

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 5412



Introduced by HON. MA. AMELITA CALIMBAS-VILLAROSA

EXPLANATORY NOTE

The Revised Penal Code presently defines the crime of usurpation of authority or public functions under Article 177 and prescribes therefor a penalty of *prision correccional* in its minimum and medium periods. This act of false representation and usurpation is commonly committed in conjunction with a violation of Republic Act No. 493 which prohibits the unauthorized use of the duly prescribed insignia, badge, or emblem of rank of the Armed Forces of the Philippines or the Philippine National Police, or a colorable imitation thereof, which greatly affects the public perception of our men and women in uniform.

While it may be true that there are a few rotten apples, so to speak, the greater majority of our officers in the military and in the police force who are willing to sacrifice life and family for public service, stand for nothing but honor. It is unfortunate that due to the deplorable acts of some hoodlums in uniform, the trust and respect that the public used to render the military and the police force in general has greatly diminished in recent years.

It is in this regard that this bill seeks to prescribe stiffer penalties for violations of Republic Act No. 493 if committed in furtherance of, incident to or in connection with usurpation of authority or official functions as defined in Article 177. By itself, a violation of Republic Act No. 493 is punishable by a fine of not less than two thousand pesos and not exceeding five thousand pesos or by imprisonment for not less than one month and not exceeding two years, or both, in the discretion of the court, while a violation of Article 177 is punishable by imprisonment of not less than six months and one day to four years and two months. This bill seeks to give more teeth to the law by increasing the penalty to *prision correccional* maximum period to *prision mayor* minimum period or from four years, two months and one day to eight years.

Approval of this bill is strongly recommended.


MA. AMELITA CALIMBAS-VILLAROSA

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**AN ACT PRESCRIBING STIFFER PENALTIES FOR
VIOLATORS OF ARTICLE 177 OF THE REVISED PENAL
CODE WHEN COMMITTED IN CONJUNCTION WITH
A VIOLATION OF REPUBLIC ACT NO. 493**

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

SECTION 1. Article 177 of the Revised Penal Code is hereafter amended
to read as follows:

*Usurpation of authority or official functions. – Any person
who shall knowingly and falsely represent himself to be an officer,
agent or representative of any department or agency of the
Philippine Government or of any foreign government, or who, under
pretense of official position, shall perform any act pertaining to any
person in authority or public officer of the Philippine Government or
of any foreign government, or any agency thereof, without being
lawfully entitled to do so, shall suffer the penalty of prision
correccional in its minimum and medium periods*

**The penalty next higher in degree shall be imposed if
the offender commits a violation of Republic Act No. 493 in
furtherance of, incident to or in connection with usurpation of
authority or official functions as herein defined.**

SECTION 2. This Act shall take effect after fifteen (15) days following the
completion of its publication in two (2) newspapers of general circulation.

Approved,