,000**) but does not exceed  
10 [22,000] **TWO MILLION TWO HUNDRED**  
11 **THOUSAND** pesos (**P2,200,000**), but if the value of  
12 the thing stolen exceeds the latter amount the penalty  
13 shall be the maximum period of the one prescribed in this  
14 paragraph, and one year for each additional [ten  
15 thousand] **FIVE HUNDRED THOUSAND** pesos  
16 (**P500,000**), but the total of the penalty which may be  
17 imposed shall not exceed twenty years. In such cases, and  
18 in connection with the accessory penalties which may be  
19 imposed and for the purpose of the other provisions of  
20 this Code, the penalty shall be termed *prision mayor* or  
21 *reclusion temporal*, as the case may be.
- 22 (2) The penalty of *prision correccional* in its medium and  
23 maximum periods, if the value of the thing stolen is more  
24 than [6,000] **SIX HUNDRED THOUSAND** pesos  
25 (**P600,000**) but does not exceed [12,000] **ONE**  
26 **MILLION TWO HUNDRED THOUSAND** pesos  
27 (**P1,200,000**).  
28 (3) The penalty of *prision correccional* in its minimum and  
29 medium periods, if the value of the property stolen is  
30 more than [200] **TWENTY THOUSAND** pesos  
31 (**P20,000**) but does not exceed [6,000] **SIX**  
32 **HUNDRED THOUSAND** pesos (**P600,000**).

- (4) *Arresto mayor* in its medium period to *prision correccional* in its minimum period, if the value of the property stolen is over [50] **FIVE THOUSAND** pesos (**P5,000**) but does not exceed [200] **TWENTY THOUSAND** pesos (**P20,000**).
  - (5) *Arresto mayor* to its full extent, if such value is over [5] **FIVE HUNDRED** pesos (**P500**) but does not exceed [50] **FIVE THOUSAND** pesos (**P5,000**).
  - (6) *Arresto mayor* in its minimum and medium periods, if such value does not exceed [5] **FIVE HUNDRED** pesos (**500**).
  - (7) *Arresto menor* or a fine not exceeding [200] **TWENTY THOUSAND** pesos (**P20,000**), if the theft is committed under the circumstances enumerated in paragraph 3 of the next preceding article and the value of the thing stolen does not exceed [5] **FIVE HUNDRED** pesos (**500**). If such value exceeds said amount, the provision of any of the five preceding subdivisions shall be made applicable.
  - (8) *Arresto menor* in its minimum period or a fine not exceeding [50] **FIVE THOUSAND** pesos (**P5,000**), when the value of the thing stolen is not over [5] **FIVE HUNDRED** pesos (**500**), and the offender shall have acted under the impulse of hunger, poverty, or the difficulty of earning a livelihood for the support of himself or his family.

**SEC. 83.** Article 311 of the same Act is hereby amended to read as follows:

*ART. 311. Theft of the property of the National Library and National Museum.* - If the property stolen be any property of the National Library or the National Museum, the penalty shall be *arresto mayor* or a fine ranging from [200] **FORTY**

1           **THOUSAND PESOS (P40,000) to [500] ONE HUNDRED**  
2           **THOUSAND** pesos (**P100,000**), or both, unless a higher  
3           penalty should be provided under other provisions of this Code,  
4           in which case, the offender shall be punished by such higher  
5           penalty.

6           **SEC. 84.** Article 312 of the same Act is hereby amended to read as  
7           follows:

8           ART. 312. *Occupation of real property or usurpation of real*  
9           *rights in property.* - Any person who, by means of violence  
10          against or intimidation of persons, shall take possession of any  
11          real property or shall usurp any real rights in property belonging  
12          to another, in addition to the penalty incurred for the acts of  
13          violence executed by him, shall be punished by a fine from 50 to  
14          100 per centum of the gain which he shall have obtained, but  
15          not less than **[75] FIFTEEN THOUSAND** pesos (**P15,000**).  
16          If the value of the gain cannot be ascertained, a fine of from  
17          **[200] FORTY THOUSAND PESOS (P40,000)** to **[500]**  
18          **ONE HUNDRED THOUSAND** pesos (**P100,000**) shall be  
19          imposed.

20           **SEC. 85.** Article 313 of the same Act is hereby amended to read as follows:

21           ART. 313. *Altering boundaries or landmarks.* — Any person  
22          who shall alter the boundary marks or monuments of towns,  
23          provinces, or estates, or any other marks intended to designate  
24          the boundaries of the same, shall be punished by *arresto menor*  
25          or a fine not exceeding **[100] TWENTY THOUSAND** pesos  
26          (**P20,000**), or both.

27           **SEC. 86.** Article 315 of the same Act, as amended by Republic Act No. 4885,  
28          Presidential Decree No. 1689, and Presidential Decree No. 818, is hereby further  
29          amended to read as follows:

1 ART. 315. *Swindling (estafa)*. - Any person who shall defraud  
2 another by any of the means mentioned herein below shall be  
3 punished by:

4 *1st.* The penalty of *prision correccional* in its maximum period  
5 to *prision mayor* in its minimum period, if the amount of the  
6 fraud is over [12,000] **ONE MILLION TWO HUNDRED**  
7 **THOUSAND** pesos (**P1,200,000**) but does not exceed  
8 [22,000] **TWO MILLION TWO HUNDRED THOUSAND**  
9 pesos (**P2,200,000**), and if such amount exceeds the latter  
10 sum, the penalty provided in this paragraph shall be imposed in  
11 its maximum period, adding one year for each additional  
12 [10,000] **FIVE HUNDRED THOUSAND** pesos  
13 (**P500,000**); but the total penalty which may be imposed shall  
14 not exceed twenty years. In such cases, and in connection with  
15 the accessory penalties which may be imposed under the  
16 provisions of this Code, the penalty shall be termed *prision*  
17 *mayor* or *reclusion temporal*, as the case may be.

18 *2nd.* The penalty of *prision correccional* in its minimum and  
19 medium periods, if the amount of the fraud is over [6,000] **SIX**  
20 **HUNDRED THOUSAND** pesos (**P600,000**) but does not  
21 exceed [12,000] **ONE MILLION TWO HUNDRED**  
22 **THOUSAND** pesos (**P1,200,000**);

23 *3rd.* The penalty of *arresto mayor* in its maximum period to  
24 *prision correccional* in its minimum period if such amount is  
25 over [200] **TWENTY THOUSAND** pesos (**P20,000**) but  
26 does not exceed [6,000] **SIX HUNDRED THOUSAND** pesos  
27 (**P600,000**); and

28 *4th.* By *arresto mayor* in its maximum period, if such amount  
29 does not exceed [200] **TWENTY THOUSAND** pesos  
30 (**P20,000**), provided that in the four cases mentioned, the  
31 fraud be committed by any of the following means:

- 32 (1) With unfaithfulness or abuse of confidence, namely:

- (a) By altering the substance, quantity, or quality of anything of value which the offender shall deliver by virtue of an obligation to do so, even though such obligation be based on an immoral or illegal consideration.
  - (b) By misappropriating or converting, to the prejudice of another, money, goods, or any other personal property received by the offender in trust or on commission, or for administration, or under any other obligation involving the duty to make delivery of or to return the same, even though such obligation be totally or partially guaranteed by a bond; or by denying having received such money, goods, or other property.
  - (c) By taking undue advantage of the signature of the offended party in blank, and by writing any document above such signature in blank, to the prejudice of the offended party or any third person.

By means of any of the following false pretenses or fraudulent acts executed prior to or simultaneously with the commission of the fraud:

  - (a) By using fictitious name, or falsely pretending to possess power, influence, qualifications, property, credit, agency, business or imaginary transactions, or by means of other similar deceits.
  - (b) By altering the quality, fineness or weight of anything pertaining to his art or business.
  - (c) By pretending to have bribed any Government employee, without prejudice to the action for calumny which the offended party may deem

proper to bring against the offender. In this case, the offender shall be punished by the maximum period of the penalty.

- (d) By postdating a check, or issuing a check in payment of an obligation when the offender had no funds in the bank, or his funds deposited therein were not sufficient to cover the amount of the check. The failure of the drawer of the check to deposit the amount necessary to cover his check within three (3) days from receipt of notice from the bank and/or the payee or holder that said check has been dishonored for lack or insufficiency of funds shall be *prima facie* evidence of deceit constituting false pretense or fraudulent act.

Any person who shall defraud another by means of false pretenses or fraudulent acts as defined in paragraph 2(d) hereof [of Article 315 of the Revised Penal Code, as amended by Republic Act No. 4885,] shall be punished by:

1st. The penalty of *reclusion temporal* if the amount of the fraud is over [12,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000)** but not exceeding [22,000] **TWO MILLION TWO HUNDRED THOUSAND pesos (P2,200,000)**, and if such amount exceeds the latter sum, the penalty provided in this paragraph shall be imposed in its maximum period, adding one year for each additional [10,000] **FIVE HUNDRED THOUSAND pesos (P500,000)** but the total penalty which may be imposed shall in no case exceed thirty years. In such cases, and in

1 connection with the accessory penalties which may  
2 be imposed under the Revised Penal Code, the  
3 penalty shall be termed *reclusion perpetua*;

4 2nd. The penalty of *prision mayor* in its maximum  
5 period, if the amount of the fraud is over [6,000]  
6 **SIX HUNDRED THOUSAND pesos**  
7 **(P600,000)** but does not exceed [12,000] **ONE**  
8 **MILLION TWO HUNDRED THOUSAND**  
9 **pesos (P1,200,000);**

10 3rd. The penalty of *prision mayor* in its medium  
11 period, if such amount is over [200] **TWENTY**  
12 **THOUSAND pesos (P20,000)** but does not  
13 exceed [6,000] **SIX HUNDRED THOUSAND**  
14 **pesos (P600,000); and,**

15 4th. By *prision mayor* in its maximum period, if  
16 such amount does not exceed [200] **TWENTY**  
17 **THOUSAND pesos (P20,000).**

18 (3) Through any of the following fraudulent means:

- 19 (a) By inducing another, by means of deceit, to sign  
20 any document.
- 21 (b) By resorting to some fraudulent practice to insure  
22 success in a gambling game.
- 23 (c) By removing, concealing or destroying, in whole or  
24 in part, any court record, office files, document or  
25 any other papers.

26 **SEC. 87.** Article 318 of the same Act is hereby amended to read as follows:

27 ART. 318. *Other deceits.* — The penalty of *arresto mayor* and a  
28 fine of not less than the amount of the damage caused and not  
29 more than twice such amount shall be imposed upon any person  
30 who shall defraud or damage another by any other deceit not

1 mentioned in the preceding articles of this chapter.

2 Any person who, for profit or gain, shall interpret dreams, make  
3 forecasts, tell fortunes, or take advantage of the credulity of the  
4 public in any other similar manner, shall suffer the penalty of  
5 *arresto mayor* or a fine not exceeding [200] **FORTY**  
6 **THOUSAND pesos (P40,000).**

7 **SEC. 88.** Article 321 of the same Act is hereby amended to read as follows:

8 ART. 321. *Other forms of arson.* - When the arson consists in  
9 the burning of other property and under the circumstances  
10 given hereunder, the offender shall be punishable:

11 (1) By *reclusion temporal* or *reclusion perpetua*:

- 12 (a) if the offender shall set fire to any building,  
13 farmhouse, warehouse, hut, shelter, or vessel in  
14 port, knowing it to be occupied at the time by one  
15 or more persons;
- 16 (b) If the building burned is a public building and  
17 value of the damage caused exceeds [6,000] **ONE**  
18 **MILLION TWO HUNDRED THOUSAND**  
19 **pesos (P1,200,000);**
- 20 (c) If the building burned is a public building and the  
21 purpose is to destroy evidence kept therein to be  
22 used in instituting prosecution for the punishment  
23 of violators of the law, irrespective of the amount  
24 of the damage;
- 25 (d) If the building burned is a public building and the  
26 purpose is to destroy evidence kept therein to be  
27 used in legislative, judicial or administrative  
28 proceedings, irrespective of the amount of the  
29 damage; Provided, however, That if the evidence  
30 destroyed is to be used against the defendant for

the prosecution of any crime punishable under existing laws, the penalty shall be *reclusion perpetua*;

- (e) If the arson shall have been committed with the intention of collecting under an insurance policy against loss or damage by fire.

(3) By reclusion temporal:

- (a) If an inhabited house or any other building in which people are accustomed to meet is set on fire, and the culprit did not know that such house or building was occupied at the time, or if he shall set fire to a moving freight train or motor vehicle, and the value of the damage caused exceeds [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000);**
  - (b) If the value of the damage caused in paragraph (b) of the preceding subdivision does not exceed [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000);**
  - (c) If a farm, sugar mill, cane mill, mill central, bamboo groves or any similar plantation is set on fire and the damage caused exceeds [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000);** and
  - (d) If grain fields, pasture lands, or forests, or plantings are set on fire, and the damage caused exceeds [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000).**

(4) By prison mayor:

- (a) If the value of the damage caused in the case mentioned in paragraphs (a), (c), and (d) in the next preceding subdivision does not exceed [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000);**
  - (b) If a building not used as a dwelling or place of assembly, located in a populated place, is set on fire, and the damage caused exceeds [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000);**
  - (5) By *prision correccional* in its maximum period to *prision mayor* in its medium period:
    - (a) If a building used as dwelling located in an uninhabited place is set on fire and the damage caused exceeds [1,000] **TWO HUNDRED THOUSAND pesos (P200,000);**
    - (b) If the value or the damage caused in the case mentioned in paragraphs (c) and (d) of subdivision 2 of this article does not exceed [200] **FORTY THOUSAND pesos (P40,000).**
  - (6) By *prision correccional* in its medium period to *prision mayor* in its minimum period, when the damage caused is over [200] **FORTY THOUSAND pesos (P40,000)** but does not exceed [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**, and the property referred to in paragraph (a) of the preceding subdivision is set on fire; but when the value of such property does not exceed [200] **FORTY THOUSAND pesos (P40,000)**, the penalty next lower in degree than that prescribed in this subdivision shall be imposed.

- (7) The penalty of *prisión correccional* in its medium and maximum periods, if the damage caused in the case mentioned in paragraph (b) of subdivision 3 of this article does not exceed [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000)** but is over [200] **FORTY THOUSAND pesos (P40,000)**.
  - (8) The penalty of *prisión correccional* in its minimum and medium periods, if the damage caused in the case mentioned paragraph (b) subdivision 3 of this article does not exceed [200] **FORTY THOUSAND pesos (P40,000)**.
  - (9) The penalty of *arresto mayor* and a fine ranging from fifty to one hundred per centum if the damage caused shall be imposed, when the property burned consists of grain fields, pasture lands, forests, or plantations when the value of such property does not exceed [200] **FORTY THOUSAND pesos (P40,000)**.

**SEC. 89.** Article 322 of the same Act is hereby amended to read as follows:

*ART. 322. Cases of arson not included in the preceding articles.* - Cases of arson not included in the next preceding articles shall be punished:

- (1) By *arresto mayor* in its medium and maximum periods, when the damage caused does not exceed [50] **TEN THOUSAND pesos (**P10,000**)**;
  - (2) By *arresto mayor* in its maximum period to *prisión correccional* in its minimum period, when the damage caused is over [50] **TEN THOUSAND pesos (**P10,000**)** but does not exceed [200] **FORTY THOUSAND pesos (**P40,000**)**;
  - (3) By *prisión correccional* in its minimum and medium periods, if the damage caused is over [200] **FORTY**

1                   **THOUSAND** pesos (**P40,000**) but does not exceed  
2                   [1,000] **TWO HUNDRED THOUSAND** pesos  
3                   (**P200,000**); and

- 4                   (4) By *prision correccional* in its medium and maximum  
5                   periods, if it is over [1,000] **TWO HUNDRED**  
6                   **THOUSAND** pesos (**P200,000**).

7                 **SEC. 90.** Article 323 of the same Act is hereby amended to read as  
8 follows:

9                 ART. 323. *Arson of property of small value.* - The arson of any  
10                 uninhabited hut, storehouse, barn, shed, or any other property  
11                 the value of which does not exceed [25] **FIVE THOUSAND**  
12                 pesos (**P5,000**), committed at a time or under circumstances  
13                 which clearly exclude all danger of the fire spreading, shall not  
14                 be punished by the penalties respectively prescribed in this  
15                 chapter, but in accordance with the damage caused and under  
16                 the provisions of the following chapter.

17                 **SEC. 91.** Article 328 of the same Act is hereby amended to read as  
18 follows:

19                 ART. 328. *Special cases of malicious mischief.* - Any person who  
20                 shall cause damage to obstruct the performance of public  
21                 functions, or using any poisonous or corrosive substance; or  
22                 spreading any infection or contagion among cattle; or who cause  
23                 damage to the property of the National Museum or National  
24                 Library, or to any archive or registry, waterworks, road,  
25                 promenade, or any other thing used in common by the public,  
26                 shall be punished:

- 27                   (1) By *prision correccional* in its minimum and medium  
28                   periods, if the value of the damage caused exceeds  
29                   [1,000] **TWO HUNDRED THOUSAND** pesos  
30                   (**P200,000**);

- (2) By *arresto mayor*, if such value does not exceed the abovementioned amount but it is over [200] **FORTY THOUSAND** pesos (**P40,000**); and

(3) By *arresto menor*, in such value does not exceed [200] **FORTY THOUSAND** pesos (**P40,000**).

**SEC. 92.** Article 329 of the same Act, as amended by Commonwealth Act No. 3999, is hereby further amended to read as follows:

**ART. 329. Other mischiefs.** - The mischiefs not included in the next preceding article shall be punished:

- (1) By *arresto mayor* in its medium and maximum periods, if the value of the damage caused exceeds [1,000] **TWO HUNDRED THOUSAND pesos (P200,000);**
  - (2) By *arresto mayor* in its minimum and medium periods, if such value is over [200] **FORTY THOUSAND pesos (P40,000)** but does not exceed [1,000] **TWO HUNDRED THOUSAND pesos (P200,000);** and
  - (3) By *arresto menor* or fine of not less than the value of the damage caused and not more than [200] **FORTY THOUSAND pesos (P40,000)**, if the amount involved does not exceed [200] **FORTY THOUSAND pesos (P40,000)** or cannot be estimated.

**SEC. 93.** Article 331 of the same Act is hereby amended to read as follows:

**ART. 331. *Destroying or damaging statues, public monuments or paintings.***— Any person who shall destroy or damage statues or any other useful or ornamental public monument shall suffer the penalty of *arresto mayor* in its medium period to *prisión correccional* in its minimum period.

Any person who shall destroy or damage any useful or ornamental painting of a public nature shall suffer the penalty of *arresto menor* or a fine not exceeding [200] **FORTY**

1           **THOUSAND** pesos (**P40,000**), or both such fine and  
2           imprisonment, in the discretion of the court.

3           **SEC. 94.** Article 347 of the same Act is hereby amended to read as follows:

4           ART. 347. *Simulation of births, substitution of one child for*  
5           *another and concealment or abandonment of a legitimate*  
6           *child.* — The simulation of births and the substitution of one  
7           child for another shall be punished by *prision mayor* and a fine  
8           of not exceeding [1,000] **TWO HUNDRED THOUSAND**  
9           pesos (**P200,000**).

10          The same penalties shall be imposed upon any person who shall  
11          conceal or abandon any legitimate child with intent to cause  
12          such child to lose its civil status.

13          Any physician or surgeon or public officer who, in violation of  
14          the duties of his profession or office, shall cooperate in the  
15          execution of any of the crimes mentioned in the two next  
16          preceding paragraphs, shall suffer the penalties therein  
17          prescribed and also the penalty of temporary special  
18          disqualification.

19          **SEC. 95.** Article 355 of the same Act is hereby amended to read as follows:

20          ART. 355. *Libel means by writings or similar means.*— A libel  
21          committed by means of writing, printing, lithography,  
22          engraving, radio, phonograph, painting, theatrical exhibition,  
23          cinematographic exhibition, or any similar means, shall be  
24          punished by *prision correccional* in its minimum and medium  
25          periods or a fine ranging from [200 to 6,000] **TWENTY**  
26          **THOUSAND PESOS (P20,000) TO SIX HUNDRED**  
27          **THOUSAND** pesos (**P600,000**), or both, in addition to the  
28          civil action which may be brought by the offended party.

29          **SEC. 96.** Article 356 of the same Act is hereby amended to read as follows:

30          ART. 356. *Threatening to publish and offer to prevent such*

1           *publication for a compensation.* — The penalty of *arresto*  
2           mayor or a fine from [200 to 2,000] **FORTY THOUSAND**  
3           **PESOS (P40,000) TO FOUR HUNDRED THOUSAND**  
4           pesos (**P400,000**), or both, shall be imposed upon any person  
5           who threatens another to publish a libel concerning him or the  
6           parents, spouse, child, or other members of the family of the  
7           latter or upon anyone who shall offer to prevent the publication  
8           of such libel for a compensation or money consideration.

9           **SEC. 97.** Article 357 of the same Act is hereby amended to read as follows:

10          ART. 357. *Prohibited publication of acts referred to in the*  
11          *course of official proceedings.*— The penalty of *arresto mayor*  
12          or a fine of [20 to 2,000] **TWO THOUSAND PESOS**  
13          **(P2,000) TO TWO HUNDRED THOUSAND** pesos  
14          (**P200,000**), or both, shall be imposed upon any reporter,  
15          editor or manager or a newspaper, daily or magazine, who shall  
16          publish facts connected with the private life of another and  
17          offensive to the honor, virtue and reputation of said person,  
18          even though said publication be made in connection with or  
19          under the pretext that it is necessary in the narration of any  
20          judicial or administrative proceedings wherein such facts have  
21          been mentioned.

22          **SEC. 98.** Article 358 of the same Act is hereby amended to read as follows:

23          ART. 358. *Slander.* — Oral defamation shall be punished by  
24          *arresto mayor* in its maximum period to *prision correccional* in  
25          its minimum period if it is of a serious and insulting nature;  
26          otherwise the penalty shall be *arresto menor* or a fine not  
27          exceeding [200] **TWENTY THOUSAND** pesos (**P20,000**).

28          **SEC. 99.** Article 359 of the same Act is hereby amended to read as follows:

29          ART. 359. *Slander by deed.* — The penalty of *arresto mayor* in  
30          its maximum period to *prision correccional* in its minimum  
31          period or a fine ranging from [200 to 1,000] **TWENTY**

1                   **THOUSAND PESOS (P20,000) TO ONE HUNDRED**  
2                   **THOUSAND** pesos (**P100,000**) shall be imposed upon any  
3                   person who shall perform any act not included and punished in  
4                   this title, which shall cast dishonor, discredit or contempt upon  
5                   another person. If said act is not of a serious nature, the penalty  
6                   shall be *arresto menor* or a fine not exceeding [200] **TWENTY**  
7                   **THOUSAND** pesos (**P20,000**).

8                   **SEC. 100.** Article 364 of the same Act is hereby amended to read as follows:

9                   ART. 364. *Intriguing against honor.* — The penalty of *arresto*  
10                  *menor* or fine not exceeding [200] **TWENTY THOUSAND**  
11                  pesos (**P20,000**) shall be imposed for any intrigue which has  
12                  for its principal purpose to blemish the honor or reputation of a  
13                  person.

14                  **SEC. 101.** Article 365 of the same Act, as amended by Republic Act No. 1790,  
15                  is hereby further amended to read as follows:

16                  ART. 365. *Imprudence and negligence.* — Any person who, by  
17                  reckless imprudence, shall commit any act which, had it been  
18                  intentional, would constitute a grave felony, shall suffer the  
19                  penalty of *arresto mayor* in its maximum period to *prision*  
20                  *correccional* in its medium period; if it would have constituted a  
21                  less grave felony, the penalty of *arresto mayor* in its minimum  
22                  and medium periods shall be imposed; if it would have  
23                  constituted a light felony, the penalty of *arresto menor* in its  
24                  maximum period shall be imposed.

25                  Any person who, by simple imprudence or negligence, shall  
26                  commit an act which would otherwise constitute a grave felony,  
27                  shall suffer the penalty of *arresto mayor* in its medium and  
28                  maximum periods; if it would have constituted a less serious  
29                  felony, the penalty of *arresto mayor* in its minimum period  
30                  shall be imposed.

31                  When the execution of the act covered by this article shall have

1 only resulted in damage to the property of another, the offender  
2 shall be punished by a fine ranging from an amount equal to the  
3 value of said damages to three times such value, but which shall  
4 in no case be less than [twenty-five] **FIVE THOUSAND** pesos  
5 (**P5,000**).

6 A fine not exceeding [two hundred] **FORTY THOUSAND**  
7 pesos (**P40,000**) and censure shall be imposed upon any  
8 person who, by simple imprudence or negligence, shall cause  
9 some wrong which, if done maliciously, would have constituted  
10 a light felony.

11 In the imposition of these penalties, the court shall exercise  
12 their sound discretion, without regard to the rules prescribed in  
13 Article sixty-four.

14 The provisions contained in this article shall not be applicable:

- 15 (1) When the penalty provided for the offense is equal to or  
16 lower than those provided in the first two paragraphs of  
17 this article, in which case the court shall impose the  
18 penalty next lower in degree than that which should be  
19 imposed in the period which they may deem proper to  
20 apply.
- 21 (2) When, by imprudence or negligence and with violation of  
22 the Automobile Law, to death of a person shall be caused,  
23 in which case the defendant shall be punished by *prision*  
24 *correccional* in its medium and maximum periods.

25 Reckless imprudence consists in voluntary, but without malice,  
26 doing or failing to do an act from which material damage results  
27 by reason of inexcusable lack of precaution on the part of the  
28 person performing of failing to perform such act, taking into  
29 consideration his employment or occupation, degree of  
30 intelligence, physical condition and other circumstances  
31 regarding persons, time and place.

1 Simple imprudence consists in the lack of precaution displayed  
2 in those cases in which the damage impending to be caused is  
3 not immediate nor the danger clearly manifest.

4 The penalty next higher in degree to those provided for in this  
5 article shall be imposed upon the offender who fails to lend on  
6 the spot to the injured parties such help as may be in this hand  
7 to give.

8       **SEC. 102. *Separability Clause.*** – Should any provision of this Act be  
9 declared invalid, the remaining provisions shall continue to be valid and subsisting.

10      **SEC. 103. *Repealing Clause.*** – All laws, executive orders, or  
11 administrative orders, rules and regulations or parts thereof, which are inconsistent  
12 with this Act are hereby amended, repealed or modified accordingly.

13      **SEC. 104. *Retroactive Effect.*** – This Act shall have retroactive effect to  
14 the extent that it is favorable to the accused or person serving sentence by final  
15 judgment.

16      **SEC. 105. *Transitory Provision; Applicability to Pending Cases.*** –  
17 For cases pending before the courts upon the effectivity of this Act where trial has  
18 already started, the courts hearing such cases shall not lose jurisdiction over the  
19 same by virtue of this Act.

20      **SEC. 106. *Effectivity.*** – This Act shall take effect within fifteen (15) days  
21 after its publication in at least two (2) newspapers of general circulation.

*Approved,*