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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1842

Introduced by Rep. Benigno S. Aquino III

EXPLANATORY NOTE

The existing Penal Code of the Philippines is based on the Spanish Penal Code, which was made applicable to the country in 1887 by virtue of the royal order dated December 17, 1886. It was revised by a Code Committee, which however did not undertake the codification of penal laws in the Philippines, but merely revised the old Penal Code and included in the draft the other criminal laws related to it. On December 8, 1930, the Revised Penal Code was approved by the Philippine Legislature and took effect on January 1, 1932.

The Revised Penal Code, archaic as it is, does not embody the latest progress of criminal science. At present, it is a jumble of the colonial Penal Code, which was translated into English and overlaid with sporadic amendments of special laws passed by Congress in the form of Acts, Commonwealth Acts, Presidential Decrees, Batas Pambansa, and Republic Acts.

This measure intends to establish a Criminal Code Commission that will undertake the review, revision and updating of all existing penal laws in the country to make them more coherent and up-to-date.

The bill ultimately envisions a criminal code to be enacted by Congress that conforms to the modern trends in legislation and the progressive principles of law.

In view thereof, urgent approval of this bill is earnestly sought.

BENIGNO S. AQUINO IIII

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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AN ACT PROVIDING FOR THE CODIFICATION OF CRIMINAL LAWS IN THE PHILIPPINES, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policies and Objectives.* – It is hereby declared to be a policy of the State to promote the rule of law as an instrument for the advancement of peace and order, national security, and sustained development. Toward this end, the State shall ensure that criminal laws are clear, coherent, and responsive to the times; criminal offenses precisely defined; and the entire body of the nation's criminal laws easily accessible to all.

The objectives of this Act shall be as follows:

a) To clearly establish the authority of the state, under its police power, to define and punish crimes;

b) To review, revise and update all existing penal laws with a view to making them more coherent, up-to-date, and consistent, and deleting those penal statutes or specific provisions thereof that have been rendered moot by subsequent legislation; and

c) To compile, to the extent possible, in a single Code, the resulting body of penal legislation, utilizing a rationalized system of classifying crimes and defining their penalties.

SEC. 2. *Definition of Terms.* – For purposes of this Act, "Codification" shall refer to the process of organizing and analyzing all legislations of a general and permanent nature into a code.

"Criminal law" refers to that branch or division of law, which defines crimes, treats of their nature, and provides for their punishment.

"Code" refers to the systematic statement of a body of law.

SEC. 3. *Creation of a Criminal Code Commission.* – In recognition of the urgent need for the immediate review and revision of all existing criminal laws of the Philippines and of their codification in conformity with modern trends in legislation and the progressive principles of law, a Criminal Code Commission is hereby created composed of a Chairman and four (4) Members to be appointed by the President of the Philippines with the consent of the Commission on Appointments. For purposes of administration, the Commission shall be under the executive control and supervision of the Secretary of Justice.

SEC. 4. *Compensation.* – The Chairman and the Members of the Commission shall receive such compensation as may be fixed by the President of the Philippines, but if they are at the same time government officials receiving regular salaries they shall serve without additional compensation. The Secretary of Justice shall, subject to the provisions of the Civil Service Law, appoint such assistants and subordinate employees as may be necessary.

SEC. 5. *Powers and Functions of the Commission.* – The Commission is empowered to prepare, one title at a time, a revision and restatement of existing criminal laws in conformity to the understood policy, intent, and purpose of the Congress in the original enactments, with such amendments and corrections and to remove ambiguities, contradictions, and other imperfections both in substance and in form.

It shall call upon any person, whose knowledge and service is deemed vital, to assist or otherwise extend his cooperation to the Commission in connection with the performance of its functions. It shall complete its work within one (1) year after the approval of this Act and shall submit to the President of the Philippines a report of the work undertaken by it together with the draft of the criminal code for submission to the Congress of the Philippines.

Upon completion of its work and submission of its report, the Commission shall cease to exist and the services of its Chairman and Members and of all employees working under it shall terminate. All the records, documents, and proceedings of the Commission shall be delivered to the Archives of the Senate of the Philippines and the House of Representatives for preservation and disposition according to law. The unexpended balance of its fund shall revert to the un-appropriated general fund of the National Treasury.

SEC. 6. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the general Appropriations Act of the year following its enactment into law and thereafter.

SEC. 7. *Effectivity.* – This Act shall take effect upon its approval.

Approved,