

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 2207

Introduced by **REP. SALVADOR H. ESCUDERO III**

EXPLANATORY NOTE

Alternative dispute resolution or ADR has become an effective legal mechanism in settling controversies or disputes in court.

As a way of encouraging ADR and promoting its use, this bill seeks to provide the benefit, favorable to the accused, of lowering the penalty in case of conviction in criminal cases where the civil aspect of which is settled with finality through or by ADR.

It is submitted that with this proposal, criminal cases will be resolved with dispatch especially in determining and satisfying civil liability at the least which is impliedly instituted in the filing of such cases in court.

An immediate deliberation of this bill is thus requested.


SALVADOR H. ESCUDERO III
Representative
1st District, Sorsogon

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HOUSE BILL NO. 2207

Introduced by **REP. SALVADOR H. ESCUDERO III**

AN ACT
MANDATING THE IMPOSITION OF PENALTY LOWER THAN THAT
PRESCRIBED BY LAW IN CRIMINAL CASES THE CIVIL CASE OF WHICH IS
SETTLED THROUGH OR BY ALTERNATIVE DISPUTE RESOLUTION
AMENDING FOR THAT PURPOSE REPUBLIC ACT NO. 9285

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

SECTION 1. A new section is hereby added under Chapter 8 of Republic Act No. 9285 to be numbered and read as follows:

SEC. 54. EFFECTS OF ADR ON CRIMINAL CASES. – IN
CRIMINAL CASES WHERE THE CIVIL ASPECT OF WHICH IS SETTLED
WITH FINALITY BY ADR THE PENALTY TO BE IMPOSED SHALL BE AT
LEAST TWO (2) DEGREES LOWER THAN THAT PRESCRIBED BY LAW. IF
THE SUBJECT OFFENSE CANNOT BE LOWERED BY TWO (2) DEGREES
PURSUANT TO ARTICLE 61 OF THE REVISED PENAL CODE (RPC) THEN
THE PENALTY TO BE IMPOSED SHALL BE FROM THE MINIMUM TO THE
NEXT LOWER PENALTY PRESCRIBED BY LAW.

SEC. 2. The sections subsequent to the provisions in Section 1 hereof are hereby renumbered as SECTIONS 55 to 57 accordingly.

SEC. 3. All laws, decrees, executive orders and rules and regulations inconsistent with the provisions of this Act are hereby repealed and modified accordingly.

SEC. 4. This Act shall take effect 15 days following its complete publication in at least two (2) newspapers of general circulation.

Approved,