

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4003

Introduced by: **REPRESENTATIVE SALVIO B. FORTUNO**

EXPLANATORY NOTE

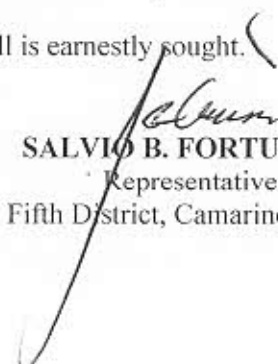
The recent spate of carnappings that hugged banner headlines in national dailies the past few days had brought to the fore the issue as to whether or not the present law on the matter remains applicable at this time to deter the commission of such crime. The grisly manner in which the crimes were committed in succession had caused tremendous pressure to the authorities, excruciating pains to the victim's families and fear and outrage to the people, particularly those in the car dealership industry. Even the restoration of death penalty has again resurfaced to the national consciousness as one of possible deterrents as it would strike fear to the hearts of the criminals. But this ticklish issue has again resurrected those pro-life and pro-death penalty advocates fueling heated debates that may cause divisiveness among our people.

Republic Act No. 6539 otherwise known as the "*Anti-Carnapping Act of 1972*" was enacted primarily to arrest the growing number of cases committed at that time. The law imposes a penalty of imprisonment of fourteen (14) years to seventeen (17) years when carnapping is committed without violence or intimidation of persons, or force upon things, not less than seventeen (17) years to not more than thirty (30) years when the crime is committed by means of violence against or intimidation of persons, or force upon things, and *reclusion perpetua* to death when the owner, driver or occupant of the carnapped motor vehicle is killed or raped in the course of the commission of such crime or on occasion thereof.

Based on the gravity of the penalty imposed under the aforementioned law, the commission of carnapping has already been considered as heinous crime more than four decades ago. However, carnapping cases remain unabated. In fact, record reveals that a combined 1,739 motor vehicles and motorcycles were reported stolen in 2010.

This bill therefore seeks to make the crime of carnapping as a non-bailable offense. The paramount objective of this bill is to deter further commission of such crime because the suspect cannot be able to continue his nefarious activities while languishing in jail. It must be noted that one of the suspects in the gruesome killing of car dealer Venson Evangelista and possibly Lozano, has fifteen (15) car theft cases pending in various courts. Yet, he remains scot-free.

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


SALVIO B. FORTUNO
Representative
Fifth District, Camarines Sur

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AN ACT
MAKING THE CRIME OF CARNAPPING, UNDER CERTAIN
CIRCUMSTANCE, A NON-BAILABLE OFFENSE, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 6539 AS AMENDED OTHERWISE KNOWN AS
THE "ANTI-CARNAPPING ACT OF 1972"

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

SECTION 1. Section 14 of Republic Act No. 6539 as amended otherwise known as the "*Anti-Carnapping Act of 1972*" is hereby amended to read as follows:

"SEC. 14. *Penalty for Carnapping.* – xxx xxx xxx

THE PROVISION OF THE LAW TO THE CONTRARY NOTWITHSTANDING, NO BAIL SHALL BE RECOMMENDED WHEN THE CARNAPPING IS COMMITTED BY MEANS OF VIOLENCE OR INTIMIDATION OF ANY PERSON, OR FORCE UPON THINGS, OR WHEN THE OWNER, DRIVER OR OCCUPANT OF THE CARNAPPED MOTOR VEHICLE IS KILLED OR RAPED IN THE COURSE OF THE COMMISSION OF THE CARNAPPING OR ON THE OCCASION THEREOF."

SEC. 2. This Act shall take effect fifteen days after its publication in at least two (2) newspapers of national circulation.

Approved,