

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2019

Introduced by: Hon. Christopher S. Co, Rodel M. Batocabe and Alfredo A. Garbin Jr.

EXPLANATORY NOTE

"There is an urgent need for immediate revision of all existing substantive laws of the Philippines and of codifying them in conformity with the customs, traditions, and idiosyncrasies of the Filipino people and with modern trends in legislation and the progressive principles of law."

- Executive Order no. 48, Creating the Code Commission, signed by Former President Manuel Roxas

Signed in 1947, the aforementioned executive order created the Code Commission, which paved the way for the passing of the Civil Code in 1952. More than half a century has passed, as well as thousands of laws, and again we see the necessity of executing the heed of President Roxas in his order.

The words of President Roxas sixty-three years ago are as relevant today as it was then. President Benigno Aquino, Jr., in his State of the Nation Address in 2010, urged the Congress "to begin a re-codification of our laws to ensure harmony in legislation and eliminate contradictions," keeping in mind the outdated and repealed provisions of some of our Codes that resulted from the creation of succeeding laws.

This bill seeks to create the 2010 Penal Code Commission, which will perform the daunting task of the codification of all existing substantive penal laws of the Philippines, in line with the President's platform of good government and efficient legislation, and to effectively remove contradictions, redundancies and confusing provisions in our laws. The Penal Code Commission shall complete its work not later than one (1) year from the date of approval of this bill, and shall submit to the President a report of the work undertaken by it together with the corresponding drafts of the different codes for submission to the Congress.

Accordingly, the swift passage of this bill is earnestly sought.



CHRISTOPHER S. CO



RODEL M. BATOCABE



ALFREDO A. GARBIN, JR.

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AN ACT
CREATING A PENAL CODE COMMISSION TO IMPLEMENT THE RE-CODIFICATION OF ALL EXISTING
SUBSTANTIVE PENAL LAWS OF THE PHILIPPINES, DEFINING ITS COMPOSITION AND FUNCTIONS, AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Title* – This Act shall be known as the “PENAL CODE RE-CODIFICATION ACT OF 2010”,

SEC. 2. *Creation* – There shall be created, under the Office of the President of the Philippines, a Penal Code Commission to implement the revision and re-codification of all existing substantive penal laws of the Philippines, and of codifying them in conformity with the customs and traditions of the Filipino people, and modern trends in legislation and the progressive principles of law.

SEC. 3. *Composition and Structure* – The chairman of the Penal Code Commission shall be an Associate Justice of the Supreme Court. The Law Center of the University of the Philippines shall serve as the Secretariat. The Penal Code Commission shall be composed of the Chairman, the Secretariat and the following members:

- (a) An Undersecretary of the Department of Justice (DOJ);
- (b) The Director of the National Bureau of Investigation (NBI) or his representative;
- (c) The President of the Integrated Bar of the Philippines (IBP), or his representative;
- (d) The Chief of the Public Attorney's Office (PAO), or his representative;
- (e) A member of the academe who is an expert in criminal law, practitioner and/or professor of Criminal Law for at least ten (10) years, who will be appointed by the President of the Philippines; and
- (f) The president of a non governmental organization espousing an anti-crime advocacy who will likewise be appointed by the President of the Philippines.

The Penal Code Commission shall be under the executive control and supervision of the President of the Philippines.

SEC. 4. *Powers and Functions* – The Commission shall have the following powers and functions:

- (a) To revise all the existing substantive civil laws of the Philippines and to codify them in conformity with the customs and traditions of the Filipino people, and modern trends in legislation and the progressive principles of law;
- (b) To call on any official or employee of any bureau, office, branch, subdivision, agency, or instrumentality of the Government to assist or otherwise extend his cooperation to the Committee in connection with the performance of its functions to carry out the provisions of this Act,
- (c) To complete its work not later than one (1) year from the date of approval of this Act;
- (d) To submit to the President of the Philippines a report of the work undertaken by it together with the corresponding drafts of the Civil Code for submission to the Congress of the Philippines; and
- (e) To deliver to the National Library the records and documents and proceedings of the Commission to the National Library for preservation or disposition by the latter office according to law,

SEC. 5. *Existence* – Upon the completion of its work and the submission of its report, the Commission shall cease to exist and the services of the Chairman and the Members of the same and of all the employees working under it shall terminate. Properties, aside from the records and documents and proceedings of the Commission, shall be disposed of in accordance with generally accepted accounting rules and regulations. The unexpended balances of its appropriations shall revert to the unappropriated general fund in the Philippine Treasury.

SEC. 5. *Compensation* – The chairman and 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 Chairman may, subject to the approval of the President of the Philippines and the provisions of civil service and other relevant laws, appoint such assistants and other subordinate employees as may be necessary.

SEC. 6. *Appropriations* – To carry out the purpose of this Act, there is appropriated out of any national funds not otherwise appropriated, the sum of Twenty Million Pesos (Php20,000,000) for the necessary expenses of the Penal Code Commission.

SEC. 7. *Effectivity Clause* – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,